



Engineers ♦ Environmental Scientists ♦ Surveyors

June 24, 2015

Mr. Jim Beyer
Maine Department of Environmental Protection
106 Hogan Road
Bangor, ME 04401

Re: Permit By Rule Notification-Significant Vernal Pool | Proposed Access Road for MRC-Fiberight Waste Processing and Recycling Facility | Hampden, Maine

Dear Jim:

CES is assisting the MRC with the design and permitting of a proposed solid waste processing and recycling facility in Hampden, Maine. Enclosed please find a NRPA Permit by Rule (PBR) notification form for proposed impacts within 250 feet of a significant vernal pool. The proposed project consists of a 30 foot wide paved access road extending from Coldbrook Road approximately 4,460 linear feet to a 144,000 square foot waste processing facility with associated office space, parking, and access areas. The site contains an existing access road and associated clearing that has been in place for several decades. Areas of the Site were harvested for timber approximately 20 years ago. Expansion of the existing road to meet design standards will impact the critical terrestrial habitat of a MDEP significant vernal pool (VP 1-10).

Within the 250 foot significant vernal pool critical terrestrial habitat (CTH), the proposed project would result in approximately 25,700 SF of non-forested area, approximately 12%, less than the 25% required to meet Permit by Rule standards and to maintain a continuous forest cover.

A Vernal Pool Survey was completed during the Spring of 2015 and the results of the survey sent to MDIFW for review. The project will adhere to the standard as outlined under MDEP Chapter 305, Section 19. All construction at the site will adhere to the current MDEP erosion and sediment control standard BMPs.

This submittal is included with additional MDEP Permit applications, including a NRPA Tier 3 Permit Application for wetland fill, and a NRPA Permit by Rule notification for a stream crossing on the same road. Please contact us if we can provide additional information.

Sincerely,
CES, Inc.

A handwritten signature in blue ink, appearing to read 'R. St. Amand', is written over a light blue horizontal line.

Roger St.Amand, LSE, CSS,CPESC, LF
Senior Project Scientist

RSA/jok
Enc.

Mr. Jim Beyer | 06.24.2015 | 10973.002

SENSIBLE SOLUTIONS



Corporate Office

465 South Main Street
PO Box 639
Brewer, Maine 04412
207.989.4824

www.ces-maine.com



**MAINE DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

PERMIT BY RULE APPLICATION

FOR

**SOLID WASTE PROCESSING AND RECYCLING FACILITY
HAMPDEN, MAINE**

Applicants: Municipal Review Committee, Inc.
395 State Street
Ellsworth, ME 04605
207.664.1700

**JUNE 2015
JN: 10973.001/11293.001**

Application Prepared By:

CES, Inc.
465 South Main Street
P.O. Box 639
Brewer, ME 04412
207.989.4824

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM

(For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)	Municipal Review Committee, Inc.	Name of Agent:	CES, INC. (Attn: Roger St.Amand)		
Applicant Mailing Address:	395 State St.	Agent Phone # (include area code):	(207) 989 - 4824		
Town/City:	Ellsworth	PROJECT Information Name of Town/City:	Hampden		
State and Zip code:	ME 04605	Name of Wetland or Waterbody:	Unnamed Wetland		
Daytime Phone # (include area code):	(207) 664-1700	Map #:	09/14	Lot #:	35, 36, 37, 39, /07
Detailed Directions to Site:	FROM INTERSTATE 95, TAKE EXIT 180 AND TURN LEFT ONTO COLDBROOK ROAD. ACCESS ROAD TO THE SITE IS 0.6 MILES ON THE LEFT.				
	UTM Northing: (if known)	4957026 M	UTM Easting: (if known)	511551 M	
Description of Project:	Construct 4,400 linear foot access road and associated clearing within significant vernal pool habitat to a proposed Solid Waste Processing and Recycling facility on 90 acre parcel accessed from Coldbrook Road in Hampden, Maine.				
Part of a larger project? (check one) →	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	After the Fact? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).	

PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, **have read** and will comply with all of the standards in the Sections checked below.


- | | | |
|---|---|---|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec.(10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input checked="" type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities in existing dev. areas located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

I have attached the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$73 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach Proof of Legal Name.** If applicant is not an individual or municipality, provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.**
- Attach** all other required submissions as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	June 22, 2015
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP
 17 STATE HOUSE STATION
 AUGUSTA, ME 04333-0017
 (207)287-3901

PORTLAND DEP
 312 CANCO ROAD
 PORTLAND, ME 04103
 (207)822-6300

BANGOR DEP
 106 HOGAN ROAD
 BANGOR, ME 04401
 (207)941-4570

PRESQUE ISLE DEP
 1235 CENTRAL DRIVE
 PRESQUE ISLE, ME 04769
 (207)764-0477

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	



MAINE

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

[Corporate Name Search](#)

Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: Fri Jun 05 2015 08:57:09. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
MUNICIPAL REVIEW COMMITTEE, INC.	19910436ND	NONPROFIT CORPORATION (T13-B)	GOOD STANDING
Filing Date	Expiration Date	Jurisdiction	
06/07/1991	N/A	MAINE	
Other Names		(A=Assumed ; F=Former)	
COMMITTEE TO ANALYZE PERC, INC.		F	

Clerk/Registered Agent

DANIEL G. MCKAY
P.O. BOX 1210
BANGOR, ME 04402 1210

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Certificate of Existence [\(more info\)](#)

[Short Form without amendments](#)

[Long Form with amendments](#)

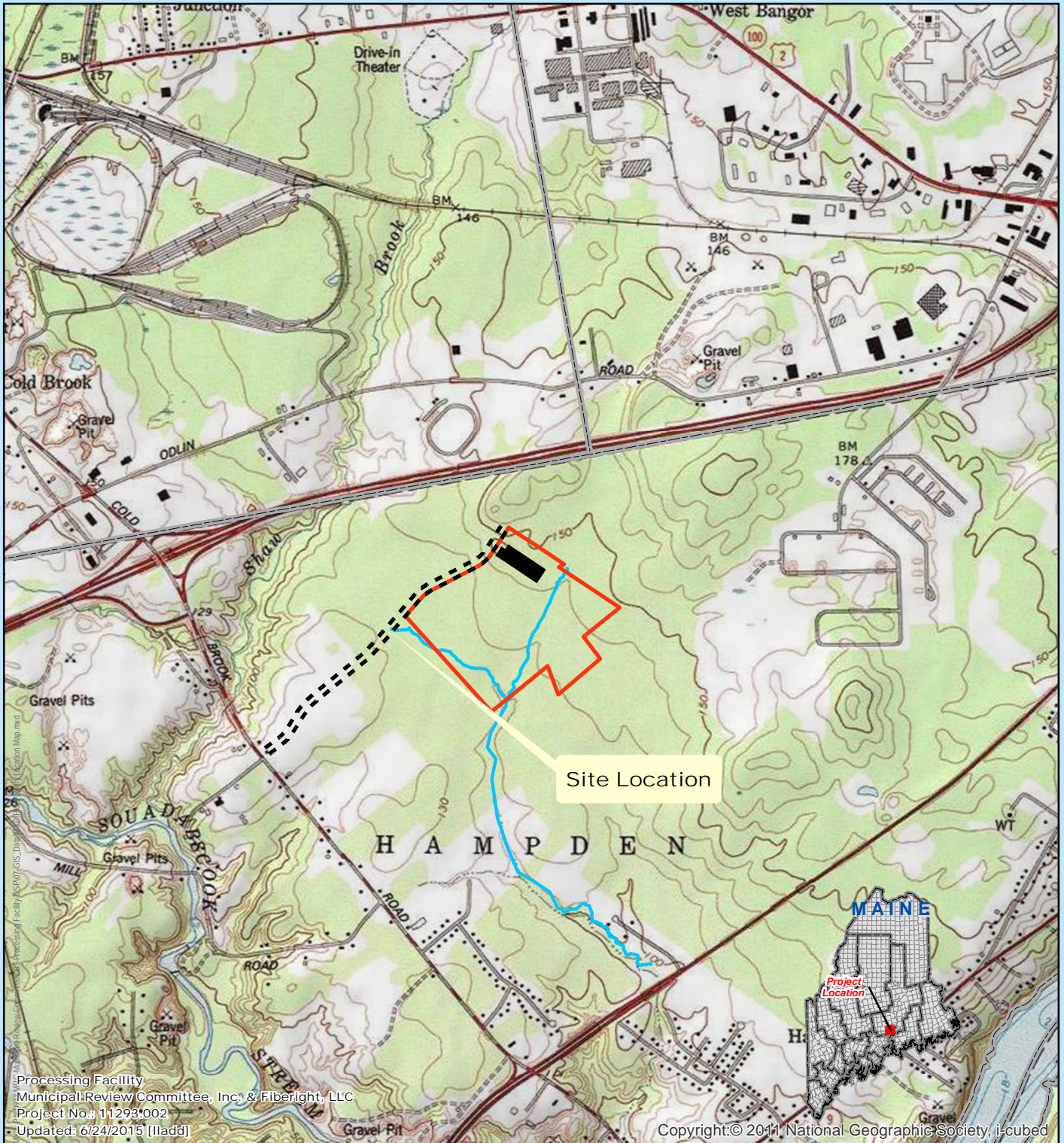
(\$10.00)

(\$10.00)

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files. If you encounter problems, visit the [troubleshooting page](#).

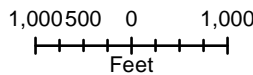
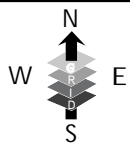


USGS Topographic Map



Processing Facility
 Municipal Review Committee, Inc. & Fiberight, LLC
 Project No.: 11293-002
 Updated: 6/24/2015 (lladd)

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Legend

- Proposed Road Location
- Proposed Building Location
- Proposed Facility Property Boundary
- Delineated Streams
- Town Boundaries

MAP NOTES:
 1: ADMINISTRATIVE BOUNDARIES COURTESY OF THE MAINE OFFICE OF GIS (MEGIS).
 2: TOPOGRAPHIC MAP IS USGS 1:24,000 TOPOGRAPHIC QUADRANGLE. PUBLISHED BY USGS, 2011. ACQUIRED FROM ESRI, 2015.

M:\D:\110973-MRC-Municipal-Review-Committee-003-Processing-Facility-03-Processing-Facility-03-Processing-Facility-Location-Map.mxd

MUNICIPAL REVIEW COMMITTEE, INC.
 PERMIT BY RULE APPLICATION



Photo No. 1

Photo Date:
 May 5, 2015

Site Location:
 Coldbrook Road
 Hampden, Maine

Description:
 Significant vernal
 pool VP1-10.

Photo By: RSA



Photo No. 2

Photo Date:
 June 5, 2015

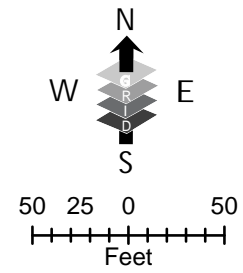
Site Location:
 Coldbrook Road
 Hampden, Maine

Description:
 Significant vernal
 pool VP 1-10
 surrounding critical
 terrestrial habitat.

Photo By: RSA



Proposed Clearing Impact within 250-ft of Vernal Pool #1-10



Legend

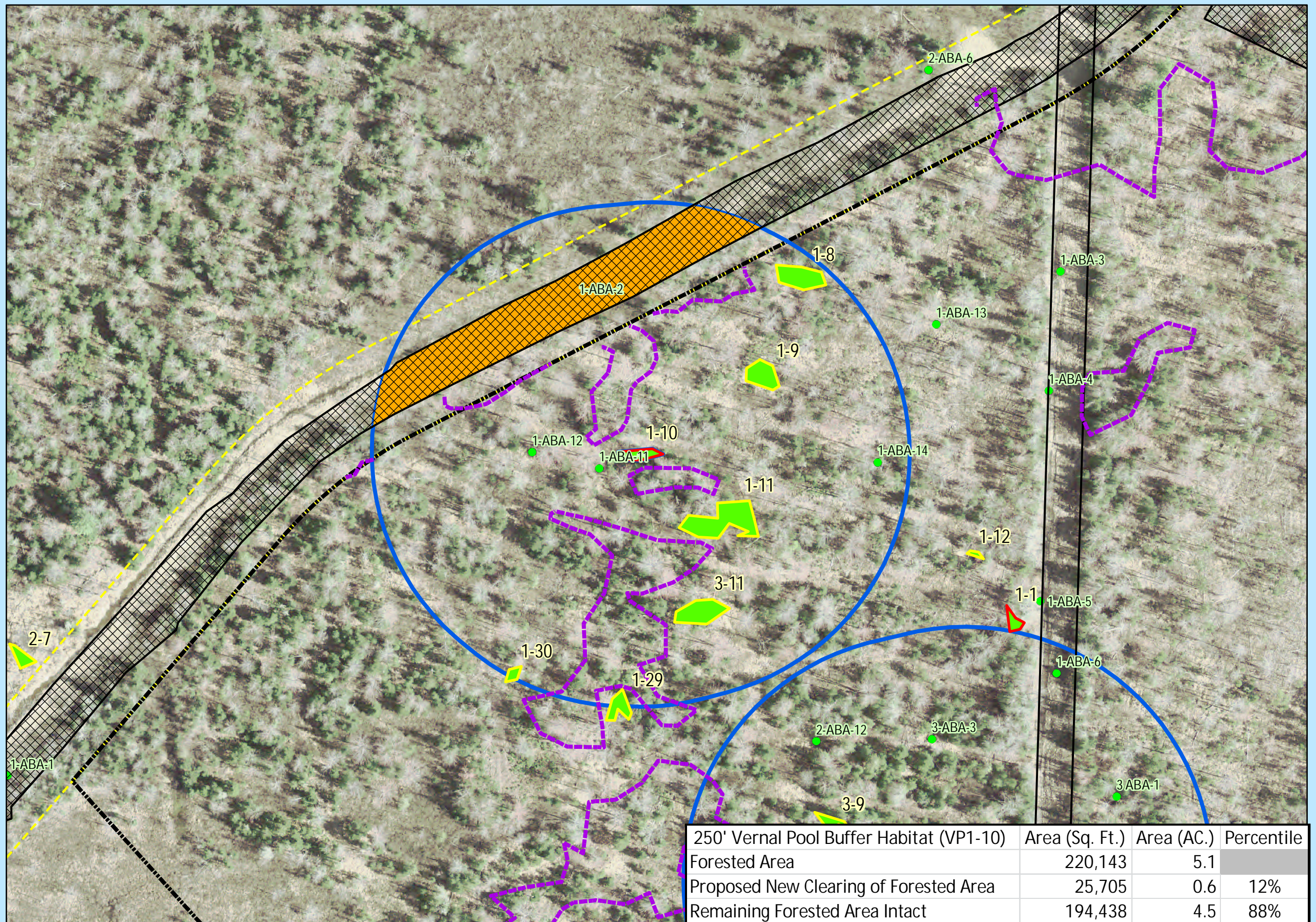
- Property Boundary
- Proposed Access Road ROW
- Delineated Streams
- Wetland Boundaries
- Vernal Pools
- Significant Vernal Pools
- Amphibian Breeding Areas
- Existing Cleared Area(s)
- Proposed Clearing Limits
- Impacted 250' Vernal Pool Buffer
- Impacted 250' Vernal Pool Buffer



MRC & Fiberright
 Waste Processing Facility
 Project No.: 10973.002
 Updated: 6/24/2015 [lladd]

MAP NOTES:

1. WETLANDS SHOWN HEREON WERE FIELD DELINEATED IN GENERAL ACCORDANCE WITH 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE 2012 NORTHCENTRAL AND NORTHEAST REGIONAL SUPPLEMENT (2.0) AND BASED ON A FIELD SURVEY PERFORMED BY MOYSE ENVIRONMENTAL INC. AND CES INC. APRIL-JUNE OF 2015.
2. VERNAL POOL SURVEYS WERE COMPLETED DURING AN APPROPRIATELY TIMED SURVEY IN SPRING 2015 AND IN ACCORDANCE WITH STATE AND FEDERAL REGULATIONS AND DEFINITIONS, AND THE MAWS VERNAL 2011 DRAFT POOL SURVEY PROTOCOL.
3. SITE FEATURES, INCLUDING WETLAND BOUNDARIES, STREAMS AND VERNAL POOLS, DEPICTED ON THIS PLAN WERE LOCATED UTILIZING A GPS RECEIVER HAVING SUB-METER ACCURACY.
4. IMAGERY ACQUIRED FROM ESRI. IMAGERY IS 0.3-METER UC-G IMAGERY COURTESY OF MICROSOFT (2010).
5. MAP IS PROJECTED USING MAINE STATE PLANE COORDINATES, EAST ZONE, WITH UNITS OF U.S. SURVEY FEET AND REFERENCES THE NORTH AMERICAN DATUM OF 1983 (NAD83).
6. NORTH ARROW IS REFERENCED TO GRID NORTH.



250' Vernal Pool Buffer Habitat (VP1-10)	Area (Sq. Ft.)	Area (AC.)	Percentile
Forested Area	220,143	5.1	
Proposed New Clearing of Forested Area	25,705	0.6	12%
Remaining Forested Area Intact	194,438	4.5	88%