



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

July 10, 2020

Mr. Chris Branch
City of Portland Public Works
212 Canco Road
Portland, Maine 04103

SUBJECT: City of Portland Public Works - SRF #C230306
Back Cove South Storage Facility Project
Finding of No Significant Impact

Dear Mr. Branch:

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

We have distributed the Finding of No Significant Impact to all known interested parties (See attached list). The City is required to publish a notice indicating the determination and stating that supporting documentation is available for public inspection.

For your convenience, we have included a suggested format for the notice to be placed on the City's website. Please place this notice as soon as possible to allow a 30 day comment period and then send a copy of the screen shot showing the notice to this office for our records.

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

Sincerely,

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

Enc. FONSI
Environmental Assessment
Distribution List
Public Notice

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



GERALD D. REID
COMMISSIONER

FINDING OF NO SIGNIFICANT IMPACT

To: All Interested Persons

Date Issued: July 10, 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 South Storage Facility 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://portlandmaine.gov/2540/Back-Cove-South-Storage-Facility>

John N True

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

July 10, 2020

Date

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**ENVIRONMENTAL ASSESSMENT for
the City of Portland Public Works
BACK COVE SOUTH STORAGE FACILITY PROJECT**

A. PROJECT IDENTIFICATION

Project Name: City of Portland Public Works
Back Cove South Storage Facility 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 construction of a 3.5 million gallon underground concrete storage tank in the Back Cove Park area, which is located adjacent to I-295, between Preble Street and Franklin Street. See Figure 2. The tank will provide storage for combined sanitary and stormwater flow during wet weather events. The stored overflows will be conveyed to the treatment facility after the wet weather event passes and when wastewater flows have returned to normal. The proposed project will involve the installation of new underground pipe and associated manholes, that is: approximately 3,400 linear feet of sewer pipe that will divert flows away from the existing CSOs and convey them to the tank, approximately 2,900 linear feet of force main pipe that will convey the stored overflows from the tank to the treatment plant, and approximately 800 linear feet of storm drain pipe that will serve future CSO separation projects. As part of the project, the existing CSO outfall #18 will be modified to accommodate the new and larger pipes. The shoreline along the park area will be stabilized with rip rap due to the ground elevation in the area of the tank being raised approximately two to three feet. And, an electrical maintenance building will be constructed adjacent to Preble Street. The completion of the project will require road reconstruction in Preble Street, Franklin Street and Marginal Way and restoration of the Back Cove Park and 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 2022.

The estimated cost of construction is approximately \$40,000,000.

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 existing CSOs #16, #17, and #18 which are located on Back Cove. See Figure 2. The proposed underground tank will provide storage during wet weather events for the overflow that is directed away from the existing CSOs. The tank will store the combined wastewater until it can be fed back into the existing wastewater pipe for transport to the treatment facility. Based on the capacity of the tank, it is expected that after completion of the project CSO flows will be substantially reduced at all three CSO locations.

This proposed project is necessary to achieve the City's 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. The City studied twelve different storage alternatives which took into consideration economic, social, and environmental impacts. The proposed project was determined to be the most feasible alternative.

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 - Much of the proposed project work occurs within the floodplain. See Figure 3. For this reason, all of the proposed infrastructure located in the floodplain will be flood protected and /or flood proofed appropriately as part of the design. The ground elevation above the storage tank will be raised two to three feet above the 100 year floodplain to reduce the impacts of inundation from storm surge, high tides, and waves. Hatches and manhole covers located at grade will be waterproofed to stop flood waters from entering the underground pipe system. The pipes which outfall at the modified CSO #18 will have tide backflow protection devices installed inside them to prevent floodwaters from backing up into the pipes. The floor of the electrical building will be set at three feet above the 100 year floodplain. A Floodplain Hazard Development Permit will be obtained from the City of Portland. The project is not expected to impact the floodplain.

b. Wetlands - Some of the proposed work is located adjacent to and in the coastal wetland. The majority of the coastal wetland to be impacted by the project is already developed. See Figure 5. A State of Maine Department of Environmental Protection Natural Resources Protection Act (NRPA) Permit and a United States Department of the Army Corps of Engineers Permit have been obtained for the project. The permits require wetland mitigation measures to be implemented during construction to minimize impact. Those measures are the use of erosion and control methods in accordance with the project's

approved Erosion and Control Plan which includes management of dewatering discharges. There is no wetland compensation required.

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 in some areas within, a State of Maine designated 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 4. The majority of the project is not expected to have an impact on the significant wildlife habitat area due to the fact that the site of the work is already developed. A State of Maine Department of Environmental Protection Natural Resources Protection Act (NRPA) Permit and a United States Department of the Army Corps of Engineers Permit have been obtained for the project. The NRPA permit requires planting and maintaining of Northern Bayberry to provide buffer between the park areas and the bird habitat. There are no timing restrictions for the work or any other mitigation measures set forth by the Maine Department of Marine Resources, the Maine Department of Inland Fish and Wildlife, the National Marine Fisheries Service, and the United States Fish and Wildlife Service.

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 will have no impact to historic properties.

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 proposed underground tanks will be installed under Back Cove Park and will create minimal visual changes. The Maine NRPA permit requires planting of Northern Bayberry to reduce visual impact. The project will require that playing fields and park exercise equipment and walking trails are relocated temporarily during the construction period. The park and walking trails will be restored to their original conditions and the project area will be landscaped upon project completion.

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 parts of the project area during construction. This disruption of traffic cannot be avoided in order to address public safety issues. The contractor will work with the Maine Department of Transportation to coordinate traffic associated with project work located near the 295 on and exit ramps at Franklin Street. It is expected that construction will take place at night in that area to minimize impact to traffic.

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. This action was determined unavoidable to meet the goal of the project.

The mitigation measures discussed in section four above 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. The City Council approved the funding specific for this project in a meeting open to the public on February 20, 2020. A public meeting was also held on December 4, 2019 to present this specific project to neighbors and other interested parties. The City has addressed public comments and concerns to the extent possible while still meeting the goals of the project.

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
Maine Department of Transportation
Passamaquoddy Tribe

Houlton Band of Maliseet Indians
Penobscot Nation
Aroostook Band of Micmacs

C. CONCLUSION AND SIGNATURE

In accordance with the findings of the reviewing agencies, the proposed project will not significantly impact the environment, provided that the mitigation measures required by the federal and state environmental 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 Water Quality
Augusta Office

7/10/2020

Date



CITY OF PORTLAND, MAINE
 DEPT. OF PUBLIC WORKS
 WATER RESOURCES
 212 CANCO ROAD, PORTLAND, MAINE 04107
 JANUARY 2020

OVERALL LOCATION MAP

BACK COVE SOUTH STORAGE FACILITY

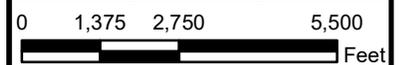
PORTLAND, MAINE



1 FIGURE

FEBRUARY 11, 2020

DESIGN BY: BAR DRAWN BY: BAR CHECK BY: BAR





CITY OF PORTLAND, MAINE
 DEPT. OF PUBLIC WORKS
 WATER RESOURCES
 212 CANCO ROAD, PORTLAND, MAINE 04110
 JANUARY 2020

AERIAL LOCATION MAP
BACK COVE SOUTH
STORAGE FACILITY
 PORTLAND, MAINE



2
FIGURE

May 26, 2020

DESIGN BY: BAR	DRAWN BY: BAR	CHECK BY: BAR
0 200 400 800 Feet		

Legend

-  EXTENT OF PROJECT
-  FEMA FIRM 1986 100 YR FLOODPLAIN



CITY OF PORTLAND, MAINE
DEPT. OF PUBLIC WORKS
WATER RESOURCES
212 CANCO ROAD, PORTLAND, MAINE 04107
JANUARY 2020

**FLOOD INSURANCE
RATE MAP 1986**

**BACK COVE SOUTH
STORAGE FACILITY**

PORTLAND, MAINE



**3
FIGURE**

MAY 26, 2020

DESIGN BY: BAR DRAWN BY: BAR CHECK BY: BAR



LEGEND

- EXTENT OR PROJECT
- TIDAL WATERFOWL AND WADING BIRD HABITAT



CITY OF PORTLAND, MAINE
DEPT. OF PUBLIC WORKS
WATER RESOURCES
212 CANCO ROAD, PORTLAND, MAINE 04107
JANUARY 2020

**TIDAL WATERFOWL AND
WADING BIRD HABITAT
BACK COVE SOUTH
STORAGE FACILITY
PREBLE STREET PLAYING FIELDS
#244 PREBLE STREET
PORTLAND, MAINE**



4
FIGURE

JUNE 2, 2020

DESIGN BY: BAR DRAWN BY: BAR CHECK BY: BAR



LEGEND

- EXTENT OR PROJECT
- MAINE WETLANDS



CITY OF PORTLAND, MAINE
DEPT. OF PUBLIC WORKS
WATER RESOURCES
212 CANCO ROAD, PORTLAND, MAINE 04107
JANUARY 2020

MAINE WETLANDS
BACK COVE SOUTH STORAGE FACILITY
PREBLE STREET PLAYING FIELDS
#244 PREBLE STREET
PORTLAND, MAINE



5
FIGURE

JUNE 9, 2020

DESIGN BY: BAR	DRAWN BY: BAR	CHECK BY: BAR	
0	200	400	800
Feet			

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 the environmental review requirements in Section C of the State of Maine's Clean Water State Revolving Loan Fund Rules, Chapter 595, on behalf of the City of Portland.

The proposed CSO abatement project, named Back Cove South Storage Facility Project, primarily entails the construction of a 3.5 million gallon underground concrete storage tank in the Back Cove Park area. The tank will provide storage for combined sanitary and stormwater flow during wet weather events. The proposed project also involves the installation of new underground pipe and associated manholes, work in Back Cove to modify the existing outfall area at CSO #18, stabilization along the shoreline, and the construction of an electrical maintenance building. The purpose of the project is to reduce combined sewer overflow volumes and frequency at three existing CSOs that discharge to Back Cove.

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://portlandmaine.gov/2540/Back-Cove-South-Storage-Facility> Comments relative to this decision may be submitted to the Brad Roland of the City of Portland at brad@portlandmaine.gov or 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 (5/2020)

Natural Resources Council of Maine
3 Wade Street
Augusta, Me 04330

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

Owens NcCullough
Sebago Technics
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

Aroostook Band of Micmacs
Attn Jennifer Pictou
7 Northern Road
Presque Isle, Maine 04769

Colin Greenan
US Army Corps of Engineers
442 Civic Center Drive, Suite 350
Augusta, ME 04330

Brad Roland
City of Portland Public Works
212 Canco Road
Portland, Maine 04103

Ivy Frignoca
Friends of Casco Bay
43 Slocum Drive
South Portland, Maine 04106

Sue Baker
Floodplain Management Program
Dept of Conservation
93 State House Station
Augusta, ME 04333

NRPA Permitting Program
Attn Christine Woodruff
Dept. of Environmental Protection
312 Canco Road
Portland, ME 04103

Penobscot Nation
Attn Chris Sockalexix
12 Wabanaki Way
Indian Island, Maine 04468

John Perry
Inland Fisheries & Wildlife
41 State House Station
Augusta, ME 04333

Department Marine Resources
21 State House Station
Augusta, Maine 04333

Stuart Rose
Dept of Environmental Protection
312 Canco Road
Portland, Maine 04103

Dept of Conservation
Natural Areas Program
177 State House Station
Augusta, Maine 04333

Passamaquoddy Tribe of Indians
Attn Donald Soctomah
Indian Township Reservation
P.O. Box 301
Princeton, Maine 04668

City of Portland
Department of Parks and Recreation
Attn Sally Deluca
212 Canco Road
Portland, Maine 04103

Region Manager
DOT Region 1
51 Pleasant Hill Road
PO Box 358
Scarborough, ME 04070

Executive Director
Greater Portland Council of
Governments
970 Baxter Blvd
Portland, ME 04103

Chris Crovo
Portland Water District
225 Douglas St
Portland, Maine 04104-3553

Conservation Law Foundation
Maine Advocacy Center
53 Exchange St, Suite 200
Portland, Maine 04101

Curtis Bohlen
Casco Bay Estuary Partnership
USM Muskie School
PO Box 9300
Portland, ME 04104-9300

Cathy Ramsdell
Friends of Casco Bay
43 Slocum Drive
South Portland, Maine 04106

Houlton Band of Maliseet Indians
Attn Susan Young
88 Bell Road
Littleton, Maine 04730

City of Portland Planning Division
Historical Preservation Commission
389 Congress St
Portland, Maine 04101