



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

May 18, 2023

Erin Herbig, City Manager
City of Belfast
131 Church Street
Belfast, ME 04915

Sent via Electronic Mail

SUBJECT: City of Belfast, Vine and High Streets, Miller Sidestreets, and Waldo Avenue Sewer Improvements Updated Categorical Exclusion

Dear Ms. Herbig:

In compliance with Section C of the State of Maine’s Clean Water State Revolving Fund rules, Chapter 595, this office has reviewed the updated environmental aspects of the proposed Vine and High Streets, Miller Sidestreets, and Waldo Avenue Sewer Improvements project for your community. From this review, we have determined that the project still meets the criteria for a Categorical Exclusion; therefore, a Finding of No Significant Impact will not be required.

We will have distributed the updated Categorical Exclusion to all known interested parties (See attached list). The City is required to publish a notice indicating the updated determination in a local newspaper of community-wide circulation and/or on the City’s website stating the supporting documentation is available for public inspection. The exclusion may be revoked at any time if any of the criteria used for its issuance are violated.

For your convenience, we have included a suggested format for the legal advertisement. Please advertise as soon as possible to allow a 15-day comment period. Once advertised, please send a copy of the advertisement to this office for our records.

Sincerely,

Jonathan E. Rice, P.E., Project Manager
Division of Water Quality Management
Bureau of Water Quality

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

Enc. Categorical Exclusion
Distribution List
Legal Advertisement
Figure 1 – Location Map

Ec: Annaleis Hafford, P.E., Olver Associates, Inc.



STATE OF MAINE
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JANET T. MILLS
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DETERMINATION OF CATEGORICAL EXCLUSION

TO: All Interested Persons

DATE ISSUED: May 18, 2023

The State of Maine’s Clean Water State Revolving Fund rules require a “Justification for Categorical Exclusion” prepared by the Department of Environmental Protection (DEP) on behalf of the City of Belfast. The proposed Vine and High Streets, Miller Sidestreets, and Waldo Avenue Sewer Improvements project is exempt from substantive environmental review requirements.

The proposed action is to replace existing deteriorated six-inch and eight-inch asbestos cement and vitrified clay sanitary sewer lines with new eight-inch PVC sanitary sewer lines on sections of High Street, Church Street, Pearl Street, Court Street, Pine Street, Cedar Street, Field Street, Vine Street, Water Street, River Avenue, Waldo Avenue, and a short cross-country sewer run between High Street and Water Street.

An updated review of the proposed action by DEP has indicated that it still meets the criteria for a Categorical Exclusion. Specifically, the proposed action is directed solely toward the rehabilitation, minor upgrading, and minor expansion of existing facilities.

Therefore, I am granting the Categorical Exclusion from substantive environmental review as provided in Section C of the State of Maine’s Clean Water State Revolving Fund rules, Chapter 595. This exclusion may be revoked at any time if any of the criteria used for its issuance are violated.

Further records regarding the project are on file and are available for public review at this office and local address indicated on the attached justification. Comments relative to this decision may be submitted to DEP.

Brandy Piers

Brandy M. Piers, P. Eng., P.E., Engineering Manager
Division of Water Quality Management
Bureau of Water Quality

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JUSTIFICATION FOR CATEGORICAL EXCLUSION

A. Project Identification

Project Name: Vine and High Streets, Miller Sidestreets, and Waldo Avenue Sewer Improvements

Address: City of Belfast
54 Front Street
Belfast, ME 04915

Project Location: City of Belfast
Waldo County

Project Number: C230066-12 & OSG066-01

B. Summary of Environmental Review

The environmental information document dated October 5, 2022, as prepared by Olver Associates, Inc. for the City of Belfast and a letter dated April 27, 2023, addressing updated information regarding the Northern Long-Eared Bat, have been reviewed, and in accordance with State of Maine's Clean Water State Revolving Fund¹ rules, the findings of our environmental review are summarized below.

1. Project Description

The proposed action is to replace existing deteriorated six-inch and eight-inch asbestos cement and vitrified clay sanitary sewer lines with new eight-inch PVC sewer lines on sections of High Street, Church Street, Pearl Street, Court Street, Pine Street, Cedar Street, Field Street, Vine Street, Water Street, River Avenue, Waldo Avenue, and a short cross-country sewer run between High Street and Water Street to reduce inflow and infiltration into the City's sewer system as part of the City's ongoing Combined Sewer Overflow Master Plan work. A reduction in CSO flows as well as flows to the wastewater treatment plant should be realized. It is expected that this project will require permits from Maine DOT and the Natural Resources Protection Act. All work for this project will take place within the City's right-of-way except for the short section of cross-country work, which will take place within an easement the City holds for this stretch. A portion of the work on Water Street will take place adjacent to the floodplain, but no work is expected to take place within the floodplain.

¹ Clean Water State Revolving Fund rules, <http://www.maine.gov/dep/water/grants/srfparag.html>

The project location is shown in Figure 1, attached (map created by Olver Associates, Inc.).

The total cost for the project is estimated at \$5,435,000.00, funded through the Clean Water State Revolving Fund, Overflow & Stormwater Reuse Municipal Grants (OSG) Program, and Congressionally Delegated Spending funds.

2. Justification for Categorical Exclusion

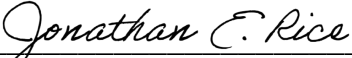
Under section C(5)(c)(i)(AA) of the State of Maine's Clean Water State Revolving Fund rules, Chapter 595, the proposed sewer replacement project meets the criteria for a categorical exclusion from the requirement for a substantive environmental review.

The project will not entail any of the following:

- i. The provision of capacity for a population 30 percent or greater than the existing population within a 10-year period;
- ii. The construction of new collection lines;
- iii. A new discharge or relocation of an existing discharge;
- iv. A substantial increase in the volume or loading of pollutants which measurably degrade receiving waters;
- v. Known or expected impacts to cultural resources, to threatened or endangered species, or to other environmentally sensitive areas, as defined by local, State or federal law; or
- vi. The construction of facilities that are known or expected not to be cost-effective or are likely to cause significant public controversy.

Originally, the cross-country sewer between High Street and Water Street was planned to be lined rather than replaced, but upon further investigation it was determined that this section would need to be replaced, which will result in the removal of approximately 0.3 acres of trees. Because this work is slated to take place during the inactive season (November 1-April 14) for the Northern Long-Eared Bat (NLEB), US Fish & Wildlife Service reached a determination of May Affect, Not Likely to Adversely Affect for the NLEB, which allows this project to continue to meet the requirements to qualify for a Categorical Exclusion.

The project is not expected to have a significant effect on the quality of the human environment nor is it expected to affect cultural resource areas or historical properties, endangered or threatened species and their critical habitats, or to affect natural resource areas such as floodplains, wetlands, wild and scenic rivers, coastal barriers, important farmlands, aquifer recharge zones or their identified resource areas.


Jonathan E. Rice, P.E.
Project Engineer
Maine Department of Environmental Protection

5/19/2023

Date

**DEP DISTRIBUTION LIST
FOR CATEGORICAL EXCLUSIONS
& FINDINGS OF NO SIGNIFICANT IMPACT (Rev. 12/21/2020)**

Natural Resources Council of Maine
3 Wade Street
Augusta, Me 04330
nrcm@nrcm.org

Annaleis Hafford, P.E.
Vice President
Olver Associates, Inc.
P.O. Box 679
Winterport, ME 04496
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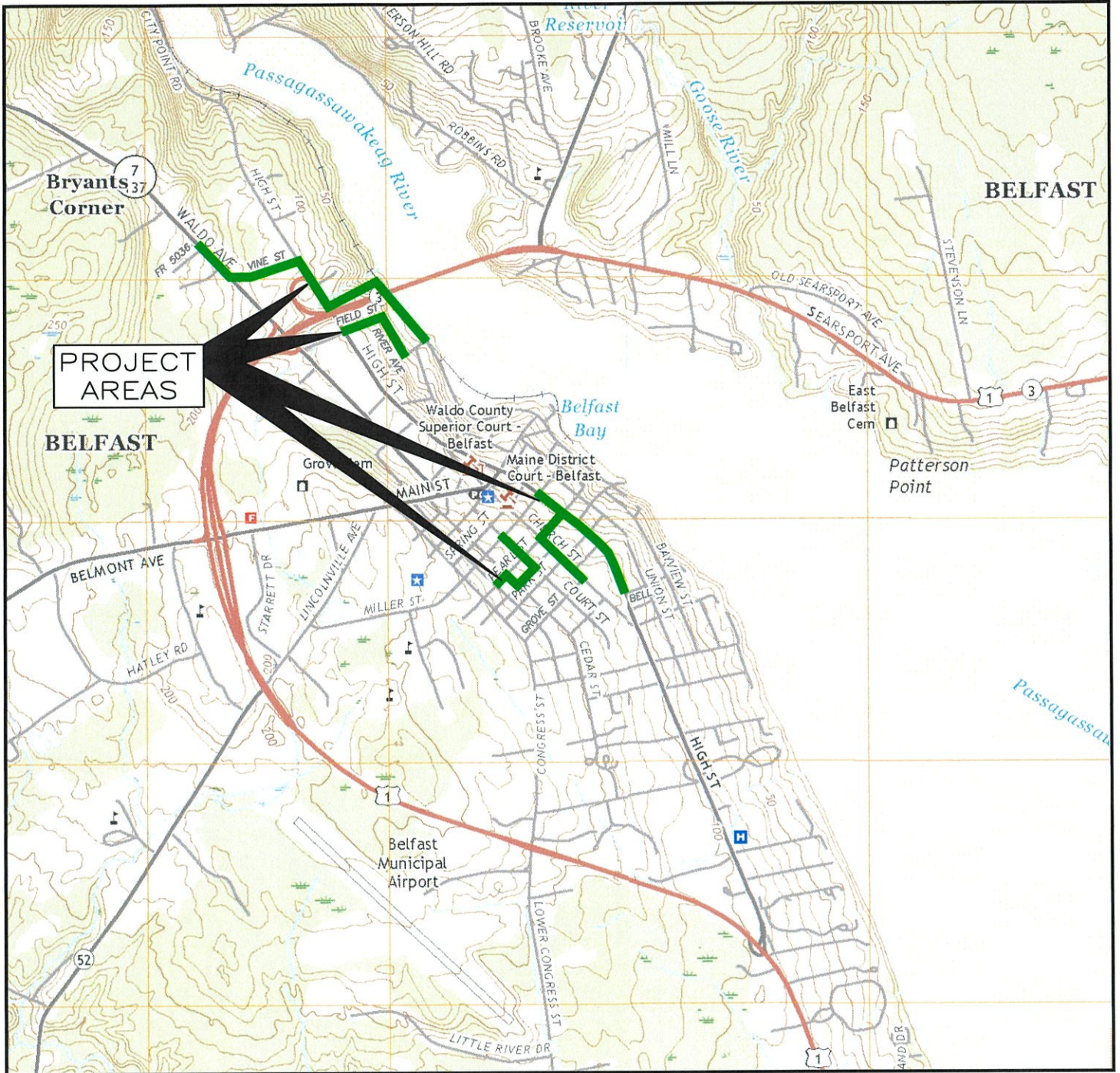
James Knight
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17 State House Station
Augusta, ME 04333
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Erin Herbig, City Manager
City of Belfast
131 Church Street
Belfast, ME 04915
Citymanager@cityofbelfast.org

Natural Resources Protection Act
Mark Stebbins, Director, BLR
Mark.Stebbins@maine.gov

Previously Contacted Distribution List:

- Maine Natural Areas Program
- Maine Department of Inland Fisheries & Wildlife
- Maine Department of Marine Resources
- Maine Historic Preservation Commission
- U.S. Fish & Wildlife Service
- Maine Floodplain Management Program
- Maine Audubon Society
- Maine Emergency Management Agency
- Maine Geological Survey
- Maine Coastal Program
- Mid Coast Regional Planning Commission
- Penobscot Indian Nation
- Mi'kmaq Nation
- Maine DOT Region 2



CITY OF BELFAST, MAINE
 CSO REDUCTION
 SEWER IMPROVEMENTS PROJECT
 LOCATION MAP

FIGURE 1

SOURCE:
 USGS BELFAST AND SEARSPORT QUADRANGLES, MAINE
 7.5 MINUTE SERIES, 2021
 SCALE: 1:24,000

OLVER ASSOCIATES INC.
 ENVIRONMENTAL ENGINEERS
 290 MAIN STREET WINTERPORT, MAINE