

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
Permit Number: 070285
APR 18 2007
CITY OF PORTLAND

This is to certify that ZIMMERMAN WILLIAM E. PATTY T. (TSA Waterman Marine C

has permission to Construct fixed pier w/ seasonal ramp & float in front of home

AT 14 CENTENNIAL ST 087 00007001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of this State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission procured before this building or part thereof is loaded or closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept.

Health Dept.

Appeal Board

Other Department Name

Thomas M. Mabley 4/18/07
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 07-0285	Issue Date:	CBL: 087 00007001
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Location of Construction: 14 CENTENNIAL ST <i>Peaks Island</i>	Owner Name: ZIMMERMAN WILLIAM B & PA	Owner Address: PO BOX 1267	Phone:
Business Name:	Contractor Name: Waterman Marine Corp	Contractor Address: 475 US Rt 1 Suite 6 Freeport	Phone: 2078699100
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	Zone: <i>IR2</i>

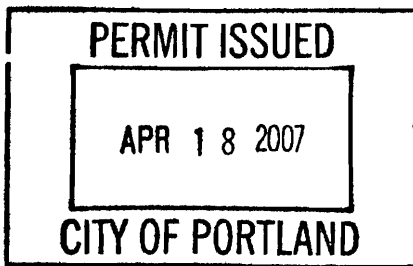
Past Use: Single Family Home	Proposed Use: Single Family Home - Construct fixed pier w/ seasonal ramp & float in rear of home	Permit Fee: \$1,410.00	Cost of Work: \$138,500.00	CEO District: 2
		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>R3</i> Type: <i>SB</i> <i>IRC 2003</i>	

Proposed Project Description: Construct fixed pier w/ seasonal ramp & float in rear of home <i>pier 115' long - 8' wide for 104' 8' wide for 11' near steps includes steps down to water</i>	Signature:	Signature: <i>Jm 4/18/07</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:	Date:	

Permit Taken By: Idobson	Date Applied For: 03/20/2007	Zoning Approval	
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input checked="" type="checkbox"/> Shoreland <i>steps 4' wide & pier</i> <input type="checkbox"/> Wetland <i>section 14-449</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>2007-0050</i> Maj <input type="checkbox"/> Minor <input checked="" type="checkbox"/> MM <input type="checkbox"/> <i>at w/ conditions</i> Date: <i>4/1/07 ABM</i>	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <i>ABM</i> Date:



CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

- _____ Footing/Building Location Inspection: Prior to pouring concrete
- _____ Re-Bar Schedule Inspection: Prior to pouring concrete
- _____ Foundation Inspection: Prior to placing ANY backfill
- _____ Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling
- Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects **DO** require a final inspection

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

Signature of Applicant/Designee

Donna Martin Palmer

Signature of Inspections Official

Date

4.18.07

Date

CBL: *87 00 007*

Building Permit #: *07-0285*

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 07-0285	Date Applied For: 03/20/2007	CBL: 087 00007001
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Location of Construction: 14 CENTENNIAL ST, Peaks Island	Owner Name: ZIMMERMAN WILLIAM B & PA	Owner Address: PO BOX 1267	Phone:
Business Name:	Contractor Name: Waterman Marine Corp	Contractor Address: 475 US Rt 1 Suite 6 Freeport	Phone (207) 869-9100
Lessee/Buyer's Name	Phone:	Permit Type: Additions - Dwellings	

Proposed Use: Single Family Home - Construct fixed pier w/ seasonal ramp & float in rear of home	Proposed Project Description: Construct fixed pier w/ seasonal ramp & float in rear of home - pier is 8' wide for first 11' & then 5' wide for 104' & a series of steps and landings down to the pier.
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 04/04/2007

Note: **Ok to Issue:**

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 04/18/2007

Note: **Ok to Issue:**

- 1) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Comments:

4/3/2007-amachado: Received copy of permit from Board of Harbor Commissioners.

4/4/2007-amachado: Don't issue permit until get minor site plan approval from planning.

3/22/2007-amachado: Left message for Peter Spencer at Waterman Marine. Need more information. Need confirmation of size of pier. Original plans say 115' x 6'. Revised plans say 104' x 5'. Application to Army Corp of Engineers and DEP says 115' x 6'. Army Corp PGP permit had conditions that weren't included. DEP permit copy did not include attached conditions. Application for Marine Construction permit to Board of Harbor Commissioners is there with note saying permit approved on 3/8/07. We need copy of approved permit.

3/25/2007-amachado: Peter Spencer brought in the conditions from the Army Corp permit and the DEP permit. He is working on getting something from the Board of Harbor Commissioners.

4/12/2007-amachado: Received minor site plan approval from planning.

Fire Department requirements.

The following shall be submitted on a separate sheet:

- Name, address and phone number of applicant **and** the project architect.
- Proposed use of structure (NFPA and IBC classification)
- Square footage of proposed structure (total and per story) — 828 sq. ft.
- Existing and proposed fire protection of structure.
- Separate plans shall be submitted for
 - a) Suppression system
 - b) Detection System (separate permit is required)
- A separate Life Safety Plan must include:
 - a) Fire resistance ratings of all means of egress
 - b) Travel distance from most remote point to exit discharge
 - c) Location of any required fire extinguishers
 - d) Location of emergency lighting
 - e) Location of exit signs
 - f) NFPA 101 code summary
- Elevators shall be sized to fit an 80" x 24" stretcher.

For questions on Fire Department requirements call the Fire Prevention Officer at (207) 874-8405.

Please submit all of the information outlined in this application checklist. If the application is incomplete, the application may be refused.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

Permit Fee: \$30.00 for the first \$1000.00 construction cost, \$10.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permit is issued.



Custom Docks, Ramps & Float Systems

TO: ANN MACHADO

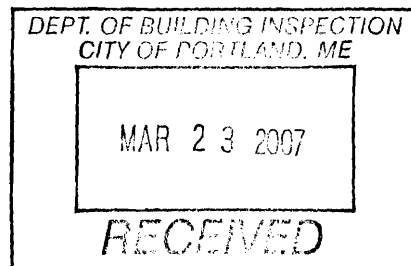
3/22/07

ZIMMERMAN APPLICATION
14 CENTENNIAL ST, ROAR
PEAKS ISLAND ME

- ENCLOSED CONDITIONS FROM DEED(NRDA) PERMIT & FROM ARMY CORD PERMIT
- DO NOT AS YET HAVE THE PHYSICAL PERMIT FROM BOARD OF HARBOR COMMISSIONERS
- WE CONFIRM THE PIER LENGTH AS PER DRAWINGS AT 115'; 104' OF THIS LENGTH IS TO BE 5' IN WIDTH; 11' COMING OFF THE STAIRS IS TO BE 8' IN WIDTH.

THANKS,

PETER SRAJGER

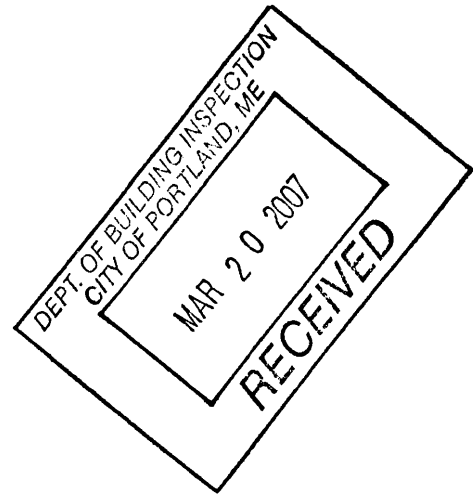




Custom Docks, Ramps & Float Systems

3/19/07
CONCRETE OFFICE

ZIMMERMAN
PEAKS ISLAND



ATTACHED THE FOLLOWING:

1. Building Permit Application, checklist & check for \$1405-.
2. Revised drawing of pier showing width for 104' reduced to 5' as per DEP Permit terms
3. Activity Description.
4. Letters of authorization to act as agent.
5. Site plan showing pier and erosion control measures on lot.
6. Plans for the pier, ramp & float.
7. Plans for erosion control measures.
8. Photos of the site
9. Copy Army Corps Permit issued 2/8/07.
10. Copy DEP Permit issued 3/8/07.
11. Copy of Application to Board of Harbor Commissioners. Permit approved on 3/8/07.

WATERMAN MARINE CORPORATION

475 US Route 1, Suite 6, Freeport, Maine 04032 • (207) 869-9100 / Fax: (207) 869-9101



Custom Docks, Ramps & Float Systems
Wm Zimmerman Application, Peaks Island

Activity Description

A/ Dock System

The Applicant proposes to construct a fixed pier with seasonal ramp and float accessed from a staircase leading from the lawn of the residence at 14 centennial Street, Rear, Peaks Island on the western facing shore. This is a private residence and the intended usage is for the owners of this residence.

A description of the proposed system is as follows:

- Construct fixed pier 6' x 115'; pier supported on driven pile using barge and crane. 16 pile to be used with minimum butt of 8"; pile to be driven in the intertidal zone as per the drawings. A seasonal ramp 3' x 36' leads from the pier to a 12' x 24' float.
- Construct 48' staircase leading from the access landing at the top to the fixed pier; staircase to be erected in three 16' sections with 4' x 8' landings x 2 with the stairs to be bolted to the landings and to the pier. Landings to be secured by driving 4" x 6" posts into the ground with the top of the pile bolted to the landing; X trussed handrail on the stairs and landings.
- Construct a 4' x 7' access landing leading from the lawn to the staircase; landing secured by driving 4" x 6" posts into the ground; top of the upper staircase to be bolted to the landing; X trussed handrail on the landing.

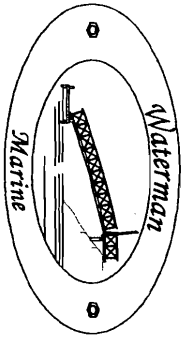
B/ Erosion Control

This property on the western face of Peaks Island is experiencing erosion at a fairly rapid rate with annual loss of land and undermining of the existing bank. The proposed erosion control measures include collection and orderly dispersion of the upland groundwater which is the cause of much of the problem. The rip rap wall will stabilize and contain the existing embankment to prevent further loss of land.

A description of the proposed erosion control measures are as follows:

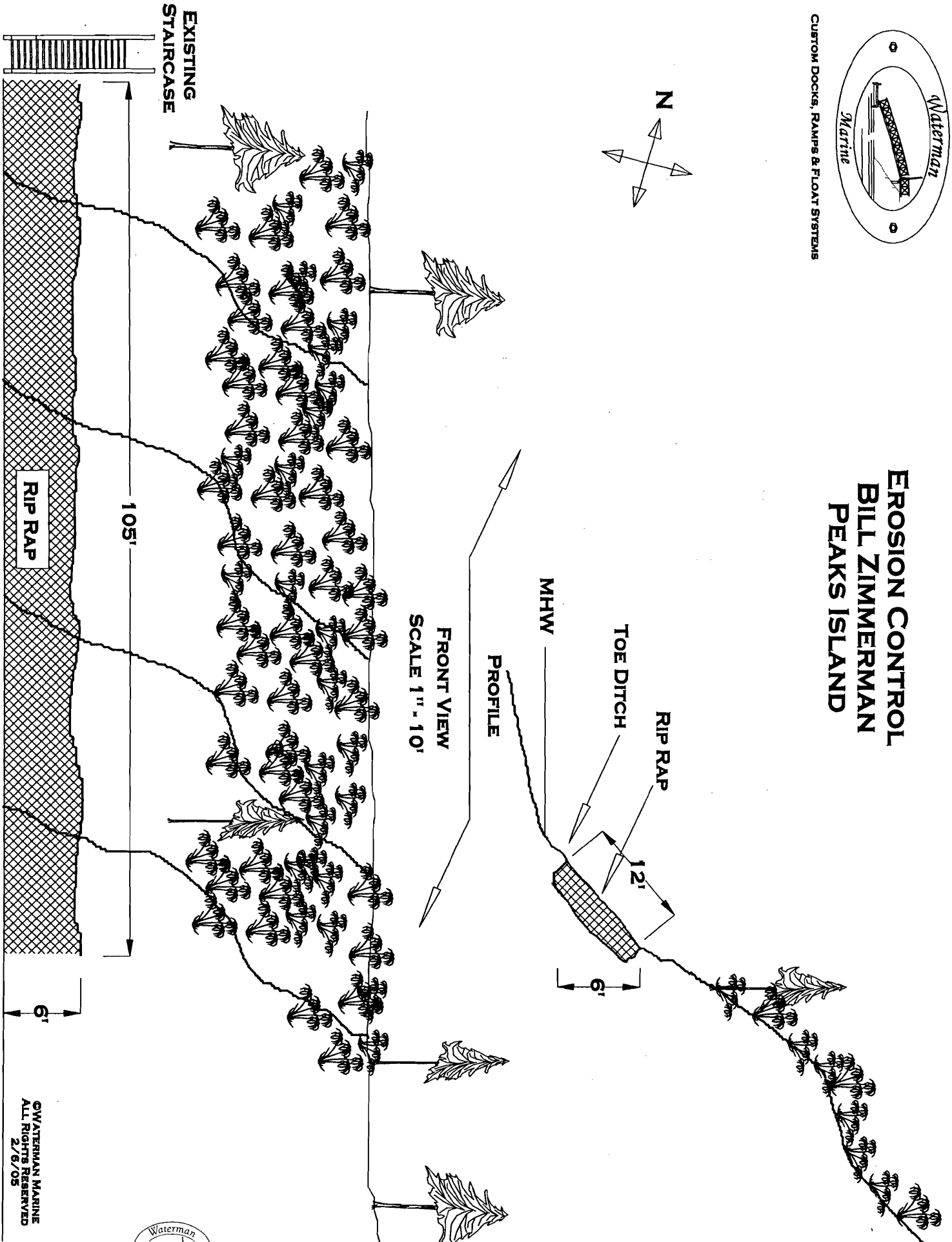
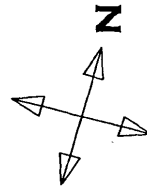
1. Groundwater
 - Install 137' of underground piping to collect groundwater and 50' of perforated piping to collect sub surface water directed to a spreader area at the top of the rip rap wall to allow water to naturally percolate through the wall for low impact dispersion. A small machine such as a Ditch Witch excavator will be used to perform the trenching for the piping. Some hand excavation may be required. Appropriate measures will be taken to control potential runoff during construction by the use of silt fencing and hay bales and geotextile fabric. The trenching area will be reseeded after installation of the underground piping.
2. Rip Rap Wall
 - Set silt fencing and hay bales seaward of construction area. Machine dig a toe ditch; install geo textile filter fabric in ditch and area of rip rap construction. Install rip rap stone as per design. Plant *Rosa rugosa* or similar plants along bank in disturbed areas at the top of the wall. Plant other vegetation as required to insure bank stability.

THIS DRAWING REMAINS THE PROPERTY OF WATERMAN MARINE CORP. (THE COMPANY) AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE COMPANY.



CUSTOM DOCKS, RAMPS & FLOAT SYSTEMS

EROSION CONTROL BILL ZIMMERMAN PEAKS ISLAND



FRONT VIEW
SCALE 1" = 10'

PROFILE

MHW

TOE DITCH

RIP RAP

105'

12'

6'

6'

©WATERMAN MARINE
ALL RIGHTS RESERVED
2/8/05



Zimmerman, William B

From: Zimmerman, William B
To: SpencerPF@aol.com
Cc: Hartman, Cynthia Dyann; Zimmerman, William B
Subject: Authorization to Obtain Pier Permits
Attachments:

Sent: Mon 2/6/2006 2:07 PM

TO WHOM IT MAY CONCERN:

I hereby authorize Peter F. Spencer of Waterman Marine Corporation to secure all necessary permits to construct a staircase and dock system at our property at 14 Centennial Street Rear, Peaks Island, Maine.

Sincerely,


William B. Zimmerman

2/6/06

Zimmerman, William B

From: Zimmerman, William B
To: SpencerPF@aol.com
Cc: Hartman, Cynthia Dyann; Zimmerman, William B
Subject: Authorization to Obtain permits
Attachments:

Sent: Mon 2/6/2006 2:02 PM

TO WHOM IT MAY CONCERN:

I hereby authorize Peter F Spencer of Waterman Marine Corporation to secure all necessary permits to construct a rip rap wall to contain erosion at our property at 14 Centennial Street Rear, Peaks Island, Maine.

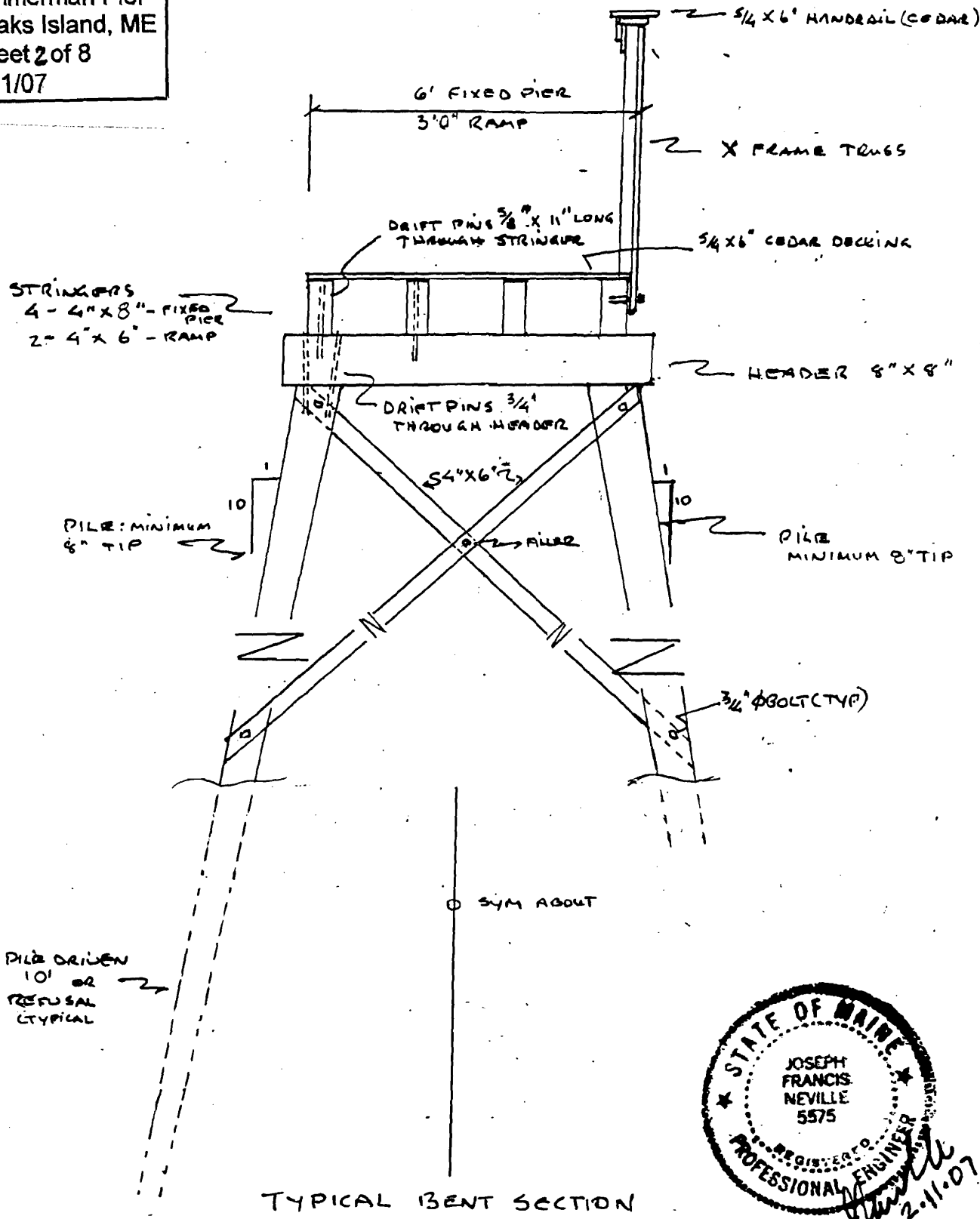
Sincerely,



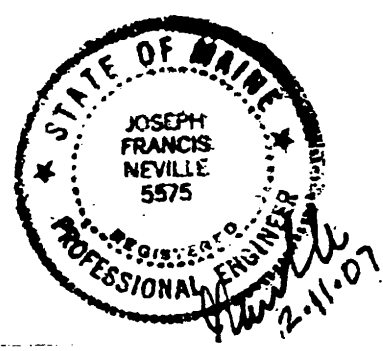
William B. Zimmerman

2/6/06

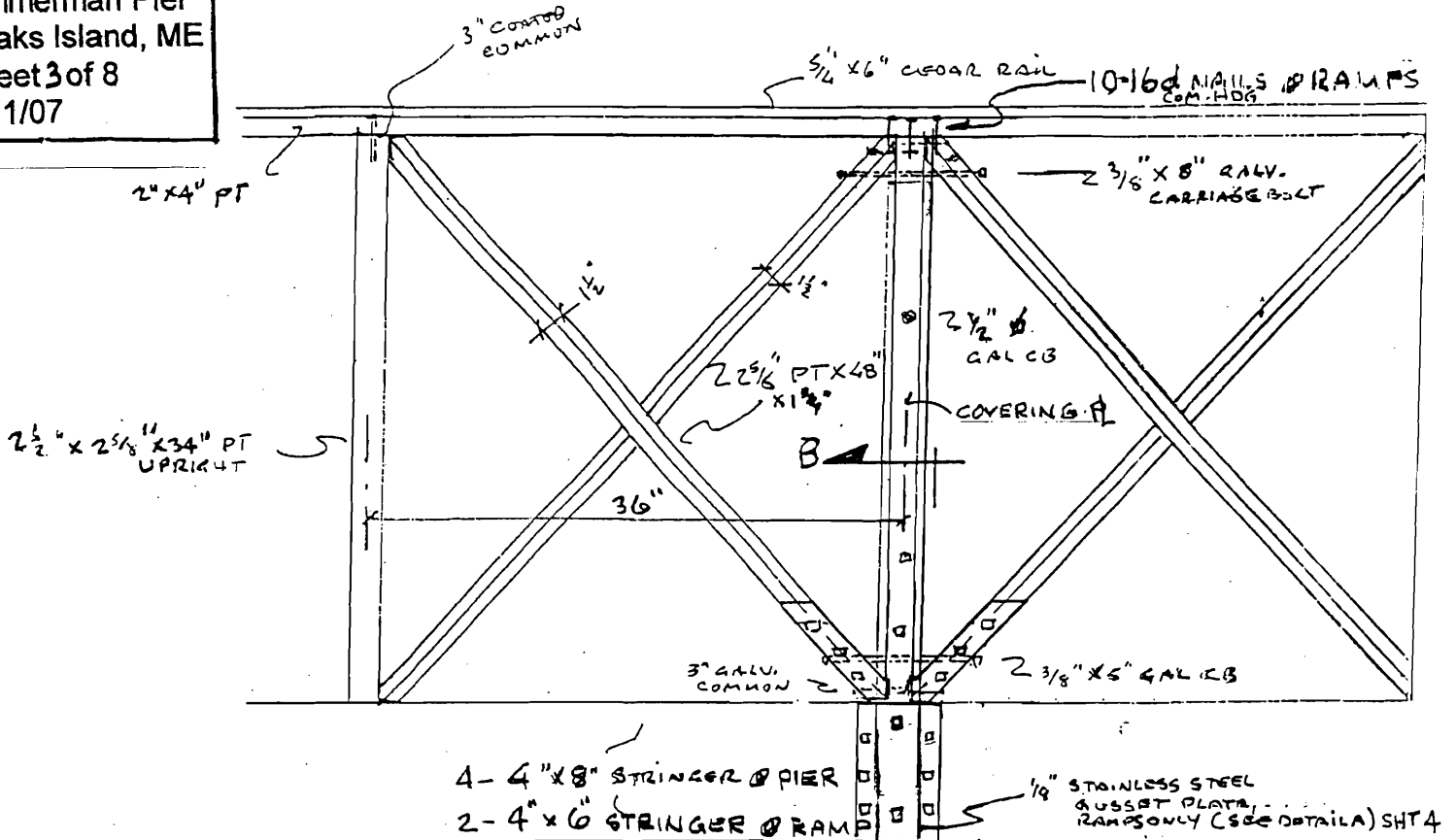
Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 2 of 8
 2/11/07



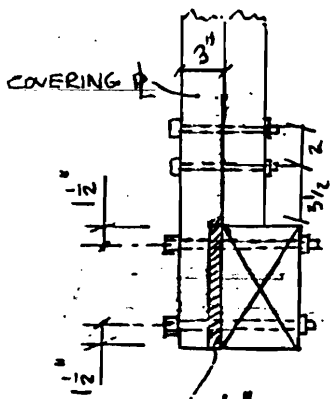
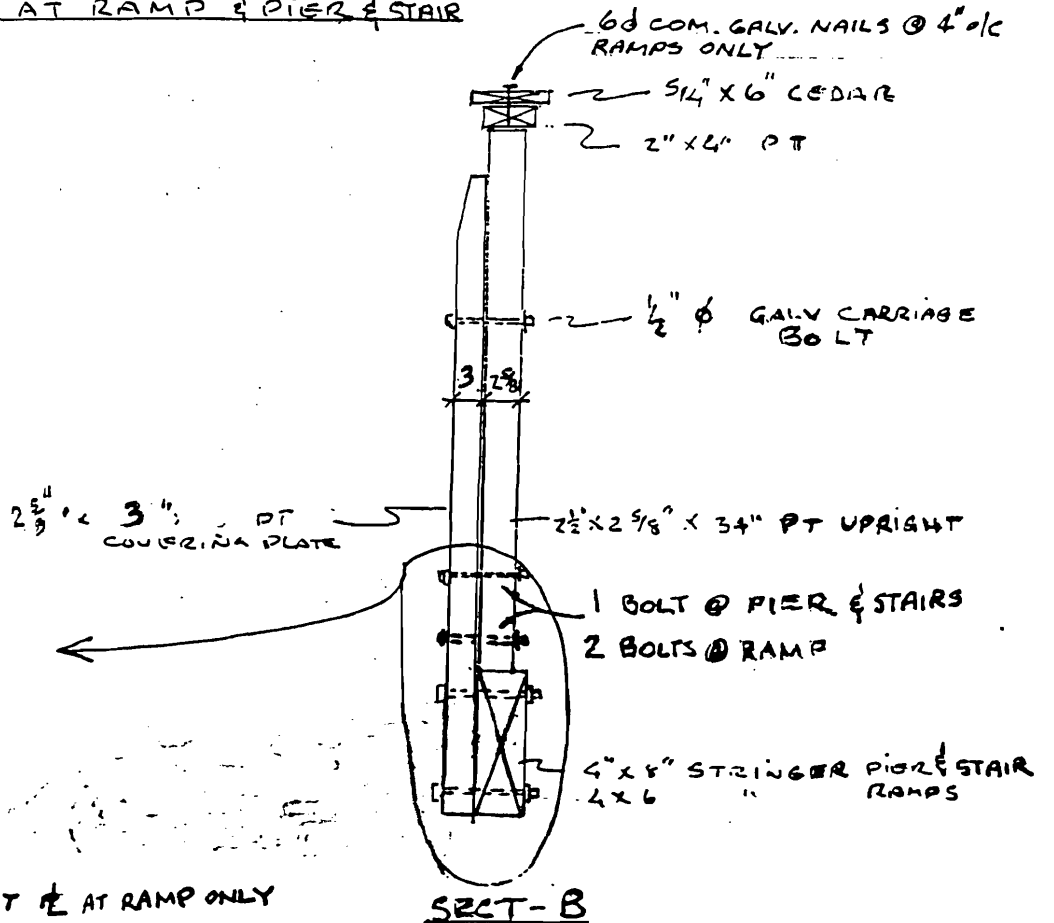
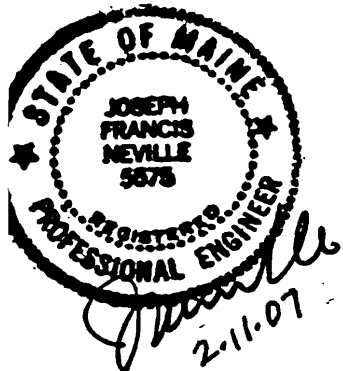
TYPICAL BENT SECTION



Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 3 of 8
 2/11/07

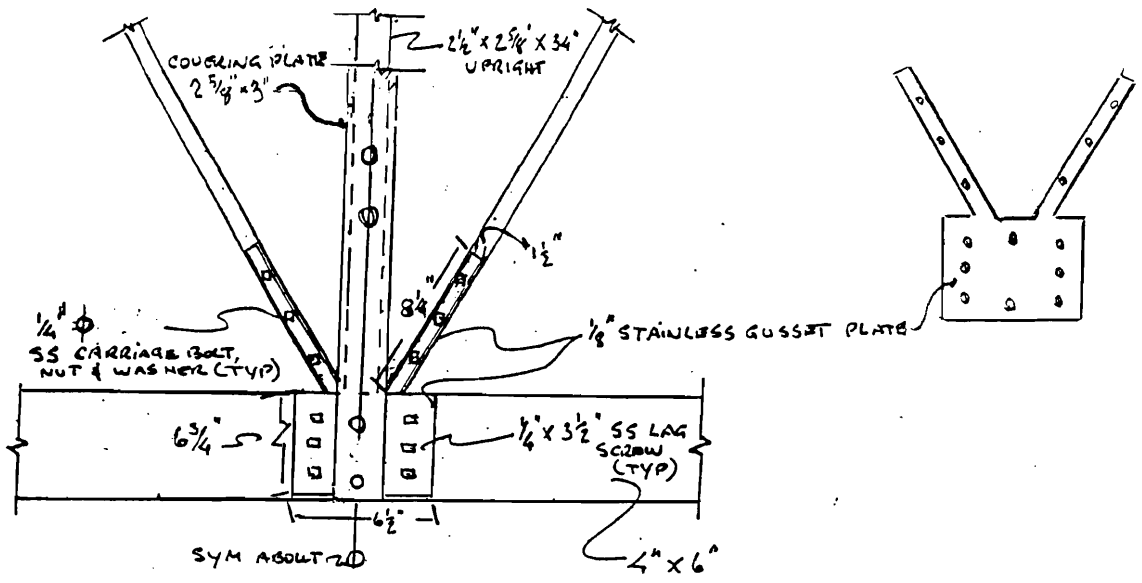


ELEVATION AT RAMP & PIER & STAIR

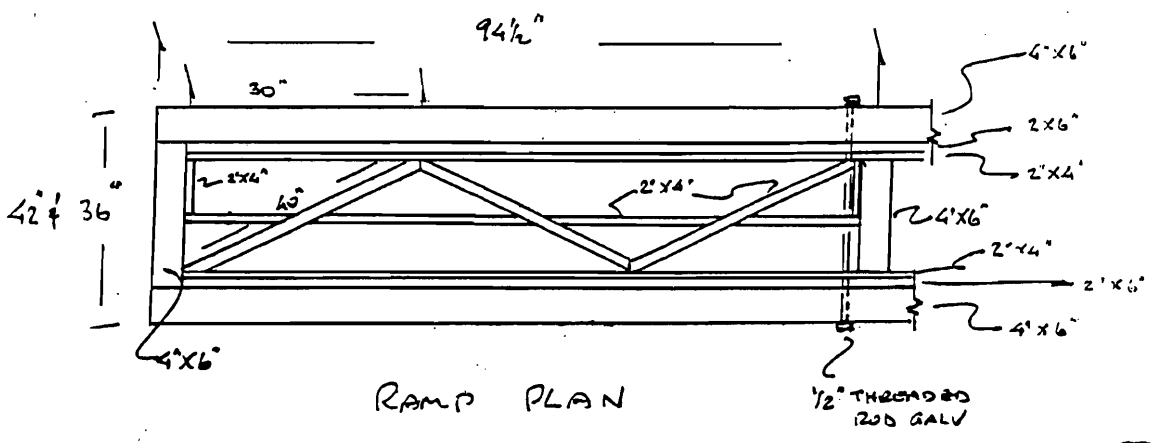


1/8" S.S. GUSSET PL AT RAMP ONLY
 DETAIL @ RAMPS, PIER & STAIRS

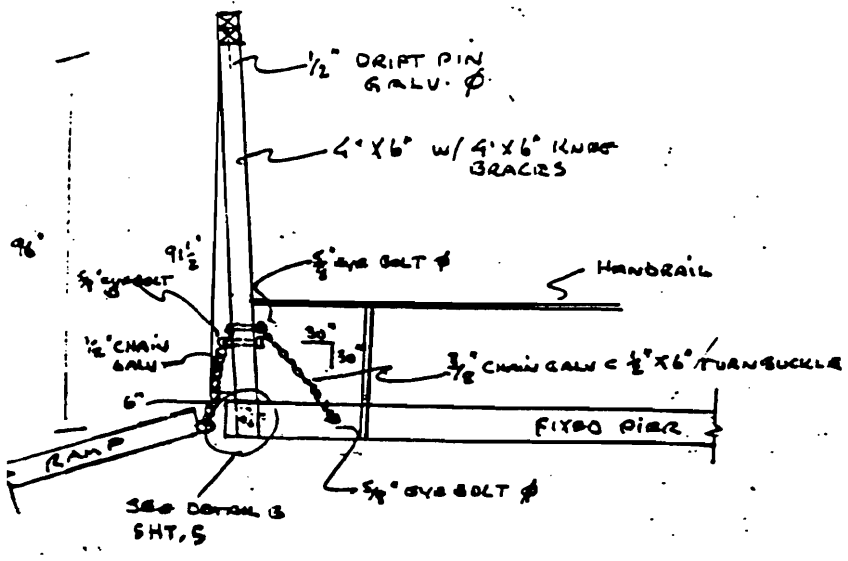
Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 4 of 8
 2/11/07



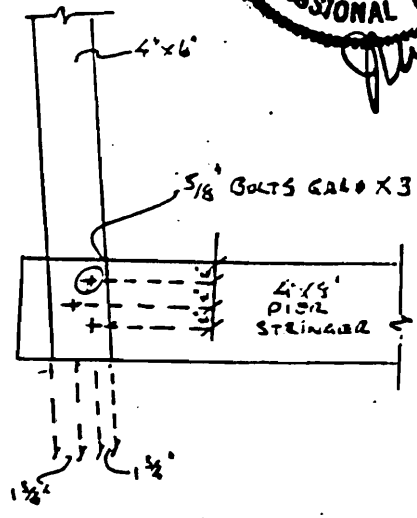
DETAIL A



RAMP PLAN



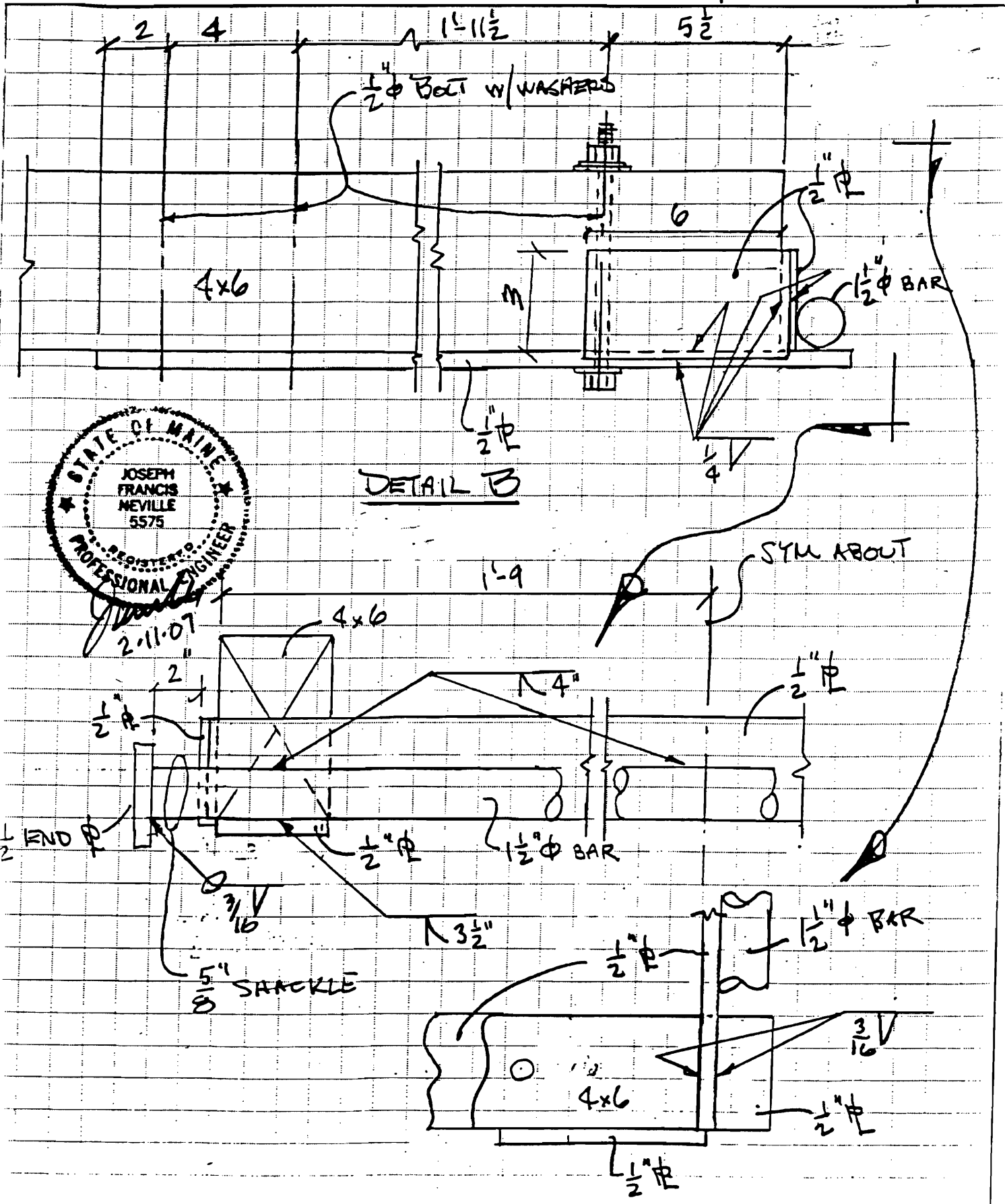
GALLOWS ELEVATION



DETAIL B

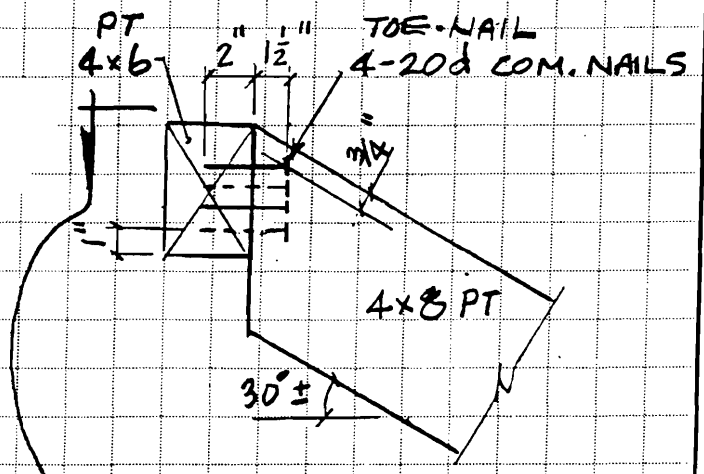
JOSEPH F. NEVILLE, P.E.
CONSULTING STRUCTURAL ENGINEER
404 Megquier Hill Road
POLAND, MAINE 04274
Phone/FAX (207) 998-4086

Job No. 07-06
Zimmerman Pier
Peaks Island, ME
Sheet 5 of 8
2/11/07

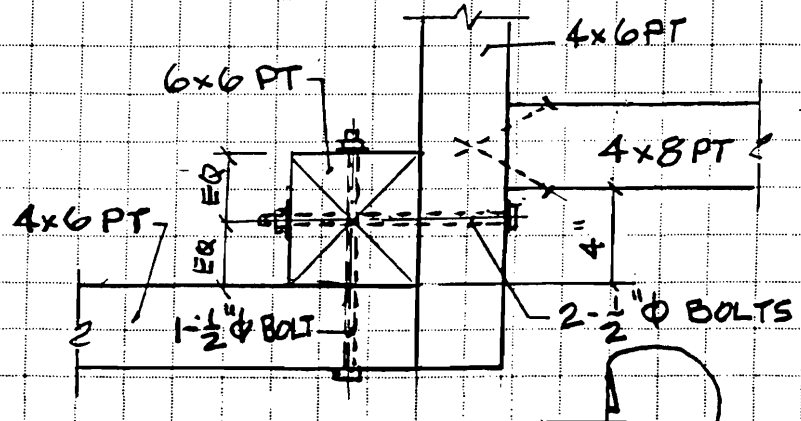
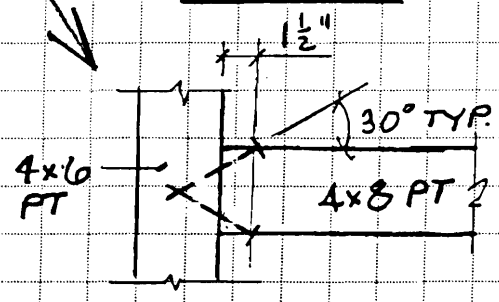


JOSEPH F. NEVILLE, P.E.
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 353 Megquier Hill Road
 POLAND, MAINE 04274
 Phone/FAX (207) 998-4086

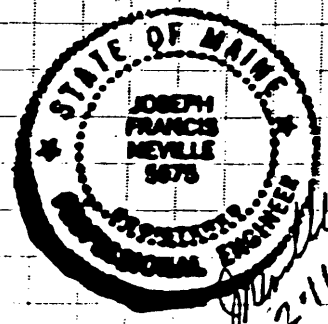
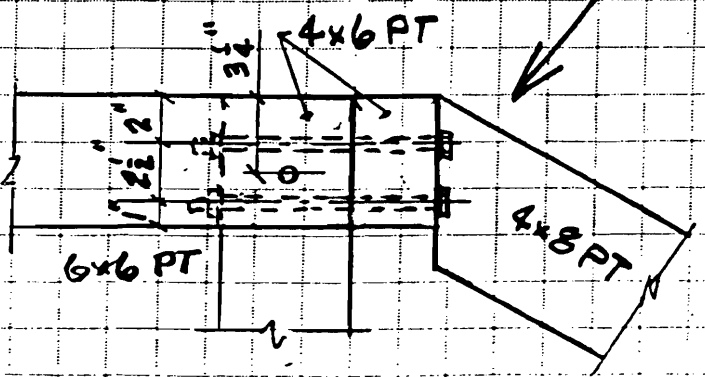
Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 7 of 8
 2/11/07



DETAIL - C



DETAIL - D



Job No. 07-06
Zimmerman Pier
Peaks Island, ME
Sheet 8 of 8
2/11/07



WATERMAN MARINE ZIMMERMAN.wpd

GENERAL NOTES

GENERAL

Drawings indicate general and typical details of construction. Where conditions are of similar character to details shown and although not specifically indicated, similar details shall be used subject to the approval of the engineer. In case of conflicting details and any construction and/or dimensions encountered in the field contrary to those shown on the drawings, the contractor shall notify the engineer prior to commencement of construction. Details, sections, notes, symbols, dimensions etc. are typical unless noted otherwise (UNO). Do not scale from drawings

DESIGN PARAMETERS

1. Design is based on terrain profile as provided by Waterman Marine Corp. (see sheet 1 of 8).
2. Design loads: fixed pier live load = 50 psf, stairs and seasonal ramp live load = 40 psf
3. Design in accordance with structural requirements per IBC 2003 Code

STRUCTURAL STEEL

1. Steel fabrication and erection shall conform to AISC Specification for the Design, Fabrication and Erection of Structural Steel - latest edition
2. Plates, rods and pins - ASTM A36 UNO on sheets
3. Welding shall conform to AWS D1.1 (latest edition) and performed by certified welders qualified by AWS. Electrodes shall be low hydrogen with matching weld metal.
4. Steel shall be hot dip galvanized in accordance with ASTM A123 UNO on sheets.

FASTENERS

Bolts, Nuts & Washers - ASTM A307 galvanized in accordance w/ ASTM A153 UNO on sheets.

TIMBER

1. Mixed Southern Pine, Grade No. 1 UNO
2. Handrail and decking: western red or Port Orford cedar
3. Recommended preservative treatment for southern yellow pine:
 - a. .60 CCA, AWPA C2 & C18 (Saltwater Splash) UNO
 - b. Piles and X Bracing - 2.5 CCA, AWPA C2 & C18, Marine Grade



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

BILL ZIMMERMAN
Portland, Cumberland County
PIER & SHORELINE STABILIZATION
L-23320-4E-A-N (approval)

) NATURAL RESOURCES PROTECTION
) COASTAL WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 480-A *et seq.* and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of BILL ZIMMERMAN with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. Summary: The applicant proposes to construct a 5 foot wide by 115 foot long pile-supported pier with a 3 foot wide by 36 foot long seasonal ramp and 12 foot wide by 24 foot long seasonal float. Approximately 105 feet of the pier will extend over the coastal wetland, the landward 10 feet will be widened to 8 feet and will serve as a landing for a set of stairs coming from the upland and a set of stairs leading to the beach. To access the pier, the applicant proposes to construct pile-supported stairs with two landings down a steep slope. The applicant owns a 24 foot long boat with a 2 foot draft. The applicant also proposes to replace an existing deteriorating seawall with rock riprap. The rip rap will be 6 feet high and will stretch along 105 feet of shoreline, landward of the edge of the coastal wetland. The applicant proposes to stabilize any disturbed areas on the slope with seeded erosion control matting and shrubs. The project site is located on Centennial Street, Rear on Peaks Island in the City of Portland.

B. Current Use of the Site: The property currently contains a single family residence with an existing set of stairs providing access to the shoreline. The remnants of two granite stone cribs are located on the beach. The project site has a moderate energy unconsolidated shoreline. The intertidal zone is approximately 100 feet wide with a slope of 5 degrees. The intertidal is composed of sand, gravel, cobble and stone. The subtidal area is sand and drops off to deeper water.

2. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

In accordance with Chapter 315, Assessing and Mitigating Impacts to Scenic and Aesthetic Uses, the applicant submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the

property and the proposed project. The applicant also submitted several photographs of the proposed project site.

The proposed project is located in Casco Bay, which is a public natural resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and cultural visual qualities. The site of the proposed project and the surrounding area is developed with residential houses and other pile supported piers of similar length. To reduce the visibility of both the pier and the rip rap slope stabilization project from the public natural resource, the applicant proposes to construct a pier that is similar to the piers located on adjacent properties and to use rock native to the area and similar in color to existing rock located along the shoreline for the stabilization project.

Department staff is familiar with this end of Peaks Island and reviewed aerial photographs of the area. The Department did not identify any issues involving existing recreational and navigational uses.

The Department finds that the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses of the protected natural resource.

3. SOIL EROSION:

Department staff reviewed the applicant's erosion control plan and narrative. The proposed project will be constructed in accordance with the Maine Erosion and Sedimentation Control Best Management Practices.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

The Department of Marine Resources (DMR) reviewed the proposed project and stated that the project should not cause any significant adverse impact to marine resources, navigation or recreation.

The coastal wetland is mapped as a Tidal Waterfowl and Wading Bird Habitat. The Maine Department of Inland Fisheries and Wildlife reviewed the proposed project and stated that it will not negatively impact the habitat.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

The applicant proposes to use lumber treated with chromated copper arsenate (CCA) to construct the pier. To protect water quality, all CCA treated lumber must be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction. Provided the CCA treated lumber is cured as described above, the Department finds that the proposed project will not violate any state water quality law.

The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to alter 525 square feet of coastal wetland to construct a pile-supported pier.

The Department's Wetlands and Waterbodies Protection Rules, Chapter 310, require that the applicant meet the following standards:

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. Every application for coastal wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist. The applicant submitted an alternative analysis for the proposed project completed by Waterman Marine and dated October 18, 2006. The applicant utilizes his boat to commute to the mainland for business purposes and to gather supplies. The applicant's business requires him to travel at times that can not be accommodated by the ferry schedule. He presently keeps his boat on a mooring and reaches the mooring by dragging a skiff over the intertidal area. He can no longer access his boat in this manner due to a chronic arthritic condition in his knees and hips. There are no marinas on Peaks Island.

B. Minimal Alteration. The amount of coastal wetland to be altered must be kept to the minimum amount necessary for meeting the overall purpose of the project. The applicant considered constructing the pier over the remains of an old granite pier, but construction costs forced him to consider other alternatives. The applicant proposes to store the seasonal ramp on the pier. The seasonal float will be stored off site. The pier was designed to end at the low water line. The boat at the end of the float will not bottom out on most tide cycles.

C. Compensation. In accordance with Chapter 310(5)(C)(b), compensation is not required to achieve the goal of no net loss of coastal wetland functions and values.

The Department finds that the applicant has avoided and minimized coastal wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

7. OTHER CONSIDERATIONS:

The Department did not identify any other issues involving existing scenic, aesthetic, or navigational uses, soil erosion, habitat or fisheries, the natural transfer of soil, natural flow of water, water quality, or flooding.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters provided that CCA treated lumber is cured as described in Finding 5.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.
- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES the above noted application of BILL ZIMMERMAN to construct a pile-supported pier with access stairs and stabilize his shoreline with rock rip rap as outlined above, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. CCA treated lumber shall be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED AT AUGUSTA, MAINE, THIS 9TH DAY OF MARCH, 2007.

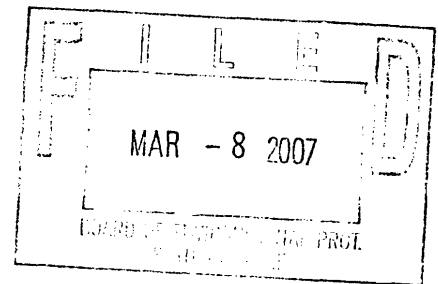
DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
 DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: October 20, 2006
 Date of application acceptance: November 8, 2006

Date filed with Board of Environmental Protection
 DEH/ATS61152/L23320AN



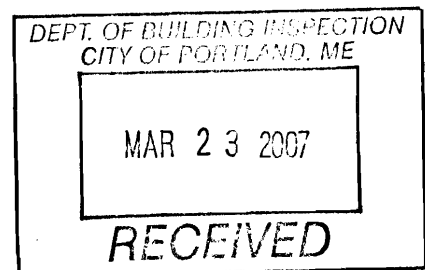


NATURAL RESOURCE PROTECTION ACT (NRPA) STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity-until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

Revised (4/92)
DEP LW0428

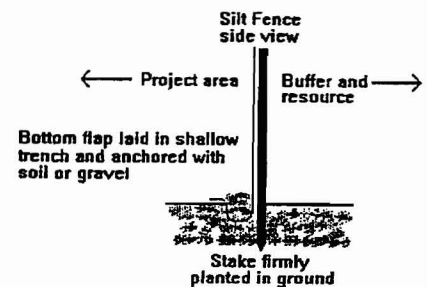
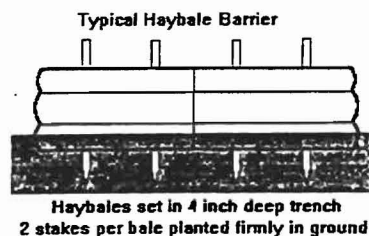
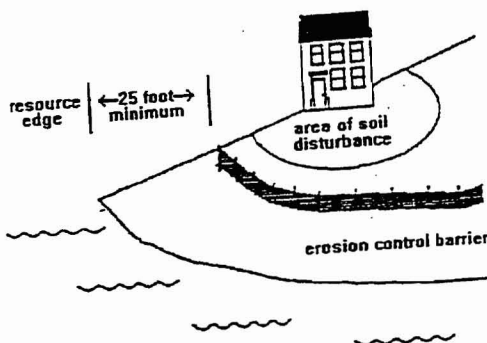




Erosion Control

Before Construction

1. If you have hired a contractor, make sure you have discussed your permit with them. Talk about what measures they plan to take to control erosion. Everybody involved should understand what the resource is and where it is located. Most people could identify the edge of a lake or a river. The edges of wetlands, however, are often not obvious. Your contractor may be the person actually pushing dirt around but you are both responsible for complying with the permit.
2. Call around and find sources for your erosion controls. You will probably need silt fence, hay bales and grass seed or conservation mix. Some good places to check are feed stores, hardware stores, landscapers and contractor supply houses. It is not always easy to find hay or straw during late winter and early spring. It may also be more expensive during those times of year. Plan ahead. Purchase a supply early and keep it under a tarp.
3. Before any soil is disturbed, make sure an erosion control barrier has been installed. The barrier can be either a silt fence, a row of staked hay bales, or both. Use the drawings below as a guide for correct installation and placement. The barrier should be placed as close as possible to the activity.
4. If a contractor is installing the barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level along the land slope, whenever possible. This keeps stormwater from flowing to the lowest point of the barrier where it builds up and overflows or destroys it.

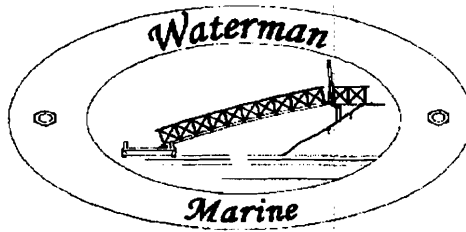


During Construction

1. Use lots of hay or straw mulch on disturbed soil. The idea behind mulch is to prevent rain from striking the soil directly. It is the force of raindrops striking the soil that causes a lot of erosion. More than 90% of erosion is prevented by keeping the soil covered.
2. Inspect your erosion control barriers frequently. This is especially important after a rainfall. If there is muddy water leaving the project site, then your erosion controls are not working as intended. In that situation, stop work and figure out what can be done to prevent more soil from getting past the barrier.

After Construction

1. After the project is complete, replant the area. All ground covers are not equal. For instance, a mix of creeping red fescue and Kentucky bluegrass is a good choice for lawns and other high maintenance areas. The same mix would not be a good choice for stabilizing a road shoulder or a cut bank that you don't intend to mow.
2. If you finish your project after September 15, then do not spread grass seed. There is a very good chance that the seed will germinate and be killed by a frost before it has a chance to become established. Instead, mulch the site with a thick layer of hay or straw. In the spring, rake off the mulch and seed the area. Don't forget to mulch again to hold in moisture and prevent the seed from washing away.
3. Keep your erosion control barrier up and maintained until the area is permanently stabilized.

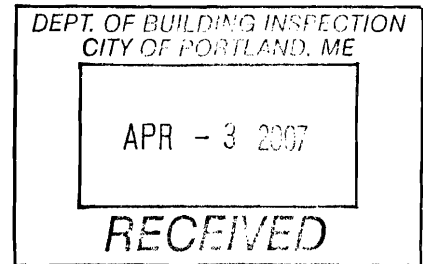


CUSTOM DOCKS & FLOAT SYSTEMS

Waterman Marine
 475 U.S. Rte. 1, Suite 6
 Freeport, ME
 04032

Tel - 207.869.9100
 Fax - 207.869.9101

www.watermanmarine.com
 pspencer@watermanmarine.com



Fax Transmittal Form

To: ANN MACHADO
 From: PETER SPENCER
 Date Sent: 4/3/07
 Fax Number: 207-874-8716
 Number of Pages: 2

Message: RE ZIMMERMAN
 Copy of Board of Harbor Commissioners
 Permit as requested.

2007-02

BOARD OF HARBOR COMMISSIONERS PORT OF PORTLAND PERMIT-A

TO BE POSTED IN A CONSPICUOUS PLACE AT THE CONSTRUCTION SITE

To: William Zimmerman, 14 Centennial Street, Peaks Island, ME 04108.....
 The undersigned, Board of Harbor Commissioners for the Harbor of Portland, has carefully considered your application.
 Dated the 9th day of February 2007, for a permit authorizing
 the construction of a staircase, 115'x6' fixed pier, a 36'x32" seasonal ramp, and a
 12'x24' seasonal float on the western shore of Peaks Island.....
 Having given public notice of this pending application, as required by law, and therein designated the 8th day
 Of March 2007, at 5:00 o'clock in the afternoon prevailing time as the time when they would meet
 At the Portland City Council Chambers to examine this issue and here all interested parties, and having met at the
 time and place mentioned and examined the location of this proposed construction project.....
 And having heard all interested parties, the Board of Harbor Commissioners for the Port of Portland hereby issues this
 permit which authorizes you to proceed under all applicable local and federal regulations hereinafter stated, and to
 maintain within the limits mentioned in the permit application

In addition, the construction project described above must be surrounded by a containment boom unless the
 Board of Harbor Commissioners for the Port of Portland has waived this requirement in writing, either as part of the
 above-listed conditions, or in a separate statement

This permit is limited authorization, which contains a stated set of conditions with which the permit holder
 must comply. If a contractor performs the work for you, both you and the contractor are responsible for assuring that
 the work is done in conformance with the conditions and limitations of this authorization. Please be sure that the
 person who will be performing the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or that fails to comply with its conditions,
 may subject you to the enforcement provisions of Harbor Commission regulations. If any change in plans or
 construction methods is found necessary, please contact the Harbor Commission immediately to discuss modifications
 to your authorization. Any change must be approved by the Harbor Commission before it is undertaken.

Nothing in this permit shall be construed to justify or authorize any invasion to the private rights of others.
 Moreover, nothing in this permit shall limit or modify the authority of the Board of Harbor Commissioners for the
 Harbor of Portland with its applicable statute. Attested copies will be submitted to the U. S. Army Corps of Engineers,
 the Department of Environmental protection, the City of Portland, and the City of South Portland.

In Witness Whereof, the members of the Board of Harbor Commissioners for the Harbor of Portland
 hereunto set their hands and affix their corporate seal on this 8th day of March 2007.

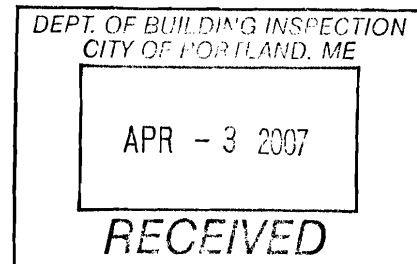
The work authorized to this permit must be completed on
 or before the 8th day of March 2008.

[Handwritten signature]

[Handwritten signature]

 Thomas W. DeBl

Board of Harbor Commissioners for the Port of Portland





BOARD OF HARBOR COMMISSIONERS
PORT OF PORTLAND

Application for Marine Construction Permit

PLEASE PRINT

1. Name of Applicant: WILLIAM ZIMMERMAN

2. Mailing Address of Applicant: 14 CENTENNIAL ST. REAR
PEAKS ISLAND, ME 04108

3. Applicant's telephone Number: 207.766.0061 Applicant's Fax Number: _____

4. Location of project for which permit is requested: 14 CENTENNIAL ST. REAR
PEAKS ISLAND

a. Attach enlargement of Portland Harbor chart showing exact location.

5. Description of project for which permit is requested. (Use a separate sheet if necessary)

* SEE ATTACHED.

6. Attach the following:

- a. For projects under \$10,000 – a detailed scale drawing on graph paper.
- b. For projects over \$10,000 – a detailed scale drawing prepared by a registered engineer.

7. All applications must be accompanied by a tax assessor's map and/or an engineer's drawing which shows the distances between the project and abutters' landmarks (piers, floats, dolphins, etc.)

8. List the names and address of all abutters and lessees or other persons having an interest in property on which the project is located. (Use a separate sheet if necessary)

- a. ARLENE NANCY & ROBERT VILLFORTH 8 CENTENNIAL ST. REAR PEAKS ISLAND,
- b. FLYNN, TIMOTHY M. 20 CENTENNIAL ST. REAR PEAKS ISLAND, ME 04108
- c. _____
- d. _____

9. Estimated cost of the project: \$ 105,000

10. For all permit applications involving projects which cost more than \$10,000, the applicant must submit a survey, certified by a registered engineer or a registered land surveyor, which shows the location of the proposed project. ✓
The Harbor Commission, at its discretion, may require surveys to be submitted regarding other projects in cases where the project is close to a channel, in a congested area, close to a property line, or in cases where similar factors are present.

11. Attach copies of all applications, regarding this project, which have been submitted to the U.S. Army Corps of Engineers, Maine Department of Environmental Protection, Maine Bureau of Submerged Lands, City Planning Board, Etc.

12. Please note:

- a. Applications and Plans must be submitted no less than **14 days** before the Harbor Commission's next Workshop. Workshops are held on the **last Tuesday** of each month. However, there is no Workshop in December.
- b. The permit application fee and legal advertisement fee must be paid when the application is submitted. (See attached fee schedule)
- c. By filing this application with the Harbor Commission, the applicant certifies that a copy of the application (without exhibits), as well as information about the time, date, and location of the pertinent Harbor Commission Public Hearing, has been sent to all abutters, lessees, and other persons having an interest in the property on which the project is located. Notification must be made no less than **14 days** before the Harbor Commission's next Public Hearing. Public Hearings are held on the **second Thursday** of each month.

The Harbor Commission strongly recommends that notification be made via certified mail (return receipt requested) or hand-delivered personally. Failure to make proper notification of all abutters, lessees, and other users will invalidate your permit.

13. If this application is approved and a permit is issued:

- a. The permit must be posted at the construction site.
- b. The permit will require that the construction project be surrounded by a containment boom, unless the requirement has been waived, in writing, by the Harbor Commission.
- c. The permit may be limited by restrictions specific to the project.
- d. The permit will be subject to all applicable Local and Federal Regulations.
- e. Nothing in the permit shall be construed to justify or authorize any invasion to the private rights of others.
- f. Nothing in the permit will limit or modify the authority of the Board of Harbor Commissioners within their applicable statute.
- g. Unless otherwise stipulated, the permit has an automatic expiration date of one year from the date of approval. Only if the Harbor Master has been notified in advance of the expiration date, may he/she issue a six-month extension upon review of the project.


13. The following statement appears on all permits granted by the Board of Harbor Commissioners:

"This permit is a limited authorization which contains a stated set of conditions with which the permit holder must comply. If a contractor performs the work for you, both you and the contractor are responsible for assuring the work is done in conformance with the conditions and limitations of this authorization. Please be sure the person who will be performing the work has read and understands these conditions.

Performing any work not specifically authorized by this permit, or that fails to comply with its conditions, may subject you to the enforcement provisions of the Harbor Commission Regulations. If any change in plans or construction methods is found necessary, please contact the Harbor Commission immediately to discuss modifications to your authorization. Any change must be approved by the Harbor Commission before it is undertaken."

Date: 9 FEB '07

WILLIAM ZIMMERMAN
Name of Applicant (please Print)


Signature and Title of applicant's agent

PRESIDENT WATERSMAN MARINE CORP.
PETER F. SPENCER

207-869-9100 - Agent's telephone number

207-869-9101 - Agent's fax number

WILLIAM ZIMMERMAN

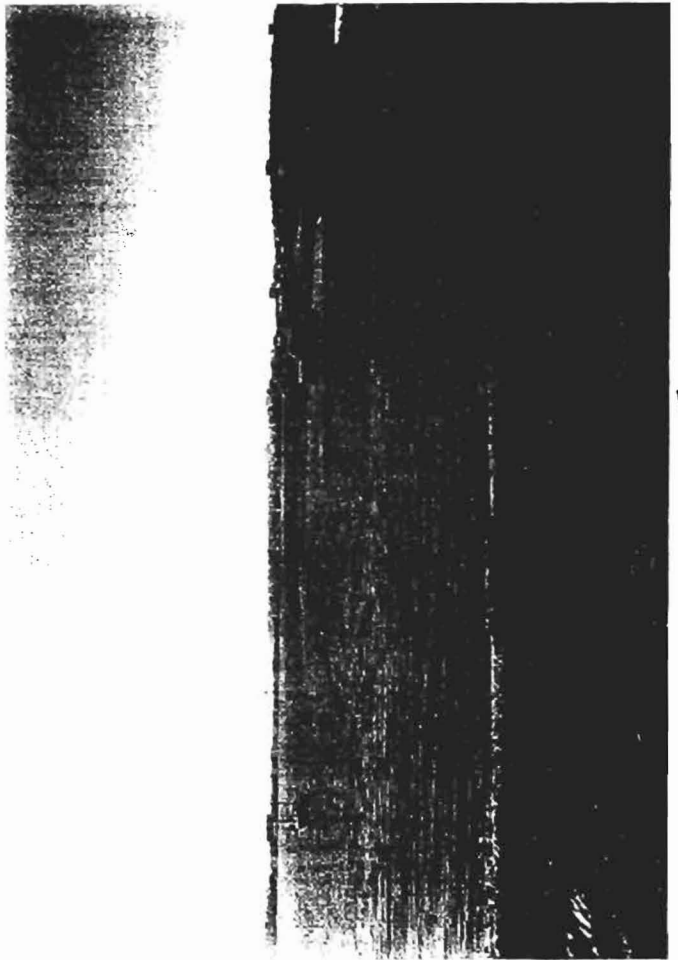
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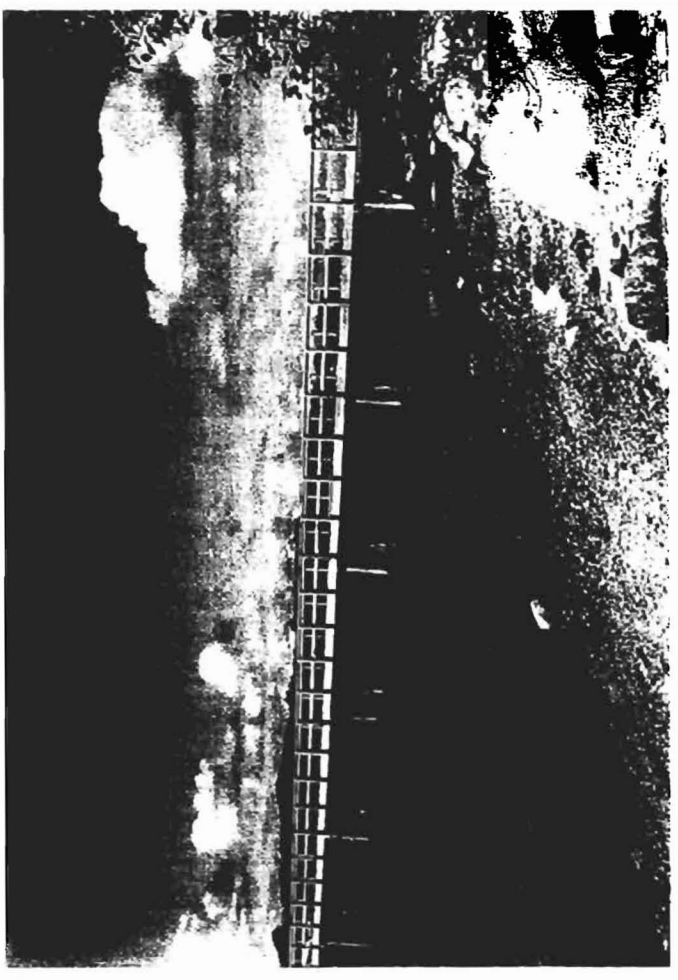
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DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:
ATTENTION OF:

MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

William Zimmerman
C/o Peter Spencer
Waterman Marine
475 U.S. Route One, Suite 6
Freeport, Maine 04032

CORPS PERMIT # NAE-2006-3673
CORPS PGP ID# 06-510
STATE ID# L-23320-A-N

DESCRIPTION OF WORK:

To construct and maintain a stairway leading to a 6' x 115' pile and timber supported pier with an attached 3' x 36' bottom moored float extending west in Diamond Island Roads off Centennial Street on Peaks Island, at Portland, Maine. The ramp and float are seasonal structures that will be removed and reinstalled annually. That work also includes the removal of an existing deteriorated timber retaining wall and replacing it with a riprap wall 6' high along 105' of eroding shoreline above MHW as shown on the attached plans.

SEE ATTACHED CONDITIONS

LAT-LONG COORDINATES : 43.6603399 N 70.2002417 W USGS QUAD: Portland West, 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 enclosed Federal Permit, the Maine Programmatic General Permit (PGP).

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP 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 PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

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. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

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

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 10/26/2006 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY: SEC 10 X 404 _____ 10/404 _____ 103 _____

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

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT N (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

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.

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

Frank J. Del Giudice 9/07
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REG III STORY DIVISION

Applicant: General Public, State of Maine

Effective Date: October 11, 2005

Expiration Date: October 11, 2010

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

The New England District of the U.S. Army Corps of Engineers hereby issues a Programmatic General Permit (PGP) that expedites review of minimal impact work in coastal and inland waters and wetlands within the State of Maine.

I. GENERAL CRITERIA

Activities with minimal impacts, as specified by the terms and conditions of this PGP and on the attached Appendix A, Definition of Categories, are either:

Category 1: Non-reporting. Eligible without screening (provided the authorizations are obtained which this permit states are necessary for activities to be eligible for authorization under this non-reporting category), or,

Category 2: Reporting. Require screening and a written determination of eligibility under the PGP by the Corps after coordination with the U.S. Fish and Wildlife Service (U.S. FWS), U.S. Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS).

This PGP does not affect the Corps Individual Permit review process or activities exempt from Corps jurisdiction.

II. ACTIVITIES COVERED:

Work and structures that are located in, or that affect, navigable waters of the United States (U.S.) (Corps regulates under Section 10 of the Rivers and Harbors Act of 1899); the discharge of dredged or fill material into waters of the United States (Corps regulates under Section 404 of the Clean Water Act); and the transportation of dredged material for the purpose of disposal in the ocean (Corps regulates under Section 103 of the Marine Protection, Research and Sanctuaries Act).

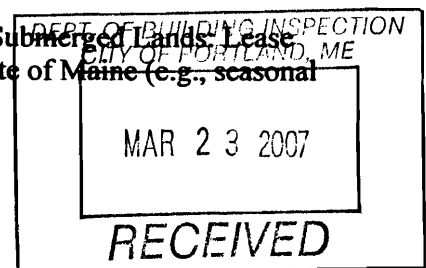
III. PROCEDURES:

A. State Approvals

For projects authorized pursuant to this PGP, the following State approvals are also required. The applicable permits must be obtained in order for this PGP authorization to be valid (applicants are responsible for ensuring that all required State permits and approvals have been applied for and obtained):

- Maine Department of Environmental Protection (DEP): Natural Resources Protection Act (NRPA) permit, including permit-by-rule and general permit authorizations (NRPA permit issuance constitutes both the state permit and the WQC); Site Location of Development Act permit; and Maine Waterway Development and Conservation Act permit.
- Maine Department of Conservation: Land Use Regulation Commission (LURC) permit.
- Maine Department of Marine Resources: Lease.
- Maine Department of Conservation, Bureau of Parks and Lands, Submerged Lands Lease

NOTE: This PGP may authorize projects that are not regulated by the State of Maine (e.g., seasonal floats or moorings).



B. Corps Authorizations

CATEGORY 1 (Non-Reporting)

Eligibility Criteria

Activities in Maine may proceed without application or notification to the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 1 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15).

If the State or the Corps does not contact the applicant for DEP's Tier One permits during the DEP's Tier One 30-day review period, Corps approval may be assumed and the project may proceed. Refer to the Federal Screening Procedures (see Page 4) for additional information regarding screening.

Project proponents seeking Category 1 authorizations are not relieved of the obligation to comply with this PGP's General Conditions (see Page 7) and other Federal laws such as the National Historic Preservation Act, the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Therefore, consultation with the Corps and/or outside experts such as the Maine Historic Preservation Commission and the appropriate Indian tribes is recommended when there is a high likelihood of the presence of resources of concern.

Although Category 1 projects are non-reporting, the Corps reserves the right to require screening under Category 2 or Individual Permit review if there are concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority, Page 7).

Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, is eligible for Corps authorization under this PGP in accordance with the review thresholds and conditions contained herein. The Maine DEP and LURC have waived WQC for projects authorized under Categories 1 and 2 of this PGP and not subject to jurisdiction under the NRPA and LURC Land Use Districts and Standards.

Enforcement cases. This PGP does not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps or EPA enforcement action until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action. The Corps may choose not to accept applications or issue permits to any applicant with outstanding violations.

CATEGORY 2 (Reporting – Requiring Screening)

Eligibility Criteria

Activities in Maine require written approval from the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 2 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15),

These projects will be reviewed through interagency screening (see Federal Screening Procedures below) to determine whether such activities may be authorized under this PGP. To be eligible and

subsequently authorized, an activity must result in minimal impacts to the aquatic environment as determined by the Corps based on comments from the review team and the criteria listed above. Mitigation may be required to compensate for unavoidable impacts to ensure net effects of a project are minimal.

For Category 2 projects, applicants must obtain a written authorization from the Corps and State approvals as stated on Page 1.

To ensure compliance with the conditions of this PGP, consultation with the Corps and outside experts is required. This includes consultation with the Maine Historic Preservation Commission and the appropriate Native American Indian tribes to ensure compliance with Condition 8. Also, note the review thresholds under Category 2 apply to single and complete projects only (see General Condition 5).

Enforcement cases. See previous section.

Application Procedures

The Corps must review and approve in writing all Category 2 activities. Generally, the State will provide the Corps with a copy of State applications received, but it is ultimately the applicant's responsibility to ensure the Corps receives the application from the State. Therefore, it is recommended that applicants either verify with the Corps receipt of their application from the State (DEP or LURC), or apply directly to the Corps with either a copy of their State application or a Corps application (ENG Form 4345). Applicants must apply directly to the Corps using ENG Form 4345 if the work is not State regulated.

Upon receipt of the application, the Corps will determine if it:

- (a) requires additional information (see "information typically required" on the following page);
- (b) is appropriate for screening with the Federal resource agencies (see Category 2 Federal Screening Procedures on the following page);
- (c) is ineligible under the terms and/or conditions of this PGP; or
- (d) will require Individual Permit review, regardless of whether the terms and conditions of this PGP are met, based on concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority).

If open water disposal is proposed, the Corps will make a suitability determination, fully coordinated with the Federal resource agencies, before coordinating a project at a joint processing meeting.

All Category 2 applicants shall submit a copy of their application materials to the Maine Historic Preservation Commission and the Indian tribe(s) listed on Page 17, at the same time, or before, they apply to the DEP, LURC, or 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 DEP or Corps shall include information to indicate that this has been done (a copy of the applicant's cover letter to Maine Historic Preservation Commission and tribes or a copy of the Historic Preservation Commission and tribal response letters is acceptable).

Information Typically Required

The following information may not be necessary for all projects. Please see www.nae.usace.army.mil for a more comprehensive checklist. Select "Regulatory/Permitting," "Forms" and then "Application and Plan Guideline Checklist." Please check with our Maine office for project-specific requirements.

- (a) purpose of project;
- (b) 8½"x 11" locus map. 8½"x 11" plan views of the entire property, including property lines, and project limits with existing and proposed conditions;
- (c) typical cross-section views of all wetland and waterway fill areas and wetland replication areas;
- (d) legible, reproducible plans. Show mean low water (MLW), mean high water (MHW) and high tide line (HTL) elevations in navigable waters;
- (e) each plan should show the NGVD 1929 equivalent for the project's vertical datum (MLW, MLLW, MHW, HTL or other tidal datum for tidal projects) with the vertical units. Do not use local datum;
- (f) wetland delineation for the site, Corps wetland delineation data sheets (see web site), and calculations of waterway and wetland impact areas (see General Condition 2);
- (g) delineation of submerged aquatic vegetation, e.g., eel grass beds, in tidal waters;
- (h) 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 ordinary high water in inland waters and below the high tide line in coastal waters;
- (i) limits of any Federal Navigation Project in the vicinity and State Plane Coordinates for the limits of the proposed work closest to the Federal Navigation Project;
- (j) on-site alternatives analysis. Please contact Corps for guidance;
- (k) identify and describe potential impacts to Essential Fish Habitat. See General Condition 11 and contact Corps for guidance;
- (l) photographs of wetland/waterway to be impacted.

Information typically required for dredging projects:

- (a) 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.
- (b) the area in square feet and volume of material to be dredged below mean high water;
- (c) existing and proposed water depths;
- (d) type of dredging equipment to be used;
- (e) nature of material (e.g., silty sand);
- (f) any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects;
- (g) information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area, location of the disposal site (include locus sheet);
- (h) shellfish survey;
- (i) identify and describe potential impacts to Essential Fish Habitat (see General Condition 11);
- (j) delineation of submerged aquatic vegetation (e.g., eelgrass beds).

Federal Screening Procedures

The Corps will review all complete applications for Category 2 projects requiring Corps approval at interagency screening meetings (or "joint processing" meetings) with the Federal resource agencies (U.S. FWS, EPA and NMFS) to determine whether such activities may be authorized under this PGP. The Federal resource agencies will comprise the interagency review team. The meetings are held at the Corps every three weeks, or coordinated as necessary to provide applicants with a timely response. The Corps and Federal resource agencies, at the branch chief or equivalent level, may agree on certain activities that do not need to be coordinated at these meetings.

If the Corps and Federal resource agencies determine that the activity is eligible for the PGP, the Corps will send an authorization letter directly to the applicant. The Corps will generally issue an eligibility determination within the State's review period, not to exceed 60 days. If the Corps determines that the activity is not eligible under the PGP or that additional information is required, the Corps will notify the applicant in writing and will send a copy of this notification to DEP or LURC.

For projects reviewed with the Federal resource agencies, the agencies may recommend, within ten business days, either 1) special conditions for projects to avoid or minimize adverse environmental effects and to ensure the terms and conditions of the PGP are met, or 2) Individual Permit review. The Corps will determine that a project is ineligible under this PGP and will begin its Individual Permit review procedures if any one of the Federal resource agencies, within ten business days of the screening meeting, expresses a concern within their area of expertise, states the resource or species that could be impacted by the project, and describes the impacts that, either individually or cumulatively, will be more than minimal.

This ten-day notice may be spoken and is not required to be fully documented, but must be confirmed with a written response within an additional ten working days from the date of the spoken comment. Written responses must be signed by the Federal resource agency field supervisor or branch chief, as appropriate, and must identify the affected resource within their area of expertise. The intent of the spoken notification is to allow the Corps to give timely notification to the applicant that additional information is needed and/or an Individual Permit may be required. The Corps may reinstate a project's eligibility under the PGP provided the Federal agencies' concerns are satisfied. The Federal resource agencies may request additional information within their area of expertise within ten business days of the screening meeting. This information shall be commensurate to the level of impact and agreed upon by the Corps. The agencies are allowed an additional ten business days after their receipt of additional information to provide special conditions or a written Individual Permit request to the Corps.

If the applicant is unable to resolve the concerns, the Corps, independently or at the request of the Federal resource agencies, will require an Individual Permit for the project. The applicant will be notified of this in writing, along with information about submitting the necessary application materials.

Minerals Management Service (MMS) Review

Projects with construction of solid fill structures or discharge of fill that may extend beyond the coastline or the baseline from which the territorial sea is measured (i.e., mean low water), must be coordinated with Minerals Management Service (MMS), Outer Continental Shelf (OCS) Survey Group, pursuant to the Submerged Lands Act (43 USC, Section 1301-1315, 33 CFR 320.4(f)). The Corps will forward project information to MMS for their review. The MMS will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have 15 calendar days from the date MMS is in receipt of project information to determine if the baseline will be affected. No notification to the Corps within 15-day review period will constitute a "no effect" determination. Otherwise, the solicitor's notification to the Corps may be spoken but must be followed with a written confirmation within ten business days from the date of the spoken notification. This procedure will be eliminated if the State of Maine provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structures or fills authorized under this PGP.

Emergency Situations Procedures

Emergency situations are limited to sudden, unexpected occurrences that could potentially 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 an application under standard procedures. If an emergency situation requires action in less than 30 days after the occurrence, it qualifies for the amended notification procedures described below.

Notification Procedures for Emergency Situations:

Any project proponent may request emergency authorization from the Corps, however the Corps will determine if a project qualifies for these emergency situation procedures. The Federal resource agencies, the Maine Historic Preservation Commission and the tribes will each designate an emergency contact and an alternate in the event the regular contact is unavailable. When an application for Category 2 work is received that the Corps determines is an “emergency” as defined above, the Corps will fax a copy of the plans and Determination of Eligibility to the agency representatives and their alternates. The resource agencies would then have 16 business hours to notify the Corps if they have any comments on authorization of the project under the PGP. Objections to the Corps determination of an “emergency” situation will not be accepted. If no response is received within 16 business hours, the Corps will proceed with a decision on the application. If the resource agencies have comments on the proposal, they will have 16 business hours to put their comments in writing. If written comments from the Federal agencies are not received within 16 business hours, the Corps will proceed with a decision on the application.

If a Federal agency requests that an Individual Permit be required for a project or requests modifications to the project based on concerns within their area(s) of expertise, the Corps will notify the applicant within one business day of receipt of that request that the project as proposed does not qualify for authorization under this PGP and the emergency Individual Permit procedures may be followed. In any event, the Corps will notify the applicant within 16 business hours of commencement of the screening process as to whether the project may proceed under this PGP.

IV. CORPS AUTHORIZATION: INDIVIDUAL PERMIT

Work that is defined in the Individual Permit category of Appendix A – Definition of Categories, or that does not meet the terms and conditions of this PGP, will require an application for an Individual Permit from the Corps (see 33 CFR Part 325.1). The screening procedures outlined for Category 2 projects will only serve to delay project review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained at our web site or by calling us (see Page 16). Individual water quality certification and coastal zone management consistency concurrence are required when applicable from the State of Maine before Corps permit issuance. The Federal resource agencies’ comments are due within ten working days after the Public Notice’s expiration date, unless the Corps receives and approves a written request for a time extension within ten working days after the notice’s expiration.

V. PROGRAMMATIC GENERAL PERMIT CONDITIONS:

The following conditions apply to activities authorized under this Maine PGP, including all Category 1 (non-reporting) and Category 2 (reporting – requiring screening) activities:

General Requirements

1. Other Permits. Authorization under this PGP does not obviate the need to obtain other Federal, State, or local authorizations required by law. 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>.

2. Federal Jurisdictional Boundaries. Applicability of this PGP 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 328-329. These sections prescribe the policy, practice and procedures to be used in determining the extent of jurisdiction of the Corps concerning “waters of the U.S.” and “navigable waters of the U.S.” Wetland boundaries shall be delineated in accordance with the January 1987 Corps of Engineers Wetlands Delineation Manual, located at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/wlman87.pdf>. The U.S. FWS publishes the National List of Plant Species that Occur in Wetlands, located at <http://www.nwi.fws.gov>. The Natural Resources Conservation Service (NRCS) develops the hydric soil definition and criteria, and publishes the current hydric soil lists, located at <http://soils.usda.gov/use/hydric/>.

3. Minimal Effects. Projects authorized by this PGP shall have no more than minimal individual and cumulative adverse environmental impacts as determined by the Corps.

4. 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 Individual Permit review based on the concerns stated above. This authority may be invoked for projects with 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 PGP and that warrants greater review. Whenever the Corps notifies an applicant that an Individual Permit may be required, authorization under this PGP is void and no work may be conducted until the individual Corps permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this PGP.

5. Single and Complete Projects. This PGP shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete 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) unless the Corps determines that a component has independent utility. (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.) For linear projects, such as power lines or pipelines with multiple

crossings, the “single and complete project” (i.e., single and complete crossing) will apply to each crossing of a separate water of the U.S. (i.e., single waterbody) at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project, and may be reviewed for Category 1 eligibility. (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.) If any crossing requires a Category 2 activity, then the entire linear project shall be reviewed as one project under Category 2. Also, this PGP shall not be used for any activity that is part of an overall project for which an Individual Permit is required, unless the Corps determines the activity has independent utility.

6. Permit On-Site. For Category 2 projects, the permittee shall ensure that a copy of this PGP and the accompanying authorization letter are at the work site (and the project office) authorized by this PGP whenever work is being performed, and that all personnel with operation control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this PGP. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means this PGP 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 sub-contract as a change order. 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 contained within the entire PGP authorization, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

National Concerns

7. St. John/St. Croix Rivers. This covers work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. This includes any temporary or permanent use, obstruction or diversion of international boundary waters which could affect the natural flow or levels of waters on the Canadian side of the line, as well as any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters when the activity could raise the natural level of water on the Canadian side of the boundary.

8. Historic Properties. Any activity authorized by this PGP shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Maine Historic Preservation Commission, the National Register of Historic Places, and the Penobscot, Passamaquoddy, Micmac, and Maliseet Tribal Historic Preservation Officers. See Page 17 for historic properties contacts. If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource, within the area subject to Department of the Army jurisdiction, that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the District Engineer and the Maine Historic Preservation Commission and/or applicable Tribe(s).

9. National Lands. Activities authorized by this PGP shall not 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.

10. Endangered Species. No activity may be authorized under this PGP which:

- is likely to adversely affect a threatened or endangered species, a proposed species, designated critical habitat, or proposed critical habitat as identified under the Federal ESA,
- would result in a “take” of any threatened or endangered species of fish or wildlife, or
- would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

Applicants shall notify the Corps if any listed species or critical habitat, or proposed species or critical habitat, is in the vicinity of the project and shall not begin work until notified by the District Engineer (DE) that the requirements of the ESA have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. FWS and NMFS (see Page 16 for addresses).

11. Essential Fish Habitat. As part of the PGP screening process, the Corps will 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.” Applicants may be required to describe and identify potential impacts to EFH. Conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. For additional information, see the EFH regulations at 50 CFR Part 600 (<http://www.nmfs.noaa.gov>). Additional information on the location of EFH can be obtained from NMFS (see Page 16 for contact information).

Any work in any aquatic habitat 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 PGP and must be screened for potential impacts to EFH.

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

12. Wild and Scenic Rivers. Any activity that occurs in a component of, or within 0.25 mile up or downstream of, the main stem or tributaries of a river segment of the National Wild and Scenic River System, must be reviewed by the Corps under the procedures of Category 2 of this PGP regardless of size of impact. This condition applies to both designated Wild and Scenic Rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed work on the resource values of the Wild and Scenic River. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river and an individual permit is required. If

preapplication consultation between the applicant and the NPS has occurred whereby NPS has made a determination that the proposed project is appropriate for authorization under this PGP (with respect to Wild and Scenic River issues), this determination should be furnished to the Corps with submission of the application. (See NPS address on Page 16.) National Wild and Scenic Rivers System segments for Maine as of September 2005 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).

13. Federal Navigation Project. Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project (See Appendix B) 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.

14. Navigation. (a) 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. (b) The permittee understands and agrees that, if future operations by the United States 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 of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

15. 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 United States (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.

Minimization of Environmental Impacts

16. Minimization. Discharges of dredged or fill material into waters of the United States, including wetlands, shall be avoided and minimized to the maximum extent practicable. Permittees may only fill those jurisdictional wetlands that the Corps authorizes to be filled and impact those wetlands that the Corps authorizes as secondary impacts. For coastal structures such as piers and docks, the height above the marsh at all points should be equal to or exceed the width of the deck. The height shall be measured from the marsh substrate to the bottom of the longitudinal support beam. This will help ensure sunlight reaches the area beneath the structure.

17. Heavy Equipment in Wetlands. Heavy equipment, other than fixed equipment (drill rigs, fixed cranes, etc.), working within wetlands shall not be stored, maintained or repaired in wetlands unless it is less environmentally damaging otherwise, and as much as possible shall not be operated there. Where construction requires heavy equipment operation in wetlands, the equipment shall

either have low ground pressure (<3 psi), or shall not be located directly on wetland soils and vegetation; it shall be placed on swamp or timber mats that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. (See General Condition 18 below.) Other support structures that are less impacting and are capable of safely supporting equipment may be used with written Corps authorization. Similarly, not using mats during frozen, dry or other conditions may be allowed with written Corps authorization. An adequate supply of spill containment equipment shall be maintained on site.

NOTE: "Swamp mats" is a generic term 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, and they include large timbers bolted or cabled together (timber mats). Corduroy roads, which are not considered to be swamp mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another.

18. Temporary Fill. Fill placed into waters of the U.S. (including wetlands) totaling greater than or equal to 4,300 SF (15,000 SF if a DEP Tier One Permit is issued) in total area (i.e., the sum of permanent and temporary fill areas) exceeds the Category 1 threshold and may not be discharged without written authorization from the Corps. When temporary fill is used (e.g., access roads, swamp mats, cofferdams), it shall be stabilized and maintained during construction in such a way as to prevent soil eroding into portions of waters of the U.S. where it is not authorized. Swamp or timber mats (see Gen.Cond. 17 above) are considered as temporary fill when they are removed immediately upon work completion. The area must be restored in accordance with Gen.Cond. 19.

- Unconfined temporary fill authorized for discharge into flowing water (rivers and streams) shall consist only of clean washed stone.
- Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric laid on the pre-construction wetland grade. (Swamp and timber mats are excluded from this requirement.)
- Temporary fill shall be removed as soon as it is no longer needed, and it shall be disposed of at an upland site and suitably contained to prevent subsequent erosion into waters of the U.S.
- Waters of the U.S. where temporary fill was discharged shall be restored (see Gen.Cond. 19).
- No temporary work shall drain a water of the U.S. by providing a conduit for water on or below the surface.

19. Restoration.

- Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be stabilized with a wetland seed mix containing only plant species native to New England.
- The introduction or spread of invasive plant species in disturbed areas shall be controlled.
- 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.
- 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.

20. Coastal Bank Stabilization. Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. For example, vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. 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. For more information, see the Corps Coastal Engineering Manual (supersedes the Shore Protection Manual), located at <http://chl.erdc.usace.army.mil>. Select "Products/ Services," "Publications." Part 5, Chapter 7-8, a(2)c is particularly relevant.

21. Sedimentation and Erosion Control. Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences, hay bales or other devices, 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. These devices must be removed in a timely manner upon completion of work, but not until the disturbed areas have been stabilized. The sediment collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

22. Waterway Crossings.

(a) All temporary and permanent crossings of waterbodies (waterways and wetlands) shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and to not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. (NOTE: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this PGP).

(b) Aquatic Life Movements. 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. For new permanent crossings, open bottom arches, bridge spans or embedded culverts are generally preferred over traditional culverts and should be installed when practicable. Coordination with the Corps is recommended for Category 1 projects when site constraints (e.g., placing footings) may render open bottom arches, bridge spans or embedded culverts impractical. In these cases, well-designed culverts may actually perform better. Culverts shall be installed with their inverts embedded below existing streambed grade to avoid "hanging" and associated impediments to fish passage. The "Design of Road Culverts for Fish Passage" provides design guidance and is available at www.nae.usace.army.mil, "Regulatory/Permitting," "Other."

(c) Culverts at waterbody crossings shall be installed in such a manner as to preserve hydraulic connectivity, at its present level, between the wetlands on either side of the road. The permittee shall take necessary measures to correct wetland damage due to lack of hydraulic connectivity.

(d) Culverts and bridges shall span the waterway a minimum of 1.2 times the bankfull width in probable fish bearing waterways to qualify as a Category 1 non-reporting activity. See "Design of Road Culverts for Fish Passage," referenced in (b) above, for information on bankfull width.

(e) Projects using slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), plastic pipes, and High Density Polyethylene Pipes (HDPP) are not allowed as non-reporting Category 1 activities, either as new work or maintenance activities.

(f) Waterbody crossings shall be culverted to at least municipal or State standards. The Maine DEP's stream crossing standards are at 06-096, Chapter 305: Permit by Rule, Section 10. Stream crossings (bridges, culverts and fords).

(g) Waterway crossings proposed by the Maine Dept. of Transportation should conform to the MDOT Fish Passage Policy and Design Guides.

(h) Construction equipment shall not cross streams without the use of temporary bridges, culverts, or cofferdams.

(i) For projects that otherwise meet the terms of Category 1, in-stream construction work shall be conducted during the low flow period July 15 - October 1 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.

23. Discharge of Pollutants. All activities involving any discharge of pollutants into waters of the U.S. authorized under this PGP shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 USC 1251) and applicable State and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this PGP, the authorized work shall be modified to conform with these standards within six months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with the Regional Administrator of the EPA. Applicants may presume that State water quality standards are met with the issuance of a LURC or DEP NRPA permit.

24. Spawning Areas. Discharges of dredged or fill material, and/or suspended sediment producing activities in fish and shellfish spawning or nursery areas and amphibian and waterfowl breeding areas during spawning or breeding seasons shall be avoided. During all times of year, impacts to these areas shall be avoided or minimized to the maximum extent practicable.

25. Storage of Seasonal Structures. Coastal structures, such as pier sections and floats, 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 located above mean high water (MHW) and not in tidal wetlands. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of MHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps and local harbormaster approval.

26. Environmental Functions and Values. The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and minimize any adverse impacts on existing fish, wildlife, and natural environmental functions and values.

27. Protection of Vernal Pools. Impacts to uplands in proximity (within 500 feet) to the vernal pools referenced in Appendix A - Definitions of Categories, shall be minimized to the maximum extent possible.

Procedural Conditions

28. Cranberry Development Projects. For cranberry development projects authorized under the PGP, the following conditions apply:

- If a cranberry bog is abandoned for any reason, the area must be allowed to revert to natural wetlands unless an Individual Permit is obtained from the Corps allowing the discharge of fill for an alternate use.
- No stream diversion shall be allowed under this permit.
- No impoundment of perennial streams shall be allowed under this permit.
- The project shall be designed and constructed to not cause flood damage on adjacent properties.

29. Inspections. The permittee shall allow the District Engineer (DE) or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The DE may also require post-construction engineering drawings for completed work and post-dredging survey drawings for any dredging work.

30. Work Start Notification Form and Compliance Certification. Every permittee who receives a written Category 1 or 2 PGP authorization from the Corps must submit a 1) Work Start Notification Form (WSNF) two weeks before work commencement, and 2) signed 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). The Corps will forward the blank WSNF and Compliance Certification Form with the authorization letter. The Compliance Certification Form will include: (a) a statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) a statement that any required mitigation was completed in accordance with the permit conditions; and (c) the signature of the permittee certifying the completion of the work and mitigation.

31. Maintenance. The permittee shall maintain the work or structures authorized herein in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds in Appendix A and/or any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2).

32. Property Rights. This permit 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. If property associated with work authorized by the PGP is sold, the PGP authorization is automatically transferred to the new property owner. The new property owner should provide this information to the Corps in writing. No acknowledgement from the Corps is necessary.

33. Modification, Suspension, and Revocation. This permit 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 United States.

34. Restoration. The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former condition without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

35. Special Conditions. The Corps, independently or at the request of the Federal resource agencies, may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.

36. False or Incomplete Information. If the Corps makes a determination regarding the eligibility of a project under this permit and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid and the government may institute appropriate legal proceedings.

37. Abandonment. If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she must restore the area to the satisfaction of the District Engineer.

Duration of Authorization/Grandfathering:

38. Duration of Authorization. This PGP expires five years from the effective date listed at the top of Page 1. Activities authorized under Category 1 of this PGP that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this PGP's authorization will remain authorized provided the activity is completed within 12 months of the PGP's expiration date. Activities authorized under Category 2 of this PGP will remain authorized in accordance with the project-specific date that the Corps provides to the permittee in the PGP authorization letter, unless:

- (a) The PGP is either modified or revoked, or
- (b) Discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2 (e)(2).

39. Previously Authorized Activities.

- (a) Activities completed under the authorizations of past PGPs that were in effect at the time the activity was completed will continue to be authorized by those PGPs.
- (b) Completed projects that have received written verification or approval from the Corps, based on applications made to the Corps prior to issuance of this PGP or the previous nationwide permits, regional general permits, or letters of permission shall remain authorized as specified in each authorization.
- (c) Activities authorized pursuant to 33 CFR Part 330.3 ("Activities occurring before certain dates") are not affected by this PGP.



PORTLAND MAINE

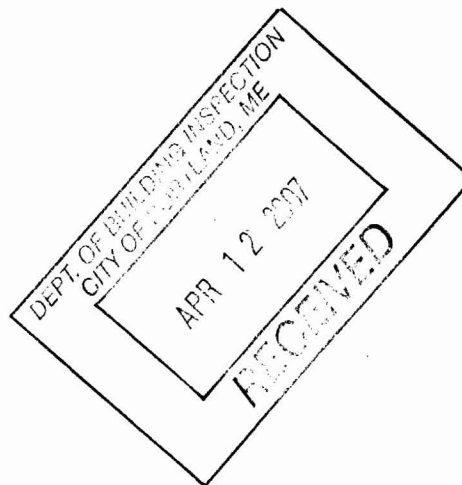
Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

April 10, 2007

Mr. William Zimmerman
14 Centennial Street
Peaks Island
Portland, Maine 04108



RE: Minor Site plan and Shoreland Review
CBL: 087- OO-007001

Dear Mr. Zimmerman,

On April 10, 2007 the Portland Planning Authority approved a minor site plan for pier construction and erosion control located in the Shoreland zone at 14 Centennial Street on Peaks Island.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater.
2. An inspection fee payment \$300 and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building

contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Bill Needelman, Senior Planner at 874-8722.

Sincerely,



Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Michael Bobinsky, Public Works Director
Kathi Earley, Public Works
Bill Clark, Public works
Jim Carmody, Transportation Manager
Michael Farmer, Public Works
Jessica Hanscom, Public Works
Jeff Tarling, City Arborist
Captain Greg Cass, Fire Prevention
Assessor's Office
Approval Letter File

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Zoning Copy**

2007-0050
Application I. D. Number
3/15/2007
Application Date
Pier and Erosion Control
Project Name/Description

William Zimmerman
Applicant
14 Centennial Street, Peaks Island, ME 04108
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: (207) 766-0061 Agent Fax:
Applicant or Agent Daytime Telephone, Fax

14 - 14 Centennial St, Portland, Maine
Address of Proposed Site
087 00007001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Apt 0 Condo 0 Other (specify) Pier and Erosion Control Prj.
Proposed Building square Feet or # of Units 17,120 Acreage of Site IR-2 Zoning

Check Review Required:

- Site Plan (major/minor) Zoning Conditional - PB Subdivision # of lots _____
- Amendment to Plan - Board Review Zoning Conditional - ZBA Shoreland Historic Preservation DEP Local Certification
- Amendment to Plan - Staff Review Zoning Variance Flood Hazard Site Location
- After the Fact - Major Stormwater Traffic Movement Other _____
- After the Fact - Minor PAD Review 14-403 Streets Review

Fees Paid: Site Plan \$400.00 Subdivision _____ Engineer Review _____ Date 3/16/2007

Zoning Approval Status:

Reviewer Marge S. - Inspections
 Denied

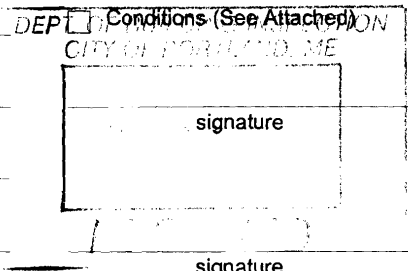
- Approved Approved w/Conditions See Attached

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached
 Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	_____	_____
	date	signature	expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____	_____	
	date	signature	
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	



3/21/07



Custom Docks, Ramps & Float Systems

9 March, 2007

Barbara A. Barhydt
Development Review Services Manager
Planning & Development Department
City of Portland
389 Congress St., Portland, ME 04101

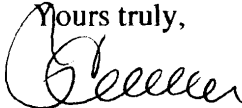
**Wm. Zimmerman Peaks Island
Proposed Pier & Erosion Control Project**

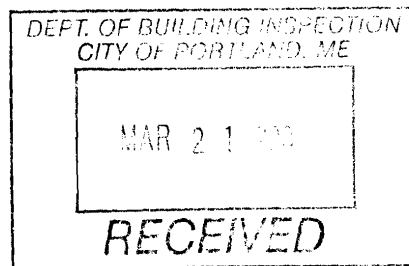
Dear Ms. Barhydt,

Further to our discussions respecting planning requirements for submission and review of this matter we are pleased to enclose the following original package and seven copies thereof:

- Site Plan Application for Minor Site Review
- Checks for \$200. for Service Fee Deposit and \$400. for Minor Site Application fee
- Explanation stating the nature of the project
- Site plan showing location of both pier and erosion control work
- Plans for the pier and seasonal components with construction detail
- Plans for the erosion control measures showing plan and profile view and plan showing groundwater dispersion to reduce runoff and further erosion
- Copy of tax map showing pier location
- Letters of authorization from the owner
- Photos of the site
- Copy of the Army Corps Permit
- Copy of the Application to the DEP for a Natural Resources Protection Permit-permit issued 3/8/07

If there are further items which we can provide to assist with your review please do not hesitate to call.

Yours truly,

Peter F. Spencer
Enclosures.





City of Portland Site Plan Application

If you or the property owner owes real estate taxes, personal property taxes or user charges on any property within the City, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development:		Zone:	
Existing Building Size: <u>4540</u> sq. ft.	Proposed Building Size: <u>4540</u> sq. ft.	Existing Acreage of Site: <u>17,120</u> sq. ft.	Proposed Acreage of Site: <u>17,120</u> sq. ft.
Tax Assessor's Chart, Block & Lot: Chart# <u>87</u> Block# <u>00</u> Lot# <u>7</u>		Property owner's mailing address: <u>14 CENTENNIAL ST, REAR</u> <u>PEAKS ISLAND ME</u> <u>04108</u>	
Consultant/Agent, mailing address, phone # & contact person: <u>PETER F. SPENCER</u> <u>C/O WATERMAN MARINE CORP.</u> <u>475 US RTE 1, STE 6, FREETOWN</u> <u>ME 04032 ; 869-9100</u>		Applicant's name, mailing address, telephone #/Fax#/Pager#: <u>WILLIAM ZIMMERMAN</u> <u>14 CENTENNIAL ST REAR</u> <u>PEAKS ISLAND ME 04108</u> <u>766-0061</u>	
		Telephone #: <u>766-0061</u>	
		Project name: <u>ZIMMERMAN</u>	

Fee For Service Deposit (all applications) (\$200.00)

Proposed Development (check all that apply)

New Building
 Building Addition
 Change of Use
 Residential
 Office
 Retail
 Manufacturing
 Warehouse/Distribution
 Parking lot
 Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable
 Site Location of Development (\$3,000.00)
 (except for residential projects which shall be \$200.00 per lot _____)
 Traffic Movement (\$1,000.00)
 Storm water Quality (\$250.00)
 Section 14-403 Review (\$400.00 + \$25.00 per lot)
 Other _____

Major Development (more than 10,000 sq. ft.)

Under 50,000 sq. ft. (\$500.00)
 50,000 - 100,000 sq. ft. (\$1,000.00)
 Parking Lots over 100 spaces (\$1,000.00)
 100,000 - 200,000 sq. ft. (\$2,000.00)
 200,000 - 300,000 sq. ft. (\$3,000.00)
 Over 300,000 sq. ft. (\$5,000.00)
 After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

Less than 10,000 sq. ft. (\$400.00)
 After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

Planning Staff Review (\$250.00)
 Planning Board Review (\$500.00)

~ Please see next page ~

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

WATSMAN MARINE CORP
475 US RTE 1, STE 6
FREEPORT, ME 04032
869-9100
ATT. PETER SPENCER

Submittals shall include (7) separate **folded** packets of the following:

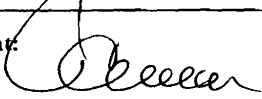
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11 x 17 plans

Amendment to Plans: **Amendment applications should include 6 separate packets of the above (a, b, & c)**

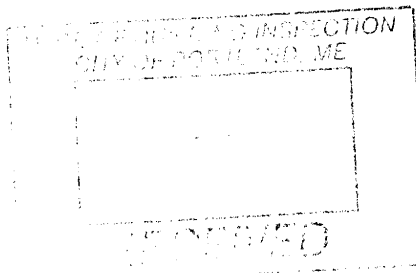
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: 	Date: 3/9/07
---	--------------

This application is for site review **ONLY**; a building Permit application and associated fees will be required prior to construction.





Custom Docks, Ramps & Float Systems
Wm Zimmerman Application, Peaks Island

Activity Description

A/ Dock System

The Applicant proposes to construct a fixed pier with seasonal ramp and float accessed from a staircase leading from the lawn of the residence at 14 centennial Street, Rear, Peaks Island on the western facing shore. This is a private residence and the intended usage is for the owners of this residence.

A description of the proposed system is as follows:

- Construct fixed pier 6' x 115'; pier supported on driven pile using barge and crane. 16 pile to be used with minimum butt of 8"; pile to be driven in the intertidal zone as per the drawings. A seasonal ramp 3' x 36' leads from the pier to a 12' x 24' float.
- Construct 48' staircase leading from the access landing at the top to the fixed pier; staircase to be erected in three 16' sections with 4' x 8' landings x 2 with the stairs to be bolted to the landings and to the pier. Landings to be secured by driving 4" x 6" posts into the ground with the top of the pile bolted to the landing; X trussed handrail on the stairs and landings.
- Construct a 4' x 7' access landing leading from the lawn to the staircase; landing secured by driving 4" x 6" posts into the ground; top of the upper staircase to be bolted to the landing; X trussed handrail on the landing.

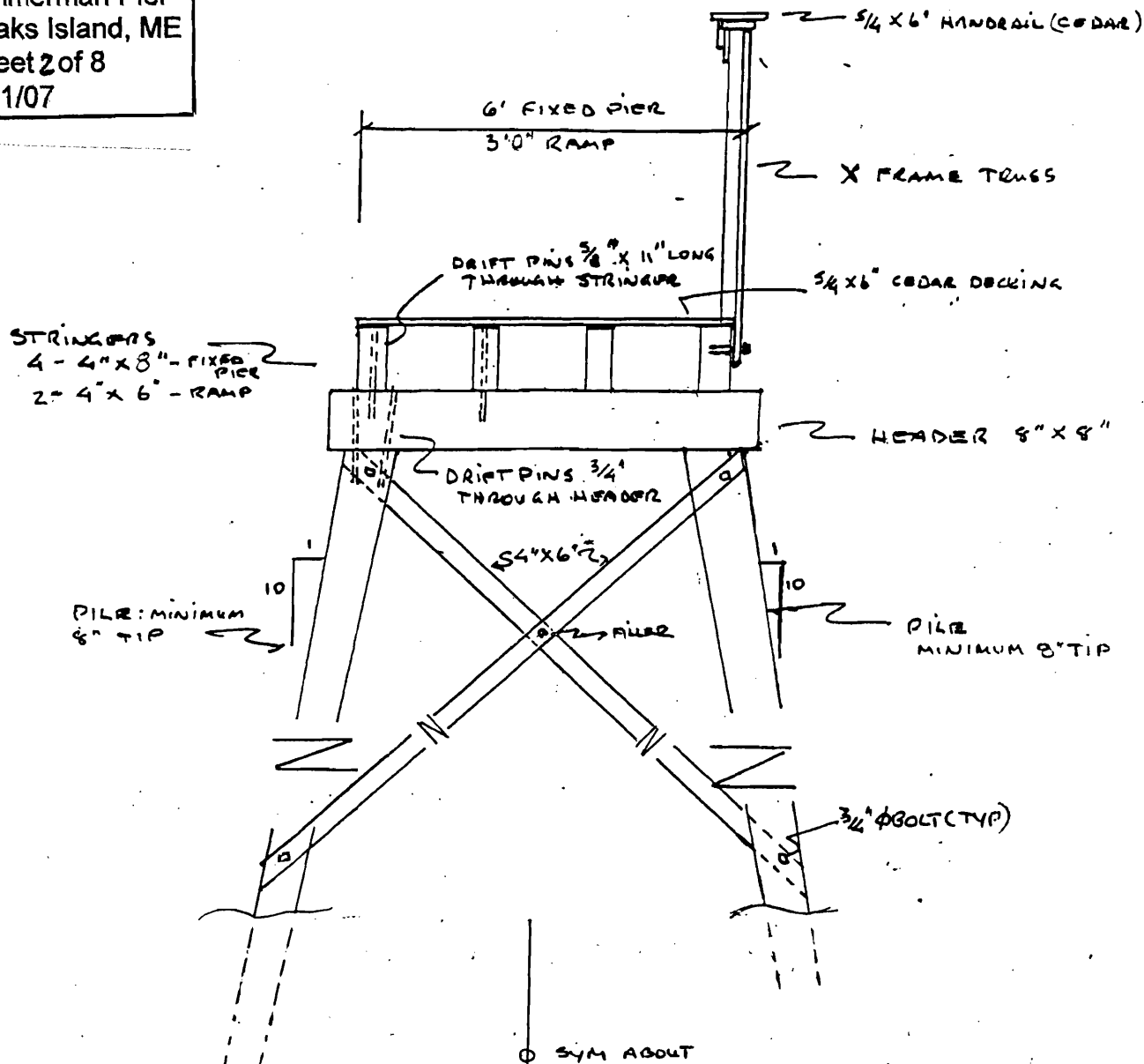
B/ Erosion Control

This property on the western face of Peaks Island is experiencing erosion at a fairly rapid rate with annual loss of land and undermining of the existing bank. The proposed erosion control measures include collection and orderly dispersion of the upland groundwater which is the cause of much of the problem. The rip rap wall will stabilize and contain the existing embankment to prevent further loss of land.

A description of the proposed erosion control measures are as follows:

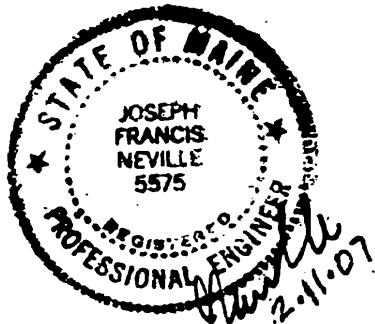
1. Groundwater
 - Install 137' of underground piping to collect groundwater and 50' of perforated piping to collect sub surface water directed to a spreader area at the top of the rip rap wall to allow water to naturally percolate through the wall for low impact dispersion. A small machine such as a Ditch Witch excavator will be used to perform the trenching for the piping. Some hand excavation may be required. Appropriate measures will be taken to control potential runoff during construction by the use of silt fencing and hay bales and geotextile fabric. The trenching area will be reseeded after installation of the underground piping.
2. Rip Rap Wall
 - Set silt fencing and hay bales seaward of construction area. Machine dig a toe ditch; install geo textile filter fabric in ditch and area of rip rap construction. Install rip rap stone as per design. Plant Rosa rugosa or similar plants along bank in disturbed areas at the top of the wall. Plant other vegetation as required to insure bank stability.

Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 2 of 8
 2/11/07

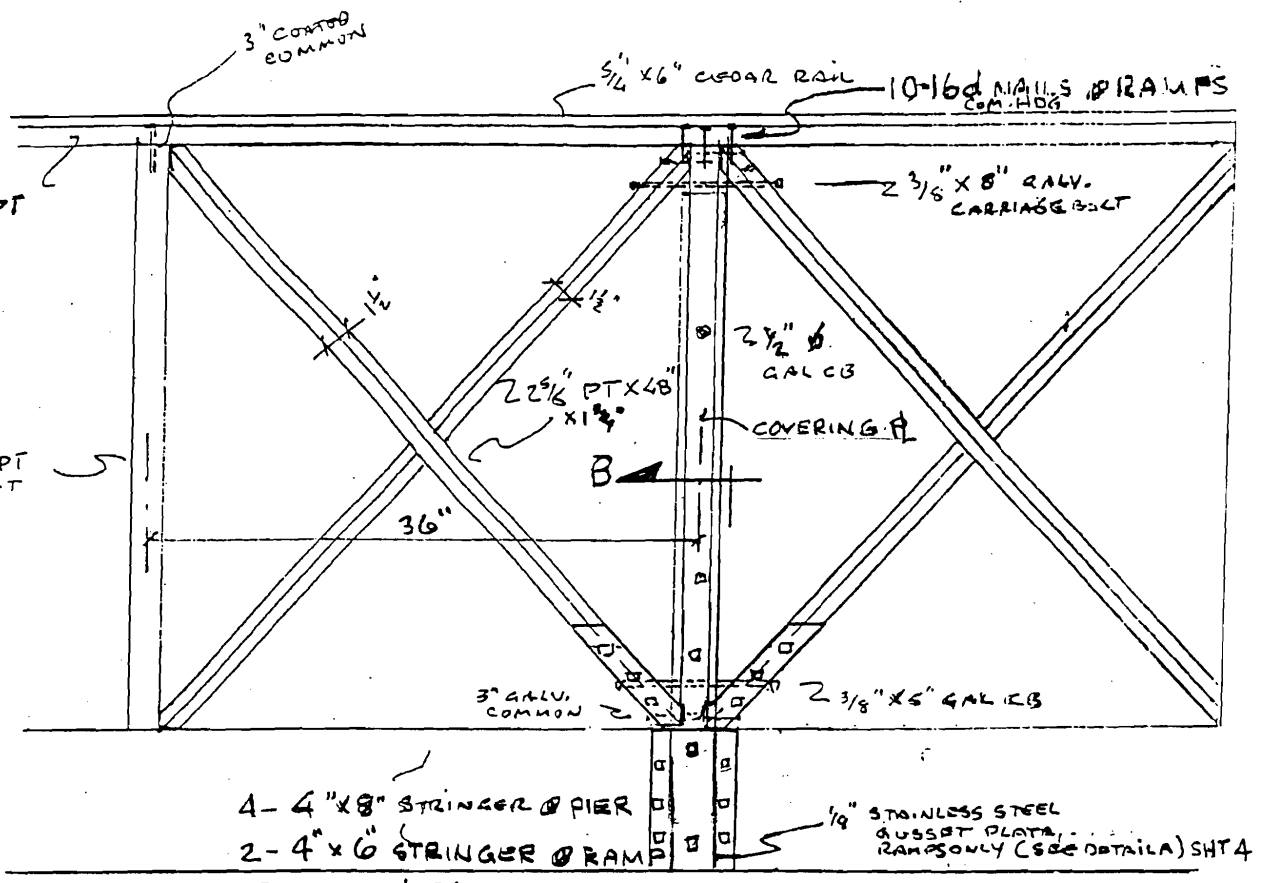


PILE DRIVEN
 10' OR
 REFUSAL
 TYPICAL

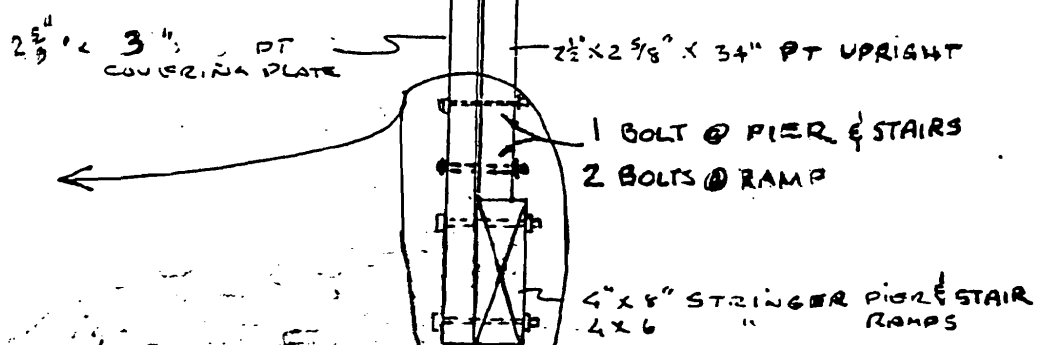
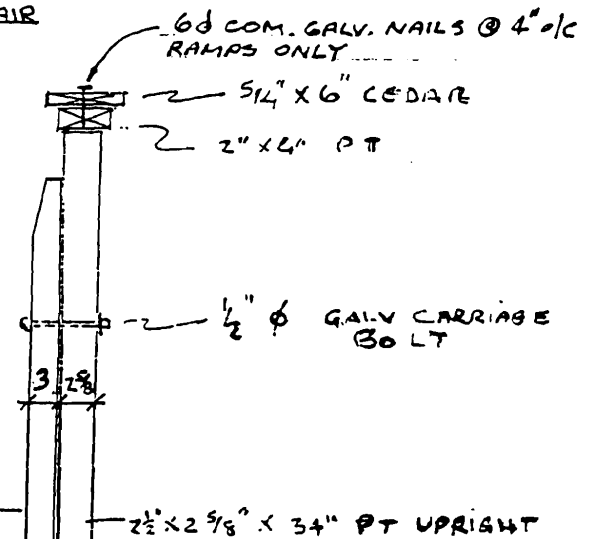
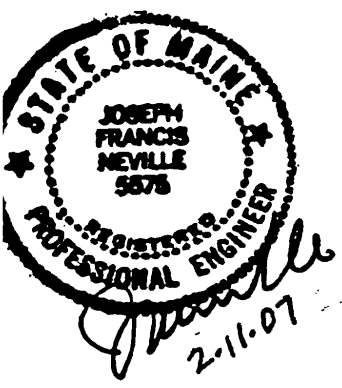
TYPICAL BENT SECTION



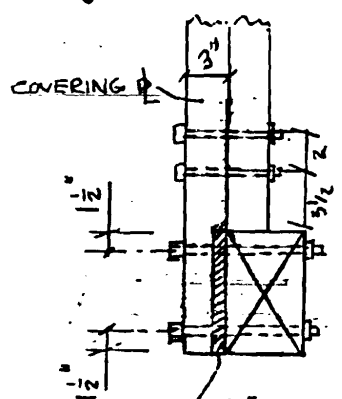
Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 3 of 8
 2/11/07



ELEVATION AT RAMP & PIER & STAIR

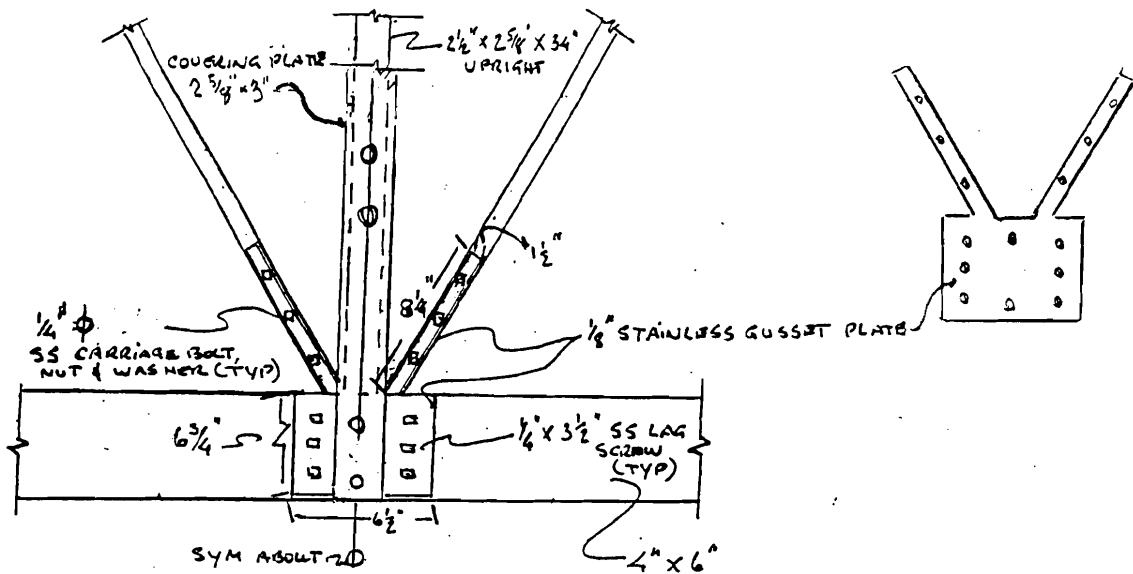


SECT-B

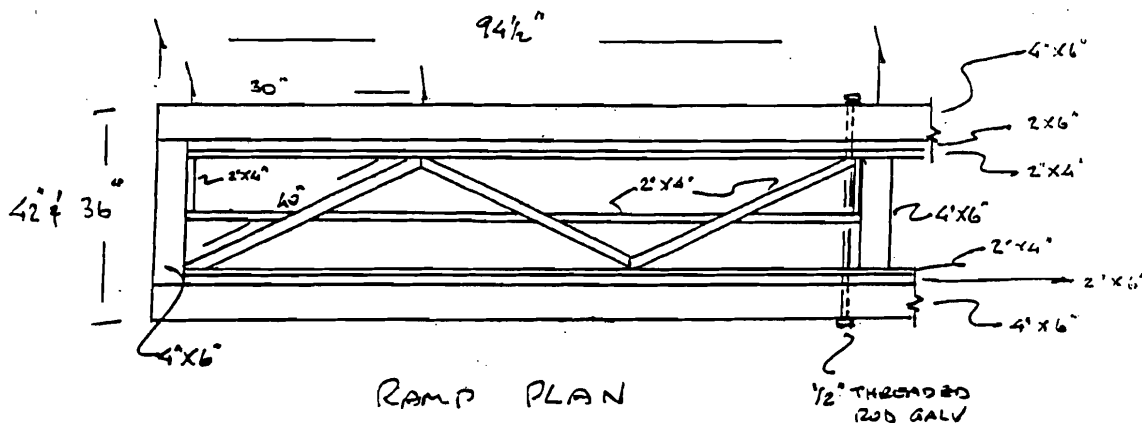


1/8" S.S. GUSSET PLATE AT RAMP ONLY
 DETAIL @ RAMP, PIER & STAIRS

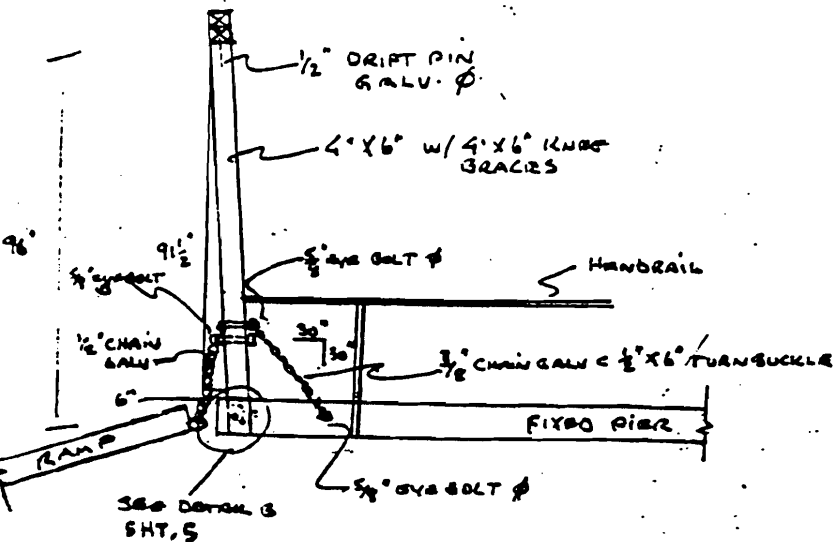
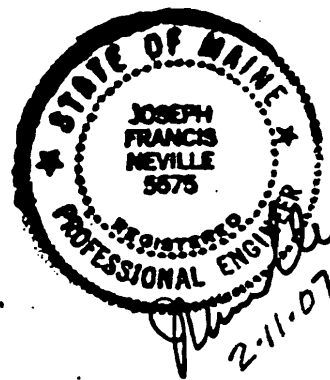
Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 4 of 8
 2/11/07



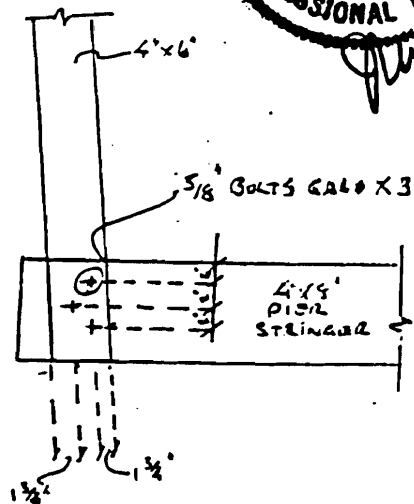
DETAIL A



RAMP PLAN



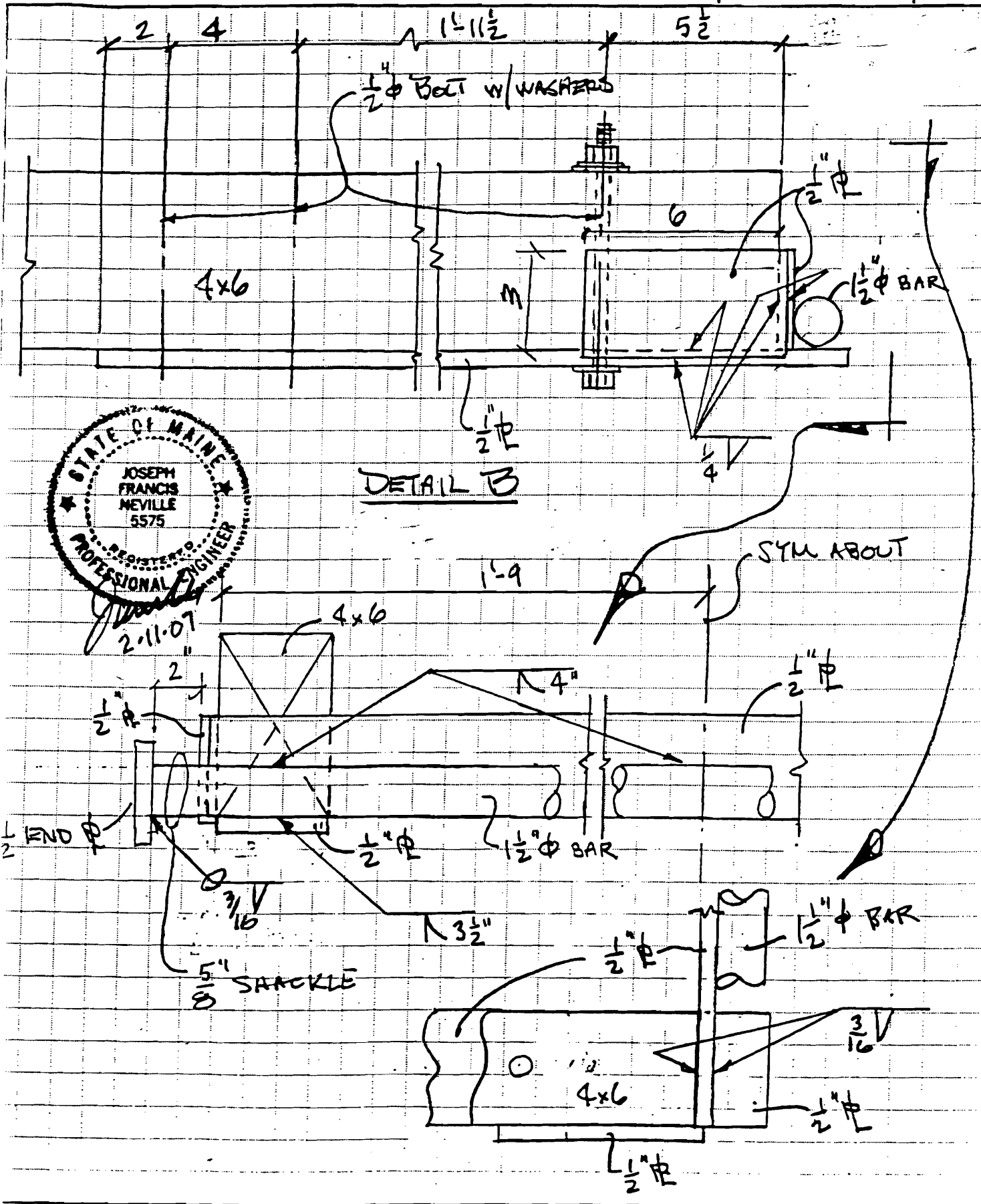
GALLOWS ELEVATION



DETAIL B

JOSEPH F. NEVILLE, P.E.
CONSULTING STRUCTURAL ENGINEER
404 Megquier Hill Road
POLAND, MAINE 04274
Phone/FAX (207) 998-4086

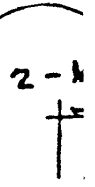
Job No. 07-06
Zimmerman Pier
Peaks Island, ME
Sheet 5 of 8
2/11/07



Job No. 07-06
Zimmerman Pier
Peaks Island, ME
Sheet 6 of 8
2/11/07



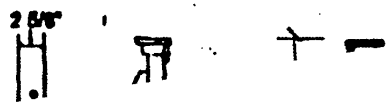
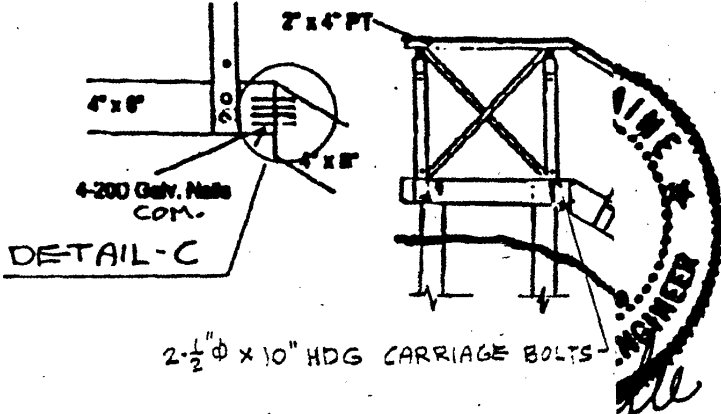
CUSTOM DOCKS & FLOAT SYSTEMS



2 - 1 1/2" HDG Spikes

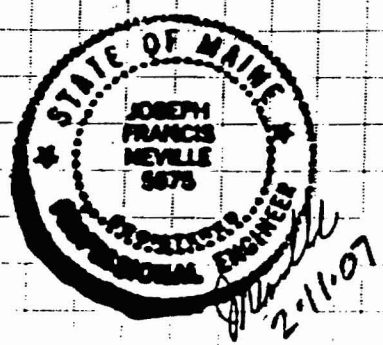
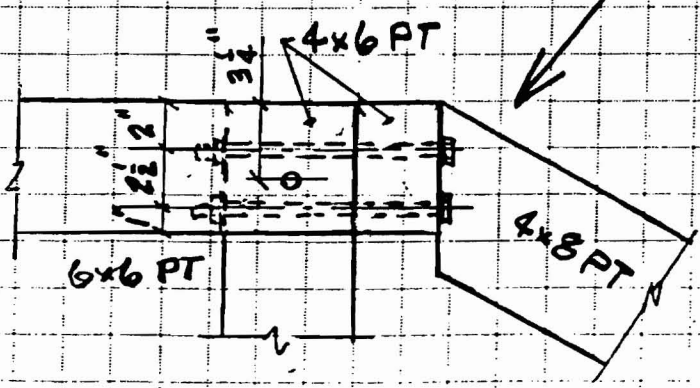
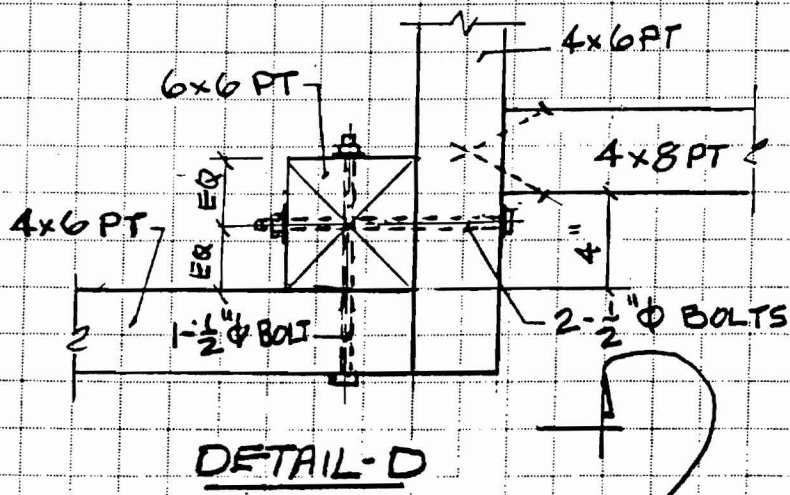
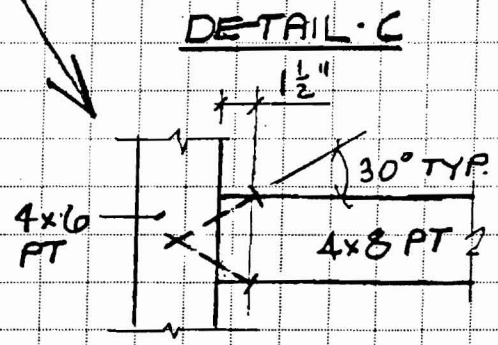
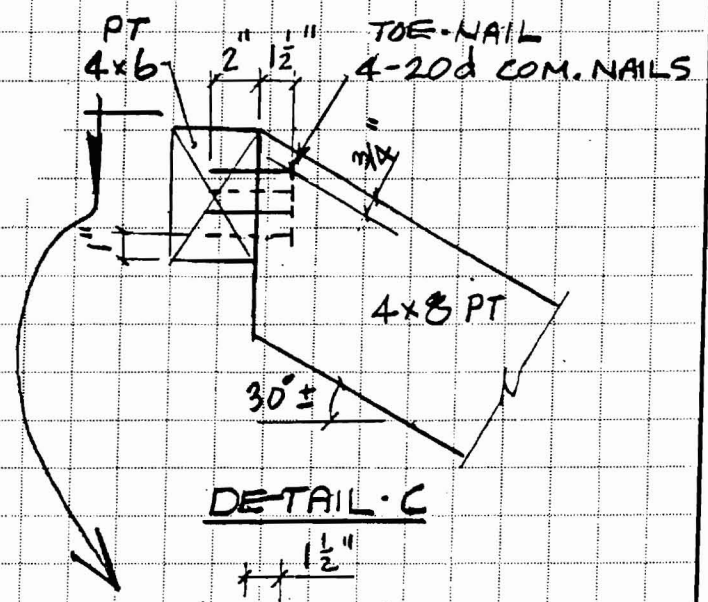
*All spikes 3/8" Diameter

DETAIL - D

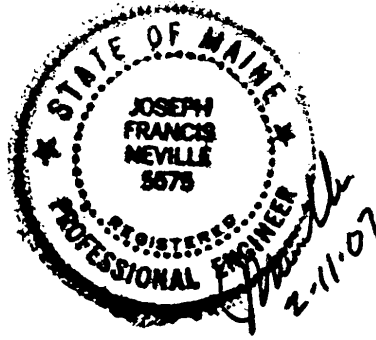


JOSEPH F. NEVILLE, P.E.
 CONSULTING STRUCTURAL ENGINEER
 353 Megquier Hill Road
 POLAND, MAINE 04274
 Phone/FAX (207) 998-4086

Job No. 07-06
 Zimmerman Pier
 Peaks Island, ME
 Sheet 7 of 8
 2/11/07



Job No. 07-06
Zimmerman Pier
Peaks Island, ME
Sheet 8 of 8
2/11/07



WATERMAN MARINE ZIMMERMAN.wpd

GENERAL NOTES

GENERAL

Drawings indicate general and typical details of construction. Where conditions are of similar character to details shown and although not specifically indicated, similar details shall be used subject to the approval of the engineer. In case of conflicting details and any construction and/or dimensions encountered in the field contrary to those shown on the drawings, the contractor shall notify the engineer prior to commencement of construction. Details, sections, notes, symbols, dimensions etc. are typical unless noted otherwise (UNO). Do not scale from drawings

DESIGN PARAMETERS

1. Design is based on terrain profile as provided by Waterman Marine Corp. (see sheet 1 of 8).
2. Design loads: fixed pier live load = 50 psf, stairs and seasonal ramp live load = 40 psf
3. Design in accordance with structural requirements per IBC 2003 Code

STRUCTURAL STEEL

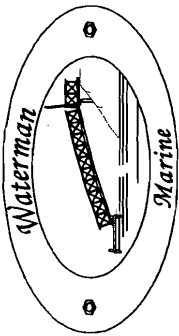
1. Steel fabrication and erection shall conform to AISC Specification for the Design, Fabrication and Erection of Structural Steel - latest edition
2. Plates, rods and pins - ASTM A36 UNO on sheets
3. Welding shall conform to AWS D1.1 (latest edition) and performed by certified welders qualified by AWS. Electrodes shall be low hydrogen with matching weld metal.
4. Steel shall be hot dip galvanized in accordance with ASTM A123 UNO on sheets.

FASTENERS

Bolts, Nuts & Washers - ASTM A307 galvanized in accordance w/ ASTM A153 UNO on sheets.

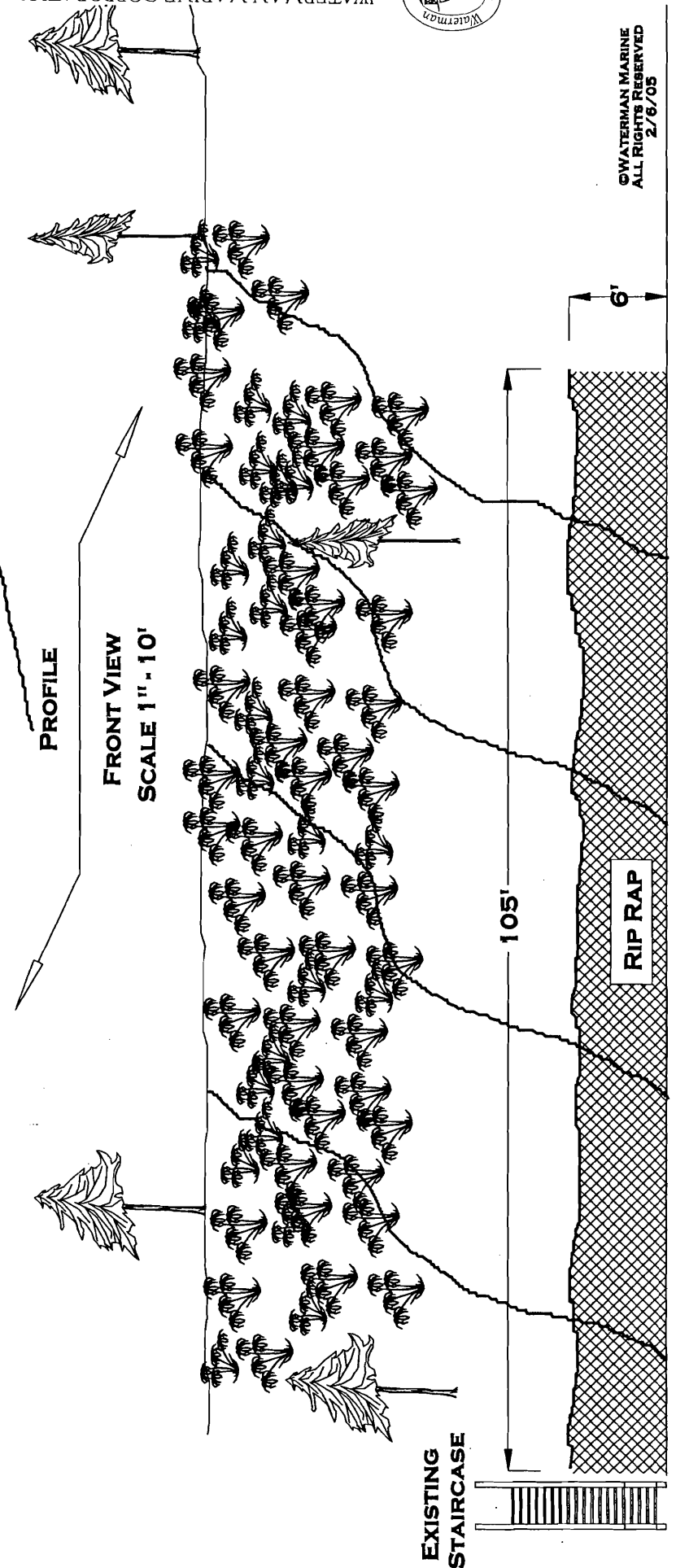
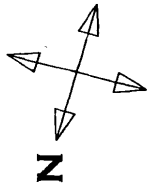
TIMBER

1. Mixed Southern Pine, Grade No. 1 UNO
2. Handrail and decking: western red or Port Orford cedar
3. Recommended preservative treatment for southern yellow pine:
 - a. .60 CCA, AWPA C2 & C18 (Saltwater Splash) UNO
 - b. Piles and X Bracing - 2.5 CCA, AWPA C2 & C18, Marine Grade



CUSTOM DOCKS, RAMPS & FLOAT SYSTEMS

EROSION CONTROL BILL ZIMMERMAN PEAKS ISLAND



EXISTING
STAIRCASE

RIP RAP

105'

RIP RAP

TOE DITCH

MHW

PROFILE

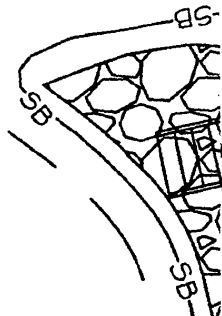
FRONT VIEW
SCALE 1" = 10'

WATERMAN MARINE CORPORATION
Custom Docks, Ramps & Float Systems



©WATERMAN MARINE
ALL RIGHTS RESERVED
2/6/08

HIS DRAWING REMAINS THE PROPERTY OF WATERMAN MARINE CORP.
THE COMPANY) AND ANY NOT BE REPRODUCED IN WHOLE OR IN PART
WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE COMPANY.



ROOF LEADER (TYP.)



PLAN DATE
10/05/06

LAND CONSULTING ENGINEERS, PA
P.O. BOX 1337
PORTLAND, MAINE 04104
(207) 837-8721



2006

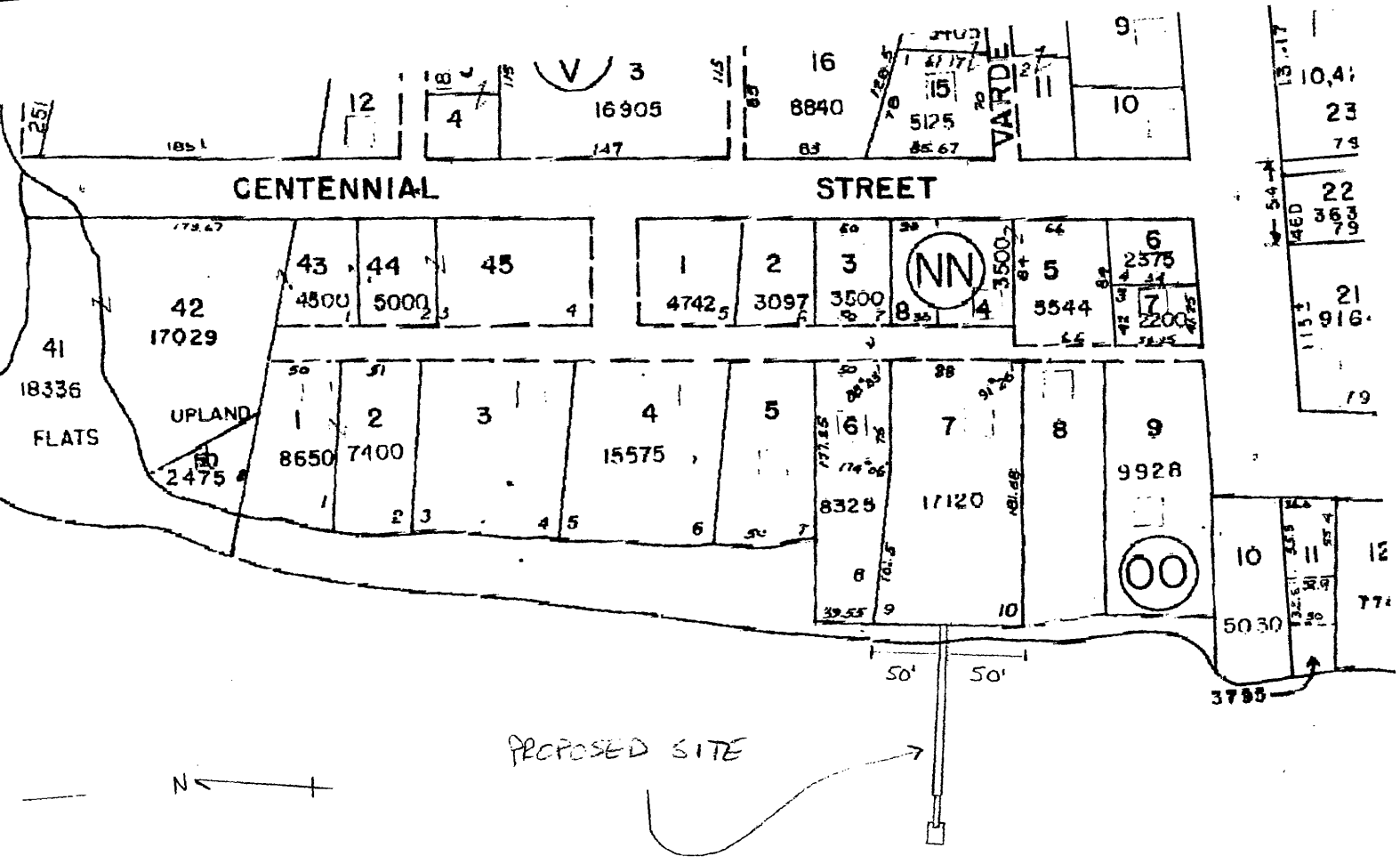
REVISIONS

NO. DATE

DESCRIPTION

WILLIAM ZIMMERMAN

14 CENTENNIAL ST. REAR
PEAKS ISLAND, ME 04108



Zimmerman, William B

From: Zimmerman, William B
To: SpencerPF@aol.com
Cc: Hartman, Cynthia Dyann; Zimmerman, William B
Subject: Authorization to Obtain Pier Permits
Attachments:

Sent: Mon 2/6/2006 2:07 PM

TO WHOM IT MAY CONCERN:

I hereby authorize Peter F. Spencer of Waterman Marine Corporation to secure all necessary permits to construct a staircase and dock system at our property at 14 Centennial Street Rear, Peaks Island, Maine.

Sincerely,


William B. Zimmerman

2/6/06

Zimmerman, William B

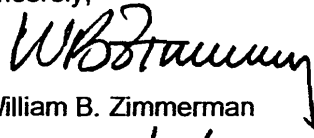
From: Zimmerman, William B
To: SpencerPF@aol.com
Cc: Hartman, Cynthia Dyann; Zimmerman, William B
Subject: Authorization to Obtain permits
Attachments:

Sent: Mon 2/6/2006 2:02 PM

TO WHOM IT MAY CONCERN:

I hereby authorize Peter F Spencer of Waterman Marine Corporation to secure all necessary permits to construct a rip rap wall to contain erosion at our property at 14 Centennial Street Rear, Peaks Island, Maine.

Sincerely,

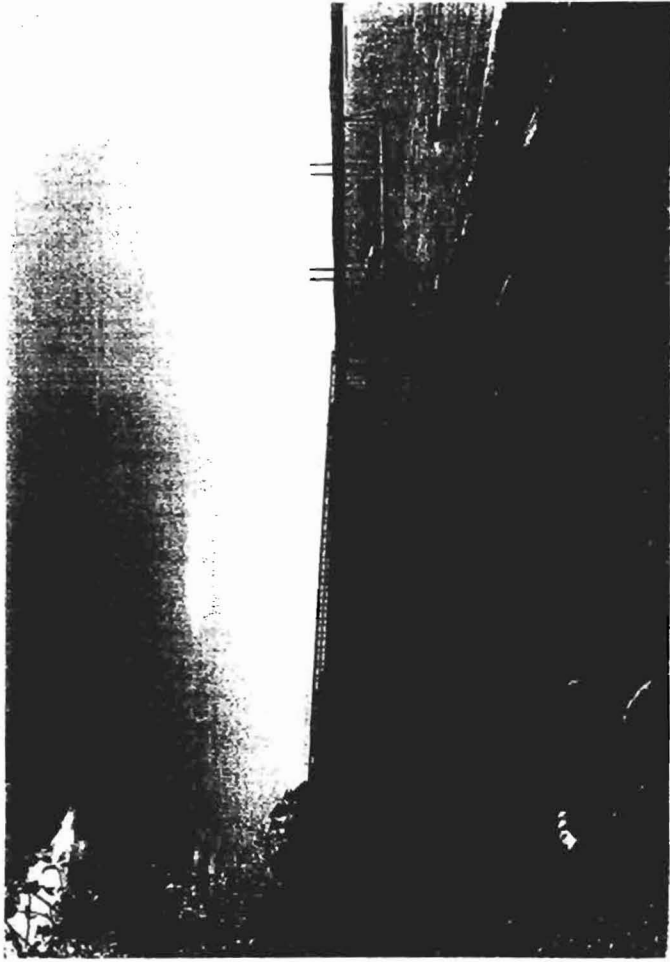


William B. Zimmerman

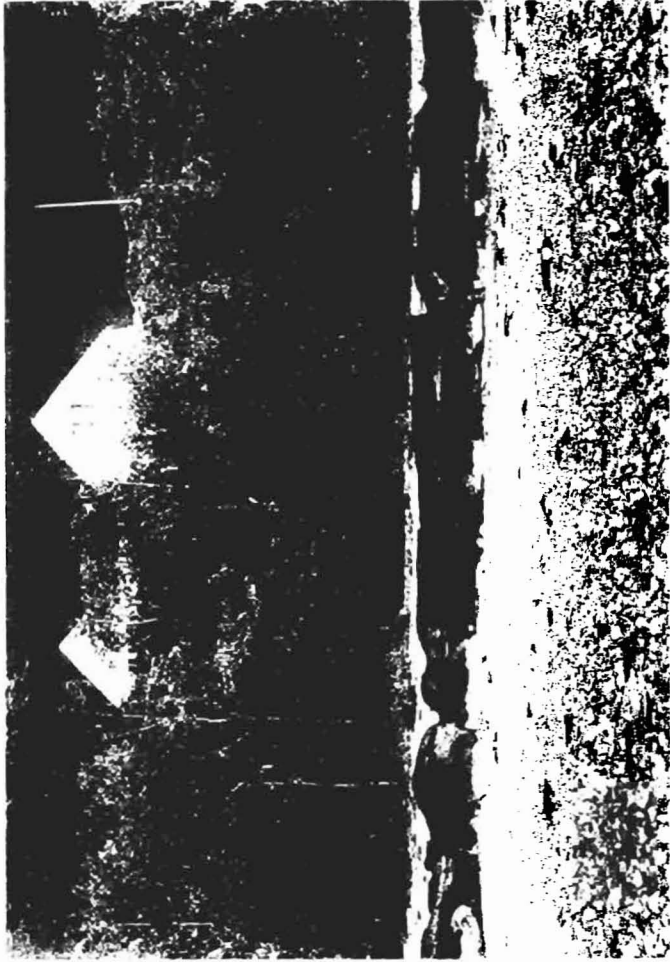
2/6/06

WILLIAM ZIMMERMAN

VIEW SOUTH



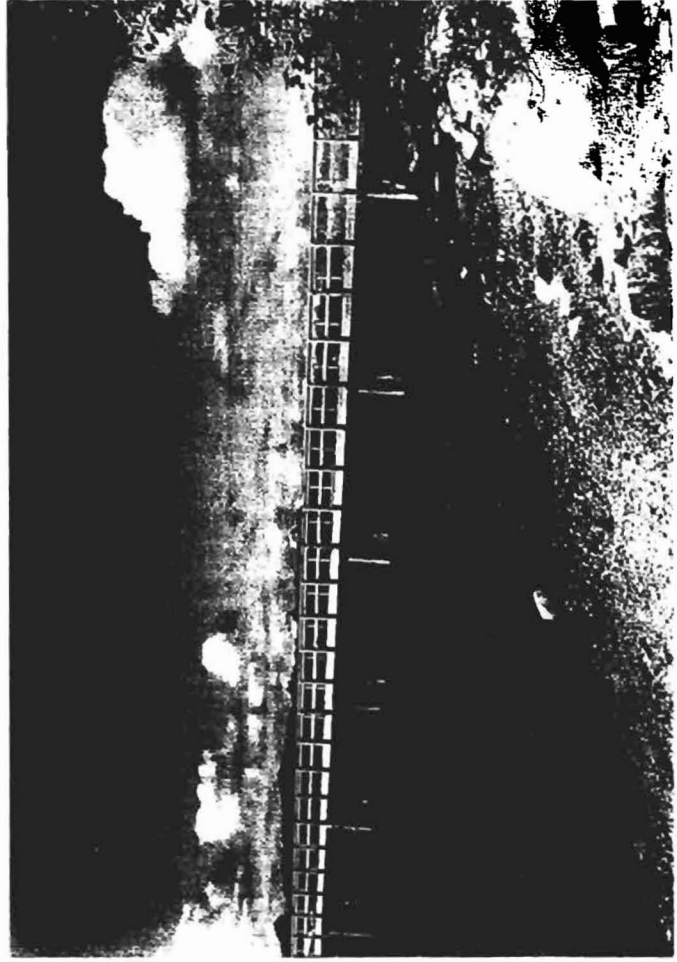
VIEW EAST



VIEW WEST



VIEW NORTH





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

REPLY TO:
 ATTENTION OF:

**MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
 AUTHORIZATION LETTER AND SCREENING SUMMARY**

William Zimmerman
C/o Peter Spencer
Waterman Marine
475 U.S. Route One, Suite 6
Freeport, Maine 04032

CORPS PERMIT # NAE-2006-3673
 CORPS PGP ID# 06-510
 STATE ID# L-23320-A-N

DESCRIPTION OF WORK:

To construct and maintain a stairway leading to a 6' x 115' pile and timber supported pier with an attached 3' x 36' bottom moored float extending west in Diamond Island Roads off Centennial Street on Peaks Island, at Portland, Maine. The ramp and float are seasonal structures that will be removed and reinstalled annually. That work also includes the removal of an existing deteriorated timber retaining wall and replacing it with a riprap wall 6' high along 105' of eroding shoreline above MHW as shown on the attached plans.

SEE ATTACHED CONDITIONS

LAT-LONG COORDINATES : 43.6603399 N 70.2002417 W USGS QUAD: Portland West, 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 enclosed Federal Permit, the Maine Programmatic General Permit (PGP).**

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP 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 PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

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.** Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

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

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 10/26/2006 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY: SEC 10 X, 404 _____ 10/404 _____, 103 _____

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

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT N (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

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.

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

Frank J. Del Giudice 9/07
 FRANK J. DEL GIUDICE DATE
 CHIEF, PERMITS & ENFORCEMENT BRANCH
 REGULATORY DIVISION

OCT 20 2006

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN BLACK INK ONLY RECEIVED DEP - SMRC → SEE DETACHABLE INSTRUCTIONS

1. Name of Applicant: BILL ZIMMERMAN		4. Name of Agent: PETER SPENCER / WATERMAN MARINE	
2. Applicant's Mailing Address: 14 CENTENNIAL ST. REAR PEAKS ISLAND, ME 04108		5. Agent's Mailing Address: 475 U.S. RTE. 1, SUITE 6 FREEPORT, ME 04032	
3. Applicant's Daytime Phone #: 207.766.0061		6. Agent's Daytime Phone #: 207.869.9100	
7. Location of Project: (Nearest Road, Street, Rt.#) CENTENNIAL ST.		8. Town: (PEAKS ISLAND) PORTLAND	9. County: LUMBERLAND
10. 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		11. Name of Resource: CASCO BAY	
13. Type of Freshwater Wetland: (Check all that apply) <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____		12. Amount of Impact (Sq.Ft.): FOR FRESHWATER WETLANDS: 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.	
14. Brief Project Description: 4'x7' ACCESS LANDING, 4'x16' STAIRCASE, 4'x8' LANDING, 4'x16' STAIRCASE, 4'x8' LANDING, 4'x16' STAIRCASE, FIXED PIER 115'x6', 4'x16' BEACH STAIRS, SEASONAL RAMP 3'x36', SEASONAL FLOAT 12'x24'		<input type="checkbox"/> 15,000 - 19,999 sq. ft. <input type="checkbox"/> 20,000 - 43,560 sq. ft. <input type="checkbox"/> > 43,560 sq. ft.	
15. Size of Lot or Parcel: 4540 <input checked="" type="checkbox"/> square feet, or <input type="checkbox"/> acres		*SEE ATTACHED	
16. Title, Right or Interest: <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement			
17. Deed Reference Numbers: Book#: 13412 Page: 283		18. Map and Lot Numbers: Map #: 087 Lot #: 007	
19. DEP Staff Previously Contacted:		20. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. Resubmission of Application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, previous application # _____ Previous project manager: _____			
22. Written Notice of Violation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of DEP enforcement staff involved: _____		23. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
24. Detailed Directions to the Project Site: FROM FERRY DOCK PROCEED LEFT ON ISLAND AVE, RIGHT ON CHURCH AVE, LEFT ON CENTENNIAL ST, LEFT ON REAR CENTENNIAL ST. KEEP LEFT TO #14 ON RIGHT			
25. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS	
<input type="checkbox"/> Fee <input type="checkbox"/> Topographic Map <input type="checkbox"/> Documentation of Title, Right or Interest <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to Maine Historic Preservation Commission <input type="checkbox"/> Copy to municipality		<input type="checkbox"/> Fee <input type="checkbox"/> Topographic Map <input type="checkbox"/> Documentation of Title, Right, Interest <input type="checkbox"/> Photos of Area <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Copy of Public Notice <input type="checkbox"/> Professional Certification/Delineation <input type="checkbox"/> Erosion Control Plan <input type="checkbox"/> Alternatives Analysis, if required <input type="checkbox"/> Description of Avoidance & Minimization <input type="checkbox"/> Compensation Plan (if required) <input type="checkbox"/> Description of Previously Mined Peatland (if required) <input type="checkbox"/> Statement/Copy of cover letter to Maine Historic Preservation Commission <input type="checkbox"/> Construction Plan, if required <input type="checkbox"/> Copy to municipality	
26. FEES, Amount Enclosed:			

FOR DEP USE	L- _____	ATS# _____	Total FEES _____	CK# _____	Date Rec'd _____
FOR CORPS USE	App#: _____	Office Code: _____	Date Rec'd: _____	Date Completed: _____	