STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA MAINE 04333-0022

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

STACIE R. BEYER
EXECUTIVE DIRECTOR

PERMIT

STREAM ALTERATION PERMIT SA 1142

The staff of the Maine Land Use Planning Commission (hereafter, the Commission), after reviewing the application and supporting documents submitted by Canadian Pacific Kansas City (Applicant) for Stream Alteration Permit SA 1142, finds the following facts:

1. **Applicants**: Canadian Pacific Kansas City (CPKC)
   3939 Skyview Court
   Wylie, TX 75098

2. **Agent**: TRC Companies
   63 Marginal Way 4th Floor
   Portland, ME 04101

3. **Date of Completed Application**: June 21, 2024

4. **Location**: Maine Revenue Service Map SO032, Plan 01, Lot 2
   Sandwich Academy Grant, Somerset County, Maine
   Somerset County Registry of Deeds Book 5097, Page 70-81

5. **Zoning**: General Management Subdistrict (M-GN)
   Shoreland Protection Subdistrict (P-SL2)
   Shoreland Protection Subdistrict (P-WL1)
   Wetland Protection Subdistrict (P-WL3)

6. **Lot Size:** 12,522 Acres Owned by Weyerhaeuser Company with a right-of-way to CPKC

7. **Affected Waterbody**: unnamed minor flowing water, tributary to Little Brassua Lake

ADMINISTRATIVE HISTORY & PROPOSAL SUMMARY

8. **Administrative History**: The administrative history of the Subject Parcel is as follows:

A. The Subject Parcel is currently working forest land transected with a rail line right-of-way. The Parcel borders Little Brassua Lake, and there is one leased camp located to the north of the project area.

B. On the morning of April 15, 2023, a westbound CPKC train derailed in Sandwich Academy Grant Township, near milepost 56 of their Moosehead subdivision rail line. The derailment location is about 18 miles east of the town of Jackman, Maine. Three westbound locomotives and six cars derailed. CPKC crews, along with others, including the Maine Department of Environmental Protection (MDEP), provided emergency response services and oversight to remove the locomotives and cars from the adjacent stream and wetland. Vehicle access was created in the freshwater wetland and uplands to enable emergency response operations to reach the site and set up equipment for the removal of the locomotives and derailed cars. Some of the derailed locomotives and cars impacted the natural stream channel and adjacent wetlands. Temporary clean fill was placed in the wetland to aid in water management and soil remediation. Additional short-term measures were taken to bypass stream flows around the site. Through these emergency actions, the rail line was repaired and reopened. Absorbent booms and other spill containment measures were utilized to limit impacts to adjacent wetlands and Little Brassua Lake. Two permanent 60-inch diameter steel culverts were placed in the railroad right-of-way to replace the culvert that existed prior to the derailment. The culverts were set at grade, not meeting the applicable requirements set forth in Subchapter III. Chapter 10, § 10.27(D)(2) and further spill response excavation in the area resulted in the culverts being perched on the outlets [Reference EC 23-18; ACTIVE].

9. **Proposal Summary**: The Applicant now proposes to restore areas disturbed by the train derailment and subsequent clean-up and remediation efforts to mimic pre-existing conditions to the extent feasible in an approximately 2.5-acre area, which includes the upland, wetland, and stream restoration areas.

A. Approximately 361 linear feet of minor flowing waters (stream) will be restored. The restoration of the stream channel will be accomplished by removing sediment where it was filled in from the derailment disturbance and associated remediation activities on both the north and south sides of the track. The Applicant has proposed a design to correct the existing perched nature of the culverts. Clean fill will also be brought in to restore the ground elevations after impacted soils were removed during remediation activities following the derailment. The stream has been designed with a low flow channel and intermittent ‘steps’ that provide elevation gain throughout the restored stream section to provide fish passage up to and through the culverts.

B. Approximately 1.49 acres of P-WL3 are proposed to be restored through filling and grading and planting of vegetation. The applicant has retained a contractor, CLT (Comprehensive Land Technologies, Inc. to conduct the work. The contractor will regrade the wetlands to approximate the natural wetland contours prior to disturbance. Excavated areas, as well as areas of sedimentation, shall be regraded and restored in accordance with the Restoration Plan. As noted above, excess material removed from areas of sediment deposition can be used as streambed material for the restored stream. After elevations of subsurface soils are rough-graded, the wetland restoration areas will be top-dressed with a sufficient depth (8” +) of weed-free organic soils, creating pit and mound microtopography to mimic natural conditions. Topsoil will be sourced from invasive-free uplands or manufactured from composted material

with a minimum organic carbon content of 4-12% (7-21 percent organic matter) on a dry weight basis for soils. Natural features such as dead and dying woody debris and large stones can be returned or added to the wetland restoration area to provide structural diversity and habitat refugia for decomposers, organisms, and small mammals. The Applicant proposes at least 4% cover of a wide variety of sizes of dead and dying woody debris.

C. Restored wetlands adjacent to the restored stream channel will be planted with approximately 110 shrubs and saplings, with an average height of three to four feet. Species proposed are similar to the native vegetation existing in adjacent wetlands, and will consist of the following species: Balsam fir (Abies balsamea), Red maple (Acer rubrum), Yellow birch (Betula alleghaniensis), Pussy willow (Salix discolor) and Speckled alder (Alnus incana).

CRITERIA FOR APPROVAL AND LAND USE STANDARDS, ANALYSIS, AND FINDINGS

The Commission has three zoning districts: development, management, and protection, which are divided into thirty-two subdistricts, to protect important resources and prevent conflicts between incompatible uses. For each subdistrict, the Commission has designated uses that are allowed without a permit, uses that are allowed without a permit subject to standards, uses that are allowed with a permit, and uses that are allowed with a permit by special exception. The Commission's subdistricts are codified in *Land Use Districts and Standards* 01-672 C.M.R. ch. 10 (Chapter 10), revised August 11, 2023. The Commission's land use standards are codified in Chapter 10, subchapter III in §§ 10.25 - 10.27, and are grouped into three categories: development standards, dimensional requirements, and activity-specific standards. The Commission's terminology and their applicable definitions are codified in *Definitions*, 01-672 C.M.R. ch. 2 (Chapter 2), effective August 11, 2023. The Commission's general criteria for approval of permit applications are provided in 12 M.R.S. § 685-B(4) and further codified in Chapter 10, § 10.24(A). The proposal must otherwise be in conformance with 12 M.R.S. §§ 681 - 689 and the regulations, standards and plans adopted pursuant thereto. 12 M.R.S. § 685-B(4)(E) and Chapter 10, § 10.24(A)(1)(E).

The Applicant must satisfy all applicable land use standards. The following summary of approval criteria and land use standards, analyses, and findings are most relevant to the proposed Project.

10. **Allowed Uses Determination**:

A. Criteria and standards:

1) Shoreland alteration is defined by the Commission as any land use activity, which alters the shoreland area, either at, adjacent to or below the normal high water mark, of any surface water body. Chapter 2, § 2.02(211).

2) Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations are an allowed use without a permit in a Shoreland Protection (P-SL) subdistrict pursuant to Chapter 10 § 10.23(L)(3)(a)(2) and in a Wetlands Protection (P-WL) subdistrict pursuant to Chapter 10 § 10.23(N)(3)(a)(3).

3) Shoreland alterations… are an allowed use upon issuance of a permit in the Shoreland Protection (P-SL) subdistrict subject to the applicable requirements set forth in Subchapter II. Chapter 10, § 10.23(L)(3)(c)(17).

4) Shoreland alterations… are an allowed used upon issuance of a permit in the Wetland Protection (P-WL) subdistrict subject to the applicable requirements set forth in Subchapter III. Chapter 10, § 10.23(N)(3)(c)(11).

5) Filling and grading, which is not in conformance with the standards of Section 10.23(N) may be allowed upon issuance of a permit in the Wetlands Protection (P-WL) subdistrict subject to the applicable requirements set forth in Subchapter III. Chapter 10, § 10.23(N)(3)(c)(6).

B. Analysis: The Applicant proposes to restore the minor flowing waters and wetlands impacted by the derailment and remediation process and to bring the water crossing into conformance with the standards.

C. Findings: Based upon the record and the above analysis, the Commission finds that the Project is an allowed use within the Shoreland Protection Subdistrict (P-SL) pursuant to Chapter 10, § 10.23(L)(3)(c)(17).

11. **Right, Title and Interest:**

A. Criteria and standards: The applicant must demonstrate evidence of sufficient right, title, or interest in all of the property that is proposed for development or use. 12 M.R.S. § 685-B(2)(D) and Chapter 10, § 10.24(A)(1).

B. Analysis: The Applicant provided a copy of the landowner's deed recorded in the Somerset County Registry of Deeds Book 5097, Page 70-81. The Applicant also provided an email dated July 16, 2024, providing landowner approval to access and complete the work specified in the restoration permit application from Weyerhaeuser.

C. Findings: Based upon the record and the above analysis, the Commission finds that the Applicant has demonstrated legally enforceable right, title, or interest to all the property proposed for development in accordance with Chapter 10, § 10.24(A)(1).

12. **Technical Capacity:**

A. Criteria and standards:

1) The Commission may not approve an application unless adequate technical and financial provisions have been made for complying with the requirements of the State's air and water pollution control and other environmental laws, and those standards and regulations adopted with respect thereto, including without limitation the minimum lot size laws, Title 12, sections 4807 to 4807-G, the site location of development laws, Title 38, sections 481 to 489-E, and the natural resource protection laws, Title 38, sections 480-A to 480-Z. 12 M.R.S. § 685-B(4)(A) and Chapter 10, § 10.24(A)(1)(A).

2) The applicant must retain qualified consultants, contractors, and staff to design and construct proposed improvements, structures, and facilities in accordance with approved plans. In determining the applicant's technical ability, the Commission must consider the size and scope of the proposed development, the applicant's previous experience, the

experience and training of the applicant's consultants and contractors, and the existence of violations or previous approvals granted to the applicant. Chapter 10, § 10.25(C)(1).

B. Analysis:

1) The Applicant has retained TRC Companies, Inc. as the agent for federal and state permitting and provide project oversight. The Applicant has awarded a contract to CLT (Comprehensive Land Technologies, Inc) out of South China. CLT staff are certified in erosion and sedimentation control by MDEP and are a member of the Associated General Contractors of America and Associated Builders and Contractors, Inc.

C. Findings: Based upon the record and the above analysis, the Commission finds that the Project meets the requirements of 12 M.R.S. § 685-B(4)(A); Chapter 10 § 10.24(A)(1)(A); Chapter 10, § 10.25(C)(1); and Chapter 10, § 10.25(C)(2). The Applicant has hired qualified consultants and contractors to design and construct the Project.

13. **Natural and Cultural Resources:**

A. Criteria and standards:

1) The Commission may not approve an application unless adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses, scenic character and natural and historic resources in the area likely to be affected by the proposal. 12 M.R.S. § 685-B(4)(C) and Chapter 10, § 10.24(A)(1)(C).

B. Analysis:

1) *Wildlife and fisheries:* The Maine Department of Inland Fisheries and Wildlife reviewed the initial restoration plan and recommended monetary compensation to mitigate the lack of fish passage at the derailment site. Rather than placing a value on the resource in question, MDIFW recommended mitigation funds relative to the cost to replace this crossing with a basic structure that provides fish passage, based on an estimated range of $150,000 - $300,000 as provided by MaineDOT. MDIFW requested the lower figure in this range ($150,000) as mitigation for the permanent barrier created by the recently installed crossing. The mitigation should be conditional to this specific violation, and earmarked for Inland Fisheries Management in the Moosehead Lake Region with possible uses to include habitat restoration or general management of inland fisheries within the Moosehead Lake Region, at MDIFW's discretion.

Based upon this request, the Applicant revised the stream restoration plan to include restoration techniques and applications of streambed elevation correction features to restore aquatic organism passage in the restored stream and through the existing culverts.

2) *Plant species and communities:* The MDEP's Bureau of Water Quality, Division of Environmental Assessment and Biological Monitoring Program reviewed the restoration plan and had the following comments: "…restored stream channel flowing

through the wetland area should be allowed to refine its own path over time once established, without hard armoring (e.g., riprap) to restrain it." "…macroinvertebrate sampling downstream of the site resulted in a determination of NA (non-attainment of aquatic life criteria for any class). The statutory designation for this stream is Class A. The community showed clear indications of toxic effects, and we observed petroleum-laden stream sediments and a very strong odor during our two field visits." The Biological Monitoring Program also commented on the need for an invasive plant species monitoring plan.

3) *Environmental protection:* MDEP's Division of Technical Services, Bureau of Remediation and Waste Management reviewed and approved CPKC's Site Restoration Remediation Plan dated June 26, 2024.

4) *Historic resources:* The Maine Historic Preservation Commission (MHPC) reviewed the proposal on April 11, 2024, and concluded that there would be no historic properties (architectural or archaeological) affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act.

C. Findings: Based upon the record and the above analysis, the Commission finds that the Project will fit into the existing natural environment of the surrounding area and that there will be no undue adverse effect on protected natural and cultural resources in the area likely to be affected by the proposal in accordance with 12 M.R.S. § 685-B(4)(C) and Chapter 10, § 10.24(A)(1)(C).

14. **Protected Natural Resources**

A. Criteria and standards:

1) The level of permit review required depends upon the size of the proposed wetland alteration and the type of wetland involved… Chapter 10, § 10.25(P)(2)(a)(2).

2) Tier 3 reviews apply to projects altering any area of P-WL1 wetlands except as otherwise provided in Section 10.25(P)(2)(a)(2)(a), or one acre or more of P-WL2 or P-WL3 wetlands. Chapter 10, § 10.25(P)(2)(a)(2)(c).

3) Projects requiring Tier 1, Tier 2, or Tier 3 review must avoid alteration of wetland areas on the property to the extent feasible considering natural features, cost, existing technology and logistics based on the overall purpose of the project. Chapter 10, § 10.25(P)(2)(b)(1)(a).

4) Projects requiring Tier 2 or Tier 3 review will be considered to result in an unreasonable impact if the activity will cause a loss in wetland area, functions, or values, and there is a practicable alternative to the activity that would be less damaging to the environment. A Tier 2 or Tier 3 application must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

For an activity proposed in, on or over P-WL1 wetlands of special significance, a practicable alternative less damaging to the environment is deemed to exist and the

impact is unreasonable, unless the activity is described in Section 10.25,P,2,b,(1),(b),(i) or (ii) below. Chapter 10, § 10.25(P)(2)(b)(1)(b).

a. Certain types of projects. The activity is necessary for one or more of the purposes specified in the following subparagraphs aa through hh.

…

gg. Restoration or enhancement of the functions and values of the P-WL1 wetlands of special significance;

…

5) Projects requiring Tier 1, Tier 2, or Tier 3 review must limit the amount of wetland to be altered to the minimum amount necessary to complete the project. Chapter 10, § 10.25(P)(2)(b)(2).

6) For projects requiring Tier 2 or Tier 3 review, an applicant must conduct a functional assessment unless exempt from this requirement under Section 10.25(P)(2)(b)(3)(f) or granted a waiver under Section 10.25(P)(2)(b)(3)(g).

7) When compensation is required. For Tier 2 or Tier 3 projects, unless exempt under Section 10.25(P)(2)(b)(3)(f) or granted a waiver under Section 10.25(P)(2)(b)(3)(g), if the Commission determines that a wetland alteration will cause a wetland function or functions to be lost or degraded, the applicant must provide compensation for the wetland impacts. Chapter 10, § 10.25(P)(2)(b)(3)(b).

8) No Unreasonable Impact. The following standards apply only to applications requiring Tier 2 or Tier 3 review:

a. Even if a project has no practicable alternative and the applicant has minimized the proposed alteration as much as possible, the application will be denied if the activity will have an unreasonable impact on the wetland. “Unreasonable impact” means that one or more of the review standards of Section 10.25(P)(1) will not be met. In making this determination, the Commission shall consider:

i. The area of wetland that will be affected by the alteration and the degree to which the wetland is altered, including wetland beyond the physical boundaries of the project;

ii. The functions and values provided by the wetland;

iii. Any proposed compensation and the level of uncertainly regarding it; and

iv. Cumulative effects of frequent minor alterations on the wetland. Chapter 10, § 10.25(P)(2)(b)(4)(a).

9) The following standards apply to permit applications affecting protected natural resources as listed in Sections 10.25(P) (2) through (3) and requiring determinations of no unreasonable impacts. For Tier 1 reviews, the applicable standards are limited to Section 10.25(P)(1)(b)(c) and e. Chapter 10, § 10.25(P)(1).

….

b. Soil Erosion. The activity will not cause unreasonable erosion of soil or sediment or unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment. Chapter 10, § 10.25(P)(1)(b).

c. Harm to Habitats; Fisheries. The activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.

In determining whether there is unreasonable harm to significant wildlife habitat, the Commission may consider proposed mitigation if that mitigation does not diminish the overall value of significant wildlife habitat and species utilization of the habitat in the vicinity of the proposed activity and if there is no specific biological or physical feature unique to the habitat that would be adversely affected by the proposed activity.

For purposes of Section 10.25(P)(1)(c) "mitigation" means any action taken or not taken to avoid, minimize, rectify, reduce, eliminate or compensate for any actual or potential adverse impact on the significant wildlife habitat, including the following:

i. Avoiding an impact altogether by not taking a certain action or parts of an action;

ii. Minimizing an impact by limiting the magnitude, duration or location of an activity or by controlling the timing of an activity;

iii. Rectifying an impact by repairing, rehabilitating or restoring the affected environment;

iv. Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; or

v. Compensating for an impact by replacing the affected significant wildlife habitat. Chapter 10, § 10.25(P)(1)(c).

d. Interference with Natural Water Flow. The activity will not unreasonably interfere with the natural flow of any surface or subsurface water.

e. Lower Water Quality. The activity will not violate any state water quality law, including those governing the classification of the State's waters.
…

B. Analysis:

1) The Applicant asked the Commission to waive the functions and values assessment requirement. As the proposed restoration is in response to emergency activities

associated with a train derailment and subsequent remediation activities, the Commission staff determined they could waive this requirement. The Applicant also asked if the compensation requirement could be waived. Commission staff determined that the wetland alteration associated with the project, as it was part of a restoration project, could have associated compensation waived. The compensation request for the water crossing not meeting standards was able to be waived by Commission staff when the Applicant adjusted the project as described in Finding 13 in response to MDIFW's comments and request.

2) The proposed project is to restore the affected wetlands and minor flowing waters impacted by the train derailment and remediation efforts. The proposed project will impact 361 linear feet of a minor flowing water, 3,508 s.f. of P-WL1 (wetland of special significance within 25 feet of the flowing water), and 1.49 acres of P-WL3 (forested wetlands). There is no practical alternative to the proposed restoration activities.

3) The Commission requires the effective control of soil erosion and sedimentation during and following the completion of the restoration activities. The Applicant submitted plans which describe the proposed construction and post-construction erosion and sedimentation control measures. The Applicant also submitted an erosion and sedimentation control plan outlining the installation and maintenance of the Project's erosion control devices.

4) Due to the emergency nature of the response and the immediate need for human safety and infrastructure protection, CPKC's response team replaced the culverts. The culverts were set at ground elevation, which did not meet the standards to be considered an exempt activity and further remediation activities created the perched nature of the culverts. The Applicant has proposed measures in the restoration plan to correct the drop at the outlet. The proposed correction of the stream grade elevation, the diversion berm, and the permanent stabilization with the use of rip rap aprons will also help the site return to and maintain the natural water flow.

5) The site emergency response remediation work already undertaken under MDEP's oversight and the remediation plan steps approved by MDEP for the restoration plan demonstrate sufficient evidence that the plan will not lower water quality.

C. Findings: Based upon the record and the above analysis, the Commission finds that the proposed wetland restoration will have no unreasonable impact upon protected natural resources in accordance with Chapter 10, § 10.25(P).

15. **Filling and Grading**

B. Criteria and standards:

1) Filling and grading activities not in conformance with the standards of Section 10.27(F) may be allowed upon issuance of a permit from the Commission provided that such types of activities are allowed in the subdistrict involved. An applicant for such permit shall show by a preponderance of the evidence that the proposed activity, which is not in conformance with the standards of Section 10.27(F), shall be

conducted in a manner which produces no undue adverse impact upon the resources and uses in the area. Chapter 10, § 10.27(F).

2) Within 250 feet of P-WL1 subdistricts, the maximum size of a filled or graded area, on any single lot or parcel, shall be 4,300 square feet. Chapter 10, § 10.27(F)(1).

3) Where filled or graded areas are in the vicinity of water bodies or wetlands, such filled or graded areas must not extend closer to the normal high water mark of a minor flowing water than 75 feet. Chapter 10, § 10.27(F)(6)(a).

C. Analysis:

1) The Applicant proposes work to restore and regrade the wetlands to approximate the natural wetland contours prior to disturbance. Excavated areas and areas of sedimentation shall be regraded and restored in accordance with the Restoration Plan.

D. Findings: Based upon the record and the above analysis, the Commission finds that the Project will not create an undue adverse impact upon the resources and uses in the area in accordance with Chapter 10, § 10.27(F) and the filling and grading is necessary to restore the wetland to mimic prior natural conditions.

16. The facts are otherwise as represented in Stream Alteration Permit SA 1142 and supporting documents.

FINAL CONCLUSIONS

Based upon the above analysis and findings of fact, the Commission concludes that, as long as the proposal is carried out in compliance with the Conditions of Approval below, the proposed development meets the *Criteria for Approval* set forth in 12 M.R.S. § 685-B(4), specifically:

1. The Commission concludes that there is substantial evidence in the record as discussed in Findings 13 and 14 that adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses, scenic character and natural and historic resources in the area likely to be affected by the proposal in accordance with 12 § 685-B(4)(C).

2. The Commission concludes that the proposal is otherwise in conformance with this chapter and the regulations, standards and plans adopted pursuant thereto in accordance with 12 § 685-B(4)(E).

Therefore, the Commission, through its staff, approves the application for Stream Alteration Permit SA 1142, submitted by CPKC for restoration of the Sandwich Academy Grant TWP train derailment site as proposed, with the following conditions of approval:

1. At least one week prior to commencing construction of the permitted activities, the permittee or the designated agent must contact the Commission staff and notify them of the estimated date construction work will start. Notice may be provided in writing, in person, by email, or by calling. If the permittee or agent leaves or sends a message, please include the contact's full name, telephone number, permit number, and the date the work will start.

2. Prior to commencing construction of the permitted activities, the permittee, or the designated agent acting on behalf of the permittee, must provide a copy of the permit, including its conditions, to contractors that will be performing work or will be responsible for work at the site.

3. The permittee must conduct yearly monitoring of culvert outlet protection, stream elevation, wetland functions, and invasive plant species for three years following the restoration project implementation. At the end of three years, a monitoring report shall be submitted to the Land Use Planning Commission. If invasive plant species are observed in the project area during this monitoring period, an invasive species management plan will be submitted for approval to the Land Use Planning Commission.

4. Plantings will be monitored for survivorship and any dead plantings will be replaced during the three-year required monitoring. These must be recorded and noted on the final monitoring report.

5. Access points used during restoration shall be blocked by large boulders or evergreen saplings, to prevent wheeled access into the newly restored area.

6. Permanent and temporary erosion and sedimentation control measures shall meet the standards and specifications of the "Maine Erosion and Sediment Control Practices Field Guide for Contractors," Maine Department of Environmental Protection (2015) or other equally effective practices. Areas of disturbed soil shall be stabilized according to the "Guidelines for Vegetative Stabilization" (Appendix B of Chapter 10) or by alternative measures that are equally effective in stabilizing disturbed areas. Should any erosion or sedimentation occur during construction, the permittee shall cease construction and contact the Commission immediately, notifying it of the problem and describing all proposed corrective measures.

7. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day. All temporary sedimentation and erosion control devices must be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization must be completed within one week of inactivity or completion of construction.

8. Upon completion of the project within the terms of this permit, any debris or excavated materials remaining must be removed from the parcel and all solid waste and other debris disposed of in a proper manner, in compliance with all applicable state and federal solid waste laws and rules.

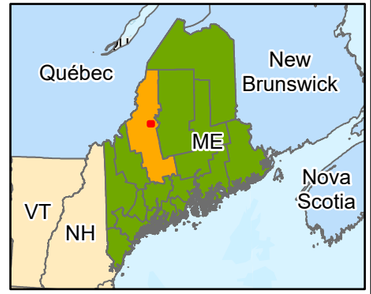
This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above-stated conditions, and remains valid only if the permittee complies with all of these conditions. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT AUGUSTA, MAINE, THIS 3rd DAY OF SEPTEMBER, 2024.

By:_____
for Stacie R. Beyer, Executive Director

PROJECT AREA

BASE MAP: GOOGLE IMAGERY SERVICE
DATA SOURCES: USGS, ESRI, TRC



1:24,000
1" = 2,000'

0 1,000 2,000 FEET

PROJECT:
CPKC
TRAIN DERAILMENT
SANDWICH ACADEMY GRANT TOWNSHIP, MAINE

TITLE:
SITE LOCATION MAP

DRAWN BY:	E. YPSILANTIS	PROJ. NO.:	546184.0000.0000
CHECKED BY:	J. FREDENBURG		
APPROVED BY:	M. BERGERON		**FIGURE 1**
DATE:	OCTOBER 2023		

TRC
249 WESTERN AVE
AUGUSTA, ME 04330
PHONE: 207-621-7000

FILE: Brassua_Derailment_EY.aprx

Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet; Map Rotation: 0
Saved By: EYPSILANTIS on 10/9/2023 - 15:51:51 PM; File Path: T:\1-PROJECTS\Canadian_Pacific\543900_Brassua_ME_Derailment\2-APRX\Brassua_Derailment_EY.aprx; Layout Name: Brassua_Existing_SLM