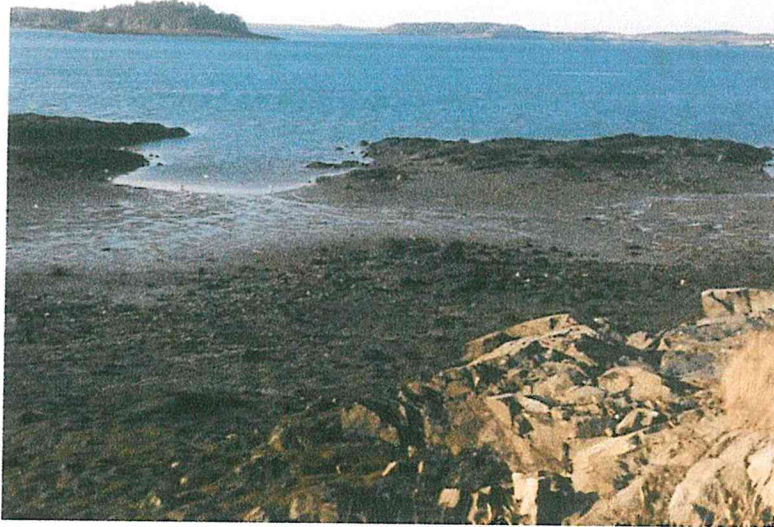


FINAL ENVIRONMENTAL ASSESSMENT  
LUBEC SAFE HARBOR  
MAIN STREET  
LUBEC, MAINE



PREPARED FOR

TOWN OF LUBEC  
40 SCHOOL STREET  
LUBEC, MAINE 04652

Final , 2021

PREPARED BY

A handwritten signature in black ink, appearing to read "Oscar F. Emerson".

Oscar F. Emerson, PE



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## SECTION 1.0 INTRODUCTION

### 1.1 Project Description

This Environmental Assessment (EA) has been prepared on behalf of the Town of Lubec and The Lubec Safe Harbor Committee to address potential environmental impacts associated to the construction of elements constituting the Lubec Safe Harbor (LSH) project. Project elements consist of the following:

- Construction of a 0.9-acre paved parking area for passenger vehicles, utility vehicles and boat trailers situated on a 1.8± acre parcel of land.
- The construction of a concrete boat ramp 260' long and 15' wide.
- The construction of a 1250' long breakwater structure of varied width consisting of stone rubble and circular sheet pilings. The breakwater will be surfaced with a 28'-wide travel lane for vehicular traffic. Dredging is not anticipated for breakwater construction.
- The implementation of floating docks adjacent to and independent of the breakwater.
- The installation of 10 wood pilings below the high tide line for dry docking purposes.

This Environmental Assessment has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA); The Council of Environmental Quality (CEQ) regulations implementing NEPA (40 C.F.R. §§4321-4370f\*; United States Department of Transportation (DOT) Order 5610.1C (Procedures for Considering Environmental Impacts); and Maritime Administration (MARAD) Order (MAO) 600-1.

\* The CEQ updated its implementing NEPA regulations on July 15, 2020. Pursuant to 40 C.F.R. § 1506.13, the new regulations went into effect on September 14, 2020. The environmental review for the proposed project began prior to September 14, 2020. As such, this environmental assessment was prepared under the previous CEQ regulations. Any citations to CEQ regulations in this EA refer to the regulations in effect prior to September 14, 2020.

Project Vicinity Plan contained in Appendix 6.1 in the Appendices Section.

### 1.2 Project Purpose and Need

The Town of Lubec requires a perennial boat launch within a safe harbor to service the minimum of 150 local commercial fisherman and shellfish harvesters. The fishing and shellfish harvesting industry impacts over 300 households and in many cases the sole income for those families. Local business owners also economically depend on this industry. From 2006-2016, a total of 68,998,016 pounds of product were removed from Cobscook Bay with a value of \$91,684,114 (Rob Watts, Landings Program, DMR). The fishing industry is the biggest employer in the Town of Lubec, yet the entire fishing fleet is on moorings. There is no safe harbor to shelter boats during storms. There are no available safe places to launch skiffs during high winds, in order to get to fishing vessels for operation or simply check on them.

The fisherman must fish on designated dates per fishery regulations regardless of weather conditions. Because of the lack of any sheltered harbor, fisherman have lost their lives trying to get to or from their vessels. Because of the significant loss of life, a Lost Fisherman's Memorial has been constructed as a tribute to those men and women who have died on the sea.

The Marine Patrol maintains a strong presence in the Town of Lubec, including a rescue/patrol boat. Their boat is kept on a mooring in an unprotected harbor. It is difficult for the Marine Patrol to reach their boat during inclement weather. The shore to mooring situation reduces a quick response during an emergency.



## **SECTION 2.0 ALTERNATIVES CONSIDERED**

### **2.1 No Action Alternative**

NEPA and the CEQ implements regulations requiring consideration and analysis of the No Action Alternative. Under the “No Action” alternative, the Lubec fishing industry and the Marine Patrol will continue to utilize the seasonal State of Maine boat launch or utilize moorings in the unprotected Johnson Bay. This alternative does not meet the purpose and need described in Section 1.2.

### **2.2 Floating Breakwater Alternative**

Based upon the severity of the northeasterly storms associated with the project locale and the experience of structural dislodgement of floating devices exposed to the northeasterly fetch, floating breakwater devices do not meet the purpose and need described in Section 1.2.

### **2.3 Proposed Action Alternative**

The US Army Corps of Engineers conducted a Navigation Improvement Study under the authority of Section 107 of the River and Harbor Act of 1960, as amended. The June 2004 report identified seven potential safe harbor sites throughout Lubec and evaluated the merits of each one, such merits included expected performance, costs, location, and availability. The Town of Lubec and the Lubec Safe Harbor Committee has utilized this study to determine the candidate site for a safe harbor project.

The site chosen was based on land acquisition availability, centralized location, presence of ledge outcropping for underpinning and being adjacent to the Lubec Historical Society building site. The candidate site is referred to as the “Columbia Cove” site in the referenced USACOE report.

Link to USACOE report contained in Appendix 6.2 in the Appendices Section.

## **SECTION 3.0 EXISTING CONDITIONS, ENVIRONMENTAL CONSEQUENCES & MITIGATION**

Section 3.0 includes the description for and an evaluation of the existing project area conditions and provides a baseline for analyzing potential impacts. The analysis considered direct, indirect, short-term or long term, cumulative, adverse or beneficial impacts of the proposed LSH project. Where applicable, best management practices and/or mitigation measures that would minimize or eliminate adverse impacts are identified. This section presents an analysis of the potential consequences that may result from the construction of the proposed LSH project. No specific, direct, or indirect impacts would occur as a result of the No Action Alternative. No changes would occur relative to the No Action Alternative; therefore, no additional discussion relative to the identified resources will be included hereafter. This section discusses direct impacts as well as the implementation of mitigation measures to compensate for unavoidable impacts. Discussion of the potential environmental consequences relative to the Proposed Action is presented below.

### **3.1 Land Resources**

#### **3.1.1 Land Use**

Existing site conditions consists of the upland area containing shallow to moderate slopes bordering a shoreline of ledge out cropping with abrupt steep slopes transitioning to mineral surfaced tidal flats. Upland topography consists of meadowed ground cover. The subject area for breakwater and boat ramp construction consist of a marine tidal and deep water environment. The general conditions are a matrix of very stony sandy topography

with ledge outcropping. The intertidal zone leeward abruptly terminates to ledge bluffs at the outer edges of the upland area. Municipal zoning for the subject parcel is Shoreland Zone. The site is currently undeveloped.

Proposed service drives and vehicle/trailer parking area is to be located on upland areas above the projected 100-year flood event and highest annual tide event. The total impervious area of the parking surface totals 39,500 square feet and does not impact any freshwater or coastal wetlands.

The implementation of the proposed boat ramp and breakwater will result in 143,178 square feet of impact of coastal wetland below the high-water line. The material of the boat ramp (15 feet wide, 260 feet long) and the first 760± feet of breakwater will consist of gradations of stone rubble, with side-slope embankments varying at 1:1 to 1.5:1 grade. The crest of the breakwater will be 24 feet in width for the passage of vehicles utilizing floating docks and hoists. The crest height of the breakwater will be 25' NAVD88. The remaining 500± of breakwater will consist of circular sheet pilings, averaging 30 feet in diameter with vertical face.

It is estimated that 70 log-type piling will be incorporated, including a dry-dock area, resulting in a cumulative disturbed area of coastal wetland of 56 square feet.

The total area of disturbance of coastal wetland area, consisting primarily of fill, totals 143,234 square feet. Upon project completion and site stabilization, the proposed project will not have an adverse impact on site geography.

Site Plan contained in Appendix 6.3 in the Appendices Section.

### **3.1.2 Visual Resources**

Completion of the proposed project will result in reduction of grade of upland area and the implementation of breakwater structure approximately 12 feet above the highest annual tide elevation. The proposed project will not obscure ocean view from any adjacent properties and the marina setting will harmonize with regional water dependent uses.

Upon project completion and site stabilization, the proposed project will not have an adverse impact on visual resources.

### **3.1.3 Soils**

Direct impacts would occur to soils during grading activities of the proposed LSH project. The Natural Resources Conservation Service (NRCS) Web Soil Survey was used to identify soil units within the study area. The mapped homogenous soil unit contained on the project site was classified as Ud-Udorthents-Urban complex. Typical profile is a gravelly sandy loam at varied depths. The properties are moderately well drained with a typical depth to water table of more than 80 inches. The soil is rated as non-hydric.

Upon project completion and site stabilization, the proposed project will not have an adverse impact on site soils.

Soils Map contained in Appendix 6.4 in the Appendices Section.

### **3.1.4 Farmland Soils**

The proposed project is not located within area listed as *Prime and other Important Farmlands*. Reference is made to USDA Natural Resource Conservation Service "Acre Value" GIS mapping portal depicting the proposed project outside parcel depicted for prime farmland candidate.



Based on the reasonably small size of the upland area of the site and project location, the proposed project will not have an adverse impact on Farmland Soils.

Acre Value map contained in Appendix 6.5 in the Appendices Section.

### **3.2 Geology**

Bedrock associated with the eastern portion of the Lubec peninsula is Silurian Quoddy Formation, pelite member. Construction of the proposed project will require the removal of approximately 6650 cubic yards of bedrock material. Excavated rock material will be temporarily stockpiled on-site for future placement for breakwater construction. Best management practices as well as statutory requirements will be applied to blasting activities such as pre-blast surveys, public notification, and hours of operation. Similar stone from quarries within the project vicinity will supplement the on-site source to meet the quantity requirements for breakwater construction. There are no aquifers or private wells existing within the project vicinity therefore no adverse impact to the environment is anticipated.

Seismic activity is uncommon in the far northeastern coastline of the United States, with unlikely occurrences being associated with rebound from historic glacial activity rather than tectonic origin.

Geologic Report contained in Appendix 6.6.1 in the Appendices Section.  
USGS Marine Seismic Hazard Map in Appendix 6.6.2 in the Appendices Section.

### **3.3 Wild and Scenic Rivers**

There are no rivers, streams or freshwater water bodies contained within the vicinity of the proposed project. Upon reference to the national Wild & Scenic River System website, the only river in the State of Maine that fall within the jurisdiction of the Wild & Scenic Rivers Act is the Allagash River located in northern Maine. Based upon the above, the proposed project will not have an adverse impact on Wild and Scenic River systems.

Wild & Scenic Rivers System mapping for the State of Maine is contained in Appendix 6.7 in the Appendices Section.

### **3.4 Vegetation**

Evidence of existing concrete slabs and uniform grading within the site proper suggest that historic fill activities have occurred. Established vegetation consists of a matrix of field grass with pioneer shrubbery along property lines and embankments. Site reconnaissance indicates the following dominant species:

Blue joint *Calamagrostis canadensis*

Red fescue *Fetuca rubra*

Speckled alder *Alnus rugosa*

Blackberry *Rubus allegheniensis*

Existing vegetation to be disturbed by construction of the proposed project is not associated with wildlife habitat or unusual natural areas. There are no mitigation measures proposed for vegetation removal.

Upon project completion and site stabilization, the proposed project will not have an adverse impact on to vegetation.

Correspondence from State of Maine Department of Agriculture, Conservation & Forestry, Maine Natural Areas Program indicating no presence of rare or unique botanical features is contained in Appendix 6.8 in the Appendices Section.

### 3.5 Wildlife

The following Biological Assessment was conducted by Down to Earth Professional Land Services, Inc., whose contents were submitted to the Maine Department of Environmental Protection under the Natural Resource Protection Act-Coastal Wetland Alteration and to the Army Corps of Engineers. Application approval #L-28159-NJ-B-N.

Upland - Due to the developed conditions (residential) of the upland portions of the proposed project, disturbance associated with construction activities and project development does not lend to adverse impact to wildlife. This is further substantiated by published mapping by the Maine Department of Inland Fisheries and Wildlife.

Pelagic – The entire peninsula of Lubec falls within habitat for the Atlantic Salmon. It is not anticipated that the proposed project will have an adverse impact on pelagic fish habitat or migration patterns.

Benthic community - Site reconnaissance was conducted on site during low tide at 6:40 PM, on June 18, 2019. The following are observations at test plots at the upper and lower elevations of the intertidal zone:

Plot #1 Maine State Plane Coordinates N 437560, E 1374812  
Vegetation – Bladderwrack seaweed, Rockweed seaweed  
Biology – Sea lice, barnacles, periwinkle  
Soil – Ledge, rocky/stony substrate

Plot #2 Maine State Plane Coordinates N 437581, E 1374718  
Vegetation – none  
Biology – Soft shell clams  
Soil – Stony gravel substrate

Plot #3 Maine State Plane Coordinates N 437402, E 1374785  
Vegetation – Bladderwrack seaweed, Rockweed seaweed  
Biology – Sea lice, barnacles, periwinkle  
Soil – Ledge, stony gravel, very consolidated

Plot #4 Maine State Plane Coordinates N 437581, E 1374718  
Vegetation – none  
Biology – Soft shell clams  
Soil – Stony gravel substrate, very consolidated at 6”

Reconnaissance and sample analysis indicates a lack of threatened or sensitive species or significant population of benthic organisms, therefore minimal impacts are anticipated with project construction.

Correspondence from State of Maine Department of Marine Resources, Shellfish Management Program indicate the breakwater pier system as proposed will cause loss and alteration of intertidal and subtidal marine habitat within the footprint of the project. The installation of piles should coincide with the ACOE Maine winter window 8 November to 8 April. Use of turbidity curtain is recommended during placement of stone rubble fill and installation of pilings to minimize potential impacts.

Correspondence from State of Maine Department of Marine Resources, Shellfish Management Program is contained in Appendix 6.9.1 in the Appendices Section.



Maine Department of Environmental Protection under the Natural Resource Protection Act-Coastal Wetland Alteration indicate the following in the application approval #L-28159-NJ-B-N:

- 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 or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life provided that the applicant meets the following requirements:
  - a. The applicant's design engineer or other qualified professional shall oversee the construction of the under drained soil filter to ensure that it is installed in accordance with the details and notes specified on the approved plans. Within 30 days from completion of the filter, the applicant shall submit a log of inspection reports to the BLR that contains a list of items inspected, photographs taken, and other relevant information. contained in Appendix 6.9.2 in the Appendices Section.
  - b. All 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.
- 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 classification of the State's waters provided that the applicant meets the following requirements: The applicant shall execute and record all required deed restrictions, including the appropriated buffer deed restrictions.
- 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 38 M.R.S. § 480-P.

### **3.6 Water Quality**

#### **3.6.1 Surface Water**

The proposed project is situated within the lower reaches of Johnson Bay (Atlantic Ocean). Stormwater runoff associated with the proposed project is generated by increases of impervious areas including proposed parking, breakwater and boat ramp. Project associated stormwater sheds solely on project properties and discharges into the ocean waterbody. Potential stormwater related pollutants are suspended solids and hydrocarbons associated with vehicular traffic on paved surfaces.

#### **3.6.2 Mitigation**

The proposed project will result in an increase of 1.84 acres of impervious area. The proposed project will comply with all requirements of the Clean Water Act as required by the US Army Corps of Engineers (USACE) Section 404 permit program, State of Maine Department of Environmental Protection Stormwater Management Law 38 M.R.S.A. §§ 420-D, and the National Pollutant Discharge Elimination System (NPDES) as required by Section 402 of the Clean Water Act. Construction activities in excess of one acre are required to apply for coverage under the National Pollutant Discharge Elimination System (NPDES) general permit for Construction Activities. Approved mitigation measures (Maine Department of Environmental Protection Approval #L-28159-4P-C-N) consist of bio-retention cell and buffer strips treating fugitive sediments on municipal off-site properties. The provisions of this permit include preparation of a Stormwater Pollution Prevention Plan



(SWPPP), which contains a selection of Best Management Practices to be implemented to effectively reduce or prevent the discharge of pollutants into receiving waters during construction activities. Therefore, stormwater runoff will be controlled and monitored according to applicable federal and state regulations.

Maine Department of Environmental Protection Approval #L-28159-4P-C-N is contained in Appendix 6.9.2 in the Appendices Section.

### **3.6.3 Groundwater**

Proposed construction is to occur along the shoreline and within the Atlantic Ocean. The site vicinity is serviced by municipal water supply and no wells for potable water supply is located within the project vicinity. There are no sand and gravel aquifers contained within the site vicinity.

Significant Sand and Gravel Aquifers Map prepared by the Maine Geological Survey depicting no aquifers in the project vicinity contained in Appendix 6.10 in the Appendices Section.

Based on the lack of presence of aquifers and no subsurface storage or discharge of hazardous material, the proposed project will not have an adverse impact to groundwater.

### **3.7 Floodplains**

The protection of floodplains and floodways is required by Executive Order 11988 in order to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains to avoid direct or indirect support of floodplain development. The United States Federal Emergency Management Agency (FEMA) website was utilized to obtain current flood plain and flood elevation data. As per Map 23029C1476E, effective date 07/18/2017, portions of the subject site are within VE (storm surge) Zone with a storm surge elevation of 15 feet during a 1% probability return event. The location of the project area was selected to achieve the purpose and need of the proposed project. As discussed in section 1.2, to achieve the purpose and need of the proposed project, a concrete boat ramp, floating dock, and breakwater structure must be constructed within the floodplain/flood zone. Because the proposed project's purpose and need cannot be achieved outside of the floodplain, the proposed project is the only practicable alternative. Moreover, the proposed project is not contained in a FEMA A Zone flood plain and will have no adverse impact to any flood storage areas or result in any increases in VE Zone elevations.

Flood Map contained in Appendix 6.11 in the Appendices Section.

### **3.8 Waters of the U.S., Including Wetlands**

U.S Fish and Wildlife National Wetlands Inventory mapping designates the subject area for breakwater and boat ramp installation as Estuarine and Marine Wetland (M2US1N) and Estuarine and Marine Deepwater (M1UBL). There are no influxes of significant freshwater introduction or tributaries within the site vicinity. The implementation of the proposed boat ramp and breakwater will result in 143,178 square feet of impact of coastal wetland below the high-water line. The material of the boat ramp (15 feet wide, 260 feet long) and the first 760± feet of breakwater will consist of gradations of stone rubble, with side-slope embankments varying at 1:1 to 1.5:1 grade. The crest of the breakwater will be 24 feet in width for the passage of vehicles utilizing floating docks and hoists. The crest height of the breakwater will be 25' NAVD88. The remaining 500± of breakwater will consist of circular sheet pilings, averaging 30 feet in diameter with vertical face.

It is estimated that 70 log-type piling will be incorporated, including dry-dock area, resulting in a cumulative disturbed area of coastal wetland of 56 square feet.



The total area of disturbance of coastal wetland area from activities listed above, consisting primarily of fill, totals 143,234 square feet.

The proposed project will have no impact on non-jurisdictional wetlands.

US Fish and Wildlife National Wetlands Inventory Map contained in Appendix 6.12 in the Appendices Section.

### **3.8.1 Coastal Zone - Wetlands**

An Individual Wetland Alteration Permit Application was submitted to State of Maine Department of Environmental Protection under the Natural Resources Protection Act 38 M.R.S.A. §§ 480-A thru 480-BB and submittal to the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. Permit application submittal contains functional assessment, alternative analysis and mitigation for disturbed coastal wetlands. Permit application submittal includes review by the Maine Department of Marine Resources having a federal/state review authority of the Coastal Zone Management Act.

Based upon approved design criteria contained in the permit approval described above, MARAD will obtain federal consistency pursuant to the Coastal Zone Management Act prior to construction.

Alternatives – The US Army Corps of Engineers conducted a Navigation Improvement Study under the authority of Section 107 of the River and Harbor Act of 1960, as amended. The June 2004 report identified seven potential safe harbor sites throughout Lubec and evaluated the merits of each one, such merits including expected performance, costs, location and availability. The town of Lubec and the Lubec Safe Harbor Committee has utilized this study to determine a candidate site for a safe harbor project.

The site chosen was based on land acquisition availability, centralized location, presence of ledge outcropping for underpinning and being adjacent to the Lubec Historical Society building site. The candidate site is referred to as the “Columbia Cove” site in the referenced USACOE report. Refer to Appendix A for a copy of the USACOE report in its entirety.

Minimization – The layout of the proposed Lubec Safe Harbor project is the result of nearly two years of dialogue with engineers, marine construction consultants, the Lubec Safe Harbor Committee and the residents of Lubec. Due to the presence and availability of quarry stone and blasted ledge, stone rubble breakwater designs have been evaluated and modified to reduce the overall footprint of coastal wetland disturbance while maintaining the integrity of endurance of severe weather.

The following are parameters that were required for a functioning safe harbor project:

- Stone rubble breakwater with stone armament resistant to wave action.
- Breakwater to accommodate vehicular traffic (24' wide travel surface) to access commercial hoist.
- Breakwater crest height sufficient to withstand 100-year flooding events with storm surges.
- A municipal-public boat ramp.
- Availability for floating dock system.

The following were incorporated into the parameters above to minimize the impact of the proposed project:

- Breakwater riprap armament side slope reduced to 1:1 grade on the leeward side.
- Breakwater riprap armament side slope reduced to 1.5:1 grade on the seaward side.
- Proposed boat ramp position relocated adjacent to breakwater to reduce the number of riprap shoulders.
- Approximately 40% of the proposed breakwater will consist of circular sheet piling cells, consisting of vertical faces thus reducing overall footprint.



Maine Department of Environmental Protection under the Natural Resource Protection Act-Coastal Wetland Alteration application is contained at the following link: <https://townoflubec.com/lubec-harbor/>

Maine Department of Environmental Protection under the Natural Resource Protection Act-Coastal Wetland concluded that the project 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 needs of the overall project.

Consultation with both USFW and NOAA/NMFS was initiated by the USACE on behalf of MARAD for ESA consultation.

Maine Department of Environmental Protection under the Natural Resource Protection Act-Coastal Wetland Alteration application approval #L-28159-NJ-B-N contained in Appendix 6.9.2 in the Appendices Section.

Based on practicality of location, availability and accessibility, the proposed site is the only practical alternative for a safe harbor project and moreover, to adequately protect vessels from major storm events, some impact to coastal wetland is necessary for implementation of a breakwater structure.

### **3.9 Threatened and Endangered Species, Wildlife, and Migratory Birds**

The U.S. Fish and Wildlife Service on-line mapping portal was utilized to determine presence of Critical Habitat for Threatened Species. Potential threatened species identified were the northern long-eared bat (*Myotis septentrionalis*) and Atlantic Salmon (*Salmo salar*).

As per correspondence from US Fish and Wildlife: “The Action may affect the northern long-ear bat; however any take that occur as a result of the action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR § 17.40(o)”. The existing topography of the project site consists of meadow, low shrubbery and scattered over-story trees along a section of the northerly property line. Project development will require the removal of approximately 3-4 over-story trees. Due to insignificant tree removal requirement for project development, no adverse impacts on the northern long-eared bat is anticipated.

A Section 7 Analysis by the US Army Corps of Engineers and NOAA Fisheries, Section 4, Justification PDC#13 indicates any effects to ESA-listed species extremely unlikely, and discountable based upon time of year restrictions for breakwater construction and the use of turbidity curtains during construction activities. NOAA/NMFS concurred with the determination that the action is not likely to adversely affect listed species or critical habitat per the justification and/or special considerations provided in section 4.

Based upon the above, no adverse impact is anticipated to transient individuals of Atlantic Salmon.

Section 7 consultation with the US Fish and Wildlife Service and NOAA Fisheries was initiated by the US Army Corps of Engineers on the behalf of MARAD. US Fish and Wildlife Service and NOAA Fisheries/Army Corps of Engineers correspondence contained in Appendix 6.13 in the Appendices Section.

### **3.10 Cultural Resources**

Section 106 of the National Historic Preservation Act of 1966, as amended, protects those properties that are listed or eligible for listing in the National Register of Historic Places (NRHP). Approval of the proposed project requires compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations in 36 Code of Federal Regulations (CFR) Part 800. As per correspondence with the Maine Historic Preservation Commission (MHPC), the proposed project will have no adverse impact to historic properties as defined by National Historic Preservation Act of 1966, as amended.



MHPC correspondence contained in Appendix 6.14 in the Appendices Section.

### **3.11 Tribal Consultation**

There are five federally recognized tribes in the State of Maine. The Passamaquoddy Tribe of Pleasant Point exists within the region of the proposed LSH project (5 ± miles). Correspondence was sent to the Passamaquoddy Tribe outlining aspects of the proposed project and review criteria by US Department of Transportation Maritime Administration. Based upon no receipt of negative response or tribal opposition, no adverse impact is anticipated for the Passamaquoddy Tribe of Pleasant Point.

Tribal correspondence contained in Appendix 6.15 in the Appendices Section.

### **3.12 Air Quality**

Based upon no presence of industrial activities or high traffic volumes, it is assumed that the air quality of the project area is fair-good. All of the State of Maine is in attainment for the National Ambient Air Quality Standard. There are three identified sources of air emissions associated with the proposed project. Dust emissions from construction activities, exhaust from maritime activities directly associated with the proposed project, and exhaust from vehicular traffic. Construction emissions will be a temporary event of relatively short duration. Completion of the proposed project will result in relocation of generators of exhaust emissions over a relatively short distance and will not be an added factor to the ambient air quality.

Based on the above, the proposed project will not have an adverse impact to air quality.

#### **3.12.1 Construction activities**

Dust generated by earth moving activities, filling, grading and blasting will be mitigated by implementation of Best Management Practices (BMP's) including but not limited to application of calcium chloride and water. Areas of exposed earth disturbance will be minimized and stabilized with hay mulch if inactive for greater than 72 hours. The modest area of the overall project (4.2 acres) is similar in size to a modest size roadway construction project (± 1 mile), therefore no adverse impact is anticipated from construction exhaust emissions or dust.

#### **3.12.2 Maritime activities**

It is anticipated that the proposed LSH project will not generate significant overall increases in maritime activities but rather a relocation of existing satellite and remote mooring areas to a centralized safe harbor location. It is anticipated that there will be no net increase in exhaust emissions associated with maritime activities.

#### **3.12.3 Vehicular traffic**

The majority of vehicular traffic will be directly associated with maritime activities, including but not limited to vessel transport, commerce, vessel owners, marine patrol and tourist. Most of these aspects of vehicular traffic is a relocation of existing scattered activities to a centralized safe harbor location. It is anticipated however that the implementation of the Lubec Safe Harbor project will generate new commerce opportunities for the Town of Lubec as a whole. Due to the village setting of the Town of Lubec and the general traffic trends of coastal Washington County, vehicle congestion with excessive exhaust emissions is not anticipated.

Maine Department of Transportation correspondence contained in Appendix 6.16 in the Appendices Section.

### **3.13 Hazardous Materials**

A Phase I Environmental Site Assessment of the subject site was prepared for the Maine Coast Heritage Trust and the Town of Lubec on January 29, 2018, as prepared by CES, Inc., in general accordance with ASTM Standard Practice E 1527-13.

No recognized environmental conditions were observed within the subject site.

The Executive Summary of the Phase I ESA is contained in Appendix 6.17 in the Appendices Section.

#### **3.13.1 Mitigation**

The Town of Lubec will require all contractors to report accidental spills immediately upon notice of occurrence. The contractors will be made responsible for cleanup and/or removal of such spillage as well as contaminated soils, as deemed necessary by the Maine Department of Environmental Protection.

### **3.14 Climate Change**

Climate change is an important national and global concern. There is a general agreement that the earth's climate is currently changing and anthropogenic (human-caused) greenhouse gas (GHG) emissions have been documented as contributing to this change. Carbon dioxide (CO<sub>2</sub>) makes up the largest anthropogenic component of these GHG emissions. The anticipated CO<sub>2</sub> emissions would result from burned fuels from construction equipment and marine vessels.

The emissions from construction equipment will be minimal as the proposed project will have a relatively short construction stage. Harsh weather conditions requires high production during limited windows of construction periods.

It is not anticipated that there will be a significant increase of emissions from marine vessels as a result of the proposed project due to the combination of relocation of the same number of vessels and the reduction of the requirement of the use of small boats with outboard motors, referred to as skiffs, which transport fisherman and vessel owners from shore to the larger boats moored in deeper water.

Based on the above, the proposed project will not have an adverse impact to climate change.

#### **3.14A Quantitative analysis for construction GHG emissions**

We used the data from the heavy equipment in both the Land and Marine Construction Phases and applied the diesel fuel used per hour to calculate the GHG of each piece of equipment.

We used a 40-hour work week with an average of 10 hours per day of combined heavy equipment being used. We multiplied this by 5 months and then 4.3 weeks to arrive at the number of gallons of diesel used. We then calculated the total CO<sub>2</sub> used in each Phase of construction to arrive at the Social Cost of the GHG.



See Chart: LSH Quantitative Analysis

| LUBEC SAFE HARBOR PROJECT<br>QUANTITATIVE ANALYSIS<br>Description of Heavy Construction Equipment<br>+ Hourly Usage of Diesel Fuel |  | Diesel Fuel<br>Average x<br>Hours x Days                                  | Total CO2<br>Emitted                        |
|--|--|---|---|
| Greenhouse<br>Gas<br>Emissions   | U.S. Energy Info Administration:<br>1 gallon of diesel burned produces<br>22.4 lbs. of CO2   |   |   |
| Land<br>Construction<br>6/22-10/22<br>6/23-10/23<br>6/24-10/24   | Excavator 6.5 gal./hr.<br>Dump Truck 3.2 gal./hr.<br>Paving Machine 3.3 gal./hr.<br>Backhoe/loader 2.3 gal./hr.<br>Grader 5.0 gal./hr. | 4.0 gal. x 40<br>hrs. x 5 months<br>x 4.3 weeks =<br>3,440 gallons        | 3,440 gal. x<br>22.4 lbs. =<br>77,056 lbs.  |
| Marine<br>Construction<br>11/22-3/23<br>11/23-3/24<br>11/23-3/25   | Barger/Generator 4.8 gal./hr.<br>Pile Driver 4.2 gal./hr.<br>100 Ton Crane 12.6 gal./hr.<br>Tug Boat (2 trips) 500 gal./trip           | 7.2 gal. x 40<br>hrs. x 5 months<br>x 4.3 weeks<br>+1000<br>7,192 gallons | 7,192 gal. x<br>22.4 lbs. =<br>161,100 lbs. |
| Land/Marine<br>Construction<br>6/25-11/25  | Paving Machine 3.3 gal./hr.<br>Dump Truck 3.2 gal./hr.<br>Grader 5.0 gal./hr.  | 3.8 gal. x 40<br>hrs. x 6 mths. x<br>4.3 weeks =<br>3,921 gallons         | 3,921 gal. x 22.4<br>lbs. =<br>87,830 lbs.  |
| SC-GHG<br>total cost.  | $(77,056 + 161,100) \times 3 + 87,830 =$<br>802,298 lbs. of CO2 divided by 2205<br>2205 lbs. of CO2 = metric ton                       | = 364 metric<br>tons x \$51 =   | \$18,564                                    |

## References

### Generator

<https://www.hardydiesel.com/resources/diesel-generator-fuel-consumption-chart/>

### Pile driver

<http://www.americanpiledriving.com/ver2/specs.asp?type=vibro&model=50>

### Excavator

<https://www.lbxco.com/White-papers/240X2-Deere.pdf>

### Pavers

<https://www.constructionequipment.com/video-volvo-brings-8-foot-pavers-conexpo>

### Grader

<https://cloud.em.cat.com/fuelcalculator>

### Dump truck

[https://media.rff.org/archive/files/sharepoint/WorkImages/Download/RFF-Resources-179\\_Featurette-Harrington.pdf](https://media.rff.org/archive/files/sharepoint/WorkImages/Download/RFF-Resources-179_Featurette-Harrington.pdf)

### Barge

<https://www.pacificpowergroup.com/marine/markets/barge>

### Generator

[https://www.energy.gov/sites/prod/files/2017/07/f35/fcto\\_maritime\\_fc\\_generator\\_2017.pdf](https://www.energy.gov/sites/prod/files/2017/07/f35/fcto_maritime_fc_generator_2017.pdf)

### Crane

<https://www.sciencedirect.com/topics/earth-and-planetary-sciences/crane>

### “The true cost of carbon pollution”

<https://www.edf.org/true-cost-carbon-pollution>

### “Technical Support Document: Social Cost of Carbon, Methane, and Nitrous Oxide

[https://www.whitehouse.gov/wpcontent/uploads/2021/02/TechnicalSupportDocument\\_SocialCostofCarbonMethaneNitrousOxide.pdf?source=email](https://www.whitehouse.gov/wpcontent/uploads/2021/02/TechnicalSupportDocument_SocialCostofCarbonMethaneNitrousOxide.pdf?source=email)

### 3.14B LSH Greenhouse Gas Emissions Pre-Performance & Post Reduction

| Measure  | Data Sources   | Assumptions   | Variability   | Precision Levels                       | CO2 emissions   |
|--|--|---|---|--|---|
| 1.Green House Gas Emissions<br>a. Skiffs (to and from boats)   | <a href="http://www.eia.gov">www.eia.gov</a><br>fishermen research,<br>Dept. of Marine Resources   | Boats are used or checked at least 2 days a week when not fishing | More days in the fishing season, more storms and wind events, # of boat breakdown | Plus and minus 5 days in a year        | 20,580 lbs.* ÷ 2205 = 9.3 metric tons.                                      |
| b. Boats moved due to storms and high winds<br><br>Trucks utilized for transport of crew(Eastport) or (Globe Cove) (safe moorings) | <a href="http://www.eia.gov">www.eia.gov</a><br>fishermen research<br><a href="http://www.noaa.gov">www.noaa.gov</a><br><a href="http://www.afdc.energy.gov">www.afdc.energy.gov</a> | Boats were unsafe on moorings due to gale force winds             | number of storms and gale force winds in a given year                             | Plus or minus 2 gale force wind storms | 26,760 lbs.* ÷ 2205 = 12 metric tons<br><br>42,336 lbs.* ÷ 19.2 metric ton. |
| Projected GHG emissions reduction  | 40 metric tons x 30 years = 1200 metric Tons eliminated  |   |   |  |   |



## Greenhouse Gas Emissions Calculations: Pre-Performance

### a. Skiffs (to and from boats)

$28 \text{ (boats)} \times 150 \text{ (fishing or checking boat days)} \times .25 \text{ (gallons of gas/round trip)} = 1,050 \text{ (gallons burned)} \times 19.6 \text{ (CO2 lbs.)} = 20,580 \text{ lbs. (CO2 emitted)}$ .

### b. 1. Boats (moved due to storms)

To Eastport:

$10 \text{ (boats)} \times 15 \text{ (storms)} \times 4 \text{ (gallons of diesel/Round trip)} = 600$

$600 \text{ (gallons of diesel)} \times 22.3 \text{ (CO2)} = 13,380 \text{ lbs. (CO2 emitted)}$

To Globe Cove: (safe mooring)

$20 \text{ (boats)} \times 30 \text{ (gale force winds)} \times 1 \text{ (gallon of diesel/round trip)} = 600 \text{ gal.}$

$600 \text{ (gallons of diesel)} \times 22.3 \text{ (CO2)} = 13,380 \text{ lbs. (CO2 emitted)}$

Total: Boats to Eastport & Glove Cove = 26,760 lbs. (CO2 emitted)

### 2. Trucks (used in moving boats)

To Eastport:

$38 \text{ (miles)} \times 4 \text{ (trips)} \times 15 \text{ (storms)} \times 10 \text{ (boats)} = 22,800 \text{ miles}$

$22,800 \text{ (miles)} \text{ divided by } 15 \text{ (miles per gallon)} = 1520 \text{ (gallons)}$

$1520 \text{ (gallons)} \times 19.6 \text{ (CO2)} = 29,792 \text{ lbs. (CO2 emitted)}$

To Glove Cove:

$4 \text{ (miles)} \times 4 \text{ (trips)} \times 20 \text{ (boats)} \times 30 \text{ (storms)} = 640 \text{ gallons}$

$640 \text{ gallons divided by } 15 \text{ (miles per gallon)} = 12,544 \text{ lbs.}$

(CO2 emitted)

Total: Trucks to Eastport & Globe Cove = 42,336 ( CO2 emitted)

## 3.15 Section 4(f) Evaluation

Section 4(f) of Title 49 protects publicly owned public parks, recreation areas, and wildlife and waterfowl refuges, as well as significant historic sites from use by U.S. DOT funded projects. The proposed project is situated on municipal owned property not utilized as a park or recreational area. Wildlife habitat is limited to Atlantic Salmon, however the proposed project will not alter tributaries, waterways or spawning areas. It has been demonstrated that there are no adverse impacts to historic sites. Based on the contents contained herein, Section 4(f) does not apply to the proposed project.

## 3.16 Environmental Justice

Executive Order (EO) 12898 "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations" (February 11, 1994) states that if possible, no federal actions should place any adverse environmental, economic, social, or health effects on minority or low income groups.

No residential displacement will occur upon implementation of the proposed project. Moreover, based upon the low population of the municipality, there are no grouping or areas of minorities or low income families. The proposed project is adjacent to or located in a vicinity containing a museum, commercial and residential uses. Any alterations to traffic patterns or sea-related noise is consistent to the ambient commerce of the municipality and will not have an adverse impact to Environmental Justice Community.



According to the poverty guidelines published by the US Department of Health and Human Services (HHS), the 2019 HHS poverty guidelines for a family of four with an annual household income below \$25,750 is considered to be the poverty level. An annual income below \$12,490 is considered to be the poverty level for an individual. The HHS Poverty Guidelines are published annually and reflect the conditions for the previous year (US Department of Health and Human Services, 2019). US Census Data 2019 indicates a median household income for the Town of Lubec as \$29,861, exceeding poverty thresholds.

US Census Data 2019 is contained in Appendix 6.18 in the Appendices Section.

### **3.17 Noise and Vibrations**

The proposed project will generate noise associated with construction activities and routine noise associated with a safe harbor/marina setting. Vibrations will be temporarily generated during construction activities.

#### **3.17.1 Construction**

Construction activities will generate noise from heavy equipment operations, dump truck traffic, piling installation and blasting activities. Construction will occur during typical working hours and limited duration as the proposed project will have a relatively short construction stage. Harsh weather conditions requires high production during limited windows of construction periods. It is anticipated that project completion will require two construction seasons. Based upon the parameters discussed above, temporary construction noise will not have an adverse impact on adjacent properties or the environment.

Vibrations will be generated during construction traffic, piling installations and blasting activities. The secured blasting contractor will be required to follow all laws, procedures and policies during construction activities. As per Section 7 Analysis by the US Army Corps of Engineers and NOAA Fisheries, Section 4, Justification PDC#13, discussed in Section 3.09 of the report herein, indicates any effects to ESA-listed species extremely unlikely, and discountable based upon time of year restrictions for breakwater construction and the use of turbidity curtains during construction activities. Based upon the above, no adverse impact is anticipated to transient individuals of Atlantic Salmon.

#### **3.17.2 Safe Harbor/Marina**

Day to day activities associated with the proposed project will be consistent with ambient noise of the surrounding fishing community. Residents of the Town of Lubec has demonstrated support and approval of the proposed project via public information meetings and referendums.

### **3.18 Cumulative Effects**

Three types of impacts are routinely assessed with proposed federal actions and are defined by the Council on Environmental Quality (CEQ) regulations (40 CFR § 1500-1508). Direct impacts are defined as effects that are caused by the action and occur at the same place and time. Indirect impacts are defined as effects that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth induced effects and other effects related to induced changes in patterns of land use, population density or growth rate, and related effects on air and water and other natural systems (40 CFR § 1500-1508). Direct and indirect impacts have been addressed throughout this section.

Cumulative impacts are defined as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other action (40 CFR § 1508.7). Cumulative impacts include the direct and indirect impacts of a project together with the reasonably foreseeable future actions of



others. The cumulative impacts that result from an action may be undetectable but can add to other disturbances and eventually lead to a measurable environmental change. For any given resource, a cumulative impact would only potentially exist if the resource were also directly impacted by the proposed project. No other projects are known to be proposed by the Town of Lubec or that would occur as a result of the proposed LSH project. Cumulative impacts are not anticipated.

### **3.19 Public Utilities**

Public utilities within the project vicinity consist of municipal sewer, municipal water, electricity and telecommunications. There are no structures proposed that requires public utilities.

The proposed project will have no adverse impact to public utilities.

## **SECTION 4.0 AGENCY COORDINATION, PUBLIC INVOLVEMENT, PUBLIC INVOLVEMENT, AND PERMITS**

### **Agency Coordination**

Throughout the EA process, appropriate state and federal agencies have been notified or consulted to solicit views and provide input on the proposed project resources. Consultation letters are included in the Appendices section of this report.

### **Public Involvement**

The proposed project is a result of public need, request, involvement, participation and support. Local involvement and support included committee meetings and overwhelming citizen petition. Regional support includes but not limited to state heritage foundations, border and marine patrol agencies, state and federal congress members, state review agencies, and fisherman associations.

Community support correspondence is contained in Appendix 6.18 in the Appendices Section.

Environmental permit applications have been submitted to the Maine Department of Environmental Protection and the Army Corps of Engineers. These submittals have further been distributed to sister agencies as per procedure and protocol.

Required Federal, State and local permits are as follows:

Army Corps of Engineers, Individual Permit – Approved 11/03/2020 #NAE-2020-1783  
Maine Dept. of Environmental Protection, NRPA Tier 3 – Approved 7/24/2020 #L-28159-NJ-B-N  
Maine Dept. of Environmental Protection, Stormwater Permit – Approved 7/24/2020 #L-28159-4P-C-N  
Town of Lubec, Shoreland Zone – Submittal upon final design

## **SECTION 5.0 LIST OF PREPARERS**

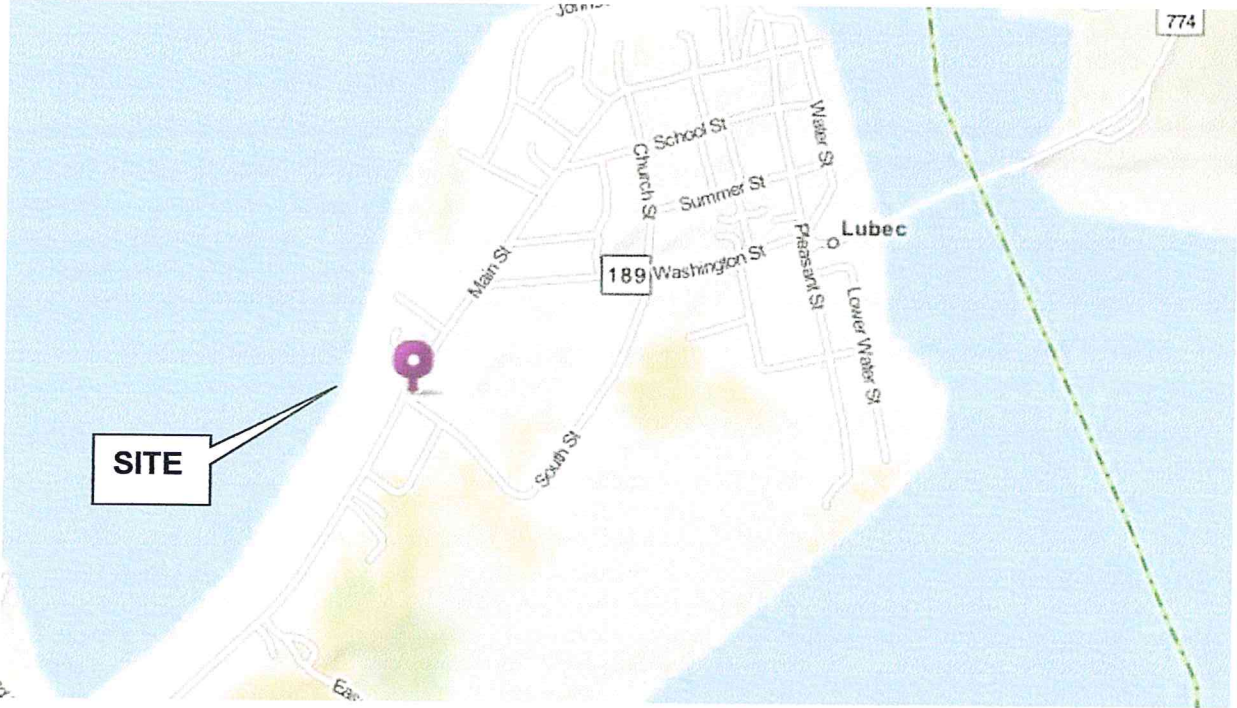
Oscar F. Emerson, PE, PLS, LSE - Down to Earth Professional Land Services, Inc.  
Oscar Emerson has over 30 years of experience in environmental sciences and permitting. Mr. Emerson is the President/Owner of Down to Earth Professional Land Services, Inc., a multi-faceted consulting firm in Bradley, Maine.

Carol Dennison, Local Project Administrator, MA, BA, Paralegal.  
Stephanie Teslow, M. ED, MA, MS, BA.

# **SECTION 6.0 APPENDICES**



**APPENDIX 6.1 VICINITY MAP**

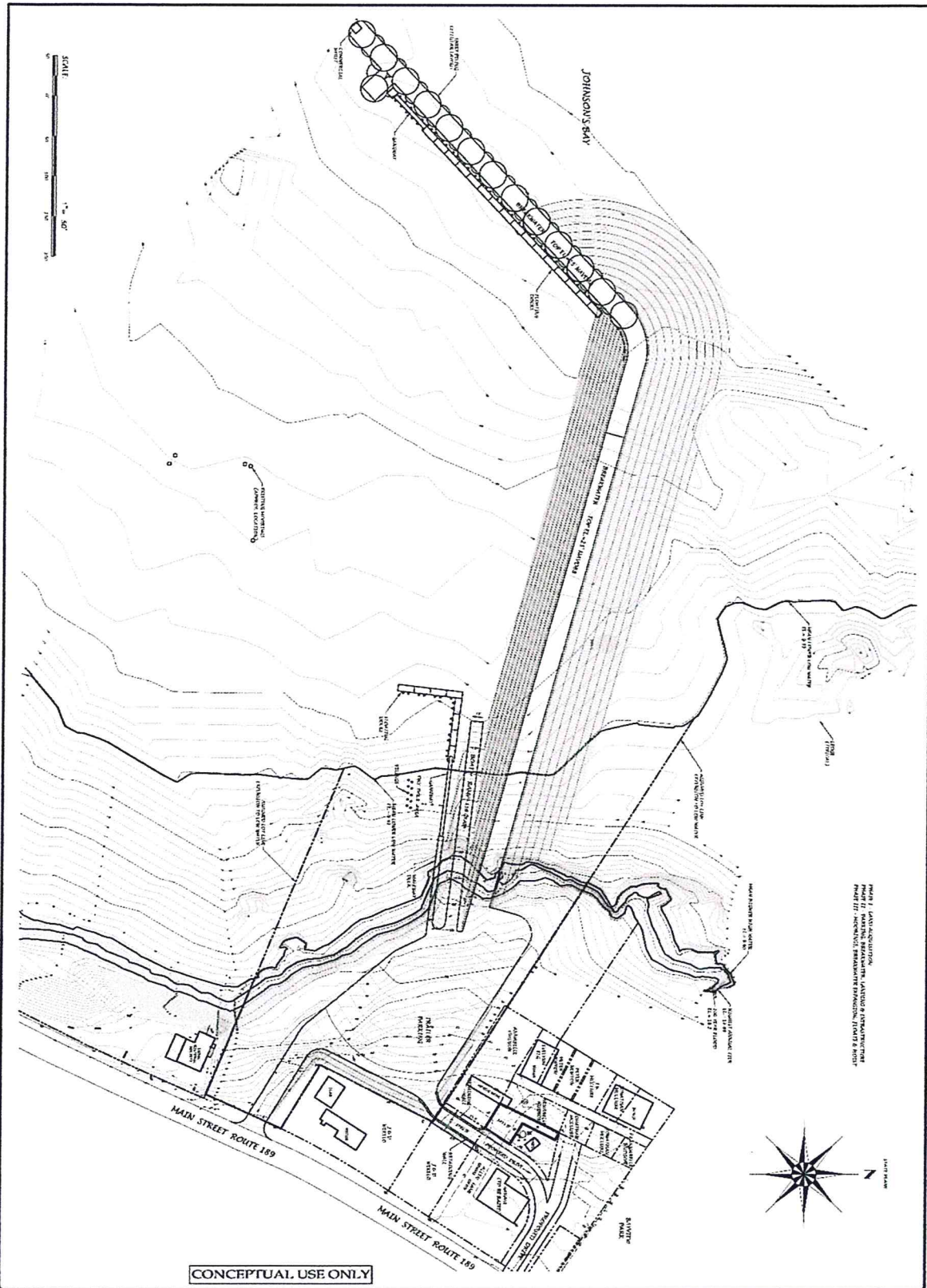


## **APPENDIX 6.2 US ARMY CORPS OF ENGINEERS NAVIGATION STUDY**

The June 2004 US Army Corps of Engineers Section 107 Navigation Improvement Study for Lubec Harbor, Lubec, Maine is contained at the following link:

<https://townoflubec.com/lubec-harbor/>

# APPENDIX 6.3 SITE PLAN



CONCEPTUAL USE ONLY

C-1

|             |          |
|-------------|----------|
| DATE        | 11/11/11 |
| BY          | DL       |
| CHECKED BY  | DL       |
| SCALE       | AS SHOWN |
| PROJECT NO. | 11-001   |

**SAFE HARBOR CONCEPT**  
 COLUMBIA COVE PROTECTED HARBOR  
 MAIN STREET, LUBEC, MAINE  
 WASHINGTON COUNTY

|     |          |                         |
|-----|----------|-------------------------|
| NO. | DATE     | DESCRIPTION             |
| 1   | 11/11/11 | PRELIMINARY LAYOUT PLAN |
| 2   | 11/11/11 | FINAL PLAN              |

**DOWN TO EARTH**  
 PROFESSIONAL LAND SERVICES, INC.  
 P.O. BOX 44  
 BRADLEY, MAINE 04413  
 TEL 207-837-6733



# APPENDIX 6.4 SOILS MAP



# APPENDIX 6.5 ACREVALUE PRIME AND OTHER IMPORTANT FARMLANDS MAP

The screenshot shows the AcreValue web interface. At the top, the AcreValue logo is on the left, and navigation links for Map, Plans, Pro, Farmers, BETA, and Help are on the right. A user profile for 'oemerson48829@roadrunner.com' is visible. Below the navigation is a search bar with 'Parcels' selected, and filter buttons for 'Filters', 'State', 'County', 'Parcel', 'Owner', and 'More'. The main content area shows 'Showing all Parcels' and '0 FIELDS' with a 'Get Full Report' button. The map displays a blue area representing water and yellow outlines for land parcels. Labels on the map include 'Main St' and 'Lubec Cemetery'. A sidebar on the right provides a title 'Washington County, ME farmland values and GIS map' and the following statistics:

|                 |        |
|-----------------|--------|
| AVG NCCPI       | 22     |
| AVG ACRES/FIELD | 65.7   |
| FIELDS          | 21,523 |

Below the statistics, the 'NEARBY COUNTIES' section lists:

- Hancock County, ME (AVG NCCPI 22)
- Penobscot County, ME

The map interface includes 'Map' and 'List' view toggles, a 'Hybrid Map' button, and a search icon.



## APPENDIX 6.6.1 GEOLOGIC REPORT

(<https://www.usgs.gov/>)

Mineral Resources (<https://www.usgs.gov/energy-and-minerals/mineral-resources-program>)  
/ Online Spatial Data (/) / Geology (/geology/) / by state (/geology/state/)  
/ Maine (/geology/state/state.php?state=ME)

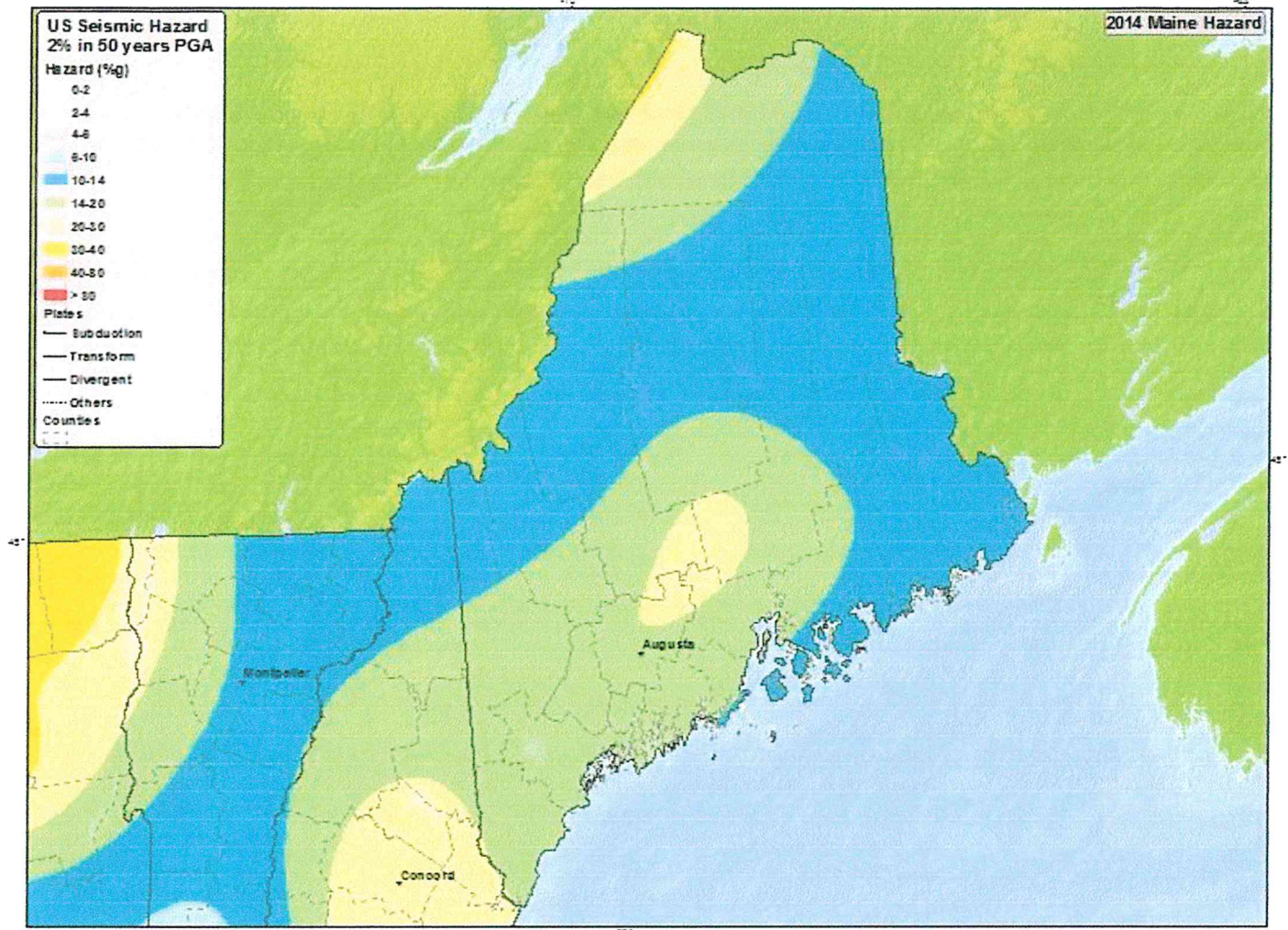
### Silurian Quoddy Formation, pelite member

XML (</geology/state/xml/MESqp,0>) JSON (</geology/state/json/MESqp,0>)

*Silurian Quoddy formation pelite member*

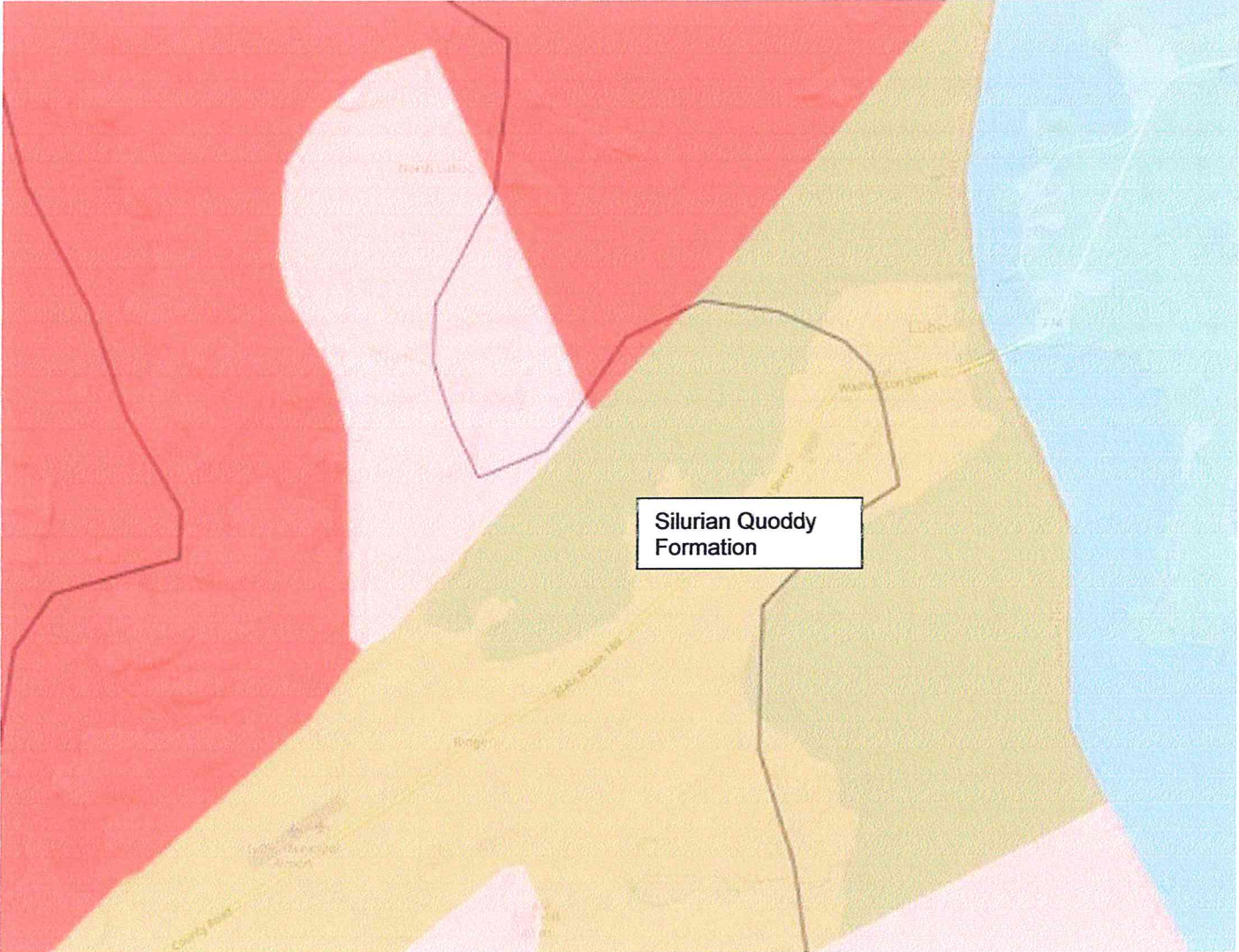
|                                |   |
|--------------------------------|---|
| <b>State</b>                   | Maine ( <a href="/geology/state/state.php?state=ME">/geology/state/state.php?state=ME</a> )   |
| <b>Name</b>                    | Silurian Quoddy Formation, pelite member  |
| <b>Geologic age</b>            | Silurian  |
| <b>Lithologic constituents</b> | Major<br>Sedimentary > Clastic > Mudstone GS - Greenschist facies, Protolith A - Pelite   |
| <b>Comments</b>                | GS - Greenschist facies; Protolith W - Mafic to felsic volcanic rocks   |
| <b>References</b>              | Osberg, P.H., Hussey, A.M., and Boone, G.M., 1985, Bedrock geologic map of Maine: Maine Geological Survey, Dept. of Conserv., scale 1:500,000.<br><br>Berry, W.B.N., and Boucot, A.J., 1970, Correlation of the North American Silurian Rocks: Geol. Soc. Amer., Special Paper 102, 289 p.<br><br>Bastin, E.S., and Williams, H.S., 1914, Geologic Atlas of the United States - Eastport Folio: U.S. Geol. Sur., Folio 192, 15 p. |
| <b>NGMDB</b>                   | NGMDB product page for 16547  |

# APPENDIX 6.6.2 USGS MAINE SEISMIC HAZARD MAP





**APPENDIX 6.6 GEOLOGIC REPORT (MAP)**

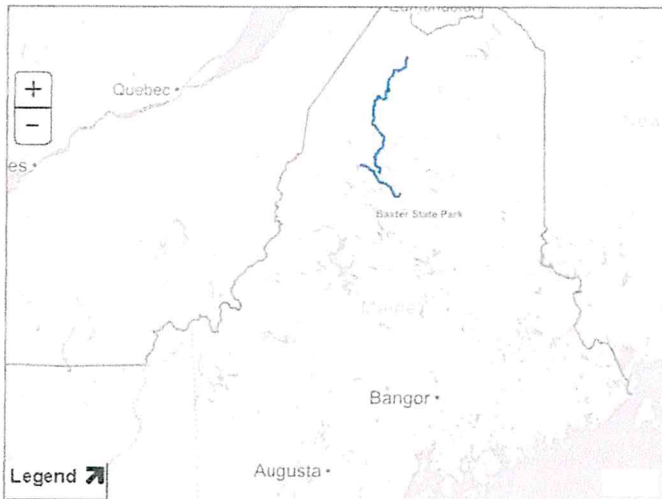


# APPENDIX 6.7 WILD & SCENIC RIVERS SYSTEM MAP



NATIONAL SYSTEM | MANAGEMENT | RESOURCES | PUBLICATIONS | CONTACT US | 50 YEARS | SITE INDEX

## ALLAGASH RIVER, MAINE



Maine   
Choose A River

*Still, white winters, subtle shades of spring green, lazy summer days, autumns lit with color, rivers in the Northeast showcase the seasons.*

[View larger map](#)

### Managing Agency:

Maine Bureau of Parks and Recreation, Department of Conservation

### Designated Reach:

July 19, 1970. The main stem from Telos Lake Dam northerly to the confluence with West Twin Brook; the main stem from the juncture with the west boundary of T.S. R. 14 easterly to the inlet of the Allagash at Chamberlain Lake. The designation includes all associated lakes, rivers and streams.

### Classification/Mileage:

Wild — 92.5 miles; Total — 92.5 miles.



## APPENDIX 6.8 MAINE NATURAL AREAS PROGRAM CORRESPONDENCE



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
177 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

AMANDA E. BEAL  
COMMISSIONER

May 14, 2020

Oscar Emerson  
Down to Earth Professional Land Services  
PO Box 443  
Bradley, ME 04411

Via email: [uemerson48829@roadrunner.com](mailto:uemerson48829@roadrunner.com)

Re: Rare and exemplary botanical features in proximity to: #17062, Breakwater and Boat Ramp, Lubec Safe Harbor, Lubec, Maine

Dear Mr. Emerson:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received May 10, 2020 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Lubec, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

MOLLY DOCHERTY, DIRECTOR  
MAINE NATURAL AREAS PROGRAM  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-8044  
WWW.MAINE.GOV/DACF/MNAP

Letter to Down to Earth  
Comments RE: Lubec Safe Harbor  
May 14, 2020  
Page 2 of 2

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Kristen Puryear | Ecologist | Maine Natural Areas Program  
207-287-8043 | [kristen.puryear@maine.gov](mailto:kristen.puryear@maine.gov)



## APPENDIX 6.9.1 MAINE DEPARTMENT OF MARINE RESOURCES CORRESPONDENCE

### Oscar Emerson

---

**From:** Damon, Jessica <Jessica.Damon@maine.gov>  
**Sent:** Thursday, May 07, 2020 1:43 PM  
**To:** Oscar Emerson  
**Subject:** FW: Envir Permit Review: Lubec breakwater pier

**From:** Leighton, Heidi <Heidi.Leighton@maine.gov>  
**Sent:** Thursday, May 07, 2020 12:42 PM  
**To:** Damon, Jessica <Jessica.Damon@maine.gov>  
**Cc:** Nault, Denis-Marc <Denis-Marc.Nault@maine.gov>  
**Subject:** Envir Permit Review: Lubec breakwater pier

Jessica,

Below are DMR comments for:  
L-28159-4P-C-N  
Breakwater Pier  
Applicant: Town of Lubec  
Location: Town of Lubec

DMR staff visited the site on 4/29/2020 at 1000 (low water at 1015 on a +1.08 tide).

The applicant proposes to construct a stone rubble and sheet pile breakwater, boat ramp, and floating dock to serve the town's commercial fishing fleet. The breakwater pier will extend 1065' beyond the HAT into the bay. Starting from shore, a 760' stone filled breakwater 24' in width at the top will be constructed. Thirty-foot diameter circular sheet pilings will support the remaining 500' of the breakwater. In addition, 70 log type pilings will be set in place during construction of the project. The boat ramp will be 15' wide by 260' long. The total area of direct impact to marine habitat will be 143,234 square feet.

The stone rubble breakwater will be constructed from the shoreline out into the bay. Sheet pilings and log pilings may be installed by barge. The construction of this facility will take more than one year.

The location of the system is on the northern shore of Lubec Neck, fronting on Johnson Bay, in Lubec. This location is in the mouth of Cobscook Bay. The area experiences mostly commercial fishing and aquaculture boat traffic. The location is quite exposed and experiences significant fetch from the north/northeast.

Habitat in the upper intertidal zone is ledge grading to rockweed covered rock and ledge and then to mixed coarse and fines in the subtidal. Shellfish harvesting is prohibited in this location due to being within the WWTP outfall area. Soft-shell clams and mussels can be found in low quantities in the direct footprint of the project. Periwinkles are common. No eelgrass is known to exist in the general area.

The Johnson Bay area is considered a high value habitat for both sea scallops and sea urchins. Multiple commercial fisheries are pursued in the subtidal area of this project, including scallops, urchins, and lobster. Anadromous and catadromous fish species travel through the area to access streams and rivers inside Cobscook Bay.

The breakwater pier system as proposed will cause loss and alteration of intertidal and subtidal marine habitat within the footprint of the project. The installation of piles should coincide with the ACOE Maine winter window

from 8 November to 8 April. Use of a turbidity curtain is recommended during placement of stone rubble fill and installation of pilings to minimize potential impacts.

If evidence becomes available that the work window is not effective in minimizing adverse impacts to fishery resources, DMR would like the opportunity to revisit the issue.

The project should not result in adverse impacts to navigation, recreation, or riparian access.

Please let me know if I can provide any further information.

Heidi

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**APPENDIX 6.9.2**  
**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION-**  
**COASTAL WETLAND ALTERATION APPLICATION APPROVAL**



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION      AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

|                           |                                    |
|---------------------------|------------------------------------|
| TOWN OF LUBEC             | ) STORMWATER MANAGEMENT LAW        |
| Lubec, Washington County  | ) NATURAL RESOURCES PROTECTION ACT |
| MARINA                    | ) COASTAL WETLAND ALTERATION       |
| L-28159-NJ-B-N (approval) | ) WATER QUALITY CERTIFICATION      |
| L-28159-4P-C-N (approval) | ) FINDINGS OF FACT AND ORDER       |

Pursuant to the provisions of 38 M.R.S. §§ 480-A–480-JJ, 38 M.R.S. § 420-D, Section 401 of the Federal Water Pollution Control Act (33 U. S. C. § 1341), and Chapters 310, 315 and 500 of Department rules, the Department of Environmental Protection has considered the application of TOWN OF LUBEC 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 stormwater management system for a proposed marina. The marina will include parking areas, a large breakwater, a boat ramp and a floating dock, as shown on a plan entitled “Stormwater Plan,” prepared by Oscar Emerson, and dated February 22, 2020. The breakwater pier will be 1250 feet long. The first 760 feet of the breakwater will be constructed using rock fill. The remaining 500 feet of the breakwater will be constructed with 30-foot diameter circular sheet pilings. In addition, 70 log pilings will be set in place during construction of the project. The boat ramp will be 15 feet wide by 260 feet long. The floating dock will include a 123-foot by 4-foot ramp, and an L-shaped floating area approximately 88 feet by 8 feet and 80 feet by 8 feet. The total area of direct impact to coastal wetland will be 143,233 square feet and the indirect impacts will be 4,834 square feet due to shading. The project site is located off Route 189 in the Town of Lubec.

The applicant is seeking approval to impact 143,233 square feet of coastal wetlands under the Natural Resources Protection Act.

B. Current Use of the Site: The site of the proposed project is currently vacant fields and woodland. There are no structures on the property. The parcel is identified as Lot 17 on Map 18 of the Town of Lubec’s tax maps.

2. STORMWATER STANDARDS:

The proposed project includes approximately 1.84 acres of developed area of which 1.84 acres is impervious area. It lies within the watershed of the Atlantic Ocean. The applicant submitted a stormwater management plan based on the Basic and General Standards contained in Department Rules, Chapter 500. The applicant is unable to treat stormwater at the proposed site and has found two comparable sites that are also owned by the Town. These sites are a municipal garage and a municipal gravel pit.

The proposed stormwater management system consists of a forested buffer (municipal garage site) and an underdrained soil filter (municipal gravel pit).

A. Basic Standards:

(1) Erosion and Sedimentation Control: The applicant submitted an Erosion and Sedimentation Control Plan that is based on the performance standards contained in Appendix A of Chapter 500 and the Best Management Practices outlined in the Maine Erosion and Sediment Control BMPs, which were developed by the Department. This plan and plan sheets containing erosion control details were reviewed by the Bureau of Land Resources (BLR).

Erosion control details will be included on the final construction plans and the erosion control narrative will be included in the project specifications to be provided to the construction contractor.

(2) Inspection and Maintenance: The applicant submitted a maintenance plan that addresses both short and long-term maintenance requirements. This plan was reviewed by, and revised in response to the comments of, BLR. The maintenance plan is based on the standards contained in Appendix B of Chapter 500. The applicant will be responsible for the maintenance of all common facilities including the stormwater management system.

(3) Housekeeping: The proposed project will comply with the performance standards outlined in Appendix C of Chapter 500.

Based on BLR's review of the erosion and sedimentation control plan and the maintenance plan, the Department finds that the proposed project meets the Basic Standards contained in Chapter 500, § 4(B).

B. General Standards:

The applicant is unable to treat at the project area. The applicant has proposed to treat an equal square footage of area at the municipal gravel pit and garage. The applicant's stormwater management plan includes general treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. The road and boat launch are considered linear and the parking area is considered non-linear. The mitigation treatment areas will treat comparable areas. This mitigation is being achieved by using Best Management Practices (BMPs) that will control runoff from no less than 95% of the impervious area and no less than 80% of the developed area. For the portion that meets the definition of "a linear portion of a project" in Chapter 500 and the applicant is proposing to provide runoff volume control to no less than 75% of the volume from the impervious area and no less than 50% of the developed area.



The municipal garage site proposes to treat stormwater runoff with a forested buffer. The forested, limited disturbance stormwater buffer will be protected from alteration through the execution of a deed restriction. The applicant proposes to use the deed restriction language contained in Appendix G of Chapter 500 and submitted a draft deed restriction that meets Department standards. Prior to the start of construction, the location of forested buffers on individual lots must be permanently marked on the ground. The deed for each lot that contains any portion of the designated buffer must contain deed restrictions relative to the buffer and have attached to it a plot plan for the lot, drawn to scale, that specifies the location of the buffer on the lot. The applicant shall execute and record all required deed restrictions, including the appropriate buffer deed restrictions, within 60 days of the date of this Order. The applicant shall submit a copy of the recorded deed restriction, including the plot plan, to the BLR within 60 days of its recording.

The stormwater management system proposed by the applicant was reviewed by, and revised in response to comments from, BLR. After a final review, BLR commented that the proposed stormwater management system is designed in accordance with the Chapter 500 General Standards, and recommended that the applicant's design engineer or other qualified professional oversee the construction of the underdrained soil filter to insure that it is installed in accordance with the details and notes specified on the approved plans. Within 30 days from completion of the filter, the applicant must submit a log of inspection reports to the BLR that contains a list of the items inspected, photographs taken, and other relevant information.

Based on the stormwater system's design and BLR's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Basic and General Standards contained in Chapter 500.

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

The Natural Resources Protection Act (NRPA), in 38 M.R.S. §480-D(1), requires the applicant to demonstrate that the proposed project will not unreasonably interfere with existing scenic, aesthetic, recreational and navigational uses.

In accordance with Chapter 315, *Assessing and Mitigating Impacts to Scenic and Aesthetic Uses* (06-096 C.M.R. ch. 315, effective June 29, 2003), 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 and surroundings including an aerial photograph of the project site. Department staff visited the project site on August 21, 2019.

The proposed project is located in Johnson Bay, which is a scenic resource visited by the general public, in part, for the use, observation, enjoyment and appreciation of its natural and cultural visual qualities. The proposed project is located in a sheltered cove. There are several commercial piers located in Johnson Bay. In the winter and inclement weather, many boats shelter in Johnson Bay across from the proposed project.

The proposed project is compatible with the existing development and uses of the project vicinity.

The Department staff utilized the Department's Visual Impact Assessment Matrix in its evaluation of the proposed project and the Matrix showed an acceptable potential visual impact rating for the proposed project. Based on the information submitted in the application and the visual impact rating and the site visit, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The Department of Marine Resources (DMR) stated that the proposed project should not cause any significant adverse impact to navigation or recreation based on the nature of the project and its location.

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

4. SOIL EROSION:

The NRPA, in 38 M.R.S. §480-D(2), requires the applicant to demonstrate that the proposed project 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.

The applicant submitted an erosion control plan with the application. All work will follow the Best Management Practices for erosion and sedimentation.

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.

5. HABITAT CONSIDERATIONS:

The NRPA, in 38 M.R.S. §480-D(3), requires the applicant to demonstrate that the proposed project will not unreasonably harm 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.

The project site includes a lawn and sparse trees in the upland portion. In the immediate area of the project, the intertidal area and subtidal area consist of ledge, rockweed to mixed coarse and fine sediments in the subtidal.

According to the Department's Geographic Information System (GIS) database there are no mapped Essential or Significant Wildlife Habitats located at the site.



The Department of Marine Resources (DMR) stated that the project as proposed would cause some alteration of intertidal and subtidal marine habitat within the footprint of the project. DMR recommended that the installation of piles should coincide with the ACOE Maine winter window from 8 November to 8 April. DMR also recommended the use of a turbidity curtain during placement of stone rubble fill and installation of pilings to minimize potential impacts.

The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposed project and stated that there are no Essential or Significant Wildlife Habitats at the project site

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 provided piles are installed between November 8<sup>th</sup> and April 8<sup>th</sup> and the applicant uses a turbidity curtain during placement of stone fill and the installation of pilings.

6. 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 that CCA-treated lumber is cured as described above, the Department finds that the proposed project will not violate any state water quality law, including those governing the classification of the State's waters.

7. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to directly alter 143,233 square feet of coastal wetland and indirectly alter 4,834 square feet due to shading in order to construct the proposed marina. Coastal wetlands are considered wetlands of special significance.

The *Wetlands and Waterbodies Protection Rules*, 06-096 C.M.R. ch. 310 (last amended January 26, 2009), interpret and elaborate on the Natural Resources Protection Act (NRPA) criteria for obtaining a permit. The rules guide the Department in its determination of whether a project's impacts would be unreasonable. A proposed project would generally be found to be unreasonable if it would cause a loss in wetland area, functions and values and there is a practicable alternative to the project that would be less damaging to the environment. Each application for a NRPA permit that involves a coastal wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

A. Avoidance. An applicant must submit an analysis of whether there is a practicable alternative to the project that would be less damaging to the environment and this analysis is considered by the Department in its assessment of the reasonableness of any impacts. Additionally, for activities proposed in, on, or over wetlands of special significance the activity must be among the types listed in Chapter 310, § 5(A) or a practicable alternative less damaging to the environment is considered to exist and the impact is unreasonable. The project is located in the coastal wetland which is considered a wetland of special significance. The proposed pier, ramp and breakwater are water dependent uses and the proposed construction is among the activities specifically provided for in Chapter 310, § 5(A)(1)(c). The applicant submitted an alternatives analysis for the proposed project completed by Oscar Emerson and dated June 19, 2019. The Town of Lubec needs a centralized safe sheltered harbor for the commercial fishermen to unload and load their vessels and maintain a safe municipal boat ramp. Currently, the commercial fishermen have no safe harbor during storms and are required to limit the days they can work on their boats. In 2004, the Army Corps of Engineers did a study to solve this issue and found seven potential sites for a safe harbor in Lubec. The Town of Lubec and the Safe Harbor Committee have used this report to find the right site for the safe harbor. This site was chosen based on land acquisition, central location, ledge outcroppings for underpinnings and proximity to the Lubec Historical Society. There is no way to meet the project goal without some impacts to the coastal wetland.

B. Minimal Alteration. In support of an application and to address the analysis of the reasonableness of any impacts of a proposed project, an applicant must demonstrate that the amount of coastal wetland to be altered will be kept to the minimum amount necessary for meeting the overall purpose of the project. The Town and the Safe Harbor Committee have worked for two years to meet the project goal while also minimizing the size of the project. The following has been incorporated to minimize impacts:

- The breakwater riprap armament side slope on leeward side is 1:1
- The breakwater riprap armament side slope on seaward side is 1.5:1
- The boat ramp is positioned to minimize riprap
- 40% of the breakwater will be circular sheet piling shells to reduce the footprint

C. Compensation. In accordance with Chapter 310, § 5(C)(6)(b), compensation may be required to achieve the goal of no net loss of coastal wetland functions and values. This project will result in over 500 square feet of fill in the resource, which is the threshold over which compensation is generally required. The main functions of the project are were determined to be fish and shellfish habitat, wildlife habitat, sediment/shoreline stabilization and visual quality/aesthetics.

The applicant proposes to make a contribution into the In-Lieu Fee program of the Maine Natural Resource Conservation Program in the amount of \$830,752. Prior to the start of construction, the applicant must submit a payment in the amount of \$830,752, payable to "Treasurer, State of Maine", and directed to the attention of the In Lieu Fee Program Administrator at 17 State House Station, Augusta, Maine 04333.



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 finds, based on the design, proposed construction methods, and location, the proposed project will not inhibit the natural transfer of soil from the terrestrial to the marine environment, will not interfere with the natural flow of any surface or subsurface waters, and will not cause or increase flooding. The proposed project is not located in a coastal sand dune system, is not a crossing of an outstanding river segment, and does not involve dredge spoils disposal or the transport of dredge spoils by water.

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. § 420-D, and Chapters 500–502 of the Department’s rules:

- A. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 Basic Standards for: (1) erosion and sediment control; (2) inspection and maintenance; (3) housekeeping; and (4) grading and construction activity.
- B. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 General Standards provided that the applicant meets the requirements outlined in Finding 2.
- C. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 standards for: (1) easements and covenants; (2) management of stormwater discharges; (3) discharge to freshwater or coastal wetlands; (4) threatened or endangered species; and (5) discharges to public storm sewer systems.

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. §§ 480-A–480-JJ, Chapters 310 of the Department’s rules 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 or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other

aquatic life provided that the applicant meets the requirements outlined in Findings 5 and 7.

- 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 classification of the State's waters provided that the applicant meets the requirements outlined in Finding 6.
- 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 38 M.R.S. § 480-P.

THEREFORE, the Department APPROVES the above noted application of TOWN OF LUBEC to construct a stormwater management system for the marina as described in Finding 1, Maine, SUBJECT TO THE FOLLOWING CONDITIONS, and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.
2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that their activities or those of their agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation 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. The piles shall be installed between November 8th and April 8th and the applicant shall use a turbidity curtain during placement of stone fill and the installation of pilings.
5. The applicant's design engineer or other qualified professional shall oversee the construction of the underdrained soil filter to ensure that it is installed in accordance with the details and notes specified on the approved plans. Within 30 days from completion of the filter, the applicant shall submit a log of inspection reports to the BLR that contains a list of the items inspected, photographs taken, and other relevant information.
6. The applicant shall execute and record all required deed restrictions, including the appropriate buffer deed restrictions, within 60 days of the date of this Order. The



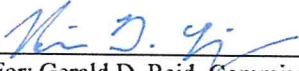
applicant shall submit a copy of the recorded deed restriction, including the plot plan, to the BLR within 60 days of its recording.

7. All 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.
8. Prior to the start of construction, the applicant shall submit a payment in the amount of \$830,752, payable to "Treasurer, State of Maine", and directed to the attention of the In Lieu Fee Program Administrator at 17 State House Station, Augusta, Maine 04333.

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.

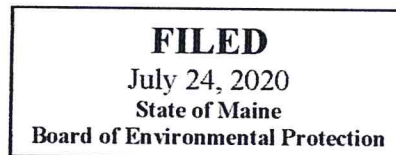
DONE AND DATED IN AUGUSTA, MAINE, THIS 24<sup>TH</sup> DAY OF JULY, 2020.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:   
For: Gerald D. Reid, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

jd/L28159bncn/ATS#85899/85817



**STORMWATER STANDARD CONDITIONS****STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS  
OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY  
CRITERIA FOR APPROVAL**

**Standard conditions of approval.** Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

- (1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the permittee. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S. §420-D(8) and is subject to penalties under 38 M.R.S. §349.
- (2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- (3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- (4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.
- (5) Time frame for approvals. If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- (6) Certification. Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the permittee, and the permittee and each contractor and subcontractor has certified, on a form provided by the department, that the approval and conditions have been received and read, and that the work will



be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the department.

- (7) Maintenance. The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the Department. If maintenance responsibility is to be transferred from the permittee to another entity, a transfer request must be filed with the Department which includes the name and contact information for the person or entity responsible for this maintenance. The form must be signed by the responsible person or agent of the responsible entity.
- (8) Recertification requirement. Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.
- (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
  - (b) All aspects of the stormwater control system are operating as approved, have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the system, or portions of the system, as necessary.
  - (c) The stormwater maintenance plan for the site is being implemented as approved by the Department, and the maintenance log is being maintained.
  - (d) All proprietary systems have been maintained according to the manufacturer's recommendations. Where required by the Department, the permittee shall execute a 5-year maintenance contract with a qualified professional for the coming 5-year interval. The maintenance contract must include provisions for routine inspections, cleaning and general maintenance.
  - (e) The Department may waive some or all of these recertification requirements on a case-by-case basis for permittees subject to the Department's Multi-Sector General Permit ("MSGP") and/or Maine Pollutant Discharge Elimination System ("MEPDES") programs where it is demonstrated that these programs are providing stormwater control that is at least as effective as required pursuant to this Chapter.
- (9) Transfer of property subject to the license. If any portion of the property subject to the license containing areas of flow or areas that are flooded are transferred to a new property owner, restrictive covenants protecting these areas must be included in any deeds or leases, and recorded at the appropriate county registry of deeds. Also, in all transfers of such areas and areas containing parts of the stormwater management system, deed restrictions must be included making the property transfer subject to all applicable terms and conditions of the permit. These terms and conditions must be incorporated by specific and prominent reference to the permit in the deed. All transfers must include in the restrictions the requirement that any subsequent transfer must specifically include the same restrictions unless their removal or modification is approved by the Department. These restrictions must be written to be enforceable by the Department, and must reference the permit number.
- (10) Severability. The invalidity or unenforceability of any provision, or part thereof, of this permit shall not affect the remainder of the provision or any other provisions. This permit shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.



## Natural Resources Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCES PROTECTION ACT, 38 M.R.S. § 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. Time frame for approvals. If construction or operation of the activity is not begun within four 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 may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. 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.
- G. 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.
- H. 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 September 2016

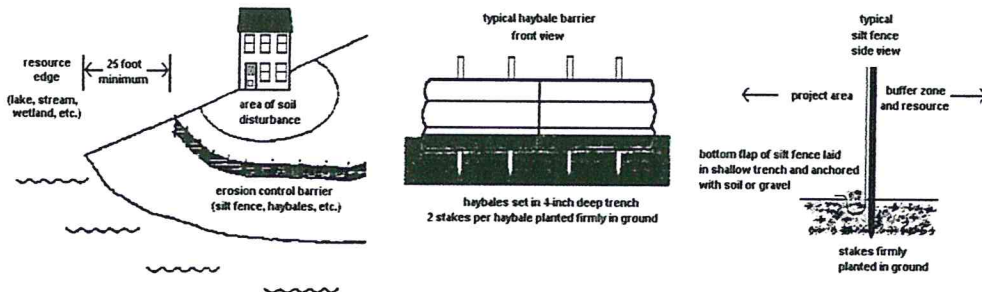


STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION, AUGUSTA, MAINE 04333

Erosion Control for Homeowners

**Before Construction**

1. If you have hired a contractor, make sure you discuss 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 can identify the edge of a lake or river. However, the edges of wetlands are often not so obvious. Your contractor may be the person actually pushing dirt around, but you are both responsible for complying with the permit.
2. Call around to find where erosion control materials are available. Chances are your contractor has these materials already on hand. You probably will need silt fence, hay bales, wooden stakes, grass seed (or conservation mix), and perhaps filter fabric. Places to check for these items include farm & feed supply stores, garden & lawn suppliers, and landscaping companies. It is not always easy to find hay or straw during late winter and early spring. It also may be more expensive during those times of year. Plan ahead – buy 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 soil-disturbance activity.
4. If a contractor is installing the erosion control barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level or elevation across the land slope, whenever possible. This keeps stormwater from flowing to the lowest point along the barrier where it can build up and overflow or destroy the barrier.



**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 hitting the bare ground that makes the soil begin to move downslope with the runoff water, and cause 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. You or your contractor then need to figure out what can be done to prevent more soil from getting past the barrier.



3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

#### **After Construction**

1. After your project is finished, seed the area. Note that all ground covers are not equal. For example, a mix of creeping red fescue and Kentucky bluegrass is a good choice for lawns and other high-maintenance areas. But this same seed mix is a poor selection for stabilizing a road shoulder or a cut bank that you don't intend to mow. Your contractor may have experience with different seed mixes, or you might contact a seed supplier for advice.
2. Do not spread grass seed after September 15. There is the likelihood that germinating seedlings could be killed by a frost before they have a chance to become established. Instead, mulch the area with a thick layer of hay or straw. In the spring, rake off the mulch and then seed the area. Don't forget to mulch again to hold in moisture and prevent the seed from washing away or being eaten by birds or other animals.
3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

#### **Why Control Erosion?**

##### **To Protect Water Quality**

When soil erodes into protected resources such as streams, rivers, wetlands, and lakes, it has many bad effects. Eroding soil particles carry phosphorus to the water. An excess of phosphorus can lead to explosions of algae growth in lakes and ponds called blooms. The water will look green and can have green slime in it. If you are near a lake or pond, this is not pleasant for swimming, and when the soil settles out on the bottom, it smothers fish eggs and small animals eaten by fish. There many other effects as well, which are all bad.

##### **To Protect the Soil**

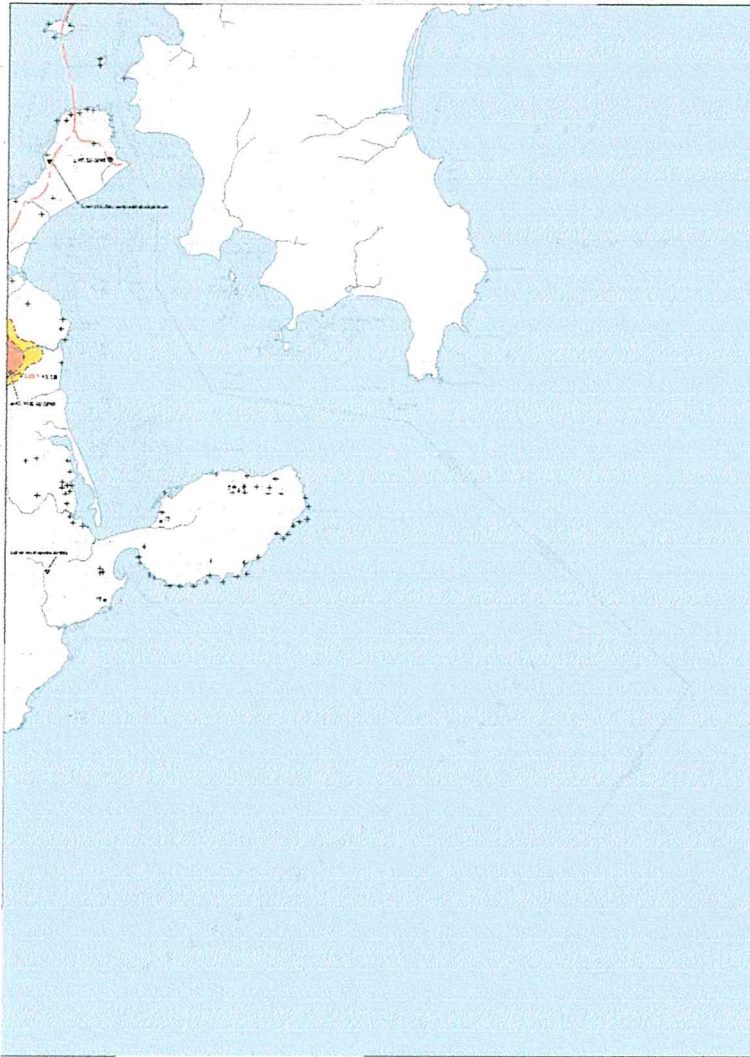
It has taken thousands of years for our soil to develop. Its usefulness is evident all around us, from sustaining forests and growing our garden vegetables, to even treating our septic wastewater! We cannot afford to waste this valuable resource.

##### **To Save Money (\$\$)**

Replacing topsoil or gravel washed off your property can be expensive. You end up paying twice because State and local governments wind up spending your tax dollars to dig out ditches and storm drains that have become choked with sediment from soil erosion.

# APPENDIX 6.10 SIGNIFICANT SAND AND GRAVEL AQUIFERS MAP

## Significant Sand and Gravel Aquifers



**SIGNIFICANT SAND AND GRAVEL AQUIFERS**  
(yields greater than 10 gallons per minute)

Approximate thickness of aquifer (in feet) is indicated by the color of the aquifer symbol.

- 10' - 20' (Orange)
- 20' - 30' (Yellow)
- 30' - 40' (Light Green)
- 40' - 50' (Green)
- 50' - 60' (Dark Green)
- 60' - 70' (Light Blue)
- 70' - 80' (Blue)
- 80' - 90' (Dark Blue)
- 90' - 100' (Very Dark Blue)

**MINERAL AND FERTILITY INFORMATION**

100' - 120' (Light Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

120' - 140' (Medium Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

140' - 160' (Dark Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

160' - 180' (Very Dark Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

**GEOLOGIC AND WELL INFORMATION**

30' - 40' (Light Green) - Dotted bedrock well

40' - 50' (Green) - Sand & gravel

50' - 60' (Dark Green) - Clay

60' - 70' (Light Blue) - Silty sand

70' - 80' (Blue) - Silty clay

80' - 90' (Dark Blue) - Bedrock

**AQUIFERS ASSOCIATED WITH DEEP FATHERS AND DEEP FATHERS TRENCHES**  
(yields less than 10 gallons per minute)

10' - 20' (Light Orange)

20' - 30' (Light Yellow)

30' - 40' (Light Green)

40' - 50' (Light Blue)

**OTHER SOURCES OF INFORMATION**

1. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

2. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

3. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

**MINERAL AND FERTILITY INFORMATION**

100' - 120' (Light Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

120' - 140' (Medium Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

140' - 160' (Dark Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

160' - 180' (Very Dark Blue) - High in iron, manganese, and zinc. (Yields greater than 10 gallons per minute)

**OTHER SOURCES OF INFORMATION**

1. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

2. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

3. U.S. Geological Survey, Maine State Geological Survey, Maine Geological Survey, 1987.

## Lubec Quadrangle, Maine

**Geology**  
Craig D. Hill  
David B. Loeke

**Geology and Cartography**  
Robert G. Marderney  
Robert D. Tucker

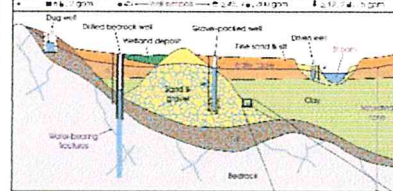
**Fieldwork**  
Rick Bart P. Finley  
Gus C. Boland

**Maine Geological Survey**  
Open-File No. 00-119  
2008

Address: 22 Park Street, Augusta, Maine 04330  
Phone: 603-622-1200  
Fax: 603-622-1201  
E-mail: geology@maine.gov  
www.maine.gov/geology

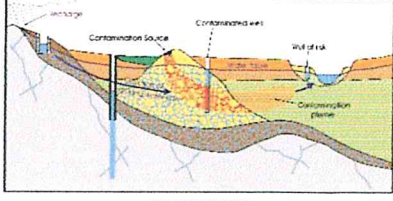
**WHY IS AN AQUIFER SIGNIFICANT?**

An aquifer is a geological formation that contains water in sufficient quantities to be economically recoverable. The significance of an aquifer is determined by its yield, which is the amount of water that can be extracted from the aquifer without causing a permanent decline in the water table. Significant aquifers are those that yield more than 10 gallons per minute.



**CONCRETE AND FERTILITY**

The presence of concrete and fertility in an aquifer is an important consideration for water quality. Concrete can leach calcium and other minerals into the water, which can affect the taste and quality of the water. Fertility, such as iron, manganese, and zinc, can also affect the taste and quality of the water. These minerals are often found in sand and gravel aquifers.



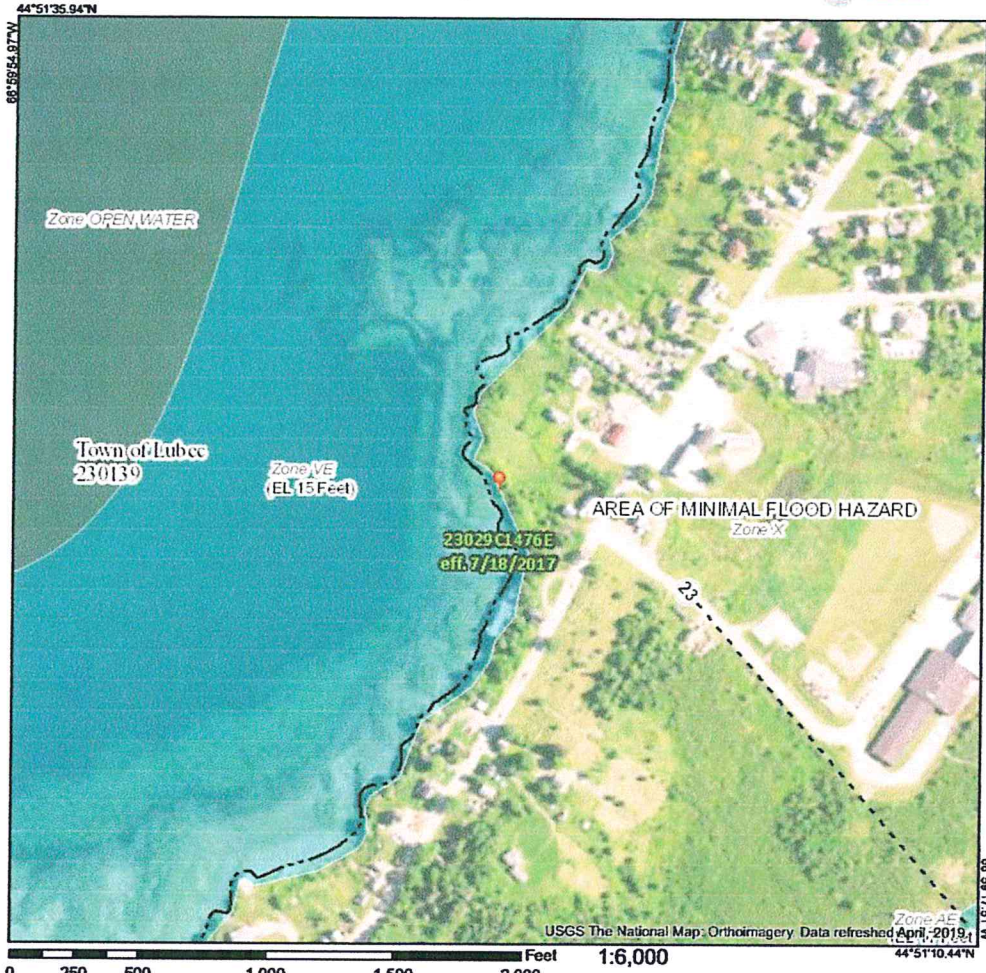
**HOW TO USE THIS MAP**

This map is a guide to the significant sand and gravel aquifers in the Lubec Quadrangle, Maine. It is intended for use by landowners, developers, and others who are interested in the water resources of the area. The map shows the location and approximate thickness of the aquifers, as well as the mineral and fertility content of the aquifers. The map is a guide to the significant sand and gravel aquifers in the Lubec Quadrangle, Maine.



# APPENDIX 6.11 FLOOD MAP

## National Flood Hazard Layer FIRMette



### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, V, VE
  - With BFE or Depth Zone AE, AD, AH, VE, AV
  - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
  - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee. See Notes, Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS**
  - Area of Minimal Flood Hazard Zone X
  - Effective LOMRs
  - Area of Undetermined Flood Hazard Zone D
- GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- OTHER FEATURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Tract
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Tract Baseline
  - Profile Baseline
  - Hydrographic Feature
- MAP PANELS**
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/15/2020 at 7:36:22 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



# APPENDIX 6.12 US FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAP



USFW NWI



May 30, 2020

**Wetlands**

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

## APPENDIX 6.13 US FISH AND WILDLIFE SERVICE CORRESPONDENCE



### United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Maine Ecological Services Field Office  
P. O. Box A  
East Orland, ME 04431  
Phone: (207) 469-7300 Fax: (207) 902-1588  
<http://www.fws.gov/mainefieldoffice/index.html>



In Reply Refer To:  
Consultation Code: 05E1ME00-2020-TA-1183  
Event Code: 05E1ME00-2020-E-04410  
Project Name: Lubec Safe Harbor

July 09, 2020

Subject: Verification letter for the 'Lubec Safe Harbor' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Shawn Mahaney:

The U.S. Fish and Wildlife Service (Service) received on July 09, 2020 your effects determination for the 'Lubec Safe Harbor' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"<sup>[1]</sup> prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.



This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Atlantic Salmon, *Salmo salar* (Endangered)

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

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[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588

<http://www.fws.gov/mainefieldoffice/index.htm>



In Reply Refer To:

Consultation Code: 05E1ME00-2020-SLI-1183

Event Code: 05E1ME00-2020-E-04028

Project Name: Lubec Safe Harbor

June 08, 2020

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies the threatened, endangered, candidate, and proposed species and designated or proposed critical habitat that may occur within the boundary of your proposed project or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC Web site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.



A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the Endangered Species Consultation Handbook at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

This species list also identifies candidate species under review for listing and those species that the Service considers species of concern. Candidate species have no protection under the Act but are included for consideration because they could be listed prior to completion of your project. Species of concern are those taxa whose conservation status is of concern to the Service (i.e., species previously known as Category 2 candidates), but for which further information is needed.

If a proposed project may affect only candidate species or species of concern, you are not required to prepare a Biological Assessment or biological evaluation or to consult with the Service. However, the Service recommends minimizing effects to these species to prevent future conflicts. Therefore, if early evaluation indicates that a project will affect a candidate species or species of concern, you may wish to request technical assistance from this office to identify appropriate minimization measures.

Please be aware that bald and golden eagles are not protected under the Endangered Species Act but are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan: [http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html) Information on the location of bald eagle nests in Maine can be found on the Maine Field Office Web site: <http://www.fws.gov/mainefieldoffice/Project%20review4.html>

Additionally, wind energy projects should follow the wind energy guidelines: <http://www.fws.gov/windenergy/> for minimizing impacts to migratory birds and bats. Projects may require development of an avian and bat protection plan.

Migratory birds are also a Service trust resource. Under the Migratory Bird Treaty Act, construction activities in grassland, wetland, stream, woodland, and other habitats that would result in the take of migratory birds, eggs, young, or active nests should be avoided. Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g.,

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cellular, digital television, radio, and emergency broadcast) can be found at:  
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm> and at:  
<http://www.towerkill.com>; and at:  
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Maine Ecological Services Field Office**

P. O. Box A

East Orland, ME 04431

(207) 469-7300

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## Project Summary

Consultation Code: 05E1ME00-2020-SLI-1183

Event Code: 05E1ME00-2020-E-04028

Project Name: Lubec Safe Harbor

Project Type: Federal Grant / Loan Related

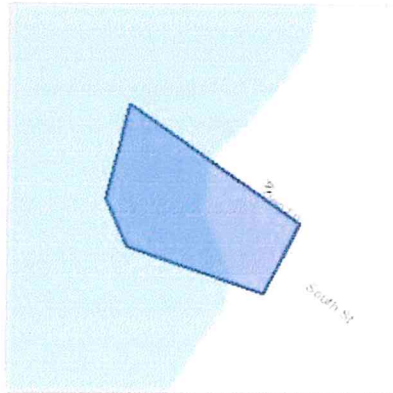
**Project Description:** The applicant proposes to construct a stone rubble and sheet pile breakwater, boat ramp, and floating dock to serve the town's commercial fishing fleet. The breakwater pier will extend 1065' beyond the HAT into the bay. Starting from shore, a 760' stone filled breakwater 24' in width at the top will be constructed. Thirty-foot diameter circular sheet pilings will support the remaining 500' of the breakwater. In addition, 70 log type pilings will be set in place during construction of the project. The boat ramp will be 15' wide by 260' long. The total area of direct impact to marine habitat will be 143,234 square feet.

The stone rubble breakwater will be constructed from the shoreline out into the bay. Sheet pilings and log pilings may be installed by barge. The construction of this facility will take more than one year.

The location of the system is on the northern shore of Lubec Neck, fronting on Johnson Bay, in Lubec. This location is in the mouth of Cobscook Bay. The area experiences mostly commercial fishing and aquaculture boat traffic. The location is quite exposed and experiences significant fetch from the north/northeast.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/44.85684647399967N66.99398794337708W>



Counties: Washington, ME

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## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

| NAME   | STATUS     |
|--|------------|
| Northern Long-eared Bat <i>Myotis septentrionalis</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a> | Threatened |

### Fishes

| NAME   | STATUS     |
|--|------------|
| Atlantic Salmon <i>Salmo salar</i><br>Population: Gulf of Maine DPS<br>There is <b>final</b> critical habitat for this species. Your location overlaps the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/2097">https://ecos.fws.gov/ecp/species/2097</a> | Endangered |

### Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

| NAME  | STATUS |
|---|--------|
| Atlantic Salmon <i>Salmo salar</i><br><a href="https://ecos.fws.gov/ecp/species/2097#crithab">https://ecos.fws.gov/ecp/species/2097#crithab</a> | Final  |

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# APPENDIX 6.13 NOAA FISHERIES/ARMY CORPS OF ENGINEERS CORRESPONDENCE



## GARFO ESA Section 7: NLAA Program Verification Form

(Please submit a signed version of this form, together with any project plans, maps, supporting analyses, etc., to [nmfs.gar\\_esa.section7@noaa.gov](mailto:nmfs.gar_esa.section7@noaa.gov) with "USACE NLAA Program: [Application Number]" in the subject line)

### Section 1: General Project Details

|  |   |                                     |  |
|--|---|-------------------------------------|--|
| Application Number:  |   | NAE-2020-1783                       |  |
| Reinitiation:  |   | No                                  |  |
| Applicant(s):  |   | Town of Lubec, Maine                |  |
| Permit Type:   |   | IP                                  |  |
| Anticipated project start date<br>(e.g., 10/1/2020)  |   | 11/1/2021                           |  |
| Anticipated project end date<br>(e.g., 12/31/2022 – if there is no permit<br>expiration date, write "N/A") |   | 12/31/2023                          |  |
| Project Type/Category (check all that apply to entire action):   |   |                                     |  |
| <input type="checkbox"/>   | Aquaculture (shellfish) and artificial<br>reef creation | <input type="checkbox"/>            | Mitigation (fish/wildlife enhancement or<br>restoration) |
| <input type="checkbox"/>   | Dredging and disposal/beach<br>nourishment              | <input type="checkbox"/>            | Bank stabilization                                       |
| <input checked="" type="checkbox"/>  | Piers, ramps, floats, and other<br>structures           | <input checked="" type="checkbox"/> | If other, describe project type category:<br>Breakwater  |
| Town/City:   | Lubec   | Zip:                                | 04652  |
| State:   | Maine   | Water body:                         | Johnson Bay  |

| Project/Action Description and Purpose<br>(include relevant permit conditions that are not captured elsewhere on form):   |   |   |
|---|---|---|
| <p>The Corps is acting as Lead Agency for a project that Federal DOT is funding for the Town of Lubec, Maine which is proposing to relocate their marina/wharf facilities to a new location that will provide a safe harbor for the local fishing fleet and other boaters. The current fleet is scattered all over Johnson Bay and will consolidate to the new safe harbor once completed. The original marina had a floating breakwater but it got destroyed several times by high seas and ice. The Town proposes to fill 3.29 acres below the HTL (worst case scenario) for the breakwater and boat ramp. The project may have less impacts based on the engineers' different designs (the project is being advertised as a design build contract).</p> <p>The safe harbor project consists of a solid fill breakwater pier, boat ramp, pile supported pier and ramps and floats. The breakwater would be 1250 feet long. The first 760 feet of the breakwater will be constructed using rock fill. The remaining 500 feet of the breakwater will be constructed with 30-foot diameter filled circular sheet pilings. The boat ramp will be 15 feet wide</p> |   |   |
| Type of Bottom Habitat Modified:  | Permanent/Temporary:  | Area (acres):                                   |
| Silt/Mud/Clay (saline)  | Permanent   | 2.82  |
| Hard bottom (saline)  | Permanent   | 0.46  |
| Select Type of Bottom Habitat   | Select Permanent or Temporary   |   |
| Project Latitude (e.g., 42.625884)  | 44.856649   |   |
| Project Longitude (e.g., -70.646114)  | -66.993755  |   |
| Mean Low Water (MLW)(m)   | 6.12  |   |
| Mean High Water (MHW)(m)  | 12.00   |   |
| Width (m) of water body in action area:   | Stressor Category (stressor that extends furthest distance into water body – e.g., turbidity plume; sound pressure wave): | Max extent (m) of stressor into the water body: |
| 1,387.00  | Turbidity   | 91.00   |

**Section 2: ESA-listed species and/or critical habitat in the action area:**

|                                     |  |                                     |  |
|-------------------------------------|--|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Atlantic sturgeon (all DPSs)   | <input checked="" type="checkbox"/> | Kemp's ridley sea turtle                       |
| <input type="checkbox"/>            | Atlantic sturgeon critical habitat<br>Indicate which DPS :<br>Select DPS | <input checked="" type="checkbox"/> | Loggerhead sea turtle<br>(NW Atlantic DPS)     |
| <input checked="" type="checkbox"/> | Shortnose sturgeon   | <input checked="" type="checkbox"/> | Leatherback sea turtle                         |
| <input checked="" type="checkbox"/> | Atlantic salmon (GOM DPS)  | <input type="checkbox"/>            | North Atlantic right whale                     |
| <input checked="" type="checkbox"/> | Atlantic salmon critical habitat<br>(GOM DPS)                            | <input type="checkbox"/>            | North Atlantic right whale<br>critical habitat |
| <input checked="" type="checkbox"/> | Green sea turtle (N. Atlantic DPS)                                       | <input type="checkbox"/>            | Fin whale                                      |

\* Please consult GARFO PRD's ESA Section 7 Mapper for ESA-listed species and critical habitat information for your action area at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>.

**Section 3: NLAA Determination (check all applicable fields):**

If the Project Design Criteria (PDC) is met, select Yes. If the PDC is not applicable (N/A) for your project (e.g., the stressor category is not included for your project activity, or for PDC 2, your project does not occur within the range of the GOM DPS of Atlantic salmon), select N/A. If the PDC is applicable, but is not met, leave both boxes blank and provide a justification for that PDC in Section 4.

| a) GENERAL PDC                      |                                     |       |   |
|-------------------------------------|-------------------------------------|-------|---|
| Yes                                 | N/A                                 | PDC # | PDC Description   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1.    | No portion of the proposed action will individually or cumulatively have an adverse effect on ESA-listed species or designated critical habitat.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 2.    | No portion of the proposed action will occur in the tidally influenced portion of rivers/streams where Atlantic salmon presence is possible from April 10–November 7.<br><br><i>Note:</i> If the project will occur within the geographic range of the GOM DPS Atlantic salmon but their presence is not expected following the best available commercial scientific data, the work window does not need to be applied (include reference in project description).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 3.    | No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as spawning grounds as follows:<br>i. Gulf of Maine: April 1–Aug. 31<br>ii. Southern New England/New York Bight: Mar. 15–Aug. 31<br>iii. Chesapeake Bay: March 15–July 1 and Sept. 15–Nov. 1<br><br><i>Note:</i> If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval (include reference in project description).                                |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 4.    | No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as overwintering grounds, where dense aggregations are known to occur, as follows:<br>i. Gulf of Maine: Oct. 15–April 30<br>ii. Southern New England/ New York Bight: Nov. 1–Mar. 15<br>iii. Chesapeake Bay: Nov. 1–Mar. 15<br><br><i>Note:</i> If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval (include reference in project description). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 5.    | Within designated Atlantic salmon critical habitat, no portion of the proposed action will affect spawning and rearing areas (PBFs 1-7).  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 6.    | Within designated Atlantic sturgeon critical habitat, no work will affect hard bottom substrate (e.g., rock, cobble, gravel, limestone, boulder, etc.) in low salinity waters (i.e., 0.0-0.5 parts per thousand) (PBF 1).   |



| Yes                                 | N/A                                 | PDC # | PDC Description  |
|-------------------------------------|-------------------------------------|-------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 7.    | Work will result in no or only temporary/short-term changes in water temperature, water flow, salinity, or dissolved oxygen levels.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 8.    | If ESA-listed species are (a) likely to pass through the action area at the time of year when project activities occur; and/or (b) the project will create an obstruction to passage when in-water work is completed, then a zone of passage (~50% of water body) with appropriate habitat for ESA-listed species (e.g., depth, water velocity, etc.) must be maintained (i.e., physical or biological stressors such as turbidity and sound pressure must not create barrier to passage). |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 9.    | Any work in designated North Atlantic right whale critical habitat must have no effect on the physical and biological features (PBFs).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 10.   | The project will not adversely impact any submerged aquatic vegetation (SAV).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 11.   | No blasting or use of explosives will occur.   |

b) The following stressors are applicable to the action  
(check all that apply – use Stressor Category Table for guidance):

|                                     |                                |
|-------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | Sound Pressure                 |
| <input type="checkbox"/>            | Impingement/Entrapment/Capture |
| <input checked="" type="checkbox"/> | Turbidity/Water Quality        |
| <input type="checkbox"/>            | Entanglement (Aquaculture)     |
| <input checked="" type="checkbox"/> | Habitat Modification           |
| <input checked="" type="checkbox"/> | Vessel Traffic                 |

| Activity Category                                    | Stressor Category |                                |                         |              |              |                |
|--|-------------------|--------------------------------|-------------------------|--------------|--------------|----------------|
|  | Sound Pressure    | Impingement/Entrapment/Capture | Turbidity/Water Quality | Entanglement | Habitat Mod. | Vessel Traffic |
| Aquaculture (shellfish) and artificial reef creation | N                 | N                              | Y                       | Y            | Y            | Y              |
| Dredging and disposal/beach nourishment              | N                 | Y                              | Y                       | N            | Y            | Y              |

| Activity Category  | Stressor Category |                                |                         |              |              |                |
|--|-------------------|--------------------------------|-------------------------|--------------|--------------|----------------|
|  | Sound Pressure    | Impingement/Entrapment/Capture | Turbidity/Water Quality | Entanglement | Habitat Mod. | Vessel Traffic |
| Piers, ramps, floats, and other structures                                 | Y                 | N                              | Y                       | N            | Y            | Y              |
| Transportation and development (e.g., culvert construction, bridge repair) | Y                 | N                              | Y                       | N            | Y            | Y              |
| Mitigation (fish/wildlife enhancement or restoration)                      | N                 | N                              | Y                       | N            | Y            | Y              |
| Bank stabilization and dam maintenance                                     | Y                 | N                              | Y                       | N            | Y            | Y              |

|   |                      |                              |                 |                            |
|---|----------------------|------------------------------|-----------------|----------------------------|
| c) SOUND PRESSURE PDC   |                      |                              |                 |                            |
| <b>Information for Pile Driving:</b>  |                      |                              |                 |                            |
| If your project includes non-timber piles*, please attach your calculation to this verification form showing that the noise is below the injury thresholds of ESA-listed species in the action area. The GARFO Acoustic Tool is available as one source, should you not have other information: |                      |                              |                 |                            |
| <a href="https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultation-technical-guidance-greater-atlantic">https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultation-technical-guidance-greater-atlantic</a>                 |                      |                              |                 |                            |
| *Sound pressure effects from timber and steel sheet piles were analyzed in the NLAA programmatic consultation, so no additional acoustic information is necessary.  |                      |                              |                 |                            |
|   | Pile material        | Pile diameter/width (inches) | Number of piles | Installation method        |
| a)  | Timber               | 12                           | 70              | Vibratory hammer           |
| b)  | AZ Steel Sheet       | 24                           | 724             | Vibratory hammer           |
| c)  | Select pile material |                              |                 | Select installation method |
| d)  | Select pile material |                              |                 | Select installation method |

| Yes                                 | N/A                      | PDC # | PDC Description   |
|-------------------------------------|--------------------------|-------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12.   | <p>If pile driving is occurring during a time of year when ESA-listed species may be present, and the anticipated noise is above the behavioral noise threshold, a “soft start” is required to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. <i>In addition to using a soft start at the beginning of the work day for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.</i></p> <p><u>For impact pile driving:</u> pile driving will commence with an initial set of three strikes by the hammer at 40% energy, followed by a one minute wait period, then two subsequent 3-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.</p> <p><u>For vibratory pile installation:</u> pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.</p> |
| <input type="checkbox"/>            | <input type="checkbox"/> | 13.   | Any new pile supported structure must involve the installation of ≤ 50 piles (below MHW).   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 14.   | All underwater noise (pressure) is below (<) the physiological/injury noise threshold for ESA-species in the action area.   |

d) IMPINGEMENT/ENTRAINMENT/CAPTURE PDC

**Information for Dredging/Disposal:**

|   |  |                           |  |
|---|--|---------------------------|--|
| Type of dredge:   | Select type of dredge                                |                           |  |
| Maintenance dredging?:  | Select Yes or No                                     | If “Yes”, how many acres? |  |
| If maintenance, when was the last dredge cycle?                               |  |                           |  |
| New dredging:   | Select Yes or No                                     | If “Yes”, how many acres? |  |
| Estimated number of dredging events covered by permit:                        |  |                           |  |
| ESA-species exclusion measures required (e.g., cofferdam, turbidity curtain): | Select Yes or No                                     |                           |  |
| If no exclusion measures required, explain why:                               | Select reason why no exclusion measures are required |                           |  |
| <b>Information for Intake Structures:</b>                                     |  |                           |  |
| Mesh screen size (mm) for temporary intake:                                   |  |                           |  |



| Yes  | N/A                                 | PDC #  | PDC Description   |
|--|-------------------------------------|--|---|
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 15.  | Only mechanical, cutterhead, and low volume hopper (e.g., CURRITUCK, ~300 cubic yard maximum bin capacity) dredges may be used.   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 16.  | No new dredging in Atlantic sturgeon or Atlantic salmon critical habitat (maintenance dredging still must meet all other PDCs). New dredging outside Atlantic sturgeon or salmon critical habitat is limited to one time dredge events (e.g., burying a utility line) and minor ( $\leq 2$ acres) expansions of areas already subject to maintenance dredging (e.g., marina/harbor expansion).        |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 17.  | Work behind cofferdams, turbidity curtains, or other methods to block access of animals to dredge footprint is required when operationally feasible or beneficial and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, exclusion methods are not necessary).   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 18.  | Temporary intakes related to construction must be equipped with appropriate sized mesh screening (as determined by GARFO section 7 biologist and/or according to <a href="#">Chapter 11 of the NOAA Fisheries Anadromous Salmonid Passage Facility Design</a> ) and must not have greater than 0.5 fps intake velocities, to prevent impingement or entrainment of any ESA-listed species life stage. |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 19.  | No new permanent intake structures related to cooling water, or any other inflow at facilities (e.g. water treatment plants, power plants, etc.).   |
| e) TURBIDITY/WATER QUALITY PDC   |                                     |  |   |
| <b>Information for Turbidity Producing Activity (excluding disposal):</b>  |                                     |  |   |
| ESA-species turbidity control measures required (e.g., turbidity curtain):   |                                     | Yes  |   |
| If no turbidity control measures required, explain why:  |                                     | Select reason why no turbidity control measures are required |   |
| <b>Information for Dredged Material Disposal:</b>  |                                     |  |   |
| Disposal site:   |                                     | Select disposal site   |   |
| Estimated number of trips to disposal site:  |                                     |  |   |
| Relevant disposal site permit/special conditions required (NAE: for offshore disposal, include Group A, B, C, or relevant Long Island Sound consultation): |                                     |  |   |
| Yes  | N/A                                 | PDC #  | PDC Description   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>            | 20.  | Work behind cofferdams, turbidity curtains, or other methods to control turbidity is required when operationally feasible or beneficial and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, turbidity control methods are not necessary).   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 21.  | In-water offshore disposal may only occur at designated disposal sites that have been the subject of ESA section 7 consultation with NMFS, where a valid consultation is in place and appropriate permit/special conditions are included.   |

|  |                                     |                                  |   |
|--|-------------------------------------|----------------------------------|---|
| Yes  | N/A                                 | PDC #                            | PDC Description   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>            | 22.                              | Any temporary discharges must meet state water quality standards (e.g., no discharges of substances in concentrations that may cause acute or chronic adverse reactions, as defined by EPA water quality standards criteria).                       |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 23.                              | Only repair, upgrades, relocations and improvements of existing discharge pipes or replacement in-kind are allowed; no new construction of untreated discharges.  |
| f) ENTANGLEMENT PDC  |                                     |                                  |   |
| <b>Information for Aquaculture Projects:</b>                                 |                                     |                                  |   |
| Approximate distance from shore (MHW)(m):                                    |                                     |                                  |   |
| Grow season begins (approximate):  |                                     |                                  |   |
| Grow season ends (approximate):  |                                     |                                  |   |
| Total number of vertical lines:  |                                     |                                  |   |
| Total number of horizontal lines:  |                                     |                                  |   |
| Is any gear seasonally removed from the water? If yes, which parts and when? |                                     |                                  |   |
|  | Aquaculture Gear                    | Acreage (total permit footprint) | Type of Shellfish Cultivated  |
| a)   | Select aquaculture gear             |                                  | Select type of shellfish cultivated   |
| b)   | Select aquaculture gear             |                                  | Select type of shellfish cultivated   |
| c)   | Select aquaculture gear             |                                  | Select type of shellfish cultivated   |
| Yes  | N/A                                 | PDC #                            | PDC Description   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 24.                              | Shell on bottom <50 acres with maximum of 4 corner marker buoys;  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 25.                              | Cage on bottom with no loose floating lines <5 acres and minimal vertical lines (1 per string of cages, 4 corner marker buoys);   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 26.                              | Floating cages in <3 acres in waters and shallower than -10 feet MLLW with no loose lines and minimal vertical lines (1 per string of cages, 4 corner marker buoys);  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 27.                              | Floating upweller docks in >10 feet MLLW.   |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | 28.                              | Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle. Lines can be enclosed in a rigid sleeve. |
| g) HABITAT MODIFICATION PDC  |                                     |                                  |   |
| Yes  | N/A                                 | PDC #                            | PDC Description   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>            | 29.                              | No conversion of habitat type (soft bottom to hard, or vice versa) for aquaculture or reef creation.  |



|  |  |  |   |
|--|--|--|---|
| h) VESSEL TRAFFIC PDC  |  |  |   |
| <b>Information for Vessel Traffic:</b>   |  |  |   |
|  |  | Temporary Project Vessel Type  | Number of Vessels   |
| a)   | Work barge   |  | 1   |
| b)   | Tug  |  | 1   |
| c)   | Select temporary vessel type                         |  |   |
|  |  | Type of Non-Commercial or Aquaculture Vessels Added<br><i>– only include if there is a net increase directly/indirectly resulting from project)</i>  | Number of Vessels<br><i>(if sum &gt; 2, PDC 33 is not met and justification required in Section 4)</i>  |
| a)   | Select type of non-commercial or aquaculture vessels |  |   |
| b)   | Select type of non-commercial or aquaculture vessels |  |   |
|  |  | Type of Commercial Vessels Added<br><i>(only include if there is a net increase directly/indirectly resulting from project)</i>  | Number of Vessels<br><i>(if &gt; 0, PDC 33 is not met and justification required in Section 4)</i>  |
| a)   |  |  |   |
| b)   |  |  |   |
| If no temporary/permanent vessel traffic, briefly explain (e.g., all land-based work, no net increase in vessel traffic) |  | All work is proposed to be done from shore. The only vessels that may be used during construction is a barge with a crane/pile driver and a tug boat to maneuver the barge if work from the waterside is required. The safe harbor facility will not provide any new float/slip space so no increase in permanent vessels. |   |
| Yes  | N/A  | PDC #  | PDC Description   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>                             | 30.  | Maintain project vessels operating within the action area to speed limits below 10 knots and dredge vessel speeds of 4 knots maximum, while dredging.   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>                             | 31.  | Maintain a 1,500-foot buffer between project vessels and ESA-listed whales and a 150-foot buffer between project vessels and sea turtles unless the vessel is navigating to an in-water disposal site/activity. If the vessel is navigating to an in-water disposal site/activity, refer to and include the conditions contained in the appropriate GARFO-USACE/EPA consultation for the disposal site. |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>                             | 32.  | The number of project vessels must be limited to the greatest extent possible, as appropriate to size and scale of project.   |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>                             | 33.  | The permanent net increase in vessels resulting from a project (e.g., dock/float/pier/boating facility) must not exceed two non-commercial vessels. A project must not result in the permanent net increase of any commercial vessels (e.g., a ferry terminal).   |

#### Section 4: Justification for Review under the NLAA Program

If the action is not in compliance with all of the General PDC and appropriate stressor PDC, but you can provide justification and/or special conditions to demonstrate why the project still meets the NLAA determination and is consistent with the aggregate effects considered in the programmatic consultation, you may still certify your project through the NLAA program using



this verification form. Please identify which PDC your project does not meet (e.g., PDC 9, PDC 15, PDC 22, etc.) and provide your rationale and justification for why the project is still eligible for the verification form.

To demonstrate that the project is still NLAA, you must explain why the effects on ESA-listed species or critical habitat are **insignificant** (i.e., too small to be meaningfully measured or detected) or **discountable** (i.e., extremely unlikely to occur). **Please use this language in your justification.**

| PDC#  | Justification   |
|-------|---|
| 13    | All piles to be driven during the TOYR (Nov 8-Apr 8) for ESA species (Atlantic salmon, Atlantic & shortnose sturgeon, Green, Kemp's ridley, Loggerhead & Leatherback sea turtles); pile installation and fill being to be done behind turbidity curtains; the requirement of a pile driving conditions that limit the numbers of piles that can be driven in a day, the requirement of a "soft start" for the impact hammer and that most of the work is expected to be done from land. The max extent of noise stressor from pile driving is 91 m and the width of the water body at the project location is 1,387m, leaving more than enough room for ESA-listed species to travel through the area without being affected by the noise. Risk is further reduced by the proposed soft start for pile driving activities. Given the TOY restriction mentioned and the use of turbidity curtains, the presence of ESA-listed species would be expected to be limited to rare, transient individuals and any effects to ESA-listed species extremely unlikely, and discountable. |
| PDC # |   |
| PDC # |   |

|       |  |
|-------|--|
| PDC # |  |
|-------|--|

**Section 5: USACE Verification of Determination**

|                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | In accordance with the NLAA Program, USACE has determined that the action complies with all applicable PDC and is not likely to adversely affect listed species.                                      |
| <input checked="" type="checkbox"/> | In accordance with the NLAA Program, the USACE has determined that the action is not likely to adversely affect listed species per the justification and/or special conditions provided in Section 4. |
| USACE Signature:                    |   |
| MAHANEY.SHAWN.<br>B.1006439302      | Digitally signed by<br>MAHANEY.SHAWN.B.1006439302<br>Date: 2020.10.29 08:37:22 -04'00'  |
| Date:                               |   |
| 10/29/2020                          |   |

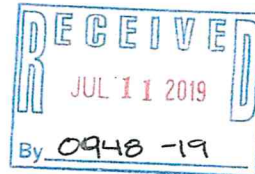
**Section 6: GARFO Concurrence**

|   |   |
|---|---|
| <input type="checkbox"/>                          | In accordance with the NLAA Program, GARFO PRD concurs with USACE's determination that the action complies with all applicable PDC and is not likely to adversely affect listed species or critical habitat.                                  |
| <input checked="" type="checkbox"/>               | In accordance with the NLAA Program, GARFO PRD concurs with USACE's determination that the action is not likely to adversely affect listed species or critical habitat per the justification and/or special conditions provided in Section 4. |
| <input type="checkbox"/>                          | GARFO PRD does not concur with USACE's determination that the action complies with the applicable PDC (with or without justification), and recommends an individual Section 7 consultation to be completed independent from the NLAA Program. |
| GARFO Signature:                                  |   |
| MESA<br>GUTIERREZ.ROOSEVELT.AND<br>RES.1586982881 | Digitally signed by MESA<br>GUTIERREZ.ROOSEVELT.ANDRES.15869<br>82881<br>Date: 2020.11.03 12:56:54 -05'00'  |
| Date:   |   |
| 11/03/2020  |   |

APPENDIX 6.14 MHPC CORRESPONDENCE



DOWN to EARTH  
PROFESSIONAL LAND SERVICES, INC.  
P.O. BOX 443  
BRADLEY, MAINE 04411-0443  
TEL. 207-827-6733



June 19, 2019

Maine Historic Preservation Commission  
55 Capitol Street  
65 State House Station  
Augusta, ME 04333

Subject: Natural Resources Protection Act Permit, Individual Application  
Lubec Safe Harbor  
Main Road, Lubec, Maine

Dear Sir/Madam:

The applicant, Town of Lubec, is proposing to construct a breakwater and boat ramp located at Route 189 and Johnson's Bay. As per standard MDEP permitting procedure, a copy of the Individual NRPA application is hereby submitted to MHPC.

If you have any questions regarding the contents contained herein, please feel free to call.

Sincerely,

Oscar F. Emerson, PE

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney 7/24/19  
Kirk F. Mohney, Date  
State Historic Preservation Officer  
Maine Historic Preservation Commission





JANET T. MILLS  
GOVERNOR

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

KIRK F. MOHNEY  
DIRECTOR

May 7, 2020

Mr. Oscar F. Emerson  
Down to Earth  
PO Box 443  
Bradley, ME 04411

Project: MHPC# 0308-20      Town of Lubec  
   Lubec Safe Harbor Project  
Town:      Lubec, ME

Dear Mr. Emerson:

In response to your recent request, I have reviewed the information received April 28, 2020 to continue consultation on the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Based on the information submitted, I have concluded that there will be no historic properties (architectural or archaeological) affected by this proposed undertaking, as defined by Section 106.

Please contact Megan Rideout at (207) 287-2992 or [megan.m.rideout@maine.gov](mailto:megan.m.rideout@maine.gov) if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney  
State Historic Preservation Officer

## APPENDIX 6.15 TRIBAL CORRESPONDENCE



U.S. Department  
of Transportation  
**Maritime  
Administration**

COPY

1200 New Jersey Avenue, SE  
Washington, DC 20590

February 21, 2020  
Donald Scotomah, THPO  
Passamaquoddy Tribe  
P.O. Box 343  
Perry, ME 04667

Re: Lubec Safe Harbor

Dear Mr. Scotomah,

The Town of Lubec was awarded funds under the US Department of Transportation (DOT) Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants Program for improvements to: *to Map 18 Lot 6, and Lot 17-2. With the possibility of acquiring the following Map 18 Lot 15, 17, and 17-1. The project is located in Columbia Cove in Johnson's Bay.* Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

In accordance with MARAD's environmental review responsibilities for the project, including tribal consultation related to historic properties, MARAD will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize, or mitigate potential adverse effects.

To meet project timeframes, if you would like to be a consulting party or provide information on this project, MARAD respectfully requests you notify us within 30 days. If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response.

Attached is a map that shows the project area and, if applicable, an additional area of potential indirect effects.

**Project Description:**

This project will construct a boat launch, breakwater, and wharf to accommodate 35 boats and create a protected mooring field and a sheltered boat launch. The wharf will include a two-way road to the end of the pier where two hoists will be placed.

**Project Highlights and Benefits:**


This project will provide a year-round safe harbor for resident and visiting fishermen as well as recreational boaters. The project will mitigate the inclement weather or winds coming from the north that have caused fishermen to die, boats to sink, loss of property, and many cases of hypothermia. The proposed construction would also reduce the Marine Patrol's response time furthering the safety benefits. With the construction of the Safe Harbor, the structure will be sustainable for the long-term, contributing to an increase in job growth and direct benefits to the fishing market. The project will use solar lighting as an alternative to fossil fuels to reduce the carbon footprint.

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

If you have additional questions or comments, please contact the undersigned and/or the consultant for the action proponent *Lubec Safe Harbor local project administrator*. Please note that MARAD has authorized *Carol Dennison* to consult with you on behalf of MARAD for the purposes of this project. We request that you provide a copy of your response to them.

Contact: Carol Dennison, Select Board Chair  
Town of Lubec  
40 School St.  
Lubec, ME 04652  
[lubecselectman@aol.com](mailto:lubecselectman@aol.com)

Sincerely,



Kris Gilson, REM, CHMM  
Environmental Protection Specialist  
202.366.1939  
[kristine.gilson@dot.gov](mailto:kristine.gilson@dot.gov)



## APPENDIX 6.16 MAINE DEPARTMENT OF TRANSPORTATION CORRESPONDENCE

### Oscar Emerson

---

**From:** Mattson, Bruce <Bruce.Mattson@maine.gov>  
**Sent:** Friday, July 17, 2020 11:41 AM  
**To:** 'Carol Dennison'  
**Cc:** Devin, John; Allen, Andrew; Kosobud, Craig; Theriault, Mark; oemerson48829@roadrunner.com  
**Subject:** RE: Lubec Safe Harbor Project  
**Attachments:** LSH FULL BUILD-OUT 032719.jpg

Oscar & Carol-

Based on the information provided by Oscar Emerson, P.E., and discussions with you, I am convinced that proposed Safe Harbors project will not have an adverse impact to the ambient (background) traffic volumes and movements of the town of Lubec.

**Bruce W. Mattson, P.E.**  
Region Traffic Engineer  
MaineDOT Region 4  
219 Hogan Road  
Bangor, Maine 04401  
[Bruce.mattson@maine.gov](mailto:Bruce.mattson@maine.gov)  
(207) 941-4500

**From:** Oscar Emerson <oemerson48829@roadrunner.com>  
**Sent:** Friday, July 17, 2020 8:54 AM  
**To:** Mattson, Bruce <Bruce.Mattson@maine.gov>  
**Cc:** 'Carol Dennison' <lubecselectman@aol.com>  
**Subject:** FW: Lubec Safe Harbor Visit

**EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Bruce,

I have attached the latest site plan for the proposed project. With the dock alignment as shown, the project could accommodate 25 vessels, more or less. However I believe there is potential for more floating docks in the future so I used a conservative figure of 50 for permitting purposes. As per the attached ITE table for marinas, a trip end factor of .21 is applied for each berth. It is my opinion that the peak hour will be in the AM, thus using my figure of 50 berths, multiplied by twice the factor of 0.21, I get approximately 21 trips, whereby I used 25 customers a day on the road opening permit (attached). I'm sure you may have a different methodology for the calculations but it appears that the proposed project will not have an adverse impact to the ambient traffic volumes and movements of the town of Lubec. Your email response and comment will be greatly appreciated for the completion of our EA through the NEPA process.

Thank you! Oscar

**Oscar F. Emerson, PE, PLS, LSE, CPESC**  
**Down to Earth Professional Land Services, Inc.**  
PO Box 443, Bradley, ME 04411  
Tel. 207-827-6733

## APPENDIX 6.17 PHASE I ESA EXECUTIVE SUMMARY



### PHASE I ENVIRONMENTAL SITE ASSESSMENT 123 MAIN STREET PROPERTY LUBEC, MAINE

#### EXECUTIVE SUMMARY

CES, Inc. (CES) completed a Phase I Environmental Site Assessment (ESA) for the 123 Main Street Property in the Town of Lubec, Maine (the Site) to determine whether the Site has Recognized Environmental Conditions (RECs) as defined by the ASTM International (ASTM) Standard E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, and in compliance with the All Appropriate Inquiry (AAI) Rule. This Phase I ESA was completed by Mr. Bradley Sloat and Mr. Michael Deyling, C.G. Mr. Sloat and Mr. Deyling are considered Environmental Professionals as defined in §312.10 of 40 CFR 312.

The Site consists of an approximately 2.0-acre parcel of land and is identified as Lot 17 on the Town of Lubec Property Tax Map 18. The Site is currently undeveloped with the exception of two concrete foundations, believed to be the remnants of former processing facilities. A legal description is recorded in the Washington County Registry of Deeds on Page 300 of Book 2981, and is currently owned by Joseph & Diane Wekelo.

Historical records reviewed and interviews conducted indicated that the Site was initially developed prior to 1933 with a fish curing facility and redeveloped in the 1950's with a cat food manufacturing facility identified as National Pet Food, Inc.

An Envirosearch® Government Records Report of Federal and State records completed for the Site and vicinity, and review of Maine Department of Environmental Protection (MDEP) records indicate the following:

- ◆ Federal National Priority List (NPL) properties were not identified within a 1.0-mile radius of the Site, and there are no de-listed Federal NPL sites within a 0.5-mile radius of the Site;
- ◆ Federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) listings did not identify properties within a 0.5-mile radius of the Site;
- ◆ The Site and the adjoining properties were not identified as a Resource Conservation and Recovery Act (RCRA) hazardous waste generator facilities;
- ◆ RCRA Corrective Action (CORRACTS) properties were not identified within a 1.0-mile radius of the Site;
- ◆ RCRA non-CORRACTS treatment, storage, and disposal (TSD) listing did not identify properties within a 0.5-mile radius of the Site;
- ◆ The Site was not identified as an Emergency Response Notification System (ERNS) facility;

- ❖ The Site and its adjoining properties were not identified on the Federal Institutional Control/Engineering Control Registries;
- ❖ State and Tribal hazardous waste listings were not identified within a 1.0-mile radius of the Site;
- ❖ A State and Tribal landfill/solid waste disposal facility was not identified within a 0.5-mile radius of the Site;
- ❖ The Site was not identified as a State and Tribal leaking storage tank property. Four properties within a 0.5-mile radius of the Site were identified as spill properties involving a leaking storage tank;
- ❖ The Site was not identified as a State and Tribal registered storage tank property. Six properties within a 0.25-mile radius of the Site were identified as State and Tribal registered storage tank properties;
- ❖ The Site was not identified as a State and Tribal Voluntary clean up property. The adjoining property to the south was identified as a State and Tribal Voluntary clean up property;
- ❖ The Site was not identified as a State and Tribal Spill property. Nine properties within a 0.5-mile radius of the Site were identified as a State and Tribal Spill properties; and
- ❖ The Site was not identified as a State and Tribal Brownfield property. Two properties within a 0.5-mile radius of the Site were identified as a State and Tribal Brownfield properties.

During the completion of this Phase I ESA, the following REC was identified in association with the Site:

According to historic records reviewed, the Site was previously developed as a cat food processing facility and the adjoining property to the south (Columbian Factory) was historically operated as a sardine cannery. Based on the historic industrial use of the Site and the adjoining property, ash or related by products may have been deposited at the Site and residual hazardous substances and/or petroleum products may exist at the Site.

During the completion of this Phase I ESA, Historical RECs (HRECs), or Controlled RECs (CRECs) were not identified at the Site.

During the completion of this Phase 1 ESA, de minimis conditions related to environmental impacts/concerns were not identified at the Site.

Based on the Tier 1 Vapor Encroachment Screening of the Site, the presence of potential Vapor Encroachment Conditions (pVECs) are not likely to exist at the Site.

Limiting conditions were not encountered at the time of the Site visit that would prevent the assessment of potential environmental impacts to the Site.





Based upon the findings of this Phase I ESA, CES recommends that if future development at the Site results in disturbance of ground surface, soil sampling activities should be completed to determine if residual hazardous substances and/or petroleum products exist at the Site.

In addition, based on the adjoining property to the south having participated in the Brownfields Program and its current involvement with the Voluntary Response and Action Program (VRAP), CES recommends that the Site apply to the VRAP and to take the necessary actions to obtain a No Action Assurance (NAA) letter from the MDEP for the Site.

CES did not identify significant data gaps as part of this Phase I ESA that would affect our ability to identify RECs.

CES has performed this Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 on the Site located at 123 Main Street Property in Lubec, Maine.

## APPENDIX 6.18 US Census Data 2019

### MEDIAN HOUSEHOLD INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)

TABLE ID: B19013  
 SURVEY/PROGRAM: American Community Survey  
 PRODUCT: ACS 5-Year Estimates Detailed Tables

| Label  | Lubec CDP, Maine<br>Estimate |
|--|------------------------------|
| Median household income in the past 12 months (in 2019 inflation-adjusted dollars) | 29,861                       |

#### DATA NOTES

TABLE ID: B19013  
 SURVEY/PROGRAM: American Community Survey  
 VINTAGE: 2019  
 DATASET: ACS015Y2019  
 PRODUCT: ACS 5-Year Estimates Detailed Tables  
 FTP URL: None  
 API URL: Download the entire table at <https://api.census.gov/data/2019/acs/acs5>

#### USER SELECTIONS

GEOS: Lubec CDP, Maine

#### EXCLUDED COLUMNS

None

#### APPLIED FILTERS

None

#### APPLIED SORTING

None

#### WEB ADDRESS

<https://data.census.gov/cedsci/table?q=Lubec%20CDP,%20Maine&tid=ACSD15Y2019.B19013&moe=false&hidePreview=true>

#### TABLE NOTES:

Although the American Community Survey (ACS) produces population, demographic, and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates. Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section. Sample size and data source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates. Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is for the 2015-2019 American Community Survey retirement income question changed. These changes resulted in an increase in both the number of households reporting retirement income and higher aggregate retirement income. The 2015-2019 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily match Census 2010 data. Explanation of Symbols: An "\*\*\*" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error is not applicable.

#### COLUMN NOTES

None

## **APPENDIX 6.19 COMMUNITY SUPPORT CORRESPONDENCE**

### **Letters of Support Index & Community Support**

- 1. Maine Community Foundation                      Pledge letter 50,000**
- 2. Colonel Jay Carroll, Marine Patrol**
- 3. U.S. Customs & Border Patrol**
- 4. Canada Border Services Agency**
- 5. State Representative Will Tuell**
- 6. Cobscook Bay Fisherman's Association**
- 7. Quoddy Pilots USA**
- 8. County Manager, Betsy Fitzgerald**
- 9. Sg. Russel Wright, Marine Patrol**
- 10. Cobscook Bay Resource Center**
- 11. Maine Coast Heritage Trust**
- 12. Lubec Harbormaster**
- 13. Maine Lobster Union, Rocky Alley**
- 14. State Senator, Joyce Maker**
- 15. State of Maine, Dept. of Agriculture, Conservation & Agriculture**
- 16. Lost Fisherman's Memorial Association**
- 17. Lubec Historical Society**
- 18. Lubec Safe Harbor Committee**

**276 Community Support Signatures included.**





June 13, 2019

Carol Dennison, Selectboard Chair  
Town of Lubec  
40 School St.  
Lubec, Maine 04652,  
Re: Lubec Safe Harbor Project/Maintenance Fund

Dear Ms. Dennison,

I am writing to support the Town of Lubec's proposal to the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program grant for the Lubec Safe Harbor Project, and to confirm the intention of the Ram Island Conservation Fund of the Maine Community Foundation to provide \$50,000 toward a long-term maintenance fund for the project to be held by the town.

Ram Island Conservation Fund's commitment to this project began in 2018, when we granted \$54,000 to match a state Land for Maine's Future (LMF) award to help the Town of Lubec acquire a shorefront parcel suitable for development. The Town's proposed infrastructure developments will create a safe harbor that will support Lubec's commercial fishing fleet by protecting the property and lives of more than 150 commercial fishermen and shellfish harvesters.

The trustees of the Ram Island Conservation Fund strongly endorse the Town of Lubec's effort to build a public wharf that will serve the commercial fishing industry at the heart of Lubec's economy. A safe harbor will keep fishermen and related commercial fishing support businesses competitive and safe. It will also provide public access to the water for local people and visitors to the region, supporting outdoor recreation businesses like kayak and boat tours and providing additional economic opportunities for the community.

I invite you to contact me with questions and thank you for this opportunity to support the Lubec Safe Harbor project, an important waterfront access and development project.

Sincerely,

A handwritten signature in cursive script that reads "Karen Young".

Karen Young  
Advisor, Ram Island Conservation Fund of Maine Community Foundation



Janet Mills  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

Colonel Jay Carroll  
Maine Marine Patrol  
32 Blossom Lane  
Augusta, Me. 04333  
207-624-6580

Carol Dennison  
Town of Lubec  
40 School Street  
Lubec, Me. 04652

6/28/2019

*Letter of Support for Lubec Safe Harbor Project*

I would very much like, and be proud to, add my name to the growing list of supporters for the Lubec Safe Harbor Project. This project is long overdue. I am ecstatic in anticipation of this project coming to fruition.

I have worked and supervised Maine Marine Patrol Officers in the Lubec and Cobscook Bay area for over 20 years. I can attest that it is most likely the most difficult geographic area to conduct any type of business in that requires access to the ocean in the State of Maine.

The town of Lubec, as well as the Cobscook Bay area, is home to hundreds of commercial fishermen that make their living from the sea. Furthermore, it attracts commercial harvesters from great distances along the whole coast of Maine. The marine resources harvested in and around Lubec provide great economic value to fishing families, all community members, local businesses, tourists that visit, and the State as a whole.

The challenges that commercial harvesters endure in this area are the largest tides on the east coast, extremely strong currents, but most of all, the lack of a safe and adequate avenue to store and safely reach their fishing vessels. The Lubec Safe Harbor Project is exactly what this town needs to move forward.

Maine Marine Patrol maintains two vessels in Lubec. We face the same challenges as everyone else in Lubec, harsh weather, big tides, strong currents, and the lack of appropriate shore access. Our role in enforcing Maine's natural resources is vital to everyone's future. The ability to maintain safe and secure dockage for MMP vessels, not only allows us access to the sea for enforcement purposes, but it would also save an invaluable amount of time when responding to marine emergencies.

In closing, I wish the town of Lubec the absolute best of luck. Residence of Lubec, commercial and recreational harvesters, local businesses and visitors are all deserving of this grant opportunity and you have my support.

Colonel Jay Carroll  
Maine Marine Patrol

OFFICES AT 32 BLOSSOM LANE, AUGUSTA, MAINE  
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

FAX: (207) 624-6024

9 Washington Street  
Lubec, ME 04652



**U.S. Customs and  
Border Protection**

May 28, 2019

Town of Lubec, Maine  
40 School St.  
Lubec, ME 04652  
Attn: Carol Dennison

Dear Mrs. Dennison,

I am writing this letter in support of the "Safe Harbor Project" that you are currently pursuing for our small community. As a lifelong resident of this town, and serving in the capacity as a USCBP Officer and Port Director for the last twenty-four years, it is obvious that we are in dire need of a safe and viable harbor solution that provides safe dockage for the fishermen and other mariners within our locality for all types of inclement weather. There have been a number of times over the years that fishermen have had to take their vessels to Canada to find a safe harbor during severe weather which is not uncommon in our area.

It is well known that there is a list of fishermen who have lost their lives on the "Lost Fishermen's Memorial" located near the boat launch in Lubec. Some on the list were lost by merely attempting to gain access to their vessel when at a mooring. A safe harbor dockage would provide a suitable location to be utilized by fishermen. I can think of at least three occurrences in my tenure in which people were attempting to go from shore in a smaller boat to gain access to their larger vessel when their smaller boat capsized. Some of my officers responded to assist in one of these occurrences when the small boat and its former master went down through the "Narrows" and under the international bridge. Thankfully there was no loss of life in this instance.

A safe harbor dockage conceivably would benefit tourism within the area as there are many transient pleasure crafts within the area during the summer months that may not visit our community due to the lack of dockage available. Tourism is one of the major providers for the economy within the area. Due to the availability of customs services, some of these transient vessel masters, might chose to make Lubec a destination.

Should you have any questions, please feel free to contact me at the number below.

Sincerely,

A handwritten signature in black ink that reads "James Doherty". The signature is written in a cursive style.

James Doherty  
Port Director  
U.S. Customs and Border Protection  
Lubec, ME 04652  
207-733-4331



Town of Lubec  
RE: Safe Harbour Authority  
Attn: Carol Dennison  
40 School Street  
Lubec Maine 04652

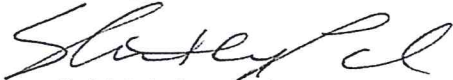
May 24, 2019

The purpose of this letter is to confirm that historically Fishing vessels from the Lubec area have requested to enter Canada for docking purposes when a storm is predicted. Captains report that there is currently no safe docking mechanism for the vessel to remain unharmed during storms in the Lubec area.

Commercial Fishing Vessels from the Lubec are required to report to Canada Border Services Agency prior to their arrival and upon their arrival to Canada. They are required to complete a variety of documentation as well as report when exiting the country to ensure that requirements have been met.

Should you have any questions please don't hesitate to contact me.

Sincerely,



Shaleigh Anthony-Lank

Superintendent, Operations Branch  
Canada Border Services Agency / Government of Canada  
[Shaleigh.Anthony-Lank@cbsa-asfc.gc.ca](mailto:Shaleigh.Anthony-Lank@cbsa-asfc.gc.ca) / Tel. : 506-752-1133 / TTY : 866-335-3237

Surintendant, Direction générale des opérations  
Agence des services frontaliers du Canada / Gouvernement du Canada  
[Shaleigh.Anthony-Lank@cbsa-asfc.gc.ca](mailto:Shaleigh.Anthony-Lank@cbsa-asfc.gc.ca) / Tél. : 506-752-1133 / ATS : 866-335-3237



## HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: MAINE RELAY 711

### William R. Tuell

431 Hadley Lake Road  
East Machias, ME 04630  
Residence: (207) 255-8056  
Cell Phone: (207) 271-8521  
Will.Tuell@legislature.maine.gov

September 11, 2017

Carol Dennison, Chair  
Lubec Board of Selectmen  
40 School Street  
Lubec, ME 04630

Dear Carol,

I am writing to express my strong support for the Town of Lubec's Safe Harbor grant proposal. This project will not only preserve and expand public access to one of Maine's last working waterfronts, but it will ensure that fishermen, residents, and visitors to the easternmost town in the United States have safe, dependable access to the bay.

Just as investing in our roads, bridges, and technological infrastructure gives Washington County's economy a boost, so doesn't preserving safe, locally managed, public access points to the water, especially in a community where one of the biggest industries is commercial fisheries.

As state representative for many of these coastal, fishing communities, I commend you on your hard work, and thankful that you are showing the local leadership needed to preserve the community's working waterfront at a time when so many communities are losing the very access they need to fuel the local economy – whether it be tourism, commercial fishing, or a combination of both industries.

Please accept this letter of support in making your application, and let me know if there is any way I can be of assistance to you and the Town of Lubec in future.

Sincerely,

Will Tuell  
State Representative

# COBSCOOK BAY FISHERMEN'S ASSOCIATION

September 12, 2017

Town of Lubec  
40 School Street  
Lubec, Maine 04652

## Lubec Safe Harbor

Most of us who live around Cobscook Bay depend one way or another on the resources of the Bay for our livelihoods. We formed the Cobscook Bay Fishermen's Association to try to protect those resources, and access to them. We went to the Legislature and the Maine DMR and got conservation rules for the Cobscook scallop fishery, including smaller fishing gear, a daily catch limit, and a meat count to protect small scallops. Statewide, we worked to establish scallop fishing zones, where fishermen can take greater responsibility for the scallops in their own backyards, like with the lobster zones.

But none of that makes much difference if we can't secure safe berths or moorings for our boats, safe places to put in our skiffs, and secure places to land our catch. When the Eastport Breakwater collapsed, fishermen were hard pressed to find secure berths to get them through until the Breakwater is re-opened, but Lubec fishermen fight that fight every day with no hope for a secure berth anytime soon.

Maybe buying the land next to the Historical Society will be the first step in the long haul of building a breakwater for Lubec, especially if the project deals with things the way they actually are here in Cobscook Bay. I hope the engineers will actually listen to the Lubec fishermen who have fished here all their lives and know the way the wind and water work better than anyone.

The Fishermen's Association supports this first step to provide a secure harbor for Lubec fishermen, and to keep from having to add one more name to the Fishermen's Memorial.

Sincerely,

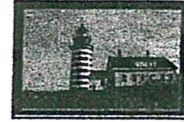
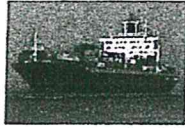
SCOTT EMERY

Scott Emery, Chair  
Cobscook Bay Fishermen's Association

**Dedicated to the conservation, enhancement, and sustainable use of the marine resources of Cobscook Bay.**

---





Quoddy Pilots USA  
99 Toll Bridge Rd  
Eastport, Maine 04631  
U.S.A.

September 11, 2017

Town of Lubec  
40 School Street  
Lubec, Maine 04652

Ref: Breakwater Harbor for Lubec

I understand that there is great interest among the fishing and boating community in Lubec (and surrounding towns whose fishermen keep their boats in Lubec) in building a breakwater in Lubec to protect boaters and fishermen while boarding their vessels, especially in the windy winter months.

I have been in Lubec on the water since the 1950's. My home was in the sardine factory and I grew up around sardine carriers and fish weirs. I started diving on weirs when I was 15 and ran sardine carriers at 16. My merchant marine career started in 1967 and I sailed Master on 400,000 DWT tankers. I have also been a ship pilot in the Quoddy region for 41 years. Our company has worked in the sardine, salmon, sea urchin, scallop, lobster, and sea cucumber industries since my retirement from deep sea shipping in 1988.

Over all my experience I have supported the breakwaters and protective docks in Eastport, on Campobello, and the floating docks at the State landing and former marina in Lubec. It is obvious that boarding a fishing vessel (or yacht) from a dingy or small outboard is difficult under any circumstances with the current in Lubec, and downright dangerous when the wind is blowing and/or we have spring tides.

In my lifetime I have seen three people die in Lubec boarding their fishing vessel at moorings and know of at least five more who died boarding (all in the winter months). We need a real breakwater that allows for safer boarding. There are up to 80 boats with up to five crew on each boat dragging scallops, urchins, mussels, sea cucumbers, and lobster fishing as well as many people clamming and wrinkling off boats on the flats. Let me know if I can be of further support.

Respectfully,

**Bob Peacock**

Captain Bob Peacock  
qpilot@maineline.net

COUNTY OF WASHINGTON  
P.O. Box 297, County Courthouse  
Machias, Maine 04654  
(207) 255-3127  
Fax: (207) 255-3313  
manager@washingtoncountymaine.com

Commissioners:

Christopher M. Gardner, Chairman  
John B. Crowley, Sr., Commissioner  
Vinton E. Cassidy, Commissioner

County Manager:

Betsy Fitzgerald  
Administrative Secretary:  
Carla J. R. Manchester

September 11, 2017

Town of Lubec  
40 School St.  
Lubec, ME 04652

Dear Selectmen:

I am writing on behalf of the Washington County Commissioners who support your application to the Land for Maine's Future for property abutting the Lubec Historical Society.

The phased projections for a boat landing and parking are in keeping with the marine activities for which Lubec is known. Finding property for water access is always a moving target as competing interests for that access sometimes have deeper pockets than local residents. The unique characteristics of Lubec's waterfront contribute to the necessity for the construction of the boat landing and a breakwater.

The Commissioners do support the efforts of the Safe Harbor Committee to create a boat landing/stone breakwater for safe access for fishermen from Lubec. The Commissioners understand the limitations of the current shore access points and strongly encourage the funding of this application.

Sincerely,



Betsy Fitzgerald  
County Manager

"The Sunrise County – where the sun first shines!"

Town of Lubec

My name is Russell Wright. I am a Sergeant with the Maine Department of Marine Resources Marine Patrol. I have been a Marine Patrol Officer for 19 years. I have been assigned to the Section 6 patrol the Canadian Border to Jonesboro. Lubec is in the Section 6 Patrol. In my years of service, I have seen many vessels sink because of bad weather and many lives lost.

Because of what I have witnessed and experienced in my career dealing with the fishing community I support strongly a safe working harbor for the fishermen in the Lubec area. The fishermen in this town contribute greatly to the local economy. They participate in a reliable resource that they have worked hard to protect. The fishing industry in this community is the biggest employer here. Whole families depend on these boats.

I was born and raised in Lubec, Maine. Over the years I have had to go to good friends' homes to inform them of a loved one lost to the sea. When lives are lost in a small fishing community it affects everyone deeply. Dealing with these losses is tragic and lifelong.

While the fishing fleet has increased tremendously this has pushed boats further from shore and increased the distance the fishermen must travel to get to their boats.

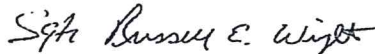
As a marine patrol officer, I have personally responded to the following:

- Vessels sunk on moorings or gone ashore because of weather
- Capsized skiffs
- Drowned fishermen

The fishermen need to feel safe and secure getting to and from their boats. Currently the fishermen do not have a safe and secure place during bad weather.

If you should need any further information please feel free to contact me. (207) 592-2907

Sincerely,



Sgt. Russell E. Wright  
Maine Dept. of Marine Resources Marine Patrol  
22 Coaling Station Lane  
Lamoine, ME. 04605



---

**COBSCOOK BAY RESOURCE CENTER**

**WILL HOPKINS, DIRECTOR**

September 12, 2017

Town of Lubec  
40 School Street  
Lubec, Maine 04652

RE: Lubec Safe Harbor Access

I am writing in support of efforts by commercial fishermen, their friends and their families to improve safe harbor access in Lubec.

The Cobscook Bay Resource Center has worked for years to support people in the Cobscook region making a living on and around the Bay. For five years we mapped the currents of the Bay to contribute to a better understanding of the forces at work in this incredibly productive and dynamic body of water. In 2005 we conducted surveys of the waterfront access points in Eastport and Lubec.

Lubec has about 92 miles of shoreline, but the sheer terrain of the Bold Coast, the shallow expanses of intertidal flats, and the exposed downtown wharves and boat landing offer extremely limited safe access points for Lubec fishermen, particularly from the winter winds of scallop and urchin seasons. It's not as if this is news to anyone; Lubec fishermen have worked for years with all the attempts to put something together. Now it's time to take the first steps towards getting what's been needed all along---a real breakwater.

Getting out to your mooring in your skiff shouldn't be a deadly activity.

Sincerely,

WILL HOPKINS

Will Hopkins

---

*A not-for-profit organization working since 1998 for sustainable community development based on the renewable resources of Cobscook Bay.*

**Mailing Address: 4 Favor Street, Eastport, Maine 04631**  
**Phone: (207) 853-6607**

**Website: [www.cobscook.org](http://www.cobscook.org)**  
**Email: [willhopkins@cobscook.org](mailto:willhopkins@cobscook.org)**

---



**Maine Coast Heritage Trust**  
*A Statewide Land Conservation Organization*

September 12, 2017

Members, Land for Maine's Future Board  
Department of Agriculture, Conservation and Forestry  
28 State House Station  
Augusta, ME 04333-0038

Dear LMF Board Member:

On behalf of Maine Coast Heritage Trust (MCHT), I would like to express enthusiastic support for the Land for Maine's Future Program Grant being submitted by The Town of Lubec to acquire a key piece of property at 123 Maine St in Lubec, for the development of a public boat access and wharf facility.

MCHT is committed to partnering with the Town on this acquisition. We have already committed \$2,100 for an appraisal we commissioned on the subject property and we have committed \$54,000 cash to match LMF funds for the acquisition of the property for public access.

Thank you for your consideration of this proposal, and please do not hesitate to contact me if I can be of any further assistance during the review of the above reference proposal.

Sincerely,

William T. Glidden, Jr., President



**Town of Lubec**  
40 School Street  
Lubec, ME 04652  
(207) 733-2341

Date: 9/11/17

To: Land for Maine's Future

From: Harbormaster

I would like to point out the great necessity of this project for our community. Although we have access to the water from a State Boat landing during Northerly Winds, it is nearly impossible to launch a skiff from this location.

The Town of Lubec does not have its own boat launch. The State dock is a seasonal facility. We have over 150 fisherman and shellfish harvesters that rely on the sea for their livelihood. They must fish during all kinds of weather. I am in support of this water access project because it will provide an alternate location for the fisherman to get to their boats during all kinds of weather.

Acquiring this land is the first step in providing an alternate water access location.

Thank you for considering this project.

A handwritten signature in black ink that reads "Ralph Dennison". The signature is written in a cursive, flowing style.

Ralph Dennison



August 22, 2017

To the Town of Lubec:

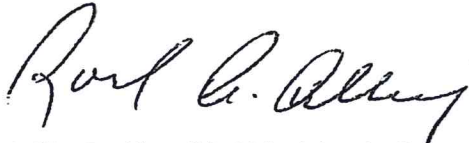
Safe water access is very limited in our communities, Lubec is known for some of the largest tides in the world. The lack of a sheltered harbor is extremely dangerous at times for fishermen to board their boats and to come ashore. By investing in our communities working waterfront and giving us the resources we are seeking; you will ultimately be providing us with the ability to create a more promising future for our industry and ensuring the safety of fishermen for generations to come.

With the support of a grant from the appropriate channel, the Town of Lubec would be able to expand in ways that would continue to benefit local fishermen, the community, and Maine's overall economy. Wharfs are used for multiple purposes, including but not limited to: boat repairs, loading and off-loading lobster traps, and as a place to repair rope and buoys. By building this wharf, fishermen will have safe access to the resources they need to be successful.

I have been a fisherman for forty years, employing two stern men year-round by lobster fishing and scallop dragging. To say having access to safe water is an understatement. The presence of a new wharf in Lubec is crucial to our industry's very survival and the safety for the men and women who depend on the water for their livelihood. We cannot pick and choose the days we go to work during the scallop and sea urchin seasons, they are dictated by the state. We need a safe harbor to protect our fishermen so no more lives are lost to the sea and no more names are added to the Fisherman's Memorial.

The benefits of this project are innumerable and the drawbacks are few.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rock A. Alley". The signature is written in black ink and is positioned above the typed name and contact information.

Rock A. Alley, President of the Maine Lobstering Union

PO Box 486

Jonesport, ME 04649

598-6969



Senator Joyce A. Maker  
3 State House Station  
Augusta, ME 04333-0003  
(207) 287-1505 – State House  
(207) 454-2327 – Home  
Sen.Joyce.A.Maker@gmail.com

September 12, 2017

Department of Agriculture, Conservation and Forestry  
Land for Maine's Future  
22 SHS, 19 Elkins Lane  
Augusta, Maine 04333-0022

To whom it may concern:

I am writing to show my support for the Town of Lubec's application for a grant through the Land for Maine's Future program to support the acquisition of land next to the Lubec Historical Society. This land would serve as a boat launch and breakwater wharf. Over the years there have been many boating accidents in this area. Acquiring the land and using it for this purpose would serve to both increase access to the water, while also increasing the safety of mariners. In addition, breakwaters can protect the shore line from wave action and coastal erosion.

Lubec is appreciated by residents and tourists alike for its scenic beauty and proximity to the water. Many people make their living off the water, and others use the water for recreation. The Town wants to ensure folks have access to safe commercial and recreational opportunities in this location.

I would encourage you to give this application your full consideration. If I can be of any assistance please do not hesitate to contact me. Thank you for your time.

Sincerely,

Joyce A. Maker  
State Senator



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BUREAU OF PARKS & LANDS  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

WALTER E. WHITCOMB  
COMMISSIONER

September 6, 2017

Town of Lubec  
Attn: Carol Dennison  
Selectboard Chair  
P.O. Box 309  
Lubec, ME 04652

**Re: Town of Lubec – Johnson Bay/Columbia Cove Access Project**

Dear Chairman Keliher and LMF Board,

The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands (BPL) is pleased to sponsor the Town of Lubec's application for LMF funding to conserve in fee a 2.0-acre parcel to develop water access to Columbia Cove on Johnson Bay.

The area is becoming increasingly popular with recreational paddle boaters and this project will provide a safe, protected area to access Columbia Cove. BPL is prepared to hold a Project Agreement for this project.

Sincerely,

Randy Charette  
Deputy Commissioner  
Department of Agriculture, Conservation and Forestry

THOMAS A. DESJARDIN, DIRECTOR  
BUREAU OF PARKS & LANDS  
18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-3821  
FAX: (207) 287-6170  
WWW.MAINE.GOV/DACF/



Lost Fishermen's Memorial Association  
PO Box 194  
Lubec, Maine 04652

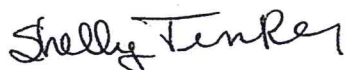
September 13, 2017

Town Of Lubec,

We are excited and relieved to hear of the work you are doing for the safe harbor for fishermen in Lubec. Our research over the past 7 years for the Lost Fishermen's Memorial has verified what you and our fishermen have known for decades. Lubec has the basic and essential need for a safe harbor. Many fishermen have lost their lives just trying to get to and from the boats on the moorings.

Our hopes are that in the future no more names will be added to the Lost Fishermen's Memorial because of this lack of a safe harbor. Your work is essential and appreciated. Please contact us if we can assist in anyway.

Sincerely,



Shelly Tinker, President  
Lost Fishermen's Memorial Association  
Lubec, Maine  
207.733.2578 (H)  
207.460.1399  
shellyt355@gmail.com



Lubec, Maine 04652 Easternmost Town in U.S.A.

August 30, 2017

RE: Land for Maine's Future – Grant Application

To Whom It May Concern:

We witness the real danger commercial fisherman face every day in the movie "Perfect Storm" and the television series the "Deadliest Catch". These are real life situations that our fisherman face every day. The town's desire to create and build a safe harbor that offers many benefits not only to our fisherman but to our local economy, will prevent loss of life and/or injury, prevent vessel damage during storms, and improves quality of recreational navigation for boaters is a true win-win situation. The Lubec Historical Society therefore offers this letter as a sign of support for the grant application to Land for Maine's Future (LMF) to develop a "safe harbor" for the area fisherman.

The Historical Society recently completed a Brownfield Project through a grant from the Federal Government which removed the former Columbian Factory. Erosion of the concrete rubble and hazardous materials from the factory were a concern as these materials would pollute Johnson's Bay and harm the eco-system (fish and clams) which are the life blood of the fisherman. Fishing is one of the few businesses that remain in our town which has seen over seven businesses close in the past few years creating an economic hardship to the entire community.

We believe this grant from LMF, if given to the Town of Lubec, will benefit the fisherman and the community and have a positive impact on our local economy. Please let me know if I can be of further assistance.

Sincerely,

Barbara Sellitto

President

Lubec Historical Society

LUBEC SAFE HARBOR COMMITTEE

40 School Street

Lubec, Maine 04652

Town of Lubec

I am the chair of the Safe Harbor Committee for Lubec. I have been a commercial fisherman for 39 years. Every day when a fisherman goes to work they know it could be their last. One wrong step on a boat, a loose rope, a drag caught down, rough weather, or mechanical failure and your life is over.

When I was 12 two of our neighbors drowned in front of our house when their skiff sank. They had been out to check on their lobster boat which was on a mooring. And then in 1997 I witnessed two drowned fishermen on the beach at Globe Cove.

In 2009, we spent a full week searching for a friend of ours who drowned when his drag caught down and flipped the boat. He was never found. Even after the search was called off, our eyes scanned the beaches for months hoping to see anything that would help us to recover him. The sea giveth and the sea taketh.

These tragedies have left a deep mark in our poor fishing community. We are a small town and everyone knows everyone and we help and support each other as much as possible. The fishermen have no safe harbor in Lubec. They struggle every day to get to and from their boats on moorings. Fishing is very dangerous here in the winter months. I applaud the Town of Lubec for doing everything they can to prevent the further loss of life here. Safety is our number one priority for this project.

Sincerely,

A handwritten signature in cursive script that reads "Julie Keene". The signature is written in black ink and is positioned above the typed name.

Julie Keene Chair, Safe Harbor Committee

207.263.7065

2peri@myfairpoint.net



## We are in full support of the Lubec Safe Harbor Project

| Print Name                     | Signature               | Occupation        | Date   |
|--------------------------------|-------------------------|-------------------|--------|
| 1. Carol Dennison              | <i>Carol Dennison</i>   | selectman         | 6/4/19 |
| 2. Julie Keene                 | <i>Julie Keene</i>      | Fisherman (chair) | 6/4/19 |
| 3. Jimmy Clark                 | <i>Jimmy Clark</i>      | Professor's Agent | 6/4/19 |
| 4. Brebton Sellitto            | <i>Brebton Sellitto</i> | Lubec Resident    | 6/4/19 |
| 5. Michael Scivani             | <i>Michael Scivani</i>  | Resident          |        |
| 6. Rachel Ruben                | <i>Rachel Ruben</i>     | Subtle            | 6/4/19 |
| 7. Denny Fitzsimons            | <i>Denny Fitzsimons</i> | Fisherman         | 6/4/19 |
| 8. Peter Wolfe                 | <i>Peter Wolfe</i>      | NOT               | 6/4/19 |
| 9. Randy Lovis                 | <i>Randy Lovis</i>      | Ableman           | 6-4-19 |
| 10. Michael Child              | <i>Michael Child</i>    | Fishing           | 6-4-19 |
| 11. Ricky Wright               | <i>Ricky Wright</i>     | Comm. Fishish     | 6-4-19 |
| 12. Tracey Sawtelle            | <i>Tracey Sawtelle</i>  | Com. Fishing      | 6/4/19 |
| 13. David McCurdy              | <i>David McCurdy</i>    | Fishing           | 6/4/19 |
| 14. <del>Wendy Wood</del>      | <i>Wendy Wood</i>       | Fisherman         | 6/4/19 |
| 15. <del>George H. Olson</del> | <i>George H. Olson</i>  | Restanant         | 6/4/19 |

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## We are in full support of the Lubec Safe Harbor Project

| Print Name          | Signature               | Occupation | Date      |
|---------------------|-------------------------|------------|-----------|
| 1. Hope Fitzsimmons | <i>Hope Fitzsimmons</i> |            | 6-20      |
| 2. Chelsea Matthews | <i>Chelsea Matthews</i> |            | 6-21      |
| 3. Shelby Seales    | <i>Shelby A. Seales</i> |            | 6-21      |
| 4. Kelly Deibel     | <i>Kelly Deibel</i>     |            | 6-21      |
| 5. Jerry Gambel     | <i>Jerry Gambel</i>     |            | 6-21-19   |
| 6. Nick Jones       | <i>Nick Jones</i>       |            | 6-22-19   |
| 7. Jesse Reed       | <i>Jesse Reed</i>       |            |           |
| 8. Taylor Greener   | <i>Taylor Greener</i>   |            | 6-22-19   |
| 9. ED TAVERNIER     | <i>Ed Tavernier</i>     |            | 6-22-2019 |
| 10. Stephen Leavitt | <i>Stephen Leavitt</i>  |            | 6-22-19   |
| 11. John Stirling   | <i>John Stirling</i>    |            | 6-26-19   |
| 12. MILIC MOORES    | <i>Milic Moore</i>      |            | 6-26-19   |
| 13. TARA KELLY      | <i>Tara Kelly</i>       |            | 6/26/19   |
| 14. DEIB FARRIS     | <i>Deib Farris</i>      |            | 6/27/19   |
| 15. JESSICA JONES   | <i>Jessica Jones</i>    |            | 6/28/19   |



# We are in full support of the Lubec Safe Harbor Project

If you will use these put check here

| Print Name          | Signature               | Occupation              | Date    |
|---------------------|-------------------------|-------------------------|---------|
| 1. Joe Marzoll      | <i>Joe Marzoll</i>      | Seaweed harvester       | 6/8/19  |
| 2. Anna Jean Reed   | <i>Anna Jean Reed</i>   | Seaweed harvester       | 6/8/19  |
| 3. Charlytha Farmer | <i>Charlytha Farmer</i> | CLERK                   | 6/8/19  |
| 4. Chris Truitt     | <i>Chris Truitt</i>     | fisherman               | 6/8/19  |
| 5. Bony Cox         | <i>Bony Cox</i>         |                         | 6/20/19 |
| 6. Soni Biele       | <i>Soni Biele</i>       | unemployed              | 6/16/19 |
| 7. Gite Grass       |                         | ' '                     | 6/18/19 |
| 8. Piscilla bill    | <i>Piscilla Bill</i>    | Retired                 | 6/9/19  |
| 9. Thomas Cooke     | <i>Thomas Cooke</i>     | Retired                 | 6/9/19  |
| 10. Wallace Small   | <i>Wallace Small</i>    |                         | 6/9/19  |
| 11. Amanda Quinn    | <i>Amanda Quinn</i>     | Mail                    | 6/9/19  |
| 12. Amanda Brewer   | <i>Amanda Brewer</i>    | Self employed clammer   | 6/9/19  |
| 13. Joseph Keene    | <i>Joseph Keene</i>     | Self employed fisherman | 6-9-19  |
| 14. Nich Mans       | <i>Nich Mans</i>        | RN                      | 6-9-19  |
| 15. Nich Hath       | <i>Nich Hath</i>        | Self employed           | 6-9-19  |



## We are in full support of the Lubec Safe Harbor Project

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|     | Print Name         | Signature          | Occupation    | Date     |
|-----|--------------------|--------------------|---------------|----------|
| 1.  | Barbara Frasier    | Barbara Frasier    | retail        | 6/9/2019 |
| 2.  | Steven Tanker      | <i>[Signature]</i> | Fisherman     | 6/9/2019 |
| 3.  | Amanda Lyons       | <i>[Signature]</i> | Fisherman     | 6/9/19   |
| 4.  | Jeremy Lyons       | Jeremy Lyons       | Fisher man    | 6/9/19   |
| 5.  | Todd Lyons         | Todd Lyons         | Fisher man    | 6/10/19  |
| 6.  | Ashley Cusatis     | <i>[Signature]</i> | self employed | 6/10/19  |
| 7.  | William B Ramsden  | William B Ramsden  | self-employed | 6/10/19  |
| 8.  | Wayne Mallock      | Wayne Mallock      | Self.         | 6/10/19  |
| 9.  | Sally Glocksman    | <i>[Signature]</i> | mechanic      | 6/10/19  |
| 10. | <i>[Signature]</i> | <i>[Signature]</i> | CONSTRUCTION  | 6/10/19  |
| 11. | Justin Hall        | Justin Hall        | Construction  | 6/10/19  |
| 12. | Breezy Minkley     | Breezy Minkley     | Fisher man    | 6/10/19  |
| 13. | Shawn Tanker       | Shawn Tanker       | Painter       | 6/11/19  |
| 14. | Misty Moors        | Misty A. Moors     | -             | 6/11/19  |
| 15. | <i>[Signature]</i> | Maureen Lord       | Manager       | 6/11/19  |

If you will use please ck name by your name

## We are in full support of the Lubec Safe Harbor Project

| Print Name               | Signature                | Occupation  | Date    |
|--------------------------|--------------------------|-------------|---------|
| 1. Chase Fitzsimmons     | <i>Chase Fitzsimmons</i> | fisherman   | 6-11-19 |
| 2. Linda Derbow          | <i>Linda Derbow</i>      | Retired     | 6-11-19 |
| 3. Selena Davidson       | <i>Selena Davidson</i>   |             |         |
| 4. Shona Feltner         | <i>Shona Feltner</i>     |             |         |
| 5. Denise Conn           | <i>Denise Conn</i>       |             | 6/12/19 |
| 6. DANNY FOLLOU          | <i>Danny Follou</i>      |             | 6/12/19 |
| 7. Penny Sprague         | <i>Penny Sprague</i>     | Fisherman   | 6/12/19 |
| 8. <del>Paul Smith</del> | <i>Mark Merrill</i>      | Logger      | 6/12/19 |
| 9. William Barbara       | <i>William Barbara</i>   | Electrician | 6/12    |
| 10. Danny Farrell        | <i>Danny Farrell</i>     |             |         |
| 11. SEAN CARICOFFE       | <i>Sean Caricoffe</i>    | FISHERMAN   | 6/12    |
| 12. GERO SEALZO          | <i>Gero Sealzo</i>       | SHIPWRIGHT  | 13 JUN  |
| 13. LORETTA MOORES       | <i>Loretta Moore</i>     |             |         |
| 14. CHARLES RIVER        | <i>Charles River</i>     |             | 6/13/19 |
| 15. DILLON LORD          | <i>Dillon Lord</i>       | PAINTER     | 6/13/19 |

## We are in full support of the Lubec Safe Harbor Project

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| Print Name                 | Signature                      | Occupation           | Date    |
|----------------------------|--------------------------------|----------------------|---------|
| 1. Faith McConnell         | <i>Faith McConnell</i>         | Career               | 6/7/19  |
| 2. GARY HONARD             | <i>Gary Howard</i>             | retired              | 5/11/19 |
| 3. Jessica Matthews        | <i>Jessica Matthews</i>        | Just employed 6/7/19 | 6/7/19  |
| 4. Ian Campbell            | <i>Ian Campbell</i>            | Self Emp             | 6/7/19  |
| 5. Joe Ford                | <i>Joe Ford</i>                |                      | 6/7/19  |
| 6. Courtney Stevens        | <i>Courtney Stevens</i>        | Medical Assistant    | 6/7/19  |
| 7. Aaron Rice              | <i>Aaron Rice</i>              | lobster fisherman    | 6/7/19  |
| 8. <del>Matthew Rice</del> | <del><i>Matthew Rice</i></del> | Fisherman            | 6-8-19  |
| 9. Gwen Kober              | <i>Gwen Kober</i>              | Retired              | 6-8-19  |
| 10. Tracey Sambelle        | <i>Tracey Sambelle</i>         | Pocket Scientist     | 6/8/19  |
| 11. HOWARD SHAW            | <i>Howard Shaw</i>             | Retired              | 6/8/19  |
| 12. Ellen Huntley Keenan   | <i>Ellen Keenan</i>            | Retired              | 6/8/19  |
| 13. Nancy Harrison         | <i>Nancy Harrison</i>          | Resident             | 6/8/19  |
| 14. James Pedras           | <i>James Pedras</i>            | Retired              | 6/8/19  |
| 15. Chuck Simon            | <i>Chuck Simon</i>             | Retired              | 6/8/19  |



## We are in full support of the Lubec Safe Harbor Project

| Print Name           | Signature               | Occupation       | Date    |
|----------------------|-------------------------|------------------|---------|
| 1. Carroll Dinsmore  | <i>Carroll Dinsmore</i> | Fisherman        | 6-4-19  |
| 2. DAVID STURGEON    | <i>David Sturgeon</i>   | FUN FAIRCP       | 6/4-    |
| 3. RALPH DENNISON    | <i>Ralph Denison</i>    | HARBORMASTER     | 6/4/19  |
| 4. GAIL MORAS        | <i>Gail Moras</i>       | Plumber          | 6/4/19  |
| 5. Joshua Lyman      | <i>Joshua Lyman</i>     | Fisherman        | 6/4/19  |
| 6. PAULY SODAWAY     | <i>Paula Sodaway</i>    | FISHMAN          | 6-4-19  |
| 7. Shelly Jinker     | <i>Shelly Jinker</i>    | CITIZEN          | 6/4/19  |
| 8. Mark Leland       | <i>Mark Leland</i>      | Fisherman        | 6/4/19  |
| 9. Meredith Jinkler  | <i>Meredith Jinkler</i> | crew / post crew | 6/4/19  |
| 10. Adam Boutin      | <i>Adam Boutin</i>      | Fisherman        | 6/6/19  |
| 11. DAVID MCCRORY    | <i>David McCurdy</i>    | Fisherman        | 6/4/19  |
| 12. Merrill Mathews  | <i>Merrill Mathews</i>  | Fisherman        | 6/4/19  |
| 13. Auter M Howell   | <i>Auter M Howell</i>   | CITIZEN          | 6/6/19  |
| 14. Dana Bradley     | <i>Dana Bradley</i>     | CITIZEN          | 6/6/19  |
| 15. Anthony P. Avery | <i>Anthony P. Avery</i> | Cook Employee    | 6-9-19  |
| 16. Nathan Mathews   | <i>Nathan Mathews</i>   | cooker employee  | 6-8-19  |
| 17. Shays McPherson  | <i>Shays McPherson</i>  | Deck Hand        | 6-10-19 |

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## We are in full support of the Lubec Safe Harbor Project

| Print Name                  | Signature       | Occupation           | Date   |
|-----------------------------|-----------------|----------------------|--------|
| ✓ 1. Gregory S M'Connell II |                 | Fisherman            | 6-6-19 |
| ✓ 2. Joshua Lyons           |                 | Fisherman            | 6-6-19 |
| 3. Grace Phinney            | Grace Phinney   | Cleaner              | 6-6-19 |
| ✓ 4. William Fritts Jr      |                 | Fisherman            |        |
| 5. Tracy McConnell          | Tracy McConnell | <del>Fisherman</del> | 6-6-19 |
| ✓ 6. Merrill Matthews       |                 | Fisherman            | 6/6/19 |
| ✓ 7. David McCurdy          | David McCurdy   | Fisherman            | 6-6-19 |
| ✓ 8.                        | JONATHAN WAKE   | Fisherman            | 6/6/19 |
| 9. John McCurdy             | John McCurdy    | Retired              | 6-7-19 |
| 10. Sineidin O'Neill        | S O'Neill       | retired              | 6/7/19 |
| 11. Nanda Corey             | Nanda Corey     | Business owner       | 6/7/19 |
| ✓ 12. James Robbins Jr      |                 | Wisher man           | 6/7/19 |
| ✓ 13. Jason EASONS          |                 | CARWIZA              | 6/7/19 |
| ✓ 14. PAUL CLACK            |                 | STANMAN              | 6-7-19 |
| ✓ 15. Harold Bailey         | Harold Bailey   | retired              | 6/7/19 |

If you will use please  
put a check by your name
















## We are in full support of the Lubec Safe Harbor Project

|   | Print Name           | Signature | Occupation    | Date    |
|---|----------------------|-----------|---------------|---------|
| ✓ | 1. BEKAH LORÉ        |           | MOTHER        | 6/3/19  |
| ✓ | 2. Randy HUCKINS     |           | Salmon Farmer | 6/13/19 |
|   | 3. Michael McConnell |           | FARMER        | 6/14/19 |
|   | 4. Derek Lyons       |           | Fisherman     | 6/14/19 |
|   | 5. Joe Reed          |           | Electrician   |         |
|   | 6. Shaquon Williams  |           | Farmer        | 6/14/19 |
| ✓ | 7. Jennifer Wallace  |           | Fisherman     | 6/14/19 |
| ✓ | 8. Lewis Fitzsimmons |           | Fisherman     | 6/14/19 |
|   | 9. Sheldon Lyons     |           |               | 6/14/19 |
|   | 10. Jeremy Crawford  |           | Spawards      | 6/14/19 |
|   | 11. Chris Grant      |           | Fisherman     | 6/13/19 |
|   | 12. James Fitzgerald |           | Fisherman     | 6/15/19 |
| ✓ | 13. RAMPY WRIGHT     |           | —             | 6-15-19 |
|   | 14. Justin Wright    |           | Fisherman     | 6-16-19 |
|   | 15. Macdonik Huntley |           | Deckhand      | 6-17-19 |



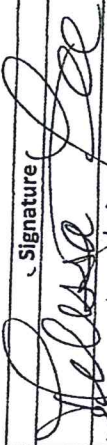







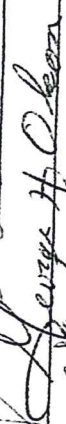





If you will use please  
 we are here for  
 all things

## We are in full support of the Lubec Safe Harbor Project

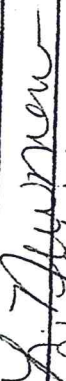






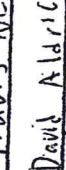




|     | Print Name      | Signature   | Occupation     | Date    |
|-----|-----------------|---|----------------|---------|
| 1.  | Johann H. Chase |   | Artist         | 6/16/19 |
| 2.  | Ricky Wright    |    | Com. Fish      | 6/17/19 |
| 3.  | Don Shuts       |    | Ind. Fish      | 6-16-19 |
| 4.  | Joseph Keene    |    | Com Fish       | 6-18-19 |
| 5.  | Danizc Francis  |    | Police         | 6-18-19 |
| 6.  | Sara McCannell  |    | Education      | 6-18-19 |
| 7.  | Mark and Wanda  |    | Artist         | 6-18-19 |
| 8.  | Sandra Phinney  |    | Nurse          | 6/18/19 |
| 9.  | Mark Greenko    |   | Fish Farmer    | 6/18-19 |
| 10. | Eric McDowell   |  | Student        | 6/19/19 |
| 11. | DESTEN KEENE    |  | FISHERMAN      | 6/19/19 |
| 12. | Jamara McGrath  |  | Business Owner | 6/19/19 |
| 13. | Jeremy Mupher   |  | Technician     | 6-19-19 |
| 14. | John Hall       |  | Carpenter      | 6-19-19 |
| 15. | Jared Treat     |  | Com. Fish      | 6-19-19 |

Not signed

## We are in full support of the Lubec Safe Harbor Project

| Print Name           | Signature  | Occupation         | Date         |
|----------------------|--|--------------------|--------------|
| 1. Melissa Lee       |    | land steward       | 6/13/19      |
| 2. Lovina M. Wormell |    | Principal          | 6/13/19      |
| 3. Ed HARRISON       |    | Ret.               | 13 June 2019 |
| 4. Debbie Holmes     |    | R.E.               | 6/13/19      |
| 5. Dan Wagoner       |    | FIREMAN            | 6/13/19      |
| 6. Michael Scrimani  |    | N/A                | 6/13/19      |
| 7. Andrew Foss       |    | Marine Patrol      | 6-20-19      |
| 8. Brian Braden      |    | "                  | 6-20-19      |
| 9. JAMES SIMMONS     |    | P.D. Eng.          | 6-21-19      |
| 10. George Olson     |   | Restaurant (owner) | 6-21-19      |
| 11. Gloria Remsdell  |  | waitress           | 6-21-19      |
| 12. Sonia Olson      |  | Restaurant (owner) | 6-21-19      |
| 13. Aaron Finke      |  |                    | 6-21-19      |
| 14. Dan Daley        |  | Business Owner     | 6/21/19      |
| 15.                  |  |                    |              |

## We are in full support of the Lubec Safe Harbor Project

| Print Name  | Signature   | Occupation    | Date    |
|---|---|---------------|---------|
| 1. Lori Newman  |      |               |         |
| 2. Chelsea Matthews   |      |               |         |
| 3. Ashley Handzlik  |      |               |         |
| 4. Pamela Dinsmore  |      |               |         |
| 5. Mike Matthews  |      |               |         |
| 6. George Eaton   |     | Retired       | 6-21-19 |
| 7.     | Seth Jones  |               | 6-20-19 |
| 8.     | Amelia Perry  |               | 6-20-19 |
| 9. Kovey Hall   |   | Retired       | 6-21    |
| 10. Travis Newiman  |  | US NAUT       | 6-21    |
| 11. David Alarick   |  |               |         |
| 12. Beth Murray   |  |               | 6-21    |
| 13. Sherry Evers  |  | Shop owner    | 6-21    |
| 14. Angel Hops  |  | Uncle Kippers | 6-21    |
| 15.  | Miley Morrison  | Retired       | 6-22    |



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| Print Name          | Signature              | Occupation   | Date    |
|---------------------|------------------------|--------------|---------|
| 1. Bianca Fletcher  | <i>Bianca Fletcher</i> |              | 6/21/19 |
| 2. Dawn D. Moore    | <i>Dawn D. Moore</i>   | NA           | 6/21/19 |
| 3. Kelly D. Moore   | <i>Kelly D. Moore</i>  |              | 6/21/19 |
| 4. Devin L. Moore   | <i>Devin L. Moore</i>  | Sales        | 6/21/19 |
| 5. Dani McConnell   | <i>Dani McConnell</i>  |              | 6/25/19 |
| 6. Kathy Burns      | <i>Kathy Burns</i>     | NA           | 6/25/19 |
| 7. Annie Seranton   | <i>Annie Seranton</i>  | social work  | 6/25/19 |
| 8. Anita Cox        | <i>Anita Cox</i>       | BHP          | 6/27    |
| 9. Lawrence Ham     | <i>Lawrence Ham</i>    | FF           |         |
| 10. Kevin Flynn     | <i>Kevin Flynn</i>     |              |         |
| 11. Dana Maker      | <i>Dana Maker</i>      |              |         |
| 12. Merrill Dorian  | <i>Merrill Dorian</i>  |              |         |
| 13. Richard Branson | <i>Richard Branson</i> | RETIRED T.W. | 6-28-19 |
| 14. Shoda Keston    | <i>Shoda Keston</i>    | Retired      |         |
| 15. MANDY C. HANSEY | <i>Mandy C. Hansey</i> | NOB          | 6/28/19 |

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| Print Name            | Signature                | Occupation      | Date    |
|-----------------------|--------------------------|-----------------|---------|
| 1. Shawn Ross         | <i>Shawn Ross</i>        | Construction    | 7/14/19 |
| 2. Jane D Bane        | <i>Jane D Bane</i>       | RCIP            | 7/14/19 |
| 3. Dresba Ashby       | <i>Dresba Ashby</i>      | Fisherman       | 7/14/19 |
| 4. Donna Lyons        | <i>Donna Lyons</i>       | Cook            | 7/14    |
| 5. James Lyons        | <i>James Lyons</i>       | Clammer         | 7/14    |
| 6. Perry Murphy       | <i>Perry Murphy</i>      | Teacher         | 7/14    |
| 7. James Murphy       | <i>James Murphy</i>      | Retired         | 7/14    |
| 8. Sanya Ward         | <i>Sanya Ward</i>        | Clean-foists    | 7/14    |
| 9. Kim Danbow         | <i>Kim Danbow</i>        | Accountant      | 7/14/19 |
| 10. Linda Farrell     | <i>Linda Farrell</i>     | Artist          | 7/14/19 |
| 11. Don Farrell       | <i>Don Farrell</i>       | Retired         | 7/14/19 |
| 12. Jennifer Brown    | <i>Jennifer Brown</i>    | MOM             | 7/14/19 |
| 13. John S. Archibald | <i>John S. Archibald</i> |                 | 7/14/19 |
| 14. Michelle Mooses   | <i>Michelle Mooses</i>   | Driver          | 7/14/19 |
| 15. JANE ROMEO        | <i>Jane Romeo</i>        | NURSE PRACTICER | 7/14/19 |

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| Print Name            | Signature                 | Occupation   | Date   |
|-----------------------|---------------------------|--------------|--------|
| 1. Junia Lehman       | <i>Junia Lehman</i>       | Registration | 7/4/19 |
| 2. Lynette Greenlaw   | <i>Lynette Greenlaw</i>   | Re-fire D    | 7-4-19 |
| 3. Sarah Newman       | <i>Sarah Newman</i>       | Swim waver   | 7/4/19 |
| 4. Dulene Wright      | <i>Dulene Wright</i>      |              |        |
| 5. CHRISTOPHER NEWMAN | <i>Christopher Newman</i> | SPURVEE      | 7/4/19 |
| 6. Michael Moray      | <i>Michael Moray</i>      | UUD Manager  | 7/4/19 |
| 7. Chana Garbway      | <i>Chana Garbway</i>      | GARDNER      | 7-4-19 |
| 8. Pamela Stanley     | <i>Pamela Stanley</i>     | CSIS         | 7-4-19 |
| 9. Luke Aest          | <i>Luke Aest</i>          | Carp         | 7/4/19 |
| 10. TARA AVENA        | <i>Tara Avena</i>         | BAD          | 7/4/19 |
| 11. Jalene C. Doran   | <i>Jalene C. Doran</i>    | Librarian    | 7/4/19 |
| 12. Michael Doran     | <i>Michael Doran</i>      | Retired      | 7/4/19 |
| 13. Ashley Blake      | <i>Ashley Blake</i>       | Bank Teller  | 7/4/19 |
| 14. Alex Matthews     | <i>Alex Matthews</i>      | Fisherman    | 7/4/19 |
| 15. Ainsley Shaw      | <i>Ainsley Shaw</i>       | Meat slasher | 7/4/19 |



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| Print Name                | Signature                | Occupation   | Date   |
|---------------------------|--------------------------|--------------|--------|
| 1. SUE JODWAY             | <i>Sue Jodway</i>        |              | 7-4-19 |
| 2. Randy Taylor           | <i>Randy Taylor</i>      | UNEMP        | 7-4-19 |
| 3. Michelle Mitchell      | <i>Michelle Mitchell</i> | Teacher      | 7-4-19 |
| 4. Linda Micham           | <i>Linda Micham</i>      | Farmman      | 7-4-19 |
| 5. PETER E. CASLE         | <i>Peter E Casse</i>     | security OFF | 7/4/19 |
| 6. Colby Sawtelle         | <i>Colby Sawtelle</i>    | Fisherman    | 7/4/19 |
| 7. Miranda Evansus        | <i>Miranda Evansus</i>   |              | 7-4-19 |
| 8. Trisha Sawtelle        | <i>Trisha Sawtelle</i>   | housewife    | 7-4-19 |
| 9. John Rice              | <i>John Rice</i>         | Teacher      | 7-4-19 |
| 10. Lori Huckins          | <i>Lori Huckins</i>      | Coder        | 7-4-19 |
| 11. Doran Huckins         | <i>Doran Huckins</i>     |              | 7-4-19 |
| 12. Angela Bearn          | <i>Angela Bearn</i>      | Retail Sales | 7/4/19 |
| 13. <del>MARY JAMES</del> | <i>MARY JAMES</i>        | SAFFORD      | 7-4-19 |
| 14. ROBERT BLAKE S.A.     | <i>Robert Blake SA</i>   | REPAIR CO    | 7-4-19 |
| 15. Janet Blake           | <i>Janet Blake</i>       | homemaker    | 7-4-19 |

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You will use  
 the dates entered  
 your name

| Print Name             | Signature | Occupation           | Date    |
|------------------------|-----------|----------------------|---------|
| 1. Andrie Fitzgerald   |           |                      | 6/29/19 |
| 2. Leo McConis         |           |                      |         |
| 3. Kim Cooke           |           | Nurse Analyst        |         |
| 4. SIFL WALKER         |           |                      | 5/30/19 |
| 5. Rachel Ruben        |           | retired              | 6/29/19 |
| 6. Emma Sawtelle       |           |                      | 6/30    |
| 7. ALORA BARNES        |           |                      | 6/30    |
| 8. Jordan M Tinker     |           | Fisherman            | 6/30    |
| 9. Marianne Santos     |           | Retiree              | 7/1     |
| 10. Wendy Dunn         |           | Retired              | 7-1     |
| 11. Wesley Powell      |           |                      | 7-1     |
| 12. Brenda Blake       |           | Law office Secretary | 7-1-19  |
| 13. Dick & Cindy Hatch |           | Psychologist         | 7-1-19  |
| 14. Anna Fletcher      |           |                      | 7/2/19  |
| 15. RANNEY SLOAN       |           | TRUSSART CAPT        | 7-3-19  |

## We are in full support of the Lubec Safe Harbor Project

| Print Name           | Signature               | Occupation            | Date   |
|----------------------|-------------------------|-----------------------|--------|
| 1. Judith K Jones    | <i>Judith K Jones</i>   |                       | 7-4-19 |
| 2. Shirley Miller    |                         |                       |        |
| 3. ELAINE Simmonds   | <i>Elaine Simmonds</i>  |                       | 7-4-19 |
| 4. Don Cheney        | <i>Don Cheney</i>       | Garage MAN            | 7-4-19 |
| 5. Anne Seavey       | <i>Anne Seavey</i>      |                       | 7-4-19 |
| 6. Kristina Knowles  | <i>Kristina Knowles</i> | Admin ASS. ED<br>EMUC | 7/4/19 |
| 7. Kara Hamble       | <i>Kara Hamble</i>      | <del>Unemployed</del> | 7/4/19 |
| 8. John Knowles      | <i>John Knowles</i>     | MDOT As. Eng.         | 7/4/19 |
| 9. Tim Seale         | <i>Tim Seale</i>        | Retired               | 7/4/19 |
| 10. Jamie Moore      | <i>Jamie Moore</i>      | Tech                  | 7/4/19 |
| 11. Deanna Newman    | <i>Deanna Newman</i>    | Retiree               | 7/4/19 |
| 12. Kim Moores       | <i>Kim Moores</i>       | Ed Tech               | 7/4/19 |
| 13. Jessyka Moores   | <i>Jessyka Moores</i>   | Cashier               | 7/4/19 |
| 14. Krystalle Sudway | <i>Krystalle Sudway</i> | Homecare              | 7/4/19 |
| 15. Lillian Jackson  | <i>Lillian Jackson</i>  | Ret.                  | 7/4/19 |



If you will use  
 pencil, print a name  
 in your name

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|     | Print Name         | Signature                | Occupation   | Date   |
|-----|--------------------|--------------------------|--------------|--------|
| 1.  | Bob Golin          | Bob Golin                | Retired      | 9/2/19 |
| 2.  | Lori Golin         | Lori Golin               | Retired      | 11/20  |
| 3.  | April Mitchell     | April Mitchell           | Roosevelt    | 7/63   |
| 4.  | Christine Keenan   | Christine Keenan         | Trecoff Top  | 7/05   |
| 5.  | S. MATTHEWS        |                          | carpenter    | 7/64   |
| 6.  | Laurie Buckley     | Laurie Buckley           | Machinist    | 7/04   |
| 7.  | Christine Sawtelle | Christine Sawtelle       | Penobscot    | 7/04   |
| 8.  | John Keenan        | John Keenan              | MA Librarian | 7.4.19 |
| 9.  | Adrian Stevens     | Adrian Stevens - Roberts |              | 7/4/19 |
| 10. | Beigdon Simmons    | Beigdon Simmons          | Lineman      | 7/4/19 |
| 11. | Gregg Avery        | Gregg Avery              | Retired      | 7/5/19 |
| 12. |                    |                          |              |        |
| 13. |                    |                          |              |        |
| 14. |                    |                          |              |        |
| 15. |                    |                          |              |        |

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|     | Print Name       | Signature        | Occupation      | Date    |
|-----|------------------|------------------|-----------------|---------|
| 1.  | Mary Ramsdell    | Mary Ramsdell    | Act. assistant  | 7-4-19  |
| 2.  | Juanita Pressley | Juanita Pressley | Retired teacher | 7/4/19  |
| 3.  | Wayne F Ashley   | Wayne F Ashley   | retired.        | 7/04/19 |
| 4.  | Pamela Ashley    | Pamela Ashley    |                 | //      |
| 5.  |                  |                  |                 |         |
| 6.  |                  |                  |                 |         |
| 7.  |                  |                  |                 |         |
| 8.  |                  |                  |                 |         |
| 9.  |                  |                  |                 |         |
| 10. |                  |                  |                 |         |
| 11. |                  |                  |                 |         |
| 12. |                  |                  |                 |         |
| 13. |                  |                  |                 |         |
| 14. |                  |                  |                 |         |
| 15. |                  |                  |                 |         |

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| Print Name                | Signature                     | Occupation              | Date    |
|---------------------------|-------------------------------|-------------------------|---------|
| 1. Catherine Siggins      | <i>Catherine Siggins</i>      | School Counselor        | 6-28-19 |
| 2. Dorian Faye            | <i>DORIAN FAYE</i>            | Retired                 | 6-28    |
| 3. Shari Moore            | <i>Shari Moore</i>            | Retired                 | 6-28    |
| 4. Samantha Renbow-Seeley | <i>Samantha Renbow-Seeley</i> | Personal Care Assistant | 6/29    |
| 5. Millie Moores          | <i>Millie Moores</i>          |                         |         |
| 6. Wayne Moores           | <i>Wayne Moores</i>           |                         |         |
| 7.                        |                               |                         |         |
| 8.                        |                               |                         |         |
| 9.                        |                               |                         |         |
| 10.                       |                               |                         |         |
| 11.                       |                               |                         |         |
| 12.                       |                               |                         |         |
| 13.                       |                               |                         |         |
| 14.                       |                               |                         |         |
| 15.                       |                               |                         |         |