

Final Notice and Public Review of a Proposed Activity in a Wetland – Denmark, Maine

To: All Interested Agencies, Groups, and Individuals

Introduction and Compliance with Federal Regulations

The Northern Border Regional Commission (NBRC) is considering funding the Proposed Action under its 2023 Catalyst Program. NBRC has prepared an 8-Step Decision-Making Process review in compliance with Executive Order (EO) 11988 (Floodplain Management), which ensures that federally funded projects consider floodplain impacts and avoid unnecessary risks.

Additionally, NBRC is in compliance with Executive Order (EO) 11990 (Protection of Wetlands), which aims to avoid, to the extent possible, the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to prevent the direct or indirect support of new construction in wetlands where practicable alternatives exist.

Description of the Proposed Action

NBRC is considering funding the Western Maine Trails Investment Project (the Proposed Action). In support of the Proposed Action, NBRC would provide funds to Western Maine Trails Investment Partnership, a collaboration of five partner land trusts (Greater Lovell Land Trust, Loon Echo Land Trust, Western Foothills Land Trust, Mahoosuc Land Trust, and Inland Woods + Trails), to be used to improve access, amenities, and opportunities for trail-based recreation at trail systems in Oxford County. Implementation of the Proposed Action would result in the creation and maintenance of sustainable, durable recreational assets designed to withstand the stressors of climate change and extreme weather events that provide equitable access to the outdoors to the residents of Oxford County while also contributing to the economic growth and sustainability of the region.

Projects to be completed as part of the Proposed Action include general trail improvements at a number of locations, resurfacing trails for universal access, improving trailhead parking areas, and replacing chemical port-a-johns with vault toilets, at nineteen discrete project sites throughout Oxford County. Although the Proposed Action includes nineteen project sites, this Final Notice will examine only the Pleasant Mountain East and West project sites, managed by Loon Echo Land Trust, where wetlands were identified:

Pleasant Mountain West and East – Trail Improvements and Vault Toilet (44°24'38.96"N, 70°53'38.85"W)

Proposed improvements will focus on Ledges, Southwest Ridge, and Bald Peak Trails, as well as the main parking area. Approximately 5 miles of trail will require improvements, including narrowing a half a mile of tread to an approximate width of 18-36 inches. Approximately 300 linear feet of tread on the Ledges Trail will be replaced with stone step tread. New water bars will be installed on each trail, including five on Southwest Ridge, two on Ledges Trail, and three on Bald Peak Trail.

NBRC has determined that the Proposed Action's footprint exists within a wetland and warrants an analysis under the 8-Step Decision-Making Process.

In addition to the Proposed Action, the applicant considered and dismissed the following alternatives. Factors such as the natural environment, social concerns, economic aspects, and legal constraints were analyzed to determine the practicability of all alternatives.

No Action Alternative: Under the No Action Alternative, NBRC would not provide funding for the Proposed Action. As a result, the proposed trail improvements would not occur, and the project purpose of improving access, amenities, and trail-based recreation opportunities in Oxford County would not be achieved.

Mitigation Measures

While there are no practicable design modifications that would entirely avoid impacts to wetlands, the grantee incorporated the following measures to minimize those impacts. In addition to the site-specific measures described below, the following general construction Best Management Practices (BMPs) will be implemented throughout the project:

- Trail workers and contractors will confine sediment and debris within the designated soil disturbance limits and ensure that erosion control measures are properly used and maintained to prevent off-site sediment transport.
- Drainage ways, whether designed or incidental, will have filter barriers installed to prevent sediment transport.
- Sediment barriers will be installed downgradient of work areas to prevent off-site sediment transport or transport to on-site sensitive receptors.
- Sediment barriers will be inspected and repaired before, during, and after each rain event.

The following site-specific actions will be taken to minimize impacts to wetlands: Pleasant Mountain West and East

Following the MDIFW's recommendations, Construction BMPs will be implemented during the resurfacing of trails to minimize erosion and sedimentation into the nearby wetlands. When installing water bars and stone step tread, potential vernal pool depressions and the associated surrounding 250-foot Critical Terrestrial Habitat buffer will be avoided.

It is NBRC's determination that due to 1) the identification of sufficient mitigation measures, 2) the lack of practicable alternatives outside wetlands, and 3) the importance of the Proposed Action in improving access, amenities, and opportunities for trail-based recreation at trail systems in Oxford County, the Proposed Action within the floodplain and wetlands is consistent with the requirements of Executive Orders 11988 and 11990.

Files that document compliance with Steps 1 through 6 of EO 11988 and EO 11990 are available for public inspection upon request. Please send an email request to nepa@nbrc.gov. The 8-Step Decision-Making Process materials will be provided in electronic format unless a hard copy is specifically requested.

This notice provides people who may be affected by activities in the floodplain and wetlands and those who have an interest in the protection of the natural environment with an opportunity to express their concerns and provide information. NBRC is accepting comments on this notice for **seven days** from **Thursday, August 6th**, through the end of the day of **Thursday, August 13th**.

Date of Publication: Wednesday, August 5th