



**US Army Corps
of Engineers**®
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: November 12, 2013
Comment Period Ends: December 12, 2013
File Number: NAE-2010-145
In Reply Refer To: John C. Sargent
Phone: (978) 318-8026
E-mail: John.C.Sargent@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States as described below.

APPLICANT

Town of Falmouth, Gregg Fraser, 180 Scranton Ave, Falmouth, MA 02540

ACTIVITY

The applicant is proposing to expand on its plans for comprehensive dredging and beach nourishment that was permitted by the Corps of Engineers on December 20, 2012 (file number NAE-2010-145). This additional work would dredge about 28,000 square feet in Green Pond Channel with beach nourishment in Acapeket Association Beach and Pyne Trustees Beach; and dredge about 50,000 square feet in Waquoit Channel with beach nourishment on South Cape Beach in Mashpee. The total dredge volume of 2,300 cubic yards would be produced over the next 10 years.

A detailed description on plans of the work can be located at our website at www.nae.usace.army.mil under Regulatory, Public Notices. The plans are entitled "Town of Falmouth" on 7 sheets and dated revised 8/12/13 and 4/17/13.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue,

modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267) requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact 1.79 acres of Essential Fish Habitat (EFH) for Atlantic Cod and Bluefish, eggs, larval and juvenile and adult winter flounder, windowpane flounder, summer flounder and scup among other species). This habitat consists of sandy subtidal substrate and shoaled areas within boating channels. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

The State of Massachusetts has an approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

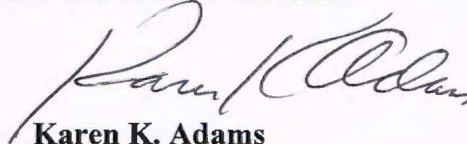
- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact John Sargent at (978) 318-8026, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



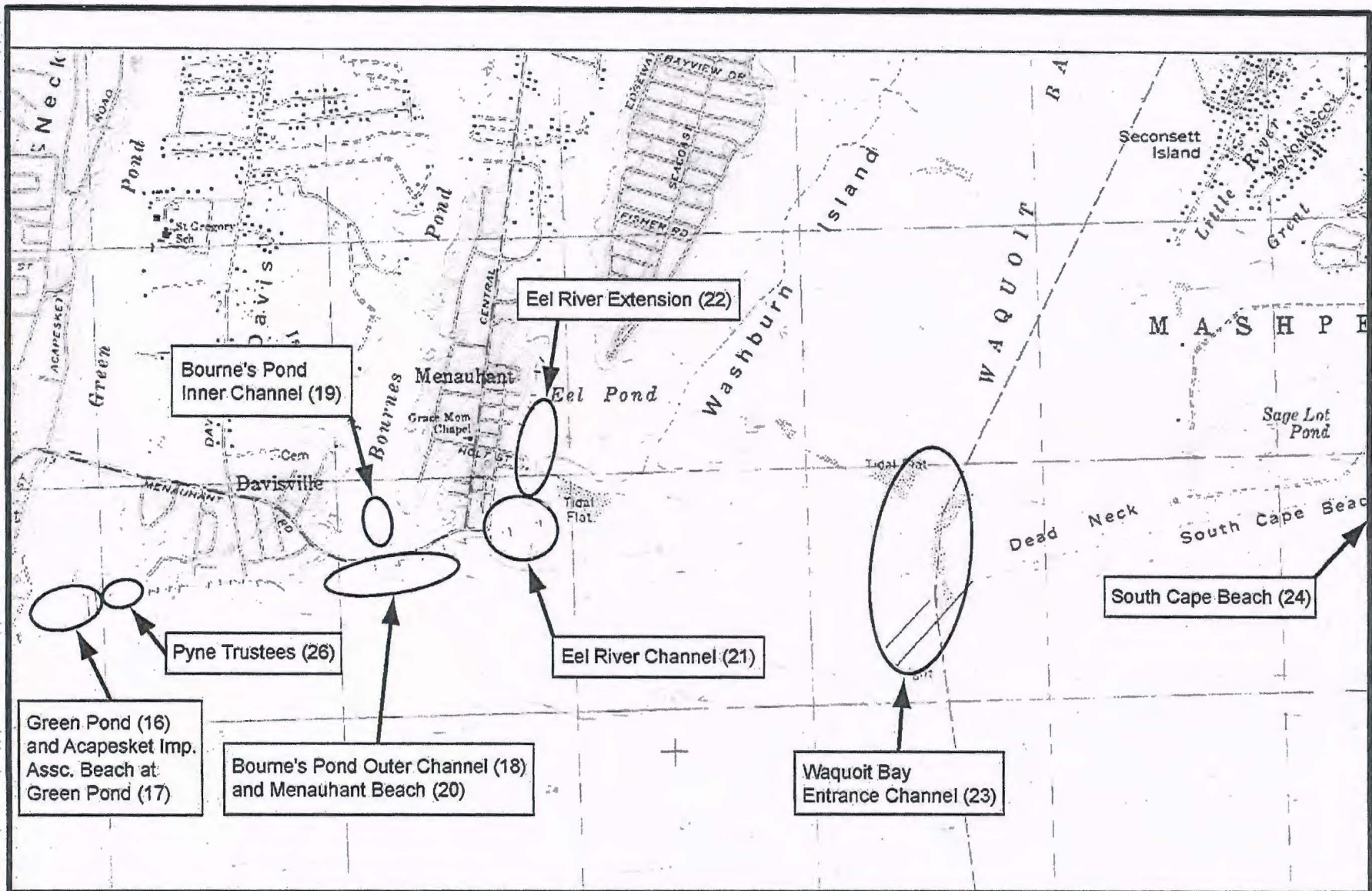
Karen K. Adams
Chief, Permits and Enforcement Branch
Regulatory Division


If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at

CENAE-R
FILE NO. NAE-200x-xxx

(978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____




 81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
 TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

Town of Falmouth
 Comprehensive Permit for
 Dredging & Beach Nourishment
 Locus-Vineyard Sound East

APPLICATION BY:
 TOWN OF FALMOUTH
 TOWN: FALMOUTH
 COUNTY: BARNSTABLE
 STATE: MA

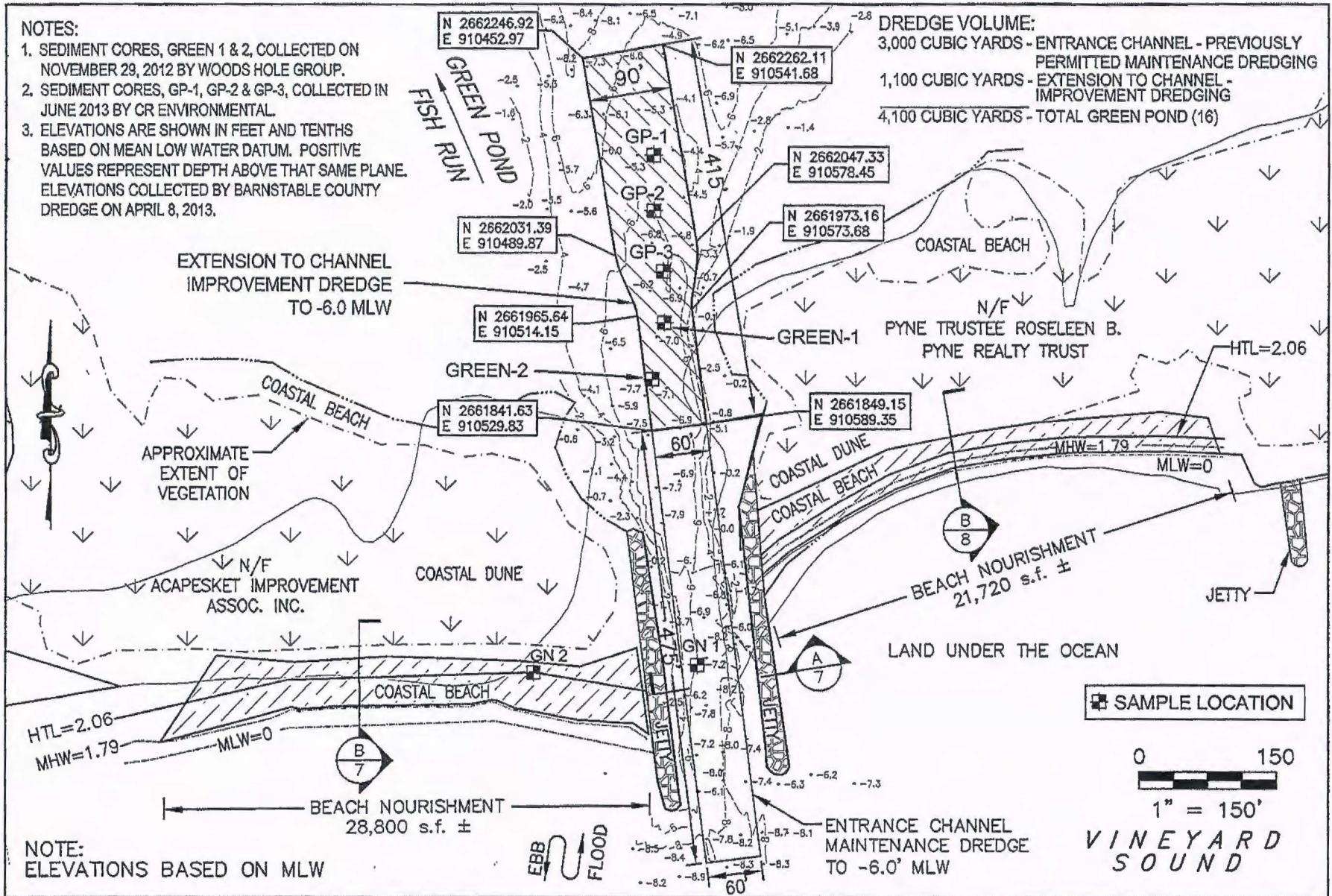
SHEET 1 OF 7
 DATE: 11-9-11
 REVISED:

NOTES:

- 1. SEDIMENT CORES, GREEN 1 & 2, COLLECTED ON NOVEMBER 29, 2012 BY WOODS HOLE GROUP.
- 2. SEDIMENT CORES, GP-1, GP-2 & GP-3, COLLECTED IN JUNE 2013 BY CR ENVIRONMENTAL.
- 3. ELEVATIONS ARE SHOWN IN FEET AND TENTHS BASED ON MEAN LOW WATER DATUM. POSITIVE VALUES REPRESENT DEPTH ABOVE THAT SAME PLANE. ELEVATIONS COLLECTED BY BARNSTABLE COUNTY DREDGE ON APRIL 8, 2013.

DREDGE VOLUME:

- 3,000 CUBIC YARDS - ENTRANCE CHANNEL - PREVIOUSLY PERMITTED MAINTENANCE DREDGING
- 1,100 CUBIC YARDS - EXTENSION TO CHANNEL - IMPROVEMENT DREDGING
- 4,100 CUBIC YARDS - TOTAL GREEN POND (16)



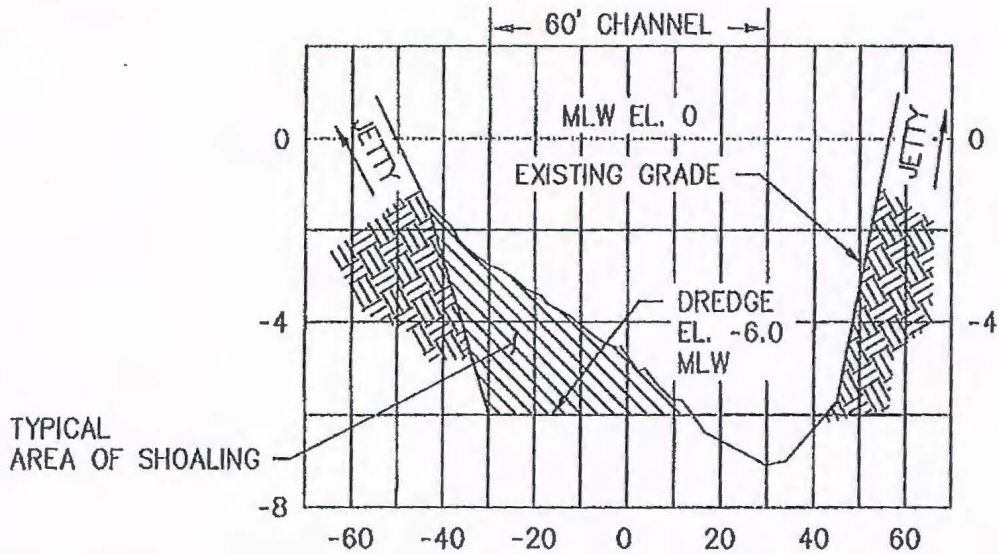
NOTE: ELEVATIONS BASED ON MLW

WOODS HOLE GROUP
 81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
 TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

TITLE:
 Revised Green Pond (16) Dredging
 Acapesket Assoc. Beach (17)
 Pyne Trustees Beach (26)
 Nourishment

APPLICATION BY:
 TOWN OF FALMOUTH
 TOWN: FALMOUTH
 COUNTY: BARNSTABLE
 STATE: MA

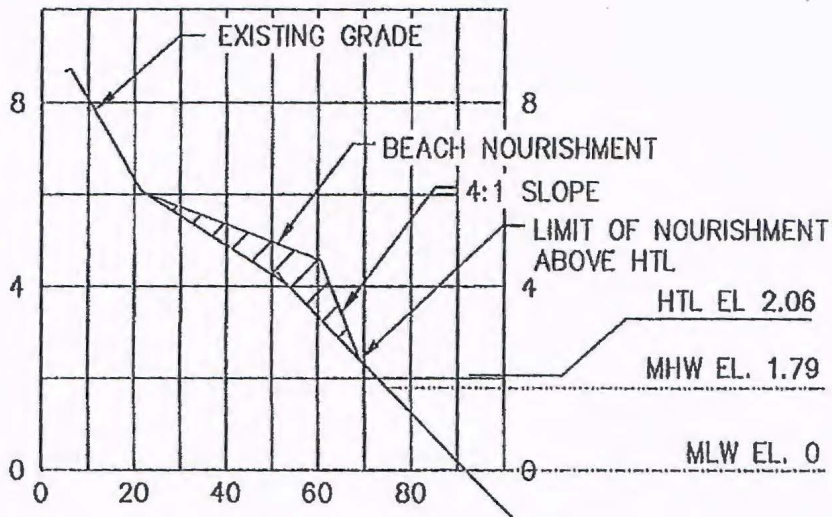
SHEET 2 OF 7
 DATE: 11/9/11
 REVISED: 8/12/13



(A)
7

TYPICAL DREDGE SECTION

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 4'



(B)
7

TYPICAL BEACH NOURISHMENT SECTION

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 4'

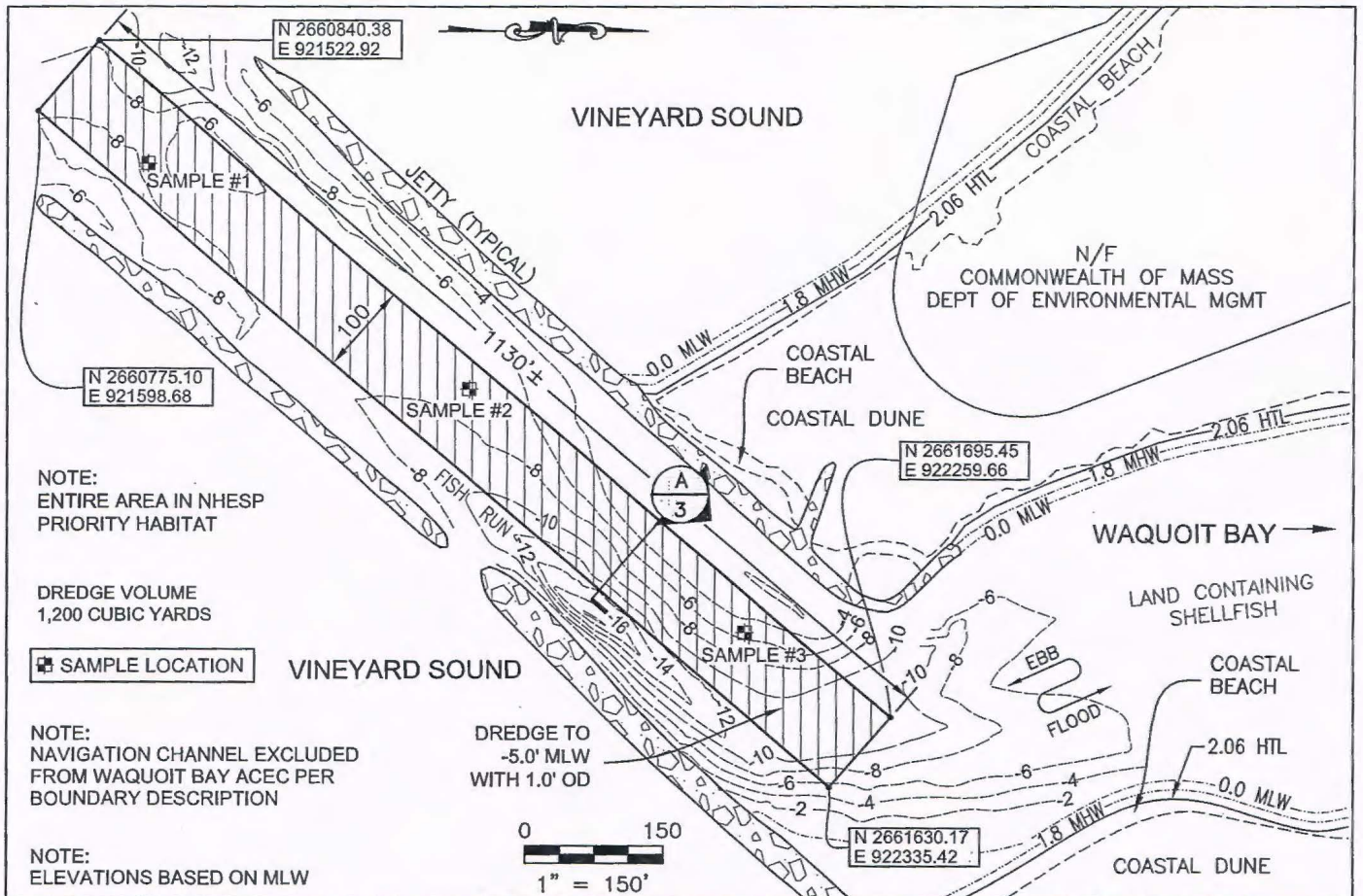
NOTE:
ELEVATIONS BASED ON MLW

**WOODS
HOLEGROUP**
81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02539
TELEPHONE: (508) 510-8000 FAX: (508) 510-1001

TITLE:
Green Pond (16)
Acapesket Assc. Beach
(20)
Typical Sections

APPLICATION BY:
TOWN OF FALMOUTH
TOWN: FALMOUTH
COUNTY: BARNSTABLE
STATE: MA

SHEET 3 OF 7
DATE: 11-9-11
REVISED:



NOTE:
ENTIRE AREA IN NHESP
PRIORITY HABITAT

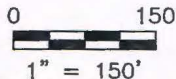
DREDGE VOLUME
1,200 CUBIC YARDS

☒ SAMPLE LOCATION

NOTE:
NAVIGATION CHANNEL EXCLUDED
FROM WAQUOIT BAY ACEC PER
BOUNDARY DESCRIPTION

NOTE:
ELEVATIONS BASED ON MLW

DREDGE TO
-5.0' MLW
WITH 1.0' OD

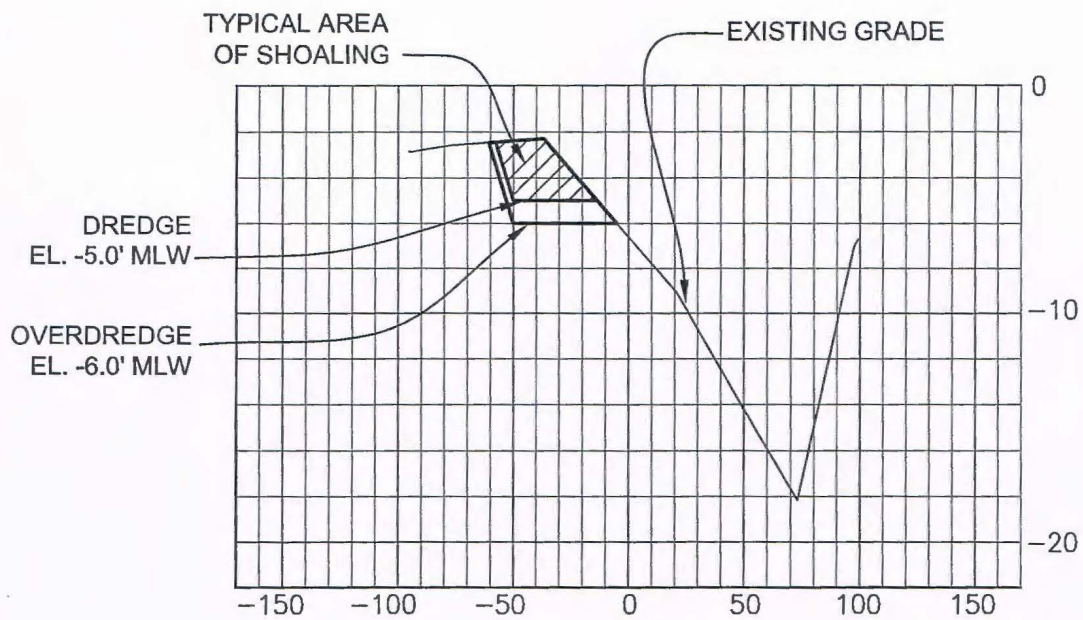


81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

TITLE:
Waquoit Bay (23a)
Entrance Channel
Improvement Dredging

APPLICATION BY:
TOWN OF FALMOUTH
TOWN: FALMOUTH
COUNTY: BARNSTABLE
STATE: MA

SHEET 4 OF 7
DATE: 11-9-11
REVISED: 4-17-13



A TYPICAL DREDGE SECTION
3

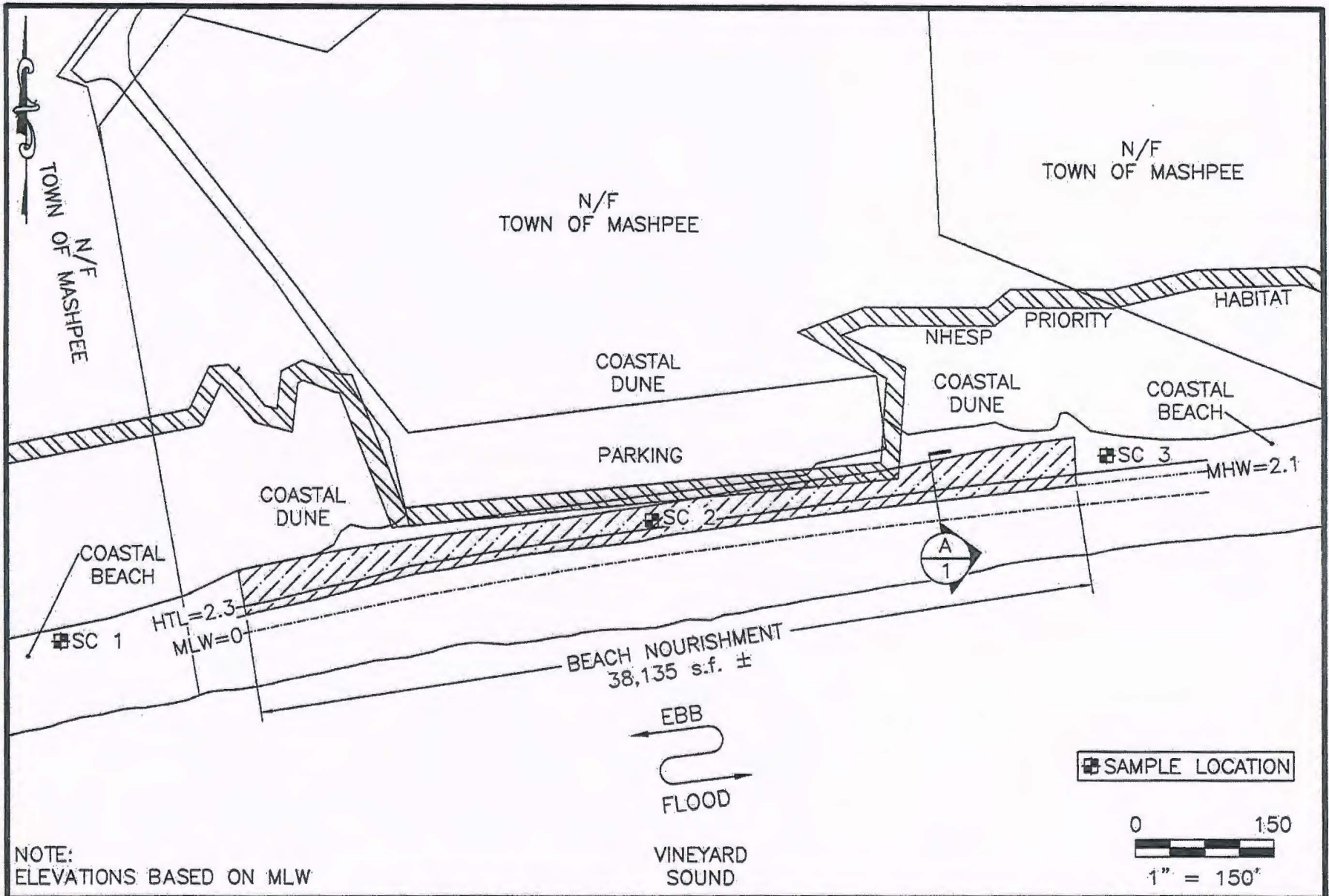
HORIZONTAL SCALE: 1"=80'
 VERTICAL SCALE: 1"=8'


 81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
 TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

TITLE:
 Waquoit Bay (23a)
 Entrance Channel
 Typical Sections

APPLICATION BY:
 TOWN OF FALMOUTH
 TOWN: FALMOUTH
 COUNTY: BARNSTABLE
 STATE: MA

SHEET 5 OF 7
 DATE: 11-9-11
 REVISED: 4-17-13



NOTE:
ELEVATIONS BASED ON MLW

WOODS HOLE GROUP
81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

TITLE:
South Cape Beach (24)
Nourishment

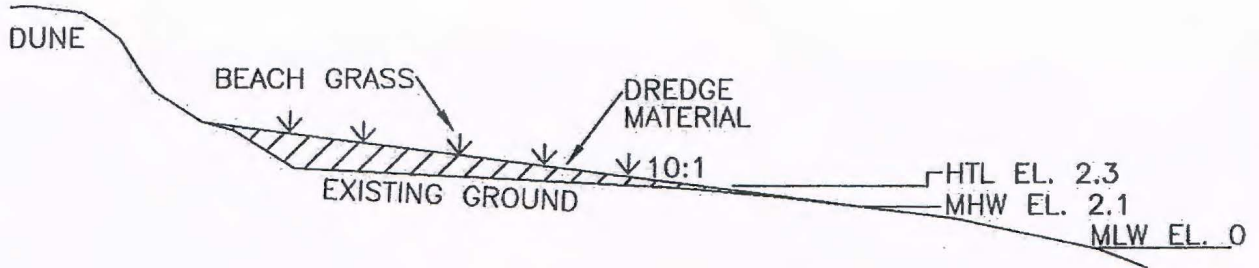
APPLICATION BY:
TOWN OF FALMOUTH

TOWN: FALMOUTH
COUNTY: BARNSTABLE
STATE: MA

SHEET 6 OF 7


DATE: 11-9-11

REVISED:



A TYPICAL BEACH NOURISHMENT SECTION
1 NOT TO SCALE

NOTE:
ELEVATIONS BASED ON MLW

 <small>81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536 TELEPHONE: (508) 540-8080 FAX: (508) 540-1001</small>	TITLE: South Cape Beach (24) Typical Section	APPLICATION BY: TOWN OF FALMOUTH TOWN: FALMOUTH COUNTY: BARNSTABLE STATE: MA	SHEET 7 OF 7 DATE: 11-9-11 REVISED: