



Commission Members: Chair Patrizia Bailey, Kara Wooldrik, Simon Rucker, William Mann, Steve Morgenstein, Andrew Butcher, Jon Kuchmar, Patrick Rombalski and Councilor Justin Costa.

City Staff: Doug Roncarati, Michael Goldman, Ethan Hipple and Alli Carroll

City of Portland
Land Bank Commission Agenda
June 12, 2019
5:00 PM
Portland, Maine City Hall
389 Congress Street, Council Chambers

- I. Citizen Comment Period
- II. Agenda Items
 - i. Acceptance of Meeting Minutes: May 8, 2019
 - ii. New Business
 - a. Army Corps Notice - Doug
 - iii. Old Business
 - a. Parcel Priority - Kara
 - b. Due Diligence Process - Simon
 - iv. Communications/Updates
 - a. Secretary Report
 - b. Treasurer Report
 - c. Outreach Subcommittee Report
 - d. Parks Report

The Land Bank Commission is responsible for identifying and protecting open space resources within the City of Portland. The commission seeks to preserve a balance between development and conservation of open space important for wildlife, ecological, environmental, scenic or outdoor recreational values.



In attendance: Commission Members: Chair Patrizia Bailey, Kara Wooldrik, Roger Berle, Steve Morgenstein, Andrew Butcher and Councilor Justin Costa. City Staff: Doug Roncarati, Ethan Hipple and Alli Carroll. Member of the public: George Rheault.

City of Portland
Land Bank Commission Minutes
May 8, 2019, 5:00 PM
Portland, Maine City Hall
389 Congress Street, Council Chambers

I. Citizen Comment Period

George Rheault described how London is dealing with similar housing issues as the United States. They have a slogan, “Places People Play”, so that people are never left out of the conversation of parks and open space. He suggested the Commission look into how they are handling things.

He also suggested that the Land Bank Commission reach out to Portland Water District regarding the Sebago Lake Watershed. He mentioned the Federal Government’s potential interest in a filtration plant in this area. This is an estimated half-billion-dollar project that will raise taxes. Encouraged the Commission to protect the watershed before the filtration plant comes into effect, if it does.

He also suggested that the Commission look at the open space and environment sections of the Comprehensive Plan report. It could act as a road map for the next ten years. Hoping to hear a discussion on it in a future agenda.

II. Agenda Items

i. Acceptance of Meeting Minutes: April 10, 2019

Roger moved to accept the meeting minutes of April 10, 2019. Steve seconded. All in favor. Passed unanimously.

ii. New Business

- a.** Prior to the meeting, Roger notified members that he will be resigning from the Commission. This is his last meeting. He took a minute to share his history with the Commission and thanked everyone for working with him and shared his gratitude for being a part of the Land Bank since its start. Members and staff thanked him as well.

- b. Parcel Priority List & Criteria**

Kara shared a presentation regarding the criteria and priority parcel list. Commission looked at the City Charter Chapter 2, current criteria and priority parcel list. She proposed other items that could be added to the criteria list. Members worked together and voted on items that were most important to them. Kara will take that information and recreate a new criteria list.

iii. Old Business

- a. Land Bank Parcel Map:** There will be a quick update to the Land Bank parcel map. Should be done by next month.
- b. Portland Opportunity Crew:** The Commission can fund the crew if they are working on

Land Bank parcels. They are about to start working in the next week or two. Sponsorship is \$1300 a week. Staff will come up with a list of projects on Land Bank properties and will bring them next meeting.

iv. Communications/Updates

a. Treasurer Update

Andrew thanked Ethan for providing the updated financial statement. It is a quiet month so not much news but would like to look at the housekeeping of the policy and procedures. Would like a future meeting with Ethan regarding this.

b. Secretary Update

Simon is not in attendance but he had asked Andrew to share: With Rogers and Meri's departures, there are two open spots on the Commission. Ethan has spoken with City Clerk so that she is aware. He will touch base with her again now that he knows this is Roger's last meeting.

c. Outreach Committee Update

They will bring a process for RFP next meeting. Goal is to make it public in September so that we are making decisions in November.

Steve shared a prototype of the proposed signs for Land Bank properties. They are \$40 each and there will be about 10 signs.

d. Parks Update

Green Space Gathering: The Land Bank Commission held a table at the Green Space Gathering this year. They had a couple members of the public view it and were able to share the new outreach program with them.

Roger moved to adjourn the meeting. Justin seconded. All in favor. Passed unanimously.



US Army Corps
of Engineers ®
New England District

Maine Project Office
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

PUBLIC NOTICE

Date: May 14, 2019
Comment Period Ends: June 13, 2019
File Number: NAE-2019-00701
In Reply Refer To: Jay L. Clement
Or by e-mail: jay.l.clement@usace.army.mil

30 DAY NOTICE

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT: MAINE TURNPIKE AUTHORITY; 2360 CONGRESS STREET; PORTLAND, MAINE 04102

ACTIVITY: Place temporary and permanent fill below the ordinary high water mark of Red Brook, Long Creek, an unnamed stream, and the Fore River and in adjacent freshwater wetlands in conjunction with the widening of the Maine Turnpike from Mile 43 at Scarborough, Maine to Mile 48.8 at Portland, Maine (5.7 miles). The project will include the construction of a third lane on the outside of existing north and southbound lanes with a shoulder, paving the median, installing a concrete median barrier, drainage improvements, and realigning existing on and off ramps. The project is designed to upgrade the turnpike to enhance public safety and meet current and projected capacity standards.

Impacts to aquatic resources include approximately 5.2 acres of permanent and 1.1 acres of temporary wetland fills, 750 linear feet of streambed lost due to culvert extensions, and 100 linear feet of streambed lost due to stream relocations. All but 1.7 acres of the 5.2 acres of permanent wetland impact will be to wetlands routinely kept cleared as part of turnpike right-of-way maintenance.

To compensate for the project's projected natural resource impacts, including unavoidable impacts to waterways and wetlands, the applicant proposes a \$802,037.36.00 contribution to the Maine Natural Resource Mitigation Fund (Maine In Lieu Fee Program) in the compensation plan. The applicant is proposing these measures seeking to compensate for and lessen the project's impact on aquatic and other natural resources. This notice solicits comments on this proposed measure from the interested or affected public as well as those agencies who speak to the public interest. It also solicits recommendations for alternative measures not yet identified by the applicant. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the applicant and determine whether the proposed measure is practicable and serves to help mitigate this project's unavoidable impacts.

WATERWAY AND LOCATION OF THE PROPOSED WORK: This work is proposed in numerous waterways and wetlands between Scarborough, Maine (USGS Prouts Neck quadrangle sheet; Lat/Long 43.624937°N; -70.351995°W) and Portland, Maine (USGS Portland West quadrangle sheet; Lat/Long 43.680431°N; -70.325666°W).

AUTHORITY

Permits are required pursuant to:

- ☐ Section 10 of the Rivers and Harbors Act of 1899
- ☒ Section 404 of the Clean Water Act
- ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

ESSENTIAL FISH HABITAT (EFH): The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat ("EFH").

In water construction at the stream crossings will impact 750 linear feet of Essential Fish Habitat ("EFH"). This habitat consists of stream bed composed of silt, sand, gravel and cobbles. Temporary or permanent impacts to this habitat may adversely affect species that use these waters and substrate. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

SECTION 106 COORDINATION: Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ENDANGERED SPECIES ACT CONSULTATION: The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur along the project corridor. It is our preliminary determination that the proposed activity for which

authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. Consultation with the Services is on-going. By this public notice, the District Engineer is requesting that the appropriate federal agency provide comments regarding the presence of and potential impacts to other listed species or its critical habitat not already identified.

OTHER APPROVALS: The applicant has supplied the Maine Department of Environmental Protection with a permit application for the work described in this public notice and is requesting that the Department either grant or waive Water Quality Certification in accordance with Section 401 of the Clean Water Act. Comments regarding the applicant's Permit/Water Quality Certification request may be submitted in writing to: Mark Bergeron, Director, Bureau of Land Resources, Department of Environmental Protection, 17 State House Station, Augusta, ME, 04333-0017 or by email to: mark.bergeron@maine.gov

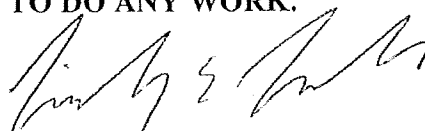
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Jay Clement at 207-623-8367, ext. 1 at our Augusta, Maine Project Office.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

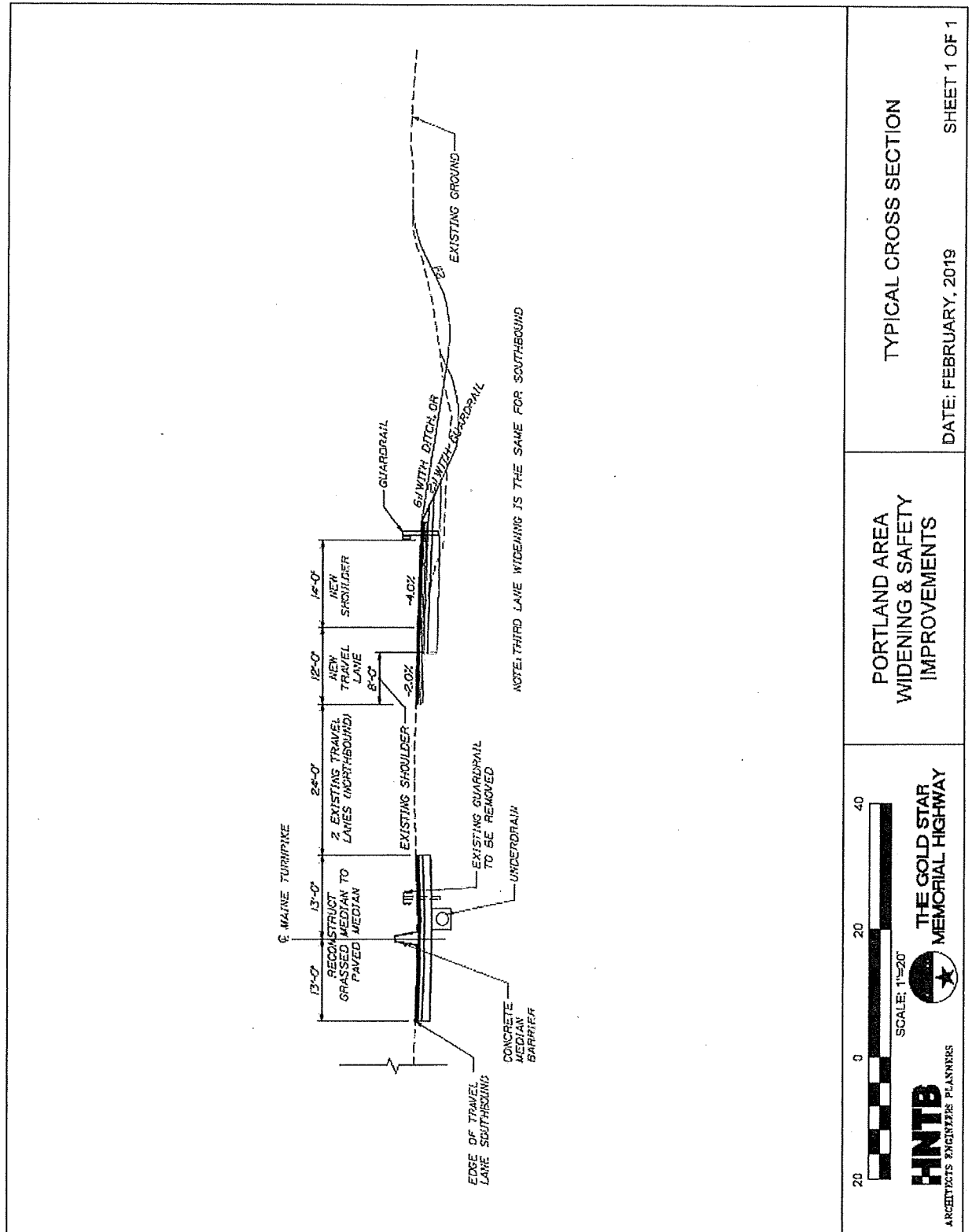


Lindsey E. Lefebvre
Chief, Permits and Enforcement Branch
Regulatory Division

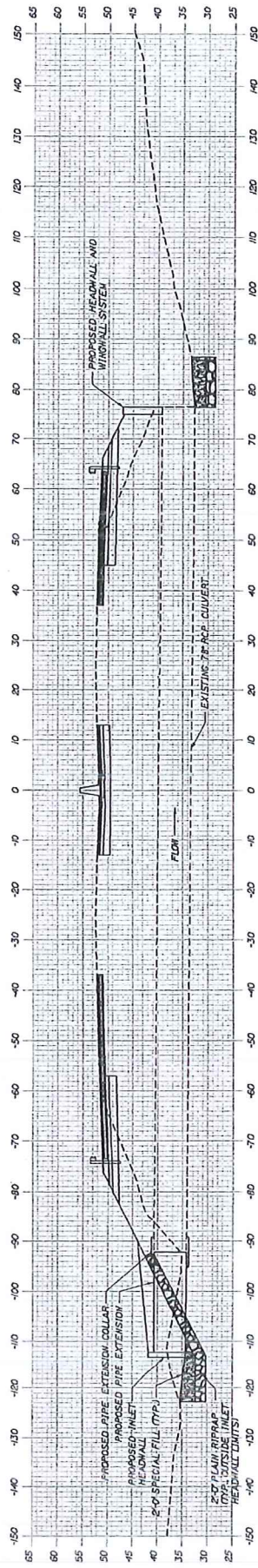
If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____

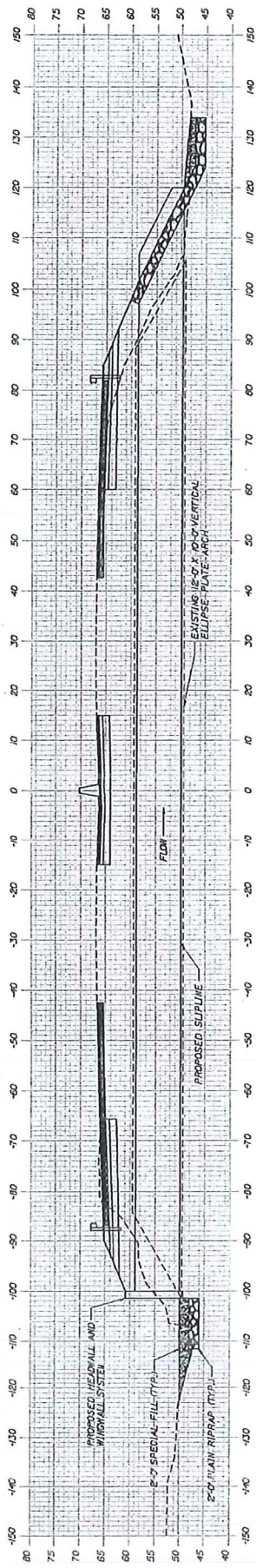
SUPPLEMENTAL FIGURE A: "TYPICAL" CROSS SECTION FOR PORTLAND AREA WIDENING PROJECT



DRAFT PDR
November 12, 2018



2272-69.49 (SKEWED ALONG LONG CREEK CULVERT)



2197-49.54 (SKEWED ALONG RED BROOK CULVERT)

Scale: 1" = 20'
Scale of Feet

Designed by:

HNTB

CONSULTANT PROJECT MANAGER: SCOTT ANTONI

Drawn	Designed	Checked	In Charge	By	Date

HNTB CORPORATION
340 County Road, Suite 8-C
Westbrook, ME 04092
Tel: (207) 228-0500
Fax: (207) 228-0500



THE GOLD STAR
MEMORIAL HIGHWAY

PORTLAND AREA
MAINLINE IMPROVEMENTS
MM 43.7 TO MM 49.3

CULVERT AND UTILITY SECTIONS (1 OF 3)

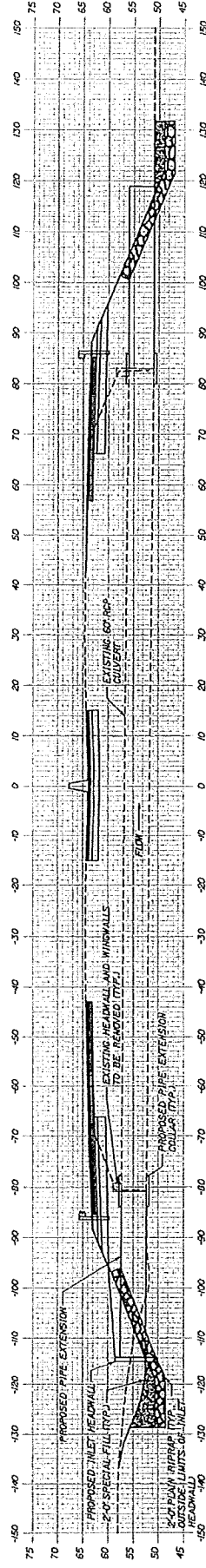
CONTRACTS: 2020.03 & 2020.04

SHEET NUMBER: XS-01

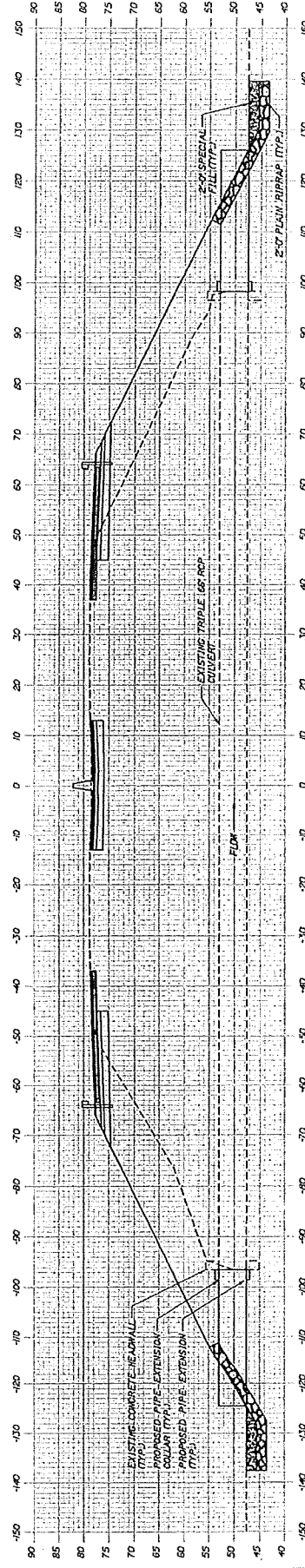
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MTA PROJECT MANAGER: SHIRAZ

DRAFT PDR
November 12, 2018



2420-38.61 (ALONG UNNAMED STREAM CULVERT)



2371-23.27 (ALONG FORE RIVER CULVERT)

Scale: 20' = 1\"/>

Designed by:

No.	Revision	By	Date

HNTB

CONSULTANT PROJECT MANAGER: CONSULTANT/PM

By	Date	By	Date
Designed	11/18	Checked	11/18
Drawn	11/18	In Charge of	11/18



HNTB CORPORATION
340 County Road, Suite 202
Portland, ME 04102
TEL (207) 774-2555
FAX (207) 774-2559

THE GOLD STAR
MEMORIAL HIGHWAY

PORTLAND AREA
MAINLINE IMPROVEMENTS
MM 43.7 TO MM 49.3

CULVERT AND UTILITY SECTIONS (2 OF 3)

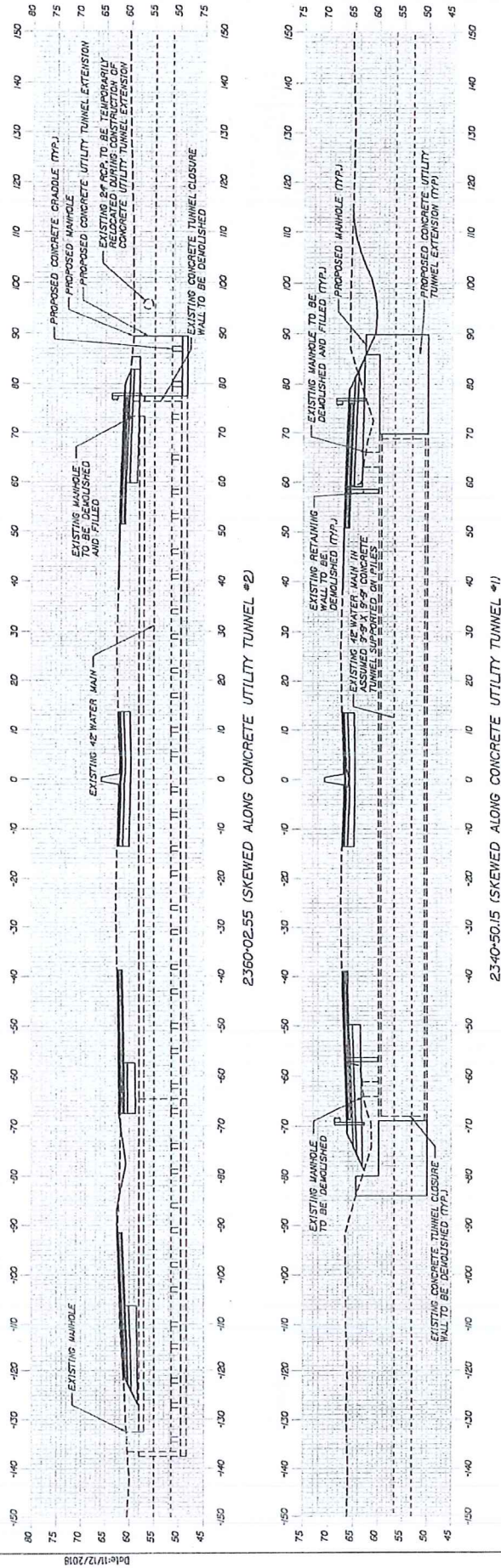
CONTRACTS: 2020.03 & 2020.04

SHEET NUMBER: XS-02

\$PSET/NOE OF \$PSET/TO

MTA PROJECT MANAGER: MTA/PM

DRAFT PDR
November 12, 2018



Designed by:



Section of

No.	Revision	By	Date

CONSULTANT PROJECT MANAGER:

Drawn	Designed	Checked	By	Date
TJP	TJP	PEK		11/18

HNTB

HNTB CORPORATION
340 County Road, Suite 8-C
Westborough, MA 01581
TEL (508) 774-5192
FAX (508) 774-0808



THE GOLD STAR
MEMORIAL HIGHWAY

PORTLAND AREA
MAINLINE IMPROVEMENTS
MM 43.7 TO MM 49.3

CULVERT AND UTILITY SECTIONS (3 OF 3)

CONTRACTS: 2020.03 & 2020.04

SHEET NUMBER: XS-03

MTA PROJECT MANAGER

30 OF 30