



15-DAY

# PUBLIC NOTICE

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

**Comment Period Begins: 8 October 2013**  
**Comment Period Ends: 25 October 2013**  
**File Number: NAE 2013-1242**  
**In Reply Refer To: Mr. Brian E. Valiton**  
**Phone: (978) 318-8166**  
**E-mail: [brian.e.valiton@usace.army.mil](mailto:brian.e.valiton@usace.army.mil)**

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

**APPLICANT: South Essex Sewerage District (SESD), 50 Fort Avenue, Salem, Massachusetts 01970**

**ACTIVITY:** The SESD is seeking approval to install approximately 6000 linear feet of twin 24 inch HDPE pipelines underneath the waters of Salem Harbor and underneath the Federal navigation channel in the harbor to replace the existing submerged pipelines. The old pipelines will be abandoned in place once the new pipelines are in place and operational.

The replacement pipeline work includes the discharge of dredged or fill material for first side-casting the excavated material on either side of the trench to be excavated for the installation of the pipelines and bedding material. Then the side-cast material will be placed back into the trench after the pipelines and the bedding material are completed.

The work is described on the enclosed plans entitled "CONTRACT NO. 13-1 MARBLEHEAD PIPELINE REPLACEMENT PROJECT SOUTH ESSEX SEWERAGE DISTRICT 50 FORT AVENUE, SALEM, MASSACHUSETTS," on 8 sheets, and dated "8/28/13."

A more detailed description of the proposed work is contained on the last page of this notice.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK:**

This work is proposed in Salem Harbor with one end at the sewage treatment plant at 50 Fort Avenue, Salem, Massachusetts and the other end coming ashore at the Town of Marblehead property at Stramski Way, Marblehead, Massachusetts. The site coordinates for the Salem end are: Latitude - 42° 31' 43.17" N, Longitude - 70° 52' 26.28" West. The site coordinates for the Marblehead end are: Latitude - 42° 30' 51.40" N, Longitude - 70° 51' 57.34" West.

## **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).

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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, 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.

**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).

The dredging/excavation portion of this project will impact approximately 150,000 sq. ft of Essential Fish Habitat (EFH) for American plaice (eggs, larvae, juveniles, adults), Atlantic butterfish (eggs, larvae), Atlantic cod (eggs, larvae, juveniles, adults), Atlantic halibut (eggs, larvae, juveniles, adults), Atlantic mackerel (eggs, larvae, juveniles, adults), Atlantic sea herring (larvae, juveniles, adults), bluefish (juveniles, adults), haddock (eggs, larvae), Ocean pout (juveniles, adults), Pollock (eggs, larvae, juveniles), red hake (larvae, juveniles, adults), White Hake (eggs, larvae, juveniles, adults), whiting (eggs, larvae, juveniles, adults), winter flounder (eggs, larvae, juveniles, adults), windowpane flounder (eggs, larvae, juveniles, adults), and yellowtail flounder (eggs, larvae, juveniles, adults). The area in which the material will be side-cast will temporarily impact another 7 acres of harbor bottom on either side of the excavated trench. Habitat at this site can be described as silt and clay. Temporary loss of this habitat or severe turbidity during the spawning season may particularly adversely affect winter flounder during spawning and juvenile development. However, since the harbor bottom will be returned to its original grade with the same material, as long as the excavation is done during the season when the fish species utilizing the harbor waters for spawning are not present and turbidity is minimized there should be no adverse affect to any EFH species or their habitat. For this reason, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation

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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 the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

**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 States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have 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:

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

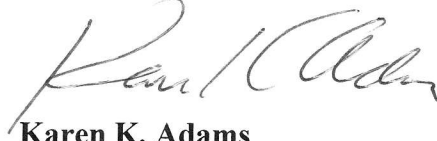
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Mr. Brian Valiton at (978) 318-8166, (800) 343-4789 or (800) 362-4367, 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.

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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 (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto: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: \_\_\_\_\_

**PROPOSED WORK AND PURPOSE:**

Proposed work includes the construction of twin 24 inch high-density polyethylene (“HDPE”) pipelines under Salem Harbor from Marblehead to Salem to replace two existing ductile iron pipelines installed in the late 1970’s. The new replacement lines will be installed by excavating a trench up to approx. 25 feet wide to a depth of approx. -45 feet m.l.w., side-casting the excavated material on either side of the excavated trench, installing the pipelines and bedding material and then backfilling the new replacement pipelines with the excavated/side-cast material. The replacement pipelines are approx. 6000 feet in length.

The harbor bottom area covered by the trench excavation totals approx. 3.6 acres and the area of harbor bottom alongside the trench that will be covered by the side-cast material will total approximately 7 acres. A total of approximately 36,500 cu. yds. of material will be excavated from the trench and side-cast on either side of it. At the conclusion of the pipeline installation and backfilling, the excess excavated material will be mounded up along the excavated trench route of the new pipelines to a height above the original harbor bottom of approximately 1 foot. The existing pipelines will be cut off and allowed to remain in place embedded in the harbor bottom.

Except for the mound of material mentioned above that will remain, the harbor bottom that is disturbed during construction will be returned to original contours after completion of the work. It is also expected that upon completion of the work the mound of excavated material that remains will gradually erode.

The existing lines were originally permitted by the Corps on 22 April 1976 (Corps permit # MA-MARN-76-221) and were installed using the same trench excavation, side casting, and backfilling of side-cast material method of construction.

Since the excavated material will be deposited alongside the excavated trench and then used to backfill the trench once the replacement pipelines are installed, there will be no need for further testing of the material to satisfy Clean Water Act requirements.

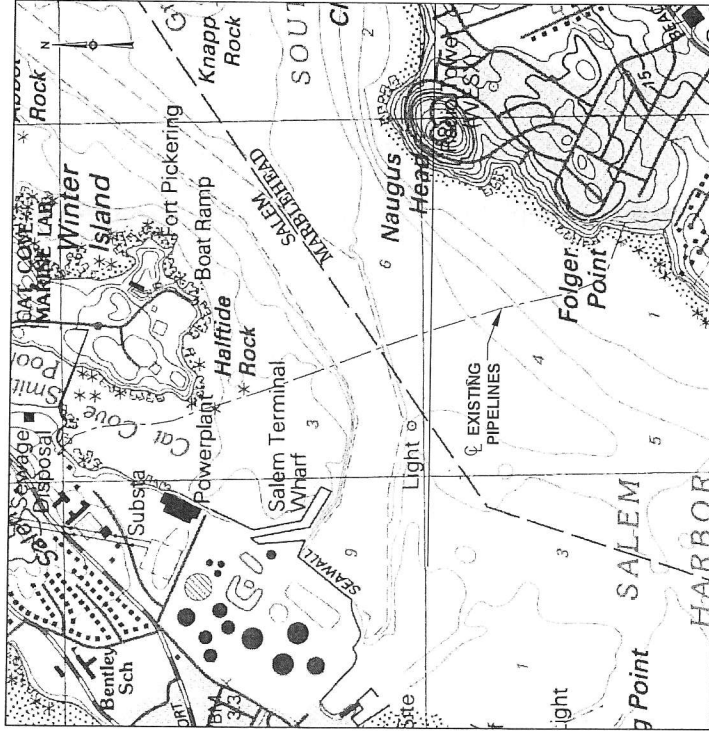
**MITIGATION:**

The applicant is proposing turbidity booms, monitoring and silt curtains during the in-water work to minimize impacts and anticipating that further resource mitigation will not be necessary. The route selected is the most feasible route that is as close as possible to the existing pipelines route so as not to adversely affect the existing pipelines during construction. So the impacts have been avoided to the greatest degree possible. Installing the pipelines by trenchless methods were investigated and rejected because they were not feasible or would take too much time to implement. The applicant contends that since the material being excavated and side-cast will be replaced back into the trench it is excavated from it is expected that the excavated area and the areas affected by the side-casting will return naturally to its pre-construction condition and no aquatic resource areas will be adversely affected.

For work in the shoreline areas the applicant will implement a trench dewatering plan, erosion and sedimentation controls, turbidity booms, monitoring and restoration. Existing rock armor will be removed and then replaced and the shorelines restored to pre-construction grades with sand, landscaping materials and rock armor as required.

Upland work areas will also have erosion controls and will be restored to pre-construction conditions at the conclusion of the project.

CONTRACT No. 13-1  
 MARBLEHEAD PIPELINE REPLACEMENT PROJECT  
**SOUTH ESSEX SEWERAGE DISTRICT**  
 50 FORT AVENUE  
 SALEM, MASSACHUSETTS



LOCUS MAP  
 1" = 40' HORIZONTAL

DISTRICT BOARD MEMBERS

WALTER A. DEFILIPPI, P.E., CHAIRMAN  
 MICHAEL P. COLLINS, P.E., MEMBER, BEVERLY  
 RICHARD P. RODGERS, P.E., MEMBER, DANVERS  
 ROBERT J. LANGLEY, P.E., MEMBER, PEABODY  
 DAVID H. KNOWLTON, P.E., MEMBER, SALEM  
 AMY MCHUGH, MEMBER, MARBLEHEAD

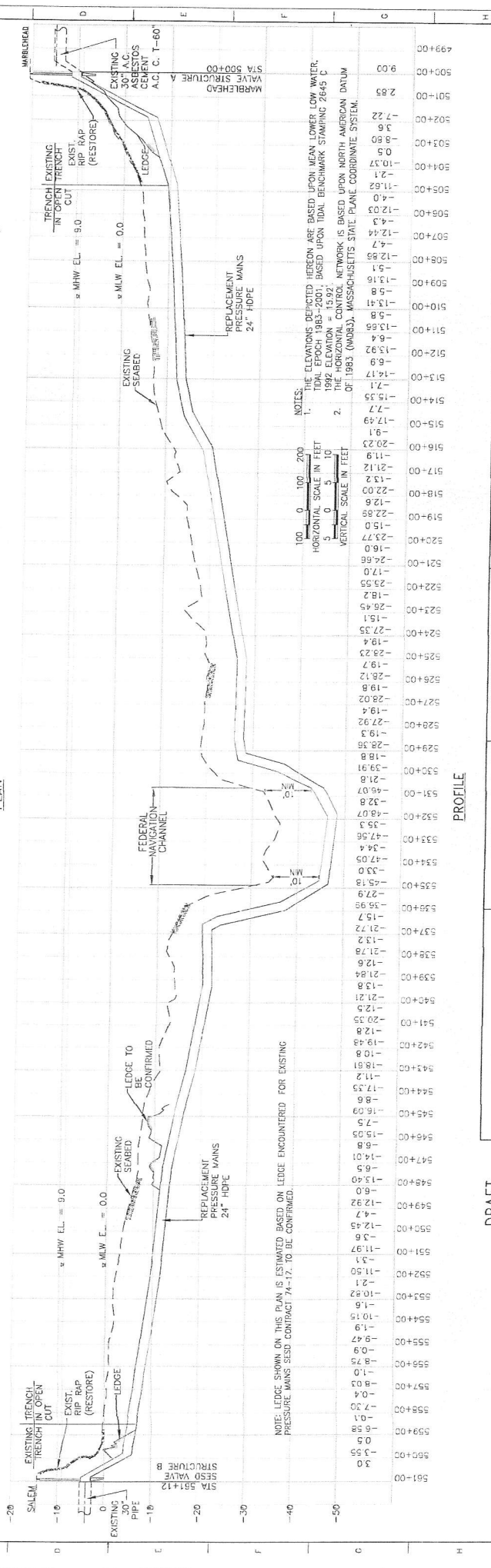
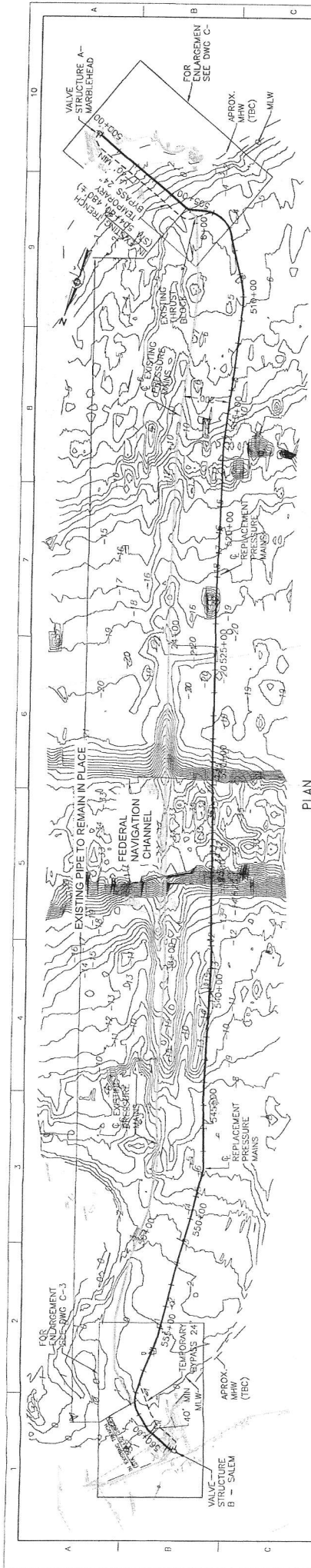
DISTRICT ADMINISTRATION

ALAN F. TAUBERT, JR., P.E., EXECUTIVE DIRECTOR  
 TO BE NAMED, DISTRICT ENGINEER  
 TO BE NAMED, PROJECT ENGINEER

COVER SHEET  
 PLAN AND PROFILE REPLACEMENT PRESSURE MAINS - FULL ALIGNMENT  
 PLAN AND PROFILE  
 PLAN AND PROFILE  
 AREA PLAN AT MARBLEHEAD STRUCTURE  
 AREA PLAN AT MARBLEHEAD STRUCTURE  
 DETAILS SHEET (WALK STRUCTURES-PLAN AND SECTIONS)  
 DETAILS SHEET (WALK STRUCTURES-SECTION)

**DRAFT**

CONTRACT No. 13-1 MARBLEHEAD PIPELINE REPLACEMENT PROJECT		SOUTH ESSEX SEWERAGE DISTRICT 50 FORT AVENUE SALEM, MASSACHUSETTS		DATE: 8/28/13 SCORE: AS NOTED		DRAWING TITLE: COVER SHEET		DRAWING No. G-1	
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NOTE: LEDGE SHOWN ON THIS PLAN IS ESTIMATED BASED ON LEDGE ENCOUNTERED FOR EXISTING PRESSURE MAINS SEED CONTRACT 74-17. TO BE CONFIRMED.

NOTES:  
 1. THE ELEVATIONS DEPICTED HEREON ARE BASED UPON MEAN LOWER LOW WATER, TOTAL EPOCH 1983-2001, BASED UPON TIDAL BENCHMARK STAMPING 2045 C. 1992 ELEVATION = 13.92'.  
 2. THE HORIZONTAL CONTROL NETWORK IS BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD83), MASSACHUSETTS STATE PLANE COORDINATE SYSTEM.

100' 0 100' 200'  
 HORIZONTAL SCALE IN FEET  
 5 0 5 10  
 VERTICAL SCALE IN FEET

Stationing	Elevation (ft)
501+00	9.00
500+00	2.83
502+00	-7.22
501+00	-0.56
503+00	-8.80
504+00	0.5
501+00	-10.37
505+00	-2.1
506+00	-11.63
507+00	-1.0
508+00	-12.03
509+00	-12.44
510+00	-12.85
511+00	-13.16
512+00	-13.47
513+00	-13.78
514+00	-14.09
515+00	-14.40
516+00	-14.71
517+00	-15.02
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519+00	-15.64
520+00	-15.95
521+00	-16.26
522+00	-16.57
523+00	-16.88
524+00	-17.19
525+00	-17.50
526+00	-17.81
527+00	-18.12
528+00	-18.43
529+00	-18.74
530+00	-19.05
531+00	-19.36
532+00	-19.67
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539+00	-21.84
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541+00	-22.46
542+00	-22.77
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544+00	-23.39
545+00	-23.70
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584+00	-35.79
585+00	-36.10
586+00	-36.41
587+00	-36.72
588+00	-37.03
589+00	-37.34
590+00	-37.65
591+00	-37.96
592+00	-38.27
593+00	-38.58
594+00	-38.89
595+00	-39.20
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597+00	-39.82
598+00	-40.13
599+00	-40.44
600+00	-40.75

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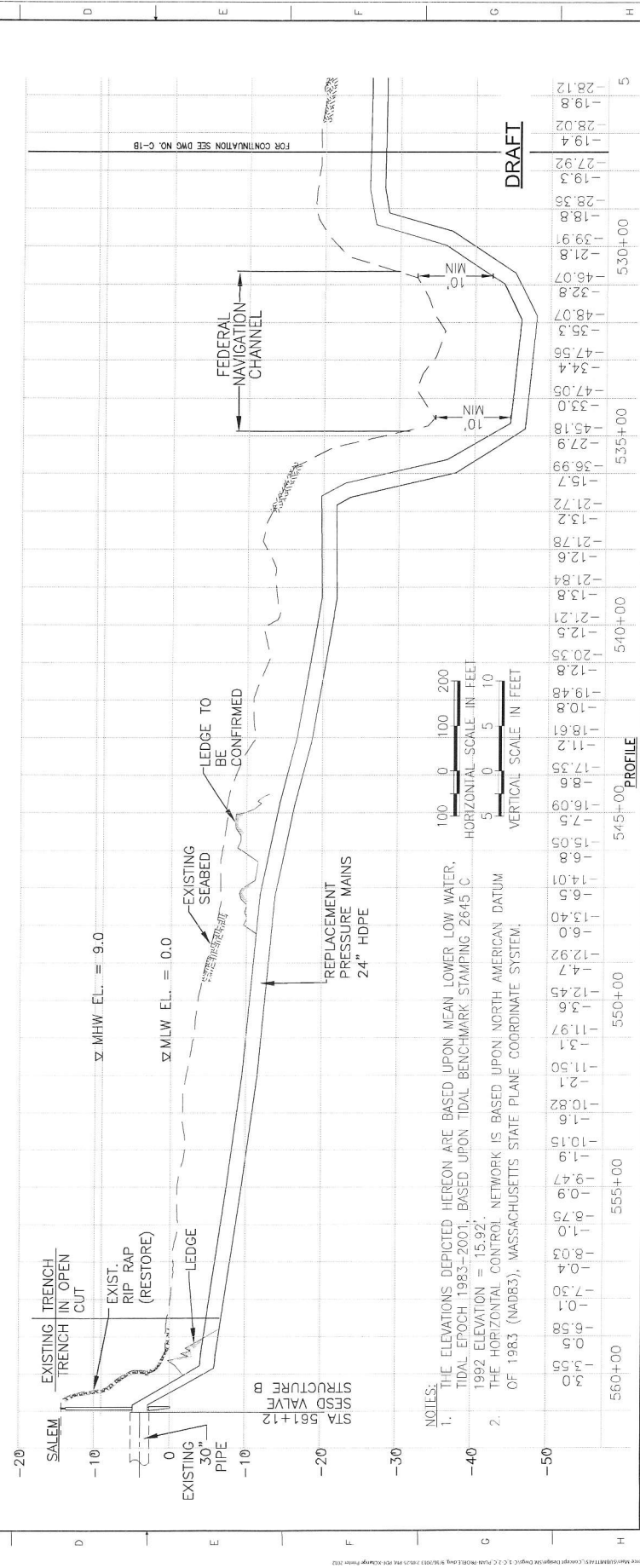
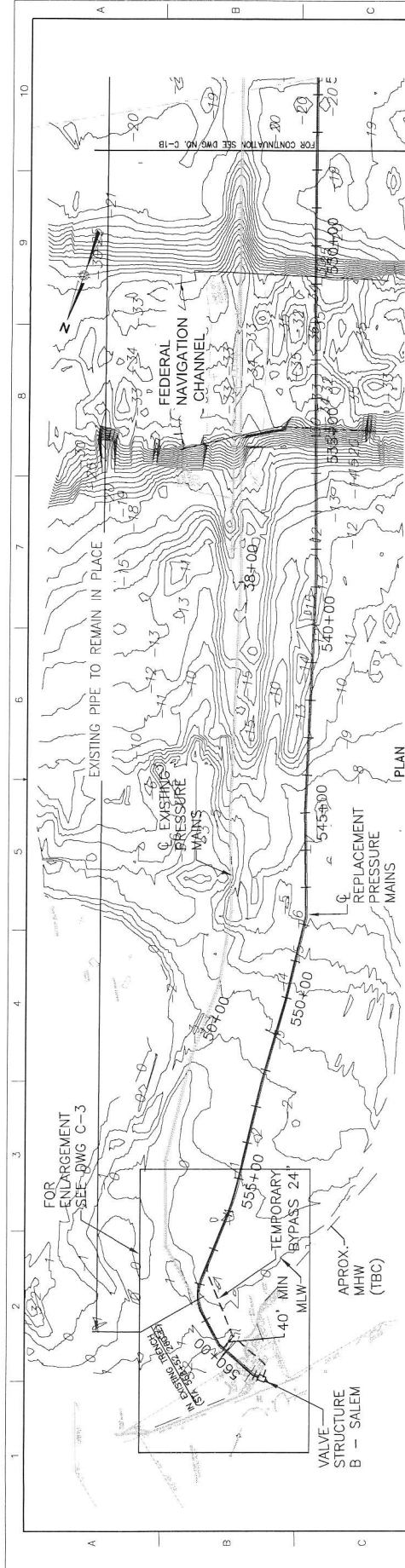
PROFILE

DATE: 08/11/11  
 DRAWING TITLE: PLAN AND PROFILE - REPLACEMENT PRESSURE MAINS  
 PROJECT: MARBLEHEAD PIPELINE REPLACEMENT PROJECT

SCALE: 1" = 50'  
 SOUTH ESSEX SEWERAGE DISTRICT  
 100 NORTH AVENUE  
 SALEM, MASSACHUSETTS

PARSONS BRINCKERHOFF  
 100 NORTH AVENUE  
 SALEM, MASSACHUSETTS

DATE: 08/11/11  
 DRAWING TITLE: PLAN AND PROFILE - REPLACEMENT PRESSURE MAINS  
 PROJECT: MARBLEHEAD PIPELINE REPLACEMENT PROJECT



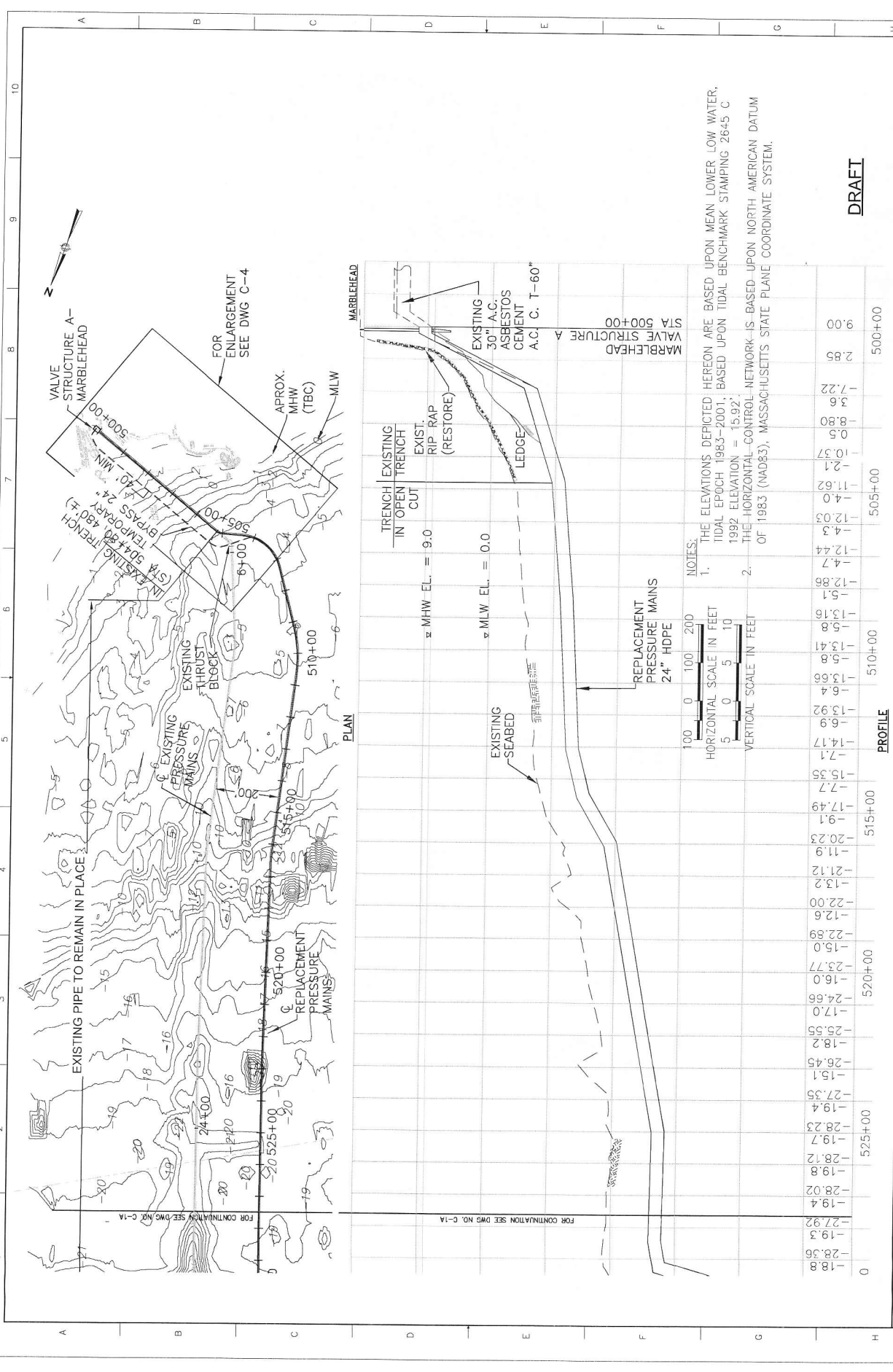




- NOTES:**
1. THE ELEVATIONS SHOWN HEREON ARE BASED UPON MEAN LOWER LOW WATER, 1988 ELEVATION = 15.82'. WATER UPON TIDE, BUCKHAMPTON STAMPING, 24.42' C.
  2. THE PROPOSED SEWERAGE NETWORK IS BASED UPON NORTH AMERICAN DATUM OF 1985 (NAVD8). MANHOLE ELEVATIONS SHALL BE TAKEN FROM THIS SYSTEM.

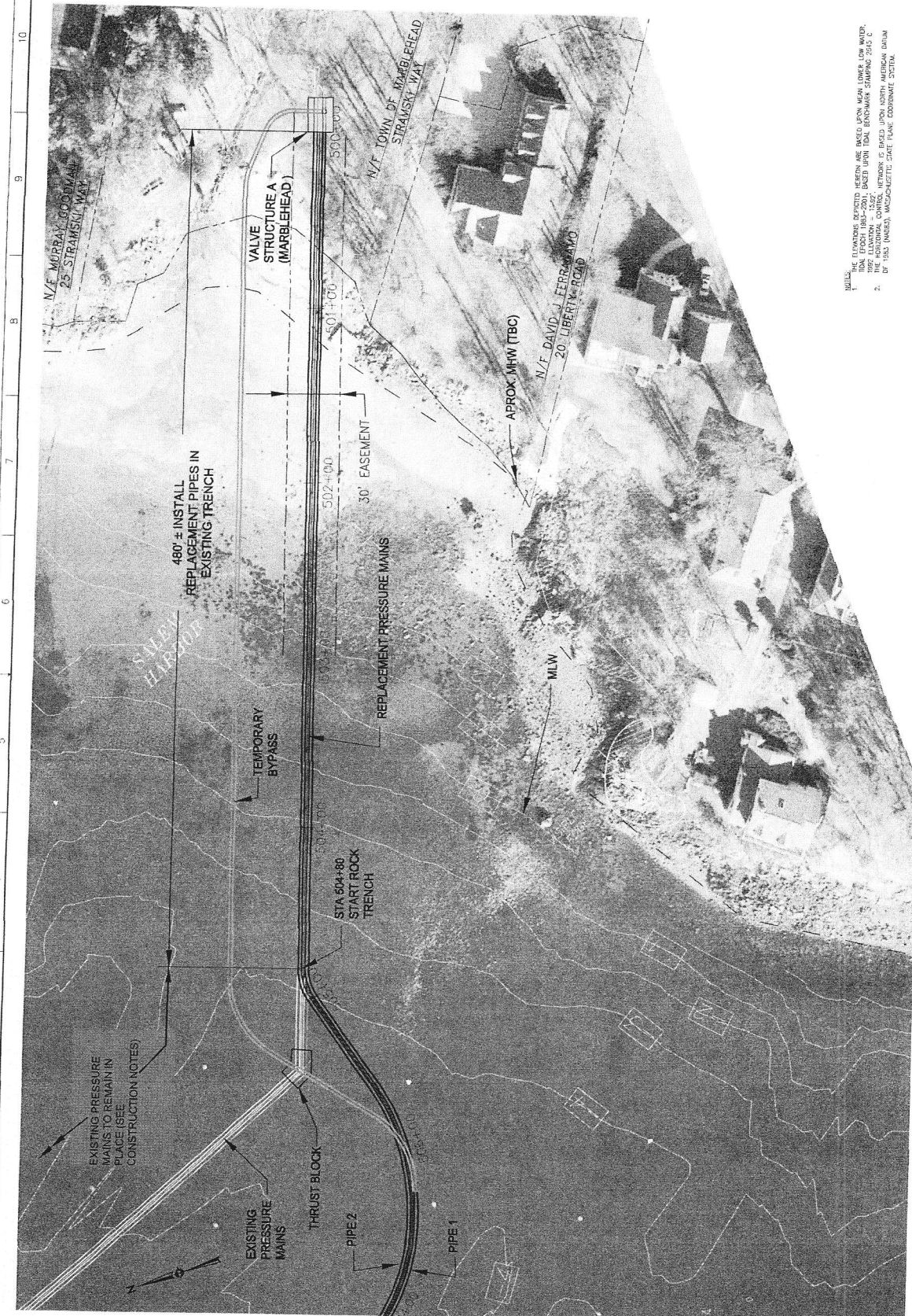
**DRAFT**

DATE	BY	CHKD	3	4	5	6	7	8	9	10
CONTRACT No. 153 MAJOR PROJECT No. 153 SOUTH ESSEX SEWERAGE DISTRICT 100 BOSTON AVENUE SALEM, MASSACHUSETTS 01970			DRAWING TITLE AREA PLAN AT SEED VALVE STRUCTURE		DRAWING NO. C-3		SHEET NO. 1 OF 1			



DATE: 8/28/13  
 SCALE: AS NOTED  
 DRAWING TITLE: PLAN AND PROFILE  
 DRAWING NO.: C-1B  
 CONTRACT NO. 13-1  
 MARBLEHEAD PIPELINE REPLACEMENT PROJECT  
 SOUTH ESSEX SEWERAGE DISTRICT  
 50 FORT AVENUE  
 SALEM, MASSACHUSETTS  
 PARSONS BRINCKERHOFF  
 NOTES:  
 1. THE ELEVATIONS DEPICTED HEREON ARE BASED UPON MEAN LOWER LOW WATER, TIDAL EPOCH 1983-2001, BASED UPON TIDAL BENCHMARK STAMPING 2645 C 1992 ELEVATION = 15.92'.  
 2. THE HORIZONTAL CONTROL NETWORK IS BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD83), MASSACHUSETTS STATE PLANE COORDINATE SYSTEM.

**DRAFT**



- NOTES:
1. ALL ELEVATIONS SHOWN HEREIN ARE BASED UPON MEAN LOWER LOW WATER, TIDE EPOCH 1983-2010. ALL ELEVATIONS SHOWN UPON THIS DRAWING SHALL BE BASED UPON THE BENCHMARK STATION 2542 C, WHICH IS A BENCHMARK POINT OF THE NORTH AMERICAN DATUM OF 1983 (NAD83), MASSACHUSETTS STATE PLANE COORDINATE SYSTEM.
  - 2.



**DRAFT**

PROJECT NO. 2023B  
 DATE 08/28/2023  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

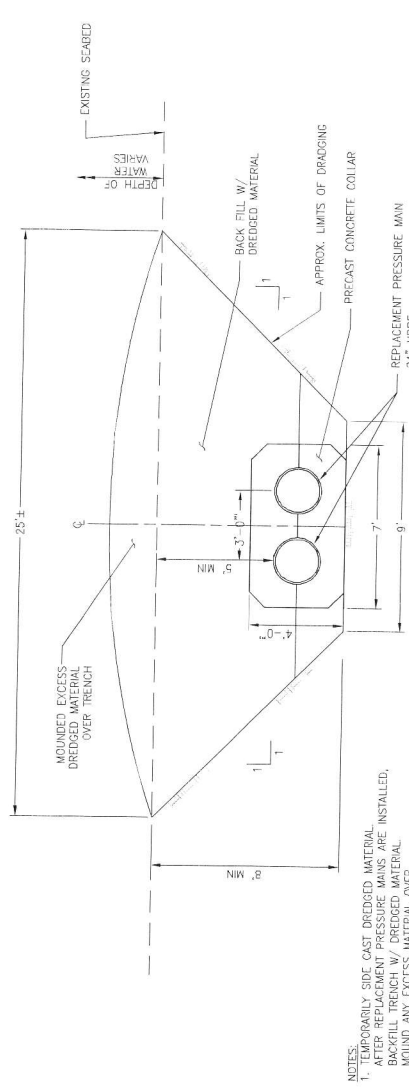
AREA PLAN AT SEED VALVE STRUCTURE  
 C-4

DATE	10
SCALE	AS SHOWN
PROJECT NO.	2023B
DATE	08/28/2023
DRAWN BY	[Name]
CHECKED BY	[Name]

NO.	DATE	BY	REVISION

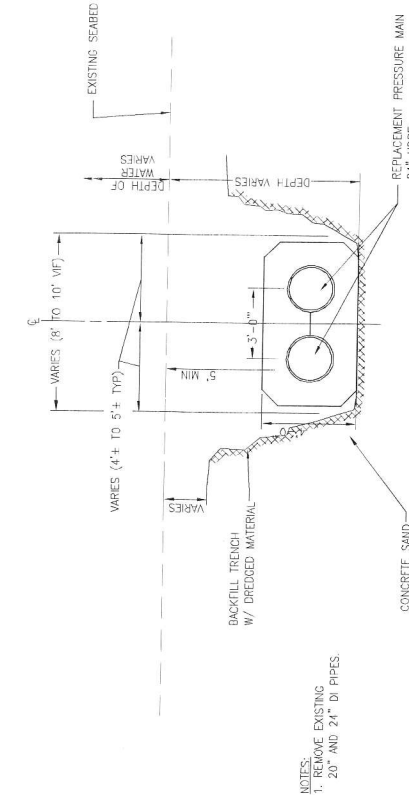
PARSONS BRINCKERHOFF  
 100 STATE STREET, SUITE 200  
 BOSTON, MA 02109  
 TEL: 617.261.1000  
 WWW.PARSONSBRINCKERHOFF.COM





NOTES:  
 1. PROBABLY SOLE CAST DREDGED MATERIAL TO BE REMOVED AS ARE INSTALLED, AFTER REPLACEMENT WITH DREDGED MATERIAL. MOUND ANY EXCESS MATERIAL OVER TRENCH AS SHOWN.

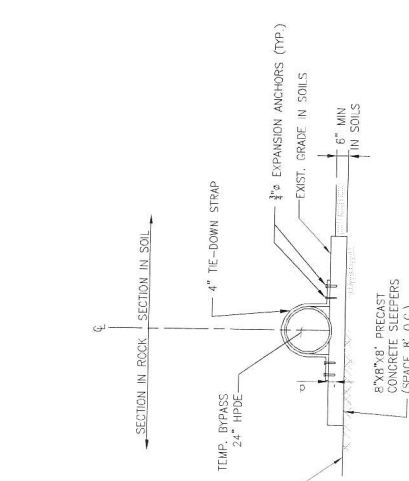
**CROSS SECTION REPLACEMENT PRESSURE MAINS IN DREDGED TRENCH STATIONS 504+80± TO 558+87±**  
 N.T.S.



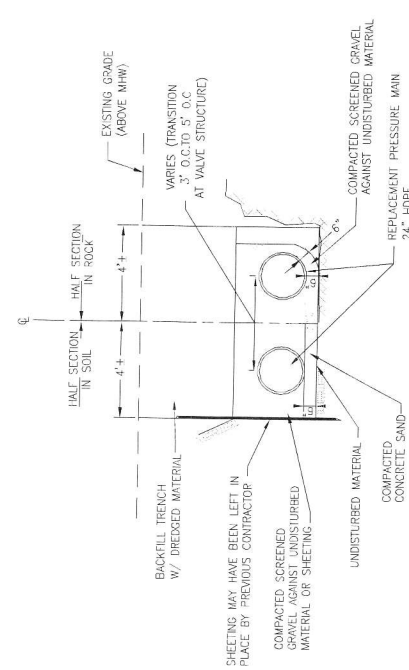
NOTES:  
 1. REMOVE EXISTING 20" AND 24" DI PIPES.

**CROSS SECTION REPLACEMENT PRESSURE MAINS IN EXISTING ROCK TRENCH IN HARBOR STATION 502+00± TO 504+80± AND 556+87 TO 561+12±**  
 N.T.S.

NOTES:  
 1. THE CLEANING EXPOSED SECTION ARE BASED UPON MEAN LOWER LOW WATER, HIGH TIDE, AND LOW TIDE. THE TRENCH DEPTH IS BASED UPON THE MEAN LOWER LOW WATER, HIGH TIDE, AND LOW TIDE. THE TRENCH DEPTH IS BASED UPON THE MEAN LOWER LOW WATER, HIGH TIDE, AND LOW TIDE. THE TRENCH DEPTH IS BASED UPON THE MEAN LOWER LOW WATER, HIGH TIDE, AND LOW TIDE.



**TEMPORARY BYPASS**  
 N.T.S.



NOTES:  
 1. REMOVE EXISTING 20" AND 24" DI PIPES.

**CROSS SECTION REPLACEMENT PRESSURE MAINS IN EXISTING TRENCH ON SHORE STATION 500+00 TO 501+00±**  
 N.T.S.

**DRAFT**

DATE	BY	CHKD	DESCRIPTION

CONTRACT No. 351  
 NAME AND ADDRESS OF THE OWNER  
**SOUTH ESSEX SEWERAGE DISTRICT**  
 10 WEST AVENUE  
 SALEM MASSACHUSETTS

DATE OF ISSUE 08/27/83  
 DRAWN BY JAS WJD  
 CHECKED BY  
 PROJECT No. 30230  
 DRAWING TITLE  
**DETAILS SHEET 2 OF 3**  
 SHEET No. C-6

SCALE: AS SHOWN