



**DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751**

March 5, 2026

Environmental Branch

Ms. Erin Wilson
Maine Coastal Program
Maine Office of Community Affairs
93 State House Station
Augusta, ME 04333

Dear Ms. Wilson:

This letter is to request the State of Maine's concurrence with the U.S. Army Corps of Engineers (USACE)'s Coastal Zone Management Consistency Determination for the Maintenance Dredging of the Isle au Haut Thoroughfare (IHT) Federal Navigation Project (FNP) in Isle au Haut, Maine.

The purpose of the proposed action is to return the IHT FNP to its authorized depths and to ensure safe, reliable, and consistent protected deep-water access to the island and town of Isle au Haut, Maine. The project aims to establish a dependable controlling depth within the IHT FNP channel sufficient to eliminate existing tidal restrictions, improve navigational safety for all users, and support the continued viability of the island's essential transportation links and local economy.

This project is needed to address critical access issues experienced by essential maritime traffic, including the mail boat and private ferry service, that links the mainland to the island community of Isle au Haut. Tidal access issues due to the IHT FNP channel's controlling depth disrupt essential schedules, hinder the primary commercial fishing and tourism-based economy, and raise safety concerns for all commercial, recreational, and essential vessels using the IHT FNP thoroughfare.

Attached are the Maine Federal Consistency Submission Form and USACE's Coastal Zone Management Consistency Determination (CZMCD) for the proposed action. Copies of the Draft Environmental Assessment and Finding of No Significant Impact are also attached.

USACE has determined that the proposed action is consistent with the enforceable policies of the Maine Coastal Zone Management Program to the maximum extent practicable and requests your concurrence with its determination.

If you or your staff have any questions or require additional information, please contact me at (978) 318-8347 or by email at christopher.l.chabot@usace.army.mil or the project

biologist, Matthew Mroczka, at (978) 318-8537 or by email at matthew.e.mroczka@usace.army.mil.

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line extending to the right.

Chris L. Chabot, Ph.D.
Chief, Environmental Branch

Enclosures



Maine Coastal Program

Coastal Zone Management Act

Federal Consistency Submission Form

The Maine Coastal Program (MCP) is the lead agency for Coastal Zone Management in Maine. MCP strongly suggests that applicants for a federal consistency determination or certification use this form for activities regulated under the Coastal Zone Management Act (CZMA) of 1972, as amended, and the National Oceanic and Atmospheric Administration (NOAA) Federal Consistency Regulations under 15 CFR Part 930. Although use of this form is not required, it is provided to applicants to facilitate the submission and timely review of a consistency determination or certification. Federal agencies and applicants are only required to provide the information listed in NOAA's Federal Consistency Regulations unless otherwise described in the [Maine Guide to Federal Consistency Review](#), as approved by NOAA.

I. Applicant Information:

Project/Activity Name:		
Contact Name:	Authorized Agent (if applicable):	
Federal Agency:		
Address:		
City:	State:	Zip Code:
Email:	Phone Number:	

II. Federal Consistency Category:

<input type="checkbox"/>	Federal Agency Activity (15 CFR Part 930, subpart C)
<input type="checkbox"/>	Federal License or Permit Activity (15 CFR Part 930, subpart D)
<input type="checkbox"/>	Outer Continental Shelf Activity (15 CFR Part 930, subpart E)
<input type="checkbox"/>	Federal Financial Assistance Activity to State/Local Government (15 CFR Part 930, subpart F)

III. Summary Description:

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IV. Select enforceable policies relevant to project or activity:

<input type="checkbox"/>	Natural Resources Protection Act (38 M.R.S. §§480-A to 480-S; and 480-U to 480-HH)
<input type="checkbox"/>	Site Location of Development Law (38 M.R.S. §§481 to 485-A; 486-A, -B; 487-A to 490-FF)
<input type="checkbox"/>	Maine Metallic Mineral Mining Act (38 M.R.S. §§490-LL to 490-TT)
<input type="checkbox"/>	MaineDOT Traffic Movement Permit Law (23 M.R.S. §704-A)
<input type="checkbox"/>	Erosion Control and Sedimentation Law (38 M.R.S. §420-C)
<input type="checkbox"/>	Expedited Permitting of Grid-scale Wind Energy Development (35-A M.R.S. §§3451-3459)
<input type="checkbox"/>	Solar Energy Development Decommissioning Law (35-A M.R.S. chapter 34-D)
<input type="checkbox"/>	Storm Water Management Law (38 M.R.S. §420-D)
<input type="checkbox"/>	Maine Waterway Development and Conservation Act (38 M.R.S. §§630 to 636-A; 640)
<input type="checkbox"/>	Protection and Improvement of Air Law (38 M.R.S. §§581 to 610-A, -B)
<input type="checkbox"/>	Protection and Improvement of Waters Act (38 M.R.S. §§361-A, 362, 362-A, 363-D, 372; 410-N; 411 to 424; 451, 451-A, 452; 464 to 470)
<input type="checkbox"/>	Nutrient Management Act (7 M.R.S. §§4201 to 4214)
<input type="checkbox"/>	Land Use Regulation Law (12 M.R.S. §§681 to 689)
<input type="checkbox"/>	Maine Hazardous Waste, Septage and Solid Waste Management Act (38 M.R.S. §§1301 to 1310-BB; 1316 to 1316-L; 1317 to 1319-Y)
<input type="checkbox"/>	Uncontrolled Hazardous Substance Sites Law (38 M.R.S. §§1362, 1367, 1367-B)
<input type="checkbox"/>	Asbestos Law (38 M.R.S. §§1273 and 1281)
<input type="checkbox"/>	Lead Abatement Law (38 M.R.S. §§1296 and 1298(3))
<input type="checkbox"/>	Sale of Consumer Products Affecting the Environmental Law (38 M.R.S. §§1608 and 1609-10)
<input type="checkbox"/>	Mercury-Added Products and Services Law (38 M.R.S. §§1661 to 1661-C; 1665-A, -B; 1672)
<input type="checkbox"/>	Solid Waste Management and Recycling Law (38 M.R.S. §§2101; 2133, sub-§2(A); 2165)
<input type="checkbox"/>	Priority Toxic Chemical Use Reduction Law (38 M.R.S. §§2321 to 2330)
<input type="checkbox"/>	Wellhead Protection Law (38 M.R.S. §§1391 to 1399)
<input type="checkbox"/>	Nuclear Facility Decommissioning Laws (PL 1999 c. 739; PL 1999 c. 741)
<input type="checkbox"/>	Oil Discharge Prevention & Pollution Control Law (38 M.R.S. §§541 to 560)
<input type="checkbox"/>	Oil Storage Facilities and Ground Water Protection Law (38 M.R.S. §§561; 562-A; 563, sub-§1(A) and 2; 563-A to -B; 564; 565-A; 566-A; 568; 568-A to -B; 569-C; 570; 570-C to -G, I to M)
<input type="checkbox"/>	Maine Endangered Species Act (12 M.R.S. §12801 to 12810; 12 M.R.S. §6971 to 6976; 12 M.R.S. §10001, sub-§§19 and 62)
<input type="checkbox"/>	General Licensing and Enforcement Authorities; Fees (38 M.R.S. §§341-D; 344 to 349; 352 to 353; 353-A, -B)
<input type="checkbox"/>	Maine Rivers Act (12 M.R.S. §§403; 407)
<input type="checkbox"/>	Marine Resources Law (12 M.R.S. §§6171 to 6192; 6432-A)
<input type="checkbox"/>	Importing of Certain Marine Organisms (12 M.R.S. §6071)
<input type="checkbox"/>	Aquaculture Leasing Laws (12 M.R.S. §6071-A; 12 M.R.S. §6072; 12 M.R.S. §6072-A; 12 M.R.S. §6073)
<input type="checkbox"/>	Subdivision Law (30-A M.R.S. §§4401 to 4408)
<input type="checkbox"/>	Mandatory Shoreland Zoning Law (38 M.R.S. §§435 to 448)
<input type="checkbox"/>	Coastal Management Policies Act (38 M.R.S. §§1801 to 1802)
<input type="checkbox"/>	Coastal Barrier Resources System Act (38 M.R.S. §§1901 to 1905)

V. Supporting Documentation. Please list all maps, diagrams, reports, and other materials below:

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VI. Other Coordination. Please list all agencies and contacts required to review this project below:

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VII. Statement of Determination/Certification and Signature. Check one and sign below:

<input type="checkbox"/>	FEDERAL AGENCY CONSISTENCY DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency or its authorized agent finds the proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Program.
<input type="checkbox"/>	FEDERAL AGENCY NEGATIVE DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency or its authorized agent finds the proposed activity will not have any reasonably foreseeable effects on Maine's coastal uses or resources.
<input type="checkbox"/>	NON-FEDERAL APPLICANT CONSISTENCY CERTIFICATION. Based upon the information, data, and analysis included herein, the non-federal applicant certifies that the proposed activity complies with the enforceable policies of Maine Coastal Program and will be conducted in a manner consistent with such program.

Signature:	
Printed Name:	Date:

**Coastal Zone Management Consistency Determination
Isle au Haut Thoroughfare Federal Navigation Project
Isle au Haut, Maine
February 2026**

PROPOSED ACTION

The Proposed Action consists of maintenance dredging the Isle au Haut Thoroughfare (IHT) Federal Navigation Project (FNP) and placement of dredged material at the Flake Island Disposal Site (FIDS).

The preferred alternative (Proposed Action) involves the use of an excavator dredge to mechanically maintenance dredge approximately 3,355 cubic yards (cy) of sand, gravel, and cobble from shoaled areas totaling 1.2 acres within the IHT FNP channel. The Proposed Action is to dredge to -6 feet Mean Lower Low Water (MLLW), plus 1 foot of required advanced maintenance (-7 feet MLLW), and 1 foot of overdepth, to a maximum of -8 feet MLLW. One-time, advance maintenance was approved for the entirety of a 1200-foot-long authorized channel. The dredged material will be placed at the FIDS which is approximately 0.8 miles northwest of the IHT FNP. Placement of this material at this location will enhance the benthic environment (Attachment 1). The dredging of material from the IHT FNP and its disposal at FIDS may occur over a period of approximately three weeks from September 15 to April 1, to avoid impacts to spawning shellfish, benthic resources, Essential Fish Habitat (EFH) of federally managed species, threatened and endangered species and interactions with mobile fishing gear. The Proposed Action will be located within the U.S. territorial sea with the furthest point of the project area being approximately six nautical miles from the territorial sea baseline.

Coastal Management Policies Act (38 M.R.S. §§1801 to 1802)

The Proposed Action, maintenance dredging of the IHT FNP and placement of dredged material at the FIDS, is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Program.

Standards:

1. Port and harbor development. Promote the maintenance, development and revitalization of the State's ports and harbors for fishing, transportation and recreation. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action directly advances this policy by restoring congressionally authorized navigation depths within the IHT FNP, ensuring safe and reliable access for commercial fishermen, passenger vessels, and recreational boaters. Maintaining the channel at its authorized dimensions supports the working waterfront, facilitates marine transportation, and enhances public access to coastal waters.

The project has been designed to avoid and minimize coastal resource impacts. Dredging will occur only within the existing federally authorized footprint, and all work will be conducted between September 15 and April 1 to protect spawning shellfish, benthic invertebrate communities, EFH of federally managed species, and threatened and endangered species. Placement of dredged material at FIDS will not only avoid adverse coastal effects but is expected to enhance the benthic environment at the disposal site.

2. Marine resource management. Manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters and to enhance the economic value of the State's renewable marine resources. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with this policy because it protects ecological integrity by limiting dredging to the existing authorized channel footprint and implements seasonal work windows (September 15–April 1) to safeguard spawning shellfish, benthic communities, EFH of managed species, and threatened and endangered species. The project also enhances benthic habitat quality of the environment through beneficial placement of dredged material at the FIDS.

The Proposed Action supports the economic value of renewable marine resources by maintaining safe navigation for commercial fishing vessels and other marine-dependent users, and contributes to scientific understanding through sediment characterization investigations, conducting hydrographic surveys, and monitoring programs (DAMOS) that improve knowledge of coastal processes and habitat conditions in the Gulf of Maine. Together, these measures ensure that the project conserves marine habitat quality, supports sustainable use of marine resources, and aligns fully with the State's marine resource management objectives.

3. Shoreline management and access. Support shoreline management that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline and that considers the cumulative effects of development on coastal resources. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's shoreline management policy to support shoreline uses that give preference to water-dependent activities, promote public access, and account for the cumulative effects of development on coastal resources. By restoring authorized navigation depths within the IHT FNP, the project directly supports water-dependent uses such as commercial fishing, passenger transport, and recreational boating. All work is confined to the existing federal channel, avoiding new shoreline alteration and preventing incremental habitat loss that could contribute to cumulative coastal impacts. Maintaining safe and reliable navigation enhances public access to coastal waters, sustains the working waterfront, and ensures that shoreline areas continue to serve marine-dependent activities consistent with long-standing state coastal management objectives.

4. Hazard area development. Discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides or sea-level rise, it is hazardous to human health and safety. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to discourage growth and new development in coastal areas where coastal storms, flooding, landslides, or sea-level rise create hazards to human health and safety.

The project does not introduce any new development or expand infrastructure into vulnerable coastal areas; instead, it involves routine maintenance dredging within an existing federally authorized navigation channel. By restoring safe navigation conditions without altering the shoreline or encouraging new construction, the project avoids increasing exposure to coastal hazards. Maintaining the channel also supports safe vessel transit during storm events and high-water conditions, further aligning the Proposed Action with the State's objective to minimize risks to human health and safety in hazard-prone coastal zones.

5. State and local cooperative management. Encourage and support cooperative state and municipal management of coastal resources. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to encourage and support cooperative state and municipal management of coastal resources. The project reflects this cooperative approach by being implemented within an existing federally authorized navigation channel in coordination with state agencies, local harbor authorities, and municipal stakeholders who rely on safe and reliable access through the IHT. Maintenance dredging supports shared coastal management goals by sustaining navigation for commercial fishermen, recreational boaters, and passenger transport services that are essential to the local community. By maintaining infrastructure that benefits both state and municipal interests without expanding development or altering shoreline conditions, the Proposed Action reinforces collaborative stewardship of coastal resources and aligns with the State's long-standing commitment to joint coastal management.

6. Scenic and natural areas protection. Protect and manage critical habitat and natural areas of state and national significance and maintain the scenic beauty and character of the coast even in areas where development occurs. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to protect and manage critical habitat and natural areas of state and national significance, and to maintain the scenic beauty and character of the coast even in areas where development occurs. The project is limited to maintenance dredging within an existing federally authorized navigation channel, avoiding any expansion of development or alteration of undisturbed coastal landscapes. Seasonal work windows (September 15–April 1) protect sensitive

marine species and habitats, while placement of dredged material at the FIDS is expected to enhance benthic conditions without affecting shoreline scenery or coastal character. By restoring safe navigation without introducing new structures or visual impacts, the Proposed Action maintains the natural and scenic qualities of the surrounding coastal environment and supports the long-term stewardship of critical marine and coastal resources.

7. Recreation and tourism. Expand the opportunities for outdoor recreation and encourage appropriate coastal tourist activities and development. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to expand opportunities for outdoor recreation and to encourage appropriate coastal tourist activities and development. By restoring authorized navigation depths within the IHT FNP, the project supports safe and reliable access for recreational boaters and visitors traveling to and from Isle au Haut, thereby enhancing outdoor recreation opportunities in the region. Maintaining the channel also benefits coastal tourism by ensuring dependable marine access for passenger vessels and other water-dependent tourism activities that contribute to the local economy. As the project involves routine maintenance within an existing federal channel and does not introduce new development or alter the scenic coastal environment, it supports appropriate coastal tourism while preserving the natural character that attracts visitors to the area.

8. Water quality. Restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to restore and maintain the quality of fresh, marine, and estuarine waters to allow for the broadest possible diversity of public and private uses. Maintenance dredging within the existing authorized channel footprint improves navigational safety without introducing new sources of water quality degradation, and all work is conducted during a restricted seasonal window to minimize turbidity, protect spawning shellfish, and avoid impacts to sensitive benthic and pelagic species. Sediment characterization ensures that dredged material is suitable for placement at the FIDS, where its placement is expected to enhance benthic habitat rather than impair water quality. By maintaining safe marine access for commercial fishing, recreation, and transportation while safeguarding ecological conditions, the Proposed Action supports the State's goal of sustaining high-quality coastal waters for a wide range of public and private uses.

9. Air quality. Restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast. [PL 1985, c. 794, Pt. A, §11 (NEW).]

The Proposed Action is consistent with the State's coastal policy to restore and maintain coastal air quality to protect the health of citizens and visitors and to preserve

enjoyment of the natural beauty and maritime character of the Maine coast. The project involves short-duration maintenance dredging within an existing federally authorized channel and does not introduce new development, industrial activity, or long-term emission sources that could degrade coastal air quality. Construction equipment will operate for a short period of time. USACE estimates dredging will take approximately three weeks and will be in compliance with applicable state and federal air quality standards, ensuring that temporary emissions remain minimal and localized. By maintaining safe navigation without altering scenic coastal landscapes or adding new air-emitting infrastructure, the Proposed Action supports the State's goal of protecting public health, preserving coastal air quality, and sustaining the natural beauty and maritime character that define the Maine coast.

NRPA - Natural Resources Protection Act (38 M.R.S. §§480-A to 480-S; and 480-U to 480-HH)

Standards:

The department shall grant a permit upon proper application and upon such terms as it considers necessary to fulfill the purposes of this article. The department shall grant a permit when it finds that the applicant has demonstrated that the proposed activity meets the standards set forth in [subsections 1 to 11](#), except that when an activity requires a permit only because it is located in, on or over a community public water system primary protection area the department shall issue a permit when it finds that the applicant has demonstrated that the proposed activity meets the standards set forth in [subsections 2 and 5](#). [PL 2009, c. 615, Pt. E, §7 (AMD).]

1. Existing uses. The activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses. [PL 2023, c. 481, §11 (AMD).]

The Proposed Action is consistent with the State's coastal policy that requires activities to not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses. Maintenance dredging within the existing authorized channel footprint will restore safe navigation without introducing new structures, altering shoreline views, or affecting the scenic and aesthetic qualities of the surrounding coastal environment. The work is short term, occurs offshore, and will not impede public access or recreational activities such as boating, kayaking, or sightseeing. By improving navigational safety for commercial, recreational, and passenger vessels while avoiding adverse effects on coastal scenery and recreation, the Proposed Action fully aligns with the State's requirement to prevent unreasonable interference with existing coastal uses.

In making a determination under this subsection regarding an expedited wind energy development, as defined in [Title 35-A, section 3451, subsection 4](#), or an offshore wind power project, the department shall consider the development's or project's effects on scenic character and existing uses related to scenic character in accordance with [Title 35-A, section 3452](#). In making a decision under this subsection regarding an application

for an offshore wind power project, the department may not consider whether the project meets the specific criteria designated in [Title 12, section 1862, subsection 2, paragraph A](#), subparagraph (6), divisions (a) to (d). This limitation is not intended to restrict the department's review of related potential impacts of the project as determined by the department.

In making a determination under this subsection regarding an offshore wind terminal as defined in [Title 35-A, section 3410, subsection 1, paragraph D](#), the department shall consider the terminal's effects on scenic character and existing uses related to scenic character in accordance with [Title 35-A, section 3410](#).

2. Soil erosion. The activity will not cause unreasonable erosion of soil or sediment, nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment. [PL 1989, c. 430, §5 (AMD).]

The Proposed Action is consistent with the State's coastal policy requiring that activities not cause unreasonable erosion of soil or sediment or unreasonably inhibit the natural transfer of soil from terrestrial areas to marine or freshwater environments. Maintenance dredging will occur entirely within the footprint of the existing authorized IHT FNP, avoiding shoreline disturbance and preventing any increase in terrestrial erosion or sediment loss. The work is short-term and will be conducted using standard best management practices that minimize turbidity and prevent off-site sediment transport. As the project will not alter natural shoreline processes, modify upland areas, or introduce structures that would impede the natural movement of sediment between land and water, it will not interfere with natural sediment dynamics. By restoring safe navigation while maintaining existing geomorphic and sediment transport conditions, the Proposed Action fully aligns with the State's erosion and sediment management policy.

3. Harm to habitats; fisheries. The activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life. [PL 1987, c. 809, §2 (NEW).]

In determining whether mining, as defined in [section 490-MM, subsection 11](#), will comply with this subsection, the department shall review an analysis of alternatives submitted by the applicant. For purposes of this subsection, a practicable alternative to mining, as defined in [section 490-MM, subsection 11](#), that is less damaging to the environment is not considered to exist. The department may consider alternatives associated with the activity, including alternative design and operational measures, in its evaluation of whether the activity avoided and minimized impacts to the maximum extent practicable.

In determining whether there is unreasonable harm to significant wildlife habitat, the department may consider proposed mitigation if that mitigation does not diminish in the vicinity of the proposed activity the overall value of significant wildlife habitat and species utilization of the habitat 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 this subsection, "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:

- A. Avoiding an impact altogether by not taking a certain action or parts of an action.
- B. Minimizing an impact by limiting the magnitude, duration or location of an activity or by controlling the timing of an activity; [PL 1987, c. 809, §2 (NEW).]
- C. Rectifying an impact by repairing, rehabilitating or restoring the affected environment; [PL 1987, c. 809, §2 (NEW).]
- D. Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; or [PL 1987, c. 809, §2 (NEW).]
- E. Compensating for an impact by replacing the affected significant wildlife habitat. [PL 1987, c. 809, §2 (NEW).] [PL 2011, c. 653, §15 (AMD); PL 2011, c. 653, §33 (AFF).]

The Proposed Action is consistent with the State's coastal policy requiring that activities not unreasonably harm significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridors, freshwater, estuarine, or marine fisheries and other aquatic life. The project minimizes impacts by confining work to the existing authorized channel footprint, working within timeframes that will not disturb ecological resources, and not disturbing adjacent upland or wetland habitats

- A. Potential impacts are minimized by limiting the magnitude and duration of dredging, implementing best management practices, and conducting all work within the September 15–April 1 seasonal window to protect sensitive species and habitats
- B. Any temporary disturbance to the benthic habitat will be rectified through natural recovery processes at both the IHT FNP and the FIDS. Recolonization of the benthos at the affected areas is expected to begin immediately following the completion of the proposed action and is expected to take approximately 18 months. In addition, placement of dredged material at the FIDS will enhance the habitat for both juvenile Atlantic cod (cod) and American lobster (lobster).
- C. Placement of sand, gravel and cobble at the FIDS will have a negative short term impacts to its water quality and benthos, but a long term positive impact on the benthic ecosystem overall. The dredged material will provide a net increase in complex habitat for juvenile cod and lobster, both commercially valuable species in the Gulf of Maine.
- D. As the project does not result in the loss of significant wildlife habitat, compensatory mitigation is not required. On the contrary, the proposed action will benefit the FIDS benthic ecosystem through the creation of additional complex benthic habitat.

E. Together, these measures ensure that the Proposed Action will not unreasonably harm wildlife habitat or aquatic resources and fully aligns with the State's habitat protection and mitigation policy.

4. Interfere with natural water flow. The activity will not unreasonably interfere with the natural flow of any surface or subsurface waters. [PL 1987, c. 809, §2 (NEW).]

The Proposed Action is consistent with the State's coastal policy requiring that activities not unreasonably interfere with the natural flow of any surface or subsurface waters.

Maintenance dredging will occur entirely within the existing authorized navigation channel and will not alter shoreline configurations, tidal exchange, groundwater flow, or natural hydrodynamic patterns within the IHT FNP. The project does not introduce new structures, fill, or obstructions that could impede circulation or redirect surface or subsurface waters. All work is temporary, limited in scope, and conducted using best management practices that minimize turbidity and avoid changes to natural flow regimes. By restoring safe navigation while maintaining existing hydrologic and tidal conditions, the Proposed Action fully aligns with the State's requirement to prevent unreasonable interference with natural water flow.

5. Lower water quality. The activity will not violate any state water quality law, including those governing the classification of the State's waters. [PL 1987, c. 809, §2 (NEW).]

The Proposed Action is consistent with the State's coastal policy requiring that activities not violate any state water quality law, including laws governing the classification of the State's waters. Maintenance dredging will occur entirely within the existing authorized navigation channel and will be conducted in accordance with all applicable state and federal water quality standards, including turbidity limits, sediment suitability requirements, and best management practices designed to minimize short-term water column disturbance. Sediment testing confirms that the material is appropriate for placement at the FIDS and will not introduce contaminants or degrade water quality. Because the project does not alter shoreline conditions, introduce pollutants, or create long-term discharges, it will not affect the classification or designated uses of surrounding marine waters. By restoring safe navigation while maintaining compliance with all state water quality protections, the Proposed Action fully aligns with the State's water quality policy.

6. Flooding. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties. [PL 1987, c. 809, §2 (NEW).]

The Proposed Action is consistent with the State's coastal policy requiring that activities not unreasonably cause or increase flooding of the alteration area or adjacent properties. Maintenance dredging will occur entirely within the existing authorized navigation channel and will not alter shoreline elevations, modify tidal exchange, or

change hydrodynamic conditions in a way that could increase flood risk. The project introduces no new fill, structures, or obstructions that could redirect water toward adjacent properties or affect storm surge behavior. Because the work is temporary, limited in scope, and confined to previously disturbed subtidal areas, it will not influence coastal flooding patterns or exacerbate flood hazards. By restoring safe navigation while maintaining existing coastal and tidal conditions, the Proposed Action fully aligns with the State's requirement to prevent unreasonable increases in flooding.

7. Sand or gravel supply. If the activity is on or adjacent to a sand dune, it will not unreasonably interfere with the natural supply or movement of sand or gravel within or to the sand dune system or unreasonably increase the erosion hazard to the sand dune system. [PL 2003, c. 551, §8 (AMD).]

The Proposed Action is consistent with the State's coastal policy requiring that activities on or adjacent to a sand dune not unreasonably interfere with the natural supply or movement of sand or gravel within or to the sand dune system, nor unreasonably increase erosion hazards to that system. The project area is located within the existing authorized navigation channel and is not on or adjacent to any mapped sand dune systems; therefore, no dune features, sediment transport pathways, or coastal geomorphic processes associated with sand dunes will be affected. Maintenance dredging is confined to subtidal areas and does not alter shoreline conditions, sediment sources, or littoral drift patterns that support dune formation and stability. Because the activity introduces no structures, fill, or modifications that could disrupt sediment movement or increase erosion risk, the Proposed Action fully aligns with the State's sand dune protection requirements.

8. Outstanding river segments. If the proposed activity is a crossing of any outstanding river segment as identified in section 480-P, the applicant shall demonstrate that no reasonable alternative exists which would have less adverse effect upon the natural and recreational features of the river segment. [PL 1987, c. 809, §2 (NEW).]

The Proposed Action is consistent with the State's coastal policy requiring that, if an activity involves a crossing of any outstanding river segment identified in section 480-P, the applicant must demonstrate that no reasonable alternative exists with less adverse effect on the natural or recreational features of that river segment. The project area is located entirely within the IHT FNP and FIDS, and does not involve the crossing of any river or any segment designated as an outstanding river under section 480-P. Because the activity is confined to maintenance dredging within an existing federally authorized navigation channel and does not intersect or affect any protected river segments, no alternatives analysis under this provision is required. The Proposed Action therefore fully complies with this statutory requirement.

9. Dredging. If the proposed activity involves dredging, dredge spoils disposal or transporting dredge spoils by water, the applicant must demonstrate that the transportation route minimizes adverse impacts on the fishing industry and that the disposal site is geologically suitable. The Commissioner of Marine Resources shall

provide the department with an assessment of the impacts on the fishing industry of a proposed dredging operation in the coastal wetlands. The assessment must consider impacts to the area to be dredged and impacts to the fishing industry of a proposed route to transport dredge spoils to an ocean disposal site. The Commissioner of Marine Resources may hold a public hearing on the proposed dredging operation. In determining if a hearing is to be held, the Commissioner of Marine Resources shall consider the potential impacts of the proposed dredging operation on fishing in the area to be dredged. If a hearing is held, it must be within at least one of the municipalities in which the dredging operation would take place. If the Commissioner of Marine Resources determines that a hearing is not to be held, the Commissioner of Marine Resources must publish a notice of that determination in a newspaper of general circulation in the area proposed for the dredging operation. The notice must state that the Commissioner of Marine Resources will accept verbal and written comments in lieu of a public hearing. The notice must also state that if 5 or more persons request a public hearing within 30 days of the notice publication, the Commissioner of Marine Resources will hold a hearing. If 5 or more persons request a public hearing within 30 days of the notice publication, the Commissioner of Marine Resources must hold a hearing. In making its determination under this subsection, the department must take into consideration the assessment provided by the Commissioner of Marine Resources. The permit must require the applicant to:

- A. Clearly mark or designate the dredging area, the spoils disposal route and the transportation route; [PL 1997, c. 164, §1 (NEW); PL 1997, c. 164, §2 (AFF).]
- B. Publish in a newspaper of general circulation in the area adjacent to the route the approved transportation route of the dredge spoils; and [PL 1997, c. 164, §1 (NEW); PL 1997, c. 164, §2 (AFF).] Haul route.
- C. Publish in a newspaper of general circulation in the area adjacent to the route a procedure that the applicant will use to respond to inquiries regarding the loss of fishing gear during the dredging operation. [PL 1997, c. 164, §1 (NEW); PL 1997, c. 164, §2 (AFF).] [PL 2001, c. 248, §1 (AMD).]

The Proposed Action is consistent with the State's coastal policy governing dredging, dredged material disposal, and the transport of dredged material by water, which requires applicants to demonstrate that transportation routes minimize adverse impacts on the fishing industry and that disposal sites are geologically suitable. The project uses a short, direct haul route from the IHT FNP to the FIDS, minimizing transit time and reducing potential interactions with active fishing areas. The project has the full cooperation and support of the local harbor master, Board of Selectman, and local fisherman. Sediment characterization confirms that the disposal site is geologically appropriate for receiving the dredged material.

As required, the Commissioner of Marine Resources will provide an assessment of potential impacts to the fishing industry, including effects within the dredging footprint and along the transportation route, and may hold a public hearing if warranted based on

potential fisheries impacts or if requested by five or more individuals following public notice. The project will clearly mark the dredging area and transportation route, and the USACE will coordinate the haul route and a procedure for responding to inquiries regarding any loss of fishing gear with the MDMR. By minimizing potential impacts to fisheries, using a suitable disposal site, and meeting all procedural and public notification requirements, the Proposed Action fully aligns with the State's dredging and dredged material transport policy.

10. Significant groundwater well. If the proposed activity includes a significant groundwater well, the applicant must demonstrate that the activity will not have an undue unreasonable effect on waters of the State, as defined in section 361-A, subsection 7, water-related natural resources and existing uses, including, but not limited to, public or private wells within the anticipated zone of contribution to the withdrawal. In making findings under this subsection, the department shall consider both the direct effects of the proposed withdrawal and its effects in combination with existing water withdrawals. [PL 2007, c. 399, §12 (NEW).]

This policy is not applicable. The Proposed Action does not involve the development of significant groundwater wells.

11. Offshore wind power project. This subsection applies to an offshore wind power project. [PL 2009, c. 615, Pt. E, §9 (NEW).] [PL 2009, c. 615, Pt. E, §9 (NEW).]

A. If an offshore wind power project does not require a permit from the department pursuant to article 6, the applicant must demonstrate that the generating facilities:

1. Will meet the requirements of the noise control rules adopted by the board pursuant to article 6;
2. Will be designed and sited to avoid unreasonable adverse shadow flicker effects.
3. Will be constructed with setbacks adequate to protect public safety, while maintaining existing uses to the extent practicable. In making a finding pursuant to this paragraph, the department shall consider the recommendation of a professional, licensed civil engineer as well as any applicable setback recommended by a manufacturer of the generating facilities. [PL 2009, c. 615, Pt. E, §9 (NEW).]

B. If an offshore wind power project does not require a permit from the department pursuant to article 6, the applicant must demonstrate adequate financial capacity to decommission the offshore wind power project. [PL 2009, c. 615, Pt. E, §9 (NEW).]

C. An applicant for an offshore wind power project is not required to demonstrate compliance with requirements of this article that the department determines are addressed by criteria specified in Title 12, section 1862, subsection 2, paragraph A, subparagraph (6).

This policy is not applicable. The Proposed Action does not involve the development of wind power projects.

SECTION HISTORY

PL 1987, c. 809, §2 (NEW). PL 1989, c. 430, §5 (AMD). PL 1989, c. 656, §3 (AMD). PL 1989, c. 890, §§A40, B71,72 (AMD). PL 1993, c. 296, §2 (AMD). PL 1997, c. 164, §1 (AMD). PL 1997, c. 164, §2 (AFF). PL 2001, c. 248, §1 (AMD). PL 2001, c. 618, §3 (AMD). PL 2003, c. 551, §8 (AMD). PL 2007, c. 353, §9 (AMD). PL 2007, c. 399, §12 (AMD). PL 2007, c. 661, Pt. B, §10 (AMD). PL 2009, c. 615, Pt. E, §§7-9 (AMD). PL 2011, c. 653, §15 (AMD). PL 2011, c. 653, §33 (AFF). PL 2023, c. 481, §11 (AMD).

Finding of No Significant Impact and
Environmental Assessment
for Maintenance Dredging

**Maintenance Dredging of
Isle au Haut Thoroughfare
Federal Navigation Project
Isle au Haut, Maine
EAXX-202-00-E6P-1768477788**

March 2026



**US Army Corps
of Engineers** ®
New England District

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DRAFT

1.0 INTRODUCTION

The purpose of this Environmental Assessment (EA) is to present information on the environmental features of the project area and to review construction information to determine the potential impacts of maintenance dredging. This EA describes U.S. Army Corps of Engineers (USACE) project compliance with the National Environmental Policy Act of 1969 (NEPA) and all appropriate federal and state environmental regulations, laws, and executive orders. Methods used to evaluate the environmental resources of the area include natural resource sampling, a review of available information and coordination with appropriate environmental agencies and knowledgeable persons. This report provides an assessment of environmental impacts and alternatives considered along with other data applicable to the Marine Protection Research and Sanctuaries Act (MPRSA) requirements.

2.0 PROJECT AREA DESCRIPTION

2.1 General

The Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP), immediately off the Isle au Haut coast, is a navigational passage between Isle au Haut Island and Kimball Island, Maine. The IHT is located on the outskirts of Penobscot Bay, about six miles southeast of Stonington, Maine, and 25 miles east of Rockland, Maine (Figure 1). The waterway provides access to home port for a small local fishing fleet and seasonal recreational craft and affords protected passage for small vessels.

2.2 Project Description

The IHT FNP is a 1,200-foot-long channel, with a depth of -6 feet Mean Lower Low Water (MLLW), and a width of 75 feet, constructed through the shoal at the eastern end of the IHT. The IHT FNP was completed in 1959.

The USACE is proposing to mechanically dredge approximately 3,355 cubic yards (cy) of shoaled areas totaling 1.2 acres within the IHT FNP channel (Figure 1). The material to be dredged consists of cobble, gravel, and coarse sand. The dredged material will be placed at the Flake Island Disposal Site (FIDS) approximately one mile northwest of the IHT FNP. Disposing of the material at this location is expected to enhance the benthic environment off Flake Island. The dredging of material from the IHT FNP and its disposal at FIDS may occur from September 15 to April 1 to avoid impacts to spawning shellfish, benthic resources, Essential Fish Habitat (EFH) for federally managed fish species, threatened and endangered species listed under the Endangered Species Act (ESA), and interactions with mobile fishing gear.

3.0 PURPOSE AND NEED FOR THE PROJECT

3.1 General

The purpose of the proposed action is to return the FNP to its authorized depths and to ensure safe, reliable, and consistent protected deep-water access to the island and town of Isle au Haut, Maine. The project aims to establish a dependable controlling depth within the IHT FNP channel sufficient to eliminate existing tidal restrictions, improve navigational safety for all users, and support the continued viability of the island's essential transportation links and local economy.

This project is needed to address critical access issues experienced by essential maritime traffic, including the mail boat and private ferry service, that links the mainland to the island community of Isle au Haut. Tidal access issues due to the channel's controlling depth disrupt essential schedules, hinder the primary commercial fishing and tourism-based economy, and raise safety concerns for all commercial, recreational, and essential vessels using the IHT FNP thoroughfare.

3.2 Project Authorization and History

The project was first authorized by the River & Harbor Act of 2 March 1945. The authorization was for a channel -6 feet MLLW by 75 feet wide extending approximately 1,200 linear feet across the bar in the thoroughfare. The original construction took place between 1956 and 1959. The project still provides for the same conditions as originally designed. The existing conditions of the channel are -6 feet MLLW by 75 feet wide and a length of 1,200 feet. Mechanical maintenance dredging was conducted once in 1979 which removed approximately 1,000 cy of mostly gravel, cobble, and boulders. The dredged material was disposed of at FIDS.

Table 1. Dredge History of IHT FNP.

Year	Approx. Volume (cy)	Dredge Site	Disposal Site
1979	1,000	IHT FNP	Flake Island Disposal Site

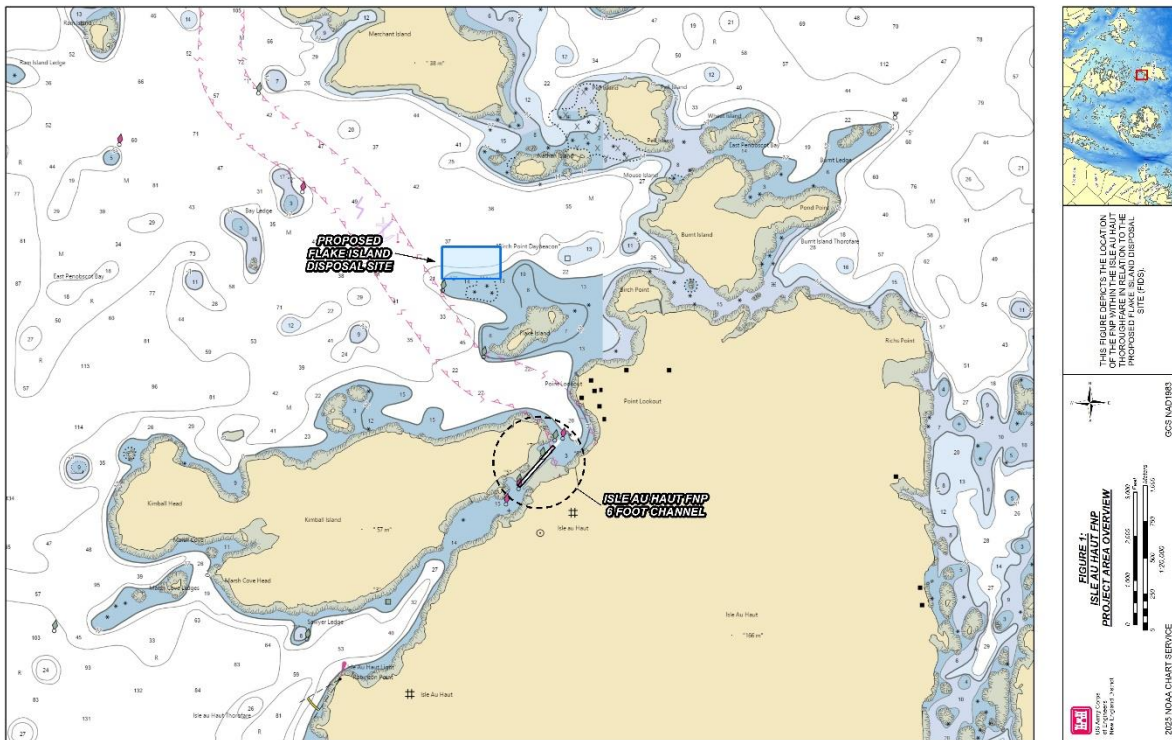


Figure 1. Isle au Haut Thoroughfare FNP (circled) and Flake Island Disposal Site (blue box).

4.0 ALTERNATIVES

This section presents the various alternatives to the proposed action and provides the basis for the recommended alternative.

4.1 No Action Alternative

The No Action Alternative serves as a baseline against which the proposed action and alternatives can be evaluated. Evaluation of the No Action Alternative involves assessing the environmental effects that would result if the proposed action did not take place.

Under a No Action Alternative, USACE would not dredge the IHT FNP, and any resulting environmental impacts would be avoided. However, this alternative would allow shoaling conditions in the channel to continue and likely worsen over time. Continued shoaling would cause vessels to run aground more frequently during low tides, hampering the efficient operations of commercial fishing vessels, and increasing dangerous situations for recreational boaters, especially transients, who are unfamiliar with local conditions. These restrictions to navigation would negatively affect the ferry and mail boat and continue to provide inadequate depths for its continued use.

4.2 Maintaining Channel at Authorized Dimensions

Maintenance Dredging

The second alternative is the maintenance dredging of the IHT FNP to its authorized dimensions of -6 feet MLLW plus 1 foot of allowable overdepth (Figure 3). Maintenance dredging will remove approximately 1,000 cy of sand, gravel and cobble shoaling that has occurred since the last dredging operation and will restore the IHT FNP to its authorized dimensions. This alternative provides for the public benefit and results in no significant, long-term adverse impacts to the environment.

Advanced Maintenance Dredging

The third and preferred alternative is the advanced maintenance dredging of approximately 3,355 cy of sand, gravel and cobble shoaling to a depth of -7 feet MLLW plus 1 foot of allowable overdepth (Figure 3). Advanced maintenance dredging for this project has been approved by the USACE North Atlantic Division (NAD) in order to provide for the most cost-effective dredging project possible and ensures safe access for critical boat-based island services for an extended time period. Advanced maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the IHT FNP to its authorized dimensions. The IHT FNP will be shifted 200 feet to the southwest under this alternative into an area that has not been previously dredged. Engineer Regulation (ER) 1165-2-119, Modifications to Completed Projects, September 20, 1982, allows USACE to modify channels of completed navigation projects. Paragraph 9 states, "where not otherwise precluded by project authorization, the location of a completed channel may be altered during the course of the periodic maintenance program if the maintenance can thereby be more economically accomplished and related aids to navigation are readily adjustable to suit the restored channel dimensions at the shifted location." In this case, the shifting of the IHT FNP is not precluded by its federal authorization, it creates the most cost-effective dredging project, and existing aids to navigation can be readily repositioned by the US Coast Guard. This alternative provides the greatest public benefits and results in no significant, long-term, adverse impacts to the environment.

4.3 Alternative Dredging Methods

Several types of dredges can be used to remove material from navigation channels and anchorage areas. The type of dredge proposed for a project is dependent upon the type of material to be dredged and the disposal or disposal site that is selected for the dredged material. There are several different dredging methods available for use in the IHT FNP including hydraulic and mechanical dredges. The following sections summarize the practicability of each dredging method.

Mechanical Dredging

Mechanical Clamshell Dredge

A mechanical clamshell dredge generally consists of a clamshell-type bucket mounted on a barge. A mechanical dredge operates by excavating sediments with a bucket attached to a crane or excavator. Excavated material is deposited into a scow, transported to the disposal or disposal site, and released. For open-water or ocean disposal and/or disposal, a split-hull scow is generally used for transit and release of the dredged material and to minimize the discharge plume. This method is acceptable for use in the IHT FNP.

Mechanical Excavator Dredge

A mechanical excavator dredge consists of an excavation bucket mounted on a long reach excavator. The excavator reaches its bucket and arm down to the sediments to be removed and scoops the material to the surface. Excavated material is deposited into a scow, transported to the disposal or disposal site, and released. For open-water or ocean disposal, a split-hull scow is generally used for ease of disposal and to minimize the discharge plume. This method is also acceptable for use in the IHT FNP.

Hydraulic Dredging

Hydraulic Cutterhead Pipeline Dredge

A hydraulic dredge consists of a cutterhead on the end of an arm connected to a pump, which loosens bottom sediments and entrains them in water slurry that is pumped up from the bottom. The material is then discharged away from the channel (side cast) or is pumped via a pipeline to a dewatering area or disposal site. A hydraulic dredge is generally used for sandy material that will be placed in an upland area or on a nearby beach, or for pumping any type of unconsolidated material in an upland confined (diked) disposal/dewatering area. This method is unacceptable for use in the IHT FNP as the cobbles and boulders are expected to clog the dredge pipe and possibly damage the dredge's impeller.

Hydraulic Hopper Dredge

A hopper dredge is a self-contained and self-propelled vessel that operates by hydraulically pumping a slurry of bottom sediments into a hold (hopper) aboard the vessel. As dredged material settles in the hopper, excess water and fine sediments are discharged into surrounding waters. When the hopper is full, the drag arms are raised and secured to the vessel, which then travels to the disposal site and releases or pumps off the material from the hoppers. The dredge then returns to the dredging site to begin another cycle. Hopper dredges come in various sizes from a few hundred cubic yards bin capacity to several thousand yards bin capacity. In New England, hopper dredges are most often used to remove sandy material from harbor entrance channels and

deposit the material nearshore to beaches to nourish littoral bar systems. Again, this method is unacceptable for use in the IHT FNP because of the above-mentioned cobbles and boulders.

Recommended Dredge Plan

A mechanical clamshell dredge or excavator dredge are the proposed and recommended dredge equipment for this project due to the cobbles and rocks found in the substrate in the IHT FNP.

4.4 Disposal and Placement Alternatives

USACE policy requires that full consideration be given to all practicable dredged material disposal alternatives including upland, open water ocean disposal, and beneficial use (e.g., nearshore placement and beach placement) (see 33 CFR 337.9(a)). All dredged material management alternative evaluations must include an assessment of potential available beneficial use options including fish and wildlife habitat creation, ecosystem restoration and enhancement and/or hurricane, and storm damage reduction. Section 125 of the Water Resources Development Act (WRDA) of 2020 requires USACE to maximize the beneficial use, in an environmentally acceptable manner, of suitable dredged material obtained from the maintenance of Federal Navigation Projects.

Open Water Disposal

Open Water Disposal Alternative 1: The USACE submitted a Site Selection Document (SSD) to the United States Environmental Protection Agency (USEPA) that selects FIDS as a Marine Protection Research and Sanctuaries Act (MPRSA) disposal site for the proposed action through the USACE authority defined in Section 103(b) of the MPRSA. The FIDS is an open water disposal site that could accept dredged material from the IHT FNP. This previously used open water site was last used in 1979 for dredged material from the IHT FNP. The FIDS is located in the Gulf of Maine, on the outskirts of Penobscot Bay, about six miles southeast of Stonington and 25 miles east of Rockland. The site is defined as a 1,500-foot square on the seafloor centered at 44° 5.22' N, 68° 38.23' W. (Figure 1). See Appendix A for the FIDS SSD.

Open Water Disposal Alternative 2: The Portland Disposal Site (PDS) is a USEPA designated Ocean Dredged Material Disposal Site (ODMDS) located approximately 7.1 nautical miles east of Dyer Point, Cape Elizabeth, Maine. The site is centered at 43° 34.1' N, 70° 2.0' W, and has an area of one square nautical mile. The PDS is the closest USEPA designated ODMDS to the proposed dredging area. However, the PDS is located approximately 107 miles from the dredging site, whereas the FIDS is located approximately 1 mile away. In addition, the disposal of sand, gravel, and cobble at the PDS would remove this dredged material from the IHT littoral zone and provide for no beneficial uses.

Use of the PDS instead of FIDS would greatly increase travel time and dredging costs, making the use of the PDS economically prohibitive. In addition, since the PDS is significantly farther from the dredge site than FIDS, the use of the PDS would result in increased use of fossil fuels, increased air emissions, and a greater risk of spills and marine mammal strikes, compared to the use of the FIDS.

Nearshore Placement (Beneficial Use)

Nearshore Placement Alternative: Nearshore placement can be a viable, environmentally sound alternative provided that the material to be dredged is similar or better quality than that of the receiving area(s) and/or adjacent beach areas, and where no significant environmental resources would be degraded as a result. This alternative is typically chosen when the material to be dredged is clean sand and where there is a nearby beach that may benefit from placement of the sand in the nearshore zone. Nearshore placement keeps sand in the littoral system and affords the possibility of indirect nourishment to adjacent beaches over time without increasing channel maintenance costs.

Nearshore placement is not a suitable option for the sandy material to be dredged from the IHT FNP. Potential nearshore placement areas are located considerable distances from the proposed dredging project and would significantly increase project costs. In addition, project sediments are composed of a mix of sand, gravel, cobble, and shell hash which is not appropriate for beach nourishment.

Beach Placement (Beneficial Use)

Direct Beach Placement Alternative: For beach placement (i.e., the direct placement of dredged material on a beach) to be considered as a viable option, certain criteria must be satisfied. The primary beach nourishment consideration is the location of an area that would benefit from the placement of material to offset ongoing or projected future erosion (e.g., beach, backshore areas, structures, etc.). Additionally, the placement of dredged material should not permanently alter (i.e., negatively impact) any existing habitats or significant environmental resources. Secondary impacts of beach nourishment are also considered including the physical characteristics of dredged material. Physical characteristics (i.e., grain size) of dredged material should be compatible with the physical characteristics of the placement area and provide suitable substrate for recolonization by vegetation and/or animal species from adjacent areas. Beach placement was considered and rejected as an option because the project sediments are composed of a mix of sand, gravel, cobble, and shell hash which is not appropriate for beach nourishment.

Upland Placement

Upland Placement Alternative: Upland placement of the IHT FNP dredged material was considered as the material is sand, gravel, and cobble. Upland placement or disposal is not a feasible option because there are no known upland areas within a reasonable

distance of the IHT FNP that are currently available for permanent storage of the material. Additionally, the town of Isle au Haut had initially shown interest in using the material as road fill. However, the costs associated with bringing earth moving equipment to the island by ferry and unloading the material by excavator into dump trucks for stockpiling at a town owned location for later use proved to be cost prohibitive and the idea was later deemed not viable.

Recommended Dredged Material Disposal Plan (Ocean Disposal- Beneficial Use)

The FIDS is the recommended disposal site for the IHT FNP dredged material and provides a beneficial use. FIDS is an open water disposal site with depths ranging from intertidal to approximately -40 feet MLLW. The southern portion of the FIDS was recommended by local lobsterman as an ideal site for the disposal of the dredged material, as gravel and cobble are considered ideal habitat for juvenile American lobster (*Homerus americanus*), hereafter referred to as lobster. Also, the FIDS is located within a National Marine Fisheries Service (NMFS) Habitat Area of Particular Concern (HAPC; inshore waters to a depth of 20 m) for juvenile Atlantic cod (*Gadus morhua*). This HAPC for juvenile Atlantic cod recognizes the importance of structurally complex rocky-bottom habitat in inshore areas. These habitats contain attached epiflora and benthic invertebrates that provide prey for Atlantic cod and the structural complexity of the habitat is used as refuge areas from predators of juvenile Atlantic cod. The disposal of the project's dredged material at the FIDS is a beneficial use as it would enhance both juvenile lobster and juvenile Atlantic cod habitat.

5.0 AFFECTED ENVIRONMENT

The affected environment for the proposed project includes the area to be dredged (IHT FNP) and the open water disposal site off Flake Island (FIDS). The affected environment of the project area is described in the sections below.

General

Isle au Haut is in Knox County, Maine (Figure 1). Isle au Haut is accessible by ferry from Stonington, Maine, with an approximately six-mile transit taking about 45 minutes to complete. Isle au Haut has a population of 54 and a summer population of approximately 250 (Isle au Haut, Maine. Town Website, 2025). Lobster fishing is the town's main industry with tourists attracted to Acadia National Park accounting for a much smaller industry. Electricity came to the island in 1970, with telephone service in 1988 (Isle au Haut, Maine. Town Website, 2025).

5.1 Water Quality

Dredge Site and Disposal Site

The IHT FNP and FIDS are designated by the Maine Department of Environmental Protection (MDEP) as class "SB" waters. Class SB waters must be of such quality that

they are suitable for the designated uses of recreation in and on the water, fishing, aquaculture, propagation and harvesting of shellfish, industrial process and cooling water supply, hydroelectric power generation, navigation and as habitat for fish and other estuarine and marine life. Additionally, habitat found in Class SB waters must be characterized as unimpaired (MDEP 2025a)

According to the MDEP spill registry there have been two known hazardous spills within the vicinity of the IHT FNP since 2013. Approximately five gallons of diesel fuel were spilled in 2013, and an unknown amount was reported spilled in 2019 (MDEP 2025b).

5.2 Hydrologic Setting

Dredge Site and Disposal Site

The nearest Tidal Datums available for the proposed dredge and disposal sites are from Bar Harbor, Maine, approximately 13.5 miles to the northeast. New England tides are semi-diurnal; tidal data nearest to the project area are shown in Table 2 (National Oceanic and Atmospheric Administration (NOAA, 2025). Tidal data for Eastport and Portland, Maine, have been added for reference.

Table 2. Tidal Datum, Bar Harbor, Maine. (NOAA, 2025).

	Bar Harbor, Maine Station: 8413320	Eastport, Maine Station: 8410140	Portland, Maine Station: 8418150
Mean Higher-High Water (feet)	11.37	19.27	9.91
Mean Lower Low Water (feet)	0.00	0.00	0.00
Mean Range of Tide (feet)	10.56	18.35	9.12
Mean Diurnal Tidal Level (feet)	5.69	9.63	4.96

5.3 Physical and Chemical Environment

Dredge Site

USACE performed a reconnaissance survey effort within the IHT FNP in May 2023. This effort included a single sub-bottom profiler transect to document subsurface sediment layering and approximate depth to bedrock, collection of side scan sonar data to characterize the seabed in the vicinity of the IHT FNP, and collection of underwater imagery to verify side scan data interpretation. The survey found that the sediments in the vicinity of the IHT FNP consisted of coarse sand and gravel, with areas of cobble, isolated small boulders, and exposed bedrock located outside the channel profile. Inspection of sub-bottom profiler data found no change in subsurface layering within the proposed dredge prism. The side scan sonar mosaic from this survey is presented in Figure 2 along with the track of the sub-bottom transect and location of underwater video stations.



Figure 2. IHT FNP subsurface profile.

USACE conducted a supplemental site investigation in July 2025 to confirm the sediment composition throughout the proposed dredge prism. On 16 July 2025, USACE successfully collected sediment core samples from three locations (Table 3, Figure 3) within the proposed maintenance dredging footprint for engineering classification and grain size analysis. Samples were collected to the advanced maintenance depth plus one foot of allowable overdepth.

Table 3. Isle au Haut FNP Sample Locations.

Sample ID	Longitude (NAD83)	Latitude (NAD83)	Project Depth+ Overdepth (FT MLLW)	Corrected Water Depth (FT MLLW)	Required Core Length (FT)	Penetration/ Recovery (ft)	Sample Interval (FT)
A	44.077490	-68.635031	8.0	-5.4	2.5	3.0/3.0	0-2.5
B	44.077519	-68.634640	8.0	-5.4	2.6	3.6/3.6	0-2.6
C	44.078259	-68.634098	8.0	-5.5	2.5	3.0/3.0	0-2.5



Figure 3. Location of IHT FNP 2025 Core Samples.

All samples generally contained the same sand and gravel composition and were composed of approximately 40% medium sand, 22% fine sand, 18% coarse sand, and 20% gravel. All samples contained less than 2% fines. The grain size distribution for each sample is shown in Table 4.

Table 4. 2025 Grain Size Results from the IHT FNP.

Sample ID	%Gravel	%Sand			%Fines
		Coarse	Medium	Fine	
A	19.0	17.6	40.7	21.3	1.5
B	20.2	17.6	40.2	21.7	0.4
C	19.2	18.0	39.4	22.2	1.1

Disposal Site

FIDS is located in the Gulf of Maine, on the outskirts of Penobscot Bay, about six miles southeast of Stonington and 25 miles east of Rockland. The proposed site is defined as an approximately 1,300 ft by 700 ft rectangle on the seafloor centered at 44.090531° N, 68.640068° W (Figure 4).

FIDS was selected as a disposal site by the USACE, in coordination with the state of Maine Department of Marine Resources, due to its potential to create additional benthic habitat for lobster by extending the adjacent ledge area (USACE, 1979). Prior to disposal activity, sediments at the majority of the FIDS were described as hard, compacted mud and clay which was expected to host benthic organisms including small crustaceans, echinoderms, and bivalves, as well as commercially important lobsters during the summer and fall. Substrate at the southern portion of the FIDS consist of rock and ledge (USACE, 1979).

USACE's Disposal Area Monitoring System Program (DAMOS) conducted a baseline assessment of water quality, sediment quality, and the benthic habitat community of FIDS in 2022 (USACE, 2022). Surficial sediment samples for grain size analysis were collected using a 0.04 square meter (m²) grab sampler. Upon collection, sediment was brought aboard the vessel to be visually inspected and generally described, including color, texture, general grain size observations, and additional items, such as odor and surface biota. Grain size results from the April 2022 study are shown below in Table 5 and the locations of the sample sites can be seen in Figure 5.

Table 5. 2022 Grain Size Results from the FIDS.

Sample ID	%Gravel	%Sand	%Fines
FIDS-01	0.4	36.6	63
FIDS-02	0	2.1	97.9
FIDS-03	15.9	53.2	30.9

USACE conducted a supplemental water quality site investigation of FIDS in July 2025 to support the FIDS site selection document being submitted for USEPA approval. On 16 July 2025, USACE successfully collected water quality profile data from a single location (Table 6, Figure 6) within the proposed FIDS. For the full data set see Appendix B, Flake Island Disposal Site Water Quality Profile and Benthic Invertebrate Assessment.

Table 6. FIDS Selected Water Quality Profile Data (Top, Middle and Bottom).

	Depth m	Temp °C	Sal psu	pH	Turbidity FNU	ODO mg/L
TOP	1.037	4.306	36.33	7.87	0.64	10.53
MID	7.084	4.176	36.33	7.88	0.62	10.56

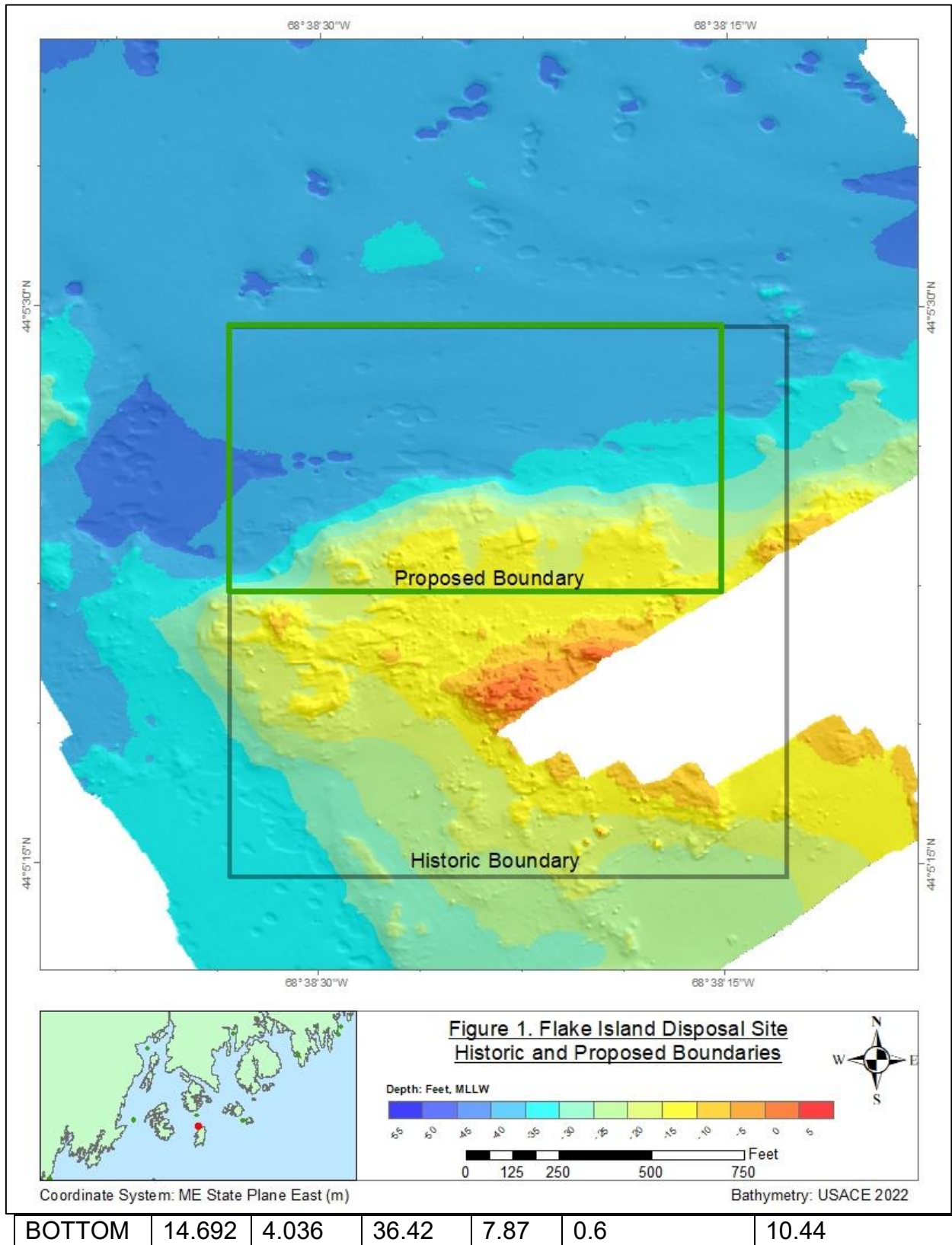


Figure 4. FIDS Historic and Proposed Disposal Site Boundaries.

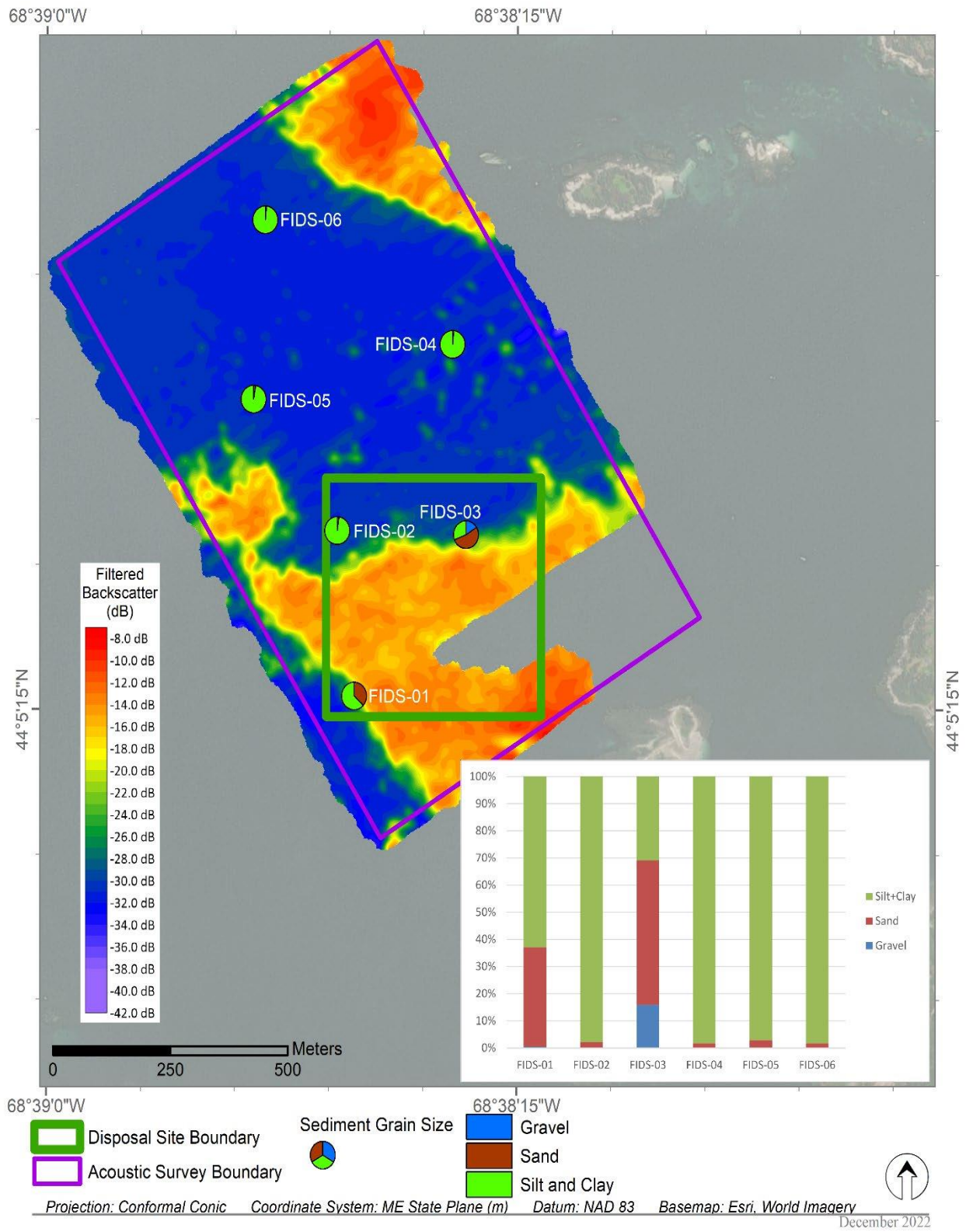


Figure 5. FIDS historic boundary and 2022 grainsize station locations.

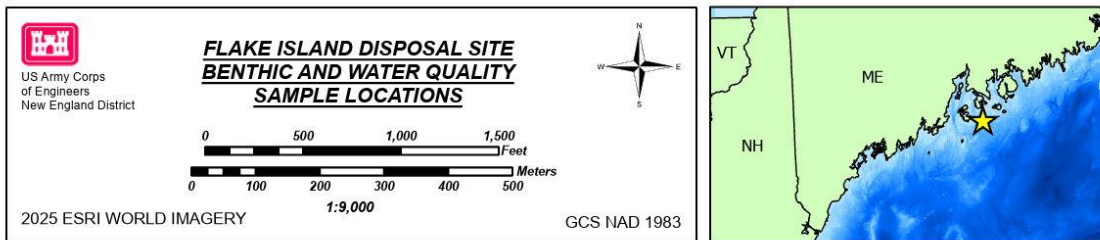
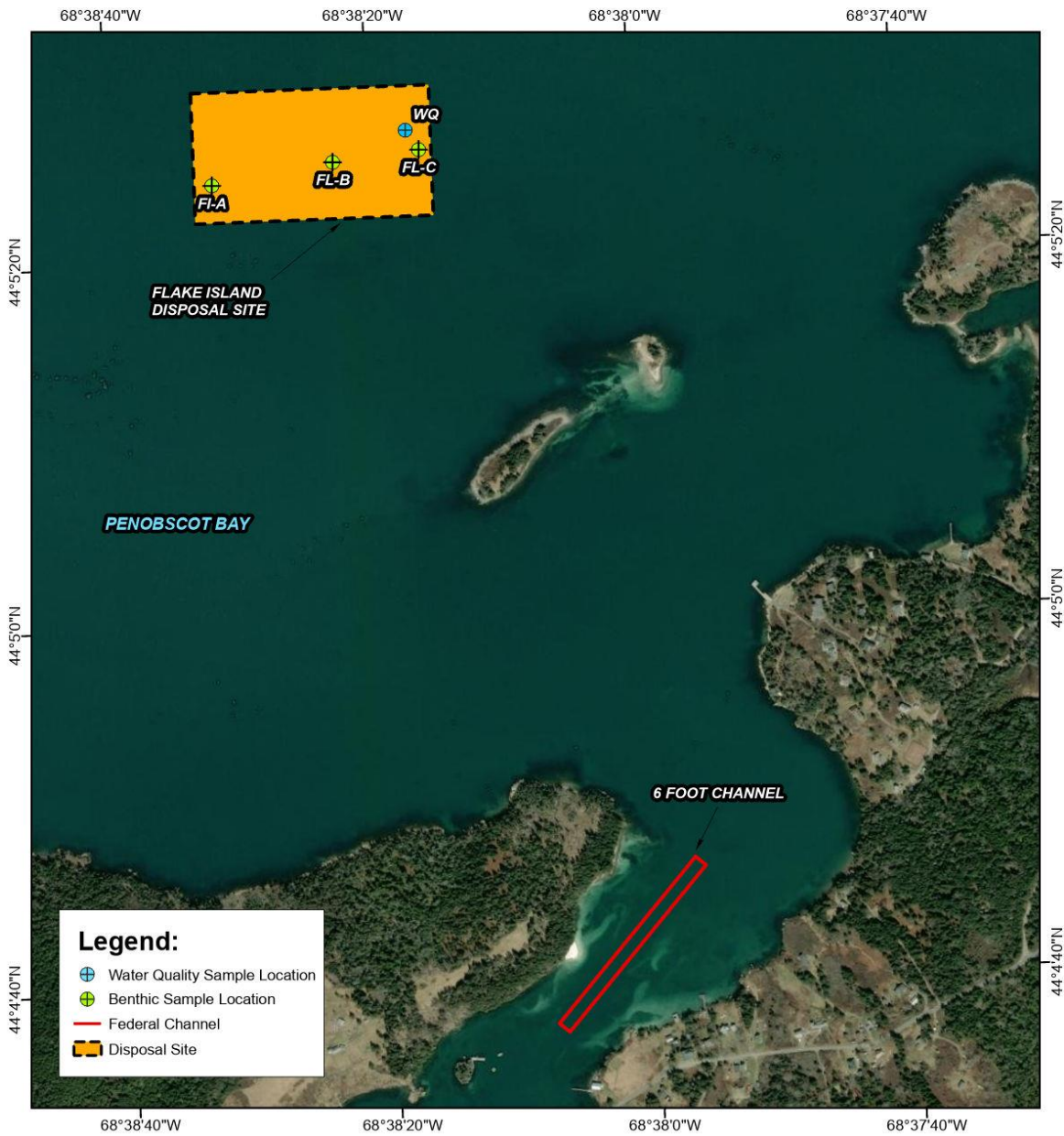


Figure 6. FIDS Benthic and Water Quality Sampling Stations.

Chemical Characteristics

Under 40 CFR Part 227.13, further testing of the dredged material is not necessary if the material is not considered a carrier of contaminants. According to §227.13 (b)(1), this testing exclusion applies, and the dredged material is environmentally acceptable for ocean dumping if the dredged material is composed primarily of sand, gravel, rock, or other naturally occurring bottom material with particle sizes larger than silt, and the material is found in areas of high current or wave energy such as coastal areas with shifting bars and channels.

Based on a review of the reconnaissance survey data, 2025 grain size data, and the area to be dredged, the USACE determined that the proposed dredged material is composed primarily of sand and gravel from a high energy environment and is not likely a carrier of contaminants. The IHT FNP meets the exclusionary criteria established in §227.13(b) of the MPRSA and is suitable for disposal at FIDS. This suitability determination was coordinated with USEPA Region 1 and the Maine Department of Environmental Protection (MEDEP). MEDEP and USEPA Region 1 concurred with the determination, and, in addition, USEPA Region 1 conducted an individual evaluation of the project and documented their findings in a separate memo included in the full suitability determination. See Appendix C for the full suitability determination.

5.4 Biological Environment

Shellfish and Benthic Resources

Dredge Site and Disposal Site

Shellfish

No aquaculture sites are located near the project area or disposal site (MDMR, 2025a)

According to the 2010 Maine Department of Marine Resources (MDMR) shellfish layer, the subtidal areas surrounding the IHT FNP and FIDS are mostly devoid of shellfish resources (Figure 7). The intertidal and subtidal areas of the IHT FNP are mapped as providing habitat for soft shelled clam resources (MDMR, 2025b). The MDMR has not mapped any shellfish resources for the FIDS.

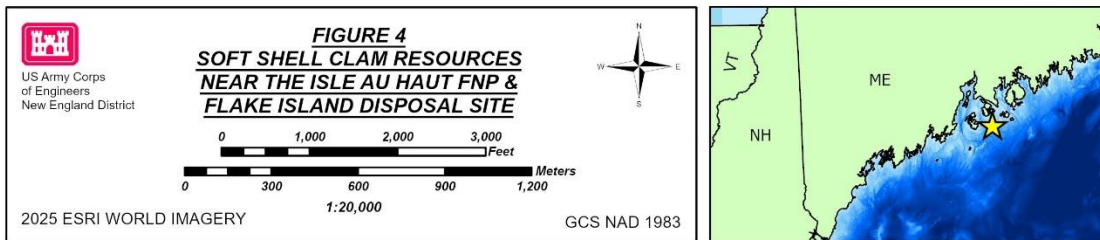
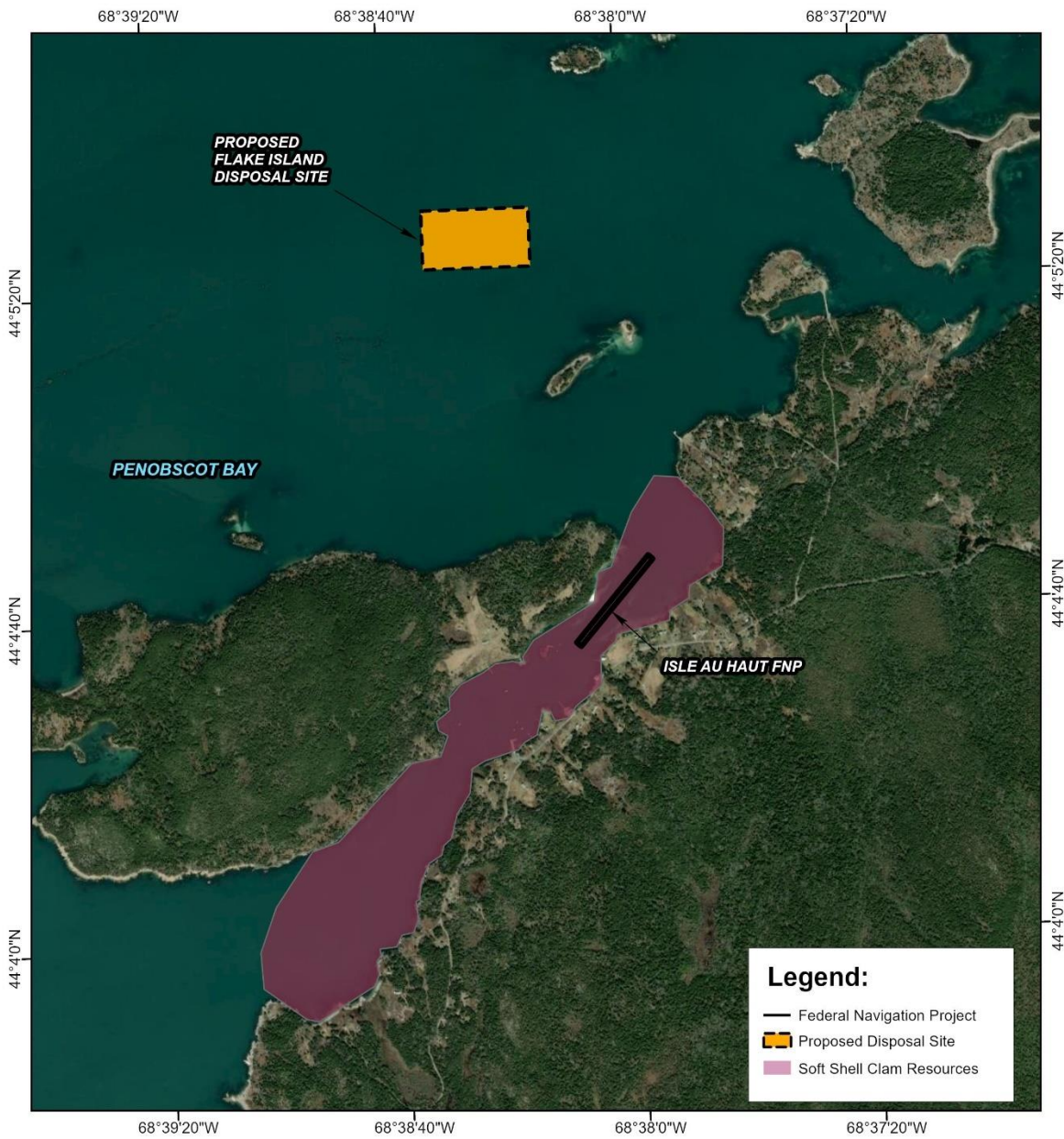


Figure 7. Soft Shelled Clam Resources of the IHT (Purple Shading) (MDMR, 2025b).

The MDMR classifies shellfish growing areas within the State of Maine (Table 7) for harvest suitability following the guidelines in the National Shellfish Sanitation Program. Each of the 47 commercially harvested growing areas is assigned a classification based on the results of a sanitary survey, a three-fold process consisting of: a shoreline survey to identify pollution sources in the growing area, surface water sampling to determine fecal coliform bacteria levels in marine water, and an analysis of how weather, tides, currents, and other factors may affect the distribution of pollutants in the area. A shellfish growing area may be classified as Approved, Conditionally Approved, Restricted, Conditionally Restricted, or Prohibited (MDMR, 2025c). Both the dredge site and the disposal site lie in the same commercially harvested shellfish growing area designated (ED).

Table 7 Descriptions of Shellfish Growing Areas in the State of Maine.

APPROVED	Harvest of shell stock for direct human consumption allowed.
CONDITIONALLY APPROVED	Meets the criteria for the approved classification except under certain conditions described in a management plan.
RESTRICTED	Harvest allowed by special license and the shell stock, following harvest, is subjected to a suitable and effective treatment process through relaying or depuration.
CONDITIONALLY RESTRICTED	Meets the criteria for the restricted classification except under certain conditions described in a management plan.
PROHIBITED	Harvest of shell stock for any purpose is not permitted.

Lobster

Penobscot Bay is one of the richest lobster grounds in the world (Ellis and Cowan, 1999). American lobster (*Homarus americanus*) inhabit the waters surrounding the project area and disposal site. The dredge and disposal sites are located in the MDMR Lobster Management Zone C. Lobster begin to migrate into the area around the 1st of May and generally migrate back out to deeper water by December 1st (MDMR, 2024).

FIDS Benthos

A benthic invertebrate survey was conducted by USACE in April of 2025 to analyze the ecological quality of the benthic invertebrate community that might be impacted by the proposed disposal activity at FIDS. Three sample stations, FI A, FI B, and FI C (Figure 6), were established based on waypoints created during the hydroacoustic survey and seabed features observed in the side-scan sonar mosaic. At each station a 0.04 m²

VanVeen grab sampler mounted in a custom-built frame was used to collect one sample for benthic community analysis and one sample for grain-size analysis.

In total, 16 benthic taxa comprised of 539 individuals were enumerated and identified from samples collected within the Flake Island Disposal Site. Species metrics were fairly consistent across the three stations sampled. Across the investigation area, abundance (per 0.04 m² grab) ranged from 156 (station FI-A) to 205 individuals (station FI-C), with an average of 180 individuals among stations sampled. Species richness ranged from 9 species at stations FI-A to 13 species at station FI-B, with a mean species richness of 11. Species evenness ranged from 0.540 (station FI-C) to 0.685 (station FI-A), with an average of 0.609. The average Shannon-Weiner diversity index was 1.447 and ranged from 1.294 (FI-C) to 1.543 (station FI-B). Fisher's alpha diversity ranged from 2.077 at station FI-A to 3.227 at station FI-B, with an average of 2.596. A full summary of the benthic invertebrate assessment can be found in Appendix B of this EA.

The benthic community within the investigation area was mostly composed of annelids (90%), with a majority of those being polychaetes (480 of 487 individuals). The rest of the community was composed of bivalve mollusks (9%), with arthropods, nemertean, and phorids making up the remaining 1%. The small motile burrowing subsurface depositing feeding polychaete, *Cossura longocirrata*, was identified as the most abundant species throughout the study area, accounting for almost half of the total abundance (46%). The larger burrowing opportunistic polychaete, *Nephtys incisa*, which is known to both be a predator and a deposit feeder, was the second most abundant species identified (27%). Both *C. longocirrata* and *N. incisa* were identified as the most frequently identified top two species at all three stations, respectively, making up almost 75% of the total benthic community. A full summary of the benthic invertebrate assessment can be found in Appendix B of this EA.

Fish and Wildlife

Dredge Site and Disposal Site

Fishes

The fish fauna of the Gulf of Maine has been well described by Bigelow and Schroeder (1953). Finfish utilize the coastal waters of the Gulf of Maine as year-round residents and for spawning and nursery areas.

Penobscot Bay plays an important role in the early life history of fish inhabiting the central coast of Maine by offering habitat for larval fish. Twenty-six species of fish larvae were identified during spring surveys in Penobscot Bay in 1997 and 1998 (Lazzari, 2001). The most commonly occurring larvae (>35% of the samples) were Atlantic seasnail (*Liparis atlanticus*), winter flounder (*Pseudopleuronectes americanus*), radiated shanny (*Ulvaria subbifurcata*), sand lance (*Ammodytes* spp.), American plaice (*Hippoglossoides platessoides*), rock gunnel (*Pholis gunnellus*), sea raven (*Hemitripterus americanus*), longhorn sculpin (*Myoxocephalus octodecimspinosus*), and

grubby sculpin (*M. aeneus*). Densities of sand lance were highest in the upper bay and mid-bay stations in 1997 and 1998 respectively (Lazzari, 2001). Winter flounder have their greatest abundance in the mid-bay area (Lazzari, 2001). Larvae from demersal eggs dominated the catch from late winter through spring, but not in early summer collections (Lazzari, 2001). Larvae of taxa that spawn from late winter through early spring, such as sculpins, sand lance, and rock gunnel were dominant in Penobscot Bay in March and April. Larvae of spring to early spawners such as winter flounder, Atlantic seasnail, and radiated shanny were abundant in May and June (Lazzari, 2001).

Winter flounder is the most common demersal species, representing almost half of the total catch in the upper Penobscot Bay (ME DOT, 1987). Winter flounder is a year around resident of the Gulf of Maine and spawns in late winter and early spring. Longhorn sculpin, windowpane flounder (*Scophthalmus aquosus*), white hake (*Urophycis tenuis*), and the rainbow smelt (*Osmerus mordax*) represented the higher abundance of caught demersal fish (ME DOT, 1987). White hake is collected year around in the lower regions of Penobscot Bay but is absent from the upper bay from January through April (ME DOT, 1987). White hake densities appeared to be highest from late summer through early fall.

The IHT FNP and FIDS are in the marine zone removed from any freshwater input. No Diadromous fish migratory or spawning habitat exists.

Mammals

Marine Mammal Protection Act (MMPA)

Congress passed the MMPA in 1972 in response to increasing concerns among scientists and the public that significant declines in some species of marine mammals were caused by human activities. The MMPA established a national policy to prevent marine mammal species and population stocks from declining beyond the point where they ceased to be significant functioning elements of the ecosystems of which they are a part. To protect all marine mammals, the MMPA, as amended prohibits the "taking" of any marine mammal species in U.S. waters where "take" means to hunt, harass, capture, or kill any marine mammal or attempting to do so. It also prohibits the import and export of marine mammals and their parts or products.

Marine mammals expected to occur within IHT FNP and FIDS are restricted to a few regularly occurring species, and rarer and more unpredictable occurrence of nearshore open coastal species (NMFS, 2023). See Table 8 for a list of the marine mammals that may occur in the IHT FNP or FIDS areas.

Of these 20 species listed in Table 8, only the harbor seal (*Phoca vitulina*), gray seal (*Halichoerus grypus*), and the harbor porpoise (*Phocoena phocoena*) are likely to be present in the project area (the dredge area, transit route to and from the disposal site, and disposal site). These species may forage in the IHT and possibly haul out (rest)

nearby (harbor and gray seal). There are no marine mammal breeding areas within the project area.

Table 8. Marine Mammals that may occur in the IAH FNP and FIDS areas (NMFS, 2023).

Common Name	Scientific Name	ESA Status	NMFS Stock Area (~ESA DPS)	Minimum Population Estimate (Individuals)
Atlantic Pilot Whale	<i>(Globicephala melas)</i>	Not Listed	Western North Atlantic	30,627
Atlantic White-sided Dolphin	<i>(Lagenorhynchus acutus)</i>	Not Listed	Western North Atlantic	93,233
Fin Whale	<i>(Balaenoptera physalus)</i>	Endangered	Western North Atlantic	6,802
Killer Whale	<i>(Orcinus orca)</i>	Not Listed	Gulf of Maine	Unknown
Harp seal	<i>(Pagophilus groenlandicus)</i>	Not Listed	Western North Atlantic	7,600,000
Hooded seal	<i>(Cystophora cristata)</i>	Not Listed	Western North Atlantic	Unknown
True's beaked whale	<i>(Mesoplodon mirus)</i>	Not Listed	Western North Atlantic	4,480
White-beaked dolphin	<i>(Lagenorhynchus albirostris)</i>	Not Listed	Western North Atlantic	536,016
Short-beaked common dolphin	<i>(Delphinus delphis)</i>	Not Listed	Western North Atlantic	93,100
Striped dolphin	<i>(Stenella coeruleoalba)</i>	Not Listed	Western North Atlantic	48,274
Risso's dolphin	<i>(Grampus griseus)</i>	Not Listed	Western North Atlantic	44,067
Sperm whale	<i>(Physeter macrocephalus)</i>	Endangered	North Atlantic	5,895
Common bottlenose dolphin	<i>(Tursiops truncatus)</i>	Not Listed	Western North Atlantic	62,851
Harbor Porpoise	<i>(Phocoena phocoena)</i>	Not Listed	Western North Atlantic	85,765
Harbor Seal	<i>(Phoca vitulina)</i>	Not Listed	Western North Atlantic	57,637
Humpback Whale (West Indies DPS*)	<i>(Megaptera novaeangliae)</i>	Not Listed	Gulf of Maine	1,380

Common Name	Scientific Name	ESA Status	NMFS Stock Area (~ESA DPS)	Minimum Population Estimate (Individuals)
Minke Whale	<i>(Balaenoptera acutorostrata)</i>	Not Listed	Canadian East Coast	21,968
Sei Whale	<i>(Balaenoptera borealis)</i>	Endangered	Nova Scotia	6,292
North Atlantic Right Whale	<i>(Eubalaena glacialis)</i>	Endangered	Western North Atlantic	367
Gray Seal	<i>(Halichoerus grypus)</i>	Not Listed	Western North Atlantic	33,867

*DPS = Distinct Population Segment

Birds

Fourteen species of migratory birds may be found in the project area. They have been identified by the U.S. Fish and Wildlife Service’s (USFWS) Information for Planning and Consultation (IPaC) tool and are listed in Table 9. Birds listed as Birds of Conservation Concern (BCC) by the USFWS are denoted with an “*”. Bird species considered for the BCC include nongame birds, game birds without hunting season, subsistence-hunted nongame birds in Alaska, and Endangered Species Act (ESA) candidate, proposed, and recently de-listed species. The overall goal of the BCC designation is to accurately identify the migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent the USFWS’s highest conservation priorities (USFWS, 2025a).

Table 9. Migratory bird species that may be found in the project area.

Common Murre <i>(Uria aalge)</i>	Common Eider <i>(Somateria mollissima)</i>	Ring-billed Gull <i>(Larus delawarensis)</i>
Double-crested Cormorant <i>(Phalacrocorax auritus)</i>	Common Loon <i>(Gavia immer)</i>	Roseate Tern* <i>(Sterna dougallii dougallii)</i>
Black Guillemot <i>(Cepphus grille)</i>	Long-tailed Duck <i>(Clangula hyemalis)</i>	Surf Scoter <i>(Melanitta perspicillata)</i>
Black Scoter <i>(Melanitta nigra)</i>	Red-breasted Merganser <i>(Mergus serrator)</i>	White-winged Scoter <i>(Melanitta fusca)</i>
Atlantic Puffin <i>(Fratercula arctica)</i>	Red-throated Loon <i>(Gavia stellata)</i>	

Some migratory birds identified in Table 9 may be present in the project area and surrounding areas nearly year-round while others are expected to be present only during the spring to summer timeframe or only during their migrations in early spring and late summer/early fall. Some of the migratory bird species that have the potential to

breed in the project area generally do so between April 1 and October 31 of each year (USFWS, 2025a).

Submerged Aquatic Vegetation (SAV)

Dredge Site and Disposal Site

Eelgrass

Eelgrass (*Zostera marina*) dominates the ecologically important but fragile seagrass communities along the east coast of the United States to Nova Scotia. Eelgrass is a flowering underwater plant that grows in clumps to form beds and blooms in early spring and summer. Eelgrass beds provide shelter, a rich variety of primary and secondary food resources, and form a nursery habitat for the life history stages of numerous fish (Thayer et al., 1984). Eelgrass beds filter excess nutrients out of the water and help prevent shoreline flooding and erosion by stabilizing sediment and buffering wave action (URI EDC, 1998). They also serve as a source of carbon sequestration. In recent years, eelgrass beds have decreased in size and occurrence throughout the Atlantic coast. Factors contributing to the decline are increased water pollution, a fatal infection called wasting disease, increased shoreline development, scouring from boat traffic, and damage caused by storms (USFWS, 2011).

According to the MDMR GIS eelgrass maps (MDMR, 2025d), eelgrass can be found near the IHT FNP and in the shallow areas around Kimball Island. USACE conducted an eelgrass survey in April 2025. No eelgrass was found in or adjacent to the IHT FNP or the FIDS (Figure 8).

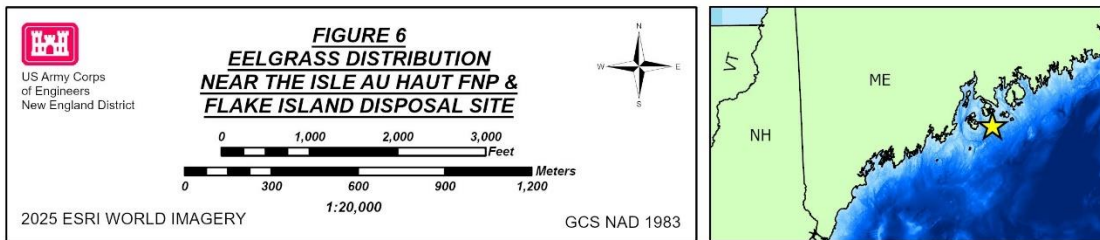
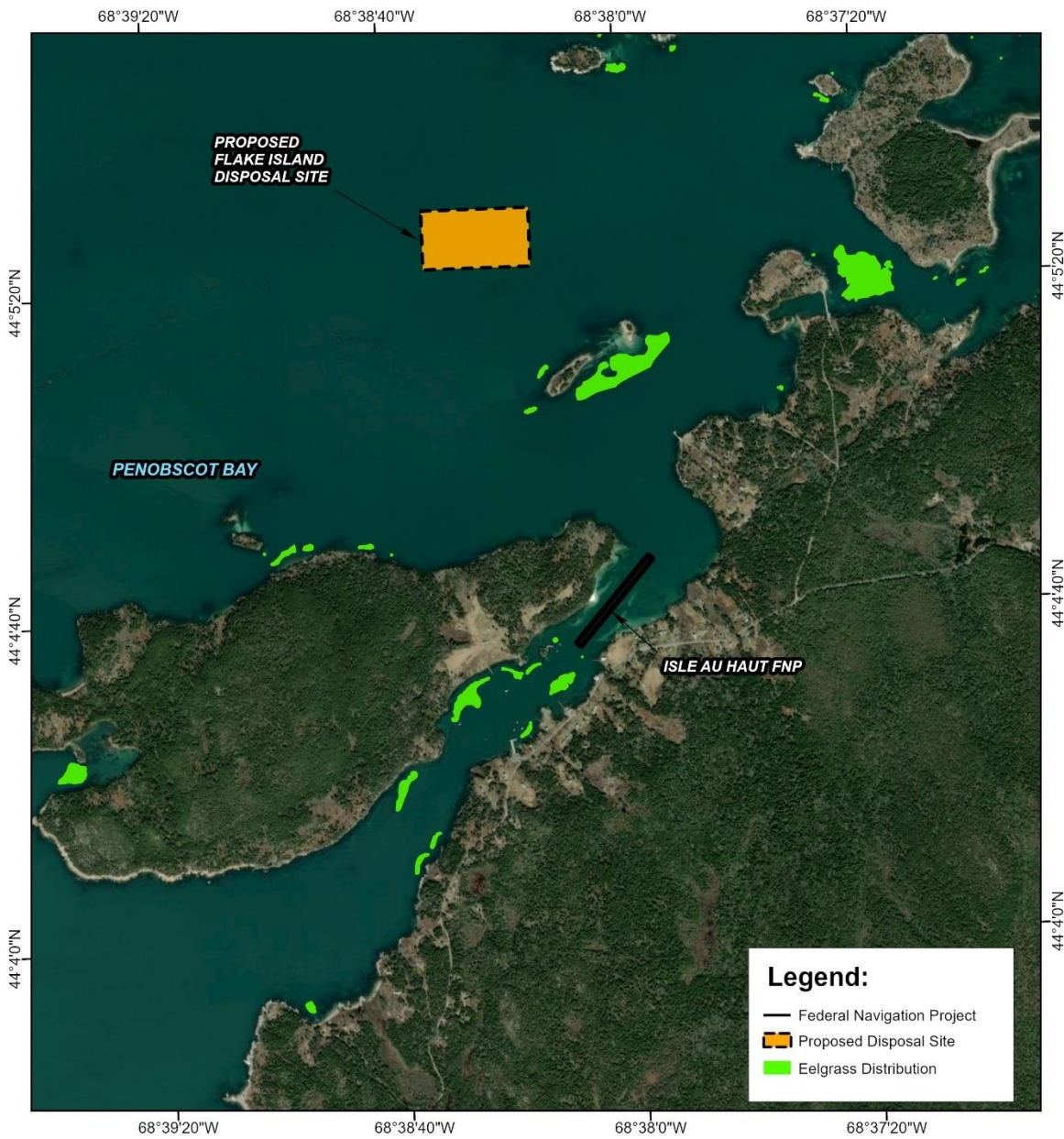


Figure 8. Eelgrass Distribution near IHT FNP and FIDS (MDMR, 2025d).

5.5 Essential Fish Habitat (EFH)

Dredge Site and Disposal Site

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, an EFH consultation is necessary for this project. EFH is broadly defined as “those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity.” Maintenance dredging with nearshore or beach nourishment placement has the potential to affect EFH. Table 10 lists the federally managed species and life stages with designated EFH present within the project areas as identified by the NMFS EFH Mapper (NMFS, 2025a).

In addition to EFH, there are two HAPC’s (Habitat Area of Particular Concern) associated with the IHT and FIDS. The HAPC for juvenile Atlantic cod recognizes the importance of structurally complex rocky-bottom habitat in inshore areas. These habitats contain attached epiflora and benthic invertebrates that provide prey for Atlantic cod and the structural complexity of the habitat is used as refuge areas from predators. The dredge site does not contain any complex rocky habitat preferred by juvenile Atlantic cod. The FIDS, however, does contain some complex rocky habitat. The dredged material from the IHT FNP contains gravel and cobbles that will be placed in areas of the FIDS that are devoid of complex rocky habitat. This beneficial use of dredged material will enhance the juvenile cod and lobster habitat already found at the FIDS. Consequently, the project is expected to have positive impacts to this HAPC for juvenile Atlantic cod, lobster, and other vertebrate and invertebrate demersal species that orientate toward structurally complex habitats.

The Atlantic salmon (*Salmo salar*) coastal areas HAPC is generally characterized by salinities below 25 parts per thousand (ppt). Transit habitats utilized by Atlantic salmon during upstream and downstream migration include estuaries, rivers, and streams from 1st to 5th order, as well as coastal marine areas adjacent to the mouths of designated rivers and estuaries within state waters. The IHT is located between two Islands several miles from the mainland and the nearest freshwater river. The IHT FNP and the FIDS are fully marine ecosystems removed from the nearest river, the Penobscot, used by Atlantic salmon. As a result, no impacts to the Atlantic salmon Coastal Areas HAPC are expected from this project.

Table 10. Summary of the EFH designations for federally managed species with designated EFH in the IHT FNP (denoted with an “X”), and the FIDS (denoted with a “P”).

Species	Eggs	Larvae	Juveniles	Adults
Acadian Redfish (<i>Sebastes fasciatus</i>)		X, P		
American Plaice (<i>Hippoglossoides platessoides</i>)	X, P	X, P	X, P	X, P
Atlantic Butterfish (<i>Peprilus triacanthus</i>)			X, P	X, P
Atlantic Cod (<i>Gadus morhua</i>)	X, P	X, P	X, P	X, P
Atlantic Herring (<i>Clupea harengus</i>)		X, P	X, P	X, P
Atlantic Mackerel (<i>Scomber scombrus</i>)			X, P	X, P
Atlantic Sea Scallop (<i>Placopecten magellanicus</i>)	X, P	X, P	X, P	X, P
Atlantic Wolfish (<i>Anarhichas lupus</i>)	X, P	X, P	X, P	X, P
Bluefin Tuna (<i>Thunnus thynnus</i>)				X, P
Bluefish (<i>Pomatomus saltatrix</i>)			X, P	X, P
Common Thresher Shark (<i>Alopias vulpinus</i>)		X, P	X, P	X, P
Haddock (<i>Melanogrammus aeglefinus</i>)			X, P	
Little Skate (<i>Leucoraja erinacea</i>)			X, P	X, P
Monkfish (<i>Lophius americanus</i>)			X, P	
Ocean Pout (<i>Macrozoarces americanus</i>)	X, P		X, P	X, P
Pollock (<i>Pollachius virens</i>)			X, P	
Red Hake (<i>Urophycis chuss</i>)	X, P	X, P	X, P	X, P
Silver Hake (<i>Merluccius bilinearis</i>)	X, P	X, P		XP
Smooth Skate (<i>Malacoraja senta</i>)			X, P	
Thorny Skate (<i>Amblyraja radiata</i>)			X, P	
White Hake (<i>Urophycis tenuis</i>)		X, P	X, P	X, P
Windowpane Flounder (<i>Scopthalmus aquosus</i>)	X, P	X, P	X, P	X, P
Winter Flounder (<i>Pseudopleuronectes americanus</i>)	X, P	X, P	X, P	X, P
Winter Skate (<i>Leucoraja ocellata</i>)			X, P	
Yellowtail Flounder (<i>Pleuronectes ferruginea</i>)				X, P

5.6 Federally Threatened and Endangered Species

Dredge site and Disposal Site

There are a number of U.S. Endangered Species Act (ESA) listed species that have the potential to be found in the IHT FNP and FIDS project area and adjacent waters. A NMFS Distinct Population Segment (DPS) refers to a designation by the NMFS under the ESA. It is the smallest division of a vertebrate species that can be listed as endangered or threatened, allowing NMFS to protect specific populations that are biologically or geographically distinct, even if the entire species is not at risk. These species are summarized below in Table 11. No designated critical habitat was identified for these species within the project area. No listed marine mammals were identified by NMFS as having habitat in the project area.

Table 11. Federally listed threatened and endangered species under the ESA with potential to occur within the IHT FNP and the FIDS area.

Species	Life Stage	DPS	Federal Listing	Behavior in Project Area
Atlantic Sturgeon (<i>Acipenser oxyrinchus</i>)	Adults and Subadult	GOM	Threatened/ Endangered	Migrating and Foraging
Atlantic Salmon (<i>Salmo salar</i>)	Adults and Juveniles	GOM	Endangered	Migrating and Foraging
Green Sea Turtle (<i>Chelonia mydas</i>)	Adults and Juveniles	North Atlantic	Threatened	Migrating and Foraging
Kemp’s Ridley Sea Turtle (<i>Lepidochelys kempii</i>)	Adults and Juveniles	N/A	Endangered	Migrating and Foraging
Leatherback Sea Turtle (<i>Dermochelys coriacea</i>)	Adults and Juveniles	N/A	Endangered	Migrating and Foraging
Loggerhead Sea Turtle (<i>Caretta caretta</i>)	Adults and Juveniles	Northwest Atlantic	Threatened	Migrating and Foraging
Roseate Tern (<i>Sterna dougallii dougallii</i>)	Adults	N/A	Endangered	Migrating and Foraging
Shortnose Sturgeon (<i>Acipenser brevirostrum</i>)	Adult	N/A	Endangered	Migrating and Foraging

Birds

Dredge Site and Disposal Site

The ESA-listed roseate tern (Endangered) was identified as potentially occurring within the IHT FNP and FIDS project areas by the USFWS’s IPaC (USFWS, 2025a). In North America, roseate terns breed in two separate populations, one from Nova Scotia to New York, and the second in the Caribbean. The northern population arrives at their New England nesting areas between late-April and the first week of May (National Audubon Society, 2022). Eggs are laid between mid-May and mid-August, incubated for three weeks, and once hatched, nesting lasts for four weeks (National Audubon Society, 2022). Eggs are usually found in shallow depressions on sand or gravel beaches or pebbly or rocky offshore islands along the New England coast (National Audubon Society, 2022). They often forage near the mainland shore, along shallow sand bars, mouths of rivers and streams, and in large salt marshes (National Audubon Society, 2022). Their diet consists mainly of small fish, including sand lance and herring found off eastern North America, as well as a few crustaceans, mollusks, and, rarely, insects. Roseate terns in New England depart their breeding colonies in late-July and August and concentrate in “staging areas” around Cape Cod and the Islands before departing for their wintering grounds in September (National Audubon Society, 2022).

Fishes

Dredge Site and Disposal Site

Adult and subadult Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), adult shortnose sturgeon (*Acipenser brevirostrum*) and adult and juvenile Atlantic salmon (Gulf of Maine, Distinct Population Segment (GOM DPS)) were identified by the NMFS's ESA Section 7 Mapper as potentially occurring in the IHT FNP and the FIDS project areas. Shortnose sturgeon are listed under the ESA as endangered, Atlantic sturgeon are listed under the ESA as threatened, and Atlantic salmon are listed under the ESA as endangered (NMFS, 2025b). The IHT FNP and the FIDS are within these species' ranges as defined by NMFS.

Shortnose sturgeon have a range that extends from the Saint John River in New Brunswick, Canada, to St. Johns River in Florida. Shortnose sturgeon are considered amphidromous, meaning they spawn in freshwater, live out their lives in their natal river, and make short feeding or migratory trips into salt water. However, in some northern populations (e.g., in the Kennebec River), a portion of the population forages in the saline estuaries. Shortnose sturgeon exhibits delayed sexual maturity, high reproductive capacity, and long-life expectancy. Adult shortnose sturgeon primarily eat mollusks and large crustaceans. Feeding and overwintering activities may occur in both fresh and saline habitats, however, overwintering typically occurs in freshwater from late fall to early spring (NMFS, 2019a).

Atlantic sturgeon live in rivers and coastal waters from Maine to Florida. Atlantic sturgeon are anadromous fish that spawn in freshwater rivers, migrate out to coastal waters and estuaries for most of their lives, and typically return to natal rivers for spawning. Their non-spawning habitat generally consists of shallow (30 to 160-foot depth) nearshore areas dominated by sand and gravel substrates. Atlantic sturgeon migrate into freshwater rivers in May and June to spawn. Female Atlantic sturgeon migrate back to the ocean soon after spawning, but male Atlantic sturgeon may remain in rivers until colder weather arrives in the fall. Atlantic sturgeon feed on crustaceans, worms, and mollusks, and bottom-dwelling fish such as sand lance (*Ammodytidae* spp.) (NMFS, 2019a). The project area would not be used by Atlantic or shortnose sturgeon or Atlantic salmon for spawning since all waters are fully marine, but these species may use the project area's surrounding waters for migrating and foraging.

Atlantic salmon have a complex life history. Their life history begins from territorial rearing in rivers to extensive feeding migrations on the high seas. Adult Atlantic salmon return to rivers from the sea and migrate to their natal stream to spawn. In Maine, the majority of Atlantic salmon enters freshwater between May and mid-July. After spawning in the fall, Atlantic salmon may either return to the sea immediately or remain in freshwater until the following spring before returning to the sea. In Maine, after one to three years in the river, naturally reared smolts enter the sea during May to begin their first ocean migration. The spring migration of smolts out of the coastal environment is generally rapid, generally within several tidal cycles, and follows a direct route. Smolts

generally travel out of coastal systems on the ebb tide and may be delayed by flood tides. Smolts live mainly near the surface of the water column. Critical habitat was designated for Atlantic salmon in 2009 and based on the 2009 final rule, designated critical habitat is located approximately 30.5 miles from the project area within the mouth of the Penobscot River (located to the east of Sears Island) and upstream including its tributaries (NMFS, 2009).

Sea Turtles

Four species of ESA-listed threatened or endangered sea turtles were provided by NMFS's ESA Section 7 Mapper as potentially occurring in the project area seasonally (NMFS, 2025c). These species are the leatherback sea turtle (*Dermochelys coriacea*; Endangered), the North Atlantic DPS of green sea turtle green sea turtle (*Chelonia mydas*; Threatened), the Kemp's ridley sea turtle (*Lepidochelys kempii*; Endangered), and the loggerhead sea turtle (*Caretta*; Threatened). In general, listed sea turtles are seasonally distributed in coastal U.S. Atlantic waters, migrating to and from habitats extending from Florida to New England, with overwintering concentrations in southern waters. As water temperatures rise in the spring, these turtles begin to migrate northward. As temperatures decline rapidly in the fall, turtles in northern waters begin their southward migration (NMFS, 2019b).

Sea turtles may be expected to be in the vicinity of the project area in warmer months, typically when water temperatures are near 60°F. In general, sea turtles migrate into waters north of Cape Cod, Massachusetts beginning in June with the highest concentration of sea turtles present from June through October. As the waters cool in the fall, the trend is reversed with most sea turtles leaving area by the end of November (Shoop & Kenney, 1992). Outside of these times, sea turtle presence in the region's waters is considered unlikely aside from cold-stunned individuals that fail to migrate south. The majority of these species are pelagic (open ocean) animals; however, they are common in the shallow, coastal areas in the summertime when they search for food. Based on these species preferred coastal foraging habitat and the time of year they are expected to be in the project area, opportunistically foraging and transient sea turtles could be present near the project sites as well as along the transit routes for equipment during the months of June through November (NMFS, 2019b).

5.7 State Threatened and Endangered Species

Dredge Site and Disposal Site

In addition to the federally listed species under the ESA, there are a number of species considered endangered or threatened by the State of Maine. According to the Maine Endangered Species Act (MESA), all the following species can be found in the Gulf of Maine although possibly not in the project area. See Table 12 for details. Non-marine state listed threatened and endangered species are not listed below as the proposed action is located entirely in subtidal marine waters (MESA, 2025).

Table 12. Summary of MESA listed species found in the project area and their status.

Arctic Tern (<i>Sterna paradisaea</i>)	Bird	Threatened
Atlantic Puffin (<i>Fratercula arctica</i>)	Bird	Threatened
Atlantic ridley turtle (<i>Lepidochelys kempii</i>)	Reptile	Endangered
Barrow's Goldeneye (<i>Bucephala islandica</i>)	Bird	Threatened
Black Tern (<i>Chlidonias niger</i>)	Bird	Endangered
Finback whale (<i>Balaenoptera physalus</i>)	Mammal	Endangered
Harlequin Duck (<i>Histrionicus histrionicus</i>)	Bird	Threatened
Humpback whale (<i>Megaptera novaeangliae</i>)	Mammal	Endangered
Least Tern (<i>Sterna antillarum</i>)	Bird	Endangered
Leatherback turtle (<i>Dermochelys coriacea</i>)	Turtle	Endangered
Loggerhead turtle (<i>Caretta caretta</i>)	Reptile	Threatened
Razorbill (<i>Alca torda</i>)	Bird	Threatened
Right whale (<i>Eubalaena glacialis</i>)	Mammal	Endangered
Roseate Tern (<i>Sterna dougallii dougallii</i>)	Bird	Endangered
Sei whale (<i>Balaenoptera borealis</i>)	Mammal	Endangered
Shortnose sturgeon (<i>Acipenser brevirostrum</i>)	Fish	Endangered
Sperm whale (<i>Physeter catodon</i>)	Mammal	Endangered

5.8 Historic and Archaeological Resources

Dredge Site and Disposal Site

This section describes cultural resources within the project's area of potential effects (APE) and describes the potential effects that could occur to cultural resources that are either eligible for or listed in the National Register of Historic Places (NRHP).

Cultural Resources are expressions of human activity, use, or occupation. They can be defined as manifestations of human culture and history in the physical environment such as precontact or historic period archaeological sites, buildings, structures, objects, districts, sacred sites, landscapes, among others. Cultural resources may also include aspects of natural features, plants, and animals that are deemed important or significant to a group or community. It is important to note that historic properties, as defined in 36 Code of Federal Regulations (CFR) Part 800, the implementing regulations of Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, are cultural resources that are eligible for or listed in the NRHP. Additionally, to be considered a historic property, the resource must meet at least one of the following significance criteria:

Criterion A – Association with events that have made a substantial contribution to the broad patterns of our history; or,

Criterion B – Association with the lives of persons substantial in our past; or,

Criterion C – Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possess high artistic value, or that represent a substantial or distinguishable entity whose components may lack individual distinction; or,

Criterion D – have yielded, or may be likely to yield, information important in prehistory or history.

A historic property must also possess enough integrity to portray its significance. A resource that retains integrity will embody several, and usually most, of the seven aspects of integrity. These aspects include location, design, setting, materials, workmanship, feeling, and association.

Section 106 of the NHPA requires consultation with the Maine State Historic Preservation Office (SHPO), federally recognized Native American tribes, and other interested consulting parties for proposed federal actions that may affect historic properties. The Maine Historic Preservation Commission (MHPC) is designated as the SHPO for Maine. The USACE will initiate consultation with the MHPC, Houlton Band of Maliseets, Mi'kmaq Nation, Narragansett Indian Tribe, Passamaquoddy Tribe - Pleasant Point, Passamaquoddy Tribe - Indian Township, Penobscot Indian Nation, Wampanoag Tribe of Gay Head (Aquinnah), Isle au Haut Historical Society, and Hancock Historical Society. Consultation letters and responses are included in Appendix E and are discussed further in Section 6.6.

As part of this assessment, an APE was defined to identify any potential historic properties that could be affected by the proposed project. The APE includes those areas where direct impacts are proposed and areas within which the undertaking may directly or indirectly cause alterations in the character or use of historic properties, including visual effects. For this project, the APE includes the IHT FNP proposed for maintenance dredging and the FIDS disposal area.

Previously identified cultural resources and surveys within the APE were assessed using the Cultural and Architectural Resource Management Archive (CARMA), MHPC's online cultural resources information system and historical charts hosted by the National Oceanic and Atmospheric Administration (NOAA), Office of Coast Survey. The assessment included previously identified resources and surveys within 0.5 miles of the APE to further inform about local and regional context.

A review of CARMA and NOAA survey charts indicates that no cultural resources or obstructions are located within 0.5 miles of the APE, and no National Historic Landmarks are located within the APE, in accordance with Section 110(k) of the NHPA. Additionally, no cultural resources surveys have been conducted within 0.5 miles of the APE. The MHPC's review of their project files supports the conclusion that no cultural resources have been previously identified within the APE.

Although no surveys have been conducted specific to cultural resources research and compliance, the USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE (Figure 2). The survey results indicated that no structures, debris, or cultural resources are located within the APE.

5.9 Air Quality

The Clean Air Act (CAA) establishes the framework for modern air pollution control, and delegates primary responsibility for regulating air quality to the states, with oversight by the USEPA. The USEPA develops rules and regulations to preserve and improve air quality as minimum requirements of the CAA, and delegates specific responsibilities to state and local agencies. The EPA has identified seven specific pollutants (called criteria pollutants) that are of concern with respect to the health and welfare of the public. The criteria pollutants are carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), ozone (O₃), particulate matter 10 micrometers or less in aerodynamic diameter (PM₁₀), particulate matter 2.5 micrometers or less in aerodynamic diameter (PM_{2.5}), and lead (Pb). These pollutants have established National Ambient Air Quality Standards (NAAQS).

The entire State of Maine is designated as an attainment zone for SO₂, Pb, CO, NO₂, PM₁₀, PM_{2.5}, and O₃. The project location in Knox County, Maine. Attainment zones are areas where the NAAQS have been met. The entire project area is located within a designated attainment zone according to the NAAQS set forth by the USEPA (USEPA, 2024).

CAA compliance, specifically with USEPA's General Conformity Rules, requires that all federal agencies, including USACE, review their actions that take place in non-attainment or maintenance areas for conformity. Additionally, USEPA has allowed that certain actions are exempt from the general conformity rule because the action would result in no emissions increase or an increase in emissions are clearly de minimis. The list of exempt actions appears in 40 CFR 93.153(c) and 40 CFR 93.153(c)(2)(ix) exempts maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an approved disposal site.

5.10 Socioeconomic Environment

Isle au Haut, Maine, has a population of 52 people. Census demographics are unavailable for towns under 5,000 people so the counties demographics are presented instead. In 2024, 40,981 people and 17,979 households resided in Knox County, Maine. The average household size was 2.17. The racial makeup of the county in 2024 was 96.1% White, 0.9% Black, 0.7% Asian, 2.0% Hispanic or Latino, and 1.8% from two or more races. Of the county population, 3.7% were under 5 years, 16.7% were 5 years to 18 years, and 28.6% were over 65 years. The median household income for Knox county was \$71,903, and the per capita income was \$42,729. Approximately 8.6% of the population was below the poverty level (U.S. Census Bureau, 2024).

5.11 Coastal Barrier Resources

The USFWS oversees the Coastal Barrier Resources Act (CBRA), a law that was passed in 1982 to provide protection to undeveloped coastal barriers along the Atlantic and Gulf coasts. Areas designated under the 1982 CBRA became part of the John H. Chafee Coastal Barrier Resources System (CBRS), thus becoming ineligible for most new federal expenditures and financial assistance. The law encourages the conservation of hurricane prone, biologically rich coastal barriers by restricting federal expenditures that encourage development, such as federal flood insurance. Areas within the CBRS can be developed provided that private developers or other non-federal parties bear the full cost.

The IHT FNP and the FIDS are not located within or adjacent to any CBRS managed areas (USFWS, 2025b).

5.12 Noise

The IHT is generally located 500 to 1,000 feet from the mostly undeveloped shoreline. The noise environment in the project area consists of routine noise from 2 and 4 stroke gasoline outboard engines and the noise of diesel engines from larger recreational and commercial vessels. Also, noise from loading/unloading efforts on the docks and piers, and other typical noises associated with the marine environment (i.e., wildlife, water movement, and air movement). The noise environment at FIDS consists of routine commercial noises such as diesel lobster boat engines, hydraulic haulers, and lobster pots hitting the deck. Noises from disposal activities (diesel engines and the sound of material leaving the bottom of the dump scow would not be out of the ordinary at this location.

6.0 ENVIRONMENTAL CONSEQUENCES

An impact is a consequence that could occur from modifying the environment due to a proposed action or alternative. Impacts can be beneficial or adverse, can be a primary result of an action (direct) or a secondary result (indirect), and can be permanent/long-term or temporary/short-term. Secondary impacts are impacts that occur later in time or further removed in distance but are still reasonably foreseeable. Impacts can vary in degree from minor and temporary to significant and permanent. For this EA, all identified impacts resulting from the dredging and disposal actions are addressed in the succeeding sections.

No Action Alternative

Under the No Action Alternative, the IHT FNP would not be dredged and would continue to shoal. This would ultimately decrease water depths in the IHT FNP and increase hazards to navigation eventually resulting in loss of use of the waterway entirely. Under the No Action Alternative, the short-term impacts from increased water column turbidity,

de minimis increases in air emissions, and the loss of benthic organisms from within the dredge and disposal areas would not occur.

Proposed Action

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The proposed action is to mechanically dredge approximately 3,355 cy of sand, gravel and cobble from the IHT FNP to authorized advanced maintenance depth plus one-foot allowable over depth with disposal of the dredged material at FIDS. The proposed action's environmental effects are discussed in the following sections.

6.1 Reasonably Foreseeable Effects

General

The physical setting of the IHT FNP and the FIDS will remain unchanged. The maintenance dredging of the IHT FNP is necessary if the present use of the IHT FNP is to continue. Shoaling restricts available depths and, if left unmaintained, would continue to shoal posing a hazard to navigation. Maintenance dredging of the IHT FNP would provide for safer transit for Isle au Haut's ferry along with its commercial and recreational fleets. Overall, this project will have minimal, temporary effects to the environment.

6.2 Physical and Chemical Environment

Dredge Site and Disposal Site

Turbidity

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts from turbidity to the environment would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The proposed dredging of the IHT FNP and disposal activities at the FIDS will cause temporary, short-term increases in turbidity in the vicinity of the dredging area and in the vicinity of the disposal area. However, it is expected that most of these increases will attenuate within a relatively short distance from the area of active dredging and disposal. Overall, because this sediment to be dredged is sand, gravel and some cobble, only minimal, temporary effects to the water quality, at both locations, are expected.

Mechanical Dredges

Information on suspended sediment plumes associated with mechanical clamshell bucket dredges indicate that the concentration of suspended sediments will be highest close to the bottom (up to 445 mg/L) and lowest near the surface of the water column (approximately 105 mg/L) and lower further from the dredge site (USACE, 2001). According to Burton (1993), elevated suspended sediment levels of up to 450 mg/L may be present in the immediate vicinity of the dredge site, and suspended sediment levels of up to 190 mg/L could be present within 2,000 feet of the dredge site. Independent of bucket type or size, plumes typically dissipate to background levels within 600 feet of dredging activities in the upper water column and 2,400 feet in the lower water column (Burton, 1993). The Total Suspended Solids (TSS) levels expected for mechanical dredging (up to 445.0 mg/L) are below those shown to have adverse effect on fish (typically up to 1,000.0 mg/L) (Burton, 1993; Wilber & Clarke, 2001). Because the dredged material is primarily sand within the IHT FNP (>2% fines, Table 4), the estimates noted above for TSS values are conservative. Based on this information, dredging is expected to cause only short-term increases in turbidity and to attenuate within a relatively short distance from the area of active dredging.

At the FIDS, dredged material will be released through the bottom opening doors of a scow for deposition on the bottom. Due to the type of material being dredged and the moderate water depth (approximately 20-40 feet deep MLLW) at the disposal site, the release will result in limited exposure to the water column due to rapid descent. Sediment resuspension in the water column is primarily dependent upon the size of the particles with limited effect from water currents prevalent at the time of disposal. Because the dredged material is sand, gravel and cobble any discharge plume should dissipate and settle rapidly and not affect a large area.

Water Quality

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to water quality would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Water quality impacts would primarily be the result of increased TSS loads within the water column resulting from the dredging and disposal operations. The sediment to be dredged within the IHT FNP meets the exclusionary criteria of 40 CFR 227.13(b) for dredged material composed primarily of sand or gravel from a high energy coastal area that is not likely a carrier of contaminants; therefore, sediment chemistry testing is not necessary. Other water quality effects that can result from elevated levels of suspended sediments include reductions in dissolved oxygen from the increased oxygen demand of sediments high in organic content (Gordon, 1974). However, the area of dredging is continually flushed by tidal flows and any effects on water quality from the dredging and disposal operations should be minimal given the dredged

material's lack of organics. Furthermore, there are no known point sources of pollution or spills that have occurred in the IHT FNP. The disposal of sand dredged from the FNP at FIDS will not significantly impact current patterns, water circulation, normal water fluctuations or tides at the project sites. Initially, there may be some slight impacts at both project sites until the material settles, redistributes and becomes part of the FIDS littoral zone. Also, no impacts to salinity gradients are expected at the project sites as there will be no addition or subtraction of freshwater or saltwater.

Removal of the sediments from the shoal areas in the IHT FNP will not significantly change the character of the substrate and sedimentation rates are expected to stay the same within the project area once dredging and disposal operations are complete. The sediments at the FIDS are similar in grain size to the sandy sediments found within the IHT FNP. The dredged sandy material will be placed within the set coordinates of the disposal area and moved about by natural transport systems. There would be no permanent change in sediment or water quality after the disposal of dredged material.

Suitability Determination

The disposal of sediments at the proposed FIDS disposal site is regulated under the MPRSA.

Under 40 CFR Part 227.13, further testing of the dredged material is not necessary if the material is not considered a carrier of contaminants. According to 40 CFR 227.13 (b)(1) this testing exclusion applies, and the dredged material is environmentally acceptable for ocean dumping if the dredged material is composed primarily of sand, gravel, rock, or other naturally occurring bottom material with particle sizes larger than silt, and the material is found in areas of high current or wave energy such as coastal areas with shifting bars and channels.

Based on this exclusionary criteria, the USACE has determined that the proposed dredged material is composed primarily of sand and gravel from a high energy environment and is not likely a carrier of contaminants. The Isle au Haut Thoroughfare FNP meets the exclusionary criteria established in §227.13(b) of the MPRSA and is suitable for ocean dumping at FIDS as proposed.

This suitability determination was coordinated with USEPA Region 1 and MEDEP. MEDEP and USEPA Region 1 concurred with the determination and USEPA Region 1 conducted an individual evaluation of the project and documented their findings in a separate memo, which has been included with the suitability determination in Appendix C.

6.3 Biological Resource Impacts

Benthos

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts, positive or negative, to the benthic community would occur under this alternative. The benthic invertebrate habitat will not be temporarily negatively impacted by the proposed action and the proposed juvenile lobster habitat and proposed juvenile Atlantic cod HAPC will not be created resulting in no net increases in either species habitat.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Proposed dredging and disposal operations for the project are expected to have short-term, temporary negative effects on the benthic organisms in the immediate dredging and disposal areas. Benthic organisms associated with the IHT FNP sediments will be impacted by the dredge during removal or be buried by resuspended sediments during the dredging process. Many will be killed or injured during the process; taxa with hard shells or tube-dwellers may have a better chance of survival (Maurer, et al., 1979). The dredging will remove benthic organisms from the immediate vicinity of shoaled areas of the IHT FNP and redeposit them at FIDS. The proposed juvenile lobster habitat and proposed juvenile Atlantic cod HAPC would be created resulting in net increases to both species critical juvenile habitats.

Most studies show that dredging causes a decline in the species numbers, population density, and biomass of benthic organisms. Rates of recovery are highly variable and are dependent upon such factors as benthic community type in dredge area and adjacent surrounding areas as well as the latitude and extent to which the community is adapted to disturbance (Newell, Seiderer, & Hitchcock, 1998). In general, recolonization would be expected to be rapid in areas where the organisms are primarily mobile opportunistic species that have a fast rate of growth and reproduction. Recovery of the benthic community in areas where long-lived and slow-growing species are present may take several years (Newell, Seiderer, & Hitchcock, 1998). However, these rates are estimations because although recovery rates have been studied for many projects, generalizations about typical recovery times are difficult to make. This difficulty is driven by differences in site-specific bathymetry, hydrodynamics, depth of deposited sediments, the spatial scale of disturbance, sediment type, and the timing and frequency of disturbance (Wilber & Clarke, 2007).

In terms of dredging-specific studies on benthic community recovery, Wilber and Clarke (2007) reviewed the benthic recolonization rates for approximately 50 dredging and disposal projects. In their 2007 review, the researchers summarize the ranges of observed recovery rates across broad habitat categories and disturbance conditions and examine potential associations between biological responses and characteristics of the dredging projects (Wilber and Clarke, 2007). The review found that benthic recovery occurs more rapidly (3-6 months) in shallow areas (<65 feet) where organisms are well-adapted to shifting sediments. Benthic habitats with fine-grained sediments typically take between 6 and 8 months to recover with sand and gravel habitats taking between two to three years to recover following dredging (Newell, Seiderer, & Hitchcock, 1998). Sediments in the IHT FNP are composed of primarily sand, gravel and cobble and

located in shallow depths (less than six feet below MLLW). Therefore, the USACE expects the benthic community to recover within approximately 18 months. Colonization by infauna from adjacent areas of undisturbed sediment is expected to occur following the cessation of dredging and disposal actions (McCauley, Parr, & Hancock, 1977; Jutte, Van Dolah, & Gayes, 2002).

At the FIDS, there will also be temporary negative impacts to the benthic community. Those organisms inhabiting the disposal site may be buried by the disposal material. Organisms that burrow deeper into the sediment (i.e., deposit feeders) would be more likely to survive than epibenthic or shallow infaunal forms. It is anticipated that benthic organisms would begin to repopulate the newly excavated and depositional areas immediately after dredging and disposal operations ceased.

Shellfish

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to shellfish resources would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Maintenance dredging of IHT FNP and disposal at FIDS is not expected to have any long-term negative effects on bivalve shellfish populations in these areas. Although during the time of active dredging, any bivalves that may inhabit the actual dredging area within the IHT FNP would be entrained in the dredge and likely be injured or killed, the IHT FNP does not support significant shellfish resources. FIDS does not contain any shellfish resources

Effects of suspended sediments on shellfish resources resulting from the dredging and disposal operations are also expected to be minimal. The limited volume of material and localized area of dredging and disposal will restrict impacts to the vicinity of the dredge and disposal sites. Turbidity is not expected to have a negative impact to shellfish species as they are adapted to increases in suspended sediments and other stresses following coastal storms and other perturbations and the sand that will be moved with this project will settle to the bottom quickly. Several studies have demonstrated that shellfish are capable of withstanding elevated turbidity levels for short time periods (i.e., days) with no significant metabolic consequences or mortality (Norkko, Hewitt, Thrush, & Funnell, 2006; Wilber & Clarke, 2001). Therefore, it is expected that any shellfish located adjacent to the IHT FNP or FIDS would likely have the capability of withstanding short-term increases in sedimentation as a result of operational activities. Furthermore, dredging and disposal activities will be limited to a short period (most likely less than a month) during the open dredge window of September 15 – April 1

Fishes

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts fishes would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The effects of the proposed dredging and disposal operations are not expected to have any significant long-term negative effects on finfish inhabiting the vicinity of the IHT FNP or FIDS. While impacts will likely differ between species depending on life history, habitat use, distribution and abundance, most fishes are motile and can avoid any disturbances caused by the operational activities. Eggs, larvae, and juveniles are less able to avoid project-related disturbances and are more susceptible to water quality and sedimentation impacts. Under most dredging scenarios, fishes and other motile organisms encounter localized suspended-sediment plumes for limited durations. These can negatively affect larvae and adult fishes for several days by clogging and/or irritating gills and interfering with respiration. The proposed project is expected to have minimal impacts to all life stages of fishes due to the short duration and localized area of impact of the project, the substrate to be dredged (sand), and the localized increases in suspended sediments.

Furthermore, impacts to fishes are not expected to be substantial as maintenance dredging of the IHT FNP channel with a mechanical bucket dredge and disposal of dredged material will take place from September through April, which is outside of the spawning period for most species. In addition, dredged sandy material is expected to settle rapidly when placed at the FIDS. In response, the benthic community is expected to reestablish quickly, and the loss of benthic prey items will be temporary. For these reasons, only minimal adverse impacts to fish species are expected because of the maintenance dredging of IHT FNP and disposal at the FIDS.

Slightly negative impacts aside, the dredged material from the IHT FNP contains gravel and cobbles that will be placed in areas of the FIDS that are devoid of complex rocky habitat. This dredged material is expected to beneficially enhance existing juvenile cod HAPC and lobster habitat at the FIDS. Consequently, the project is expected to have a positive impact to the HAPC for juvenile Atlantic cod.

Marine Mammals

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result no impacts to marine mammals would occur under this alternative.

Open Water Disposal Alternative 1– IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The project is not likely to adversely impact any marine mammals that

may occur in the vicinity of the project area. The majority of the project dredge area is shallow (six feet or less) and the distance to the disposal site is less than a mile. Some individuals may be displaced temporarily during dredging activities, but the use of the area by marine mammals, should they be disturbed, will begin quickly after completion of the project.

The marine mammals most likely to be found in the project area are the Pinnipeds (harbor and gray seals) and the small odontocete (harbor porpoise). These marine mammals are fast swimmers and highly maneuverable and would be expected to avoid impacts with project vessels while transiting through the transit corridor to and from the dredge and disposal site. Based on observational studies, pinnipeds (harbor and gray seals) have not exhibited avoidance or altered behavior near dredging activities (USACE, 2019). The proposed dredging may affect, but not likely to adversely affect harbor seals or gray seals.

Vessel movement for the disposal of sand, gravel and cobble at the FIDS would consist of a tug and scow, most likely arrayed in a towing arrangement with a cable connecting the two vessels. The two vessels move in tandem at slow speeds (10 mph or less as required by endangered species consultation with NMFS to minimize risk of impacts of vessel strikes on marine mammals) with a fair amount of maneuverability needed to transit to and from the disposal site and avoid obstacles and other vessels in route.

The likelihood of collisions between marine mammals (particularly whales) and project vessels moving at such slow speeds is remote because the vessel will have designated lookouts (i.e., dedicated crew members and/or endangered species observers) to spot and avoid marine mammals. In addition, the distance to be traveled by the project's disposal vessels is less than a mile to the disposal site. Furthermore, half of the distance to the disposal site is in water depths of less than 10 feet. The proposed dredging may affect, but not likely to adversely affect any marine mammals.

The project is not expected to significantly affect the long-term value of the habitat of any marine mammal species. Based on the time of year established for the work, the shallowness of the project areas, the brevity of the work, and the preceding analysis, USACE has made the determination that the project may affect, but is not likely to adversely affect, any marine mammal species.

Birds

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to birds would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The project is not likely to adversely impact waterfowl, shorebirds, or other bird species occurring in the vicinity of the project area. Some individuals may be

displaced during dredging activities, but the use of the area by bird resources should return quickly after completion of the project.

Eelgrass

Dredge Site and Disposal Site

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to eelgrass would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The USACE conducted an eelgrass survey in April 2025. No eelgrass was surveyed in or adjacent to the IHT FNP or FIDS (Figure 6). According to the MDMR GIS database and past eelgrass surveys (1992-1997 and 2001-2010), eelgrass has been observed near the IHT and in the shallow areas around Kimball Island (MDMR, 2025d). USACE conducted an eelgrass survey of project areas in April 2025 and revisited the site again in July 2025. No eelgrass was found on either survey in or adjacent to the IHT FNP or the FIDS. As a result, the Proposed Action is not expected to have any effects on eelgrass.

6.4 Essential Fish Habitat Assessment

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to EFH would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The EFH assessment of the IHT FNP and FIDS indicates that there will be no significant impacts to EFH, as defined by the Magnuson-Stevens Fishery Conservation and Management Act. Impacts to EFH from this project include temporary increases in turbidity from dredge and disposal activities and the temporary loss of benthic organisms at the dredge and disposal site.

EFH is designated for a total of 25 federally managed species at the IHT FNP and the FIDS. The EFH Assessment presented as Appendix D details the project's impacts to managed species and their EFH. Coordination with NMFS is on-going to ensure that all project impacts to EFH are avoided, minimized, or mitigated to the greatest extent practicable. The project is not expected to significantly affect the short or long-term value of the habitat of any managed species.

There will, however, be benefits from the disposal of dredged sand, gravel and cobble at the FIDS. FIDS is within the 20-meter juvenile Atlantic cod HAPC. USACE plans to place dredged sand, gravel, and cobble on an area of flat featureless bottom that will

enhance the habitat complexity aspect of this area of the FIDS. It will not only provide food and cover for juvenile codfish but also the Atlantic lobster. This proposed disposal of dredged sediment at FIDS was discussed with the local lobster council and area fishermen on 11 February 2025, and they were in favor of the disposal plan. The local lobster council and area fishermen contributed several sets of GPS coordinates that have been verified by the USACE that they are within the FIDS and that the location would benefit from the addition of complex habitat.

There will be no impacts to the Atlantic salmon coastal areas HAPC because the project is approximately 30 miles from the mouth of the Penobscot River.

6.5 Federal and State Threatened and Endangered Species

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no impacts to federal or state threatened or endangered species would occur under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Maintenance dredging of the IHT FNP and disposal at the FIDS is not expected to cause any significant impacts to any state or federally listed threatened or endangered species. As a result, the proposed action May Affect, but is not likely to Adversely Affect, any of the federally or state listed threatened or endangered species mentioned or discussed in this EA.

Birds

Impacts to listed bird species are not anticipated as maintenance dredging would occur for approximately three weeks between September 15 and April 1, which is outside the time of year that listed bird species are present in the area. Noise from dredge and disposal activities are not expected to be above and beyond what would normally be found in a typical harbor setting and should not impact on any bird species.

The FIDS disposal is not expected to have an appreciable impact on food sources for roseate terns or any other birds in the dredging or disposal area. IHT and FIDS are only 0.8 miles apart. Trips from the dredge site to the disposal will be short and placed material will settle quickly without significant turbidity. Any impacts to birds will be short term and minimal.

Sea Turtles

According to Shoop & Kenney (1992), sea turtles are only expected to be in the vicinity of the project area when water temperatures are near 60°F. In the IHT FNP, water temperature only nears 60°F in August and September (Sea Temperature Info, 2025). Therefore, the proposed window for maintenance dredging will be outside of the time of year when listed sea turtles would be expected to be present within the project area and

the USACE has determined that the proposed project will have no effect on listed sea turtles.

Sturgeon

Adult and subadult Atlantic sturgeon and adult short nose sturgeon may be present in the project area opportunistically foraging or migrating. No permanent impact to these species' forage habitats is anticipated as a result of project activities due to the expectation of benthic recovery within several months following construction (Wilber & Clarke, 2007). The IHT FNP and FIDS are not connected to a spawning river for these species and are not a known overwintering site. Furthermore, adult and subadult Atlantic and short nose sturgeon are mobile and will be capable of avoiding vessels as well as temporarily increased turbidity in the project areas.

Federal Endangered Species Act Consultation

Based on the time of year established for the proposed work and the preceding analysis, USACE has made the determination that the project "May Affect, but is Not Likely to Adversely Affect", any ESA-listed species. Coordination with the appropriate agencies under Section 7(a)(2) of the ESA is complete with the USFWS and NMFS concurring with the USACE's determinations on June 13, 2025, and February 18, 2026, respectively. See Appendix E for pertinent correspondence. No listed marine mammals were identified by NMFS as having habitat in the project area.

6.6 Historical and Archaeological Resources

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, historic properties and cultural resources would not be impacted under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: A review of the MHPC's CARMA and NOAA historical charts indicates that no cultural resources have been previously identified within the APE. The majority of the IHT FNP has been previously dredged and is an actively used navigational channel, and the FIDS is a previously used disposal area. The IHT FNP will be shifted 200 feet to the southwest under this alternative into an area that has not been previously dredged. Although no specific cultural resources research and compliance surveys have been conducted, USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE (Figure 2). The survey results indicated that no structures, debris, or cultural resources are located within the APE. No historic properties included in, or eligible for inclusion in the NRHP were identified within the APE. Given the survey results and the extent of previous disturbance within the APE, USACE determined that no historic properties or cultural resources are present in the APE and, therefore, no historic properties would be affected by the proposed action.

In accordance with Section 106 of the NHPA, the USACE initiated consultation with the MHPC, Houlton Band of Maliseets, Mi'kmaq Nation, Narragansett Indian Tribe, Passamaquoddy Tribe - Pleasant Point, Passamaquoddy Tribe - Indian Township, Penobscot Indian Nation, Wampanoag Tribe of Gay Head (Aquinnah), Maine Preservation, Isle au Haut Historical Society, and Hancock Historical Society regarding the information presented above on February 2, 2026. The MHPC concurred with the USACE's determination on February 17, 2026, and the Passamaquoddy Tribal Historic Preservation Officer (THPO) indicated that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns on February 2, 2026. Consultation letters and responses are included in Appendix E.

6.7 Air Quality Impacts/Statement of Conformity

The Proposed Action complies with the CAA. It is exempt from performing a conformity review based on 40 CFR 93.153(c)(2)(ix) because it results in an increase in emissions that is clearly *de minimis*. The maintenance dredging and disposal does not require new depths, applicable permits are secured, and disposal will be at an approved disposal site.

6.8 Socioeconomics

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, socioeconomics and safety would slowly be impacted in a negative way under this alternative. Isle au Haut is completely dependent on the mainland for all of its resources. Food, fuel, building supplies, mail, and tourism all come from the mainland by ferry through the IHT FNP. Summer residents and tourists rely heavily on the viability of the ferry services, which is the main mode of transportation to and from Isle au Haut. Without dredging the FNP will become increasingly shallow forcing ferry and mailboats out of the protected FNP and around the outside of Kimball Island in the open Atlantic Ocean. This would cause delays and potentially loss of vessels and life.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Under the proposed action, the shoaled areas of the IHT FNP will be dredged with disposal at FIDS. This action will fully restore the IHT FNP to its authorized advanced maintenance dimensions. Access to food, fuel, building supplies, mail, and tourism would remain unchanged. Recreational vessels that utilize the IHT FNP and the area around the FIDS will be able to navigate around the dredge, so no temporary boating impacts are expected as a result of the proposed work.

6.9 Coastal Barrier Resources

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material

would occur at the FIDS. As a result, coastal barrier resources would not be impacted under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: The IHT FNP and FIDS are not located within or adjacent to any CBRIS managed areas (USFWS, 2025b). The proposed project will have no effect upon Coastal Barrier Resources. See section 5.11 for further discussion.

6.10 Noise

No Action Alternative: Under the No Action Alternative, no dredging or bottom disturbance would take place within the IHT FNP, and no disposal of dredged material would occur at the FIDS. As a result, no noise from dredging would be created and there would be no noise impacts under this alternative.

Open Water Disposal Alternative 1 – IHT FNP Advanced Maintenance Dredging and FIDS Disposal: Noise during maintenance dredging operations would be temporarily elevated over ambient conditions. This noise (70-76 dBA for diesel engines) is not expected to be excessive and will be temporary (Amerisafe Group, 2024). Noise due to positioning and repositioning the dredge, raising and lowering spuds, and loading and hauling scows will be minimal and short-lived, and only during construction activities. Therefore, no significant impacts to the noise environment are expected at the dredge or disposal site.

7.0 ENVIRONMENTAL COMMITMENTS

1. Dredging and disposal of material by mechanical maintenance dredging will occur between September 15 and April 1 of any year in order to avoid impacts to tourism, recreation and commercial fishing, threatened and endangered species, spawning and sensitive life stages of benthic invertebrates and finfish species, as well as shellfish spawning seasons.
2. The contract specifications will delineate areas to avoid (eelgrass beds) within the project area, and the contractor will be provided shapefiles to ensure that dredged material is appropriately disposed of in authorized areas of the FIDS. No dredging will take place in areas outside of the IHT FNP.
3. Disposal vessels including tugs, barges, and scows transiting between the dredge site and the disposal site shall operate at speeds not to exceed 10 knots. For unanticipated conditions, a vessel may operate at a speed necessary to maintain safe maneuvering speed instead of the required 10 knots. The intent of this condition is to reduce the potential for vessel collisions with endangered turtles and fish.
4. An endangered species observer with written approval from the National Marine

Fisheries Service (NMFS) must be present aboard disposal vessels for transportation and disposal activities to and from FIDS. Or in lieu of a NMFS-approved endangered species observer, the disposal vessel operator can assign a crewmember to be the designated lookout for that trip. The name of the endangered species observer or designated lookout must be recorded in a logbook and is required to be on lookout for endangered species for the duration of the trip.

5. Avoid transit and disposal when visibility is lessened (e.g., at night, fog) to an extent that would preclude an endangered species observer from spotting a sea turtle within 600 feet. Disposal shall not be permitted if these requirements cannot be met due to weather or sea conditions. In that regard, the permittee and contractor should be aware of predicted conditions before departing for the disposal site. The intent of this condition is to reduce the potential for vessel collisions with endangered species.
6. Ensure that dredged material is not released if turtles are within 600 feet of the specified disposal point. The captain must check in with observer or designated lookout prior to releasing the dredged material. If turtles are within these distances and appear to be moving away from the specified disposal point, within these distances and appear to be remaining stationary, or outside these distances but appear to be moving towards the specified disposal point, the vessel captain shall wait until they have cleared the specified disposal point by these distances and are not moving towards it and then proceed with disposal at the specified disposal point.

8.0 PUBLIC COMMUNICATION AND COORDINATION

The following federal, state and local governments were contacted for comment. Appendix E contains all correspondence that occurred during preparation of this EA.

Federal:

U.S. Environmental Protection Agency – Region 1
U.S. Fish and Wildlife Service – New England Field Office
National Marine Fisheries Service – Greater Atlantic Regional Fisheries Office
National Park Service – Acadia National Park

State:

Maine Department of Environmental Protection
Maine Department of Marine Resources
Maine Historic Preservation Commission
Maine Coastal Program

Federally Recognized Tribes:

Houlton Band of Maliseets
Mi'kmaq Nation
Narragansett Indian Tribe
Passamaquoddy Tribe, Pleasant Point
Passamaquoddy Tribe, Indian Township
Penobscot Indian Nation
Wampanoag Tribe of Gay Head (Aquinnah)

Municipal Officials:

Town of Isle au Haut, Maine

9.0 COMPLIANCE WITH ENVIRONMENTAL FEDERAL STATUTES AND EXECUTIVE ORDERS

Federal Statutes

1. American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996.

Compliance: This project will not impede access by native Americans to sacred sites, possession of sacred objects, and the freedom to worship through ceremonials and traditional rites because it is a dredging project. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

2. Bald and Golden Eagle Protection Act, 16 U.S.C. 688 et seq.

Compliance: This project will not adversely impact bald and golden eagles. This project will not impact golden or bald eagle habitat.

3. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.

Compliance: Public notice of the availability of this report to the USEPA is required for compliance pursuant to Sections 176c and 309 of the CAA. A Public Notice was issued and coordination with the USEPA is ongoing. This maintenance dredging project is exempt from performing a conformity review based on 40 CFR § 93.153(c)(2)(ix).

4. Clean Water Act of 1977, as amended, 33 U.S.C. 1251 et seq.

Compliance: The jurisdiction of the Clean Water Act (CWA) extends to all waters of the U.S., including the territorial sea, and the jurisdiction of the MPRSA extends over ocean waters, including the territorial sea. The proposed disposal of dredged material at FIDS is a discharge into waters of the U.S. and ocean waters. Under 33 CFR 336.0(a), for a disposal of dredged material dredged from navigable waters of the U.S. into ocean

waters, including the territorial sea, USACE evaluates the disposal in accordance with the MPRSA.

5. Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.

Compliance: The USACE has evaluated the Proposed Action and has determined it is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Program pursuant to section 307(c) of the CZMA. A CZMA consistency determination will be provided to the Maine Coastal Program for review and concurrence that the proposed project is consistent with the enforceable policies of the state's approved coastal program. Coordination is ongoing.

6. Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.

Compliance: USACE has made the determination that the proposed action may affect, but is not likely to adversely affect, any threatened or endangered species. Coordination with the GARFO NMFS PRD was completed on February 18, 2026, with NMFS concurring with the USACE's determination that the proposed action complies with all applicable PDCs and is not likely to adversely affect listed species or designated critical habitat. Coordination with the USFWS was completed on June 13, 2025, with the USFWS concurring with the USACE's determination that the proposed action is not likely to adversely affect listed species or critical habitat.

7. Estuarine Areas Act, 16 U.S.C. 1221 et seq.

Compliance: Not applicable. The Proposed Action is not to take place in an estuary.

8. Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.

Compliance: In response to the requirements of the Fish and Wildlife Coordination Act (FWCA), the USACE has and will continue to maintain coordination with the NMFS and USFWS during phases of the planning process. Coordination with the USFWS, NMFS, and state fish and wildlife agencies on this EA signifies compliance with the FWCA. Coordination is ongoing.

9. Marine Protection, Research, and Sanctuaries Act of 1971, as amended, 33 U.S.C. 1401 et seq.

Compliance: The USACE is in the process of completing a Site Selection Document (SSD) with the United States Environmental Protection Agency (USEPA) selecting FIDS as a MPRSA ocean dumping site for the proposed action through the USACE authority defined in Section 103(b) of the MPRSA. Coordination with the USEPA is ongoing.

10. Migratory Bird Treaty Act, 16 U.S.C. 703-712 et seq.

Compliance: This project will not adversely impact Migratory Birds. The Proposed Action

would not entail the taking, killing or possession of any migratory birds and is therefore in compliance with the Act. The Proposed Action would not result in permanent displacement of birds.

11. National Historic Preservation Act of 1966, as amended, 54 U.S.C. 300101 et seq.

Compliance: Coordination with the SHPO, Tribes, and other consulting parties per Section 106 of the NHPA was initiated on February 2, 2026. USACE determined the Proposed Action has no effect on historic properties because none are present. Coordination signifies compliance with the NHPA. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns. Coordination with the Maine SHPO (MHPC) was initiated on January 23, 2026, and completed on February 17, 2026, with the MHPC concurring with the USACE's determination.

12. Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3001-3013, 18 U.S.C. 1170

Compliance: Regulations implementing NAGPRA will be followed if discovery of human remains and/or funerary items occur during implementation of this project. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

13. National Environmental Policy Act of 1969, as amended, 42 U.S.C 4321 et seq.

Compliance: Preparation of this Environmental Assessment signifies partial compliance with NEPA. Full compliance will be noted at the time the Finding of No Significant Impact is issued.

14. Rivers and Harbors Act of 1899, as amended, 33 U.S.C. 401 et seq.

Compliance: No requirements for projects or programs authorized by Congress. The proposed maintenance project is being conducted pursuant to the Congressionally-approved authority.

15. Watershed Protection and Flood Prevention Act as amended, 16 U.S.C 1001 et seq.

Compliance: Not applicable. The proposed action is in Penobscot Bay, Atlantic Ocean.

16. Wild and Scenic Rivers Act, as amended, 16 U.S.C 1271 et seq.

Compliance: Not applicable. The Proposed Action is not located on a wild and scenic river

17. Magnuson-Stevens Act, as amended, 16 U.S.C. 1801 et seq.

Compliance: In compliance with the coordination and consultation requirements of the Act, the USACE initiated consultation with the NMFS, the agency responsible for managing EFH. Coordination with NMFS and preparation of an EFH Assessment signifies compliance with the EFH provisions of the Magnuson-Stevens Act. Coordination with NMFS is ongoing.

18. Coastal Barrier Resources Act, as amended, 16 U.S.C. 3501 et seq.

Compliance: Not Applicable. The project is not located within a Coastal Barrier Resources Act (CBRA) unit.

19. Marine Mammal Protection Act of 1972, 16 U.S.C. 1361-1407.

Compliance: The project has been analyzed and determined it will not adversely impact marine mammals. In compliance with the coordination and consultation requirements of the Act, the USACE has initiated consultation with the NMFS. Coordination with NMFS is ongoing.

20. National Invasive Species Act (NISA), as amended, 16 U.S.C. 4701 et seq.

Compliance: The project will not introduce or disperse nonindigenous species into waters of the U.S. The contract specifications will require that all equipment be cleaned prior to mobilization to the project site.

Executive Orders

1. Executive Order 11593, Protection and Enhancement of the Cultural Environment, 13 May 1971

Compliance: Coordination of the proposed action with the Maine SHPO (MHPC) and Tribes was initiated on January 26, 2026. Coordination with the Maine SHPO was completed on February 17, 2026, with the Maine SHPO concurring with the USACE's determination. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

2. Executive Order 11988, Floodplain Management, 24 May 1977 amended by Executive Order 12148, 20 July 1979.

Compliance: Not applicable. The proposed action is in Penobscot Bay, Atlantic Ocean.

3. Executive Order 11990, Protection of Wetlands, 24 May 1977.

Compliance: Not applicable. The proposed action is in Penobscot Bay, Atlantic Ocean.

4. Executive Order 12114, Environmental Effects Abroad of Major Federal Actions, 4 January 1979.

Compliance: Not applicable to projects located within the United States.

5. Executive 13007, Accommodation of Sacred Sites, 24 May 1996

Compliance: Access to and ceremonial use of Indian sacred sites by Indian religious practitioners will be allowed and accommodated. No adverse effects to the physical integrity of such sacred sites will occur. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

6. Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997.

Compliance: The project will not create a disproportionate environmental health or safety risk for children.

7. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000.

Compliance: Consultation with Indian Tribal Governments, where applicable, and consistent with executive memoranda, DoD Indian policy, and USACE Tribal Policy Principles will be conducted and signifies compliance. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

8. Executive Order 13061, and Amendments – Federal Support of Community Efforts Along American Heritage Rivers

Compliance: The project is not located along an American Heritage River.

9. Executive Order 13112 - Invasive Species, 3 February 1999, as amended by Executive Order 13751, Safeguarding the Nation from the Impacts of Invasive Species, 8 December 2016

Compliance: The project will not promote or cause the introduction or spread of invasive species.

Executive Memorandum

1. Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing NEPA, 11 August 1980.

Compliance: Not applicable. The project does not involve or impact agricultural lands.

2. *White House Memorandum, Government-to-Government Relations with Indian Tribes, 29 April 1994.*

Compliance: Consultation with federally recognized Indian Tribes, where appropriate, signifies compliance. Coordination with the Passamaquoddy THPO was completed on February 2, 2026, with the Passamaquoddy THPO indicating that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns.

10.0 LIST OF PREPARERS

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DRAFT

FINDING OF NO SIGNIFICANT IMPACT

MAINTENANCE DREDGING OF ISLE AU HAUT THOROUGHFARE FEDERAL NAVIGATION PROJECT ISLE AU HAUT, MAINE

The United States Army Corps of Engineers (USACE), New England District (NAE), has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321 *et seq.*), as amended. The Draft Environmental Assessment (EA) dated February 2026, for the Maintenance Dredging of Isle au Haut Thoroughfare Federal Navigation Project addresses the need to remove shoaling in the Isle au Haut Thoroughfare (IHT) Federal Navigation Project (FNP) channel in Isle au Haut, Maine. The removal of shoals will provide continued safe and reliable commercial and recreational navigation in the IHT FNP.

The EA, incorporated herein by reference, evaluated six alternatives including the No Action Alternative, Open Water Disposal Alternative 1, Open Water Disposal Alternative 2, Direct Beach Placement Alternative, Nearshore Placement Alternative, and an Upland Placement Alternative. All dredging alternatives involve maintenance dredging of approximately 3,355 cubic yards (cy) of sand, gravel, and cobble from shoaled areas totaling 1.2 acres within the IHT FNP channel; proposed disposal and placement of dredged material vary among the dredging alternatives. Under the No Action Alternative, the USACE would not dredge the IHT FNP, and there would be no disposal or placement of dredged material. Two open-water disposal alternatives were considered: Open Water Disposal Alternative 1 proposed using Flake Island Disposal Site (FIDS), located approximately 1 mile from the IHT FNP. Placement at the FIDS was determined to constitute a beneficial use, as it would enhance habitat for juvenile lobster and cod. Open Water Disposal Alternative 2 proposed using the Portland Disposal Site (PDS), located approximately 107 miles from the IHT FNP. Other alternatives, including the Direct Beach Placement Alternative and the Nearshore Placement Alternative, were deemed impracticable due to the material's composition of cobble, gravel, and sand, which is inappropriate for beach or nearshore nourishment. Lastly, the Upland Placement Alternative was determined to be not feasible because no upland disposal facilities are available for permanent placement within a reasonable distance of the project site.

The Proposed Action (Open Water Disposal Alternative 1) involves maintenance dredging of approximately 3,355 cy of sand, gravel, and cobble from shoaled areas totaling 1.2 acres within the IHT FNP channel. The Proposed Action is to dredge to -6 feet mean lower low water (MLLW), plus 1 foot of required advanced maintenance to -7 feet MLLW, and 1 foot of overdepth, to a maximum of -8 feet MLLW. One-time, advance maintenance was approved for the entirety of a 1200-foot-long authorized channel. The dredged material is proposed to be placed at the Flake Island Disposal Site (FIDS) which is approximately 0.8 miles northwest of the IHT FNP. Placement of this material at this location will enhance the benthic environment. The dredging of material from the

IHT FNP and its disposal at FIDS may occur over a period of approximately three weeks from September 15 to April 1 to avoid impacts to spawning shellfish, benthic resources, Essential Fish Habitat (EFH) for federally managed fish species, threatened and endangered species listed under the Endangered Species Act (ESA), and interactions with mobile fishing gear.

For all alternatives, the reasonably foreseeable effects were evaluated as appropriate. A summary assessment of the reasonably foreseeable effects of the Proposed Action are listed in Table S-1:

Table 1: Summary of Reasonably Foreseeable Effects of the Proposed Action

	Insignificant effects	Insignificant effects with mitigation	Resource unaffected
Physical and Chemical Environment	X		
Biological Resources	X		
Essential Fish Habitat	X		
Threatened and Endangered Species	X		
Historical and Archaeological Resources			X
Air Quality	X		
Socioeconomics	X		
Coastal Barrier Resources			X
Noise	X		

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the Proposed Action. Environmental commitments as detailed in Chapter 7 of the EA will be implemented to minimize impacts.

Pursuant to section 7(a)(2) of the ESA of 1973 (16 U.S.C. § 1531 *et seq.*), as amended, the USACE determined that the Proposed Action may affect, but is not likely to adversely affect the Gulf of Maine Distinct Population Segment (DPS) of Atlantic Sturgeon, Gulf of Maine DPS of Atlantic Salmon, North Atlantic DPS of Green Sea Turtle, Kemp's Ridley Sea Turtle, Leatherback Sea Turtle, Northwest Atlantic DPS of Loggerhead Sea Turtle, Roseate Tern, and Shortnose Sturgeon. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service concurred with the USACE's determinations on June 13, 2025, and February 18, 2026, respectively (see Appendix E).

Pursuant to the Marine Mammal Protection Act of 1972 (16 U.S.C. § 1361 *et seq.*), as amended, the USACE determined that the Proposed Action would not result in any take of marine mammals.

In accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act, the USACE prepared an Essential Fish Habitat (EFH) assessment for the Proposed Action. The USACE concluded that the Proposed Action would not result in a substantial, adverse impact to EFH. The USACE initiated EFH consultation with the NMFS on February 25, 2026. On [date](#), NMFS completed its analysis and [did not provide/provided](#) EFH conservation recommendations. Results of consultation with the NMFS can be found in Appendix E.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. § 300101) the USACE determined that no historic properties are present within the Area of Potential Effect (APE). USACE initiated consultation with the Maine State Historic Preservation Officer (Maine Historic Preservation Commission (MHPC)), the Houlton Band of Maliseets, the Mi'kmaq Nation, the Narragansett Indian Tribe, the Passamaquoddy Tribe - Pleasant Point, the Passamaquoddy Tribe - Indian Township, the Penobscot Indian Nation, and the Wampanoag Tribe of Gay Head (Aquinnah) in accordance with the NHPA on January 26, 2026. The Maine State Historic Preservation Officer concurred with the USACE's finding on February 17, 2026. The Passamaquoddy Tribal Historic Preservation Officer indicated that the proposed undertaking will not have an impact with Passamaquoddy cultural concerns on February 2, 2026. Correspondence can be found in Appendix E.

The jurisdiction of the Clean Water Act (CWA) extends to all waters of the U.S., including the territorial sea, and the jurisdiction of the MPRSA extends over ocean waters, including the territorial sea. The proposed placement of dredged material at FIDS is a discharge into waters of the U.S. and ocean waters. Under 33 CFR 336.0(a), for a disposal of dredged material dredged from navigable waters of the U.S. into ocean waters, including the territorial sea, USACE evaluates the disposal in accordance with the MPRSA.

The USACE has evaluated the Proposed Action and has determined it is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Management Program pursuant to section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1451). As such, the USACE prepared a Coastal Zone Management Consistency Determination (CZMCD) and submitted it to the Maine Office of Community Affairs on [date](#). The Maine Office of Community Affairs concurred on [date](#). A copy of the concurrence can be found in Appendix E.

In accordance with section 103 of the Marine Protection, Research, and Sanctuaries Act, on [date](#), the USEPA issued a concurrence for the transportation of dredged material for the purpose of disposal at the FIDS. A copy of the concurrence can be found in Appendix E.

The general conformity regulations do not apply to maintenance dredging and disposal where no new depths are required, and disposal will be at an approved disposal site per 40 CFR 93.153(c)(2)(ix). Therefore, a conformity determination is not

required for the proposed project. The proposed project meets the requirements of Section 176(c) of the Clean Air Act.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives and coordination with appropriate agencies and officials has been completed. Based on the analysis contained in the EA, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the Proposed Action would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

I certify that the resulting EA represents the following: USACE's good-faith effort to prioritize documentation of the most important considerations and factors required by NEPA within the congressionally mandated page limits and timeline; that this prioritization reflects the USACE's expert judgment; the document is substantially complete; that any considerations addressed briefly or left unaddressed were, in the USACE's judgment, comparatively not of a substantive nature that meaningfully informed the consideration of environmental effects and the resulting decision on how to proceed; and that in the USACE's judgment the analysis contained therein is adequate to inform and reasonably explain the USACE's final decision regarding the proposed federal action.

Date

Justin R. Pabis,
Colonel, U.S. Army Corps of Engineers
District Engineer

Appendix A: Flake Island Disposal Site (FIDS) Site Selection Document

DRAFT

MEMORANDUM FOR RECORD

SUBJECT: Marine Protection, Research and Sanctuaries Act of 1972 (MPRSA) Section 103 Site Selection for Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

1. Purpose

On behalf of the Secretary of the Army, I select the Flake Island Disposal Site (FIDS) for the placement of approximately 3,355 cubic yards of sand, gravel, and cobble to be dredged from the Isle au Haut Thoroughfare Federal Navigation Project. The maintenance dredging project consists of restoring the existing 75 foot wide, 1200 foot long, -6 foot (MLLW) deep channel to its authorized dimensions plus an additional foot of authorized advanced maintenance dredging to -7 feet (MLLW) deep, with 1 foot of allowable overdepth to a maximum of -8 feet (MLLW). All material would be removed by a mechanical dredge and require approximately one month to complete. Only material found suitable for unconfined open water disposal at FIDS will be proposed for disposal at the site. FIDS is selected as an alternative disposal site, subject to concurrence by the Administrator, United States Environmental Protection Agency (USEPA), because use of a site designated by USEPA is not feasible. FIDS is located in the Gulf of Maine, on the outskirts of Penobscot Bay, about six miles southeast of Stonington and 25 miles east of Rockland. The proposed site is defined as an approximately 1,300 ft by 700 ft rectangle on the seafloor centered at 44.090531° N, 68.640068° W. (Figure 1).

2. Authorities

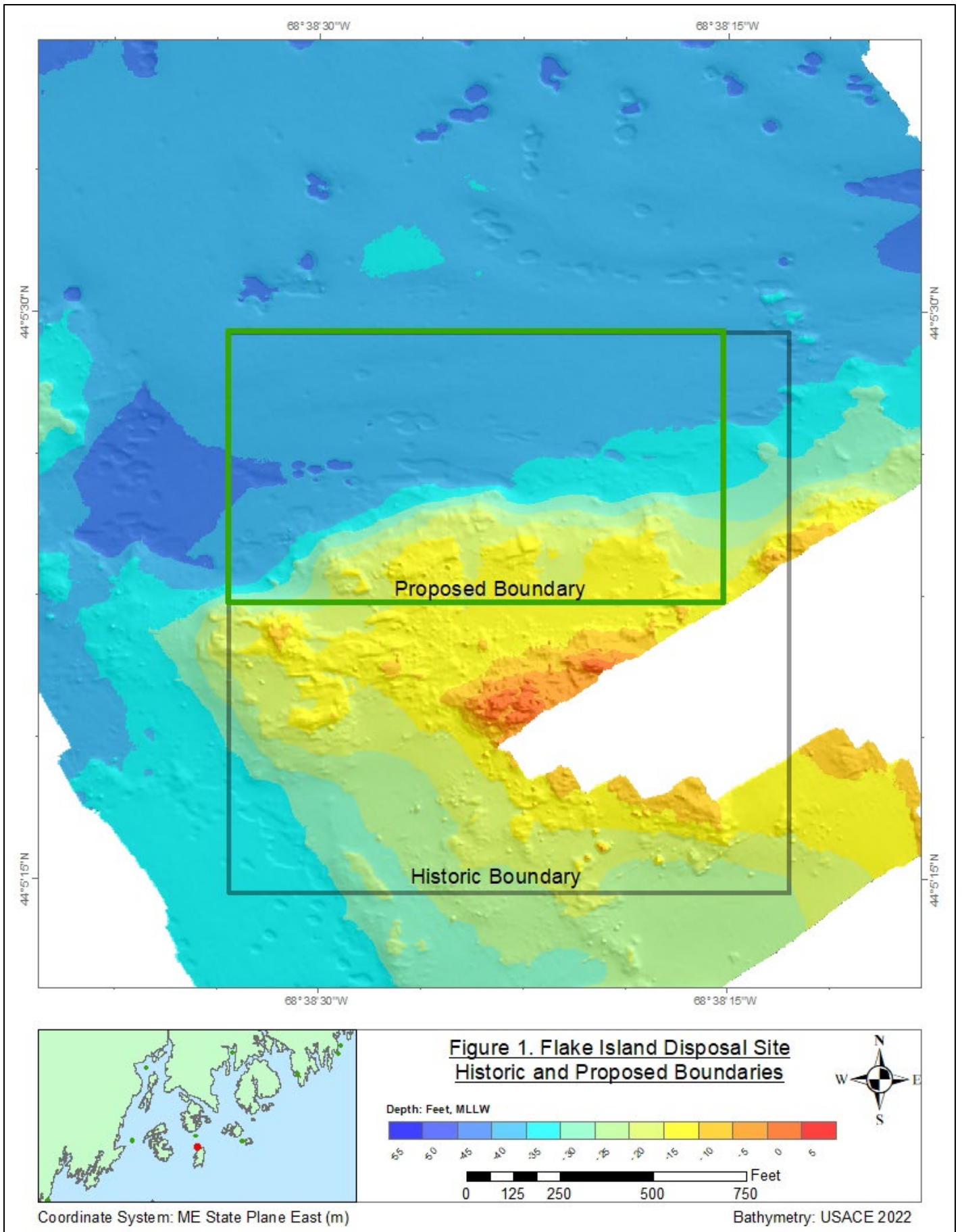
This selection is made under authority of Section 103(b) of the Marine Protection, Research and Sanctuaries Act, 33 United States Code (USC) 1413(b). Section 103(b) requires a determination described in Section 103(a), and application of criteria established by USEPA pursuant to MPRSA Section 102(a). The USEPA criteria are set forth at Title 40 of the Code of Federal Regulations (CFR) Sections 228.5 and 228.6. The criteria and factors shall be used in a manner consistent with their application pursuant to Section 102(c). I am authorized to act on behalf of the Secretary of the Army under authority of regulations at 40 CFR 225.2 and 33 CFR 324.4 and 336.2.

3. Need For Dredging

Based upon an evaluation of the potential negative effects on navigation and economic development that would result from a decision not to dredge, I determine that there is a need for dredging and disposal at FIDS in this case. I look first at the need to perform dredging.

Advanced maintenance dredging of the Isle au Haut Thoroughfare Federal Navigation Project is proposed. Advanced maintenance dredging would remove approximately 3,355 cubic yards of shoaled material primarily in the southwest side of the channel. Material consists of primarily cobble, gravel, and coarse sand. Advanced maintenance for this project has been approved by the USACE North Atlantic Division (NAD) in order to provide for a cost-effective dredging project and ensure safe access for critical boat-based island services for an extended time period.

The FNP provides protected access to the island and town of Isle au Haut. The thoroughfare allows for recreational, commercial, and essential vessels such as the mail boat to safely access the island's harbor. The conditions noted above put a severe constraint on the available time to transit the thoroughfare and unload goods, supplies, and mail. Additional costs associated with these delays include the cost to remain at the berth until the tide is right. Therefore, the maintenance of the project is needed to ensure the continued economic health of the area.



4. Need for Ocean Disposal

I have evaluated the need for ocean disposal based on the factors presented in 40 CFR 227.15 of the Ocean Dumping Regulations. Based on this review, I have determined that there are no practicable alternative locations and methods of disposal or recycling available for the maintenance material that have less adverse environmental impact or potential risk to other parts of the environment than ocean dumping. Furthermore, there are no practicable improvements that can be made in process technology or in overall treatment to reduce the adverse impacts of the disposal of this dredged material on the total environment. 40 CFR 227.16 In making this determination, I have considered the alternatives described below, in addition to alternative recycling and treatment technologies specified in 40 CFR 227.15.

5. Alternatives to Ocean Disposal

Beach nourishment or nearshore disposal are both suitable options for the sandy material from the proposed project. However, candidate beach and nearshore placement areas that were examined are located considerable distances from the proposed dredging project, which would significantly increase project costs. In addition, the project sediments are composed of a mix of sand, gravel, cobble, and shell hash which is not appropriate for beach nourishment.

Upland disposal is not a feasible option because there are no known upland areas within a reasonable distance of the harbor that are currently available for permanent storage of the material. Initially, the town of Isle au Haut had shown interest in using the material as road fill. However, the costs associated with bringing earth moving equipment to the island by ferry and unloading the material by excavator into dump trucks for stockpiling at a town owned location for later use proved to be cost prohibitive and the idea was later deemed not viable.

6. Use of Sites Designated by USEPA

The Portland Disposal Site (PDS) is a USEPA designated Ocean Dredged Material Disposal Site (ODMDS) located approximately 7.1 nautical miles east of Dyer Point, Cape Elizabeth, Maine. The site is centered at 43°34.1' N, 70°2.0' W, and has an area of one square nautical mile. PDS is the closest USEPA designated ODMDS to the proposed dredging area. However, PDS is located approximately 93 nautical miles from the dredging site, whereas FIDS is located approximately 1 nautical mile away.

Use of PDS instead of FIDS would greatly increase travel time and dredging costs, making the use of PDS economically prohibitive. In addition, since PDS is significantly farther from the dredge site than FIDS, the use of PDS would result in increased use of fossil fuels, increased air emissions, and a greater risk of

spills and marine mammal strikes, compared to the use of FIDS, due to the much greater haul distance.

7. General Criteria for the Selection of Sites, 40 CFR 228.5

The dumping of materials into the ocean will be permitted only at sites or in areas selected to minimize the interference of disposal activities with other activities in the marine environment, particularly avoiding areas of existing fisheries or shellfisheries, and regions of heavy commercial or recreational navigation.

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, an Essential Fish Habitat (EFH) consultation will be necessary for this project. EFH is broadly defined as “those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity.”

Flake Island Disposal Site (FIDS) has the potential to provide EFH habitat for fish species in the area. Table 1 lists the 26 federally managed species and their associated life stages that have EFH within the project area NMFS (2025).

FIDS is also located within the Habitat Areas of Particular Concern (HAPC) for Atlantic cod juveniles (inshore, 20 m). The HAPC for Atlantic cod juvenile recognizes the importance of structurally complex rocky-bottom habitat in inshore areas. These habitats contain attached epiflora and benthic invertebrates that provide prey for Atlantic cod and the structural complexity of the habitat is used as refuge areas from predators.

Table 1. Federally managed species and their associated life stages known to have EFH within the project area. P Flake Island Disposal Site (FIDS).

Species	Eggs	Larvae	Juveniles	Adults
Acadian Redfish (<i>Sebastes fasciatus</i>)		P		
American Plaice (<i>Hippoglossoides platessoides</i>)	P	P	P	P
Atlantic Butterfish (<i>Peprilus triacanthus</i>)			P	P
Atlantic Cod (<i>Gadus morhua</i>)	P	P	P	P
Atlantic Herring (<i>Clupea harengus</i>)		P	P	P
Atlantic Mackerel (<i>Scomber scombrus</i>)			P	P
Atlantic Salmon (<i>Salmo Salar</i>)	P	P	P	P
Atlantic Sea Scallop (<i>Placopecten magellanicus</i>)	P	P	P	P
Atlantic Wolfish (<i>Anarhichas lupus</i>)	P	P	P	P
Bluefin Tuna (<i>Thunnus thynnus</i>)				P
Bluefish (<i>Pomatomus saltatrix</i>)			P	P
Common Thresher Shark (<i>Alopias vulpinus</i>)			P	P
Haddock (<i>Melanogrammus aeglefinus</i>)		P		
Little Skate (<i>Leucoraja erinacea</i>)			P	P
Monkfish (<i>Lophius americanus</i>)		P		
Ocean Pout (<i>Macrozoarces americanus</i>)	P		P	P
Pollock (<i>Pollachius virens</i>)		P		
Red Hake (<i>Urophycis chuss</i>)	P	P	P	P
Silver Hake (<i>Merluccius bilinearis</i>)	P	P		P
Smooth Skate (<i>Malacoraja senta</i>)			P	
Thorny Skate (<i>Amblyraja radiata</i>)			P	

White Hake (<i>Urophycis tenuis</i>)		P	P	P
Windowpane Flounder (<i>Scophthalmus aquosus</i>)	P	P	P	P
Winter Flounder (<i>Pseudopleuronectes americanus</i>)	P	P	P	P
Winter Skate (<i>Leucoraja ocellata</i>)			P	
Yellowtail Flounder (<i>Pleuronectes ferruginea</i>)				P

The Gulf of Maine supports resident or migratory populations of approximately 200 species of fish, of which about 20 species are targeted by commercial and/or sport fisheries. The region containing FIDS supports commercial fishing for species such as Atlantic menhaden, American plaice, silver hake, shrimp, sea scallops, and lobsters. It is fished commercially for lobster and by draggers for Atlantic herring. Lobster fishing is most intense at the site during summer and fall and Atlantic herring fishing is prevalent from September to December. However, the disposal site is small relative to the size of available EFH, coastal Maine lobster fishery grounds and the Atlantic herring fishery, so impacts to the fisheries as a whole should be minimal.

The closest major shipping ports to FIDS are Portland, Maine and Portsmouth, New Hampshire. In 2017, the oil pipeline to Montreal from Portland had a throughput of 150 million barrels of oil per year or 19.0 million metric tons. In addition, every year approximately 5.5 million tons of minerals, 4.4 million tons of grain, and one million tons of breakbulk cargo are handled, together with 250,000 cars and trucks. There are eleven major terminals in the port including four handling crude oil and petroleum products. Container traffic is also handled in the Port of Portland to a total of 44,000 20 ft shipping containers handled in 2023.

The port of Portsmouth, New Hampshire ships approximately 3.5 million tons of cargo annually. The use of FIDS should not interfere with the shipping operations of either port.

Recreational vessels that could pass through FIDS include sailboats, motorboats, and sport fishing vessels. Water depths at FIDS currently range from 15 feet to more than 45 feet. FIDS will be regularly monitored under the Corps of Engineers Disposal Area Monitoring System (DAMOS) Program, to ensure that water depths in the navigable portions of the disposal site will continue to be adequate for recreational vessels.

Locations and boundaries of disposal sites will be so chosen that temporary perturbations in water quality or other environmental conditions during initial mixing caused by disposal operations anywhere within the site can be expected

to be reduced to normal ambient seawater levels or to undetectable contaminant concentrations or effects before reaching any beach, shoreline, marine sanctuary, or known geographically limited fishery or shellfishery.

FIDS is located in the outer portion of eastern Penobscot Bay less than one mile from the shore of Isle au Haut in Maine. Any changes in water column conditions during initial mixing of disposed sediment will be quickly reduced to normal ambient seawater levels. USACE's DAMOS Program conducted baseline water quality monitoring at FIDS prior to any use of the site to establish ambient seawater conditions. There are no marine sanctuaries or geographically limited fisheries or shellfisheries near FIDS. While there is a lobster and Atlantic herring fishery at FIDS, there are many other areas of lobster and Atlantic herring habitat in the region. In addition, anecdotal evidence suggests that the disposal mounds and the addition of cobble and gravel at open water placement sites actually enhance lobster and other fisheries (Clarke et. al., 1988).

The sizes of ocean disposal sites will be limited in order to localize for identification and control any immediate adverse impacts and permit the implementation of effective monitoring and surveillance programs to prevent adverse long-range impacts. The size, configuration, and location of any disposal site will be determined as a part of the disposal site evaluation or designation study.

FIDS is defined as an approximately 1,300 ft by 700 ft rectangle on the seafloor centered at 44.090531° N, 68.640068° W. The size and location of the proposed site is a reduced footprint of the historic boundaries of site (Figure 1). The site will continue to be monitored under the USACE DAMOS Program to ensure that there are no long-range impacts at the site.

EPA will, wherever feasible, designate ocean dumping sites beyond the edge of the continental shelf and other such sites that have been historically used.

Transporting the dredged material to the outer continental shelf would raise the costs of the dredging project prohibitively as the distance to the outer shelf is over 200 nautical miles. FIDS is located one nautical mile from the dredging site, making it a much more cost-effective option. FIDS itself is also a historically used disposal site which makes the location preferential for site selection.

8. Specific Criteria for Site Selection

Geographical position, depth of water, bottom topography, and distance from coast.

The Flake Island Disposal Site (FIDS) is located in eastern Penobscot Bay, approximately six miles southeast of Stonington and 25 miles east of Rockland, Maine. The proposed site is defined as an approximately 1,300 ft by

700 ft rectangle on the seafloor centered at 44.090531° N, 68.640068° W. Water depths at FIDS vary from 15 feet to more than 45 feet MLLW.

Location in relation to breeding, spawning, nursery, feeding, or passage areas of living resources in adult or juvenile phases.

FIDS is located approximately 12 nautical miles offshore of the mainland coast of Maine where species characteristic of the offshore areas of the Gulf of Maine (GOM) occur. Marine pelagic communities of zooplankton (e.g., copepods, euphausiids, pteropods, and chaetognaths), meroplankton (fish and invertebrate larvae), forage species, and pelagic predators have coast-wide distribution and generally display seasonal changes in abundance.

Spawning. The proposed site supports a variety of pelagic and demersal fish species and epibenthic invertebrates including lobster and Atlantic herring. Many of these species have a reproductive strategy that includes releasing a large quantity of eggs so that some individuals will survive the substantial mortality common to the species during the larval and juvenile stages. The alteration of the seafloor at the proposed site (in discrete locations year to year) from the placement of dredged material may temporarily impact resource spawning, however effects would be short-term and localized. Additionally, resource spawning is not exclusive to the proposed site and occurs within the entire GOM as well as outside the GOM.

Passage Areas. Various anadromous resources (e.g., herring, alewife, striped bass, Atlantic salmon, Atlantic sturgeon, Shortnose sturgeon etc.) that utilize the rivers and watersheds of Maine and may pass over the proposed disposal site area. Placement of dredged material at the site is not anticipated to interfere with fish passage or adversely affect habitat used by transiting resources.

Nursery Areas. FIDS is a sloping expanse of coarse grained sand, gravel, cobble, and bedrock ledge in 15 to 45 feet of water. This type of habitat is not generally noted as preferred nursery habitat for Gulf of Maine species. Jeffery's Ledge, located approximately 104 miles to the west of the proposed FIDS, is an important feeding ground for humpback whales and right whales in the summer and fall months and serves as prime recreational whale watching areas. However, no effects to Jeffery's Ledge are anticipated. Therefore, no significant effects to nursery areas are expected from the selection of FIDS as a dredged material disposal site.

Feeding. The proposed disposal site is not known to congregate organisms because of food resources. However, the substrate does provide prey items (polychaetes, amphipods, bivalves, gastropods, shrimp, etc.) that are consumed by bottom-feeding fish, lobster, crab, and other demersal organisms. USACE's DAMOS Program conducted baseline benthic invertebrate sampling prior to any use of the site to characterize the benthic community.

Benthic samples were collected in 2025 and processed to assess the benthic community within FIDS. In total, 16 benthic taxa comprised of 539 individuals were enumerated and identified from samples collected within the Flake Island Disposal Site (Table 2). Species metrics were fairly consistent across the three stations sampled. Across the investigation area, abundance (per 0.04 m² grab) ranged from 156 (station FI-A) to 205 individuals (station FI-C), with an average of 180 individuals among stations sampled. Species richness ranged from 9 species at stations FI-A to 13 species at station FI-B, with a mean species richness of 11. Species evenness ranged from 0.540 (station FI-C) to 0.685 (station FI-A), with an average of 0.609. The average Shannon-Weiner diversity index was 1.447 and ranged from 1.294 (FI-C) to 1.543 (station FI-B). Fisher's alpha diversity ranged from 2.077 at station FI-A to 3.227 at station FI-B, with an average of 2.596.

A full summary of station-to-station diversity and abundance metrics is displayed in Table 3.

The benthic community within the investigation area was mostly composed of annelids (90%), with a majority of those being polychaetes (480 of 487 individuals). The rest of the community was composed of bivalve molluscs (9%), with arthropods, nemertea, and phorids making up the remaining 1%. The small motile burrowing subsurface depositing feeding polychaete, *Cossura longocirrata*, was identified as the most abundant species throughout the study area, accounting for almost half of the total abundance (46%). The larger burrowing opportunistic polychaete, *Nephtys incisa*, which is known to both be a predator and a deposit feeder, was the second most abundant species identified (27%). Both *C. longocirrata* and *N. incisa* were identified as the most frequently identified top two species at all three stations, respectively, making up almost 75% of the total benthic community.

A full summary of the benthic community species data is displayed in Table 4.

Table 2. Summary of Flake Island Benthic Grab Collection Data

Station ID	Latitude (NAD 83)	Longitude (NAD 83)	Corrected Water Depth (FT MLLW)	Sediment Description
FI-A	44.09010729	68.64221521	42.4	Brown/grey silt with few tubes
FI-B	44.09039979	68.63963599	37.9	Brown/grey silt with few tubes
FI-C	44.09054498	68.63780188	38.3	Brown/grey silt with some organic material on the surface

Table 3. Diversity and Abundance Metrics by Sample Station

Sample	Abundance	Richness (S)	Evenness (J')	Shannon's Diversity Index (H')	Fisher's Alpha Diversity (a)
FI-A	156	9	0.685	1.505	2.077
FI-B	178	13	0.602	1.543	3.227
FI-C	205	11	0.540	1.294	2.484

Table 4. Summary of Benthic Species Abundance Data

Taxon		Flake Island		
		FI-A	FI-B	FI-C
Annelida	Polychaeta			
	<i>Aricidea</i> spp.	6	6	8
	<i>Cossura longocirrata</i>	70	69	108
	<i>Levinsenia gracilis</i>	33	8	1
	<i>Nephtys incisa</i>	19	64	64
	<i>Ninoe nigripes</i>	1	2	2
	<i>Tharyx acutus</i>	0	3	9
	<i>Capitella capitata</i>	0	0	1
	<i>Hypereteone lactea</i>	2	1	1
	<i>Mediomastus ambiseta</i>	1	0	0
	Sigalionidae spp.	0	1	0
	Oligochaeta			
	Oligochaeta spp.	0	1	6
Arthropoda	Amphipoda			
	<i>Ampithoe</i> spp.	0	1	1
Mollusca	Bivalvia			
	<i>Ameritella agilis</i>	1	0	0
	<i>Nucula proxima</i>	23	19	4
Miscellaneous	Nemertea			
	<i>Micrura</i> spp.	0	2	0
	Phoronid			
<i>Phoronis psammophila</i>	0	1	0	
TOTAL INDIVIDUALS		156	178	205
TOTAL SPECIES		16	16	16

In summary, the proposed FIDS encompass these resources; however, the site does not provide unique breeding, spawning, nursery, feeding, or passage

habitat. Additionally, the habitat for the species that inhabit the FIDS is not geographically limited to the FIDS and the disposal of dredged material will occur for discrete periods of time over a discrete spatial area. Thus, the temporary effects to the habitat at the site is not likely to translate into significant effects at a population or species level.

Location in relation to beaches and other amenity areas.

There are numerous beaches located along the coast of Maine, ranging from small, local beaches to large regional beaches which attract visitors from all over New England. FIDS is located approximately 27 miles from the nearest beach, Sand Beach in Acadia National Park, which is sufficiently far that there should be no effects at any of the beaches. In addition, the type of material being placed at disposal site, coarse sand, gravel, and cobble, ensures that there will be very little turbidity from the material placed at the site and that any effects will be limited to the immediate area of the FIDS.

Types and quantities of wastes proposed to be disposed of, and proposed methods of release, including methods of packing the waste, if any.

The material to be disposed of with this project consists of approximately 3,355 cubic yards of sand, gravel, and cobble from the Isle au Haut Thoroughfare FNP. The material is predominately sand, gravel, and rock, which has been found suitable for unconfined open water disposal at FIDS by the USEPA and USACE.

Feasibility of surveillance and monitoring.

Surveillance and monitoring at FIDS have already been shown to be feasible, as the site is currently monitored under the USACE DAMOS Program (USACE, 2022). The site will continue to be monitored by DAMOS in the future.

Dispersal, horizontal transport, and vertical mixing characteristics of the area, including prevailing current direction and velocity, if any.

Water circulation in the vicinity of FIDS is strongly influenced by the counterclockwise flow, or gyre, normally occurring in the Gulf of Maine. Current patterns in the vicinity of FIDS are typified by the coastal-parallel, southwestward flowing Eastern Maine Coastal Current (EMCC). The southerly flow is affected by tidally induced currents, which generate inshore and offshore movements, and local topography, which may create local eddies. Bottom currents are influenced by topographic features in the region which disrupt the vertical coherence of the current structure. The outer portion of eastern Penobscot Bay typically experiences a two-layer flow structure with a southward surface flow and a deeper (>30 meter depth) northward flow (Xue et. al, 2000).

Existence and effects of current and previous discharges and dumping in the area (including cumulative effects).

FIDS was previously used for the disposal of approximately 1,000 cubic yards of dredged material from the Isle au Haut Thoroughfare FNP in 1979-1980. This material was primarily boulders and cobble and therefore unlikely to cause negative cumulative effects on the environment. USACE's DAMOS Program routinely monitors active and historic disposal sites throughout the New England region. In general, results from decades of monitoring efforts indicate that the properly managed placement of sediments found suitable for open water disposal do not significantly alter the long term functions and values of seafloor bottom as potential habitat for biological communities or contribute to long-term changes in water quality or water circulation at the disposal sites.

Interference with shipping, fishing, recreation, mineral extraction, desalination, fish and shellfish culture, areas of special scientific importance and other legitimate uses of the ocean.

Shipping. The USACE does not anticipate conflicts with commercial navigation from the use of FIDS. FIDS is located approximately 1 nm from the Isle au Haut Thoroughfare and the proposed haul route will not cross any major shipping lanes. Local recreational and commercial vessels will be made aware of the haul route. Pilots have stated that conflicts between dredging disposal operations and shipping for large and small projects can be avoided by adequate notice to mariners of disposal activities and frequent marine communication between the disposal tugs and the Isle au Haut and Stonington Pilots.

Commercial and Recreational Fishing. Commercial fishing in the vicinity of the proposed FIDS is primarily lobster fishing. This activity is not exclusive to the site and occurs within the entire Gulf of Maine. Fishing efforts vary annually in intensity because of shifting movement of the target resources and seasonal restrictions.

The principal recreational fishing off the coast of Maine is for groundfish and is done primarily from charter and private boats. Private and charter boats generally conduct fishing for striped bass and cod which are generally associated with hard bottom substrates (e.g., ledge, boulder, and cobble habitat).

The potential exists for conflicts between the dredge material placement and commercial fishing for lobster. Dredge material placement could interfere with lobster fishing gear if it were present, and a small percentage of the lobster resources present at whichever portion of the site is being used would be buried during placement events. However, with proper coordination efforts between the USACE and the lobster fishermen's association, impacts to fishing gear can be eliminated and placement events can be localized within the site to minimize impacts to lobster resources present. USACE will coordinate the placement targets within FIDS with the local lobster fishing community and use areas that would benefit from the addition of the coarse grained dredged material. In addition, USACE will coordinate the haul route with the Maine Department of Marine Resources and the local lobster fishing community to minimize impacts on lobster gear.

Recreation. The waters in the vicinity of the FIDS offer a variety of marine related recreation opportunities such as recreational boating, whale watching, and fishing. Given the discrete spatial and temporal components of dredge material placement, it is unlikely that any interference would occur with these activities.

Mineral Extraction. There are no known mineral extraction operations or proposed operations in the vicinity of the proposed disposal site. The disposal site is not expected to interfere with any future offshore mining or oil/gas exploration or extraction.

Desalination. There are no desalination plants in the area of the FIDS.

Fish and Shellfish Culture. There are no commercial fish aquaculture or shellfish aquaculture operations that would be impacted by use of the proposed FIDS Site.

Areas of Special Scientific Importance. There are no known oceanographic research efforts directly within the area of the proposed FIDS. The Maine Department of Marine Resources and the New Hampshire Fish and Game

Department partner to conduct groundfish surveys in coastal waters of Maine and New Hampshire. The Maine-New Hampshire Inshore Trawl Survey is a resource assessment survey performed along the coastal waters of Maine and New Hampshire. Bi-annual surveys, spring, and fall have been conducted since the fall of 2000. This survey is a collaborative research project inventorying groundfish resources by using a commercial fishing vessel as a platform. This study would not be impacted by disposal at the proposed site.

The existing water quality and ecology of the site as determined by available data or by trend assessment or baseline surveys.

USACE's DAMOS Program conducted a baseline assessment of water quality, sediment quality, and the benthic habitat community prior to the use of the site. These data will be presented in the project Environmental Assessment, in DAMOS Program publications, and will be used for future trend assessments and monitoring.

Potentiality for the development or recruitment of nuisance species in the disposal site.

There is no evidence that the disposal of dredged material at FIDS would lead to the development or recruitment of nuisance species.

Existence at or in close proximity to the site of any significant natural or cultural features of historical importance.

There are no known shipwrecks in the vicinity of FIDS. Previous use of the site for the disposal of dredged material would have already disturbed or destroyed any cultural resources which may have been present. Therefore, the use of FIDS as a disposal site will have no effect on any structure or site of cultural or historical significance.

9. Site Management Plan

MPRSA Section 103(b) requires that the criteria and factors identified above are used in a manner consistent with their application pursuant to Section 102(c). Section 103(c)(3) requires the Administrator of USEPA to develop a site management plan for each site designated pursuant to Section 102. Although selection of FIDS as an alternate site in this action does not require development of such a plan, certain elements of a site management plan already exist in this case.

USACE's DAMOS Program is responsible for conducting the baseline assessment and for the monitoring and management of FIDS. The DAMOS Program features a tiered management protocol designed to ensure that any potential adverse environmental impacts associated with dredged material

disposal are promptly identified and addressed (Germano et al. 1994). For over 45 years, the DAMOS Program has collected and evaluated dredged material disposal site data throughout New England. Based on these data, patterns of physical, chemical, and biological responses of seafloor environments to dredged material placement activity have been documented (Fredette and French 2004).

The specification of disposal coordinates are the means of directing disposal at FIDS. The disposal coordinates restrict the spatial extent of disposal impacts and affords a limited burial impact at only the section of FIDS where active disposal is occurring. Disposal coordinates for FIDS will be coordinated with the local lobster fishing community to target areas that would benefit from the additional of the coarse grained dredged material.

Permitting the transportation of dredged material for disposal at FIDS by USACE is conducted under the authorities of Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. Only material shown through appropriate sediment physical, chemical, and biological testing, as needed, to be suitable for unconfined disposal at FIDS is allowed to be disposed of at FIDS.

The quality of the material to be disposed of at FIDS from this project, and the presence, nature, and bioavailability of contaminants in the material has been considered. Evaluation of these factors is documented in the dredged material suitability determination prepared by the USACE, New England District with concurrence from USEPA Region One and the State of Maine. The dredged material from this project that is proposed to be disposed of at FIDS has been determined to be suitable for disposal at FIDS, consistent with the requirements of the Marine Protection, Research and Sanctuaries Act.

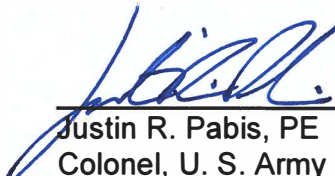
The anticipated use of FIDS over the long term, the closure date for the site, and any need for management of the site after closure do not need to be considered at this time as this action selects FIDS only for disposal of material from the subject dredging of the Isle au Haut Thoroughfare FNP and is limited to a period of five years.

A schedule for review and revision of a site management plan is not necessary in this case as a site management plan is not formally required in a Section 103(b) alternate site selection. Furthermore, this selection is limited in time to a period of five years.

10. Conclusion

I select the Flake Island Disposal Site for disposal of approximately 3,355 cubic yards of sand, gravel, and cobble from the dredging of the Isle au Haut Thoroughfare Federal Navigation Project Maintenance Dredging Project. I find that the maintenance dredging of the project is in the public interest, and I determine that the placement of dredged material will not unreasonably degrade

or endanger human health, welfare or amenities, or the marine environment, ecological systems, or economic potentialities.



Justin R. Pabis, PE
Colonel, U. S. Army Corps of Engineers
District Engineer

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Appendix B: Flake Island Disposal Site Water Quality Profile and Benthic Invertebrate Assessment

DRAFT

Flake Island Disposal Site (FIDS) Benthic Invertebrate Assessment

A benthic invertebrate survey was conducted USACE in April of 2025 to analyze the ecological quality of the benthic invertebrate community that might be impacted by the proposed placement activity at FIDS. Three sample stations, FI A, FI B, and FI C (Figure 1), were established based on waypoints created during the hydroacoustic survey and seabed features observed in the side-scan sonar mosaic. At each station a 0.04 m² VanVeen grab sampler mounted in a custom-built frame was used to collect one sample for benthic community analysis and one sample for grain-size analysis.

Samples collected for benthic community analysis were sieved with seawater through a 0.5 mm sieve and preserved in 10% formaldehyde with 0.1% rose bengal stain. Samples were kept in formaldehyde solution until processing at the NAE environmental laboratory. At the time of processing samples were washed on a 0.5 mm sieve to

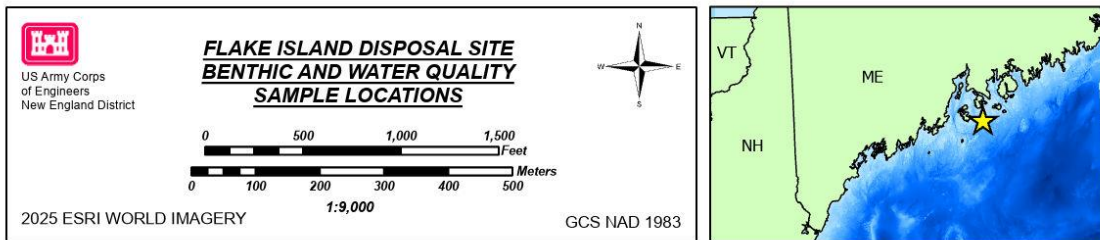
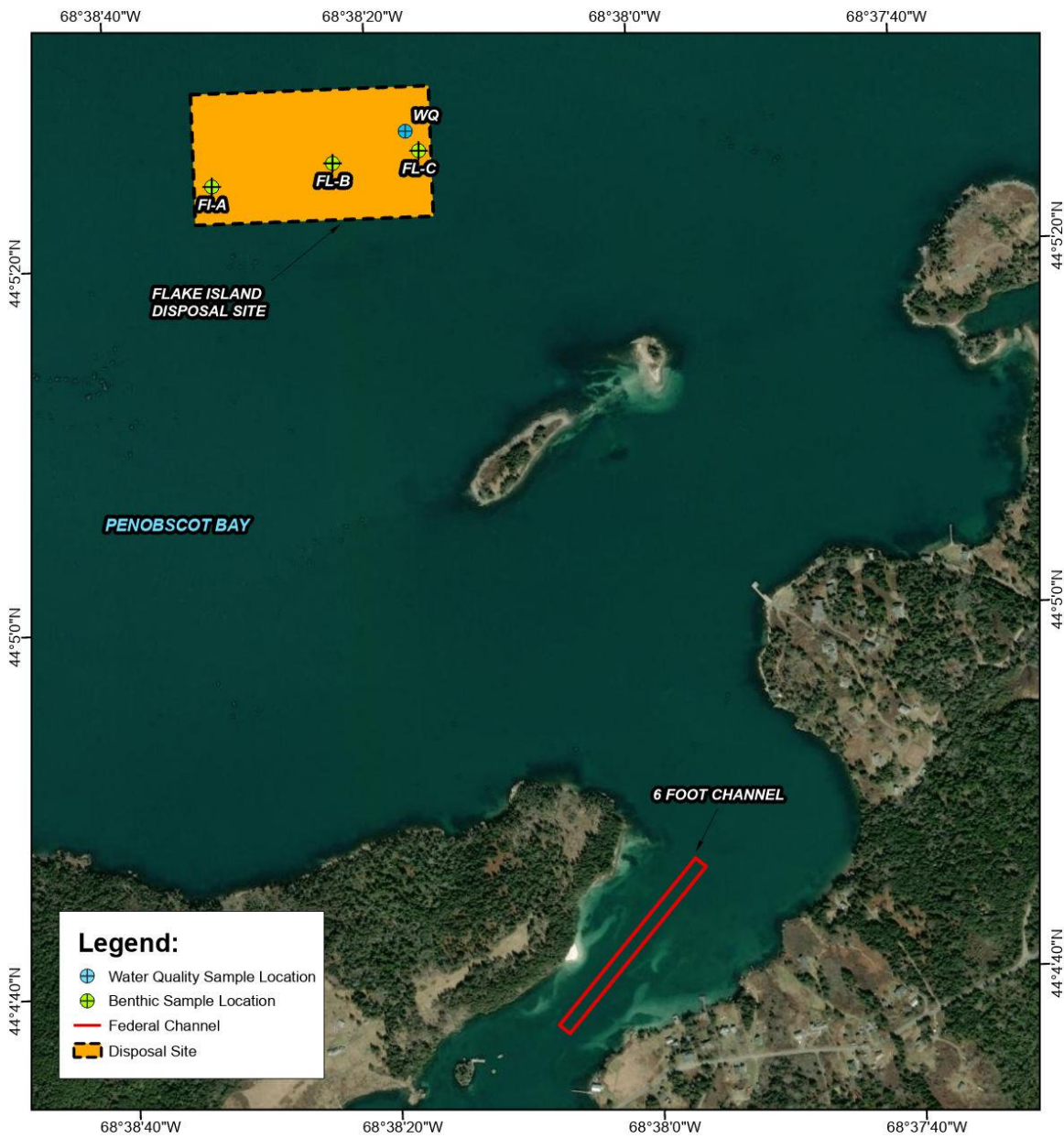


Figure 1. FIDS Benthic and Water Quality Sampling Stations.

remove the preservative and any remaining fine sediment. The organisms in each sample were then picked, sorted, and transferred to jars containing 70% ethanol. Organisms were identified to the lowest practical taxonomic level (LPTL) and enumerated.

Total abundance (n), species richness (S), Peilou's evenness (J'), the Shannon diversity index (H'), and Fisher's alpha diversity index (α) were calculated for each station using the *Vegan* package in R (Oksanen, et al., 2022). Total abundance is the count of all individual organisms enumerated within each sample. Species richness is a count of the number of individual taxa present in each sample. Peilou's evenness is an index of how equally distributed taxa counts are between the taxa present in a sample. The J' index approaches a value of 0 if counts are highly disproportionately distributed between taxa and approaches a value of 1 if the counts of taxa are equally distributed. Low evenness typically indicates the dominance of one, or a few highly opportunistic taxa, while high evenness generally implies an equilibrium community with equally distributed counts of each taxon. The Shannon diversity index is a diversity measure that accounts for the diversity, abundance, and evenness of taxa present. Communities with highly uneven, low counts of only a few species will have low H' values, while communities with equally distributed, high counts of a diverse assemblage of taxa will have high H' values. One caveat with H' is that the value will always increase as abundance increases, regardless of evenness. Fisher's alpha diversity index is based on the log-series distribution and is calculated independent of sample size therefore does not make assumptions, as H' does. The log-series predicts that most communities are comprised of few abundant species and many rare species, which is often, though not always true in benthic communities.

In total, 16 benthic taxa comprised of 539 individuals were enumerated and identified from samples collected within the Flake Island Disposal Site. Species metrics were fairly consistent across the three stations sampled. Across the investigation area, abundance (per 0.04 m² grab) ranged from 156 (station FI-A) to 205 individuals (station FI-C), with an average of 180 individuals among stations sampled. Species richness ranged from 9 species at stations FI-A to 13 species at station FI-B, with a mean species richness of 11. Species evenness ranged from 0.540 (station FI-C) to 0.685 (station FI-A), with an average of 0.609. The average Shannon-Weiner diversity index was 1.447 and ranged from 1.294 (FI-C) to 1.543 (station FI-B). Fisher's alpha diversity ranged from 2.077 at station FI-A to 3.227 at station FI-B, with an average of 2.596. A full summary of station-to-station diversity and abundance metrics is displayed in Table 1.

The benthic community within the investigation area was mostly composed of annelids (90%), with a majority of those being polychaetes (480 of 487 individuals). The rest of the community was composed of bivalve mollusks (9%), with arthropods, nemertean, and phorids making up the remaining 1%. The small motile burrowing subsurface depositing feeding polychaete, *Cossura longocirrata*, was identified as the most abundant species throughout the study area, accounting for almost half of the total abundance (46%). The larger burrowing opportunistic polychaete, *Nephtys incisa*, which is known to both be a predator and a deposit feeder, was the second most abundant

species identified (27%). Both *C. longocirrata* and *N. incisa* were identified as the most frequently identified top two species at all three stations, respectively, making up almost 75% of the total benthic community. A full summary of the benthic community species data is displayed in Table 2.

Table 1. Diversity and Abundance Metrics by Sample Station. *All values are per 0.04 m². High values for S, J', and H' indicate high richness, evenness, and diversity.

Sample	Abundance	Richness (S)	Evenness (J')	Shannon's Diversity Index (H')	Fisher's Alpha Diversity (a)
FI-A	156	9	0.685	1.505	2.077
FI-B	178	13	0.602	1.543	3.227
FI-C	205	11	0.540	1.294	2.484

Table 2. Summary of FIDS Benthic Species Abundance Data

Taxon		Flake Island		
		FI-A	FI-B	FI-C
Annelida	Polychaeta			
	<i>Aricidea</i> spp.	6	6	8
	<i>Cossura longocirrata</i>	70	69	108
	<i>Levensenia gracilis</i>	33	8	1
	<i>Nephtys incisa</i>	19	64	64
	<i>Ninoe nigripes</i>	1	2	2
	<i>Tharyx acutus</i>	0	3	9
	<i>Capitella capitata</i>	0	0	1
	<i>Hypereteone lactea</i>	2	1	1
	<i>Mediomastus ambiseta</i>	1	0	0
	Sigalionidae spp.	0	1	0
	Oligochaeta			
	Oligochaeta spp.	0	1	6
Arthropoda	Amphipoda			
	<i>Ampithoe</i> spp.	0	1	1
Mollusca	Bivalvia			
	<i>Ameritella agilis</i>	1	0	0
	<i>Nucula proxima</i>	23	19	4

Taxon		Flake Island		
		FI-A	FI-B	FI-C
Miscellaneous	Nemertea			
	Micrura spp.	0	2	0
	Phoronid			
	<i>Phoronis psammophila</i>	0	1	0
TOTAL INDIVIDUALS		156	178	205
TOTAL SPECIES		16	16	16

Oksanen J, G. Simpson, F. Blanchet, R. Kindt, P. Legendre, P. Minchin, R. O'Hara, P. Solymos, M. Stevens, E. Szoecs, H. Wagner, M. Barbour, M. Bedward, B. Bolker, D. Borcard, G. Carvalho, M. Chirico, M. De Caceres, S. Durand, H. Evangelista, J. Fitz, M. Friendly, B. Furneaux, G. Hannigan, M. Hill, L. Lahti, D. McGlinn, M. Ouellette, C. Ribeiro, T. Smith, A. Stier, B. Ter, J. Weedon. 2022. vegan: Community Ecology Package_. R package version 2.6-4, <https://CRAN.R-project.org/package=vegan>.

Fiske Island Disposal Site water Quality Profile

GPS Lat/Long/GPS Longitude *
44.0965 -68.0381

Depth	Temp °C	Sal	pH	Turbidity FNU	ODM mg/L	
TOP	1.037	4.306	36.33	7.87	0.64	
MID	7.084	4.176	36.33	7.88	0.62	
BOTTOM	14.092	4.036	36.42	7.87	0.6	
MEAN/VALI	7.042	4.18	34.87	NA	13.96	
STANDARD	4.688	0.097	7.11	0.02	44.22	
<p>19M101042 19M1010179 19M1010179 24M10101 20A100916 24M102037</p>						
Temp	Depth	Temp °C	Sal	pH	Turbidity FNU	ODM mg/L
14:05:05	0.011	4.32	36.33	7.87	0.62	10.52
14:05:06	0.067	4.316	36.33	7.87	0.61	10.52
14:05:07	0.093	4.311	36.33	7.87	0.62	10.53
14:05:08	1.037	4.306	36.33	7.87	0.64	10.53
14:05:09	1.064	4.303	36.33	7.87	0.65	10.53
14:05:10	1.133	4.298	36.33	7.87	0.65	10.53
14:05:11	1.417	4.297	36.33	7.87	0.65	10.54
14:05:12	1.484	4.297	36.33	7.87	0.63	10.54
14:05:13	1.576	4.298	36.33	7.87	0.62	10.54
14:05:14	1.63	4.297	36.32	7.88	0.62	10.54
14:05:15	1.696	4.297	36.32	7.88	0.61	10.55
14:05:16	1.766	4.297	36.32	7.88	0.63	10.55
14:05:17	1.862	4.297	36.32	7.88	0.64	10.55
14:05:18	1.92	4.297	36.32	7.88	0.62	10.55
14:05:19	1.92	4.298	36.32	7.88	0.6	10.55
14:05:20	2.788	4.294	36.32	7.88	0.62	10.55
14:05:21	2.884	4.292	36.32	7.88	0.61	10.55
14:05:22	2.929	4.289	36.32	7.88	0.62	10.56
14:05:23	3.06	4.286	36.32	7.88	0.63	10.56
14:05:24	3.144	4.283	36.32	7.88	0.63	10.56
14:05:25	3.27	4.278	36.32	7.88	0.63	10.56
14:05:26	3.352	4.273	36.32	7.88	0.65	10.56
14:05:27	3.408	4.269	36.32	7.88	0.65	10.56
14:05:28	3.489	4.262	36.33	7.88	0.64	10.56
14:05:29	3.547	4.258	36.33	7.88	0.65	10.57
14:05:30	3.583	4.255	36.33	7.88	0.64	10.57
14:05:31	3.649	4.251	36.33	7.88	0.62	10.57
14:05:32	3.751	4.247	36.33	7.88	0.63	10.57
14:05:33	3.825	4.245	36.33	7.88	0.61	10.57
14:05:34	3.925	4.241	36.33	7.88	0.62	10.58
14:05:35	4.074	4.239	36.33	7.88	0.62	10.58
14:05:36	4.791	4.238	36.33	7.88	0.61	10.58
14:05:37	4.78	4.238	36.33	7.88	0.61	10.58
14:05:38	4.824	4.233	36.33	7.88	0.59	10.58
14:05:39	4.847	4.232	36.33	7.88	0.59	10.58
14:05:40	4.986	4.229	36.33	7.88	0.58	10.58
14:05:41	5.078	4.221	36.33	7.88	0.58	10.58
14:05:42	5.145	4.218	36.33	7.88	0.58	10.58
14:05:43	5.27	4.213	36.33	7.88	0.58	10.58
14:05:44	5.34	4.209	36.33	7.88	0.57	10.58
14:05:45	5.398	4.205	36.33	7.88	0.57	10.58
14:05:46	5.482	4.199	36.33	7.88	0.57	10.57
14:05:47	5.54	4.195	36.33	7.88	0.56	10.57
14:05:48	5.628	4.192	36.33	7.88	0.57	10.57
14:05:49	5.385	4.188	36.33	7.88	0.58	10.57
14:05:50	6.477	4.186	36.33	7.88	0.59	10.57
14:05:51	6.487	4.185	36.33	7.88	0.59	10.57
14:05:52	6.681	4.183	36.33	7.89	0.6	10.56
14:05:53	6.796	4.181	36.33	7.89	0.61	10.56
14:05:54	6.86	4.18	36.33	7.89	0.62	10.56
14:05:55	6.968	4.177	36.33	7.89	0.62	10.56
14:05:56	7.084	4.176	36.33	7.88	0.62	10.56
14:05:57	7.155	4.173	36.33	7.88	0.63	10.56
14:05:58	7.998	4.173	36.33	7.88	0.63	10.55
14:05:59	8.427	4.173	36.33	7.88	0.63	10.55
14:06:00	8.575	4.172	36.33	7.88	0.62	10.55
14:06:01	8.653	4.172	36.33	7.89	0.63	10.55
14:06:02	8.813	4.172	36.33	7.89	0.63	10.54
14:06:03	8.922	4.172	36.33	7.89	0.63	10.54
14:06:04	9.15	4.171	36.33	7.89	0.59	10.54
14:06:05	10.399	4.168	36.33	7.89	0.6	10.53
14:06:06	10.403	4.164	36.33	7.89	0.59	10.53
14:06:07	10.466	4.157	36.34	7.89	0.58	10.53
14:06:08	10.822	4.151	36.34	7.89	0.57	10.53
14:06:09	10.909	4.147	36.34	7.89	0.56	10.52
14:06:10	11.115	4.137	36.35	7.89	0.52	10.52
14:06:11	11.223	4.13	36.35	7.88	0.53	10.51
14:06:12	11.332	4.125	36.35	7.88	0.54	10.51
14:06:13	12.109	4.116	36.36	7.88	0.54	10.51
14:06:14	12.049	4.111	36.36	7.88	0.54	10.5
14:06:15	12.113	4.11	36.36	7.88	0.55	10.5
14:06:16	12.297	4.107	36.36	7.88	0.54	10.5
14:06:17	12.246	4.106	36.36	7.88	0.55	10.49
14:06:18	12.542	4.104	36.36	7.88	0.55	10.49
14:06:19	12.602	4.103	36.37	7.88	0.6	10.48
14:06:20	12.608	4.102	36.37	7.88	0.62	10.48
14:06:21	12.694	4.101	36.37	7.88	0.63	10.48
14:06:22	12.752	4.099	36.37	7.88	0.6	10.48
14:06:23	12.81	4.097	36.37	7.88	0.6	10.47
14:06:24	12.857	4.096	36.37	7.88	0.62	10.47
14:06:25	13.567	4.092	36.37	7.88	0.62	10.47
14:06:26	13.624	4.089	36.38	7.88	0.61	10.46
14:06:27	13.744	4.087	36.38	7.88	0.61	10.46
14:06:28	13.884	4.083	36.38	7.88	0.6	10.46
14:06:29	13.814	4.079	36.38	7.88	0.6	10.46
14:06:30	13.875	4.069	36.39	7.88	0.6	10.45
14:06:31	13.994	4.055	36.4	7.88	0.58	10.45
14:06:32	14.018	4.044	36.41	7.87	0.58	10.44
14:06:33	14.092	4.036	36.42	7.87	0.6	10.44
14:06:34	15.025	4.024	36.43	7.86	3.28	10.44
14:06:35	14.907	4.015	36.44	7.86	9.04	10.43
14:06:36	14.983	4.006	36.45	7.85	38.06	10.43
14:06:37	14.846	3.997	36.46	7.85	172.73	10.42
14:06:38	14.804	3.992	36.46	7.84	297.41	10.42
14:06:39	14.708	3.99	36.46	7.84	302.55	10.42
14:06:40	13.86	3.988	36.46	7.84	204.49	10.42
14:06:41	13.483	3.989	36.46	7.84	180.79	10.42
14:06:42	13.411	3.993	36.46	7.84	44.78	10.42
14:06:43	13.533	4.001	36.45	7.84	16.48	10.42
14:06:44	13.589	4.01	36.44	7.83	9.64	10.42
14:06:45	13.614	4.016	36.43	7.83	8.19	10.42
14:06:46	13.623	4.027	36.42	7.83	11.89	10.42
14:06:47	13.67	4.033	36.41	7.83	103.84	10.41
14:06:48	13.72	4.034	36.41	7.83	26.35	10.41
14:06:49	13.67	4.039	36.41	7.83	24.74	10.41
14:06:50	12.54	4.047	36.4	7.83	42.65	10.41
14:06:51	12.54	4.053	36.4	7.83	36.5	10.41
14:06:52	12.018	4.062	36.39	7.84	30.17	10.4
14:06:53	11.886	4.065	36.39	7.84	7.82	10.4
14:06:54	11.622	4.067	36.39	7.84	10.53	10.4
14:06:55	10.617	4.072	36.39	7.84	10.1	10.4
14:06:56	9.885	4.077	36.39	7.84	5.79	10.4
14:06:57	9.806	4.082	36.38	7.84	13.37	10.4
14:06:58	9.476	4.097	36.37	7.84	11.68	10.4
14:06:59	8.983	4.107	36.37	7.84	9.06	10.4
14:07:00	7.881	4.116	36.36	7.85	7.89	10.4
14:07:01	7.788	4.127	36.36	7.85	6.74	10.4
14:07:02	7.842	4.138	36.35	7.85	5.97	10.41
14:07:03	7.848	4.14	36.35	7.85	5.55	10.41
14:07:04	8.003	4.148	36.34	7.85	4.85	10.41
14:07:05	8.055	4.155	36.34	7.85	4.41	10.42
14:07:06	8.068	4.16	36.34	7.85	4.09	10.42
14:07:07	8.09	4.167	36.33	7.85	2.16	10.43
14:07:08	8.071	4.172	36.33	7.85	1.59	10.43
14:07:09	8.032	4.172	36.33	7.86	1.59	10.44
14:07:10	7.996	4.172	36.33	7.86	1.38	10.44
14:07:11	7.986	4.173	36.33	7.86	1.29	10.44
14:07:12	7.984	4.173	36.33	7.86	1.22	10.45
14:07:13	7.972	4.173	36.33	7.86	1.06	10.45
14:07:14	7.966	4.173	36.33	7.86	1.02	10.45
14:07:15	7.92	4.173	36.33	7.86	1.06	10.46
14:07:16	7.909	4.174	36.33	7.86	1.41	10.46
14:07:17	6.982	4.173	36.33	7.86	1.53	10.47
14:07:18	6.82	4.173	36.33	7.86	1.46	10.47
14:07:19	6.676	4.172	36.33	7.86	1.19	10.47
14:07:20	6.717	4.172	36.33	7.86	1.14	10.48
14:07:21	6.559	4.173	36.33	7.86	1.09	10.48
14:07:22	6.578					

Appendix C: Suitability Determination

DRAFT

FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

Summary:

This determination addresses the suitability of shoaled sediments within the Isle au Haut Thoroughfare Federal Navigation Project (FNP) for unconfined open water disposal at the proposed Flake Island Disposal Site (FIDS) (Figure 1). Based on the field and laboratory data presented for this project, the New England District (NAE) of the US Army Corps of Engineers (USACE) finds that sufficient data have been provided to satisfy the evaluation and testing requirements under Section 103 of the Marine Protection Research and Sanctuaries Act (MPRSA). Based on an evaluation of the project site and the material proposed to be dredged, NAE finds these sediments suitable for unconfined open water disposal at FIDS as proposed.

1. Project Description:

NAE is proposing to dredge approximately 3,355 cubic yards (cy) of material from shoaled areas totaling 1.2 acres within the 6-foot channel of the Isle au Haut Thoroughfare, located in Isle au Haut, Maine (Figure 2). These areas will be dredged to the advanced maintenance depth of -7 feet at mean lower low water (MLLW) plus 1 foot of allowable overdepth. Advanced maintenance for this project has been approved by the USACE North Atlantic Division (NAD) in order to provide for a cost-effective dredging project and ensure safe access for critical boat-based island services for an extended time period. Suitable material is proposed to be placed at FIDS, located approximately 0.8 miles north from the eastern end of the thoroughfare. NAE is in the process of selecting FIDS as an alternative MPRSA disposal site through the USACE authority defined in Section 103(b) of the MPRSA.

2. Conceptual Site Model:

NAE reviewed previous environmental assessments, water quality data, and adjacent land use information to develop a conceptual site model (CSM) for the FNP in the Isle au Haut Thoroughfare (Figure 3). This CSM was used to characterize the system and to identify potential sources of contamination, site-specific contaminants of concern, exposure pathways, and biological receptors in order to inform the evaluation of the project.

Project Setting: The Isle au Haut Thoroughfare is a navigational passage located immediately off the coast of Isle au Haut, located in the outskirts of Penobscot Bay, approximately six miles southeast of Stonington, ME and 25 miles east of Rockland, ME. The FNP within the thoroughfare was authorized under the Rivers

FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

and Harbors Act of 1945 and was completed in 1958. The existing project configuration consists of a 75-foot wide, 1,200 foot long, 6-foot deep MLLW channel through the shoal at the eastern end of the thoroughfare.

The FNP provides protected access to the island and town of Isle au Haut for recreational, commercial, and essential vessels such as the ferry and mail boat. Isle au Haut Boat Services provides year-round ferry service between the town of Stonington and the Isle au Haut ferry dock, located to the southwest of the FNP channel. The FNP also serves as home port for a small local fishing fleet and is utilized by seasonal recreational craft. Land use in the vicinity of the project is largely open and forested land with few residential and town properties.

Water Quality: Water quality in the vicinity of the FNP is dictated by tidal exchange with Penobscot Bay and is classified as Class SB by the State of Maine (MEDEP 2025a). Class SB marine waters are the second highest classification in the State and are considered unimpaired with the ability to support recreation, fishing, aquaculture, and provide quality habitat for marine life. However, shellfishing is conditionally restricted in the area (Maine DMR 2025).

Dredge History and Existing Testing Data: The last record of maintenance dredging by USACE within the Isle au Haut Thoroughfare FNP is from 1979, when boulders were removed from the channel and disposed of at FIDS. Past sediment sampling and testing data for the FNP is not available.

Spill Data: Based on a review of available data and communication with local officials NAE determined that there have been no reported spills in the FNP area within the last 10 years (MEDEP 2025b).

Disposal Site: FIDS is located approximately 0.75 miles north of the FNP location. FIDS is currently undergoing the MPRSA Site Selection process as an alternative disposal site and will be monitored by the NAE Disposal Area Monitoring System (DAMOS) Program. The DAMOS Program completed a baseline assessment of the site in 2022 (USACE 2022) and conducted additional monitoring in 2025 that will be included in the MPRSA site selection document and project Environmental Assessment.

Risk Ranking: Based on the site characteristics and the available testing data outlined above, the Isle au Haut Thoroughfare FNP maintenance dredging was given a **low-moderate** risk ranking according to the following matrix in Table 1.

FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

Table 1: Project Risk Ranking

Rank	Guidelines
Low	Few or no sources of contamination. Data available to verify no significant potential for adverse biological effects.
Low-Moderate	Few or no sources of contamination but existing data is insufficient to confirm ranking.
Moderate	Contamination sources exist within the vicinity of the project with the potential to produce chemical concentrations that may cause adverse biological effects.
High	Known sources of contamination within the project area and project area or project(s) in the vicinity were previously unsuitable for unconfined open water placement.

3. Sampling, Testing, and Analysis:

NAE performed a reconnaissance survey effort within the thoroughfare during May of 2023. This effort included a single sub-bottom profiler transect to document subsurface sediment layering and approximate depth to bedrock, collection of side scan sonar data to characterize the seabed in the vicinity of the FNP, and collection of underwater imagery to verify side scan data interpretation. The survey found that the sediments in the vicinity of the FNP consisted of coarse sand and gravel, with areas of cobble, isolated small boulders, and exposed bedrock located outside the channel profile. Inspection of sub-bottom profiler data found no change in subsurface layering within the proposed dredge prism. The side scan sonar mosaic from this survey is presented in Figure 2 along with the track of the sub-bottom transect and location of underwater video stations.

NAE conducted a supplemental site investigation in July of 2025 to confirm the sediment composition throughout the proposed dredge prism. On 16 July 2025, NAE successfully collected sediment core samples from three locations (Table 2, Figure 3) within the proposed maintenance dredging footprint for engineering classification and grain size analysis. Samples were collected to the advanced maintenance depth plus one foot of allowable overdepth.

Table 1: Isle au Haut FNP Sample Locations

Sample ID	Longitude (NAD83)	Latitude (NAD83)	Project Depth+ Overdepth (ft MLLW)	Corrected Water Depth (FT MLLW)	Required Core Length (FT)	Penetration/ Recovery (ft)	Sample Interval (FT)
A	44.077490	-68.635031	8.0	-5.4	2.5	3.0/3.0	0-2.5
B	44.077519	-68.634640	8.0	-5.4	2.6	3.6/3.6	0-2.6
C	44.078259	-68.634098	8.0	-5.5	2.5	3.0/3.0	0-2.5

FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

Physical and Chemical Analysis of Sediments

All samples generally contained the same sand and gravel composition. Samples were composed of approximately 40% medium sand, with fine (~21.7%) and coarse sands (~17.7%), as well as gravel (~19.5%). All samples contained less than 2% fines. The grain size distribution for each sample is shown in Table 3 and core logs are provided in Appendix A.

Table 3. Grain Size Results from the Isle au Haut FNP

Sample ID	%Gravel	%Sand			%Fines
		<i>Coarse</i>	<i>Medium</i>	<i>Fine</i>	
A	19.0	17.6	40.7	21.3	1.5
B	20.2	17.6	40.2	21.7	0.4
C	19.2	18.0	39.4	22.2	1.1

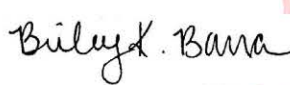
FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

4. Suitability Determination:


Under 40 CFR Part 227.13, further testing of the dredged material is not necessary if the material is not considered a carrier of contaminants. According to §227.13 (b) (1) this exclusion applies if the dredged material is composed primarily of sand, gravel, rock, or other naturally occurring bottom material with particle sizes larger than silt, and the material is found in areas of high current or wave energy such as coastal areas with shifting bars and channels.

Based on a review of the reconnaissance survey data, 2025 grain size data, the conceptual site model, and the area to be dredged, NAE determined that the proposed dredged material is composed primarily of sand and gravel from a high energy environment and is not likely a carrier of contaminants. The Isle au Haut Thoroughfare FNP meets the exclusionary criteria established in §227.13(b) of the MPRSA and is suitable for disposal at FIDS as proposed.

This suitability determination was coordinated with EPA Region 1 and MEDEP. MEDEP concurred with the determination and EPA Region 1 conducted an individual evaluation of the project and documented their findings in a separate memo.


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BARRA.BRILEY.KATH
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Briley K. Barra
Technical Specialist
Dredged Material Management Team
USACE-New England District


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Richard B. Loyd
Chief
Environmental Resources and
Marine Programs Section
USACE-New England District

FINAL Suitability Determination for Maintenance Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, Maine

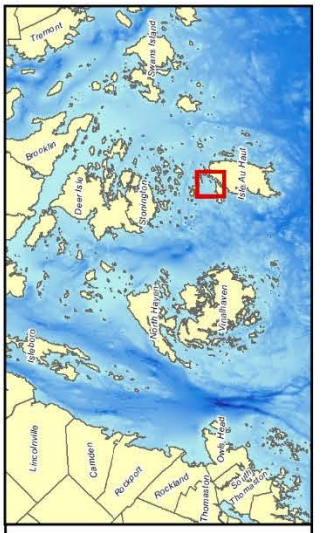
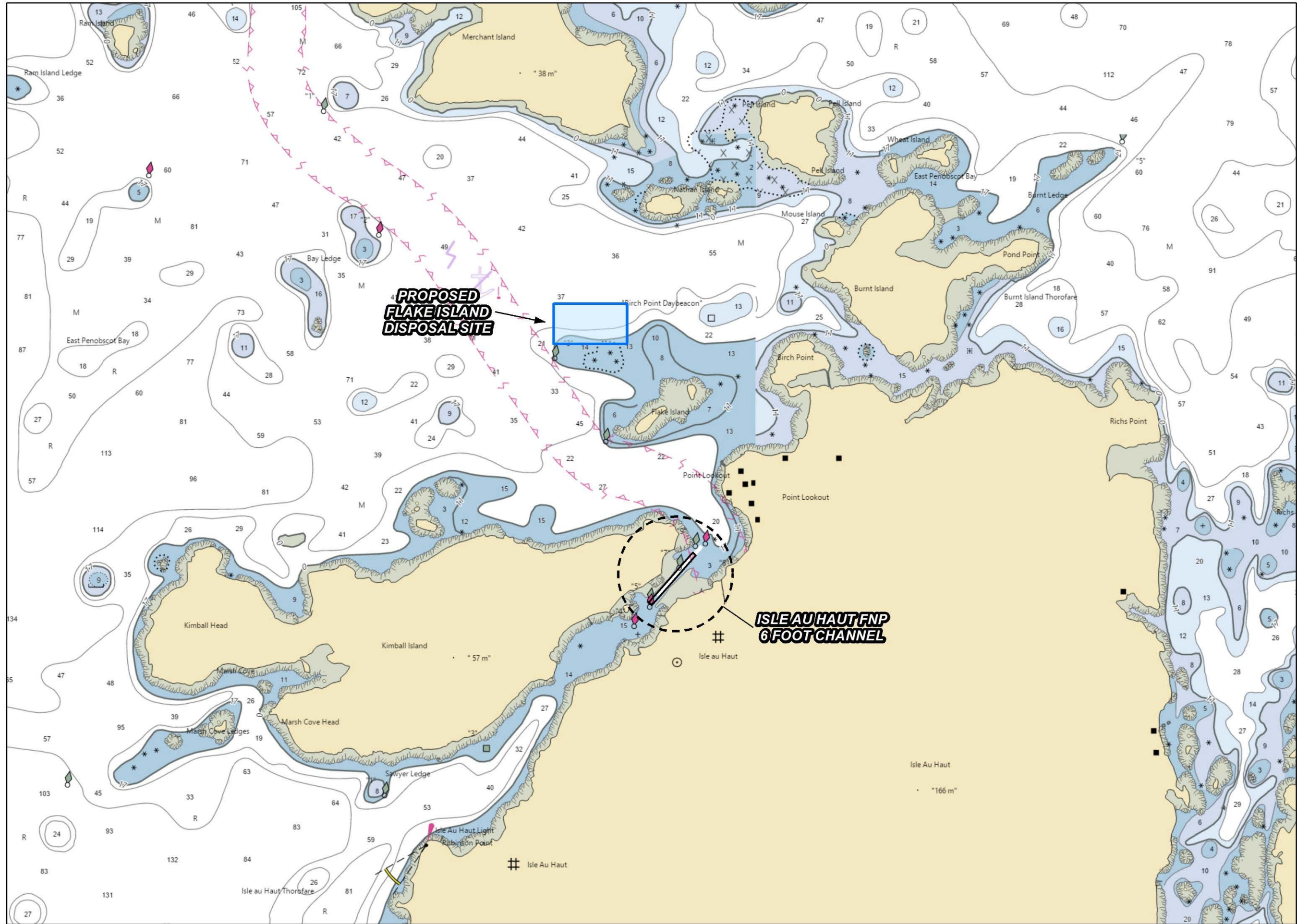
5. References:

MEDEP, 2025a. Water Quality Classifications Yarmouth. Maine Department of Environmental Protection, Augusta ME. <https://experience.arcgis.com/experience/d74a8708950c4bc184c3cb031f8dcd93>

MEDEP, 2025b. Bureau of Remediation and Waste Management. Hazardous and Oil Spill System. Online Reporting System. <https://www.maine.gov/dep/hoss/>

MEDMR, 2025. Shellfish Classifications Yarmouth, Maine Department of Marine Resources, Augusta, ME. <https://www.maine.gov/dmr/fisheries/shellfish/shellfish-closures-and-aquaculture-leases-map>

USACE, 2022. Baseline Surveys at the St. Helena, Flake Island, and Frenchboro Disposal Sites. April 2022. Contribution 216. Prepared by AECOM.



THIS FIGURE DEPICTS THE LOCATION OF THE FNP WITHIN THE ISLE AU HAUT THOROUGFARE IN RELATION TO THE PROPOSED FLAKE ISLAND DISPOSAL SITE (FIDS).

**FIGURE 1:
ISLE AU HAUT FNP
PROJECT AREA OVERVIEW**

US Army Corps of Engineers
New England District

2025 NOAA CHART SERVICE





GCS NAD1983

Scale: 1:20,000

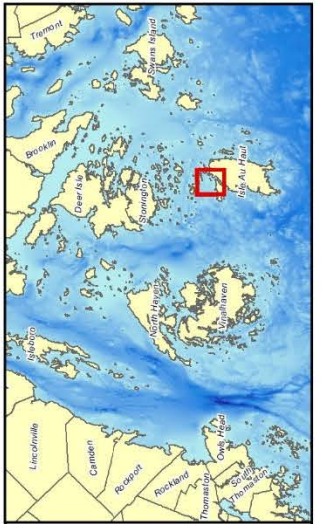
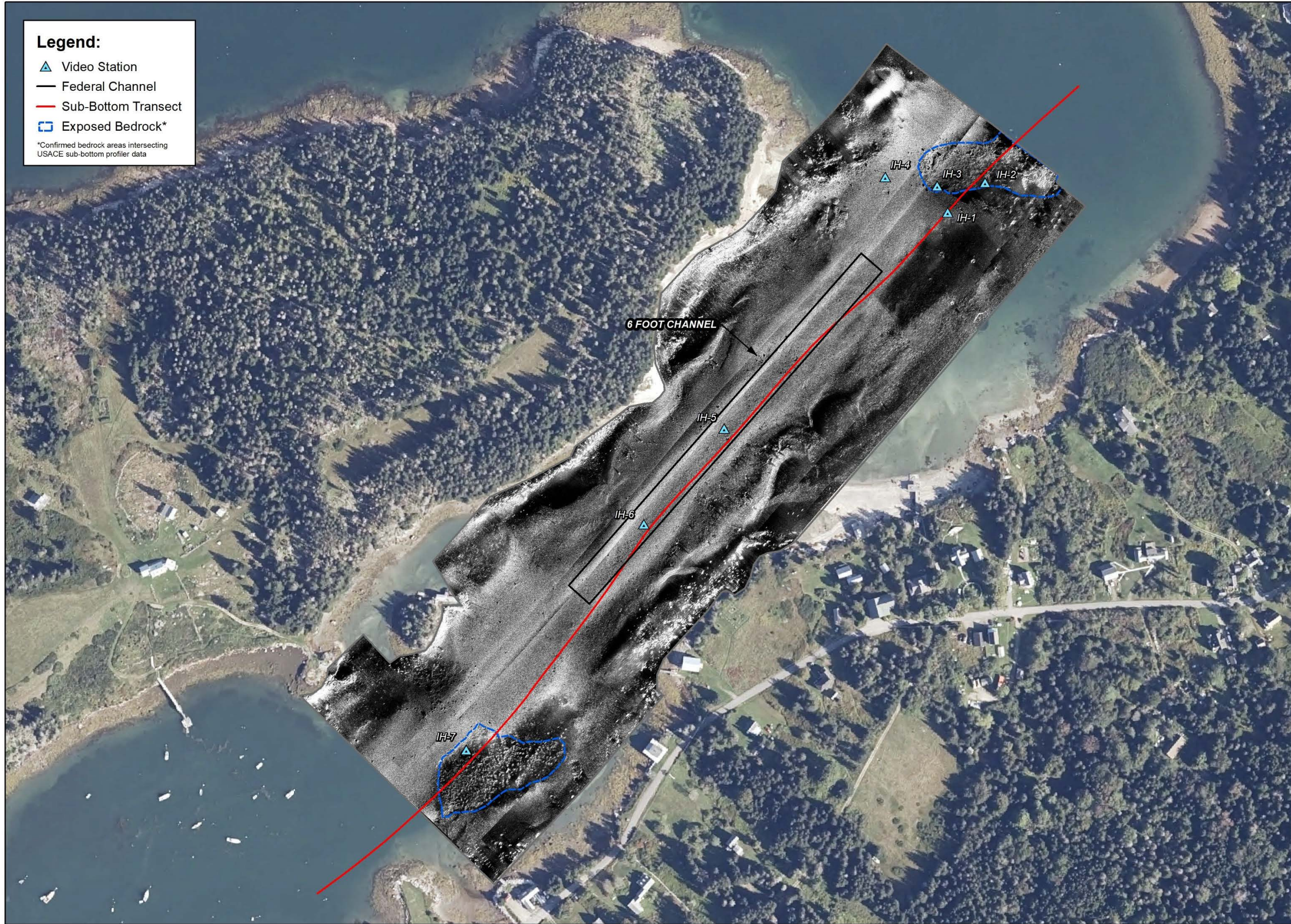
Scale bars: 0 to 3,000 Feet / 0 to 1,000 Meters

Compass rose showing North, South, East, and West.

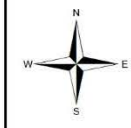
Legend:

-  Video Station
-  Federal Channel
-  Sub-Bottom Transect
-  Exposed Bedrock*

*Confirmed bedrock areas intersecting USACE sub-bottom profiler data

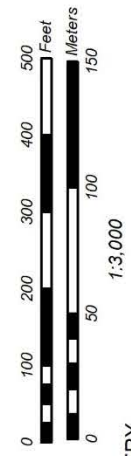


THIS FIGURE DEPICTS THE SIDE SCAN SONAR MOSAIC CREATED FROM MAY 2023 HYDROACOUSTIC SURVEY DATA, THE LOCATION OF A SUB-BOTTOM PROFILER TRANSECT SURVEYED DURING THE SAME FIELD EFFORT, AND THE EXTENT OF EXPOSED BEDROCK WITHIN THE INVESTIGATION AREA FOOTPRINT.



GCS NAD1983

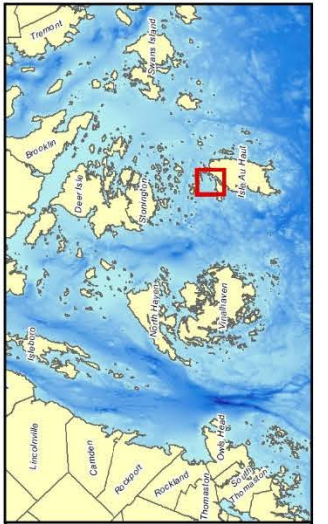
FIGURE 2:
ISLE AU HAUT FNP
MAY 2023 RECON SURVEY





Legend:

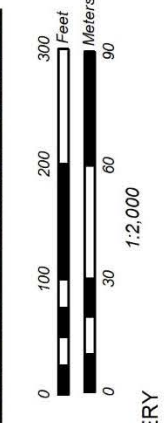
- ⊕ 2025 Sample Location
- Federal Navigation Project
- Authorized Dredge Area (0-6')
- Advanced Maintenance Area (6-7')
- Overdepth Area (7-8')



THIS FIGURE DEPICTS DREDGING AND OVERDEPTH AREAS WITHIN THE ISLE AU HAUT FNP BASED ON JUN 2025 USACE CONDITIONS SURVEYS ALONG WITH THE LOCATION OF JULY 2025 SEDIMENT CORE SAMPLES.

GCS NAD1983

FIGURE 3:
ISLE AU HAUT FNP
JULY 2025 SEDIMENT SAMPLES



Appendix A
Core Logs and Photographs

PROJECT NAME: Isle Au Haut Maintenance Dredging DATE: 7/16/2025

PROJECT LOCATION: Isle Au Haut, ME SEA STATE: Calm

VESSEL: R/V Nomad POSITIONING EQUIPMENT: SBG Navsight Ekinox

SAMPLING EQUIPMENT: Redidriver corer with 3" polycarb barrels

SAMPLING PERSONNEL: RBL, RJP, ADH LOGGED BY: RBL

CORE ID: A TIME: 10:43


LATITUDE: 44.077490 LONGITUDE: -68.635031 POSITION ACCURACY: RTK

MEASURED WATER DEPTH: - CORRECTED WATER DEPTH: -5.4'

TARGET PENETRATION: 2.5' ACTUAL PENETRATION: 3.0' RECOVERY: 3.0'


COMMENTS: Well graded sand and gravel and shell fragments over poorly graded sand

SAMPLE INTERVAL(S): 0-2.5'

CORE PHOTO:	CORE DESCRIPTION:
	<p><i>Core taken to refusal in highly compacted sand. Very difficult retrieval.</i></p> <p><i>0-1.1' Gray sand, gravel, and shell fragments. Very firm, moist. No odor. Sand is well graded.</i></p> <p><i>1.1-1.5' Dark gray, well graded sand and gravel with fine shell fragments. Very firm, moist. No odor.</i></p> <p><i>1.5-2.6' Gray with orange tint, poorly graded medium sand. Firm, moist. No odor.</i></p> <p><i>2.6-3.0' Light gray, poorly graded medium to fine sand. Very firm, moist. No odor.</i></p>


PROJECT NAME: Isle Au Haut Maintenance Dredging DATE: 7/16/2025
 PROJECT LOCATION: Isle Au Haut, ME SEA STATE: Calm
 VESSEL: R/V Nomad POSITIONING EQUIPMENT: SBG Navsight Ekinox
 SAMPLING EQUIPMENT: Redidriver corer with 3" polycarb barrels
 SAMPLING PERSONNEL: RBL, RJP, ADH LOGGED BY: RBL

CORE ID: B TIME: 11:14
 LATITUDE: 44.077519 LONGITUDE: -68.634640 POSITION ACCURACY: RTK
 MEASURED WATER DEPTH: - CORRECTED WATER DEPTH: -5.4'
 TARGET PENETRATION: 2.6' ACTUAL PENETRATION: 3.6' RECOVERY: 3.6'
 COMMENTS: Well graded sand and gravel and shell fragments over poorly graded sand
 SAMPLE INTERVAL(S): 0-2.6'

CORE PHOTO:	CORE DESCRIPTION:
	<p>Core taken to refusal in highly compacted sand. Very difficult retrieval.</p> <p>0-1.7' Gray sand, gravel, and shell fragments. Very firm, moist. No odor. Sand is well graded.</p> <p>1.7-2.5' Dark gray, well graded sand and gravel with fine shell fragments. Very firm, moist. No odor.</p> <p>2.5-3.3' Gray with orange tint, poorly graded medium sand. Firm, moist. No odor.</p> <p>3.3-3.6' Light gray, poorly graded medium to fine sand. Very firm, moist. No odor.</p>

PROJECT NAME: Isle Au Haut Maintenance Dredging DATE: 7/16/2025
 PROJECT LOCATION: Isle Au Haut, ME SEA STATE: Calm
 VESSEL: R/V Nomad POSITIONING EQUIPMENT: SBG Navsight Ekinox
 SAMPLING EQUIPMENT: Redidriver corer with 3" polycarb barrels
 SAMPLING PERSONNEL: RBL, RJP, ADH LOGGED BY: RBL

CORE ID: C TIME: 11:40
 LATITUDE: 44.078259 LONGITUDE: -68.634098 POSITION ACCURACY: RTK
 MEASURED WATER DEPTH: - CORRECTED WATER DEPTH: 5.5'
 TARGET PENETRATION: 2.5' ACTUAL PENETRATION: 3.0' RECOVERY: 3.0'
 COMMENTS: Well graded sand and gravel and shell fragments over poorly graded sand
 SAMPLE INTERVAL(S): 0-2.5'

CORE PHOTO:	CORE DESCRIPTION:
	<p><i>Core taken to refusal in highly compacted sand. Very difficult retrieval.</i></p> <p><i>0-1.7' Gray sand, gravel, and shell fragments. Very firm, moist. No odor. Sand is well graded.</i></p> <p><i>1.7-2.6' Gray with orange tint, poorly graded medium sand. Firm, moist. No odor.</i></p> <p><i>2.6-3.0' Light gray, poorly graded medium to fine sand. Very firm, moist. No odor.</i></p>

Appendix B
Grain Size Results



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NAE ENVIRONMENTAL LABORATORY

Project Name: Isle Au Haut FNP

Project Location: Isle Au Haut, Maine

Date Collected: 07/16/25

Date Received: 07/16/25

Date Analyzed: 08/01/25

Preparation Method: ASTM D421-85

Analysis Method: ASTM D 422-63 - Sieve Nos. 4, 10, 40, 100, 200

Lab SOP: Particle Size Analysis of Sediments - Without Hydrometer

Received By: RBL

Analyzed By: RJP

Checked By: RBL

Discussion: Three samples were received by the lab upon completion of field activities. There were no deviations from the established laboratory testing protocols during preparation or analysis

Summary of Results:							
Sample ID	%Cobble	%Gravel		%Sand			%Fines
		Coarse	Fine	Coarse	Medium	Fine	
IAH-A	0.0	19.0		17.6	40.7	21.3	1.5
IAH-B	0.0	20.2		17.6	40.2	21.7	0.4
IAH-C	0.0	19.2		18.0	39.4	22.2	1.1

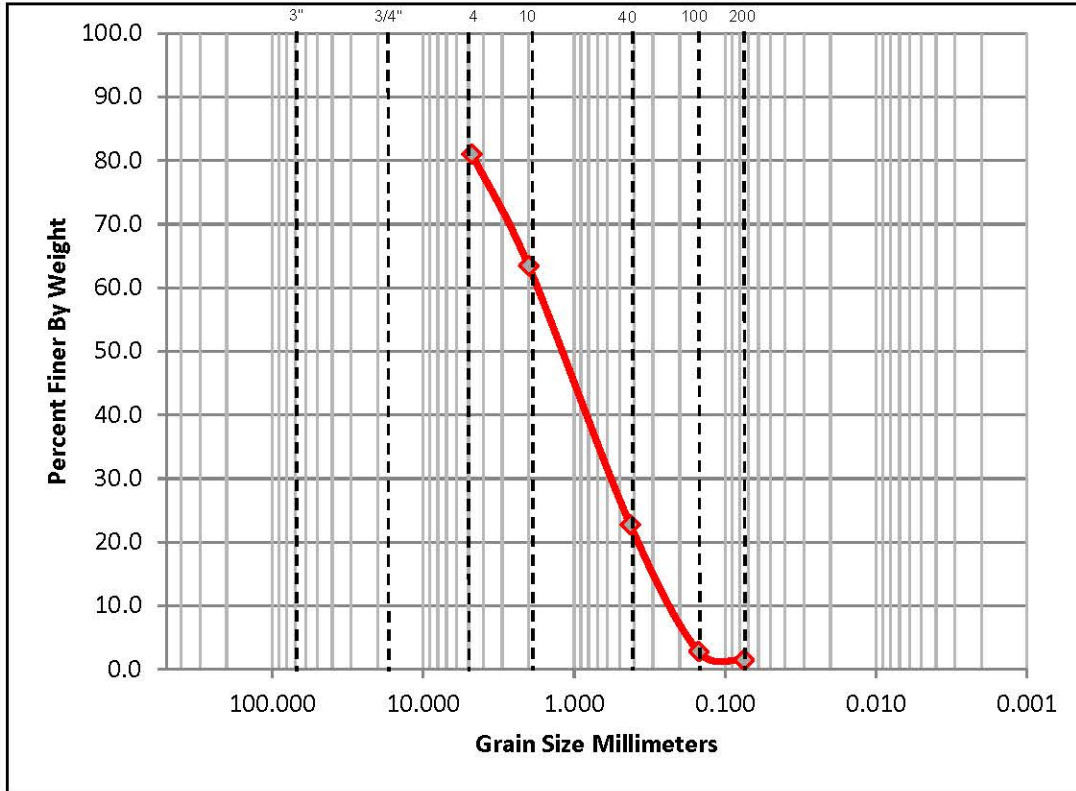


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New England District

Project Name: Isle Au Haut FNP
Project Location: Isle Au Haut, Maine
Sample ID: A

Date: 08/04/25

Particle Size Analysis - ASTM D 422-63



%Cobble	%Gravel		%Sand			%Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0		19.0	17.6	40.7	21.3		1.5

D10	D15	D30	D50	D60	D85	Cc	Cu
0.2489	0.3178	0.7046	1.4794	1.8669	-	3.03	7.50

Original Sample Weight (g)			841.8	Post Wash Weight (g)			-
Sieve	Sieve Size (mm)	Sieve Weight (g)	Shaken Weight (g)	Weight Retained (g)	Percent Retained	Cum. Percent Retained	Percent Finer
#4	4.750	496.1	656.1	160.0	19.0	19.0	81.0
#10	2.000	467.6	615.4	147.8	17.6	36.6	63.4
#40	0.425	359.5	701.7	342.2	40.7	77.2	22.8
#100	0.150	334.1	502.2	168.1	20.0	97.2	2.8
#200	0.075	316.3	327.6	11.3	1.3	98.5	1.5
Pan	-	458.3	470.7	12.4	1.5	100.0	-

Sample Notes:

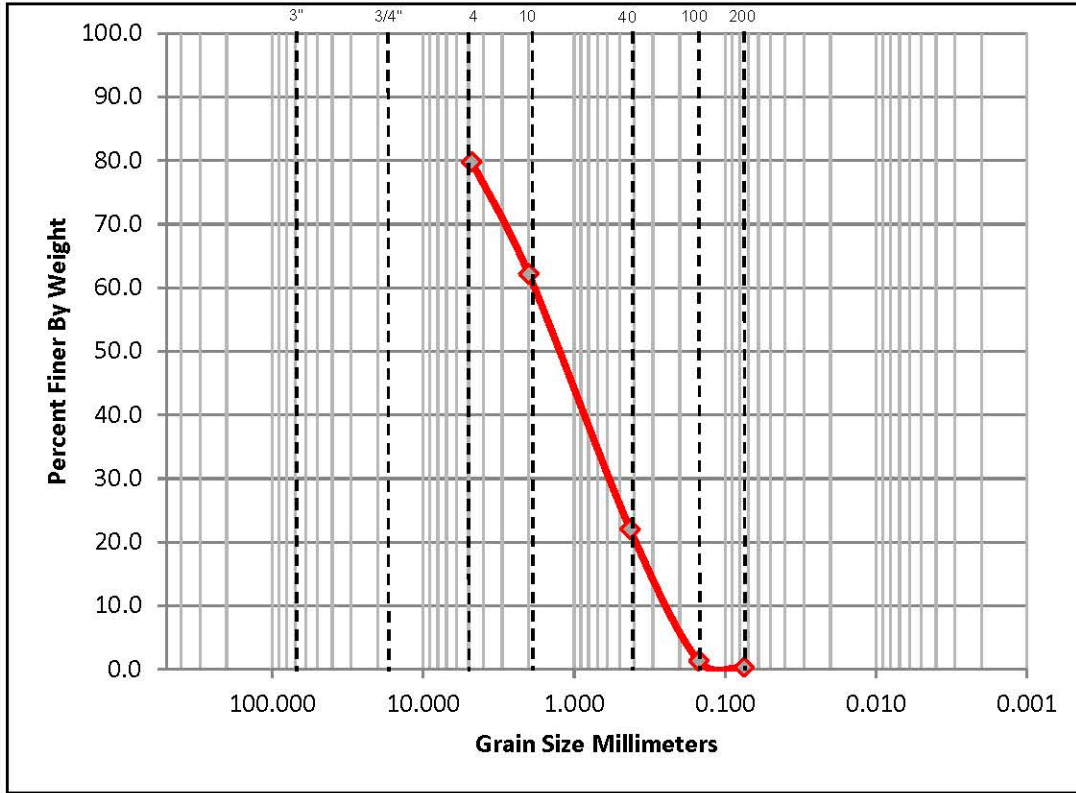


US Army Corps
of Engineers®
New England District

Project Name: Isle Au Haut FNP
Project Location: Isle Au Haut, Maine
Sample ID: B

Date: 08/04/25

Particle Size Analysis - ASTM D 422-63



%Cobble	%Gravel		%Sand			%Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	20.2		17.6	40.2	21.7	0.4	

D10	D15	D30	D50	D60	D85	Cc	Cu
0.2648	0.3313	0.7369	1.5212	1.9134	-	2.91	7.23

Original Sample Weight (g)			869.5	Post Wash Weight (g)			-
Sieve	Sieve Size (mm)	Sieve Weight (g)	Shaken Weight (g)	Weight Retained (g)	Percent Retained	Cum. Percent Retained	Percent Finer
#4	4.750	496.1	672.1	176.0	20.2	20.2	79.8
#10	2.000	467.6	620.2	152.6	17.6	37.8	62.2
#40	0.425	359.5	708.7	349.2	40.2	78.0	22.0
#100	0.150	334.1	513.9	179.8	20.7	98.6	1.4
#200	0.075	316.3	325.1	8.8	1.0	99.6	0.4
Pan	-	458.3	461.4	3.1	0.4	100.0	-

Sample Notes:

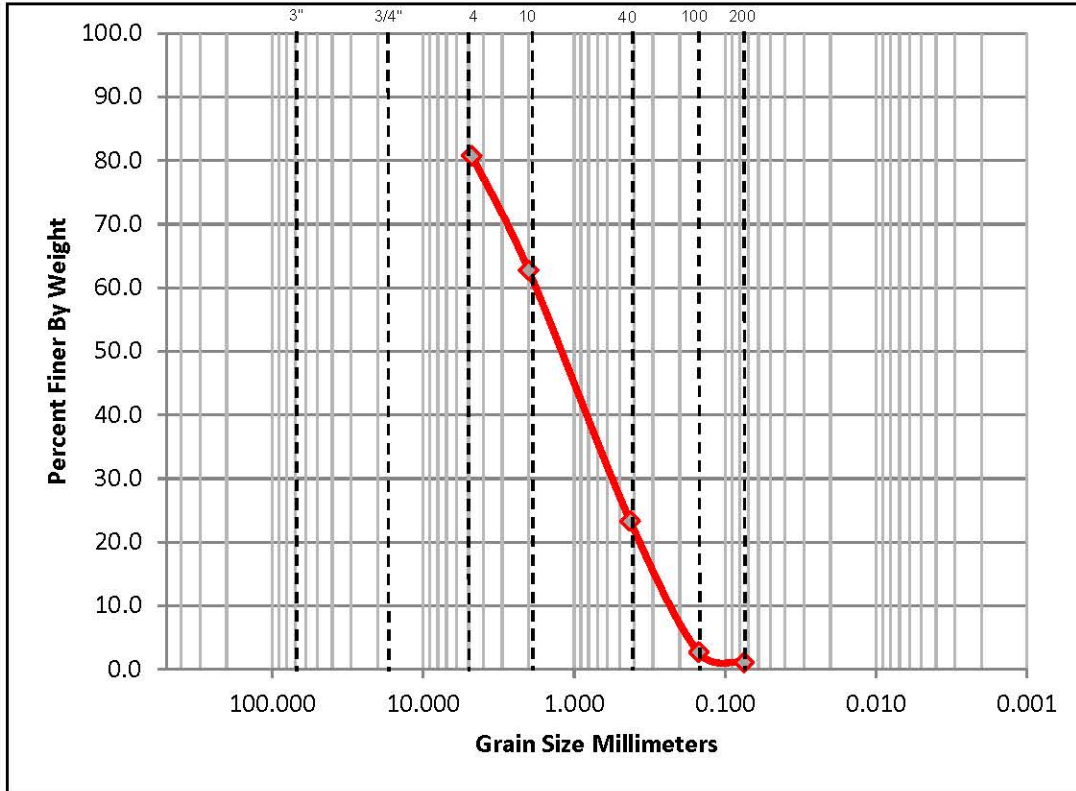


US Army Corps
of Engineers®
New England District

Project Name: Isle Au Haut FNP
Project Location: Isle Au Haut, Maine
Sample ID: C

Date: 08/04/25

Particle Size Analysis - ASTM D 422-63



%Cobble	%Gravel		%Sand			%Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	19.2		18.0	39.4	22.2	1.1	

D10	D15	D30	D50	D60	D85	Cc	Cu
0.2470	0.3138	0.6911	1.4901	1.8896	-	2.96	7.65

Original Sample Weight (g)			895.1	Post Wash Weight (g)			-
Sieve	Sieve Size (mm)	Sieve Weight (g)	Shaken Weight (g)	Weight Retained (g)	Percent Retained	Cum. Percent Retained	Percent Finer
#4	4.750	496.1	668.3	172.2	19.2	19.2	80.8
#10	2.000	467.6	628.7	161.1	18.0	37.2	62.8
#40	0.425	359.5	712.4	352.9	39.4	76.7	23.3
#100	0.150	334.1	518.6	184.5	20.6	97.3	2.7
#200	0.075	316.3	330.8	14.5	1.6	98.9	1.1
Pan	-	458.3	468.2	9.9	1.1	100.0	-

Sample Notes:

Appendix D: Isle au Haut Thoroughfare FNP EFH Assessment

DRAFT

**ESSENTIAL FISH HABITAT ASSESSMENT
FOR MAINTENANCE DREDGING OF THE
ISLE AU HAUT THOROUGHFARE FEDERAL NAVIGATION PROJECT**

March 2026

Prepared by

**U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751**

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1. General Project Information

Date Prepared: March 2026

Project/ Application Number: N/A

Project Name: Isle au Haut Thoroughfare Maintenance Dredging

Project Applicant: N/A

Federal Action Agency: U.S. Army Corps of Engineers, New England District

Fast-41: No

Action Agency Contact Name: Matthew Mroczka

Contact Phone: 978-318-8537

Contact Email: Matthew.E.Mroczka@USACE.Army.Mil

Address: U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

2. Project Description

Location (WGS 84): 44.077664°, -68.634635°

Body of Water (HUC-12): Isle au Haut Thoroughfare, Atlantic Ocean

Project Purpose:

The purpose of this proposed action is to restore the Isle au Haut Thoroughfare Federal Navigation Project (FNP) to its authorized dimensions to provide for safe navigation conditions to all vessels using the Thoroughfare. Isle au Haut Thoroughfare FNP immediately off the Isle au Haut coast, is a navigational passage between Isle au Haut Island and Kimball Island. Isle au Haut is located on the outskirts of Penobscot Bay, about six miles southeast of Stonington, Maine and 25 miles east of Rockland, Maine (Figure 1). The waterway provides access to home port for a small local fishing fleet and seasonal recreational craft and affords protected passage for small vessels.

Project Description:

The Isle au Haut Thoroughfare Federal Navigation Project (FNP) is a 1,200-foot-long channel, minus six feet deep Mean Lower Low Water (MLLW) and 75 feet wide, constructed through the shoal at the eastern end of the thoroughfare. It was completed in 1959.

Flake Island Disposal Site (FIDS) is located in the Gulf of Maine GOM, on the outskirts of Penobscot Bay, about six miles southeast of Stonington, Maine and 25 miles east of Rockland, Maine. The proposed site is defined as an approximately 1,300 ft by 700 ft rectangle on the seafloor centered at 44.090531° N, 68.640068° W (Figure 1).

USACE is proposing to mechanically advanced maintenance dredge approximately 3,335 cy of sand, gravel and cobble shoaling to a depth of -7 feet MLLW plus 1 foot of allowable overdepth (Figure 2). Advanced maintenance dredging for this project has been approved by the USACE North Atlantic Division (NAD) in order to provide for the most cost-effective dredging project possible and ensures safe access for critical boat-based island services for an extended time period. Advanced maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the IHT FNP to its authorized dimensions. The IHT FNP will be shifted 200 feet to the southwest under this alternative into an area that has not been previously dredged. The dredged material will be placed at the FIDS which is approximately one mile northwest of the FNP. Disposing of the material at this location will enhance the benthic environment. Dredging of material from the FNP and disposal at FIDS may occur from September 15- April 1, of the year(s) in which funding becomes

available, to avoid impacts to spawning shellfish/benthic resources, anadromous fish migration, and interactions with endangered fish species

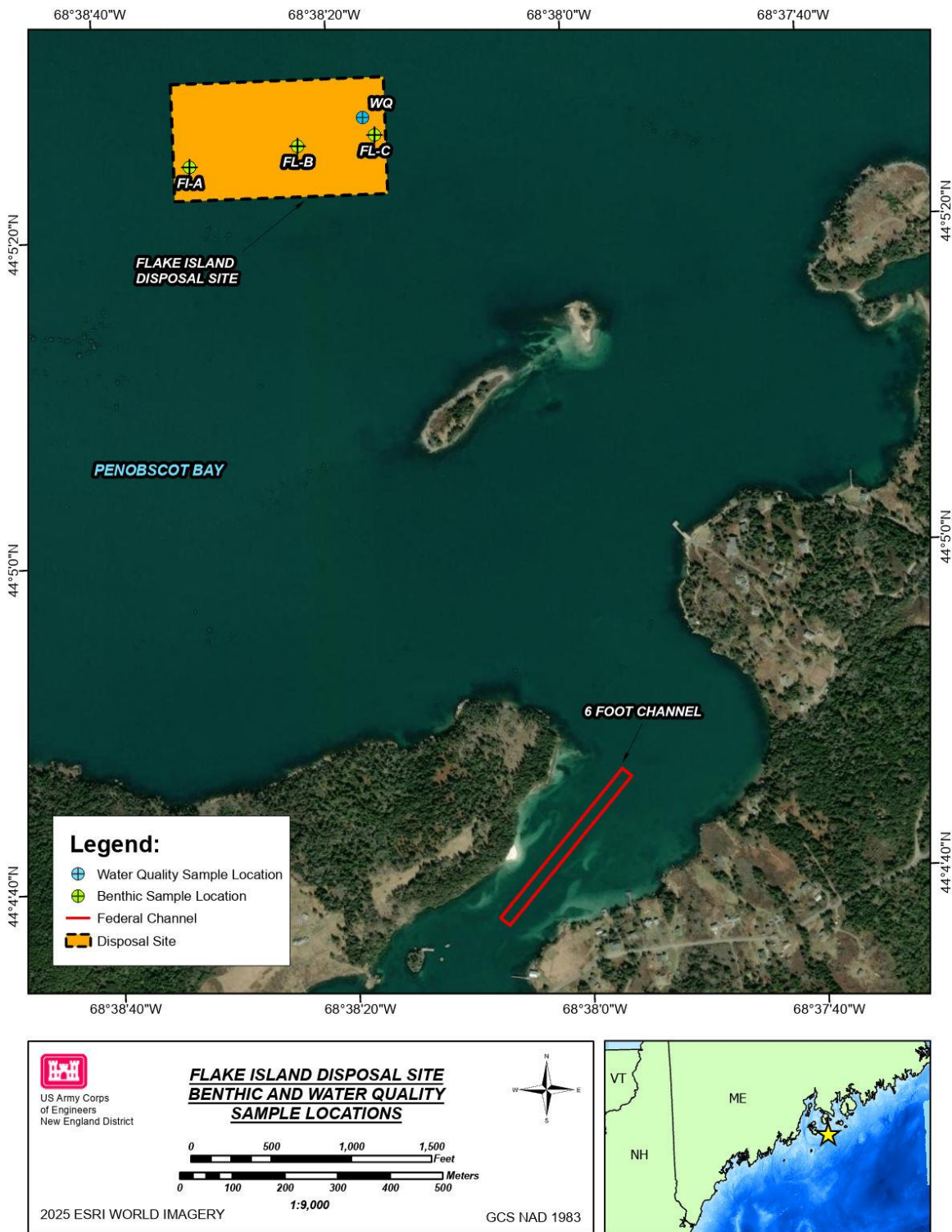


Figure 1: Isle au Haut Thoroughfare FNP and FIDS.

3. Site Description

- Is the project in designated EFH? Yes
- Is the project in designated HAPC? Yes
- Does the project contain any Special Aquatic Sites? No
- Is this coordination under FWCA only? No

Total area of impact to EFH:

According to the latest bathymetry survey conducted by USACE on 16 July 2025, the extent of the project area is approximately 75 feet by 1,200 feet (~2 acres) (USACE, 2024). The approximate area of FIDS is 1,300 feet by 700 feet (~25 acres). The maximum total area of potential impact to all HAPCs is approximately 27 acres. Only a small portion of the placement site will receive dredged material.

Current range of water depths:

According to the latest bathymetry survey conducted by the USACE on 16 July 2025, the current water depth within the Isle au Haut FNP ranges between minus four and minus six feet MLLW. FIDS water depths range from minus three to -43 feet MLLW.

Salinity range:

Isle au Haut FNP is located on the eastern portion of Penobscot Bay, Maine, in the Atlantic Ocean. The FNP is directly connected to the ocean and has a mean salinity of approximately 30 parts per thousand (ppt) (NOAA, 2024).

Water temperature range:

The coldest water temperature in the Project Area is found in March at 37.2F and the warmest occurs in August at 59.4F (Sea Temperature Info, 2025).

4. Habitat Types

Substrate Volumes

Habitat Location	Habitat Type	Total Impacts	Temporary Impacts	Permanent Impacts	Restored to pre-existing conditions?
------------------	--------------	---------------	-------------------	-------------------	--------------------------------------

Marine	Substrate (sand)	approx. 3,335 cy	approx. 3,335 cy	none	Yes
--------	------------------	------------------	------------------	------	-----

Subtidal Areas

The subtidal areas in and surrounding the FNP are dominated by sandy sediments with patches of boulder, cobble, bed rock ledge.

SAV Present?

No, There is no SAV present in or adjacent to the FNP or the placement site. See Figure 2.

Submerged Aquatic Vegetation (SAV)

According to the 2010 Maine Department of Marine Resources eelgrass layer the nearest eelgrass bed is approximately 100 ft from the Isle au Haut Thoroughfare FNP (Figure 2) (Maine DMR, 2025). USACE conducted an eelgrass survey in April 2025 and found **no** eelgrass in or adjacent to the Isle au Haut FNP or FIDS locations.

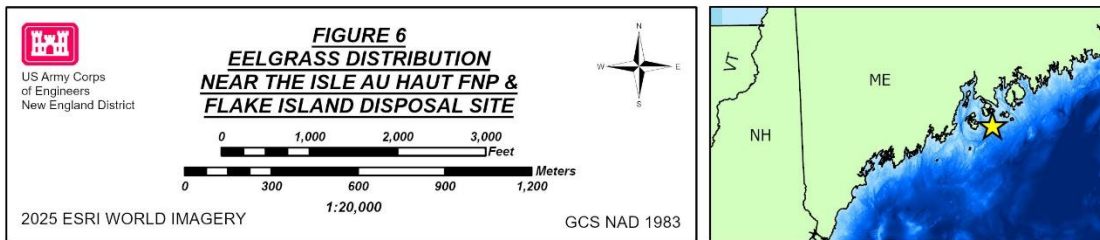
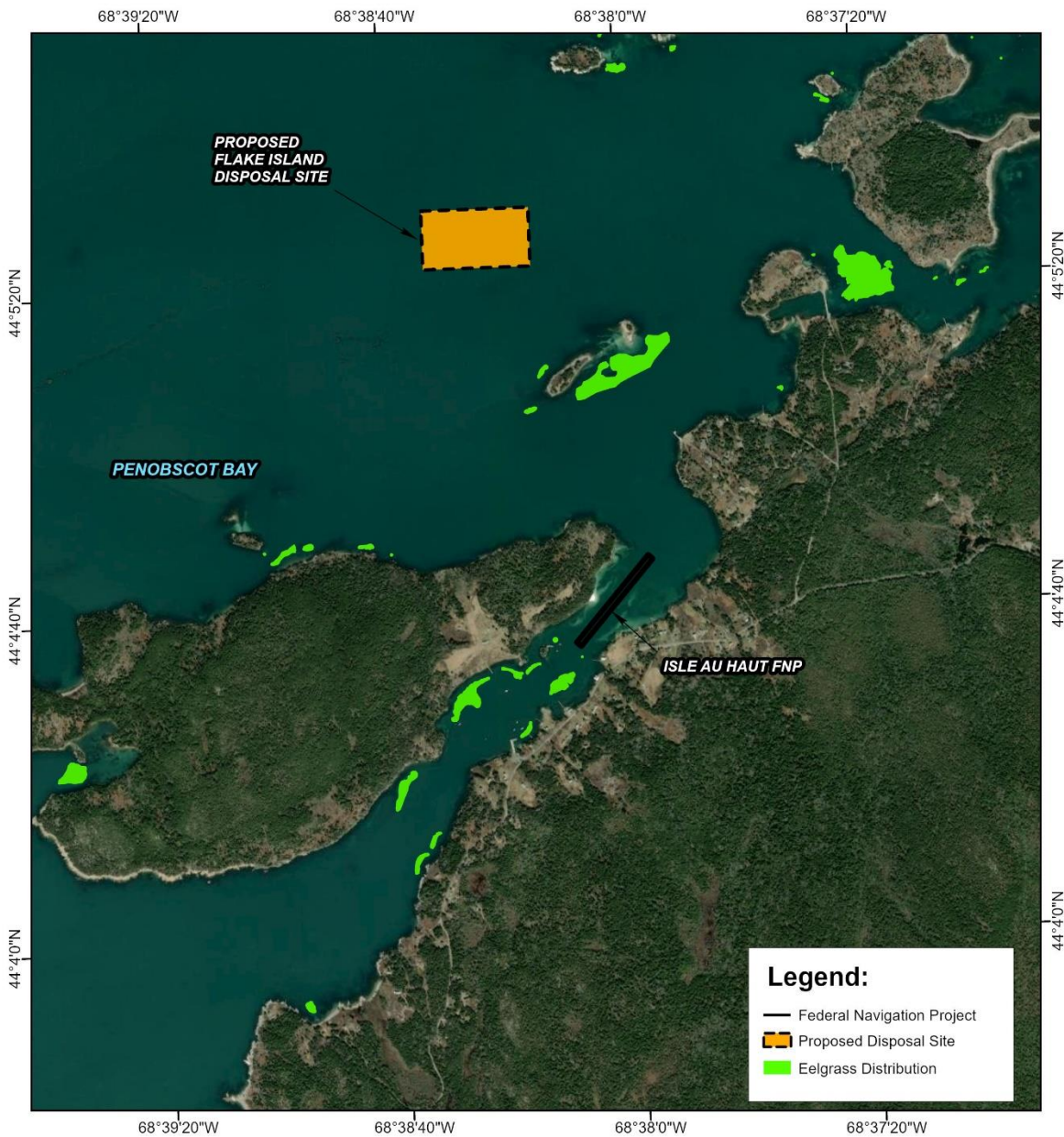


Figure 2: Eelgrass distribution (Green Shading) in the vicinity of the Isle au Haut Thoroughfare FNP (Maine DMR, 2025)

Sediment Characteristics:

Substrate Type:	Present at Site?	Approx. percentage of Total Substrate at Site:
Silt/Mud (<0.063mm)	No	1%
Sand (0.063-2mm)	Yes	79.5%
Granule/ Pebble (2-64mm)	Yes	19.5%
Cobble (64-256mm)	Yes	0%
Rocky: Boulder (>4096mm)	Yes	0%
Rocky: Coral	No	0%
Bedrock	Yes	0%

Source: (See Appendix C, Suitability Determination, for the Isle au Haut Thoroughfare Environmental Assessment)

General Description of the Sediment Composition:

The placement of cobble, gravel, and sandy sediments in the disposal site is regulated under Section 404 of the Clean Water Act. Subpart G of Section 404(b)(1), Guidelines for Specification of Disposal Sites for Dredged or Fill Material, describes the procedures for conducting this evaluation, including any relevant testing that may be required.

Under 40 CFR Part 227.13, further testing of the dredged material is not necessary if the material is not considered a carrier of contaminants. According to §227.13 (b)(1) this exclusion applies if the dredged material is composed primarily of sand, gravel, rock, or other naturally occurring bottom material with particle sizes larger than silt, and the material is found in areas of high current or wave energy such as coastal areas with shifting bars and channels.

Based on a review of the reconnaissance survey data, 2025 grain size data, and the area to be dredged, the USACE determined that the proposed dredged material is composed primarily of sand and gravel from a high energy environment and is not likely a carrier of contaminants. The IHT FNP meets the exclusionary criteria established in §227.13(b) of the MPRSA and is suitable for placement at FIDS as proposed. See Appendix C for the full suitability determination.

Diadromous Fish Migratory or Spawning Habitat

The Isle au Haut FNP and FIDS are in the marine zone removed from any freshwater input. No Diadromous fish migratory or spawning habitat exists.

5. EFH and HAPC Designations

Federally managed species and their associated life stages known to have EFH within the project area. X=Dredge site, P=Placement Site (NMFS, 2025).

Species	Eggs	Larvae	Juveniles	Adults
Acadian Redfish (<i>Sebastes fasciatus</i>)		X, P		
American Plaice (<i>Hippoglossoides platessoides</i>)	X, P	X, P	X, P	X, P
Atlantic Butterfish (<i>Peprilus triacanthus</i>)			X, P	X, P
Atlantic Cod (<i>Gadus morhua</i>)	X, P	X, P	X, P	X, P
Atlantic Herring (<i>Clupea harengus</i>)		X, P	X, P	X, P
Atlantic Mackerel (<i>Scomber scombrus</i>)			X, P	X, P
Atlantic Sea Scallop (<i>Placopecten magellanicus</i>)	X, P	X, P	X, P	X, P
Atlantic Wolfish (<i>Anarhichas lupus</i>)	X, P	X, P	X, P	X, P
Bluefin Tuna (<i>Thunnus thynnus</i>)				X, P
Bluefish (<i>Pomatomus saltatrix</i>)			X, P	X, P
Common Thresher Shark (<i>Alopias vulpinus</i>)		X, P	X, P	X, P
Haddock (<i>Melanogrammus aeglefinus</i>)			X, P	
Little Skate (<i>Leucoraja erinacea</i>)			X, P	X, P
Monkfish (<i>Lophius americanus</i>)			X, P	
Ocean Pout (<i>Macrozoarces americanus</i>)	X, P		X, P	X, P
Pollock (<i>Pollachius virens</i>)			X, P	
Red Hake (<i>Urophycis chuss</i>)	X, P	X, P	X, P	X, P
Silver Hake (<i>Merluccius bilinearis</i>)	X, P	X, P		XP
Smooth Skate (<i>Malacoraja senta</i>)			X, P	
Thorny Skate (<i>Amblyraja radiata</i>)			X, P	
White Hake (<i>Urophycis tenuis</i>)		X, P	X, P	X, P
Windowpane Flounder (<i>Scopthalmus aquosus</i>)	X, P	X, P	X, P	X, P
Winter Flounder (<i>Pseudopleuronectes americanus</i>)	X, P	X, P	X, P	X, P
Winter Skate (<i>Leucoraja ocellata</i>)			X, P	
Yellowtail Flounder (<i>Pleuronectes ferruginea</i>)				X, P

6. Habitat Areas of Particular Concern (HAPCs)

Select all that apply	HAPC Designation	Select all that apply	HAPC Designation
	Summer flounder: SAV		Alvin & Atlantis Canyons
	Sandbar shark		Baltimore Canyon
	Sand Tiger Shark (Delaware Bay)		Bear Seamount
	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)		Heezen Canyon
X	Inshore 20m Juvenile Cod		Hudson Canyon
	Great South Channel Juvenile Cod		Hydrographer Canyon

	Northern Edge Juvenile Cod		Jeffreys & Stellwagen
	Lydonia Canyon		Lydonia, Gilbert & Oceanographer Canyons
	Norfolk Canyon (Mid-Atlantic)		Norfolk Canyon (New England)
	Oceanographer Canyon		Retriever Seamount
	Veatch Canyon (Mid-Atlantic)		Toms, Middle Toms & Hendrickson Canyons
	Veatch Canyon (New England)		Washington Canyon
	Cashes Ledge		Wilmington Canyon
X	Atlantic Salmon (Coastal Areas, All Life Stages)		

The Isle au Haut FNP and FIDS are located within the HAPC for Atlantic cod juveniles (inshore, 20 m) and within the HAPC for Coastal Atlantic Salmon.

The HAPC for Atlantic cod juveniles recognizes the importance of structurally complex rocky-bottom habitat in inshore areas. These habitats contain attached epiflora and benthic invertebrates that provide prey for Atlantic cod and the structural complexity of the habitat is used as refuge areas from predators. The dredge site does not contain any complex rocky habitat preferred by Atlantic cod juveniles. FIDS, however, does contain some complex rocky habitat. The dredged material from the FNP contains gravel and cobbles that will be placed in areas of the disposal site that are devoid of complex rocky habitat. This dredged material will enhance juvenile cod and lobster habitat already found at FIDS. Consequently, the project is expected to have positive impacts to this HAPC for juvenile Atlantic cod.

The Atlantic salmon Coastal Areas HAPC is generally characterized by salinities below 25 ppt. Transit habitats utilized during upstream and downstream migration include streams, rivers, and estuaries from 1st to 5th order, as well as coastal marine areas adjacent to the mouths of designated rivers and estuaries within state waters (out to 3 miles). The Isle au Haut Thoroughfare is located between two Islands 25 miles from the mainland and the nearest freshwater river. The FNP and FIDS are fully marine ecosystems removed from the nearest salmon river. No impacts to the Atlantic salmon Coastal Areas HAPC are expected.

7. Activity Details

Select all that apply	Project Type/Category
	Agriculture
	Aquaculture
	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
	Beach renourishment
X	Dredging/excavation

	Energy development/use e.g., hydropower, oil and gas, pipeline, transmission line, tidal or wave power, wind
X	Fill
	Forestry
	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port, railroad)
	Intake/outfall
	Military (e.g., acoustic testing, training exercises)
	Mining (e.g., sand, gravel)
X	Overboard dredged material placement
	Piers, ramps, floats, and other structures
X	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, mitigation bank/ILF creation, Beneficial use of dredged material)
	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
	Water quality (e.g., storm water drainage, NPDES, TMDL, wastewater, sediment remediation)
	Other:

8. Effects Evaluation

	Potential Stressors Caused by the Activity
X	Underwater noise
X	Water quality-turbidity/contaminant release
X	Vessel traffic/barge grounding
	Impingement/entrainment
	Prevent fish passage/spawning
X	Benthic community disturbance
X	Impacts to prey species

Select All That Apply and if Temporary or Permanent		Habitat Alterations Caused by the Activity
Temporary	Permanent	
		Water Depth Change
		Tidal Flow Change
		Fill
X		Habitat type Conversion
		Other
		Other

Project Impacts and Mitigation

Project Impacts to EFH by Species

Acadian Redfish (*Sebastes fasciatus*). EFH for redfish larvae is designated at the Isle au Haut FNP and FIDS. Larval EFH includes pelagic habitats in the GOM. Larvae may be present from April to August shortly after the spring plankton bloom; they peak in abundance from late May to early June (NMFS, 1999). Impacts to larval EFH will largely be avoided as project activity will produce very little turbidity and take place outside most of the window when larvae may be present (September 15 to April 1). Therefore, no adverse impacts to larval redfish EFH are expected to occur due this project.

American Plaice (*Hippoglossoides platessoides*). EFH for American plaice eggs, larvae, juveniles and adults in designated at the Isle au Haut FNP and FIDS. American plaice eggs and larvae are distributed similarly, inhabiting pelagic habitats of the GOM and high salinity zones of bays and estuaries. American plaice juveniles and adults inhabit sub-tidal benthic habitats in the GOM from 40 to 180 m, including mixed and high salinity zones in coastal bays and estuaries. Essential fish habitat for both juveniles and adults consists of soft bottom substrates, like mud and sand, as well as areas consisting of gravel or sand substrates bordering bedrock (NEFMC and NMFS, 2017). It is unlikely for any life stage of American plaice to occur within the project site, as eggs and larvae mainly inhabit pelagic waters, and juveniles and adults prefer depths deeper than those found within the project area. Therefore, no significant impacts to American plaice and their associated EFH are expected due to the proposed project.

Atlantic butterflyfish (*Peprilus triacanthus*) EFH for Atlantic butterflyfish juveniles and adults is designated at the Isle au Haut FNP and FIDS. EFH for juveniles and adults of Atlantic butterflyfish can be found in pelagic habitats in inshore estuaries and embayment's within the GOM and south. Juvenile and adult EFH is typically found at depths of 10 to 280 m. Diet commonly includes planktonic prey and crustaceans. Butterflyfish are common in coastal waters during the summer months, moving north and inshore to feed. During winter, butterflyfish move south and offshore to overwinter. Spawning occurs in the coastal waters offshore during the summer months (June through August) (NMFS, 1999). Impacts to juvenile and adult EFH will largely be avoided as project activity will produce very little turbidity and take place outside the window when juveniles and adults may be present (September 15 - April 1). Atlantic butterflyfish EFH is not expected to be affected by project activity.

Atlantic Cod (*Gadus morhua*). EFH for all life stages of Atlantic cod is designated at the Isle au Haut FNP and FIDS. EFH for cod eggs and larvae are pelagic waters in the GOM, Georges Bank, and the mid-Atlantic region in the high salinity zones of bays and estuaries. Eggs are buoyant and found at depths < 100 m, while larvae persist from near surface down to depths of 75 m, transitioning deeper as they get older. Eggs can be found in nearshore areas in the GOM from November through July with peak abundance in March and April. Juvenile cod EFH includes intertidal and sub-tidal habitats out to a maximum depth of 120 meters. Juvenile habitat types include eelgrass, mixed sand and gravel, and rocky habitats with and without attached macroalgae and emergent epifauna. In inshore waters, young-of-the-year juveniles prefer gravel and cobble habitats and eelgrass beds after settlement. EFH for adult cod is similar sub-tidal benthic habitats between 30 and 160 m. Spawning can occur year-round, typically peaking in spring at depths < 70 m (NMFS, 2004).

Any impacts to egg and larvae EFH due to a temporary increase in turbidity at the Isle au Haut FNP and FIDS are anticipated to be minimal. Juvenile and adult cod EFH may be temporarily impacted by project activities. The project work will take place quickly as only 3,335 cy of material is needed to be dredged. Any juvenile or adult cod displaced by project activities should be able to find safe EFH to either side of the active dredging and placement areas in suitable adjacent habitats. At the completion of project activities there will be no net loss of natural EFH and a gain of manmade EFH due to the placement of dredged materials in the 20 m juvenile cod HAPC. Project activity is not expected to negatively affect EFH for any life stage of Atlantic cod.

Atlantic Herring (*Clupea harengus*). EFH is designated larvae, juvenile and adult life stages of Atlantic herring in the Isle au Haut FNP and FIDS. Atlantic herring larvae primarily inhabit inshore and offshore pelagic habitats in the GOM and are transported long distances in estuarine waters where they metamorphose into juveniles. Juvenile EFH occurs in intertidal and subtidal pelagic habitats to depths of 300 m. Juveniles migrate offshore to overwinter. Similarly, adult EFH occurs in subtidal pelagic habitat to a maximum depth of 300 m with peak abundance from spring to fall. Adult herring migrate to southern New England and the Mid-Atlantic region to overwinter. Unless spawning, they usually remain near the surface, rarely migrating to depths greater than

100 m. Spawning takes place from August to December at depths of 5 – 90 m preferably on gravel substrates (NMFS, 1999). Impacts to larval, juvenile and adult EFH will largely be avoided as project activity will produce very little turbidity. EFH for larval, juvenile and adult life stages of herring is not expected to be significantly impacted by the project.

Atlantic Mackerel (*Scomber scombrus*). EFH for juvenile and adult life stages of Atlantic mackerel is designated at the Isle au Haut FNP and FIDS. Juveniles eat mostly small pelagic crustaceans such as copepods, amphipods, mysid shrimp and decapod larvae. During the winter, Atlantic mackerel migrate to deep water offshore and eventually move back inshore in the spring. Juveniles are most often found at depths > 20 m, however in the summer some are found in bays and estuaries in water as shallow as 5 to 10 m deep. Juveniles are found in temperatures ranging from 37 to 72 °F depending on the time of year (NMFS, 1999). EFH for the adult life stage includes pelagic habitats in inshore estuaries and embayment's throughout the GOM. Atlantic mackerel are generally found offshore and are not dependent on the coastline or bottom substrate for any period of their lives. Adults occur in waters with bottom depths < 170 m. Spawning occurs in spring and early summer (typically June) with resulting pelagic egg and larvae being dispersed by currents. Adult mackerel also migrate offshore in late fall to overwinter (NMFS, 1999). No adverse effects are expected to Atlantic mackerel EFH due to this project.

Atlantic Sea Scallop (*Placopecten magellanicus*). EFH for all life stages of sea scallop is designated at the Isle au Haut FNP and FIDS. EFH is designated for all life stages of Atlantic sea scallop in benthic and water column habitats in the GOM. Sea scallop eggs are released into the water column where they remain low to the seafloor until they transition into planktonic larvae within roughly 36 hours of spawning. Larval "spat" only settle on hard surfaces including shells, pebbles, and gravel or by attaching to macroalgae and other benthic organisms. Settling on soft substrate and shifting sand results in a failure to survive. Generally, juvenile and adult scallops, are found on sand and gravel substrates at depths of 18 to 110 m. close to where they settle as larvae. Spawning occurs during a short window in the fall, typically between late September and early October (NMFS and NEFMC. 2017). A lack of suitable substrate (mostly sand in a high energy environment) at Isle au Haut FNP and FIDS and the lack of suitable depth precludes the presence of newly settled "spat" and therefore juvenile and adult sea scallop beds. This project will not significantly affect any EFH of any sea scallop life stage.

Atlantic wolffish (*Anarhichas lupus*). EFH for all life stages of wolffish is designated at the Isle au Haut FNP and FIDS. Egg EFH occurs on rocky substrate at depths < 100 m with egg masses hidden under rocks and boulders in nests. Larvae occur in subtidal pelagic habitats typically near the bottom shortly after hatching and increasing in buoyancy with age. Juvenile EFH is designated as subtidal benthic areas at depths between 70 to 184 m. Adult EFH is similarly designated as subtidal benthic areas in depths < 173 m; it can include a variety of substrates with exception to muddy sediments. Spawning takes place in rocky habitats at depths of 50 to 100 m in the GOM (NOAA, 2017)

Wolffish tend to be found in deeper water depths than what occurs at the Isle au Haut FNP and FIDS. Any impacts to egg and larvae EFH due to a temporary increase in turbidity at the Isle au Haut FNP and FIDS are anticipated to be minimal. Project activity is not expected to affect EFH for any life stage of wolffish.

Bluefin Tuna (*Thunnus thynnus*). EFH for adult bluefin tuna is designated at the Isle au Haut FNP and FIDS. The bluefin tuna is distributed in many regions including the warmer parts of the Atlantic, Pacific, and Indian oceans, as well as the Mediterranean Sea. In the western Atlantic, the bluefin tuna ranges from Labrador south along the U.S. coast into the Gulf of Mexico and the Caribbean and from Venezuela to Brazil. Bluefin tuna are a strong swift swimming migratory pelagic species. They school by size and are common in the Gulf Stream. In July through October, Adult bluefin tuna will congregate on the continental shelf off New England. Spawning is believed to occur in May and June in the Straits of Florida and does not appear to occur north of this along the U.S. coast. Impacts to adult bluefin tuna at the proposed project sites are expected to be minimal. Impacts to the water column habitat from dredged material disposal are expected to be short term and localized, therefore no significant effects to adult bluefin tuna EFH are expected.

Bluefish (*Pomatomus saltatrix*). EFH for juvenile and adult bluefish is designated at the Isle au Haut FNP and FIDS. Bluefish occur within temperate and semi-tropical waters world-wide but are often found near Cape Hatteras, Montauk Point, West Keys, Nantucket Island, Cape Cod Bay, and a plethora of North Atlantic estuaries. Juvenile bluefish occur in the upper 20 m of the North Atlantic, Mid-Atlantic, and South Atlantic estuaries from June through October, May through October, and March through December, respectively. Adults are also found in these three regions of estuaries, slightly differing in time frame, and occur in normal shelf salinities (>25 ppt) ranging in depth from 6 to 30 m (NMFS, 2006). Bluefish juveniles and adults may be found within the project area during the warmer months of the year. As juvenile and adult life stages of this species are motile, they can avoid the area during periods of disturbance from construction by moving to adjacent non- disturbed areas. The proposed project is not anticipated to alter bottom habitats significantly and all impacts are expected to be short-term and localized. Therefore, no significant impact to bluefish and their associated EFH are expected due to the proposed project.

Common Thresher Shark (*Alopias vulpinus*). EFH for all life stages of the common thresher shark is designated for Isle au Haut FNP and FIDS. Common thresher sharks are a fast-moving, highly migratory species that is found globally in warm and temperate waters. It is found in both coastal and oceanic waters but is more abundant near land. Adults feed on invertebrates such as squid and pelagic crabs as well as small fishes such as anchovy, sardines, hakes, and small mackerels (NOAA, 2023). The window for dredging (September 15 - April 1) avoids most of the time of year that common thresher sharks are likely to be in the project area. Because the project window avoids the time of year for peak water temperature and because prey items will not be adversely affected, no effect to adult common thresher shark EFH is expected because of this project.

Haddock (*Melanogrammus aeglefinus*). EFH for juvenile stages of haddock is designated at Isle au Haut FNP and FIDS. EFH for juveniles occurs in the GOM in subtidal waters at depths of 40 to 140 m. The preferred substrate for juveniles include hard sand and gravel. Impacts to juvenile EFH are not anticipated. Juvenile haddock tend prefer deeper water than what is found at the Isle au Haut FNP and FIDS (NMFS, 2005). No EFH impacts are expected for this species.

Little Skate (*Leucoraja erinacea*). EFH for little skate juveniles and adults is designated for both the Isle au Haut FNP and FIDS. Little skate EFH occurs on sand, gravel, and mud substrates and are known to bury themselves in depressions on the floor during the day and are more active at night. Off southern New England, little skate can be found between 15 to 50m and at temperatures between 35°F to 71°F. Juveniles and adults are benthic feeders, with crustaceans and polychaetes being important food sources. Little skate move inshore and offshore seasonally, moving into shallower inshore waters during spring and then into deeper waters in winter from roughly November to April (NMFS, 2003). The project window (November 8 to April 8) occurs during the time when little skate will be absent in the dredge and disposal areas. The project's limited duration and footprint will have little to no effect on little skate biology. However, no EFH will be permanently lost or converted, and benthic communities will recolonize rapidly post-dredging (Newell, 1998). Therefore, only minimal effects to little skate EFH are expected because of this project.

Monkfish (*Lophius americanus*). EFH for juvenile stages of monkfish is designated at the Isle au Haut FNP and FIDS. Monkfish, or goosefish, are distributed in the northwest Atlantic from the Gulf of St. Lawrence to Cape Hatteras, North Carolina. EFH for juvenile monkfish include sub-tidal benthic habitats in depths between 20 to 400 meters in the GOM (GOM). Preferred habitat includes hard sand, pebbles, gravel, broken shells, and soft mud. Monkfish spawn from February to October with resulting egg and larvae being found from March to September. Prey includes small fish, shrimp, squid, and crustaceans (NOAA, 2017). Impacts to potential living and foraging habitat at Isle au Haut FNP and FIDS will be minimal due to their preference for much deeper water. No adverse impacts are expected for monkfish EFH.

Ocean Pout (*Macrozoarces americanus*). Eggs, juvenile and adult ocean pout EFH is designated for the Isle au Haut FNP and FIDS. Ocean pout spawning occurs in hard bottom, sheltered areas in the late summer through early winter (with a peak in September and October) at depths < 165 feet and temperatures < 50 °F. Egg development is about 2 to 3 months, but incubation time is temperature dependent and is shorter in warmer waters. Most of the population spawns in the fall and hatching occurs by mid-winter. Ocean pout eggs are deposited in sheltered nests over hard-bottom habitats, where they are protected by one or both parents. Ocean pout feed on benthic crustaceans, polychaetes, and echinoderms. Juveniles specifically inhabit intertidal and subtidal benthic habitats extending to 120 meters in the GOM. Juvenile EFH consists of a wide variety of sediments such as shells, rocks, algae, soft sediments, sand, and gravel. Similarly, adults are often found in sub-tidal benthic habitats between 40 and 140 meters. Adult EFH includes mud and sand where they are known to burrow

tail first. They also utilize structure forming habitats such as shells, gravel, or boulders for protection and are known to occupy nesting holes under rocks or crevices in depths less than 100 meters prior to spawning. All three life stages also prefer the high salinity zones of several bays and estuaries (NEFMC and NMFS, 2017). Ocean pout eggs may be susceptible to damage from dredging activity as they occur in benthic habitats in depths less than 100 meters, habitat which is present in the project area. However, as the impacts to the habitat will be short-term and highly localized, no significant impacts to ocean pout eggs are likely. Although juvenile and adult ocean pout and their EFH occur within the project area, it is unlikely they will be vulnerable to project activity. It is expected that both life stages will temporarily move to other areas to avoid any dredging. As all impacts are expected to be temporary and localized and the bottom habitat will remain similar to pre-construction conditions, no more than minimal impacts to ocean pout juvenile and adult EFH are anticipated.

Pollock (*Pollachius virens*). EFH is designated for the juvenile pollock at the Isle au Haut FNP and FIDS. EFH for juveniles includes inshore and offshore pelagic and benthic habitats from the intertidal zone to 180 m in the GOM. Juveniles require rocky bottom habitat with attached macroalgae or eelgrass beds. EFH for adults includes offshore pelagic and benthic habitats, primarily mixed rocky substrates with attached macroalgae, in the GOM between 80 – 300 m. In the GOM, spawning occurs over hard, stony, or rocky habitat from November to February (NMFS, 1999). Juvenile pollock EFH may be minimally affected due to increased turbidity during construction, but these effects will be localized and temporary. Juvenile pollock will be able to make use of the other parts of the thoroughfare breakwater and natural bedrock areas while construction is underway. No adverse long-term impacts are expected for juvenile pollock EFH.

Red Hake (*Urophycis chuss*). EFH for eggs, larvae, juvenile and adult red hake is designated at the Isle au Haut FNP and FIDS. Red hake have egg and larvae EFH in the pelagic waters of the GOM. Spawning in the GOM populations primarily peaks in summer from June – August. Larvae have been found in the water column from May to December. EFH for juvenile red hake is designated in intertidal and subtidal waters at depths up to 80 m and most notably in habitats of greater complexity including mud, sand, and substrates with biogenic growth. Juveniles are commonly found in sheltered structures. Juvenile and adult red hake migrate to deeper waters (up to 980 m) to overwinter in the GOM (NMFS, 1999). Since very little turbidity will be associated with the project there will be minimal effects to egg and larvae EFH. Juvenile and adult EFH is also not expected to be significantly affected as project activity will be restricted to one small area. Any impacts to the benthic habitat due turbidity will be temporary and localized. No adverse impacts are expected for red hake EFH.

Silver Hake (*Merluccius bilinearis*) EFH for egg, larvae, and adult silver hake is designated at the Isle au Haut FNP and FIDS. EFH is designated for eggs, larvae, juveniles and adults in pelagic habitats in the GOM. Juvenile and adult EFH is also designated for benthic habitats in the GOM at depths greater than 40 m and 35 m, respectively. Silver hake migrate inshore in the spring and summer to spawn with the season peaking in June in the GOM. Egg abundance peaks in August and rapidly declines in September and October (NMFS, 1999). Due to the deep-water preferences

of juvenile and adult hake, and the pelagic nature of their eggs and larvae, only minimal adverse effects to egg, larvae, or adult silver hake EFH are expected because of this project.

Smooth Skate (*Malacoraja senta*). EFH for juvenile smooth skate is designated at the Isle au Haut FNP and FIDS. Smooth skate juveniles prefer benthic habitats between 100 and 400 meters in the GOM, on the continental slope to a depth of 900 meters, and in depths less than 100 meters in the high salinity zones of a number of bays and estuaries along the Maine coast. Additionally, essential fish habitat for juveniles in the GOM consists of areas offshore with soft mud, sand, broken shells, gravel, and pebbles (NEFMC and NMFS, 2017). It is unlikely for juvenile smooth skates to occur within the project site as prefer depths deeper than those within the project area. Therefore, no significant impacts are expected to smooth skates and their associated EFH are expected due to the proposed project.

Thorny Skate (*Amblyraja radiata*). EFH for juvenile thorny skate is designated at the Isle au Haut FNP and FIDS. Thorny skate juveniles inhabit benthic areas between 35 and 400 meters in the GOM and on the continental slope up to 900 meters in depth. In addition, they can be found in shallower waters in high salinity zones of bays and estuaries north of Cape Cod. Overall, juvenile's preference for benthic sediment types varies between sand, gravel, broken shells, pebbles, and soft mud (NEFMC and NMFS, 2017). It is unlikely that thorny skates will be found within the project area as their preferable depths are deeper than those found within the project area. Therefore, no significant impact is expected to EFH for juvenile thorny skates.

White Hake (*Urophycis tenuis*) EFH for larvae, juvenile and adult stages of white hake occur in the Isle au Haut FNP and FIDS. EFH for white hake larvae include the pelagic habitats in the GOM. Pelagic larvae tend to remain far offshore near deep water spawning areas along the continental slope and Georges Bank. Spawning is believed to occur during late spring (April and May) with peak egg and larvae abundances occurring in summer. EFH for juvenile white hake occurs in intertidal and sub-tidal estuarine and marine habitats in the GOM to a maximum depth of 300 m. Juvenile abundances peak in May to June in nearshore waters. EFH for benthic phase juveniles occurs on fine-grained, sandy substrates in eelgrass, macroalgae, and un-vegetated habitats (NEFMC, 2017). Adult white hake live in sub-tidal, benthic habitats in the GOM, including certain mixed and high salinity portions of bays and estuaries at depths greater than 25 meters and between 100 and 400 meters in the outer gulf. In addition, adults rely on fine grained, muddy substrates, and mixed soft and rocky areas (NEFMC and NMFS, 2017). No impacts to larval EFH are expected as the project is located in shallow water. Impacts to juvenile EFH will be minimal as there will be only a slight increase in turbidity. Project activity is not expected to negatively impact any stage of white hake EFH.

Windowpane flounder (*Scopthalmus aquosus*). EFH for egg, larval, juvenile and adult windowpane flounder occurs at the Isle au Haut FNP and FIDS. EFH for all windowpane flounder life stages is designated in intertidal and sub-tidal benthic habitats

in estuarine, coastal marine, and continental shelf waters in the GOM. Eggs and larvae are pelagic while juveniles and adults prefer mud and sand substrates in the intertidal and subtidal benthic zones. Spawning can occur year-round but primarily takes place from February or March in inner shelf waters into the summer on Georges Bank. Eggs and larvae can be found in the water column from March to November with peak abundance in late spring. Juveniles occur at depths up to 60 m and adults up to 70 m. Juveniles migrate to deeper waters (> 60 m) in late fall to overwinter offshore (NEFMC, 2017). Egg and larval EFH will not be impacted as they are offshore and pelagic. Juvenile and adult windowpane flounder EFH is not expected to be significantly impacted by the project as they tend to live on open mud and sand habitat. Only minimal effects are expected to this species EFH.

Winter Flounder (*Pseudopleuronectes americanus*). EFH for all life stages of winter flounder are designated for the Isle au Haut FNP and FIDS. EFH for all life stages of winter flounder is designated in the GOM. Egg EFH is designated as subtidal estuarine and coastal benthic habitat from mean low water to five meters (up to 70 m on Georges Bank). Essential habitats for winter flounder eggs include mud, muddy sand, sand, gravel, macroalgae, and submerged aquatic vegetation. Bottom habitats are unsuitable if exposed to excessive sedimentation, which can reduce hatching success. Larval flounder EFH is considered estuarine, coastal, and continental shelf water column habitats from the shoreline to a maximum depth of 70 m. Larvae are transported shoreward and become less buoyant as they transition to benthic juveniles. Juvenile EFH extends from the intertidal zone to 60 m and includes a variety of bottom types, such as mud, sand, rocky substrates with attached macroalgae, tidal wetlands, and eelgrass. Young-of-the-year juveniles are found inshore on muddy and sandy sediments in and adjacent to eelgrass and macroalgae, in bottom debris, and in marsh creeks. Larvae tend to settle to the bottom in soft-sediment depositional areas where currents concentrate late-stage larvae. Juveniles then disperse into coarser-grained substrates as they get older. Adult EFH is designated as estuarine, coastal, and continental shelf benthic habitats extending from the intertidal zone to a maximum depth of 70 m. EFH for adult winter flounder occurs on muddy and sandy substrates and on hard bottom on offshore banks. Adults migrate inshore in late fall and spawn in spring (NMFS, 1999). This project will produce very little turbidity and will have little impact on muddy or sandy bottom habitats, the kinds of habitats preferred by winter flounder. No significant impacts to winter flounder EFH are expected to occur.

Winter Skate (*Leucoraja ocellata*). EFH for juvenile winter skate is designated at the Isle au Haut FNP and FIDS. In winter, juvenile winter skate can be found from Georges Bank to Cape Hatteras, out to the 220m depth contour. In the spring, populations of winter skate juveniles can be found concentrated nearshore throughout the Mid-Atlantic Bight and southern New England as well as in Cape Cod Bay and the GOM. Generally, polychaetes and amphipods are the most important prey items in terms of numbers or occurrence, followed by decapods, isopods, bivalves, and fishes (NMFS, 2003). Because of the project's limited duration, small footprint, and the time of year the project will be built only minor impacts to juvenile winter skate EFH are expected.

Yellowtail Flounder (*Pleuronectes ferruginea*). EFH for adult yellowtail flounder are designated at the Isle au Haut FNP and FIDS. Yellowtail flounder are a demersal species that is distributed along the northwestern Atlantic from Labrador to the Chesapeake Bay. Yellowtail flounder are a “right-eyed” species and are relatively sedentary, preferring bottoms of sand or sand and mud in waters from 30 to 90 m. Discrete stocks have been identified off Southern New England, Georges Bank, Cape Cod, and in the Middle Atlantic. The diet of adult yellowtail flounder consists primarily of amphipods and polychaetes (NMFS, 1999). Due to the project’s limited duration, small footprint, and shallow depth any effects to adult yellowtail flounder EFH are expected to be very minimal.

Avoidance, Minimization, and Mitigation

Specific measures taken to avoid and minimize impacts to EFH:

Maintenance dredging of the Isle au Haut Thoroughfare FNP will be performed within a construction window of September 15 - April 1 to minimize turbidity impacts to EFH. Many of the fish species in the GOM migrate inshore during spring/summer months and offshore during fall/winter months. Furthermore, winter spawning species such as the winter flounder (whose EFH can be affected by dredging and disposal operations) spawn demersal eggs in early spring when dredging and placement activities will be finishing up.

Dredged material (coarse sand, gravel and cobble) will be placed at FIDS which also consists of coarse sand, gravel and cobble and bed rock. FIDS was chosen specifically because its sediments match the sediment being dredged. The FIDS location was chosen to avoid the loss of EFH through the conversion of bottom/sediment types. Any impacts to the dredge or placement site will be temporary as benthic communities will recolonize rapidly post-dredging (Newell, 1998). Spawning and nursery habitat for any EFH species using the project site are not expected to be adversely affected by the proposed project.

Is compensatory mitigation proposed?

No

Compensatory mitigation details:

None

9. Federal Agency Determination

Federal Action Agency’s EFH determination	
	There is no adverse effect on EFH or EFH is not designated at the Isle au Haut FNP and FIDS. EFH Consultation is not required. This is a FWCA only request.

X	The adverse effect on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
	The adverse effect on EFH is substantial. This is a request for an expanded EFH consultation.

10. Fish and Wildlife Coordination Act

Fish and Wildlife Coordination Act Resources

Species known to occur at site	Habitat impact type
Atlantic menhaden	Temporary turbidity increases to the water column are possible during dredging and placement activities.
blue mussel	Temporary turbidity increases to the water column are possible during dredging and placement activities.
blueback herring	Temporary turbidity increases to the water column are possible during dredging and placement activities.
horseshoe crab	Temporary turbidity increases to the water column are possible during dredging and placement activities. Habitat is subtidal sand and will remain subtidal sand.
quahog	Temporary turbidity increases to the water column are possible during dredging and placement activities. Habitat is subtidal sand and will remain subtidal sand.
soft-shell clams	Temporary turbidity increases to the water column are possible during dredging and placement activities. Habitat is subtidal sand and will remain subtidal sand.
striped bass	Temporary turbidity increases to the water column are possible during dredging and placement activities.

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Appendix E: Pertinent Correspondence

DRAFT

GARFO ESA Section 7: NLAA Program Verification Form

(Please submit a signed version of this form, together with any project plans, maps, supporting analyses, etc., to nmfs.gar.esa.section7@noaa.gov with "USACE NLAA Program: [Application Number]" in the subject line)

Section 1: General Project Details

Application Number:			
Reinitiation:		No	
Applicant(s):		USACE NAE	
Permit Type:		Civil Works/Federal Navigation	
Anticipated project start date (e.g., 10/1/2020)		9/15/2026	
Anticipated project end date (e.g., 12/31/2022 – if there is no permit expiration date, write “N/A”)		4/1/2027	
Project Type/Category (check all that apply to entire action):			
<input type="checkbox"/>	Aquaculture (shellfish) and artificial reef creation	<input type="checkbox"/>	Mitigation (fish/wildlife enhancement or restoration)
<input checked="" type="checkbox"/>	Dredging and disposal/beach nourishment	<input type="checkbox"/>	Bank stabilization
<input type="checkbox"/>	Piers, ramps, floats, and other structures	<input type="checkbox"/>	If other, describe project type category: _____
Town/City:	Isle au Haut, Maine	Zip:	04645
State:	Maine	Water body:	Penobscot Bay, Atlantic Ocean

Project/Action Description and Purpose (include relevant permit conditions that are not captured elsewhere on form):		
<p>The purpose of the proposed action is to return the FNP to its authorized depths and to ensure safe, reliable, and consistent protected deep-water access to the island and town of Isle au Haut, Maine. The project aims to establish a dependable controlling depth within the IHT FNP channel sufficient to eliminate existing tidal restrictions, improve navigational safety for all users, and support the continued viability of the island's essential transportation links and local economy.</p> <p>This project is needed to address critical access issues experienced by essential maritime traffic, including the mail boat and private ferry service, that links the mainland to the island community of Isle au Haut. Tidal access issues due to the channel's controlling depth disrupt essential schedules, hinder the primary commercial fishing and tourism-based economy, and raise safety concerns for all commercial, recreational, and essential vessels using the IHT FNP thoroughfare.</p>		
Type of Bottom Habitat Modified:	Permanent/Temporary:	Area (acres):
Sand (saline)	Temporary	1.20
Select Type of Bottom Habitat	Select Permanent or Temporary	
Select Type of Bottom Habitat	Select Permanent or Temporary	
Project Latitude (e.g., 42.625884)	44.077340	
Project Longitude (e.g., -70.646114)	-68.634985	
Mean Low Water (MLW)(m)	0.00	
Mean High Water (MHW)(m)	3.47	
Width (m) of water body in action area:	Stressor Category (stressor that extends furthest distance into water body – e.g., turbidity plume; sound pressure wave):	Max extent (m) of stressor into the water body:
172.00	Turbidity Plume	732.00

Section 2: ESA-listed species and/or critical habitat in the action area:

<input checked="" type="checkbox"/>	Atlantic sturgeon (all DPSs)	<input checked="" type="checkbox"/>	Kemp's ridley sea turtle
<input type="checkbox"/>	Atlantic sturgeon critical habitat Indicate which DPS :	<input checked="" type="checkbox"/>	Loggerhead sea turtle (NW Atlantic DPS)
	Select DPS		
<input checked="" type="checkbox"/>	Shortnose sturgeon	<input checked="" type="checkbox"/>	Leatherback sea turtle
<input checked="" type="checkbox"/>	Atlantic salmon (GOM DPS)	<input type="checkbox"/>	North Atlantic right whale
<input type="checkbox"/>	Atlantic salmon critical habitat (GOM DPS)	<input type="checkbox"/>	North Atlantic right whale critical habitat
<input checked="" type="checkbox"/>	Green sea turtle (N. Atlantic DPS)	<input type="checkbox"/>	Fin whale

* Please consult GARFO PRD's ESA Section 7 Mapper for ESA-listed species and critical habitat information for your action area at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>.

Section 3: NLAA Determination (check all applicable fields):

If the Project Design Criteria (PDC) is met, select Yes. If the PDC is not applicable (N/A) for your project (e.g., the stressor category is not included for your project activity, or for PDC 2, your project does not occur within the range of the GOM DPS of Atlantic salmon), select N/A. If the PDC is applicable, but is not met, leave both boxes blank and provide a justification for that PDC in Section 4.

a) GENERAL PDC			
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>		1.	No portion of the proposed action will individually or cumulatively have an adverse effect on ESA-listed species or designated critical habitat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2.	No portion of the proposed action will occur in the tidally influenced portion of rivers/streams where Atlantic salmon presence is possible from April 10–November 7. Note: If the project will occur within the geographic range of the GOM DPS Atlantic salmon but their presence is not expected following the best available commercial scientific data, the work window does not need to be applied (include reference in project description).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as spawning grounds as follows: i. Gulf of Maine: April 1–Aug. 31 ii. Southern New England/New York Bight: Mar. 15–Aug. 31 iii. Chesapeake Bay: March 15–July 1 and Sept. 15–Nov. 1 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval (include reference in project description).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as overwintering grounds, where dense aggregations are known to occur, as follows: i. Gulf of Maine: Oct. 15–April 30 ii. Southern New England/ New York Bight: Nov. 1–Mar. 15 iii. Chesapeake Bay: Nov. 1–Mar. 15 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval (include reference in project description).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5.	Within designated Atlantic salmon critical habitat, no portion of the proposed action will affect spawning and rearing areas (PBFs 1-7).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6.	Within designated Atlantic sturgeon critical habitat, no work will affect hard bottom substrate (e.g., rock, cobble, gravel, limestone, boulder, etc.) in low salinity waters (i.e., 0.0-0.5 parts per thousand) (PBF 1).

Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>		7.	Work will result in no or only temporary/short-term changes in water temperature, water flow, salinity, or dissolved oxygen levels.
<input checked="" type="checkbox"/>		8.	If ESA-listed species are (a) likely to pass through the action area at the time of year when project activities occur; and/or (b) the project will create an obstruction to passage when in-water work is completed, then a zone of passage (~50% of water body) with appropriate habitat for ESA-listed species (e.g., depth, water velocity, etc.) must be maintained (i.e., physical or biological stressors such as turbidity and sound pressure must not create barrier to passage).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9.	Any work in designated North Atlantic right whale critical habitat must have no effect on the physical and biological features (PBFs).
<input checked="" type="checkbox"/>		10.	The project will not adversely impact any submerged aquatic vegetation (SAV).
<input checked="" type="checkbox"/>		11.	No blasting or use of explosives will occur.

b) The following stressors are applicable to the action
(check all that apply – use Stressor Category Table for guidance):

<input type="checkbox"/>	Sound Pressure
<input checked="" type="checkbox"/>	Impingement/Entrapment/Capture
<input checked="" type="checkbox"/>	Turbidity/Water Quality
<input type="checkbox"/>	Entanglement (Aquaculture)
<input checked="" type="checkbox"/>	Habitat Modification
<input checked="" type="checkbox"/>	Vessel Traffic

Activity Category	Stressor Category					
	Sound Pressure	Impingement/Entrapment/Capture	Turbidity/Water Quality	Entanglement	Habitat Mod.	Vessel Traffic
Aquaculture (shellfish) and artificial reef creation	N	N	Y	Y	Y	Y
Dredging and disposal/beach nourishment	N	Y	Y	N	Y	Y

Activity Category	Stressor Category					
	Sound Pressure	Impingement/ Entrapment/ Capture	Turbidity/ Water Quality	Entanglement	Habitat Mod.	Vessel Traffic
Piers, ramps, floats, and other structures	Y	N	Y	N	Y	Y
Transportation and development (e.g., culvert construction, bridge repair)	Y	N	Y	N	Y	Y
Mitigation (fish/wildlife enhancement or restoration)	N	N	Y	N	Y	Y
Bank stabilization and dam maintenance	Y	N	Y	N	Y	Y

c) SOUND PRESSURE PDC

Information for Pile Driving:

If your project includes **pile driving of any kind**, please attach your calculation to this verification form to verify that it fits within the scope of the behavioral/injury threshold analysis for ESA-listed species in the action area. The NMFS Office of Protected Resources Acoustic Calculator is available as one source, should you not have other information:

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-effects-analysis-acoustics-greater-atlantic-region>

	Pile material	Pile diameter/width (inches)	Number of piles	Installation method
a)	Select pile material			Select installation method
b)	Select pile material			Select installation method
c)	Select pile material			Select installation method
d)	Select pile material			Select installation method

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12.	<p>If pile driving is occurring during a time of year when ESA-listed species may be present, and the anticipated noise is above the behavioral noise threshold, a “soft start” is required to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. <i>In addition to using a soft start at the beginning of the work day for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.</i></p> <p><u>For impact pile driving:</u> pile driving will commence with an initial set of three strikes by the hammer at 40% energy, followed by a one minute wait period, then two subsequent 3-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.</p> <p><u>For vibratory pile installation:</u> pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13.	Any new pile supported structure must involve the installation of ≤ 50 piles (below MHW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14.	All underwater noise (pressure) is below (<) the physiological/injury noise threshold for ESA-species in the action area.

d) IMPINGEMENT/ENTRAINMENT/CAPTURE PDC

Information for Dredging/Disposal:

Type of dredge:	Mechanical		
Maintenance dredging?:	Yes	If “Yes”, how many acres?	1.20
If maintenance, when was the last dredge cycle?	1979		
New dredging:	No	If “Yes”, how many acres?	
Estimated number of dredging events covered by permit:			
ESA-species exclusion measures required (e.g., cofferdam, turbidity curtain):	No		
If no exclusion measures required, explain why:	Not operationally feasible		
Information for Intake Structures:			
Mesh screen size (mm) for temporary intake:			

Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15.	Only mechanical, cutterhead, and low volume hopper (e.g., CURRITUCK, ~300 cubic yard maximum bin capacity) dredges may be used.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.	No new dredging in Atlantic sturgeon or Atlantic salmon critical habitat (maintenance dredging still must meet all other PDCs). New dredging outside Atlantic sturgeon or salmon critical habitat is limited to one time dredge events (e.g., burying a utility line) and minor (≤ 2 acres) expansions of areas already subject to maintenance dredging (e.g., marina/harbor expansion).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.	Work behind cofferdams, turbidity curtains, or other methods to block access of animals to dredge footprint is required when operationally feasible or beneficial and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, exclusion methods are not necessary).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18.	Temporary intakes related to construction must be equipped with appropriate sized mesh screening (as determined by GARFO section 7 biologist and/or according to Chapter 11 of the NOAA Fisheries Anadromous Salmonid Passage Facility Design) and must not have greater than 0.5 fps intake velocities, to prevent impingement or entrainment of any ESA-listed species life stage.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	19.	No new permanent intake structures related to cooling water, or any other inflow at facilities (e.g. water treatment plants, power plants, etc.).

e) TURBIDITY/WATER QUALITY PDC

Information for Turbidity Producing Activity (excluding disposal):

ESA-species turbidity control measures required (e.g., turbidity curtain):	No
If no turbidity control measures required, explain why:	Disturbed substrate won't generate measurable turbidity (e.g., rocks, coarse sand)

Information for Dredged Material Disposal:

Disposal site:	Other Offshore Disposal Site with GARFO Consultation
Estimated number of trips to disposal site:	10
Relevant disposal site permit/special conditions required (NAE: for offshore disposal, include Group A, B, C, or relevant Long Island Sound consultation):	Flake Island Disposal Site (FIDS), Group C

Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20.	Work behind cofferdams, turbidity curtains, or other methods to control turbidity is required when operationally feasible or beneficial and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, turbidity control methods are not necessary).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21.	In-water offshore disposal may only occur at designated disposal sites that have been the subject of ESA section 7 consultation with NMFS, where a valid consultation is in place and appropriate permit/special conditions are included.

Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22.	Any temporary discharges must meet state water quality standards (e.g., no discharges of substances in concentrations that may cause acute or chronic adverse reactions, as defined by EPA water quality standards criteria).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23.	Only repair, upgrades, relocations and improvements of existing discharge pipes or replacement in-kind are allowed; no new construction of untreated discharges.
f) ENTANGLEMENT PDC			
Information for Aquaculture Projects:			
Approximate distance from shore (MHW)(m):			
Grow season begins (approximate):			
Grow season ends (approximate):			
Total number of vertical lines:			
Total number of horizontal lines:			
Is any gear seasonally removed from the water? If yes, which parts and when?			
	Aquaculture Gear	Acreage (total permit footprint)	Type of Shellfish Cultivated
a)	Select aquaculture gear		Select type of shellfish cultivated
b)	Select aquaculture gear		Select type of shellfish cultivated
c)	Select aquaculture gear		Select type of shellfish cultivated
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	24.	Shell on bottom <50 acres with maximum of 4 corner marker buoys;
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25.	Cage on bottom with no loose floating lines <5 acres and minimal vertical lines (1 per string of cages, 4 corner marker buoys);
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26.	Floating cages in <3 acres in waters and shallower than -10 feet MLLW with no loose lines and minimal vertical lines (1 per string of cages, 4 corner marker buoys);
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27.	Floating upweller docks in >10 feet MLLW.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28.	Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle. Lines can be enclosed in a rigid sleeve.
g) HABITAT MODIFICATION PDC			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	29.	No conversion of habitat type (soft bottom to hard, or vice versa) for aquaculture or reef creation.

h) VESSEL TRAFFIC PDC			
Information for Vessel Traffic:			
		Temporary Project Vessel Type	Number of Vessels
a)	Dredge vessel		1
b)	Scow		2
c)	Tug		1
		Type of Non-Commercial or Aquaculture Vessels Added <i>– only include if there is a net increase directly/indirectly resulting from project)</i>	Number of Vessels <i>(if sum > 2, PDC 33 is not met and justification required in Section 4)</i>
a)	Select type of non-commercial or aquaculture vessels		
b)	Select type of non-commercial or aquaculture vessels		
		Type of Commercial Vessels Added <i>(only include if there is a net increase directly/indirectly resulting from project)</i>	Number of Vessels <i>(if > 0, PDC 33 is not met and justification required in Section 4)</i>
a)			
b)			
If no temporary/permanent vessel traffic, briefly explain (e.g., all land-based work, no net increase in vessel traffic)		no net increase in vessel traffic	
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30.	Maintain project vessels operating within the action area to speed limits below 10 knots and dredge vessel speeds of 4 knots maximum, while dredging.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31.	Maintain a 1,500-foot buffer between project vessels and ESA-listed whales and a 150-foot buffer between project vessels and sea turtles unless the vessel is navigating to an in-water disposal site/activity. If the vessel is navigating to an in-water disposal site/activity, refer to and include the conditions contained in the appropriate GARFO-USACE/EPA consultation for the disposal site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32.	The number of project vessels must be limited to the greatest extent possible, as appropriate to size and scale of project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33.	The permanent net increase in vessels resulting from a project (e.g., dock/float/pier/boating facility) must not exceed two non-commercial vessels. A project must not result in the permanent net increase of any commercial vessels (e.g., a ferry terminal).

Section 4: Justification for Review under the NLAA Program

If the action is not in compliance with all of the General PDC and appropriate stressor PDC, but you can provide justification and/or special conditions to demonstrate why the project still meets the NLAA determination and is consistent with the aggregate effects considered in the programmatic consultation, you may still certify your project through the NLAA program using

this verification form. Please identify which PDC your project does not meet (e.g., PDC 9, PDC 15, PDC 22, etc.) and provide your rationale and justification for why the project is still eligible for the verification form.

To demonstrate that the project is still NLAA, you must explain why the effects on ESA-listed species or critical habitat are **insignificant** (i.e., too small to be meaningfully measured or detected) or **discountable** (i.e., extremely unlikely to occur). **Please use this language in your justification.**

PDC#	Justification
PDC #	
PDC #	
PDC #	

PDC #	
-------	--

Section 5: USACE Verification of Determination

<input checked="" type="checkbox"/>	In accordance with the NLAA Program, USACE has determined that the action complies with all applicable PDC and is not likely to adversely affect listed species.
<input type="checkbox"/>	In accordance with the NLAA Program, the USACE has determined that the action is not likely to adversely affect listed species per the justification and/or special conditions provided in Section 4.
USACE Signature:	
MROCZKA.MATTHEW.E.1610624231 <small>Digitally signed by MROCZKA.MATTHEW.E.1610624231 Date: 2026.01.28 11:28:29 -05'00'</small>	Date: 01/28/2026

Section 6: GARFO Concurrence

<input checked="" type="checkbox"/>	In accordance with the NLAA Program, GARFO PRD concurs with USACE’s determination that the action complies with all applicable PDC and is not likely to adversely affect listed species or critical habitat.
<input type="checkbox"/>	In accordance with the NLAA Program, GARFO PRD concurs with USACE’s determination that the action is not likely to adversely affect listed species or critical habitat per the justification and/or special conditions provided in Section 4.
<input type="checkbox"/>	GARFO PRD does not concur with USACE’s determination that the action complies with the applicable PDC (with or without justification), and recommends an individual Section 7 consultation to be completed independent from the NLAA Program.
GARFO Signature:	
P.B. Johnsen <small>2026.02.18 10:57:26 -05'00'</small>	Date: 02/18/2026



REGION 1

BOSTON, MA 02109

November 18, 2025

Mr. R. Benjamin Loyd
U.S. Army Corps of Engineers
New England District
696 Virginia Road, Concord, MA
01742-2751

Re: MPRSA Section 103 Evaluation of the Final Suitability Determination for the Proposed Dredging of the Isle au Haut Thoroughfare Federal Navigation Project, Isle au Haut, ME

Dear Mr. Loyd,

I am writing in response to your transmittal of the Final Suitability Determination (SD) on November 14, 2025, for the above referenced project. The EPA Marine Protection Permitting Program has reviewed the evaluation and testing requirements for the proposed dredged material disposal project pursuant to Section 103 of the Marine Protection Research and Sanctuaries Act (MPRSA).


Project Summary: The U.S. Army Corps of Engineers New England District (NAE) is proposing to mechanically dredge approximately 3,355 cubic yards of material from shoaled areas totaling 1.2 acres of the federal navigation project separating Isle au Haut from Kimball Island. Dredging is proposed to an advanced maintenance project depth of -7 feet mean lower low water with 1 foot of allowable overdepth. The SD evaluated the alternative of disposal of the dredged material at the Flake Island Disposal Site.

EPA has completed an evaluation of the project in accordance with MPRSA Section 103. This included a review of the physical analysis of the sediment samples, the hydrodynamics of the project setting, and the remoteness of the setting (lack of potential historical anthropomorphic inputs in the area). Based on this evaluation, EPA concurs with the findings of NAE's November 14, 2025, Final SD that all the proposed dredged material can be excluded from further testing and is determined suitable for unconfined open water disposal at the Flake Island Disposal Site.

If you have additional questions, please contact me at wolf.steven@epa.gov or Alexa Sterling (sterling.alex@epa.gov).

Sincerely,

STEVEN WOLF

 Digitally signed by STEVEN WOLF
Date: 2025.11.18 09:56:51 -05'00'

Steven Wolf, Regional Disposal Coordinator
Marine Protection Permitting Program
Ocean and Coastal Protection Section

cc: Aaron Hopkins, USACE NAE
Regina Lyons, USEPA
Alexa Sterling, USEPA



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 23, 2026

Planning Division

Kirk F. Mohney
State Historic Preservation Officer
Maine Historic Preservation Commission
10 Water Street
65 State House Station
Hallowell, ME 04347-0065

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Mohney:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

The USACE has been authorized to perform advanced maintenance dredging of approximately 3,500 cubic yards of sand, gravel, and cobble shoaling to a depth of -7 feet mean lower low water (MLLW) plus one foot of allowable overdepth. Advanced maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the IHT FNP to its authorized dimensions. Dredged material will be placed at the existing and previously used Flake Island Disposal Site (FIDS) approximately 0.8 miles northwest of the IHT FNP.

The project's area of potential effect (APE) may be defined as the area of direct impacts and the areas within which the Proposed Undertaking may directly or indirectly cause alterations to the character or use of historic properties, including visual effects. The APE for this project includes the IHT FNP proposed for advanced maintenance dredging and the FIDS placement area. A draft APE is included in Enclosure 1 for your review. A review of the Cultural and Architectural Resource Management Archive and historical charts hosted by the National Oceanic and Atmospheric Administration's Office of Coast Survey indicates that no cultural resources have been previously identified within the vicinity of the APE.

The IHT FNP has had one other maintenance dredging instance in 1979 where material was placed at FIDS and is an actively used navigational channel. This previous disturbance limits the APE's potential for containing significant cultural resources. Although no surveys have been conducted specific to cultural resources research and compliance, the USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE. The survey results indicated that no structures, debris, or cultural resources are located within the APE (Enclosure 2). Given these results, and the extent of previous disturbance within the remainder of the APE, the USACE has determined that no historic properties are present within the APE.

Thank you for your assistance with this project. The USACE believes the above constitutes a reasonable and good faith effort to assess the effects of the Proposed Undertaking and hereby requests your review of our effects determination per 36 CFR 800.3(g) and concurrence with a finding of no historic properties present for the Proposed Action. If you have any questions about the proposed project, please contact Ethan A. Bean at ethan.a.bean@usace.army.mil.

Sincerely,

Wendy C. Gendron
Chief, Planning Division

Enclosures

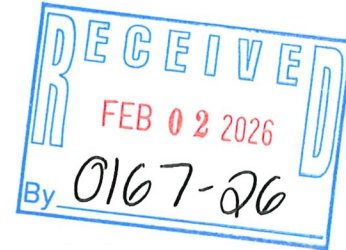


DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Kirk F. Mohney
State Historic Preservation Officer
Maine Historic Preservation Commission
10 Water Street
65 State House Station
Hallowell, ME 04347-0065



RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Mohney:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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The project's area of potential effect (APE) may be defined as the area of direct impacts and the areas within which the Proposed Undertaking may directly or indirectly cause alterations to the character or use of historic properties, including visual effects. The APE for this project includes the IHT FNP proposed for advanced maintenance dredging and the FIDS placement area. A draft APE is included in Enclosure 1 for your review. A review of the Cultural and Architectural Resource Management Archive and historical charts hosted by the National Oceanic and Atmospheric Administration's Office of Coast Survey indicates that no cultural resources have been previously identified within the vicinity of the APE.

The IHT FNP has had one other maintenance dredging instance in 1979 where material was placed at FIDS and is an actively used navigational channel. This previous disturbance limits the APE's potential for containing significant cultural resources. Although no surveys have been conducted specific to cultural resources research and compliance, the USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE. The survey results indicated that no structures, debris, or cultural resources are located within the APE (Enclosure 2). Given these results, and the extent of previous disturbance within the remainder of the APE, the USACE has determined that no historic properties are present within the APE.

Thank you for your assistance with this project. The USACE believes the above constitutes a reasonable and good faith effort to assess the effects of the Proposed Undertaking and hereby requests your review of our effects determination per 36 CFR 800.3(g) and concurrence with a finding of no historic properties present for the Proposed Action. If you have any questions about the proposed project, please contact Ethan A. Bean at ethan.a.bean@usace.army.mil.

Sincerely,

Christopher L. Hatfield
for Wendy C. Gendron
Chief, Planning Division

Enclosures

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Krista Mohnney 2/17/26
State Historic Preservation Officer Date
Maine Historic Preservation Commission

MHPC 0167-26



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 23, 2026

Planning Division

David Johnston
President
Hancock County Historical Society
P.O. Box 212
11 Captain Bill Road
Hancock, ME 04640

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Johnston:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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Thank you for your assistance with this project. The USACE believes the above constitutes a reasonable and good faith effort to assess the effects of the Proposed Undertaking and hereby requests your review of our effects determination per 36 CFR 800.3(g) and concurrence with a finding of no historic properties present for the Proposed Action. If you have any questions about the proposed project, please contact Ethan A. Bean at ethan.a.bean@usace.army.mil.

Sincerely,

Wendy C. Gendron
Chief, Planning Division

Enclosures



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Maine Ecological Services Field Office
P. O. Box A
East Orland, ME 04431
Phone: (207) 469-7300 Fax: (207) 902-1588

In Reply Refer To:

06/13/2025 18:12:03 UTC

Project code: 2025-0108933

Project Name: Isle au Haut Thoroughfare FNP Maintenance Dredging

Federal Nexus: yes

Federal Action Agency (if applicable): Army Corps of Engineers

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for 'Isle au Haut Thoroughfare FNP Maintenance Dredging'

Dear matthew mroczka:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on June 13, 2025, for “Isle au Haut Thoroughfare FNP Maintenance Dredging” (here forward, Project). This project has been assigned Project Code 2025-0108933 and all future correspondence should clearly reference this number.

The Service developed the IPaC system and associated species’ determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northeast Determination Key (DKey), invalidates this letter. **Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.**

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative effect(s)), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17). Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no further consultation with, or concurrence from, the Service is

required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required (except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect (NLAA)" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

The IPaC results indicated the following species is (are) potentially present in your project area and, based on your responses to the Service's Northeast DKey, you determined the proposed Project will have the following effect determinations:

Species	Listing Status	Determination
Roseate Tern (<i>Sterna dougallii dougallii</i>)	Endangered	NLAA

Conclusion

The Service concurs to the above-mentioned determination(s) of may affect, not likely to adversely affect. This concurrence confirms receipt of your agencies coordination required under Section 7(a)(2) of the ESA.

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in the Northeast. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the identified Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the identified Ecological Services Field Office may request additional information to verify the effects determination reached through the Northeast Region DKey.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and are not covered by this conclusion:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the species identified above. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project implements any changes which are final or commits additional resources.

Please Note: If the Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) by the prospective permittee may be required. Please contact the Migratory Birds

Permit Office, (413) 253-8643, or PermitsR5MB@fws.gov, with any questions regarding potential impacts to Eagles.

If you have any questions regarding this letter or need further assistance, please contact the Maine Ecological Services Field Office and reference the Project Code associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Isle au Haut Thoroughfare FNP Maintenance Dredging

2. Description

The following description was provided for the project 'Isle au Haut Thoroughfare FNP Maintenance Dredging':

USACE is proposing to mechanically dredge approximately 2,500 cubic yards (cy) of shoaled material primarily in the southwest side of the channel. The material to be dredged consists of cobble, gravel, and coarse sand. The dredged material will be placed at the Flake Island Disposal Site (FIDS) which is approximately 3,500 ft northwest of the FNP. Disposing of the material at this location will enhance the benthic environment. The dredging of material from the FNP and its disposal at FIDS may occur from November 8 to April 8 in the year in which funding is available to avoid impacts to spawning shellfish/benthic resources, interactions with Essential Fish Habitat (EFH) listed species, and interactions with endangered fish species.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.0787684,-68.63367186875169,14z>



QUALIFICATION INTERVIEW

1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully?

Yes

2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

Note: This question could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered, or proposed species.

No

3. Is the action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) the lead agency for this project?

No

5. Are you including in this analysis all impacts to federally listed species that may result from the entirety of the project (not just the activities under federal jurisdiction)?

Note: If there are project activities that will impact listed species that are considered to be outside of the jurisdiction of the federal action agency submitting this key, contact your local Ecological Services Field Office to determine whether it is appropriate to use this key. If your Ecological Services Field Office agrees that impacts to listed species that are outside the federal action agency's jurisdiction will be addressed through a separate process, you can answer yes to this question and continue through the key.

Yes

6. Are you the lead federal action agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

Yes

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

9. Is the lead federal action agency the Natural Resources Conservation Service?

No

10. Will the proposed project involve the use of herbicide where listed species are present?

No

11. Are there any caves or anthropogenic features suitable for hibernating or roosting bats within the area expected to be impacted by the project?

No

12. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **birds** (e.g., plane-based surveys, land-based or offshore wind turbines, communication towers, high voltage transmission lines, any type of towers with or without guy wires)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

13. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **bats** (e.g., plane-based surveys, land-based or offshore wind turbines)?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

14. Will the proposed project result in permanent changes to water quantity in a stream or temporary changes that would be sufficient to result in impacts to listed species?

For example, will the proposed project include any activities that would alter stream flow, such as water withdrawal, hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines? Projects that include temporary and limited water reductions that will not displace listed species or appreciably change water availability for listed species (e.g. listed species will experience no changes to feeding, breeding or sheltering) can answer "No". Note: This question refers only to the amount of water present in a stream, other water quality factors, including sedimentation and turbidity, will be addressed in following questions.

No

15. Will the proposed project affect wetlands where listed species are present?

This includes, for example, project activities within wetlands, project activities within 300 feet of wetlands that may have impacts on wetlands, water withdrawals and/or discharge of contaminants (even with a NPDES).

No

16. Will the proposed project activities (including upland project activities) occur within 0.125 miles of the water's edge of a stream or tributary of a stream where listed species may be present?

No

17. Will the proposed project directly affect a streambed (below ordinary high water mark (OHWM)) of the stream or tributary where listed species may be present?

No

18. Will the proposed project bore underneath (directional bore or horizontal directional drill) a stream where listed species may be present?

No

19. Will the proposed project involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds) where listed species may be present?

No

20. Will the proposed project involve the removal of excess sediment or debris, dredging or in-stream gravel mining where listed species may be present?

No

21. Will the proposed project involve the creation of a new water-borne contaminant source where listed species may be present?

Note New water-borne contaminant sources occur through improper storage, usage, or creation of chemicals. For example: leachate ponds and pits containing chemicals that are not NSF/ANSI 60 compliant have contaminated waterways. Sedimentation will be addressed in a separate question.

No

22. Will the proposed project involve perennial stream loss, in a stream or tributary of a stream where listed species may be present, that would require an individual permit under 404 of the Clean Water Act?

No

23. Will the proposed project involve blasting where listed species may be present?

No

24. Will the proposed project include activities that could negatively affect fish movement temporarily or permanently (including fish stocking, harvesting, or creation of barriers to fish passage).

No

25. Will the proposed project involve earth moving that could cause erosion and sedimentation, and/or contamination along a stream or tributary of a stream where listed species may be present?

Note: Answer "Yes" to this question if erosion and sediment control measures will be used to protect the stream.

No

26. Will the proposed project impact streams or tributaries of streams where listed species may be present through activities such as, but not limited to, valley fills, large-scale vegetation removal, and/or change in site topography?

No

27. Will the proposed project involve vegetation removal within 200 feet of a perennial stream bank where aquatic listed species may be present?

No

28. Will erosion and sedimentation control Best Management Practices (BMPs) associated with applicable state and/or Federal permits, be applied to the project? If BMPs have been provided by and/or coordinated with and approved by the appropriate Ecological Services Field Office, answer "Yes" to this question.

Yes

29. Is the project being funded, lead, or managed in whole or in part by U.S Fish and Wildlife Restoration and Recovery Program (e.g., Partners, Coastal, Fisheries, Wildlife and Sport Fish Restoration, Refuges)?

No

30. Will the proposed project result in changes to beach dynamics that may modify formation of habitat over time?

Note: Examples of projects that result in changes to beach dynamics include 1) construction of offshore breakwaters and groins; 2) mining of sand from an updrift ebb tidal delta; 3) removing or adding beach sands; and 4) projects that stabilize dunes (including placement of sand fences or planting vegetation).

No

31. [Hidden Semantic] Is the project area located within the roseate tern AOI?

Automatically answered

Yes

32. If you have determined that the roseate tern is unlikely to occur within your project's action area or that your project is unlikely to have any potential effects on the roseate tern, you may wish to make a "no effect" determination for the roseate tern. Additional guidance on how to make this decision can be found in the project review section of your local Ecological Services Field Office's website. CBFO: <https://www.fws.gov/office/chesapeake-bay-ecological-services/project-review> ; MEFO: <https://www.fws.gov/office/maine-ecological-services> ; NJFO: <https://www.fws.gov/office/new-jersey-ecological-services/new-jersey-field-office-project-review-guide> ; NEFO: <https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review#Step5> ; WVFO: <https://www.fws.gov/office/west-virginia-ecological-services/project-planning>. If you are unsure, answer "No" and continue through the key.

Would you like to make a no effect determination for the roseate tern?

No

33. Is this an aquaculture project?

No

34. Is this a coastal project that has an action area that is less than one-half acre?

Note: These projects may include marker buoys, moorings, navigational structures, docks, piers, floats, boat ramps, private dredging, boat houses, lobster pound, or shoreline work.

No

35. Will project activities be conducted during the time of year when roseate terns are likely to be present?

Note: roseate terns a likely to be present in Maine May 1 through Sept. 1; and in Connecticut, Massachusetts, New Hampshire, and Rhode Island April 15 through Oct. 15.

No

36. Will project activities include impacts to roseate tern nesting, roosting, or staging habitat that will negatively affect roseate tern's ability to use the habitat when they return to the site?

No

37. [Semantic] Does the project intersect the Virginia big-eared bat critical habitat?

Automatically answered

No

38. [Semantic] Does the project intersect the Indiana bat critical habitat?

Automatically answered

No

39. [Semantic] Does the project intersect the candy darter critical habitat?

Automatically answered

No

40. [Semantic] Does the project intersect the diamond darter critical habitat?

Automatically answered

No

41. [Semantic] Does the project intersect the Big Sandy crayfish critical habitat?

Automatically answered

No

42. [Hidden Semantic] Does the project intersect the Guyandotte River crayfish critical habitat?

Automatically answered

No

43. Do you have any other documents that you want to include with this submission?

No

PROJECT QUESTIONNAIRE

1. Approximately how many acres of trees would the proposed project remove?
0
2. Approximately how many total acres of disturbance are within the disturbance/
construction limits of the proposed project?
5
3. Briefly describe the habitat within the construction/disturbance limits of the project site.
subtidal marine sand, gravel and cobble

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: matthew mroczka
Address: 696 Virginia rd
City: Concord
State: MA
Zip: 01742
Email: matthew.e.mroczka@usace.army.mil
Phone: 9783188537



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Kirk F. Mohney
State Historic Preservation Officer
Maine Historic Preservation Commission
10 Water Street
65 State House Station
Hallowell, ME 04347-0065

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Mohney:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

The USACE has been authorized to perform advanced maintenance dredging of approximately 3,500 cubic yards of sand, gravel, and cobble shoaling to a depth of -7 feet mean lower low water (MLLW) plus one foot of allowable overdepth. Advanced maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the IHT FNP to its authorized dimensions. Dredged material will be placed at the existing and previously used Flake Island Disposal Site (FIDS) approximately 0.8 miles northwest of the IHT FNP.

The project's area of potential effect (APE) may be defined as the area of direct impacts and the areas within which the Proposed Undertaking may directly or indirectly cause alterations to the character or use of historic properties, including visual effects. The APE for this project includes the IHT FNP proposed for advanced maintenance dredging and the FIDS placement area. A draft APE is included in Enclosure 1 for your review. A review of the Cultural and Architectural Resource Management Archive and historical charts hosted by the National Oceanic and Atmospheric Administration's Office of Coast Survey indicates that no cultural resources have been previously identified within the vicinity of the APE.

The IHT FNP has had one other maintenance dredging instance in 1979 where material was placed at FIDS and is an actively used navigational channel. This previous disturbance limits the APE's potential for containing significant cultural resources. Although no surveys have been conducted specific to cultural resources research and compliance, the USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE. The survey results indicated that no structures, debris, or cultural resources are located within the APE (Enclosure 2). Given these results, and the extent of previous disturbance within the remainder of the APE, the USACE has determined that no historic properties are present within the APE.

Thank you for your assistance with this project. The USACE believes the above constitutes a reasonable and good faith effort to assess the effects of the Proposed Undertaking and hereby requests your review of our effects determination per 36 CFR 800.3(g) and concurrence with a finding of no historic properties present for the Proposed Action. If you have any questions about the proposed project, please contact Ethan A. Bean at ethan.a.bean@usace.army.mil.

Sincerely,

Christopher L. Hatfield
for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

David Johnston
President
Hancock County Historical Society
P.O. Box 212
11 Captain Bill Road
Hancock, ME 04640

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Johnston:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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Sincerely,

Christopher L. Hatfield
for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Isaac St. John
Tribal Historic Preservation Officer
Houlton Band of Maliseet Indians
88 Bell Road
Littleton, ME 04730

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. St. John:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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for Wendy C. Gendron
Chief, Planning Division

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Tom Guglielmo
President
Isle au Haut Historical Society
P.O. Box 7
Isle au Haut, ME 04645

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Guglielmo:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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Sincerely,

Christopher L. Hatfield

for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Jenny Gaenzle
Tribal Historic Preservation Officer
Mi'kmaq Nation
7 Northern Road
Presque Isle, ME 04769

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Ms. Gaenzle:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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Sincerely,

Christopher L. Hatfield
for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

John Brown
Tribal Historic Preservation Officer
Narragansett Indian Nation
4425 S. County Trail
Charlestown, RI 02813

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Brown:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

The USACE has been authorized to perform advanced maintenance dredging of approximately 3,500 cubic yards of sand, gravel, and cobble shoaling to a depth of -7 feet mean lower low water (MLLW) plus one foot of allowable overdepth. Advanced maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the IHT FNP to its authorized dimensions. Dredged material will be placed at the existing and previously used Flake Island Disposal Site (FIDS) approximately 0.8 miles northwest of the IHT FNP.

The project's area of potential effect (APE) may be defined as the area of direct impacts and the areas within which the Proposed Undertaking may directly or indirectly cause alterations to the character or use of historic properties, including visual effects. The APE for this project includes the IHT FNP proposed for advanced maintenance dredging and the FIDS placement area. A draft APE is included in Enclosure 1 for your review. A review of the Cultural and Architectural Resource Management Archive and historical charts hosted by the National Oceanic and Atmospheric Administration's Office of Coast Survey indicates that no cultural resources have been previously identified within the vicinity of the APE.

The IHT FNP has had one other maintenance dredging instance in 1979 where material was placed at FIDS and is an actively used navigational channel. This previous disturbance limits the APE's potential for containing significant cultural resources. Although no surveys have been conducted specific to cultural resources research and compliance, the USACE performed a remote sensing survey that included side scan sonar and sub bottom profiling of the APE. The survey results indicated that no structures, debris, or cultural resources are located within the APE (Enclosure 2). Given these results, and the extent of previous disturbance within the remainder of the APE, the USACE has determined that no historic properties are present within the APE.

Thank you for your assistance with this project. The USACE believes the above constitutes a reasonable and good faith effort to assess the effects of the Proposed Undertaking and hereby requests your review of our effects determination per 36 CFR 800.3(g) and concurrence with a finding of no historic properties present for the Proposed Action. If you have any questions about the proposed project, please contact Ethan A. Bean at ethan.a.bean@usace.army.mil.

Sincerely,

Christopher L. Hatfield
for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Donald Soctomah
Tribal Historic Preservation Officer
Passamaquoddy Tribe
P.O. Box 301
Princeton, ME 04668

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Soctomah:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

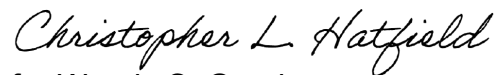
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Sincerely,



for Wendy C. Gendron
Chief, Planning Division

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Chris Sockalexis
Tribal Historic Preservation Officer
Penobscot Indian Nation
12 Wabanaki Way
Indian Island, ME 04468

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Mr. Sockalexis:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 Code of Federal Regulations Part 800, regarding the Isle au Haut Thoroughfare Federal Navigation Project (IHT FNP) in Hancock County, Maine (Enclosure 1). The U.S. Army Corps of Engineers (USACE), New England District, is proposing to conduct maintenance dredging of the IHT FNP to allow for recreational, commercial, and essential vessels to safely access the island harbor (Proposed Undertaking). The IHT FNP was first authorized by the River & Harbor Act of 1945 and construction was completed in 1959 to authorized dimensions of -6 feet mean lower low water, 75 feet wide, and 1,200 feet long.

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Chief, Planning Division

Enclosures



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U.S. ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD, MA 01742

January 26, 2026

Planning Division

Bettina Washington
Tribal Historic Preservation Officer
Wampanoag Tribe of Gay Head (Aquinnah)
20 Black Brook Road
Aquinnah, MA 02535

RE: Section 106 National Historic Preservation Act Consultation, Isle au Haut
Thoroughfare Maintenance Dredging, Hancock County, Maine

Dear Ms. Washington:

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