

5. Consultation and Coordination

5.1. The Scoping Process

Scoping helps to understand the important environmental, cultural, and physical considerations associated with a project. The process is intended to provide an opportunity for interested and affected parties, as well as state and federal agencies, to be involved in the NEPA process and allocate resources to ensure that the project team determines, avoids, minimizes, and mitigates potential impacts. The process is used to identify permits, surveys and consultations that might be required and to offer participating agencies and the public an opportunity to review and comment on the Proposed Action.

5.1.1. Internal Scoping

The marina expansion project for the Safe Harbor Rockland marina facility in Rockland, Maine has been discussed and reviewed with MDEP, USACE, the City of Rockland, and the City of Rockland Harbor Management Committee.

5.1.2. Public Scoping

The plan for the marina expansion at the Safe Harbor Marina has been presented to the following stakeholders:

- Harbor Management Committee
- Rockland City Council and General Public
- United State Coast Guard - Station Rockland
- American Cruise Lines
- Rockland Harbor Mooring Holders
- Maine Boats, Homes, and Harbors
- North Atlantic Blues Festival
- Rockland Yacht Club
- Maine Lobster Festival

Comments were heard and the plan was revised to mitigate against the concerns raised by various project stakeholders as well as comments received from the general public. Specific topics of concern and mitigation solutions are described below:

- Concerns were raised regarding the potential impacts to the views across the harbor from the upland as well as from the existing, publicly accessible Rockland Harbor Breakwater (located to the north-northeast of the subject site). To address these concerns, the scope of the project was reduced significantly. Additionally, the slips where larger vessels would be berthed were relocated behind the existing pier/wave screen at the site to shield the vessels from view from the upland greenspace areas and public Harbor Walk to the extent practicable.

Further, the slips were re-oriented so that the bows or sterns of the larger vessels are aligned with the upland greenspace and Harbor Walk so that view impacts from these upland areas are limited to the width of the vessels as opposed to their entire profile. This orientation also reduced the visible profile of the larger vessels from the Rockland Harbor Breakwater.

- Concerns were raised regarding potential encroachment into an informal marked navigation channel established by the City of Rockland (the “City Channel”). The proposed marina expansion layout was modified such that there is no proposed encroachment into the City Channel or its associated offset.
- Concerns were raised regarding the size and scope of the proposed landward extension of the existing pier at the site. The original plans for the landward pier extension as presented to the stakeholders would have allowed for accommodation of vehicles and a crane truck to facilitate servicing of vessels. This potential use was eliminated and will now be limited to pedestrian use only. The size of the pier extension was also reduced by approximately 4,000 sf, resulting in minimization of both direct and indirect impacts in the intertidal zone.

As part of the NRPA application review and consultation process, the revised plan was submitted to MDEP, USACE, and the Maine Bureau of Parks and Lands (Submerged Lands Lease). As part of that process, an onsite public informational meeting was held on July 1, 2021 to discuss the specifics of the current project. Additionally, the project was presented as follows:

- September 28, 2021 – Rockland Harbor Management Committee
- October 13, 2021 – Rockland City Council-Public Hearing

5.1.3. Agency Scoping

As part of the scoping effort, the following agencies and tribes that have been involved in and/or consulted as part of the regulatory permitting process:

- U.S. Army Corps of Engineers
- NMFS, USFWS, EPA through USACE regulatory authority and consultation (reference permits in Appendix B)
- Maine Department of Environmental Protection
- Maine Historic Preservation Commission
- Maine Department of Marine Resources
- Maine Department of Inland Fisheries and Wildlife
- Maine Natural Areas Program
- State-Recognized Tribes: Aroostook Band of Micmacs, Houlton Band of Maliseet Indians, Passamaquoddy Tribe of Indians, and Penobscot Indian Nation
- City of Rockland, Maine
- Rockland Board of Harbor Commissioners

5.2. Future Compliance Needs/Permits

Implementation of the Proposed Action would require compliance with local, state, and federal laws and regulations. Given that the project has received regulatory authorizations/permits for the beneficial use of dredged materials (MDEP), NRPA (MDEP) and GP Authorization (USACE), there are no known further compliance needs for the project with the exception of NEPA compliance, which is required for the use of the federal BIG funds and is the impetus of this report. It is understood that if there are any species added to the ESA or a change in status, the project may need to be re-evaluated.