



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



GERALD D. REID
COMMISSIONER

FINDING OF NO SIGNIFICANT IMPACT

To: All Interested Persons

Date Issued: April 7, 2020

Pursuant to the State of Maine Revolving Loan Fund Rules, Chapter 595, Section C.5. we have prepared an Environmental Assessment for:

**City of Portland
Back Cove West Storage Conduit Project**

A detailed description of the project is contained in the attached Environmental Assessment. 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 at the City of Portland's website <https://www.portlandmaine.gov/2577/Back-Cove-West-Storage-Conduit>

John N. True, Engineering Services Manager
Division of Water Quality Management
Bureau of Water Quality

April 7, 2020

Date

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**ENVIRONMENTAL ASSESSMENT for
the City of Portland Public Works
BACK COVE WEST STORAGE CONDUIT PROJECT**

A. PROJECT IDENTIFICATION

Project Name: City of Portland Public Works
Back Cove West Storage Conduit Project

Office Address: 212 Canco Road, Portland, Maine 04103

Project Location: Cumberland County, Portland (See attached Figure 1)

Project Number: C230306

B. SUMMARY OF ENVIRONMENTAL REVIEW

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

1. Project Description

The City of Portland and the Portland Water District share ownership and operations of a wastewater collection system, twenty pump stations, and a treatment facility to collect, treat, and dispose of wastewater flows from approximately 67,000 residents in the City. The wastewater collection system comprises of approximately 200 miles of underground sanitary sewer gravity pipe and force mains. The treatment facility, which processes an average flow of 19.8 million gallons per day, is located in the eastern end of the City, at 500 Marginal Way. The treated wastewater is discharged into Portland Harbor.

Much of the wastewater collection system includes combined sanitary / storm sewers. The combined wastewater is conveyed to the treatment facility, except during very wet weather conditions when a portion of the flow overflows, untreated, to various water bodies surrounding Portland. There are currently thirty active, licensed overflow locations called ‘combined sewer overflows’ (CSOs).

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In 1991, the City was mandated by this Department to begin a long term program to abate their CSOs. A Combined Sewer Overflow Master Plan was developed identifying necessary projects and the implementation schedule. Currently the City has numerous sewer separation projects underway which will reduce or eliminate wet weather overflows at various CSOs.

The proposed CSO abatement project primarily entails the installation of approximately 3,800 linear feet of rectangular concrete underground conduit in Baxter Boulevard located between Dartmouth Street and the Baxter Boulevard Pump Station. See Figure 2. The conduit will be made up of precast concrete sections, most of them measuring ten feet wide by eight feet high. The conduit will provide storage for combined sanitary and stormwater flow during wet weather events. The total storage volume of the conduit is approximately 2.25 million gallons. Part of the project also includes approximately 5,000 linear feet of underground sewer and stormwater pipe and associated manholes and catch basins that will be installed on Dartmouth Street and on Vannah Avenue in order to separate the existing combined flows in these areas. Other work associated with the project includes installation of above grade electrical panels, diversion structures, and control gates, and modifications at existing CSO outfalls. The completion of the project will require road reconstruction of Baxter Boulevard and restoration of vegetation to all other impacted areas.

All of the proposed work lies within the public road right of way or within the City's existing sewer easement or within City property. It will not be necessary for the City to obtain additional easements.

The work will be done in a single construction contract beginning in 2020 and completing in 2021.

The estimated cost of construction is approximately \$30,000,000.

2. Purpose and Need

The City is mandated under an Administrative Consent Agreement with this Department to abate combined sewer overflows in Portland. The reduction and elimination of CSOs is necessary to protect sensitive receiving waters and to reduce public health hazard.

The purpose of the project is to reduce the combined sewer overflow volumes and frequency at eight CSOs (#8 through #15) located on Back Cove. See Figure 2. The proposed underground storage conduit will collect overflow from the CSOs and store the combined wastewater for a short period of time until it can be fed back into the existing wastewater interceptor for transport to the treatment facility. Only two CSOs (#12 and #15) will remain. The outfalls associated with the other CSO locations will be modified to accommodate storm drain pipe.

This proposed project is necessary to achieve the long term CSO abatement goals.

3. Discussion of Alternatives

The City was not able to consider a “do nothing” alternative because they are mandated by the State and Federal government to reduce and eliminate combined sewer overflows (CSOs).

The City determined that continued separation of the wastewater and the storm water in the respective watersheds was no longer feasible and that storage of wet weather flows is the only alternative to further reduce the combined sewer overflow volumes being discharged into Back Cove.

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 will be an improvement in the water quality of Back Cove due to the reduction of CSO discharges directly into the cove.

C. Environmentally Sensitive Areas

a. Floodplains - Only the outfall work occurs within the floodplain. See Figure 4. The storm drain outfalls will have no impact on the floodplain. The two CSO outfalls that will remain will have tide backflow protection installed.

b. Wetlands - Most of the proposed work is located adjacent to the coastal wetland and will have no impact to the wetland. However, the outfall areas along Back Cove that will be modified to accommodate new stormwater pipe installation will take place in the coastal wetland area, resulting in temporary and permanent wetland disturbance. A Natural Resources Protection Act (NRPA) Permit by Rule notification has been filed with this Department and a United States Army Corps of Engineers Permit has been obtained for the work. The permits require the use of strict erosion and sedimentation control plans as well as other special construction methods and restrictions during construction to minimize temporary impact and to ensure there are no permanent adverse impacts that result from the work. There are no timing restrictions set forth in the permit.

c. River, Stream, or Brook - The project is not located near a stream or brook.

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

e. Fish and Wildlife Habitat or Endangered or Threatened Species - There are no fish habitat or endangered or threatened species of concern associated with the project. However, the project is located adjacent to and within a significant wildlife habitat. The specific habitat is Tidal Waterfowl and Wading Bird Habitat and Shorebird Nesting, Feeding, and Staging Area which is located in the Back Cove area. See Figure 3. The NRPA PBR permit requires the use of strict erosion and sedimentation control plans during construction to minimize temporary impact and

to ensure there are no permanent adverse impacts that result from the work. There are no timing restrictions set forth in the permit.

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.

h. Historical Sites - The proposed project is not expected to permanently impact historic properties. Much of the proposed work will temporarily impact Baxter Boulevard, which is registered on the National Register of Historical Places. After the underground work has been installed, the road will be reconstructed and restored to its original condition including the cobblestone gutter.

i. Archaeological Sites and Cultural Resources - There are no known archeological or cultural resources known to be present in the project area. In the event that 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.

j. 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. The project will require a temporary detour of a recreational walking trail in the areas associated with outfall modification work. The trail will be restored to its original conditions after the outfall work is completed.

D. Socio-Economic Impacts / Environmental Justice - There will be no disproportionately high or adverse effects to low income or minority populations.

E. Indirect Impacts - There are no known indirect permanent impacts. The project will not displace population or alter the characteristics of the surrounding area and the existing residential areas. There will be a temporary impact to vehicle drivers due to the need to reroute traffic around the project area. This disruption of traffic cannot be avoided in order to address public safety issues.

5. Mitigation of Environmental Impacts

The overall, long term goal of the project is to improve water quality by reducing CSO discharges into Back Cove. The project involves temporary and permanent alteration of coastal wetlands and working adjacent to and within a significant wildlife habitat. The project also involves temporary disruption to historic infrastructure. This action was determined unavoidable to meet the goal of the project.

The mitigation measures required by the state and federal permits will be incorporated into the project contract documents to be implemented during construction. Through the permitting process, the Department finds that the applicant should avoid and minimize any adverse 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.

6. Summary of Agency & Public Consultation

The City Council held a public open forum for discussion of the City's CSO program, including authorization to use SRF loan funds for the projects, at a City council meeting on January 23, 2008 and another meeting on February 4, 2008. A public meeting was also held on March 4, 2020 to present this specific project. The City has addressed the public comments and concerns. There is no apparent public controversy.

As the project was being designed, the City worked with applicable federal, state, and local agencies to address their concerns and comments and to incorporate them into the design where necessary. No agencies objected to the project.

7. List of Agencies and Groups Consulted

Maine Department of Environmental Protection
United States Army Corps of Engineers
Maine Historic Preservation Commission
Maine Department of Conservation
Maine Department of Inland Fisheries and Wildlife
Maine Department of Marine Resources
United States Fish and Wildlife Services
Passamaquoddy Tribe
Houlton Band of Maliseet Indians
Penobscot Nation
Aroostock Band of Micmacs

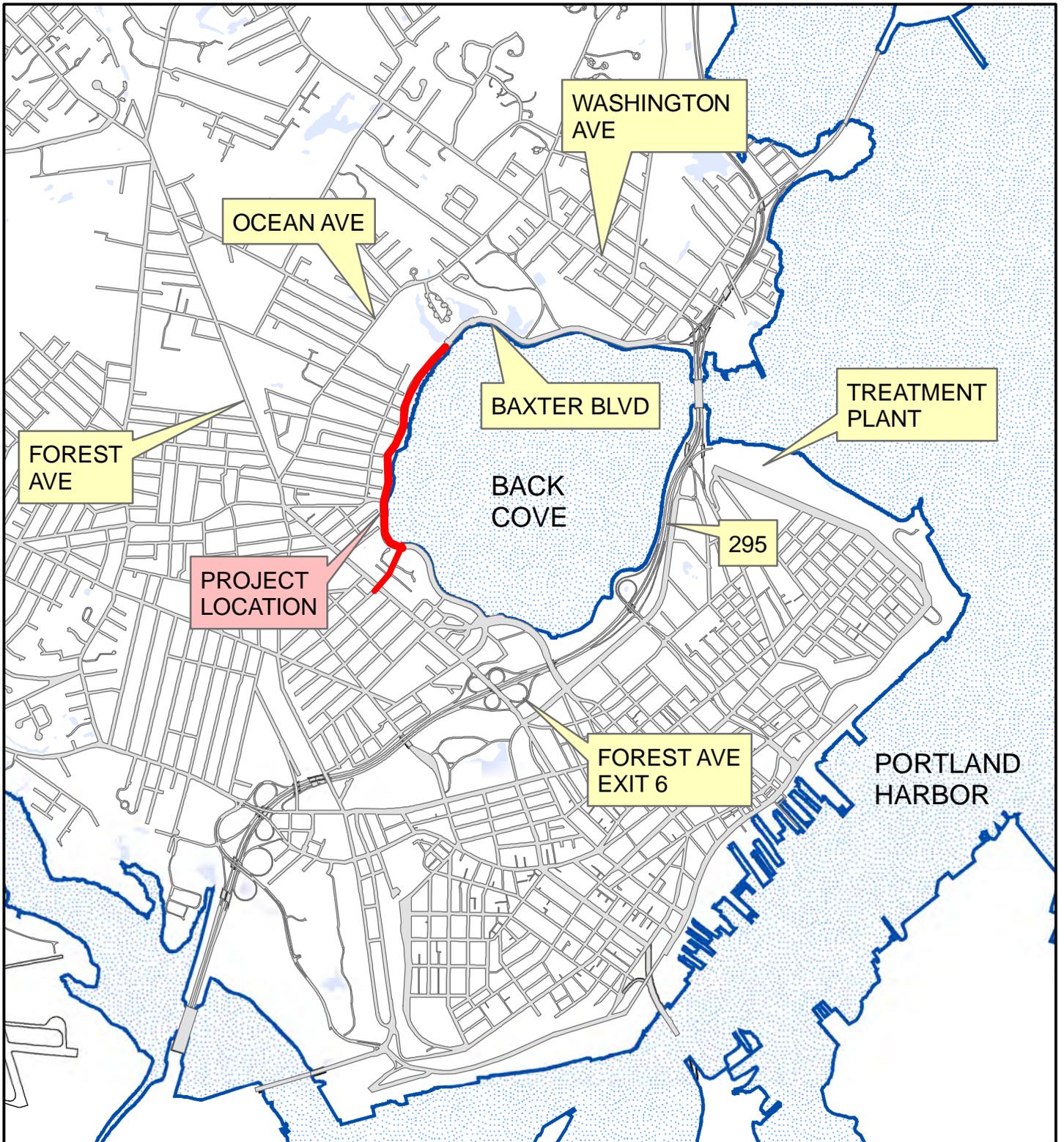
C. CONCLUSION AND SIGNATURE

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 L Hefler

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

Date 4/7/2020

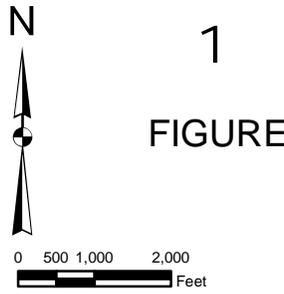


City of Portland, Maine
 Dept of Public Works
 Water Resources

OVERALL LOCATION MAP



BACK COVE WEST
 STORAGE CONDUIT
 PORTLAND, ME
 January 2020



1
 FIGURE

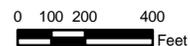


City of Portland, Maine
 Depart of Public Works
 Water Resources

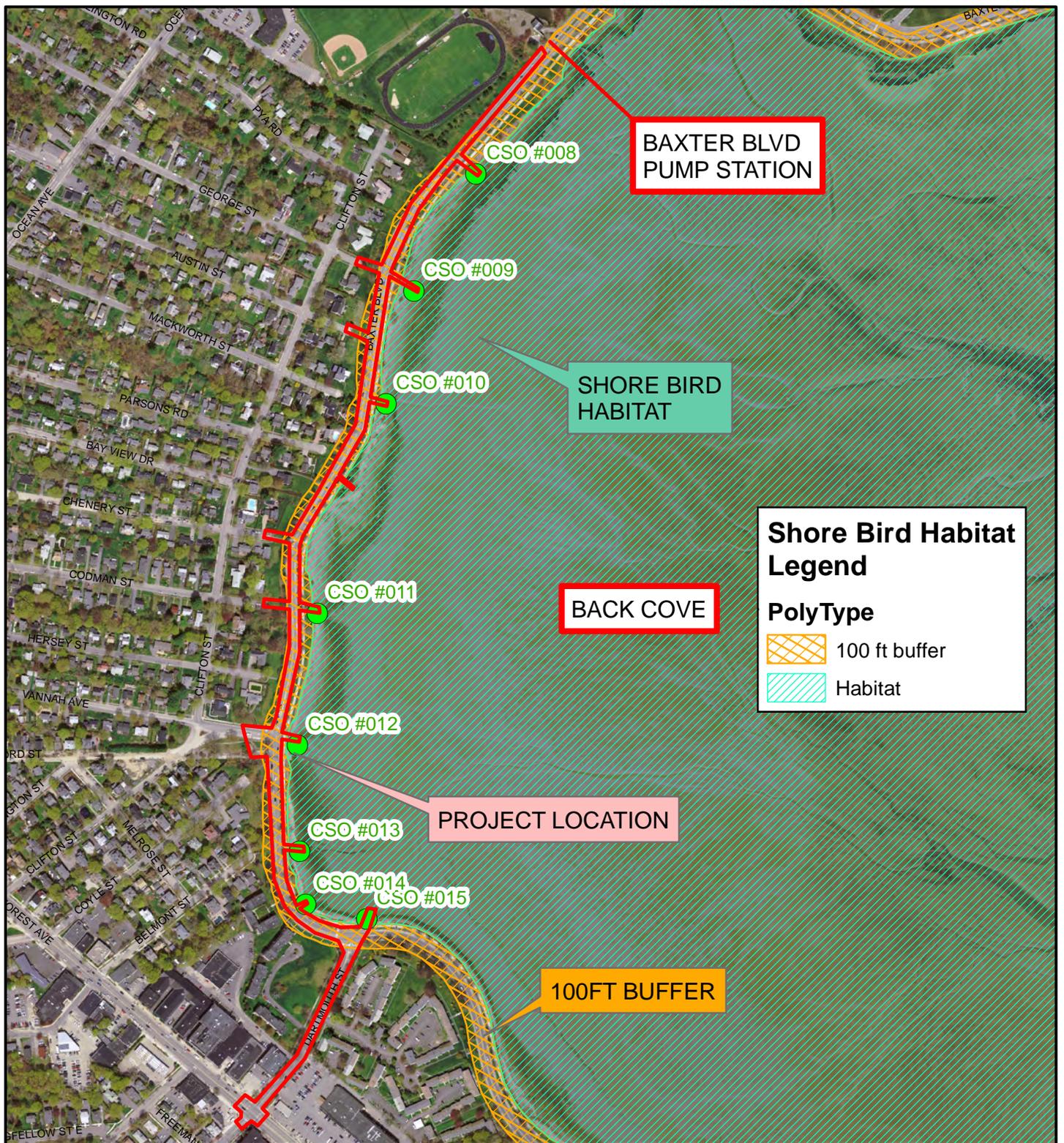


AERIAL LOCATION MAP

BACK COVE WEST
 STORAGE CONDUIT
 PORTLAND, ME
 January 2020



2
 FIGURE



City of Portland, Maine
 Dept of Public Works
 Water Resources

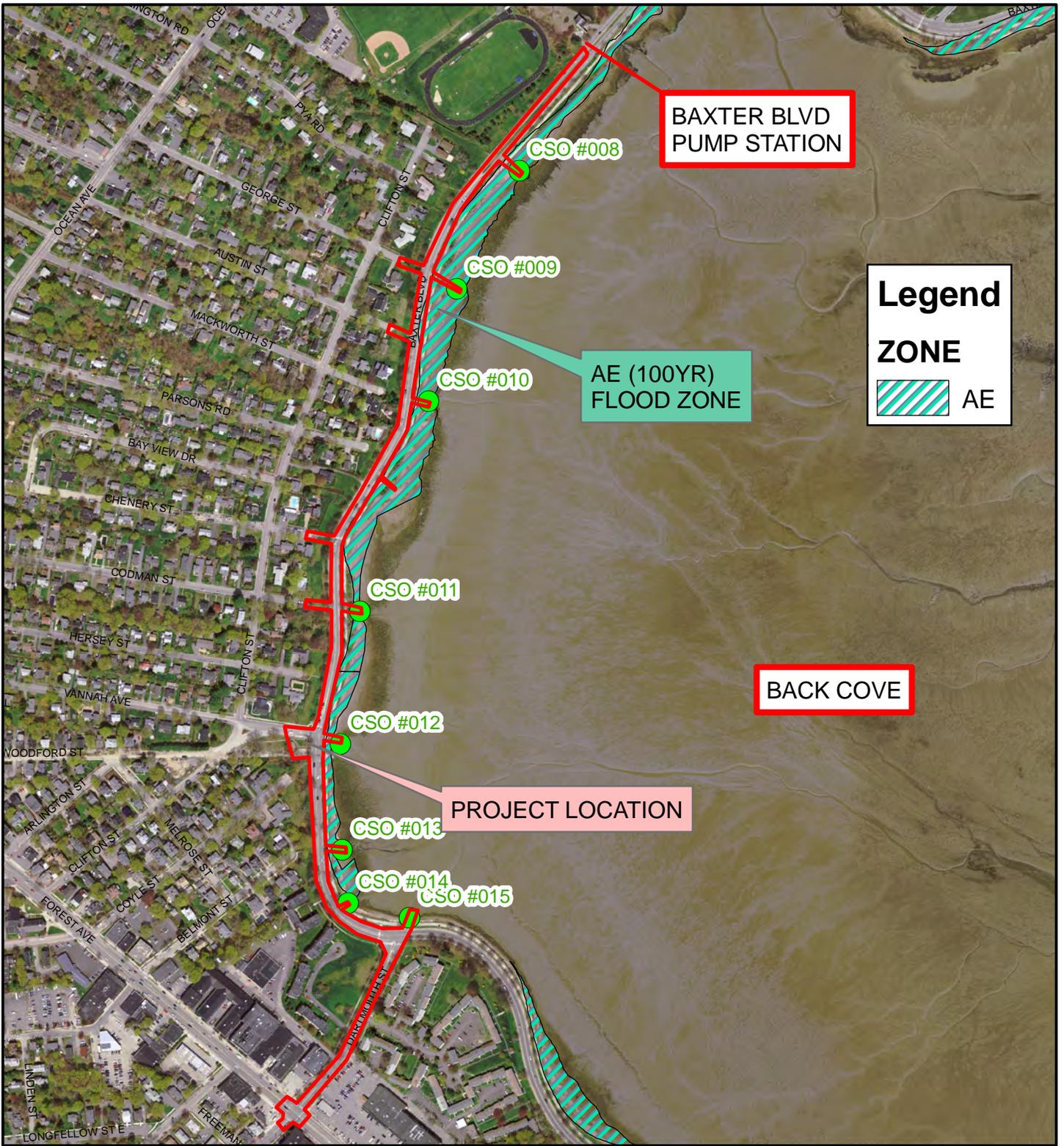


SHORE BIRD HABITAT MAP

BACK COVE WEST
 STORAGE CONDUIT
 PORTLAND, ME
 January 2020



3
 FIGURE



**BAXTER BLVD
PUMP STATION**

Legend

ZONE

 AE

**AE (100YR)
FLOOD ZONE**

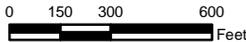
BACK COVE

PROJECT LOCATION

City of Portland, Maine
 Dept of Public Works
 Water Resources



FLOOD MAP
 BACK COVE WEST
 STORAGE CONDUIT
 PORTLAND, ME
 January 2020



4
FIGURE

The Following Notice Is To Be Placed on the City of Portland'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 Revolving Loan Fund Rules Chapter 595", on behalf of the City of Portland as part of the environmental review requirements.

The proposed CSO abatement project, named Back Cove West Storage Conduit Project, primarily entails the installation of approximately 3,800 linear feet of rectangular concrete underground conduit in Baxter Boulevard. The conduit will provide storage for combined sanitary and stormwater flow during wet weather events. Part of the project includes installation of new sewer and stormwater underground pipe on Dartmouth Street andannah Avenue as well as work in Back Cove to modify outfall areas by removing CSO pipe and installing stormwater pipe. The purpose of the project is to reduce combined sewer overflow volumes and frequency by eliminating most of the CSOs in the project area.

A review of the proposed action by the DEP 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 in regard to the project can be found at this website:
<https://www.portlandmaine.gov/2577/Back-Cove-West-Storage-Conduit> Comments relative to this decision may be submitted to Nathaniel Smith of the City of Portland at nhs@portlandmaine.gov 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.

DEP DISTRIBUTION LIST
FONSI Finding of No Significant Impact for the CITY OF PORTLAND (4/2020)

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Augusta, Me 04330

Kirk Mohney.
Historic Preservation Commission
65 State House Station
Augusta, ME 04333

Ryan Wingard
Wright Pierce
75 Washington Ave, Suite 202
Portland, Maine 04101

Aroostook Band of Micmacs
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Jay Clement
US Army Corps of Engineers
675 Western Ave, Suite #3
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Nathaniel Smith
City of Portland Public Works
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Ivy Frignoca
Friends of Casco Bay
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Sue Baker
Floodplain Management Program
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NRPA Permitting Program
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Dept. of Environmental Protection
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Portland, ME 04103

Penobscot Nation
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Indian Island, Maine 04468

Becca Settele
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Department Marine Resources
21 State House Station
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Stuart Rose
Dept of Environmental Protection
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Dept of Conservation
Natural Areas Program
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Indian Township Reservation
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Princeton, Maine 04668

Department of Parks and Recreation
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Region Manager
DOT Region 1
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Executive Director
Greater Portland Council of
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Chris Crovo
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