
PUBLIC NOTICE



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

Comment Period Begins: May 20, 2015
Comment Period Ends: June 19, 2015
File Number: NAE-2014-00985
In Reply Refer To: Crystal Gardner
Phone: (978) 318-8332
E-mail: crystal.i.gardner@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from The Mass Maritime Academy, 101 Academy Drive & 0 Bay Drive, Buzzards Bay, Massachusetts 02532. This work is proposed in Buzzards Bay at 101 Academy Drive & 0 Bay Drive, Buzzards Bay, Massachusetts 02532. The site coordinates are: Latitude N 44 41'23.85 Longitude W 70 31'27.

The work involves the construction and maintenance of a 22'x 948' pile support pier with a 240 foot section of wave fence at its outer corner, new dredging of 19,480 cubic yards of sand from a 26,700 square foot area and the maintenance dredging 10,720 cubic yards of sand from a 75,000 square foot area. The total dredge volume is 30, 200 cubic yards over a 101,700 square foot area. The material will be dredged to a depth of -22 feet below mean low water (MLW) with a 2 foot over dredge. The material will be disposed of above the high tide line (HTL) line at the Town of Sandwich's Town Neck Beach as part of their dune re-nourishment project.

The work is shown on the attached plans entitled "APPLICATION BY: MASS MARITIME PIER SECTIONS AND DREDGE SECTIONS," on six sheets, and dated "7/7/2014."

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).

The dredging portion of this project may impact approximately 101,700 SF of Essential Fish Habitat (EFH).

Species	Life stage(s) Found at Location
Winter Skate	Adult Juvenile
Little Skate	Adult Juvenile
Smooth Dogfish	ALL
Summer Flounder	Adult Juvenile Larvae
Black Sea Bass	Eggs Juvenile Adult Larvae
Scup	Adult Juvenile Larvae Eggs
Longfin Inshore Squid	Juvenile Adult
Atlantic Mackerel	Eggs Juvenile Adult
Bluefish	Adult Juvenile
Atlantic Butterfish	Eggs Larvae Adult Juvenile
Atlantic Cod	Eggs Juvenile Adult
Atlantic Herring	Adult Juvenile
Atlantic Wolffish	ALL

The substrate at this site can be described as sandy material. Loss of this habitat may adversely affect some of the species listed in the above table. 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.

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.

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FILE NO. NAE-2014-00985

- 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)

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.
- 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 Crystal Gardner at (978) 318-8332, (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.

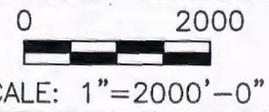
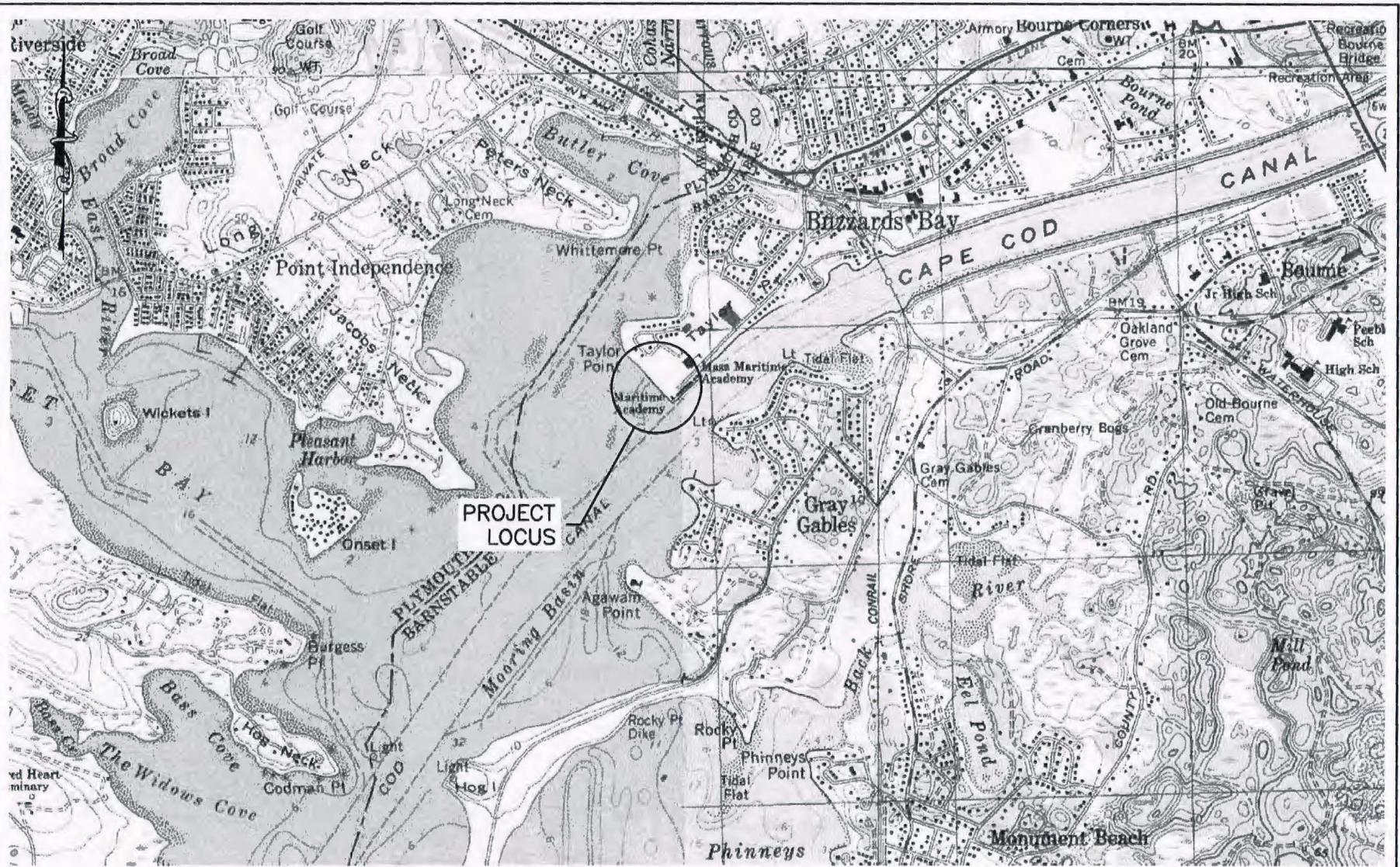
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

For 
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. 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: _____

File: X:\33911-33937-MA Maritime Academy\Regulatory\PERMITS\LOCUS PLAN ACOF.dwg



100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

TITLE: **LOCUS PLAN**

IN: **BUZZARDS BAY**
 AT: **TAYLOR POINT**
 COUNTY: **BARNSTABLE** STATE: **MA**

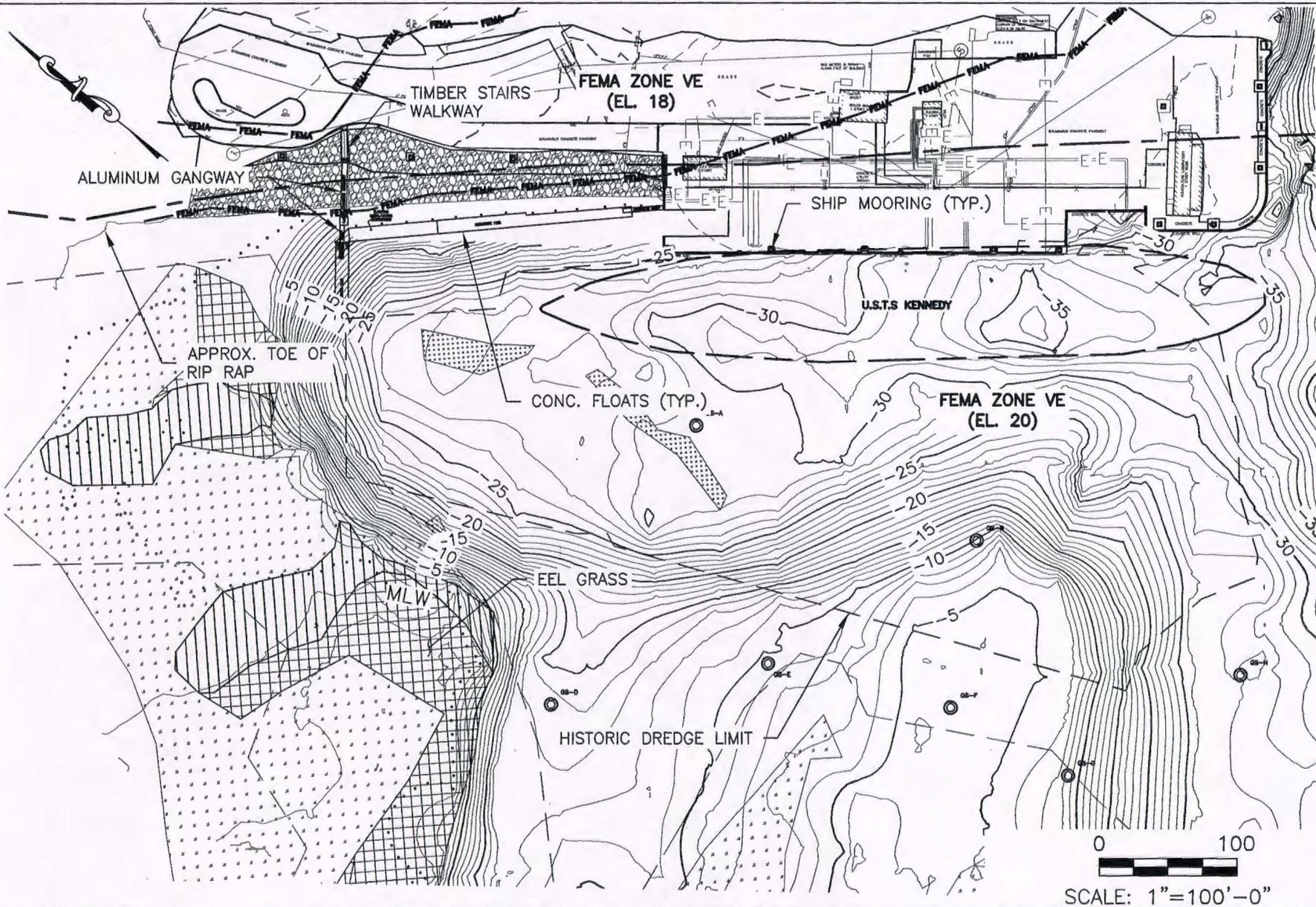
BCE Bourne Consulting Engineering, PC
 3 Reef Street
 Franklin, MA 01903
 TEL: (508) 533-0066 FAX: (508) 533-0066

PURPOSE: **NEW PIER CONSTRUCTION**

APPLICATION BY: **MASS MARITIME**

SHEET **1** OF **6**
 DATE: **07/07/14**

File: X:\339111-33937 MA Maritime Academy Regulatory PERMITS\NOLACOF.CH.91 EXIST.COND



100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

TITLE:

**EXISTING
CONDITIONS**

IN: **BUZZARDS BAY**
 AT: **TAYLOR POINT**
 COUNTY: **BARNSTABLE** STATE: **MA**

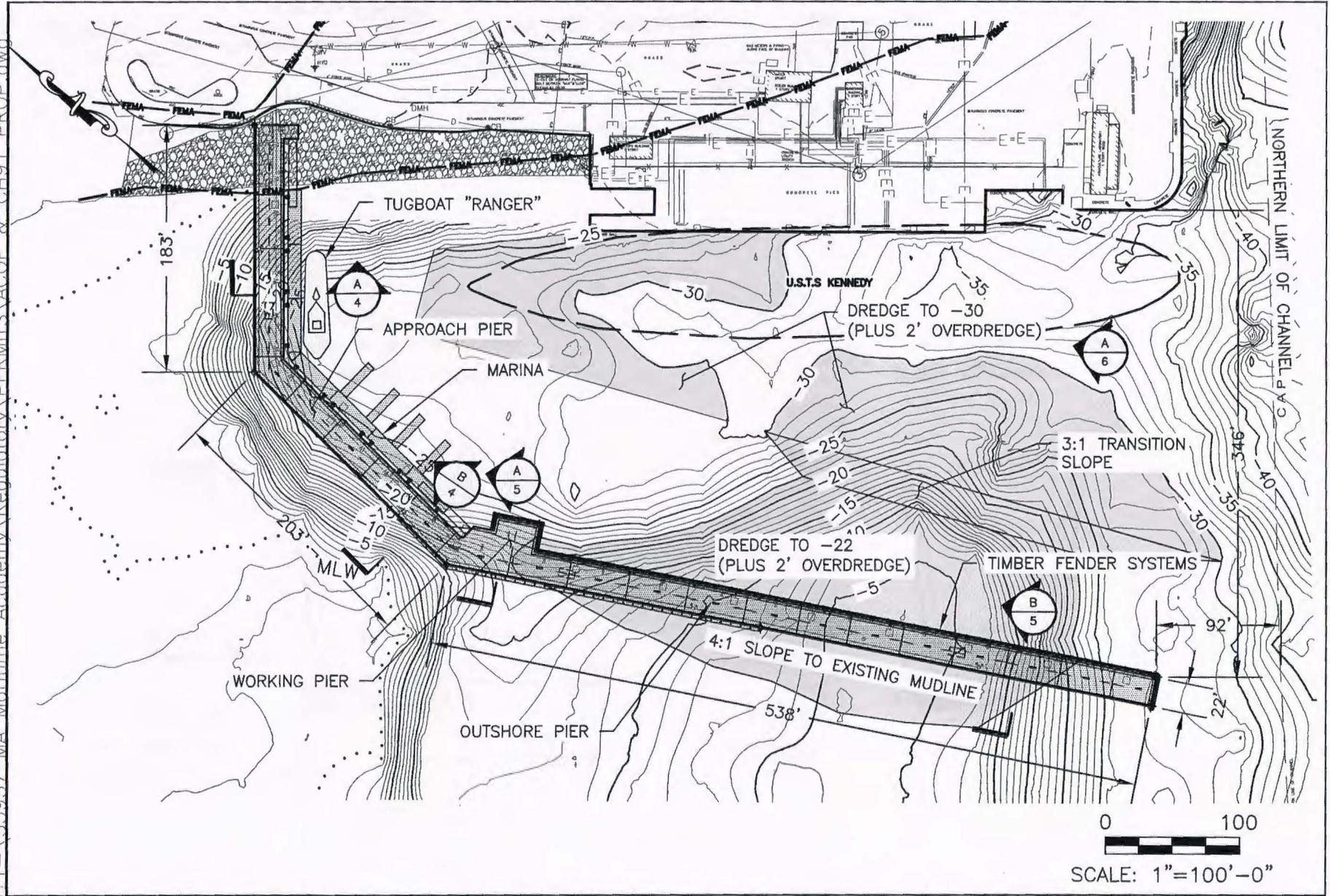
BCE Bourne Consulting Engineering, PC
 3 Boat Street
 Franklin, MA 01903
 TEL (508) 633-0000 FAX (508) 633-0000

PURPOSE:
NEW PIER CONSTRUCTION

APPLICATION BY:
MASS MARITIME

SHEET **2** OF **6**
 DATE: **07/07/14**

File: X:\33911-33937-MA Maritime Academy\Regulatory\PERMITS\ACOF & CH91_PROP.dwg



SCALE: 1"=100'-0"

100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

TITLE: **PROPOSED CONDITIONS**

IN: **BUZZARDS BAY**
 AT: **TAYLOR POINT**
 COUNTY: **BARNSTABLE** STATE: **MA**

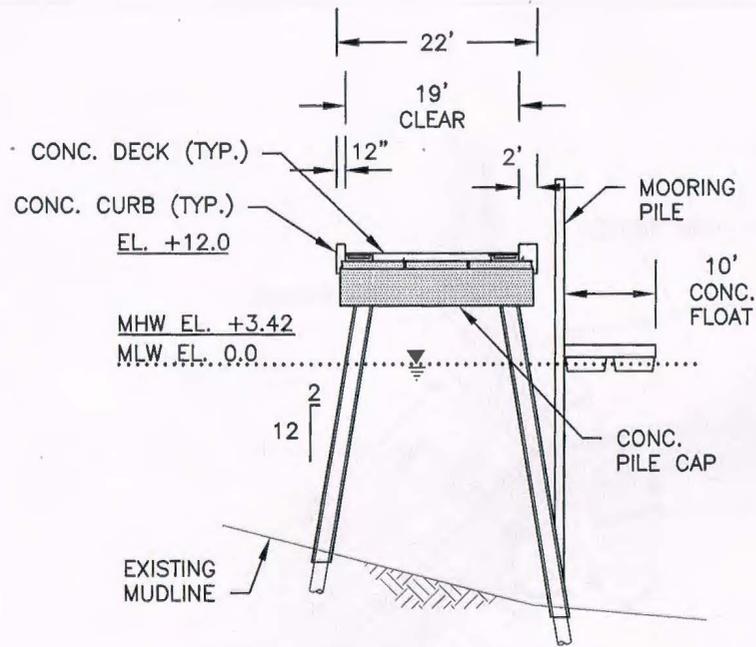
BCE Bourne Consulting Engineering, PC
 3 West Street
 Franklin, MA 01905
 TEL: (508) 533-0888 FAX: (508) 533-0880

PURPOSE:
NEW PIER CONSTRUCTION

APPLICATION BY:
MASS MARITIME

SHEET **3** OF **6**
 DATE: **07/07/14**

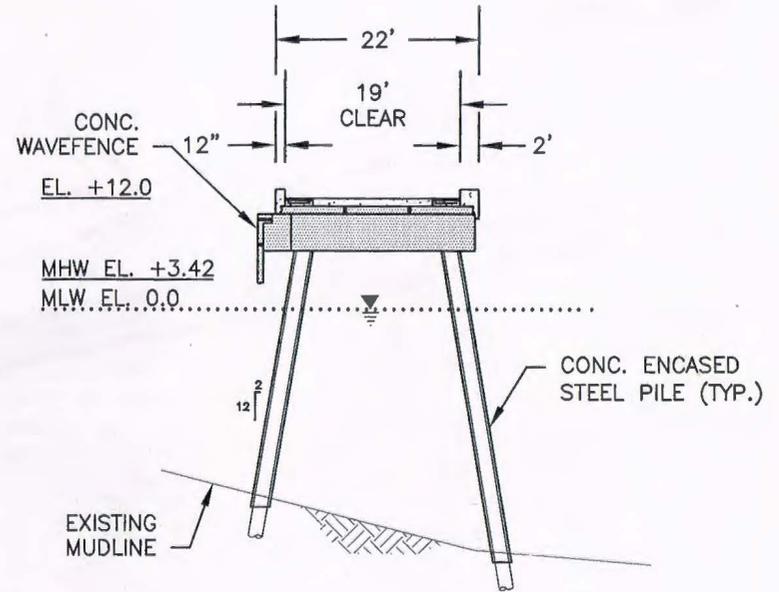
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PIER SECTION (TYP.)

A
4

SCALE: 1"=20'-0"



PIER SECTION (TYP.)

B
4

SCALE: 1"=20'-0"

100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

TITLE:

PIER SECTIONS

IN: **BUZZARDS BAY**
 AT: **TAYLOR POINT**
 COUNTY: **BARNSTABLE** STATE: **MA**

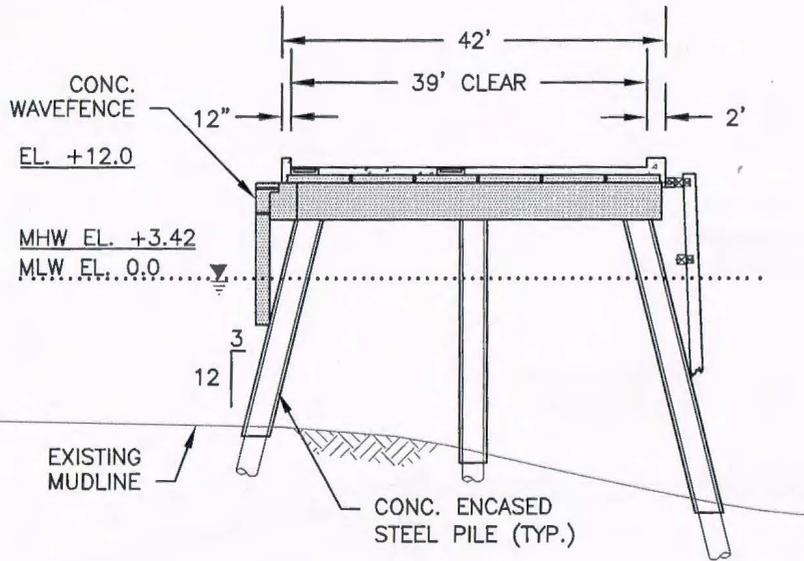


PURPOSE:
NEW PIER CONSTRUCTION

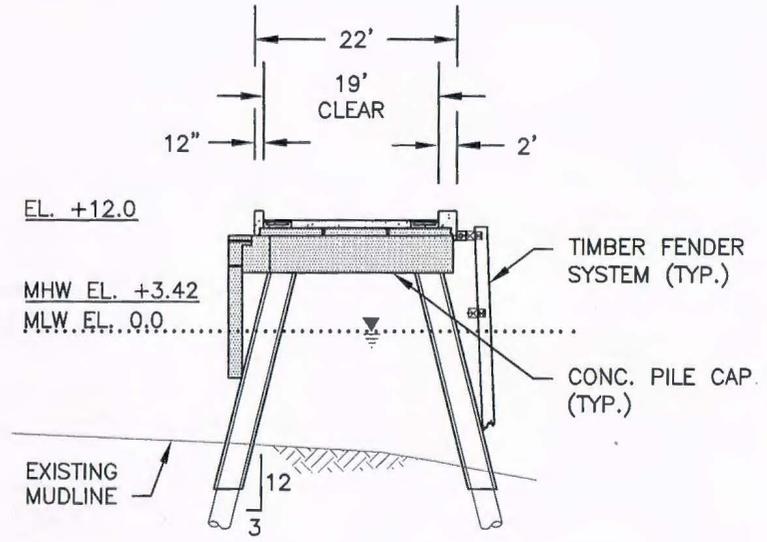
APPLICATION BY:
MASS MARITIME

SHEET **4** OF **6**
 DATE: **07/07/14**

File: X:\33911-33937 MA Maritime Academy\Regulatory\PERMITS\ACOF & CH91_PROP.dwg



A
PIER SECTION (TYP.)
SCALE: 1"=20'-0"



B
PIER SECTION (TYP.)
SCALE: 1"=20'-0"

100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

TITLE: **PIER SECTIONS**

IN: **BUZZARDS BAY**
AT: **TAYLOR POINT**
COUNTY: **BARNSTABLE** STATE: **MA**

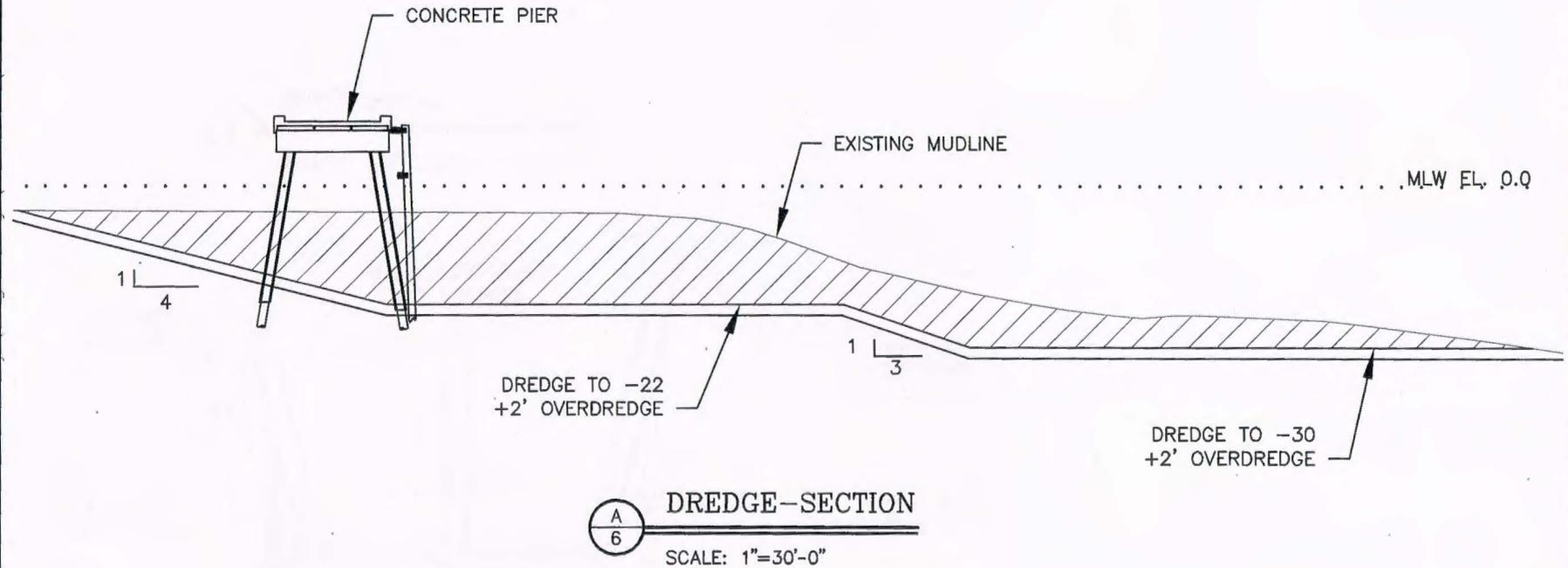


PURPOSE: **NEW PIER CONSTRUCTION**

APPLICATION BY: **MASS MARITIME**

SHEET **5** OF **6**
DATE: **07/07/14**

File: X:\339111-33937 MA Maritime Academy\Regulatory\PERMITS\ACOF & CH_91 DREDGE.dwg



100 YR FLOOD	+20.0	NGVD	+1.08
HTL	+5.48	MLW	0.0
MHW	+3.42		

BCE Bourne Consulting Engineering, PC
3 Bent Street
 Franklin, MA 01908
 TEL. (508) 533-0888 FAX (508) 533-0800

TITLE:	DREDGE SECTIONS
PURPOSE:	NEW PIER CONSTRUCTION
APPLICATION BY:	MASS MARITIME

IN: BUZZARDS BAY
AT: TAYLOR POINT
COUNTY: BARNSTABLE STATE: MA
SHEET 6 OF 6
DATE: 07/07/14