

Appendix A

Agency Correspondence

- A-1 U.S. Army Corps of Engineers LEPDA Letter
- A-2 State Historic Preservation Officer Letter Dated August 5, 2004
- A-3 State Historic Preservation Officer Letter Dated October 22, 2007
- A-4 Maine Historic Preservation Commission Letter Dated June 5, 2007
- A-5 Letter to Maine Bureau of Parks and Lands
- A-6 NRCS Farmland Conversion Impact Correspondence
- A-7 Letter from U.S. Fish and Wildlife Service Dated June 25, 2007

Appendix A-1 LEDPA Letter



REPLY TO
ATTENTION OF

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

RECEIVED

SEP 24 2008

Regulatory Division
CENAE-R-51
FILE NUMBER NAE-2008-00154

SEP 18 2008

Raymond Faucher
Maine Dept of Transportation
16 State House Station
Augusta, Maine 04333

Dear Mr Faucher

This refers to your application, number NAE-2008-00154, for a Department of the Army permit to fill waterways and wetlands between Routes 1 and 161 at Caribou, Maine in order to construct a two lane, controlled access bypass highway on new alignment between the two routes

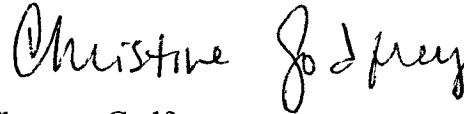
We are currently evaluating your project in accordance with the Clean Water Act and other applicable laws and regulations Section 404(b)(1) of the Clean Water Act, known as the 404(b)(1) Guidelines, are found at 40 CFR 230 The Guidelines require avoiding and minimizing adverse impacts to waters and wetlands, and the selection of a Least Environmentally Damaging Practicable Alternative (LEDPA) Section 230 10 (a) states, "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences "

In light of this, we have reviewed your Phase II analysis of alternatives to avoid and minimize adverse impacts to waters and wetlands We have also completed our evaluation of comments received in response to our January 29, 2008 public notice and have determined that Alternative 4B is the LEDPA This alternative includes approximately 3.7 miles of new alignment highway, 0.58 miles of existing highway reconstruction, 0.28 miles of upgrade to Route 161, and 0.3 miles of upgrade to Route 1 Approximately 3.4 acres of wetland and two streams will be impacted by this alternative as shown on the attached plan entitled "CARIBOU-ROUTE 1-161 CONNECTOR, PHASE II ALIGNMENT OPTION 4B" in one sheet dated "November, 2007"

We will now evaluate your project and investigate opportunities for you to minimize and compensate, if necessary, for any adverse impacts the project may have upon waters of the U S , including wetlands We will then review your project in accordance with the Guidelines and our public interest review to determine whether to issue a permit

If you have any questions, please contact Jay Clement of my staff at 207-623-8367 at our Manchester, Maine Project Office

Sincerely,

A handwritten signature in black ink that reads "Christine Godfrey". The signature is written in a cursive style with a large, looped "G" for "Godfrey".

Christine Godfrey
Chief, Regulatory Division

Copies Furnished

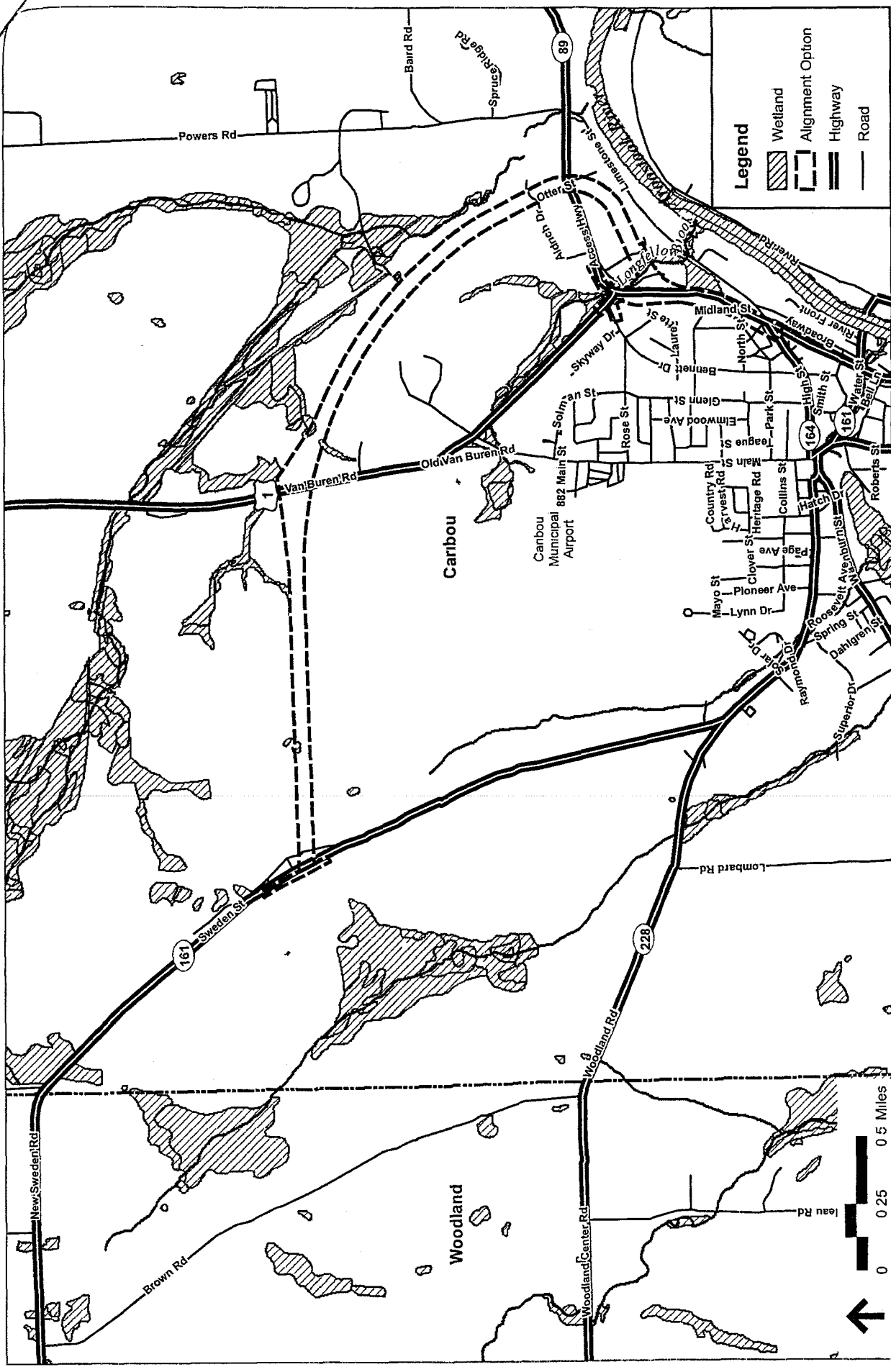
Beth Alafat – USEPA

Wende Mahaney – USFWS

Marcy Scott – NMFS

Mark Hasselmann – FHWA

Robin Clukey – Maine DEP



DATE November, 2007

SHEET 3 of 4

CARIBOU - ROUTE 1-161 CONNECTOR PHASE II ALIGNMENT OPTION 4B

APPLICATION BY
Maine Department of Transportation

AT Caribou
IN Aroostook County
Maine



Appendix A-2

2004 Letter from SHPO

STATE OF MAINE

MEMORANDUM

August 5, 2004

To: David Gardner, ENV/Maine Department of Transportation

From: Earle G. Shettleworth, Jr., State Historic Preservation Officer 

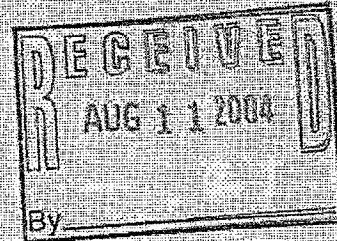
Subject: PIN 6462.10, Aroostook County Transportation Study, Segment 4

In response to your recent request, I have reviewed the architectural survey information received April 16, 2004 to initiate consultation on the above referenced project. We are reviewing this project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

The Commission concurs with the findings of the Cultural Resources Field Survey Report that the following properties identified in relation to their respective Survey Map No. appear to meet the criteria for listing in the National Register of Historic Places: 847 and 849.

Due to the presence of historic properties in the project area, further consultation will be needed to ascertain the undertaking's effect on these resources.

Please do not hesitate to contact Kirk Mohney of my staff if you have any questions relating to this matter.




Appendix A-3

2007 Letter from SHPO

STATE OF MAINE**MEMORANDUM**

October 22, 2007

To: Kurt E. Jergensen, ENV/Maine Department of Transportation

From: Earle G. Shettleworth, Jr., State Historic Preservation Officer 

Subject: PIN 6464.10, Segment 4, Caribou, Aroostook County Transportation Study, MHPC
#0972-04

In response to your recent request, I have reviewed the information received September 26, 2007 to continue consultation on the above referenced project. This project is being reviewed pursuant to the Maine Programmatic Agreement and Section 106 of the National Historic Preservation Act of 1966, as amended.

I concur with the MDOT's determination that the following property appears to be eligible for listing in the National Register of Historic Places: Mooers Farmstead, 742 New Sweden Road. In addition, the neighboring Holmes Farmstead at 790 New Sweden Road may also be eligible. However, additional information is necessary to confirm this property's status. In particular, we request documentation on the history of the farmstead including the number and configuration of outbuildings and the relationship, if any, of the original occupants of the Mooers and Holmes properties.

The Commission does not concur with the determination that the McElwain Farmstead at 711 New Sweden Road is eligible for listing in the Register. This property, including the house and barn, appear to have been substantially altered and have lost integrity.

We concur with the Department's finding relating to the ineligibility of other surveyed properties in the area of project effect.

Please contact Kirk Mohny of my staff if you have any questions relating to our comments.

Appendix A-4 Letter from MHPC



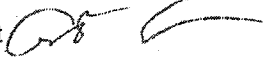
MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

June 5, 2007

To: Mr. David Gardner, MDOT/ESD

From: Arthur Spiess, Senior Archaeologist 

Subject: PIN 6462.10, Segment 4, Caribou bypass, no archaeological properties

After reviewing our archaeological survey records and maps, including historic maps and surficial geology maps, and comparing this information with a predictive model of archaeological site locations, two field archaeology surveys were conducted in "sensitive" areas of this project. The sensitive areas were limited to the northernmost portions of the proposed bypass, in the area of the intersections with Rt 161 going NW from Caribou, Rt 1 going north, and Rt 89 going NE from Caribou.

University of Maine Presque Isle conducted a walkover and subsurface testing for prehistoric sites along the margins of the Hardwood Brook valley and an associated wetland. These areas are designated Archaeological Areas 19 and 20 in a report dated May 2007, combined with the Rt 161 Caribou to Daigle project. No prehistoric sites were found in Areas 19 and 20 or elsewhere on Segment 4.

Historic archaeological field work and background (deed, map) research was conducted by MHPC. Nineteenth-century age archaeological sites were either found to be outside the project impact area, or found to be not significant based on background work or field conditions.

It is extremely unlikely that a significant archaeological site would be affected by this project, in our opinion.

In following the procedures specified in the Federal Highway/MHPC/MDOT programmatic agreement, we recommend a finding "that there will be no archaeological properties affected by the proposed undertaking."



PRINTED ON RECYCLED PAPER

PHONE: (207) 287-2132

FAX: (207) 287-2335

Appendix A-5

Letter to Maine Public Lands



Vanasse Hangen Brustlin, Inc.

April 20, 2009

Maine Bureau of Parks and Lands
Off-Road Vehicle Division
22 State House Station
Augusta, ME
Attention: Mr. Scott Ramsey, Supervisor

RE: Aroostook County Transportation Study
Segment 4, Caribou Connector
Impacts to Aroostook Valley Trail

Dear Mr. Ramsey

The Maine Department of Transportation (MaineDOT) is conducting the Aroostook County Transportation Study (ACTS) to identify transportation improvements that will enhance travel mobility and efficiency within northeastern Aroostook County. We are currently preparing a Final Environmental Impact Statement (FEIS) for one segment of the overall study, the Caribou - Route 1-161 Connector. ~~The Caribou Connector will provide a direct link between Route 1 and Route 161 immediately north of the City of Caribou.~~

The preferred alternative for the Caribou Connector, referred to as Alignment Option 4B, impacts 0.75 acres of the Aroostook Valley Trail at its southern terminus at the intersection of Otter Street and Route 89. Implementation of this alignment would require a land taking from the Maine Bureau of Parks and Land's Aroostook Valley Trail. This alignment option would also require a land taking from an adjacent parcel, owned by the City of Caribou, which contains a parking area and a short connector trail to the Aroostook Valley Trail (see attached figure).

We appreciate the importance of the recreational trail network to the State of Maine in general and Aroostook County in particular. Substantial efforts were made to avoid impacting the trail however, we are constrained from moving the roadway alignment either east or west due to the presence of a Maine Public Service substation immediately to the west and a wetland area (Otter Brook) immediately to the east. We believe the trail could be reasonably relocated east of its existing layout and a new parking area provided in the immediate area either north or south of Route 89.

This letter initiates a coordination process with you, the owner and manager of the Aroostook Valley Trail, required under Section 4(f) of the US Department of Transportation Act of 1966. Under Section 4(f), MaineDOT is required to assess and, to the extent practical and prudent, avoid or mitigate impacts to certain types of public lands, such as those used for recreational purposes like the Aroostook Valley Trail.

We look forward to working with you on this matter and are confident that a mutually agreeable solution can be found. Please contact me with any comments or questions you may have regarding this issue. I look forward to hearing from you.

Respectfully,

Medea Pucung (for)
Lisa Standley
Project Manager

✓ Cc: Kathleen Mazzuchelli
Supervisor, Caribou Parks and Recreation Department
55 Bennett Drive
Caribou, ME 04736



Appendix A-6 NRCS Farmland Conversion Impact Correspondence



June 12, 2009

Vanasse Hangen Brustlin, Inc.

Ref: 06520.02

Joe Weber
District Conservationist
Natural Resources Conservation Service
735 Main Street, Suite #3,
Presque Isle, ME 04769

Re: Caribou Route 1-161 Connector
Farmland Conversion Impact Rating

Dear Mr. Weber,

FHWA and MaineDOT are proposing the Caribou Route 1-161 Connector in Caribou, Maine. Please see the attached NRCS Farmland Conversion Impact Rating for the Route 1-161 Connector and the accompanying table and figures. The Army Corps of Engineers has identified Alignment Option 4B as the Least Environmentally Damaging Alternative (LEDPA), partially based on this option having the least impact to farmland and wetlands of the alignment options considered.

Table 1 identifies the farmland impacts shown on each figure. Farmland impacts are broken down into three categories in this table; directly impacted farmland, indirectly impacted farmland, and potentially affected farmland. Figures 2-7a through 2-7g show the three proposed alignment options for the proposed project in detail. Figure 3-2 shows all three alignment options in their entirety for context purposes.

Farmland impacts for this impact rating were determined by identifying farmland on aerial images and measuring the acres of farmland impact for each alignment option. If you have any questions or would like additional information, please contact me at (617) 924-1770 ext. 1523.

Very truly yours,

VANASSE HANGEN BRUSTLIN, INC.

A handwritten signature in black ink, appearing to read 'Annie Podkaminer'.

Annie Podkaminer
Environmental Planner

CC: Lisa Standley, VHB, Inc.
Russell Charette, P.E., MaineDOT

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request 6/3/09	4. Sheet 1 of <u>10</u>
---	--	-------------------------

1. Name of Project Caribou Route 1-161 Connector	5. Federal Agency Involved Federal Highway Administration
2. Type of Project Roadway	6. County and State Aroostook, Maine

PART II (To be completed by NRCS)		1. Date Request Received by NRCS	2. Person Completing Form
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated Average Farm Size	
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: %	7. Amount of Farmland As Defined in FPPA Acres: %	
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	68	46	63	
B. Total Acres To Be Converted Indirectly, Or To Receive Services	4	0	4	
C. Total Acres In Corridor	73	46	67	0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				


PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
--	--	--	--	--

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15				
2. Perimeter in Nonurban Use	10				
3. Percent Of Corridor Being Farmed	20				
4. Protection Provided By State And Local Government	20				
5. Size of Present Farm Unit Compared To Average	10				
6. Creation Of Nonfarmable Farmland	25				
7. Availability Of Farm Support Services	5				
8. On-Farm Investments	20				
9. Effects Of Conversion On Farm Support Services	25				
10. Compatibility With Existing Agricultural Use	10				
TOTAL CORRIDOR ASSESSMENT POINTS	160	0	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or a local site assessment)	160	0	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	0	0	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
-----------------------	---	-----------------------	--

5. Reason For Selection:

Signature of Person Completing this Part: 	DATE 6/12/09
---	---------------------

NOTE: Complete a form for each segment with more than one Alternate Corridor

Table 1
Farmland Impact by Alignment Option (acres)

Figure Number	Alignment 4A			Alignment 4B			Alignment 4C		
	Directly Impacted Farmland ¹	Indirectly Impacted Farmland ²	Potentially Affected Farmland ³	Directly Impacted Farmland	Indirectly Impacted Farmland	Potentially Affected Farmland	Directly Impacted Farmland	Indirectly Impacted Farmland	Potentially Affected Farmland
2-7a	0	0	0	0	0	0	0	0	0
2-7b	0	0	0	2	0	0	0	0	0
2-7c	26.3	2.7	7.9	21.1	0	10.3	20.6	2.7	7.9
2-7d	12.7	0	8	19	0	0	12.7	0	8
2-7e	0	0	0	3.7	0	0	0	0	0
2-7f	18.8	0	17	0	0	0	18.8	0	17
2-7g	10.5	1.5	0	0	0	0	10.5	1.5	0
Total	68.3	4.2	24.9	45.8	0	10.3	62.6	4.2	24.9

Source: Vanesse Hangen Brustlin, 2009.

- 1 Farmland impacted by the proposed 300-foot right-of-way to be purchased by MaineDOT.
- 2 Farmland which will be deemed unfarmable by the proposed right-of-way purchase.
- 3 Farmland which may be impacted by the proposed right-of-way purchase.

Appendix A-7
Letter from U.S. Fish and Wildlife Service
Dated June 25, 2007

RECEIVED

JUN 27 2007



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Maine Field Office – Ecological Services
1168 Main Street
Old Town, ME 04468
(207) 827-5938 Fax (207) 827-6099

In Reply Refer To 53411-2007-I-254
FWS/Region 5/ES/MEFO

June 25, 2007

Dan Tierney
Maine DOT Environmental Office
16 State House Station
Augusta, ME 04333-0016

Dear Mr Tierney

Thank you for your letter requesting information or recommendations from the U S Fish and Wildlife Service This letter provides the Service's response pursuant to Section 7 of the Endangered Species Act (ESA), as amended (16 U S C 1531-1543), and the Fish and Wildlife Coordination Act, as amended (16 U S C 661-667d)

Project Name/Location/County: Route 1, Caribou bypass

Date of Receipt of Incoming Letter: May 1, 2007 **Log Number:** 53411-2007-I-254

We reviewed your request for information about endangered and threatened species and their habitats for the above referenced project As you note in your request, your project occurs within the range of the federally threatened Canada lynx (*Lynx canadensis*) in Maine The Caribou bypass and associated alternatives occur outside of the area proposed and withdrawn for Critical Habitat in 2006 You reviewed potential project effects on the lynx (Appendix A, lynx review form) using the methodology agreed to by FHWA, Maine DOT and the Service Given the lack of suitable habitat and the high level of fragmentation in this primarily agricultural area, the construction of a bypass around Caribou is unlikely to affect lynx or their habitat Based on the project description and location, the Fish and Wildlife Service concurs with your determination that this project is not likely to adversely affect the Canada lynx

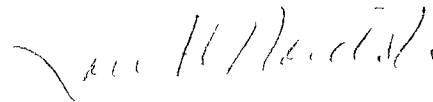
Based on the information currently available to us, no federally threatened or endangered species under the jurisdiction of the Service are known to occur in the project area, with the exception of occasional, transient bald eagles (*Haliaeetus leucocephalus*) Accordingly, no further action is required under Section 7 of the ESA, unless (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat determined that may be affected by the identified action

TAKE HOME
INFORMATION

A list of federally-listed species in Maine is enclosed for your information. Please contact the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program (Natural Heritage Data Manager, Maine Natural Areas Program, 93 State House Station, Augusta, ME 04333 207 287-8044) for further information on state-listed species in the project area.

If you have any questions, please call me at (207) 827-5938.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Nordstrom".

Lori Nordstrom
Project Leader

Enclosure