



DEPARTMENT OF THE ARMY
 NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
 696 VIRGINIA ROAD
 CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:
 ATTENTION OF:

**MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
 AUTHORIZATION LETTER AND SCREENING SUMMARY**

PHILBROOK AVENUE ASSOCIATES, LLC
 C/O DELUCA-HOFFMAN ASSOCIATES, INC.
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, MAINE 04106

CORPS PERMIT # NAE-2004-2524
 CORPS PGP ID# 04-342
 STATE ID# L-9148-TD-G-N

DESCRIPTION OF WORK:

Fill approximately 17,424 s.f. (0.4 acres) of freshwater wetland adjacent to a tributary to Long Creek at South Portland, Maine in order to expand an existing retail center including the construction of a 23,500 s.f. retail building, 104 new parking spaces, and a new stormwater management facility.

LAT/LONG COORDINATES : 43.6335547° N 70.3319116° W USGS QUAD: PORTLAND WEST, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine Programmatic General Permit (PGP).

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 36 of the PGP (page 12) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on September 29, 2005. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by September 29, 2006.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

II. STATE ACTIONS: PENDING [X], ISSUED [], DENIED [] DATE _____

APPLICATION TYPE: PBR: _____ TIER 1: _____ TIER 2: _____ TIER 3: X LURC: _____ DMR LEASE: _____ NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 8/12/04 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY: SEC 10 _____, 404 X 10/404 _____, 103 _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT Y (N) (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO _____, USF&WS_NO _____, NMFS_NO _____

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office.

Jay L. Clement
 JAY L. CLEMENT
 SENIOR PROJECT MANAGER
 MAINE PROJECT OFFICE

Frank J. Delgiudice 10-22-04
 FRANK J. DELGIUDICE DATE
 CHIEF, PERMITS & ENFORCEMENT BRANCH
 REGULATORY DIVISION

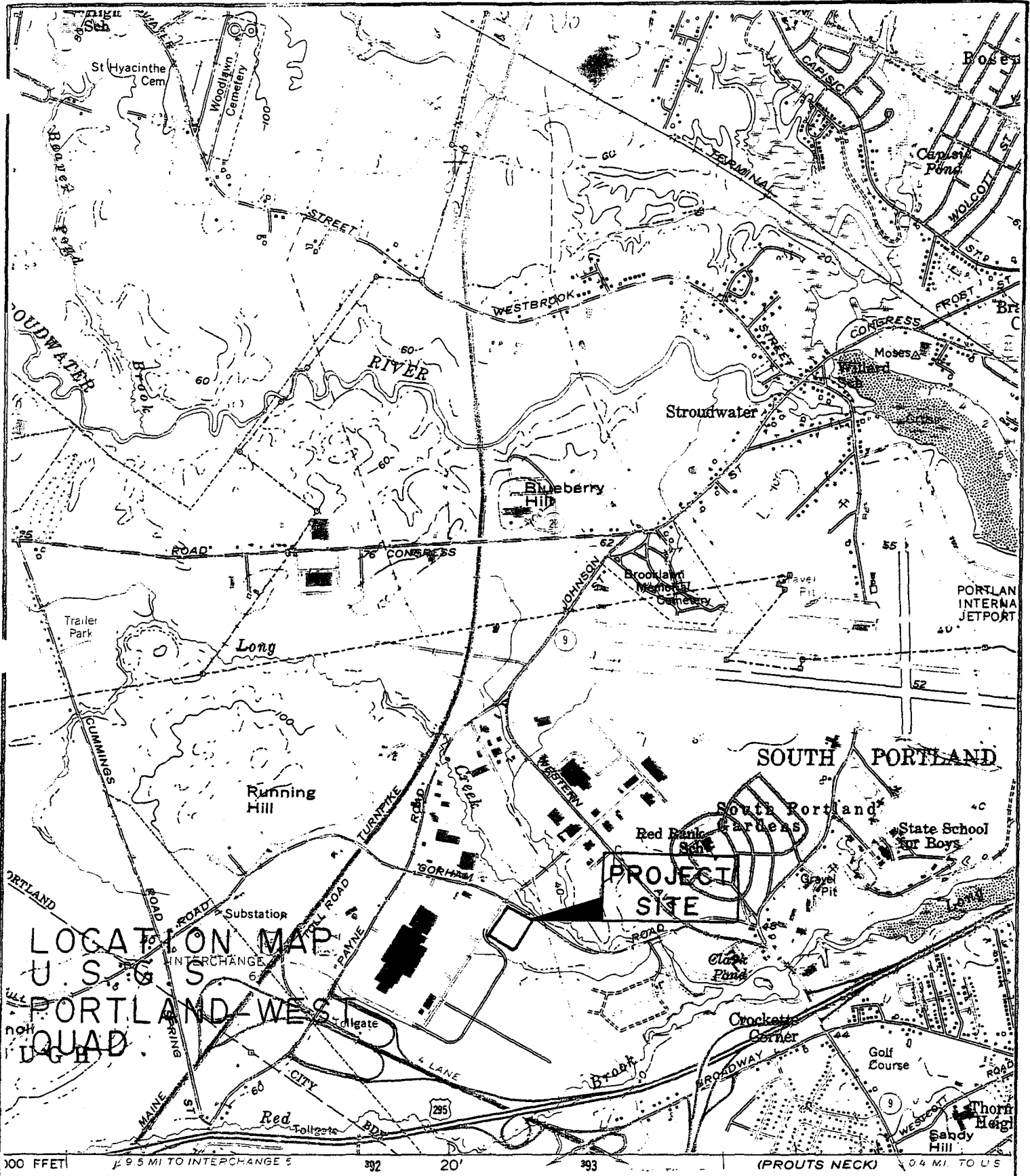
OCT 25 2004



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

**ADDITIONAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
NO. NAE-2004-2524**

1. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
2. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.
3. All exposed soils resulting from the construction will be promptly seeded and mulched in order to achieve vegetative stabilization.



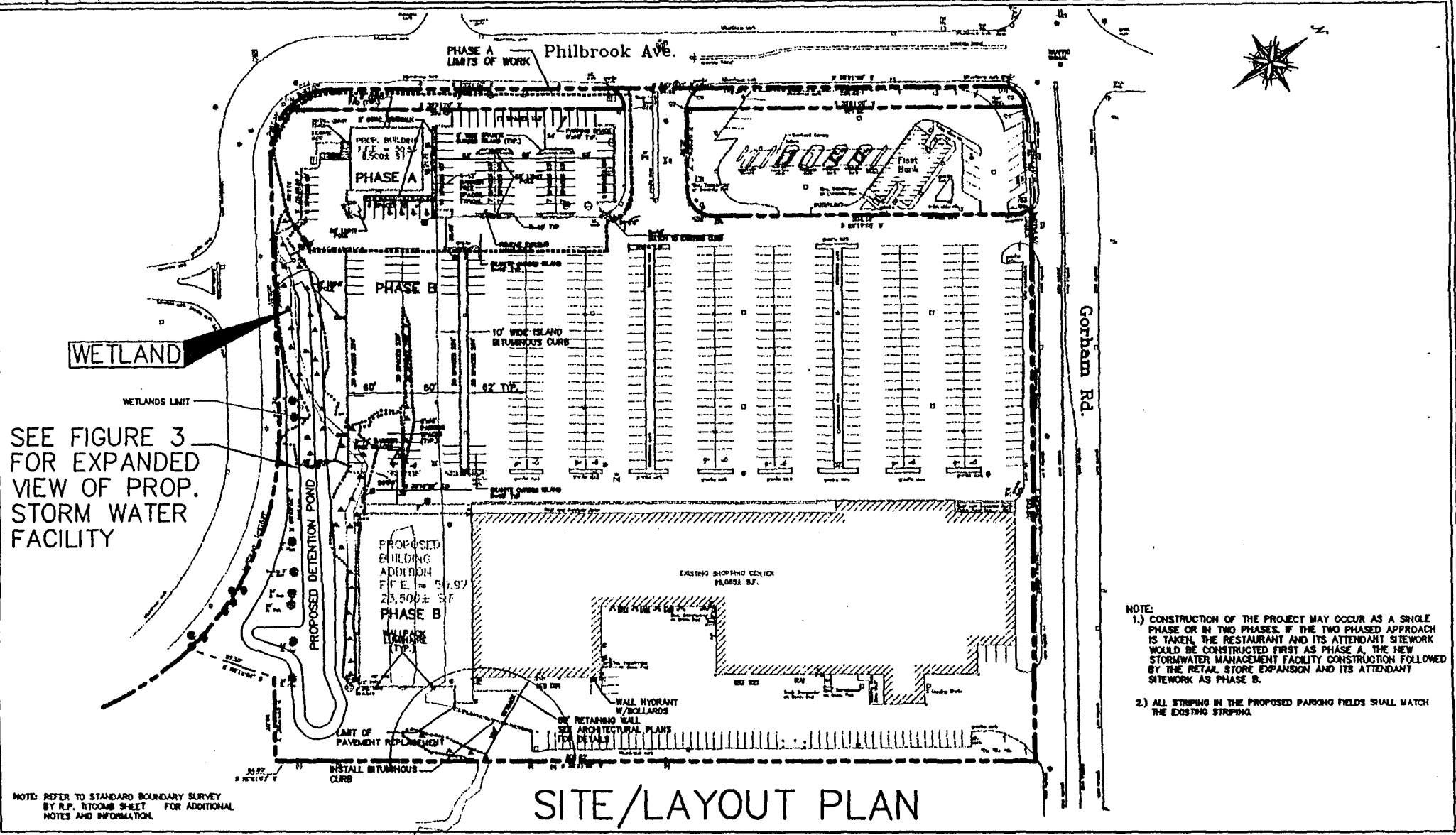
LOCATION MAP
 U.S.G.S.
 PORTLAND-WEST
 QUAD

100 FEET 1.95 MI TO INTERCHANGE 5 392 20' 393 (PROUTS NECK) 0.4 MI. TO I-95

DeLuca-Hoffman
 Associates, Inc.
 Consulting Engineers
 778 Main Street
 South Portland, Maine 04106
 207-775-1121



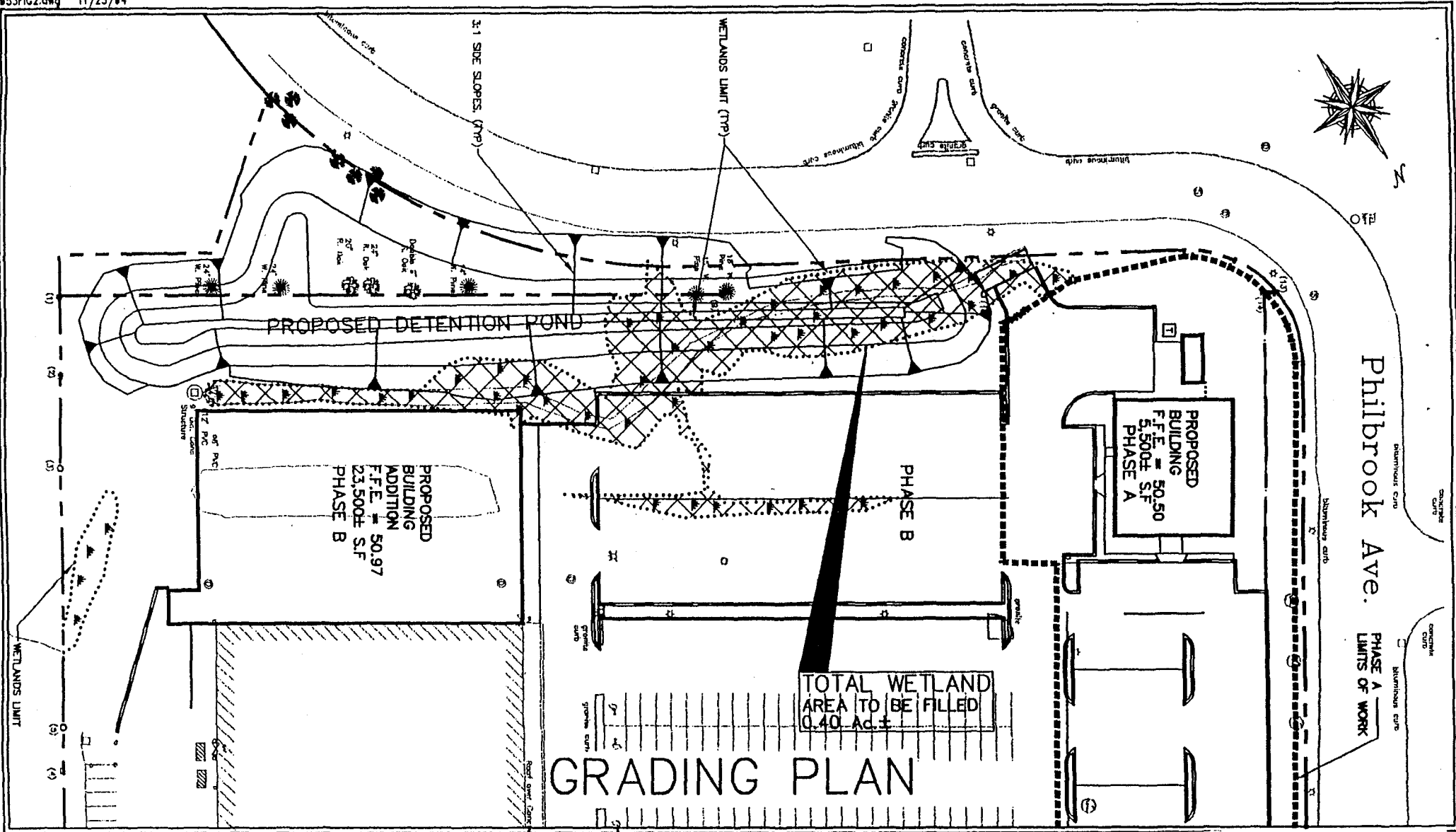
Designed	Date 8/1/94	FIGURE
Drawn	Scale 2000'	
Checked	Job No. 953	



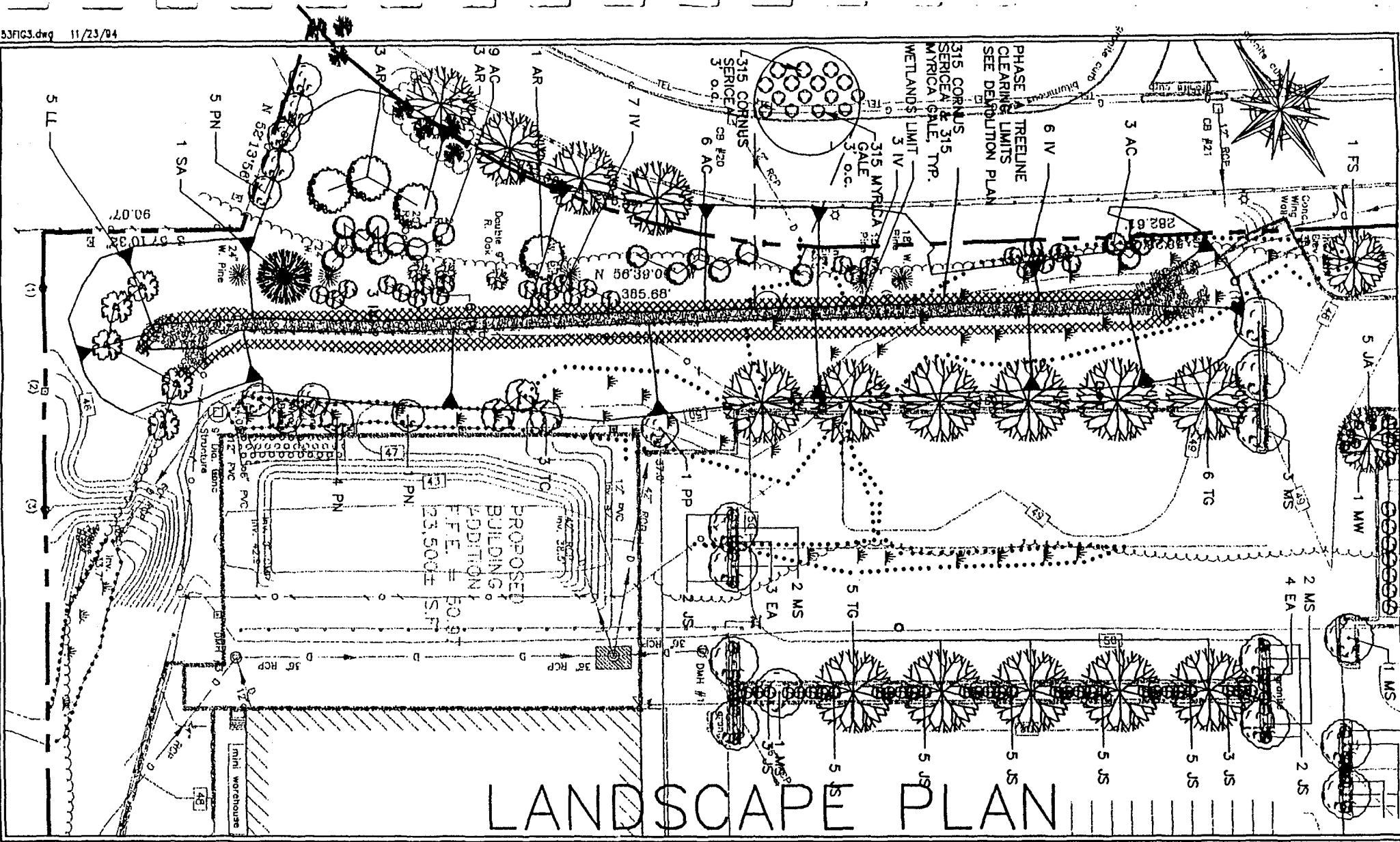
SITE/LAYOUT PLAN

- NOTE:
- 1.) CONSTRUCTION OF THE PROJECT MAY OCCUR AS A SINGLE PHASE OR IN TWO PHASES. IF THE TWO PHASED APPROACH IS TAKEN, THE RESTAURANT AND ITS ATTENDANT SITEWORK WOULD BE CONSTRUCTED FIRST AS PHASE A, THE NEW STORMWATER MANAGEMENT FACILITY CONSTRUCTION FOLLOWED BY THE RETAIL STORE EXPANSION AND ITS ATTENDANT SITEWORK AS PHASE B.
 - 2.) ALL STRIPING IN THE PROPOSED PARKING FIELDS SHALL MATCH THE EXISTING STRIPING.

2	FIGURE: 141 144 148	BOOK: 141 144 148	PAGE: 10 20 61	LOCATION: CITY OF SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: FILL FOR PROPOSED SHOPPING CENTER EXPANSION	PROJECT APPLICANT: PHILBROOK AVENUE ASSOCIATES, LLC	
	LEGAL DESCRIPTION: STANDARD BOUNDARY SURVEY AVAILABLE	WATER BODY: UNNAMED ISOLATED WETLANDS	ABUTTERS: SEE FIGURE 5	SCALE: NONE DATUM: PLAN SET DATE: 7/26/04	Deluca-Hoffman Associates, Inc.		



3	FIGURE:	BOOK: 141 144 148	PAGE: 10 20 61	LOCATION: CITY OF SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: FILL FOR PROPOSED SHOPPING CENTER EXPANSION	PHILBROOK AVENUE ASSOCIATES, LLC	
	LEGAL DESCRIPTION: STANDARD BOUNDARY SURVEY AVAILABLE	WATER BODY: UNNAMED ISOLATED WETLANDS	ABUTTERS: SEE FIGURE 5	SCALE: NONE DATUM: PLAN SET	DATE: 7/26/04	Deluca-Hoffman Associates, Inc.	



LANDSCAPE PLAN

4	FIGURE:	BOOK: 141 144 148	PAGE: 10 20 61	LOCATION: CITY OF SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: FILL FOR PROPOSED SHOPPING CENTER EXPANSION	PROJECT APPLICANT: PHILBROOK AVENUE ASSOCIATES, LLC
	LEGAL DESCRIPTION: STANDARD BOUNDARY SURVEY AVAILABLE	WATER BODY: UNNAMED ISOLATED WETLANDS	ABUTTERS: SEE FIGURE 5	SCALE: NONE DATUM: PLAN SET DATE: 7/26/04	Deluca-Hoffman Associates, Inc.	

ABUTTERS LIST

GGP – MAINE MALL LLC
 C/O GENERAL GROWTH PROPERTIES
 110 NORTH WACKER DRIVE
 CHICAGO, IL 60606

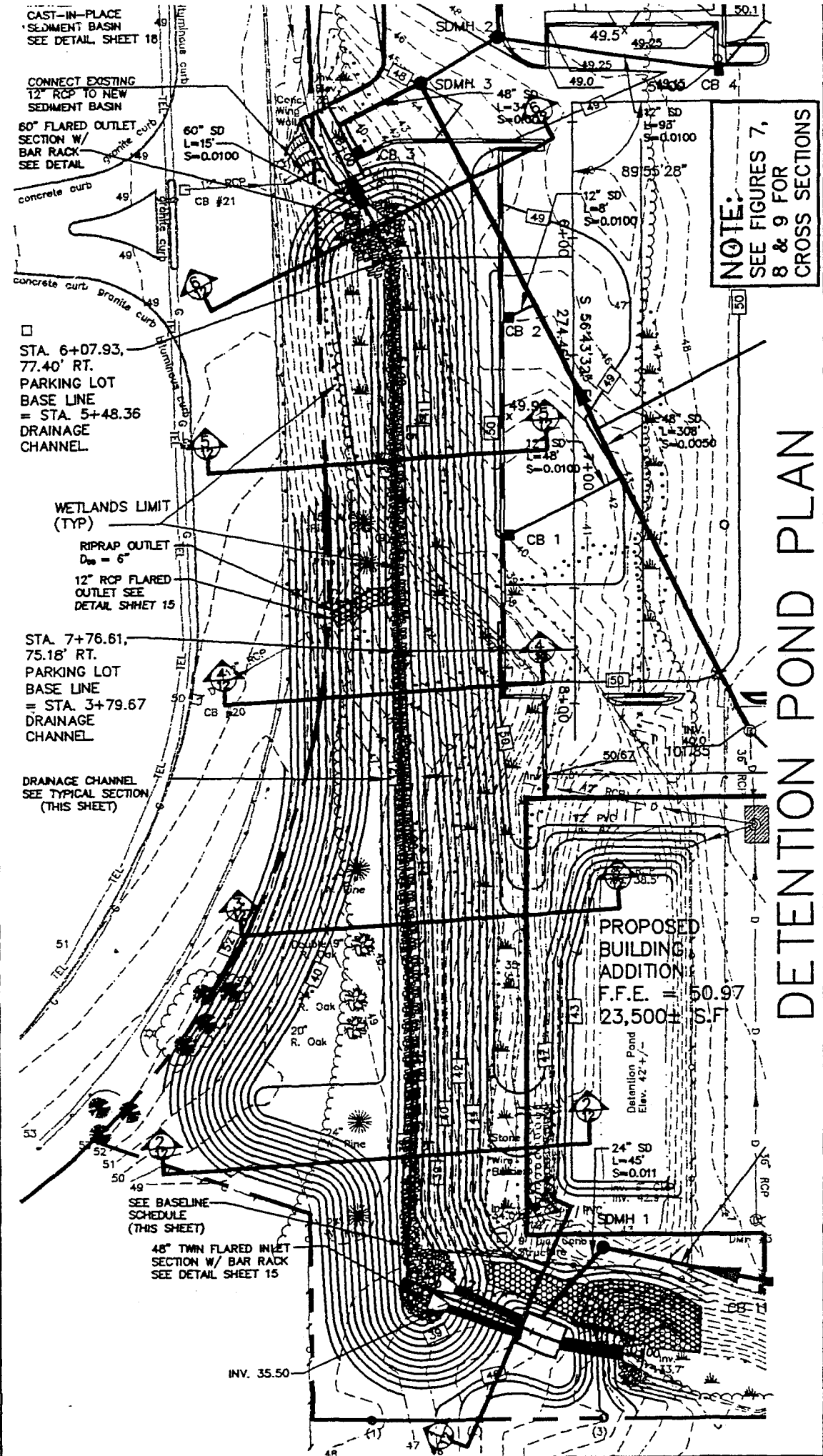
RAPHAEL LIMITED PARTNERSHIP
 BUGABOO CREEK STEAKHOUSE, INC.
 EASLEY, MCCALED & ASSOCIATES
 3609 C CHAIN BRIDGE ROAD
 FAIRFAX, VA 22030

EIC, INC.
 ATTN: WAYNE KUEGEL
 70 SCOTT DRIVE
 WESTBROOK, ME 04092

SHOPS AT CLARK'S POND LLC
 M&J WILKOW, LTD
 180 NORTH MICHIGAN AVENUE
 CHICAGO, IL 60601

CORNERBROOK, LLC
 PO BOX 4894
 PORTLAND, ME 04112-4894

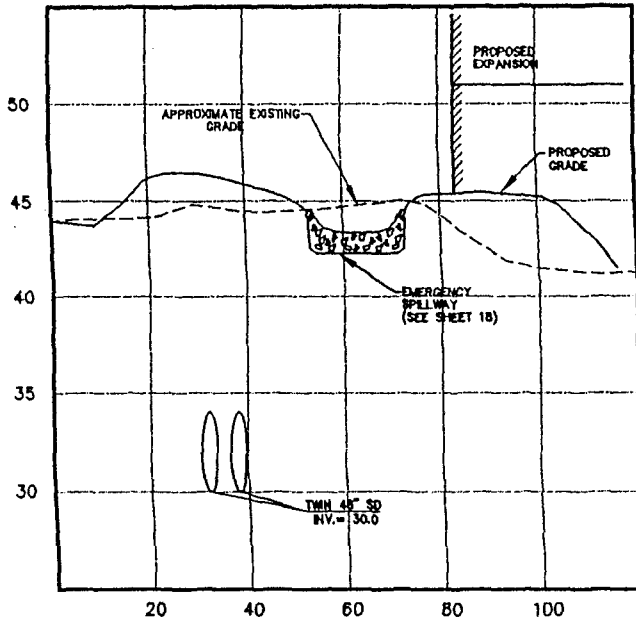
5	BOOK: 141 144 148	PAGE: 10 20 61	LOCATION: CITY OF SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: FILL FOR PROPOSED SHOPPING CENTER EXPANSION	PHILBROOK AVENUE ASSOCIATES, LLC	
	LEGAL DESCRIPTION: STANDARD BOUNDARY SURVEY AVAILABLE		WATER BODY: UNNAMED ISOLATED WETLANDS	ABUTTERS: N/A	SCALE: NONE DATUM: PLAN SET	Deluca-Hoffman Associates, Inc.
					DATE: 7/26/04	



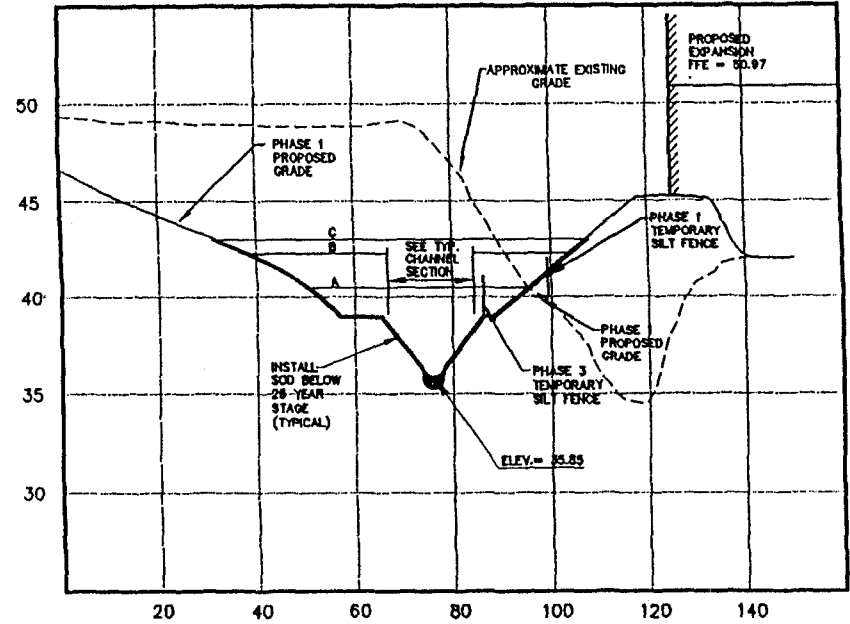
DETENTION POND PLAN

FIGURE:	6
BOOK:	141 144 148
PAGE:	10 20 61
LEGAL DESCRIPTION:	STANDARD BOUNDARY SURVEY AVAILABLE
LOCATION:	CITY OF SOUTH PORTLAND, MAINE
WATER BODY:	UNNAMED ISOLATED WETLANDS
ABUTTERS:	SEE FIGURE 5
PROPOSED ACTIVITY:	FILL FOR PROPOSED SHOOPING CENTER EXPANSION
PROJECT APPLICANT:	PHILBROOK AVENUE ASSOCIATES, LLC
SCALE:	NOTED
DATUM:	PLAN SET
DATE:	7/26/04
Deluca-Hoffman Associates, Inc.	

SCALE
 1" = 10' VERT
 1" = 40' HORI



SECTION 1
 SCALE: HORIZ. 1" = 20'
 VERT. 1" = 5'



SECTION 2
 SCALE: HORIZ. 1" = 20'
 VERT. 1" = 5'

DETENTION POND CROSS SECTION 1 & 2

FIGURE:

7

BOOK: 141
 144
 148
 PAGE: 10
 20
 61

LOCATION:
 CITY OF SOUTH
 PORTLAND, MAINE

PROPOSED ACTIVITY:
 FILL FOR PROPOSED SHOPPING
 CENTER EXPANSION

PHILBROOK AVENUE
 ASSOCIATES, LLC

LEGAL DESCRIPTION:
 STANDARD BOUNDARY
 SURVEY AVAILABLE

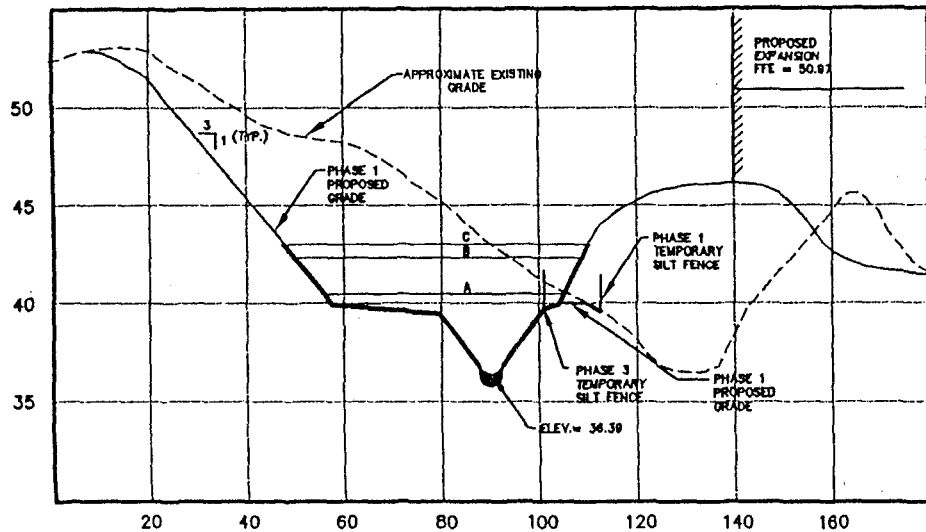
WATER BODY:
 UNNAMED ISOLATED
 WETLANDS

ABUTTERS:
 SEE FIGURE 5

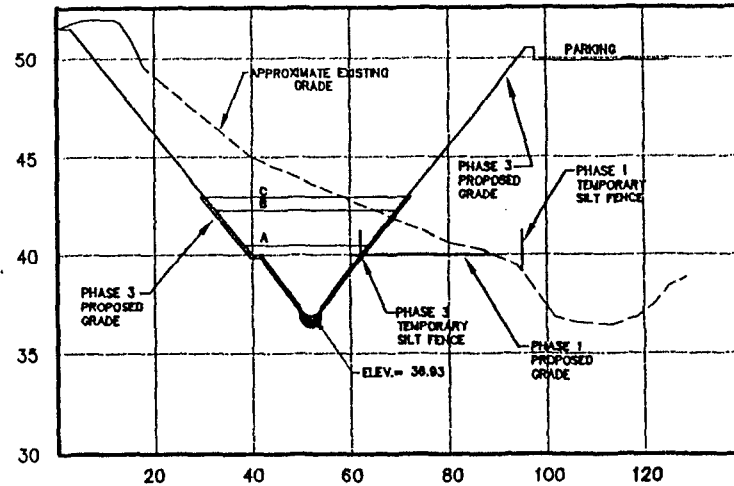
SCALE: NOTED
 DATUM: PLAN SET
 DATE 7/26/04

Deluca-Hoffman
 Associates, Inc.

SCALE
 1" = 10' VERT
 1" = 40' HORI



SECTION 3
 SCALE: HORZ. 1" = 20'
 VERT. 1" = 5'

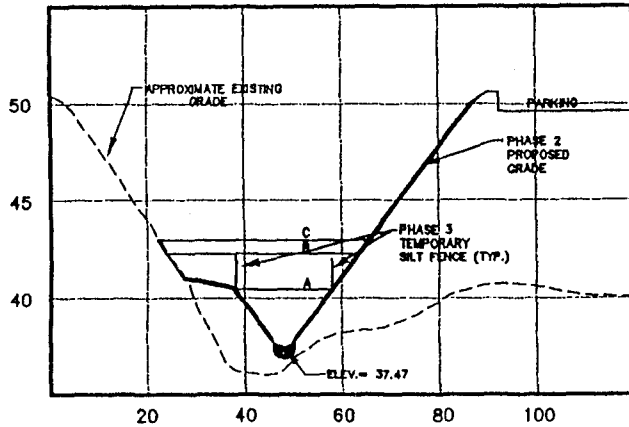


SECTION 4
 SCALE: HORZ. 1" = 20'
 VERT. 1" = 5'

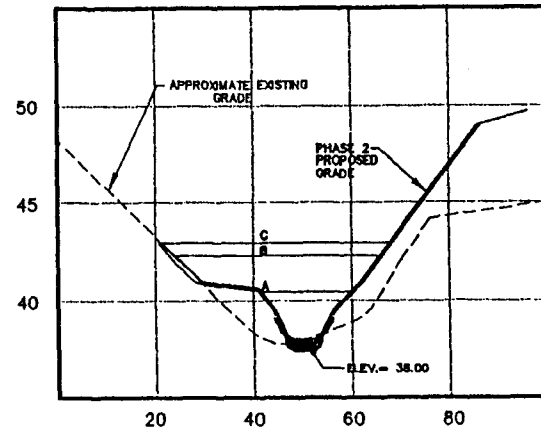
DETENTION POND CROSS SECTION 3 & 4

8	FIGURE: 141 144 148	BOOK: 141 144 148	PAGE: 10 20 61	LOCATION: CITY OF SOUTH PORTLAND, MAINE	PROPOSED ACTIVITY: FILL FOR PROPOSED SHOPPING CENTER EXPANSION	PHILBROOK AVENUE ASSOCIATES, LLC	
	LEGAL DESCRIPTION: STANDARD BOUNDARY SURVEY AVAILABLE	WATER BODY: UNNAMED ISOLATED WETLANDS	ABUTTERS: SEE FIGURE 5	SCALE: NOTED DATUM: PLAN SET DATE: 7/26/04	Deluca-Hoffman Associates, Inc.		

SCALE
 1" = 10' VERT
 1" = 40' HORI



SECTION 5
 SCALE: HORZ. 1" = 20'
 VERT. 1" = 5'



SECTION 6
 SCALE: HORZ. 1" = 20'
 VERT. 1" = 5'

DETENTION POND CROSS SECTION 5 & 6

FIGURE:
9

BOOK: PAGE:
 141 10
 144 20
 148 61

LOCATION:
 CITY OF SOUTH
 PORTLAND, MAINE

PROPOSED ACTIVITY:
 FILL FOR PROPOSED SHOPPING
 CENTER EXPANSION

PROJECT APPLICANT:
 PHILBROOK AVENUE
 ASSOCIATES, LLC

LEGAL DESCRIPTION:
 STANDARD BOUNDARY
 SURVEY AVAILABLE

WATER BODY:
 UNNAMED ISOLATED
 WETLANDS

ABUTTERS:
 SEE FIGURE 5

SCALE: NOTED
 DATUM: PLAN SET
 DATE: 7/26/04

Deluca-Hoffman
 Associates, Inc.