

PUBLIC NOTICE



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

Comment Period Begins: December 15, 2015
Comment Period Ends: January 15, 2016
File Number: NAE-2013-1241
In Reply Refer To: Kevin R. Kotelly, P.E.
Phone: (978) 318-8703
E-mail: kevin.r.kotelly@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Town of Mashpee, 16 Great Neck Road North, Mashpee, Massachusetts 02649. This work is proposed in various waterways and beaches in the Town of Mashpee, Massachusetts.

The work is dredging and the discharge of dredged material below the high tide line of waters of the United States for the dredging of four (4) waterway sites and disposal of dredge material at three (3) disposal sites in the Town of Mashpee, Massachusetts. All of the proposed dredge sites have been previously permitted by the Corps of Engineers and are, therefore, maintenance dredging sites. Also, two of the dredge sites are Federal Navigation Projects maintained by the Corps. The three disposal sites are all beach nourishment sites and have been previously permitted by the Corps. The tables below summarize the proposed dredge and disposal sites.

Proposed Dredge Sites

Site Name	Volume (CY)	Area (SF)	Depth (MLW)	Category
Waquoit Bay	3,000	80,000	-6	Maintenance
Popponesset Bay 1	9,950	60,000	-6	Maintenance
Popponesset Bay 2	5,800	96,000	-6	Maintenance
Popponesset Bay 3	12,400	144,000	-6	Maintenance
Total =	31,150	380,000		

Proposed Disposal Sites

Site Name	Category	Volume (CY)	Area (SF)
Wills Work Road Beach	Beach Nourishment	3,000	3,200
Popponesset Spit 1	Beach Nourishment	18,200	10,500
South Cape Beach (Alternative to Wills Work Road Beach)	Beach Nourishment	3,500	10,000
Total =		24,700	23,700

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Dredging would be performed by a hydraulic cutter head dredge. The purpose of this permit review is to bring all of the Town's dredging and disposal activities under one comprehensive permit. This will give the Town the flexibility they need to dredge and nourish the highest priority areas and allow for effective and efficient use of Town resources. The permit would be valid for 10 years. The work is shown on the enclosed plans entitled, "Town of Mashpee, Comprehensive Dredging and Disposal Project," on seven sheets, and dated, December 10, 2014.

MITIGATION

The various dredging and disposal sites have been designed to avoid and minimize impacts to aquatic resources as much as possible. The proposed plan is for typical dredging and disposal of sand. No compensatory mitigation is proposed.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Waquoit Bay, Popponesset Bay, and Nantucket Sound in the Town of Mashpee, Massachusetts. The location of the Town of Mashpee, Massachusetts, on the USGS Mashpee quadrangle is at Latitude 41°34'44" N and Longitude 70°27'28" E.

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

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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).

The dredging portion of this project will impact approximately 9 Acres and the beach nourishment portion of this project will impact approximately 0.5 Acres of Essential Fish Habitat (EFH) for Atlantic cod (*Gadus morhua*), haddock (*Melanogrammus aeglefinus*), pollock (*Pollachius virens*), winter flounder (*Pseudopleuronectes americanus*), windowpane flounder (*Scophthalmus aquosus*), bluefish (*Pomatomus saltatrix*), long finned squid (*Loligo pealeii*), Atlantic butterfish (*Peprilus triacanthus*), Atlantic mackerel (*Scomber scombrus*), summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), black sea bass (*Centropristis striata*), surf clam (*Spisula solidissima*), king mackerel (*Scomberomorus cavalla*), Spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*).

Loss of this habitat may adversely affect the species listed above. 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)

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

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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.

COASTAL ZONE MANAGEMENT

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:

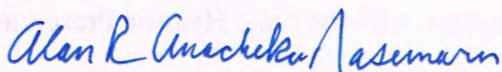
- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Kevin Kotelly at (978) 318-8703, (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.

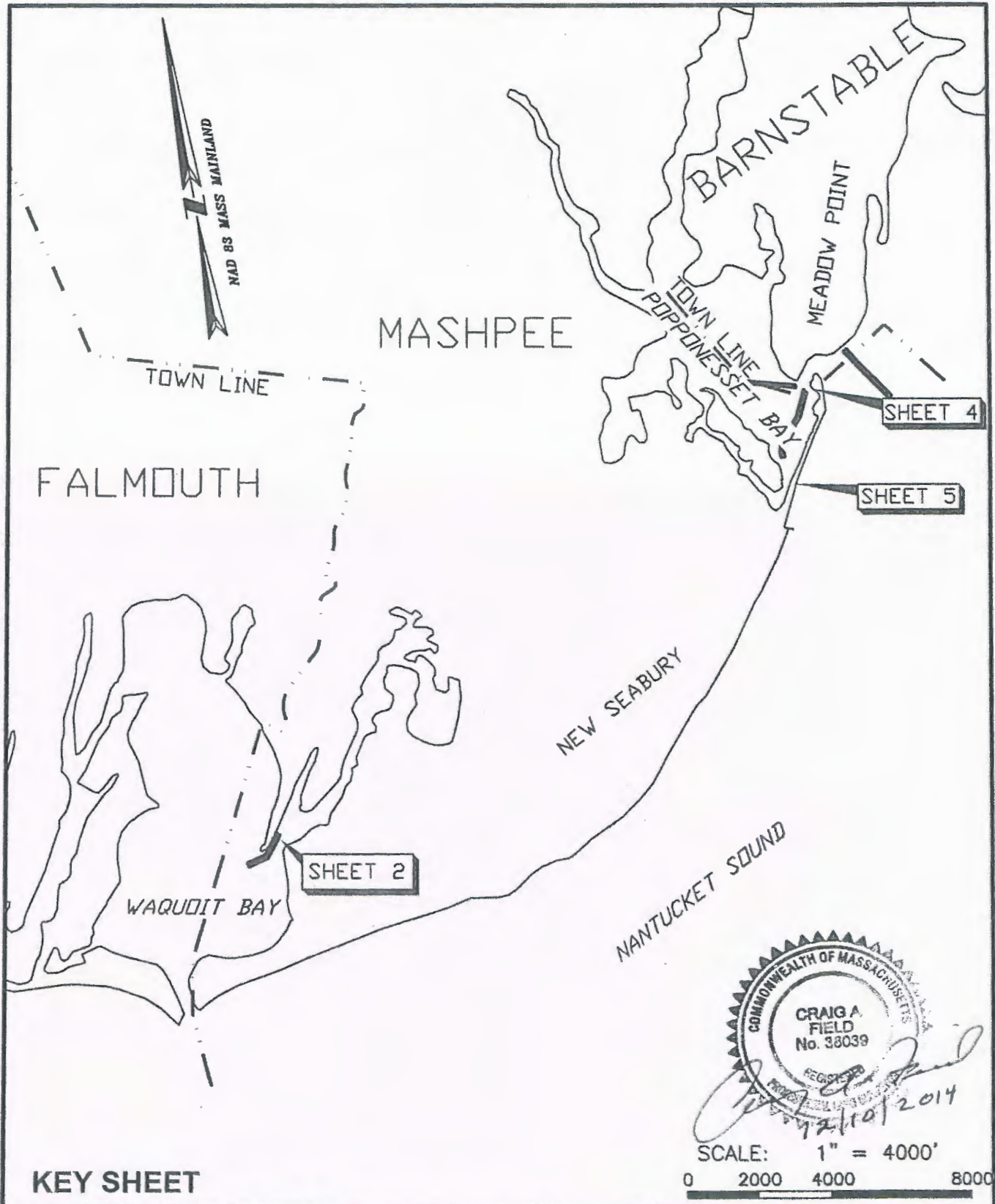


Alan R. Anacheka-Nasemann, PWS
Chief, Permits & Enforcement Branch
Regulatory Division

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. 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.

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NAME: _____
ADDRESS: _____
PHONE: _____



KEY SHEET

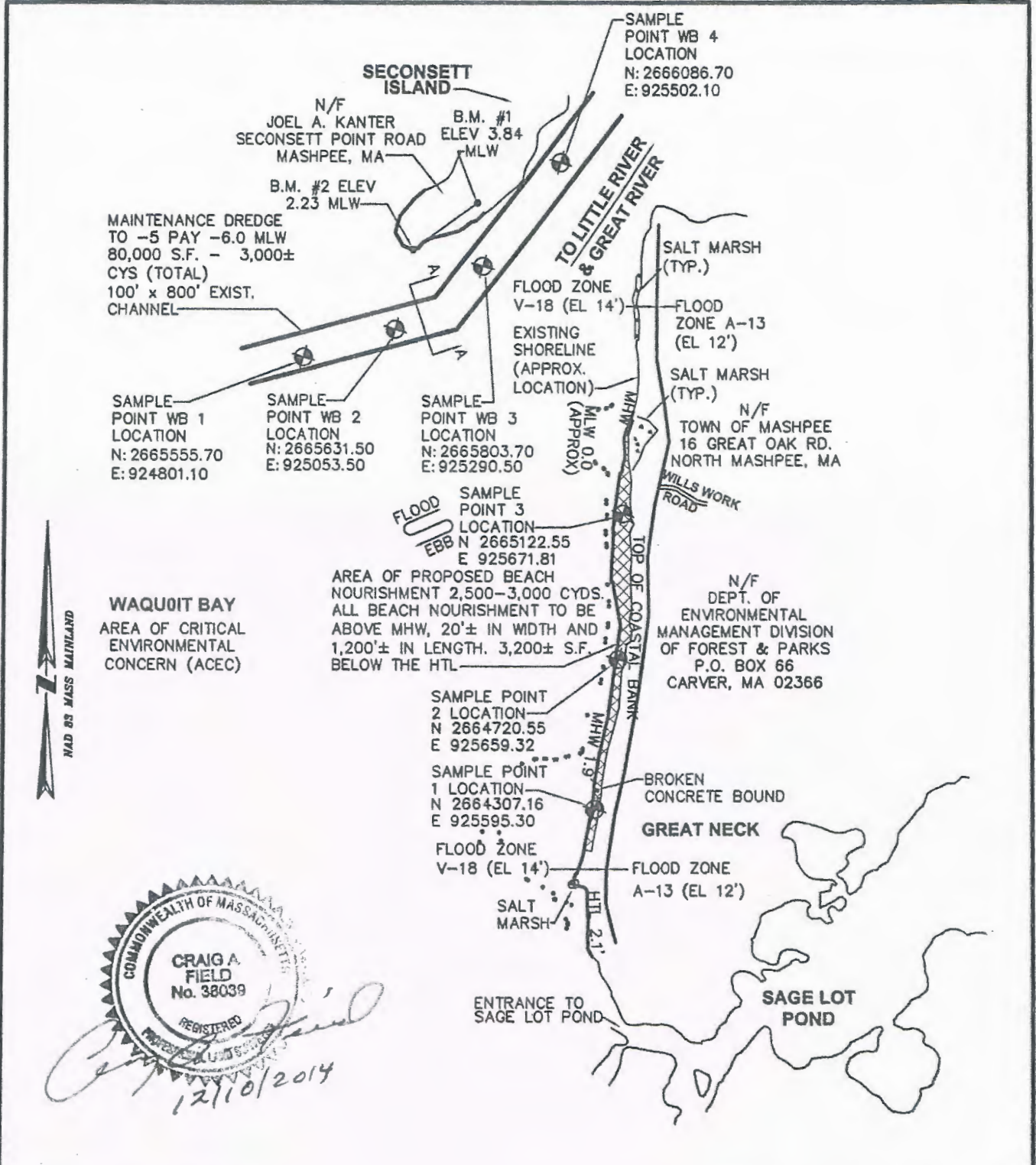
MLW = 0.0'
 MHW = 1.9'
 HTL = 2.1'

THE BSC GROUP, INC.
 349 ROUTE 28
 UNIT D
 W. YARMOUTH, MA 02673

**TOWN OF MASHPEE
 COMPREHENSIVE
 DREDGING & DISPOSAL
 PROJECT**

AT: VINYARD SOUND
 IN: MASHPEE, MA
 COUNTY OF: BARNSTABLE

FILE: 9816-10YR-COMP.DWG
 JOB#: 4-9816.00
 DATE: 12/10/14 SHEET 1 OF 7



WAQUOIT BAY
 AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

AREA OF PROPOSED BEACH NOURISHMENT 2,500-3,000 CYDS. ALL BEACH NOURISHMENT TO BE ABOVE MHW, 20'± IN WIDTH AND 1,200'± IN LENGTH. 3,200± S.F. BELOW THE HTL



**WAQUOIT BAY
 SITE PLAN**



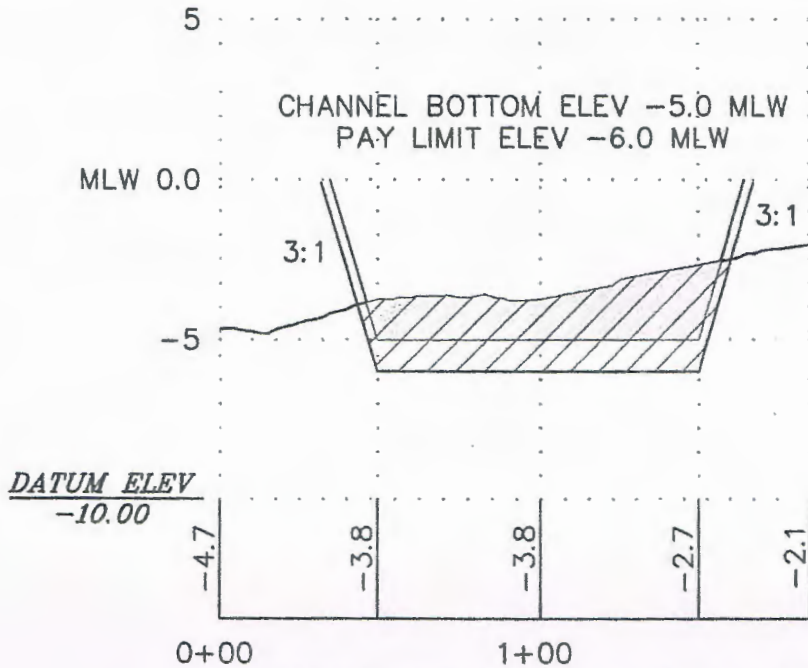
MLW = 0.0'
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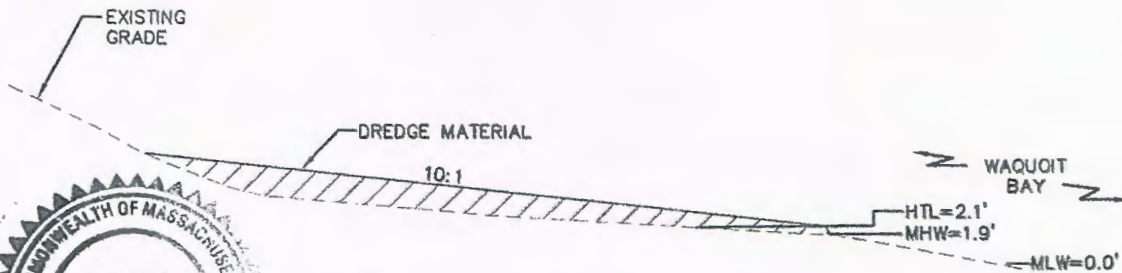
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FILE: 9816-10YR-COMP.DWG
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**TYPICAL DREDGE SECTION AA
 WAQUOIT BAY**

SCALE: 1" = 60' HORZ.
 1" = 6' VERT.



SCALE: NONE

**TYPICAL NOURISHMENT SECTION
 WILLS WORK ROAD BEACH**

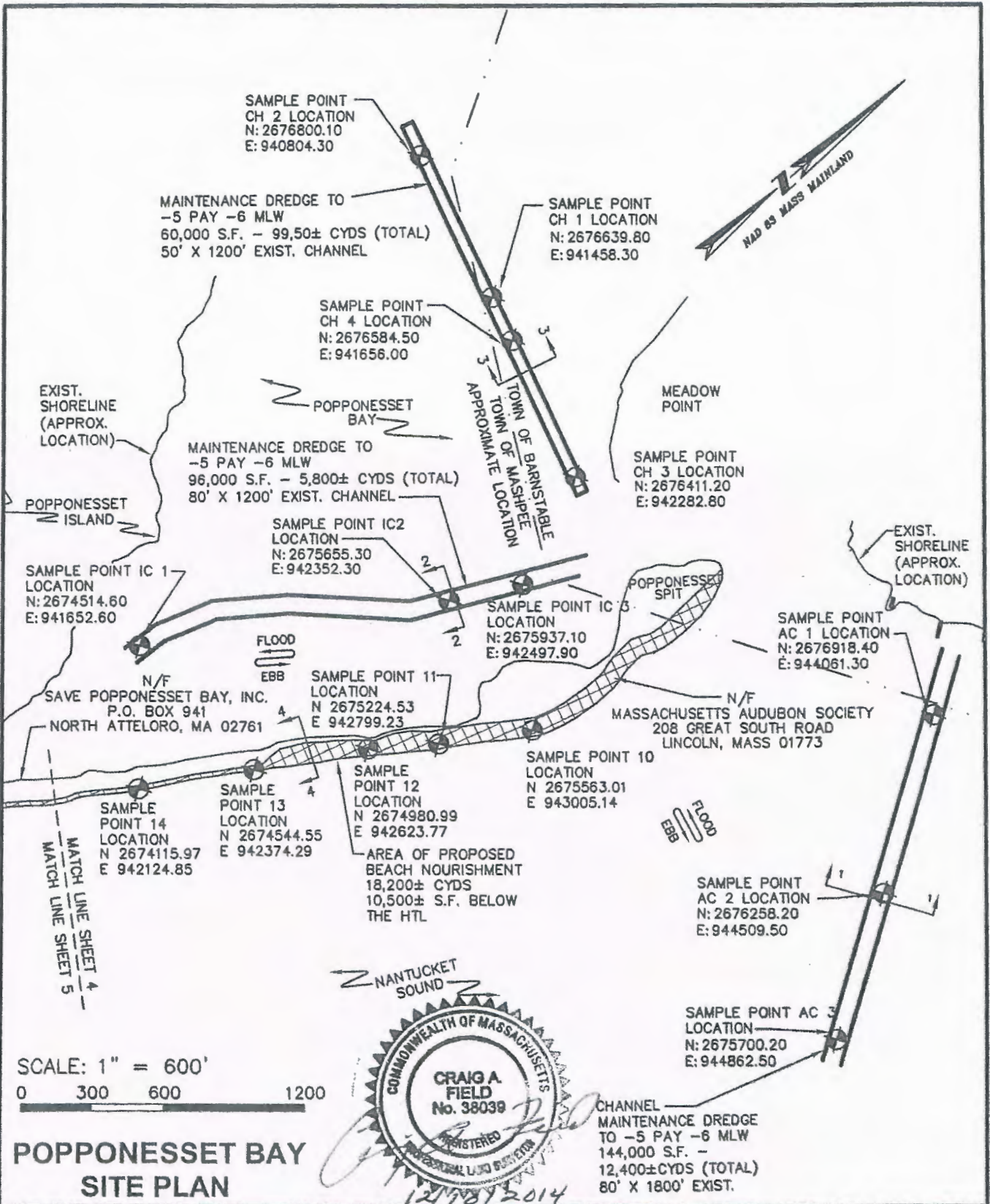
MLW = 0.0'
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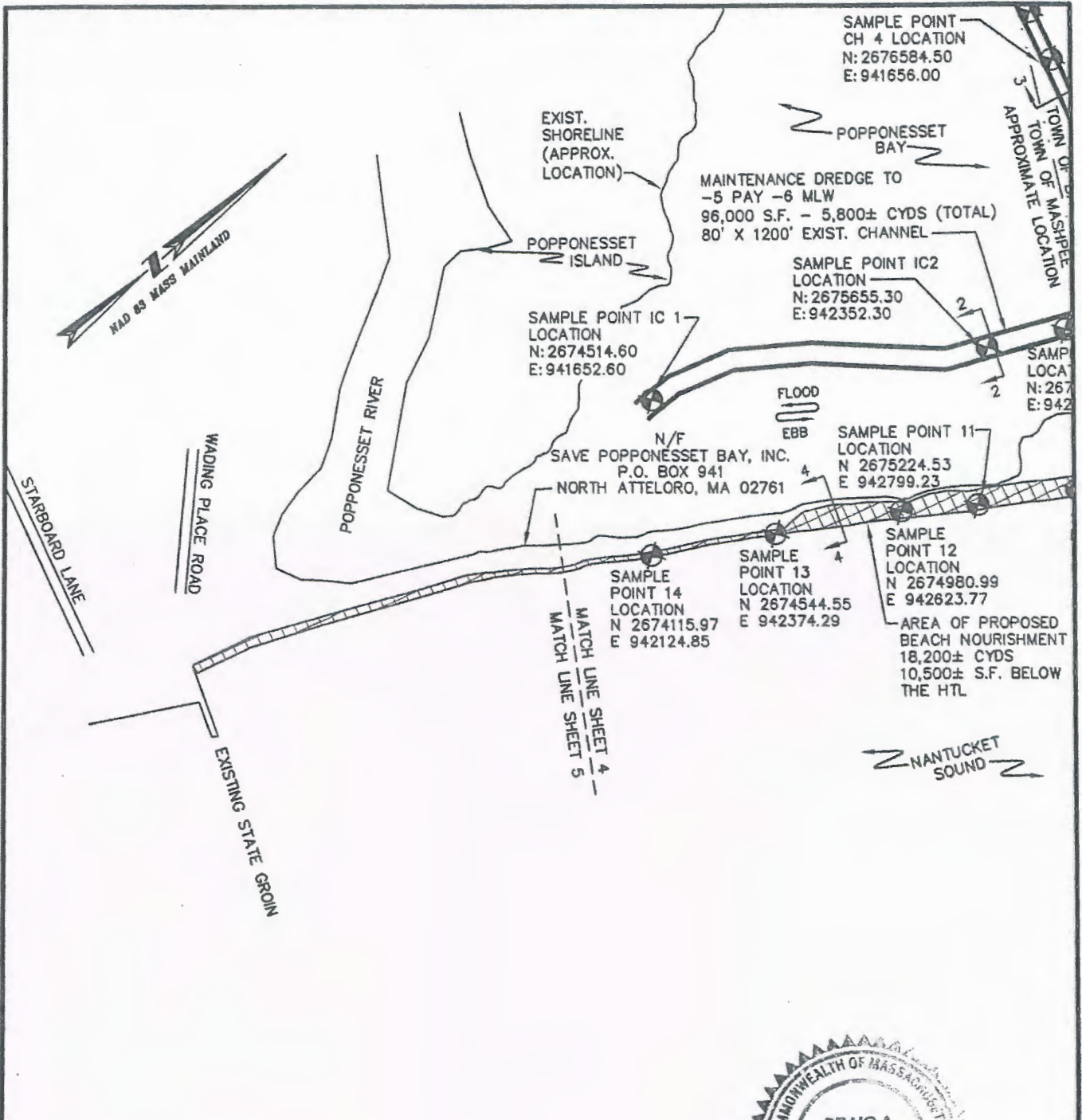
MLW = 0.0'
MHW = 1.9'
HTL = 2.1'

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SCALE: 1" = 600'
 0 300 600 1200

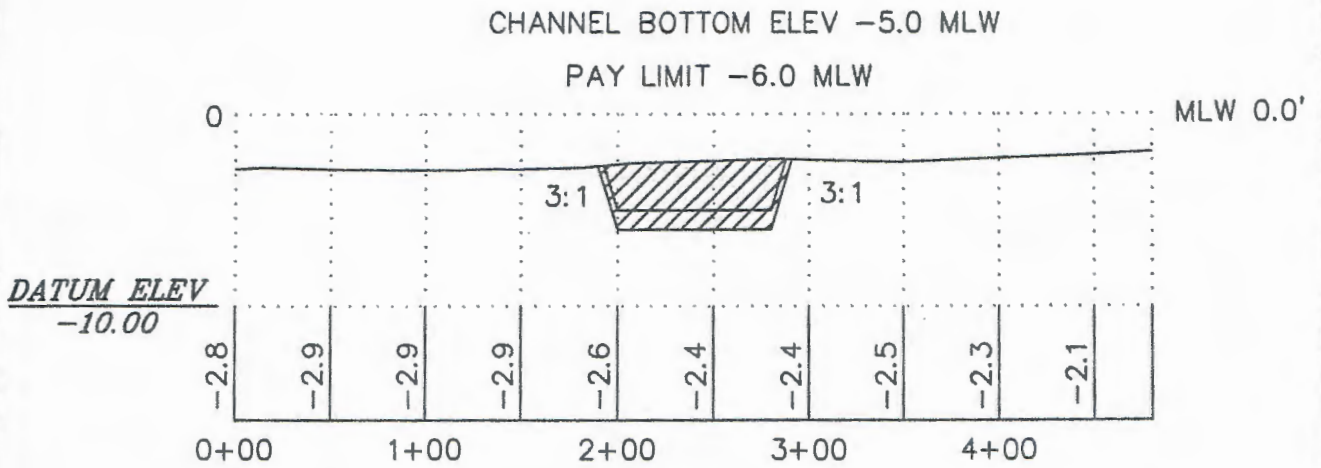
**POPPONESSET BAY
 SITE PLAN**



MLW = 0.0'
 MHW = 1.9'
 HTL = 2.1'
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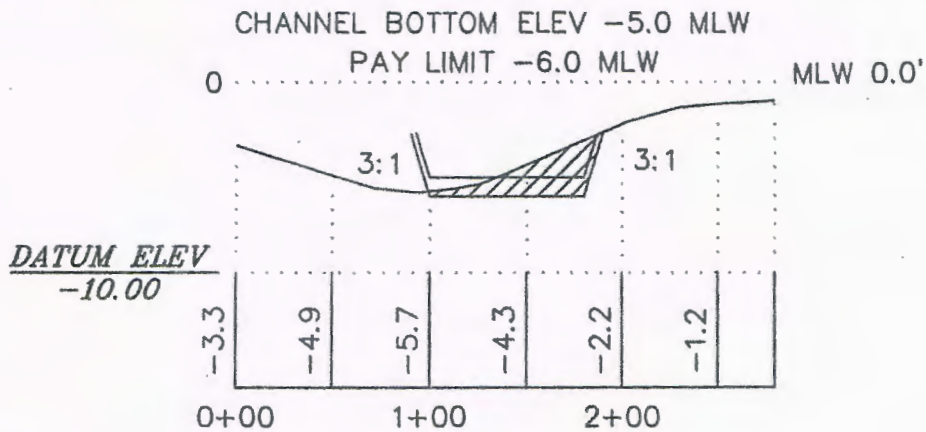
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**TYPICAL DREDGE SECTION 1-1
POPPONESSET BAY**

SCALE: 1" = 100' HORZ.
1" = 10' VERT.



**TYPICAL DREDGE SECTION 2-2
POPPONESSET BAY**

SCALE: 1" = 100' HORZ.
1" = 10' VERT.



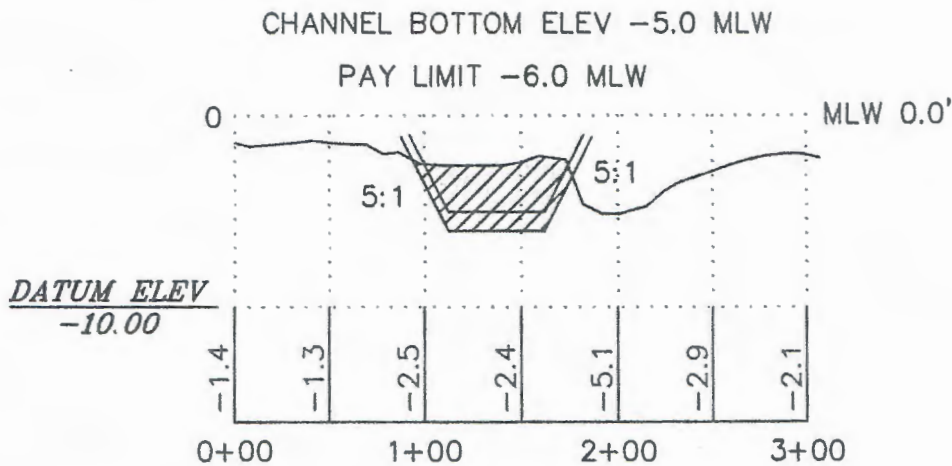
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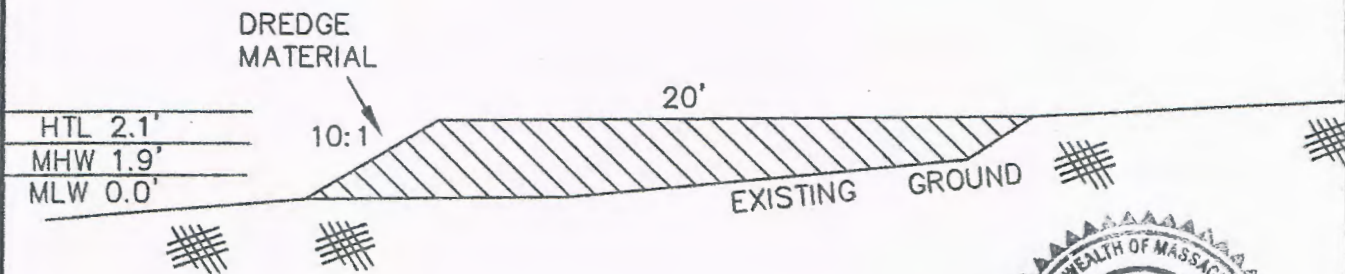
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**TYPICAL DREDGE SECTION 3-3
 POPPONESSET BAY**

SCALE: 1" = 100' HORZ.
 1" = 10' VERT.



**TYPICAL NOURISHMENT SECTION 4-4
 POPPONESSET SPIT**

SCALE: NONE



<p>MLW = 0.0' MHW = 1.9' HTL = 2.1'</p> <p>THE BSC GROUP, INC. 349 ROUTE 28 UNIT D W. YARMOUTH, MA 02673</p>	<p>TOWN OF MASHPEE COMPREHENSIVE DREDGING & DISPOSAL PROJECT</p>	<p>AT: VINYARD SOUND IN: MASHPEE, MA COUNTY OF: BARNSTABLE</p> <p>FILE: 9816-10YR-COMP.DWG JOB#: 4-9816.00 DATE: 12/10/14 SHEET 7 OF 7</p>
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