



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

February 14, 2022

Jeff Brubaker, Town Planner
Town of Eliot
1333 State Road
Eliot, Maine 03903

SUBJECT: Town of Eliot / CWSRF # C230231-04
Route 236 Sewer & Water Extension Project – Contract #1
Finding of No Significant Impact

Dear Mr. Brubaker:

In compliance with Section C of the State of Maine’s Clean Water State Revolving Fund Rules, Chapter 595, this office has reviewed the environmental aspects of the above referenced wastewater project. From this review, we have determined that a Finding of No Significant Impact (FONSI) is required.

We have distributed the Finding of No Significant Impact to all known interested parties (See attached list). A notice must be published indicating the determination in a local newspaper of community-wide circulation stating the supporting documentation is available for public inspection. Additionally, we ask that the notice, the FONSI, the Environmental Assessment, and the Figures be posted on the Town of Eliot’s website.

For your convenience, we have included a suggested format for the legal advertisement. Please advertise as soon as possible to allow a 30 days comment period. Once advertised, please send a copy of the advertisement to this office for our records.

Please feel free to call me at 287-4162 if you have any questions.

Sincerely,

Karen Hefler

Karen L. Hefler, P. E.
Division of Water Quality Management
Bureau of Land and Water Quality

Enc. FONSI
Environmental Assessment
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The Following Notice Is To Be Placed In A Local Newspaper Of Community-Wide Circulation and on the Town of Eliot's Website.

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
NOTICE TO ALL INTERESTED PERSONS

The State of Maine, Department of Environmental Protection, has issued a Finding of No Significant Impact in compliance with Section C of the State of Maine's Clean Water State Revolving Fund Rules, Chapter 595, on behalf of the Town of Eliot as part of the environmental review requirements.

The name of the proposed project is Route 236 Sewer & Water Extension Contract #1. The project entails the installation of approximately 11,200 linear feet of new underground sewer pipe, 40 new sewer service laterals, and 37 new sewer manholes along Route 236.

A review of the proposed action by the DEP CWSRF has indicated that it will not result in a significant adverse impact to the environment. Therefore, a Finding of No Significant Impact has been issued for the project.

Further records regarding the project are on file and are available for public review at the Eliot Town Hall, 1333 State Road, in Eliot, Maine. Information may also be found on the Town of Eliot's website at <https://www.eliotmaine.org/tax-increment-financing-committee/pages/route-236-water-sewer-project-updates>

Comments relative to this decision may be submitted to Cole Melendy of Underwood Engineers at cmelendy@underwoodengineers.com or submitted to Karen Hefler of the State of Maine DEP at karen.l.hefler@maine.gov Comments must be received within thirty days of this notice.



JANET T. MILLS
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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

FINDING OF NO SIGNIFICANT IMPACT

To: All Interested Persons

Date Issued: February 14, 2022

Pursuant to the State of Maine’s Clean Water State Revolving Fund Rules, Chapter 595, Section C.5. we have prepared an Environmental Assessment (EA) for:

**Town of Eliot
Route 236 Sewer & Water Extension Project – Contract #1**

A detailed description of the project is contained in the attached EA. A review of the proposed project by the Maine Department of Environmental Protection (DEP) reveals no significant adverse effects and that the quality of the human environment will be improved by the proposed project. Therefore, an Environmental Impact Statement will not be prepared.

Comments relative to this decision may be submitted to the DEP for review. No administrative action will be taken for at least thirty (30) calendar days after issuance of this Finding.

Additional information is available for public review on the Town of Eliot’s website at <https://www.eliotmaine.org/tax-increment-financing-committee/pages/route-236-water-sewer-project-updates>

Brandy Piers

2/14/2022

Brandy M. Piers, P. Eng., P. E.
Engineering Services Manager
Division of Water Quality Management
Bureau of Water Quality

Date

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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

**ENVIRONMENTAL ASSESSMENT for
the Town of Eliot
ROUTE 236 SEWER & WATER EXTENSION PROJECT – CONTRACT #1**

A. PROJECT IDENTIFICATION

Project Name: Town of Eliot
Route 236 Sewer & Water Extension – Contract #1

Office Address: 1333 State Road, Eliot, Maine 03903

Project Location: Town of Eliot, York County (See attached Figure 1)

Project Number: Clean Water State Revolving Fund #C230231-04

B. SUMMARY OF ENVIRONMENTAL REVIEW

The applicant's Environmental Information Document, all attached supporting documentation, and associated comments submitted regarding this project have been reviewed, and in accordance with EPA regulations, the findings of our environmental review are summarized below.

1. Project Description

The Town of Eliot wastewater system is owned and operated by the Town of Eliot. The Town currently has operation of their pumping stations contracted out to the Kittery Sewer District. Approximately 30% to 40% of the Town is served by the system, with the balance being served by on-site subsurface disposal systems. The wastewater system consists of approximately seven miles of underground gravity sewer pipe and three pump stations. All wastewater is conveyed to the Town of Kittery's wastewater treatment plant through a force main located on Route 103. The treated wastewater is discharged from the plant to the Piscataqua River. See attached Figure 1.

The proposed project is the first of three construction contracts that will complete the work needed to collect and convey the new wastewater flows to the Kittery Wastewater Treatment Plant. Specifically, this project entails installation of approximately 11,200 linear feet of new underground sewer pipe, 40 new sewer service laterals, and 37 new sewer manholes along Route 236. See Figure 2.

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All proposed work will take place within the State of Maine Department of Transportation right of way along Route 236. No easements are required for the proposed work.

The project will be accomplished in one construction contract to be completed in 2023.

The total cost of the project is estimated at approximately \$7,400,000. It will be partially funded by Clean Water State Revolving Funds (CWSRF). The drinking water work will not be funded by CWSRF.

2. Purpose and Need

The purpose of the proposed project is to provide access to public wastewater disposal for about eighty properties, most of which are commercial. This will allow the businesses and residents to eliminate, rather than replace or repair, their aging and /or failing private subsurface disposal systems. This action will reduce potential adverse impacts of those private systems on the surrounding environment.

3. Discussion of Alternatives

The Town's consultant, Underwood Engineers, developed six alternatives to expand the existing municipal sewer system. The preferred alternative involves new sewer collection pipelines along Route 236 (this proposed project Contract #1), new sewer pipelines on secondary roads and through cross country areas (future Contract #2), and construction of two new pump stations (future Contract #3).

4. Impact of Proposed Project on the Environment

A. Air Quality – The proposed project will have no impact on air quality.

B. Water Quality - The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters. It is anticipated that after the completion of this project there could be an improvement in groundwater quality due to the abandonment of aging subsurface wastewater disposal systems.

C. Environmentally Sensitive Areas

a. Floodplains - The project is located adjacent to the 100-year floodplain in a limited area where Great Creek is located. See Figure 3. The creek waters are carried across Route 236 in a culvert under the road. The project will have no impact to the floodplain as the underground pipe is being installed underground in the road above the floodplain.

b. River, Stream, or Brooks - A Natural Resources Protection Act Permit By Rule (NRPA PBR) from this Department has been obtained for the project because a section of the work, even though located in the road right of way, will take place adjacent to and

above a stream named Great Creek. See Figure 4. The contractor will be required to adhere to the conditions of the permits to minimize the potential for adverse temporary or permanent impacts to the stream.

c. Wetlands - A Natural Resources Protection Act Permit By Rule (NRPA PBR) from this Department has been obtained for the project because some sections of the work, even though located in the road right of way, will take place adjacent to wetland areas. See Figure 4. The contractor will be required to adhere to the conditions of the permit to minimize the potential for adverse temporary or permanent impacts to the wetlands.

d. Fish and Wildlife Habitat or Endangered or Threatened Species - The project is not anticipated to impact any state or federal endangered or threatened species or wildlife habitat. The contractor will be required to adhere to the conditions of the NRPA PBR permit to minimize the potential for adverse temporary or permanent impacts to the adjacent State of Maine Significant Wildlife Habitat which is designated as Inland Waterfowl Wading Bird Habitat. See Figure 5.

e. Classified Lands - There are no Prime Farmlands or Forestland or Formally Classified Lands in or near the project area.

f. Botanical Features - The proposed project is not expected to affect any rare or significant botanical features. There are none documented in or near the project area.

g. Historical Sites - The proposed project will have no impact on historic properties.

h. Archaeological Sites and Cultural Resources - There are no known archeological or cultural resources known to be present in the project area. In the event an artifact is found during construction, the contractor will be required to stop work in that area and notify the proper local, state, and federal authorities.

i. Scenic, Aesthetic, Recreational or Navigational Uses - The project will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses adjacent to or within the project area.

5. Mitigation of Environmental Impacts

By implementing the mitigation measures that are required by the NRPA PBR permit, the Department finds that the applicant will avoid and minimize impacts to the adjacent environmentally sensitive areas to the greatest extent practicable. The permit requires the contractor to perform specific mitigation measures during construction that include, but are not necessarily limited to:

1. The following measures must be taken to prevent erosion of soil or fill material from disturbed areas into the resource:
 - a. Staked hay bales or silt fence must be properly installed between the area of soil disturbance and the resource before the activity begins;
 - b. Hay bales or silt fence barriers must be maintained until the disturbed area is permanently stabilized;

- c. Within 7 calendar days following the completion of any soil disturbance, and prior to any storm event, mulch must be spread on any exposed soils;
 - d. All disturbed soils must be permanently stabilized; and
 - e. Within 30 days of final stabilization of the site, any silt fence must be removed.
2. Disturbance of wetland vegetation must be avoided if possible. If wetland vegetation must be disturbed during the activity, it must be reestablished immediately upon completion of the activity and must be maintained.
3. Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Hay bales or silt fence must be used, where necessary, to prevent sedimentation.
4. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body.
5. All work is limited to the location and extent depicted on the plans.

6. Summary of Agency & Public Consultation

The proposed project was presented and discussed during several public meetings held between April and July 2020. A special public information meeting was held about the project on October 1, 2020. The scope of the project was presented at this meeting and public input was solicited. The public approved the project through a majority vote on Question #2 on the town warrant on November 3, 2020. There is no known significant controversy over the project.

7. List of Agencies and Groups Consulted

Maine Department of Environmental Protection
Maine Historic Preservation Commission
Maine Department of Agriculture, Conservation, and Forestry
Maine Department of Inland Fisheries and Wildlife
United States Fish and Wildlife Services

C. CONCLUSION AND SIGNATURE

The proposed project will not significantly impact the environment, provided that the mitigation measures required by the permits are: one) properly incorporated into the construction contract documents, two) properly implemented during construction, and three) properly maintained thereafter.

Karen Hefler

Karen L. Hefler, P.E.
Division of Water Quality Management
Bureau of Water Quality
Augusta Office

Date 2/14/2022

DEP DISTRIBUTION LIST

For Eliot FONSI (2/2022)

The following individuals were copied via email:

- Cole Melendy of Underwood Engineers
- Andrew Weaver of Underwood Engineers
- Stuart Rose of the Maine Department of Environmental Protection
- Mike Riley of the Maine Department of Environmental Protection
- Sue Baker of the Maine Flood Program
- Michael Sullivan, Town Manager
- Tim Babkirk, Eliot Sewer Operator

Agencies / Organizations Previously Contacted include:

Maine Historic Preservation Commission

Maine Natural Areas (Department of Agriculture, Conservation, & Forestry)

Maine Department of Inland Fisheries & Wildlife

United States Fish & Wildlife Service

Maine Department of Environmental Protection, NRPA Program

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G:\PROJECTS\ELIOT, ME\REAL\UM\2552 - Route 236 Sewer and Water Extension\Funding\CWSRF-Environmental Review\Figures\Figure 1 - General Location Map.pdf

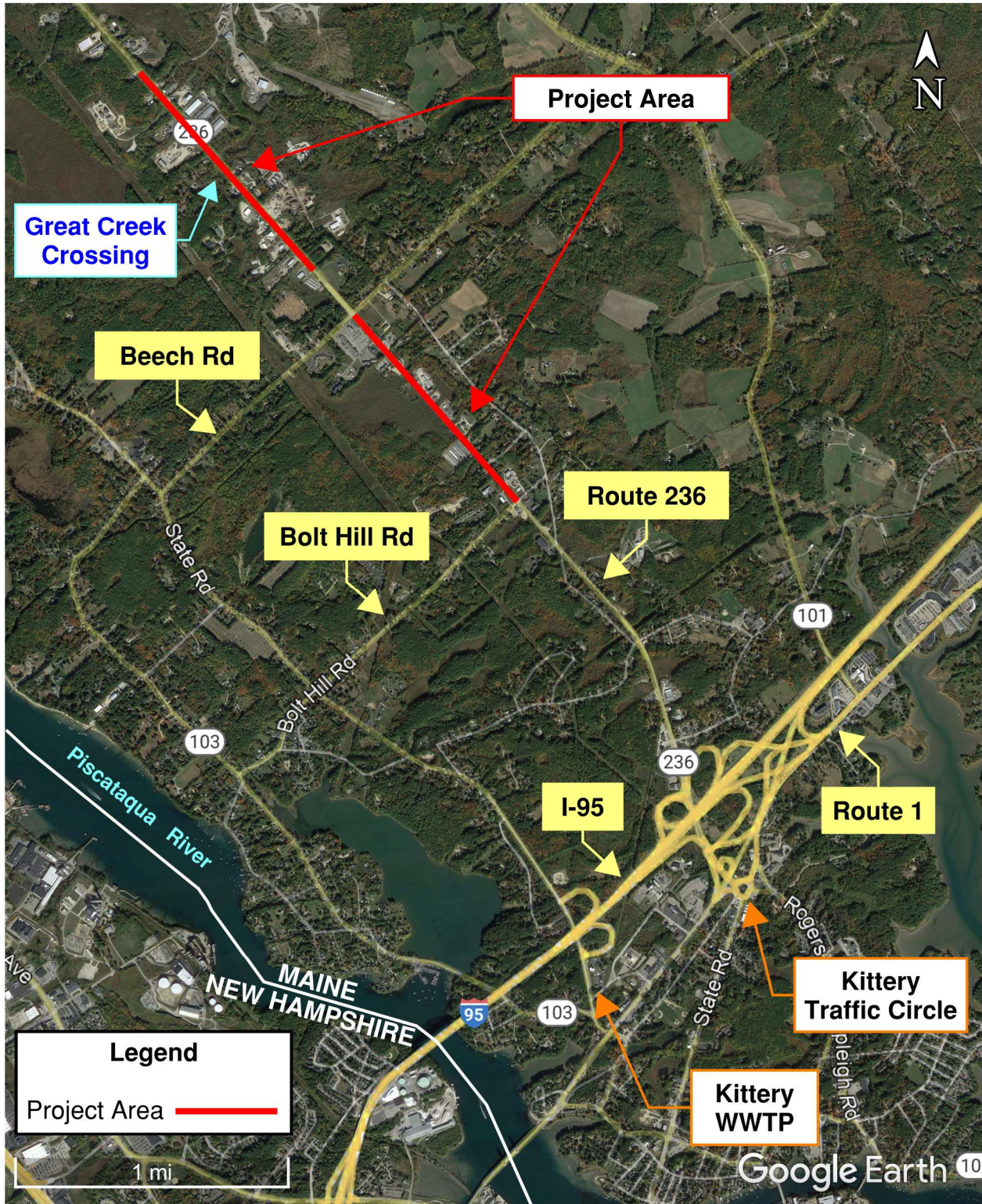


Figure 1: General Location Map
Route 236 TIF Area Sewer & Water Extension - Contract #1
Eliot, ME



UE #2552
Created January 18, 2022

G:\PROJECTS\ELIOT, ME\REALNUM\2552 - Route 236 Sewer and Water Extension\Funding\CWSRF\Environmental Review\Figures\Figure 2 - Project Location Map.pdf



Figure 2: Project Location Map
Route 236 TIF Area Sewer & Water Extension - Contract #1
Eliot, ME



UE #2552
Created January 18, 2022

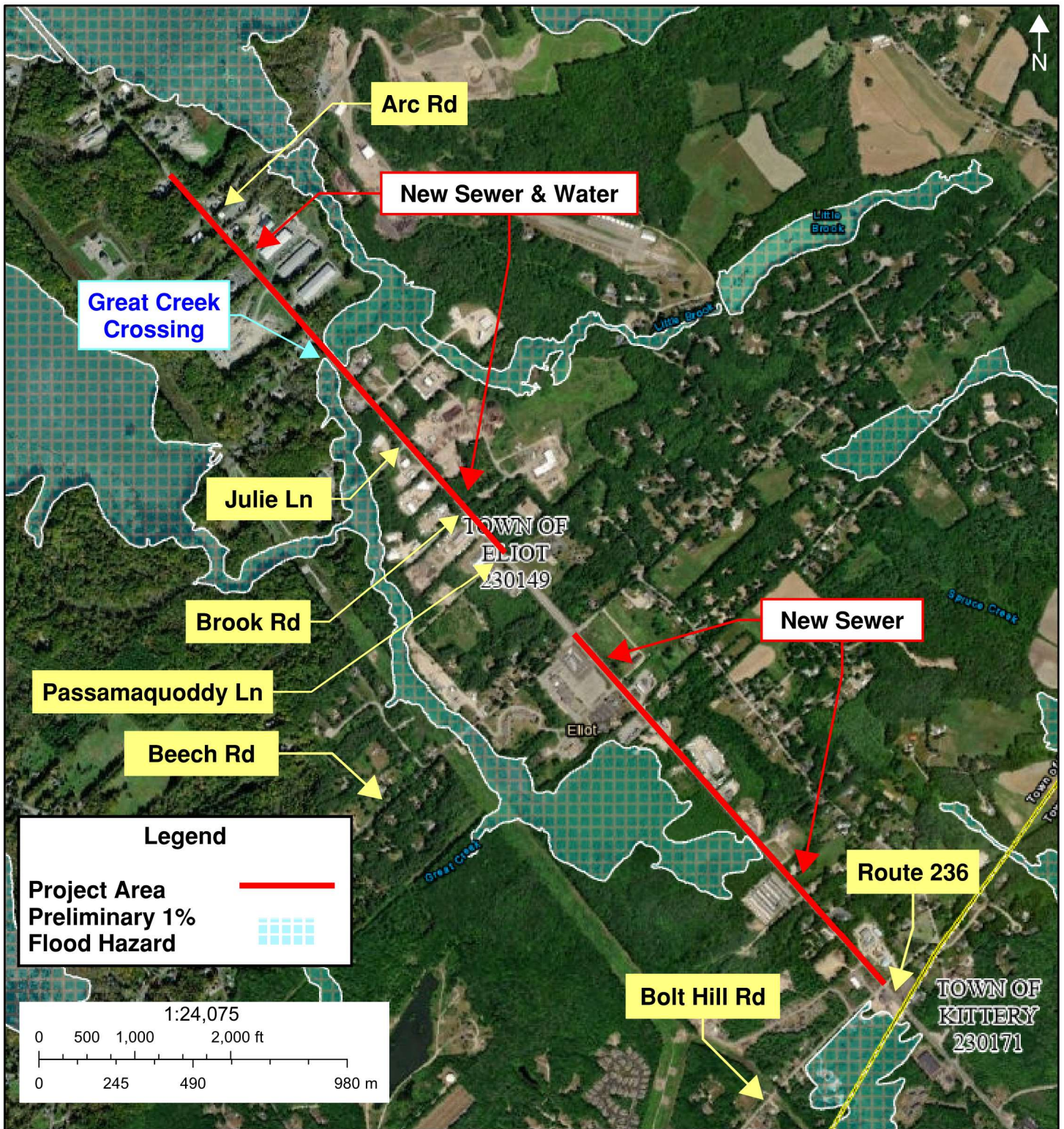


Figure 3: Project Flood Zone Map
 Route 236 TIF Area Sewer & Water Extension - Contract #1
 Eliot, ME



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 Created January 18, 2022

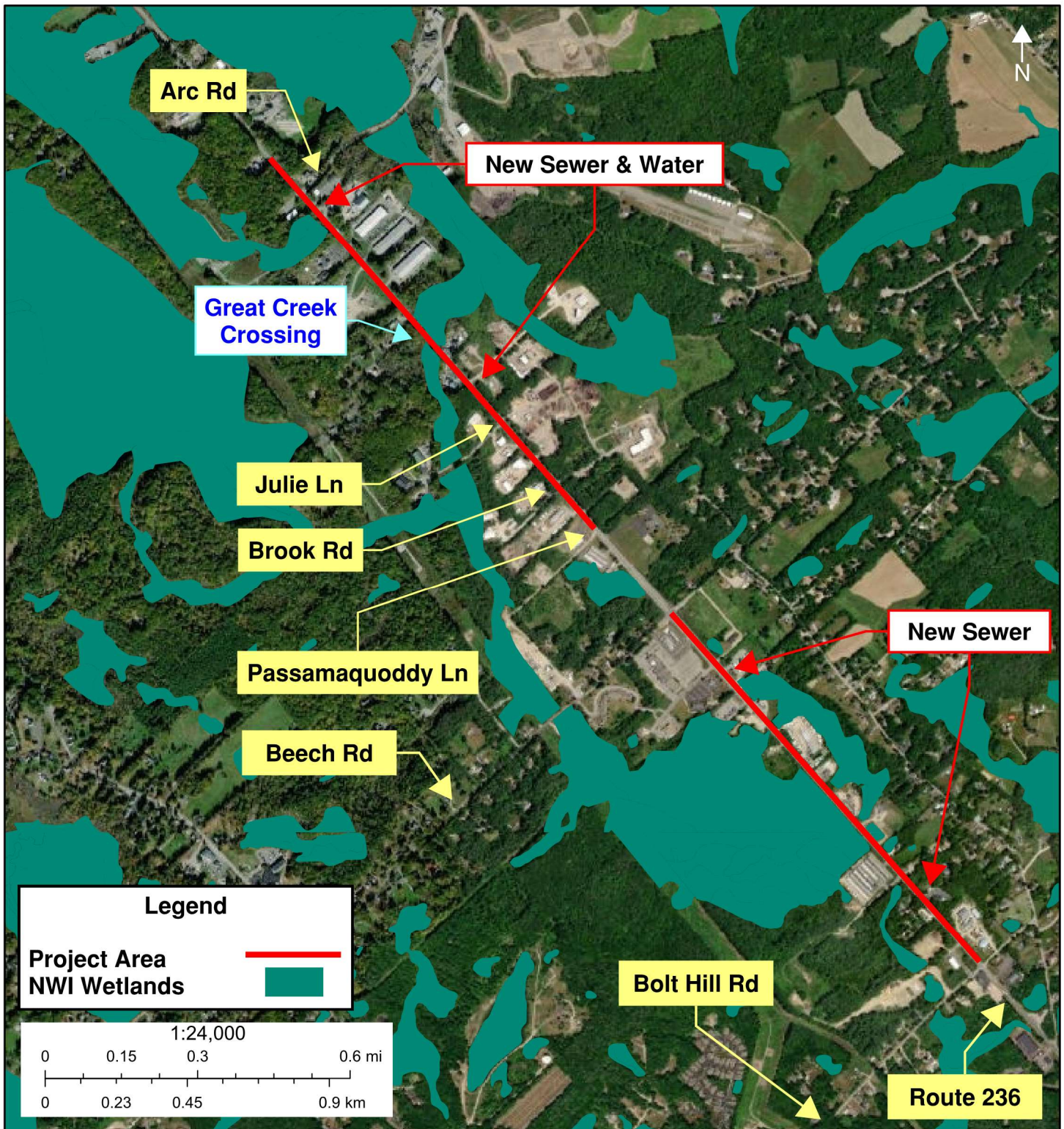


Figure 4: Project Wetlands Overview Map
Route 236 TIF Area Sewer & Water Extension - Contract #1
Eliot, ME

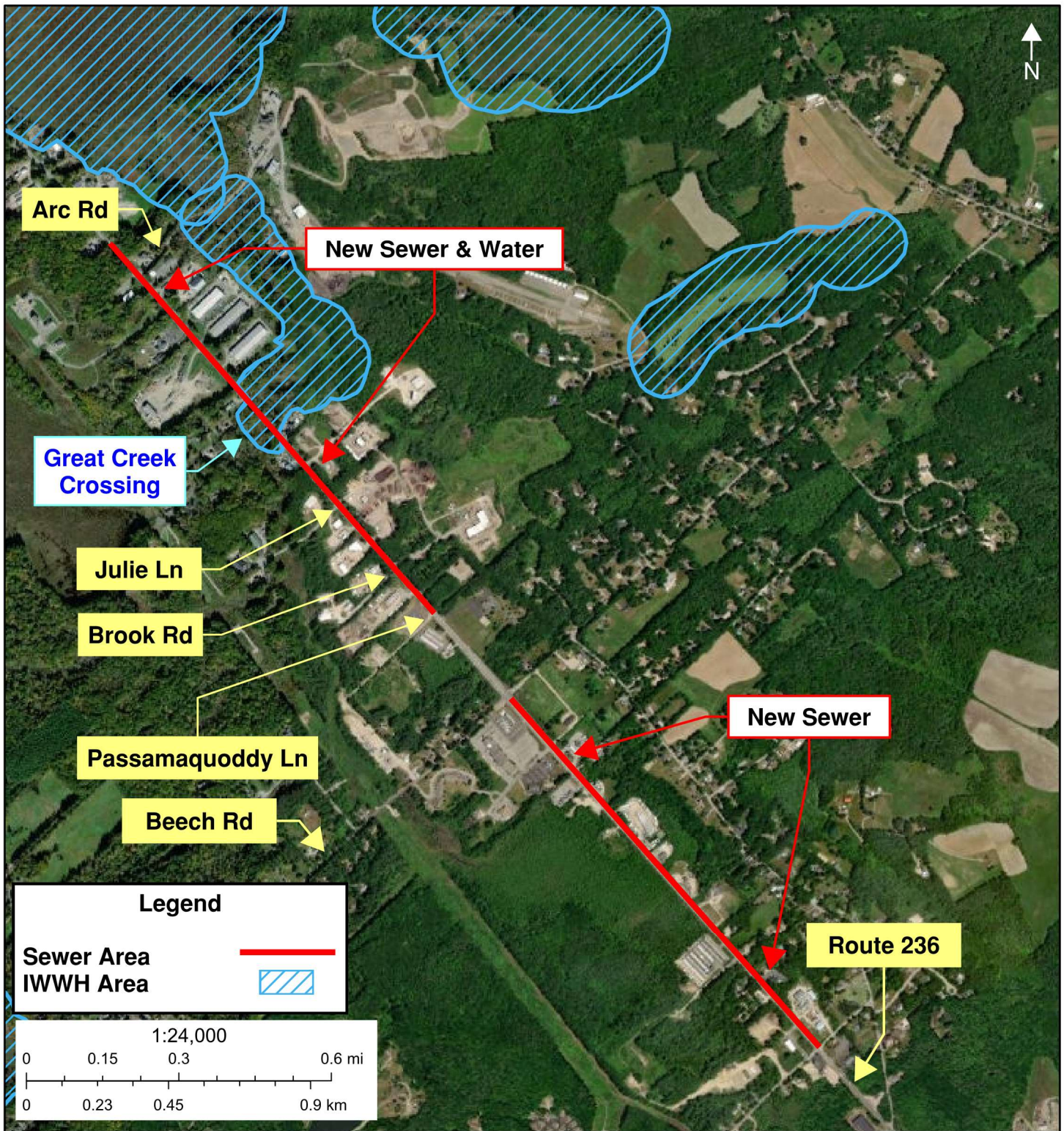


Figure 5: Inland Waterfowl and Wading Bird Habitat Overview Map
Route 236 TIF Area Sewer & Water Extension - Contract #1
 Eliot, ME