PUBLIC NOTICE

US Army Corps of Engineers
New England District
8 Carmichael Street, Suite 205
Essex Junction, Vermont 05452

Comment Period Begins: FEB 26 2013
Comment Period Ends: MAR 28 2013
File Number: NAE-2012-2630
In Reply Refer To: Angela C. Repella
Phone: (802) 872-2893
E-mail: Angela.C.Repella@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 Bennington
ATTN: Mr. Dan Monks, Zoning Administrator
P.O. Box 469
Bennington, Vermont 05201

ACTIVITY: To place fill in the Walloomsac River in conjunction with the removal of the Henry Bridge Dam, protection of an existing water main, and stabilization of the riverbank. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK
This work is proposed in the Walloomsac River about 100' upstream of the Henry Bridge which connects River Road and Murphy Road on the Bennington/North Bennington town line. The site coordinates are: Latitude 42.91214 N, Longitude 73.25482 W.

AUTHORITY
Permits are required pursuant to:
____ Section 10 of the Rivers and Harbors Act of 1899
__X__ 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.

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

(X) 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 Angela C. Repella at (802) 872-2893 or (978) 318-8639.

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.

Frank J. DelGiudice
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: _____

PROPOSED WORK AND PURPOSE

The work involves the discharge of fill material into the Walloomsac River in conjunction with the removal of the Henry Bridge Dam, protection of an existing water main, and stabilization of the riverbank. The Henry Bridge Dam is located approximately 100' upstream of the Henry Bridge which connects River Road and Murphy Road on the Bennington/North Bennington town line.

The existing dam structure consists of a deteriorating timber crib spillway, two concrete abutments, and a low level outlet. The dam abutments will be left in place to preserve historical value and maintain stable banks. The spillway is settling and a hydraulic roller (drowning hazard) has developed immediately downstream. Dam removal is proposed to eliminate the public safety hazard posed by the deteriorating structure and to restore this reach of the Walloomsac River to its historic free-flowing condition.

A total of 143,750 sq. ft. of river will be impacted by the project. The existing 2 acre+ impoundment upstream of the dam contains 4500 CY of material that will be released over time as a result of the dam removal. Permanent downstream impact resulting from the sediment release is expected to be confined to the scour hole immediately downstream of the dam to an existing riffle located approximately 250' downstream of the dam. Approximately 1,200 sq. ft. of temporary impact will result from operating construction equipment on the river bottom at the dam removal site.

An existing water main crosses the river approximately 240' upstream of the dam and is currently buried 3' below the river bed. After dam removal, sediment may reduce the cover over the pipe. Post dam removal monitoring will take place to determine if armoring is necessary to prevent the pipe from becoming exposed. If necessary, a 2.5' deep keyway will be excavated, filled with angular rock, and topped with a 1' thick layer of minimum 24" diameter river boulders/cobbles. This work will involve the placement of 400 CY of material over an area of 6,300 square feet (0.144 acre) below ordinary high water.

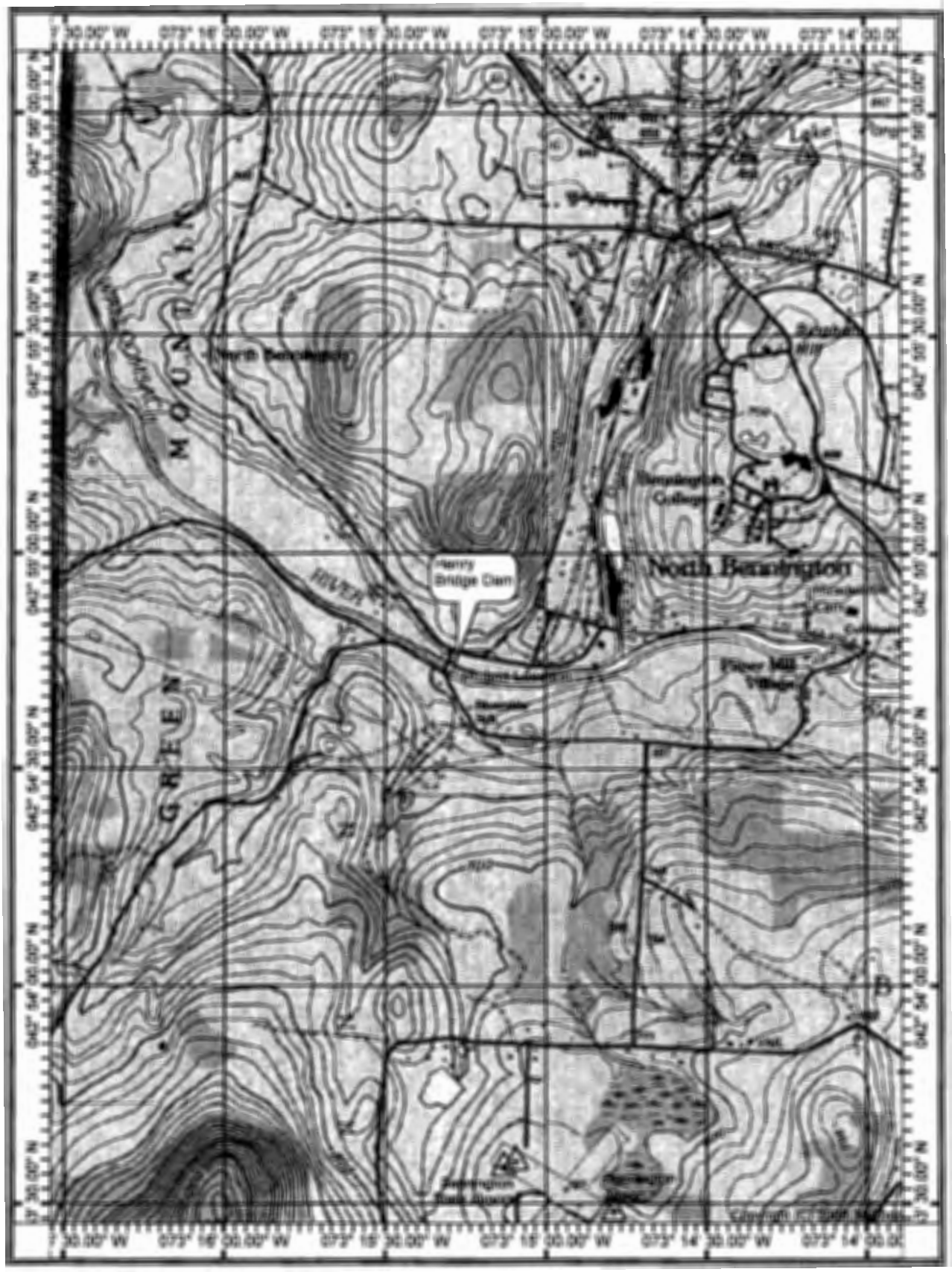
In addition, about 65 linear feet of the right bank of the river at the Henry Bridge will be reinforced with 130 CY of angular rock rip rap to ensure the post-dam removal channel profile does not undermine the bridge. The left bridge abutment does not require stabilization since it is situated on bedrock. This work will permanently impact 700 square feet (0.016 acre) of river bottom.

Access for the dam removal, water main protection, and bank stabilization will be accomplished through McWaters Park located to the north of the project site. All material removed from deconstruction of the dam will be disposed of in an upland location and all temporarily disturbed areas will be restored to pre-existing conditions.

The work is described on the enclosed plans entitled "HENRY BRIDGE DAM REMOVAL PROJECT," on nine sheets, dated "2/4/2013", "OCTOBER 25, 2012; REVISED: FEBRUARY 21, 2013", "OCT. 25, 2012", "OCT. 25, 2012" (last revised "JAN. 14, 2013"), and "OCT. 25, 2012" (last revised "NOV. 8, 2012").

MITIGATION

The project involves the removal of an existing dam; there is no other alternative other than the "no build" alternative. The "no build" alternative does not allow the applicant to achieve the project purpose of eliminating the public safety hazard. Excavation of the impounded sediment was considered but determined to be impractical due to difficulty of removal and added project cost. The project will also restore this reach of the river to a free flowing condition. No other mitigation is necessary. Pre and post monitoring will be conducted both upstream and downstream following dam removal to determine if any remedial action is necessary.



SCALE 1:24000

0 1000 2000 3000 4000 5000 6000 7000

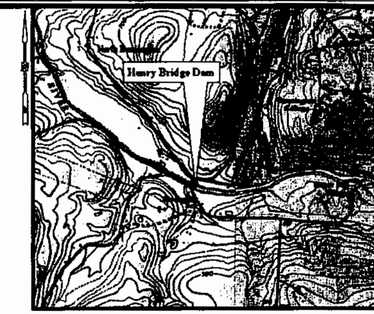
FEET

HENRY BRIDGE DAM REMOVAL PROJECT
WALLOOMSAC RIVER
NORTH BENNINGTON, VT
2/4/2013

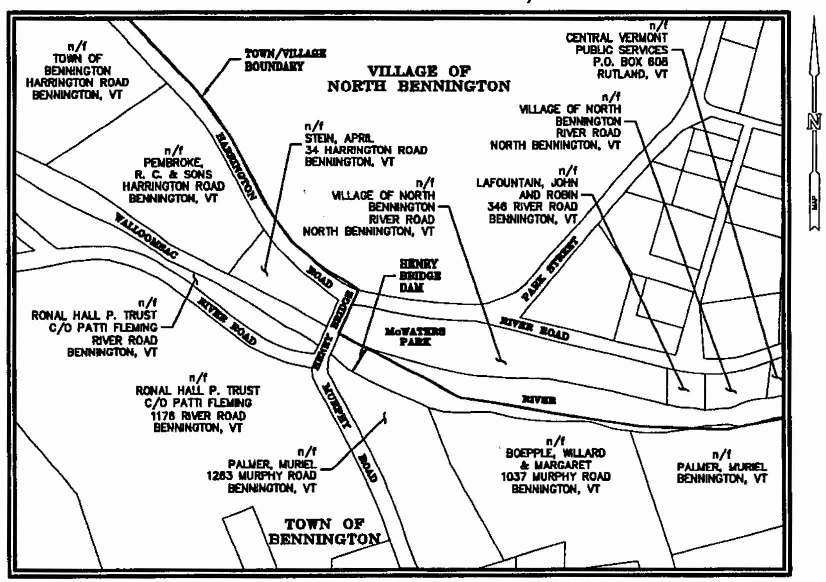
HENRY BRIDGE DAM REMOVAL PROJECT

RIVER ROAD
BENNINGTON, VERMONT

FINAL CONSTRUCTION PLANS
OCTOBER 25, 2012
REVISED: FEBRUARY 21, 2013



LOCATION MAP:
(N.T.S.)



n/f TOWN OF BENNINGTON HARRINGTON ROAD BENNINGTON, VT
TOWN/VILLAGE BOUNDARY
VILLAGE OF NORTH BENNINGTON
n/f CENTRAL VERMONT PUBLIC SERVICES P.O. BOX 608 RUTLAND, VT
n/f VILLAGE OF NORTH BENNINGTON RIVER ROAD NORTH BENNINGTON, VT
n/f STEIN, APRIL 34 HARRINGTON ROAD BENNINGTON, VT
n/f PEMBROKE, R. C. & SONS HARRINGTON ROAD BENNINGTON, VT
n/f VILLAGE OF NORTH BENNINGTON RIVER ROAD NORTH BENNINGTON, VT
n/f LAFOUNTAIN, JOHN AND ROBIN 346 RIVER ROAD BENNINGTON, VT
HARRINGTON ROAD
WALLOOMSAC
HENRY BRIDGE DAM
PARK STREET
n/f RONAL HALL P. TRUST C/O PATTI FLEMING RIVER ROAD BENNINGTON, VT
RIVER ROAD
HENRY BRIDGE
McWATERS PARK
RIVER ROAD
n/f RONAL HALL P. TRUST C/O PATTI FLEMING 1176 RIVER ROAD BENNINGTON, VT
MURPHY ROAD
RIVER
n/f PALMER, MURIEL 1283 MURPHY ROAD BENNINGTON, VT
n/f BOEPPLE, WILLARD & MARGARET 1037 MURPHY ROAD BENNINGTON, VT
n/f PALMER, MURIEL BENNINGTON, VT
TOWN OF BENNINGTON
N

PROJECT SITE VICINITY / ABUTTERS MAP:

0' 200' 400'
0 1/2" 1"
SCALE 1" = 400'

PREPARED FOR:

TOWN OF BENNINGTON
205 SOUTH STREET - P.O. BOX 469
BENNINGTON, VERMONT 05201

LIST OF DRAWINGS:

NO.	NAME	TITLE
01	--	TITLE SHEET
02	SP-1	SITE PLAN - EXISTING CONDITIONS
03	SP-2	SITE PLAN - PROPOSED CONDITIONS
04	PR-1	RIVER PROFILE - DOWNSTREAM
05	PR-2	RIVER PROFILE - UPSTREAM
06	CS-1	RIVER SECTION - HENRY BRIDGE DAM
07	CS-2	RIVER SECTION - WATER MAIN
08	D-1	DETAILS

PREPARED BY:

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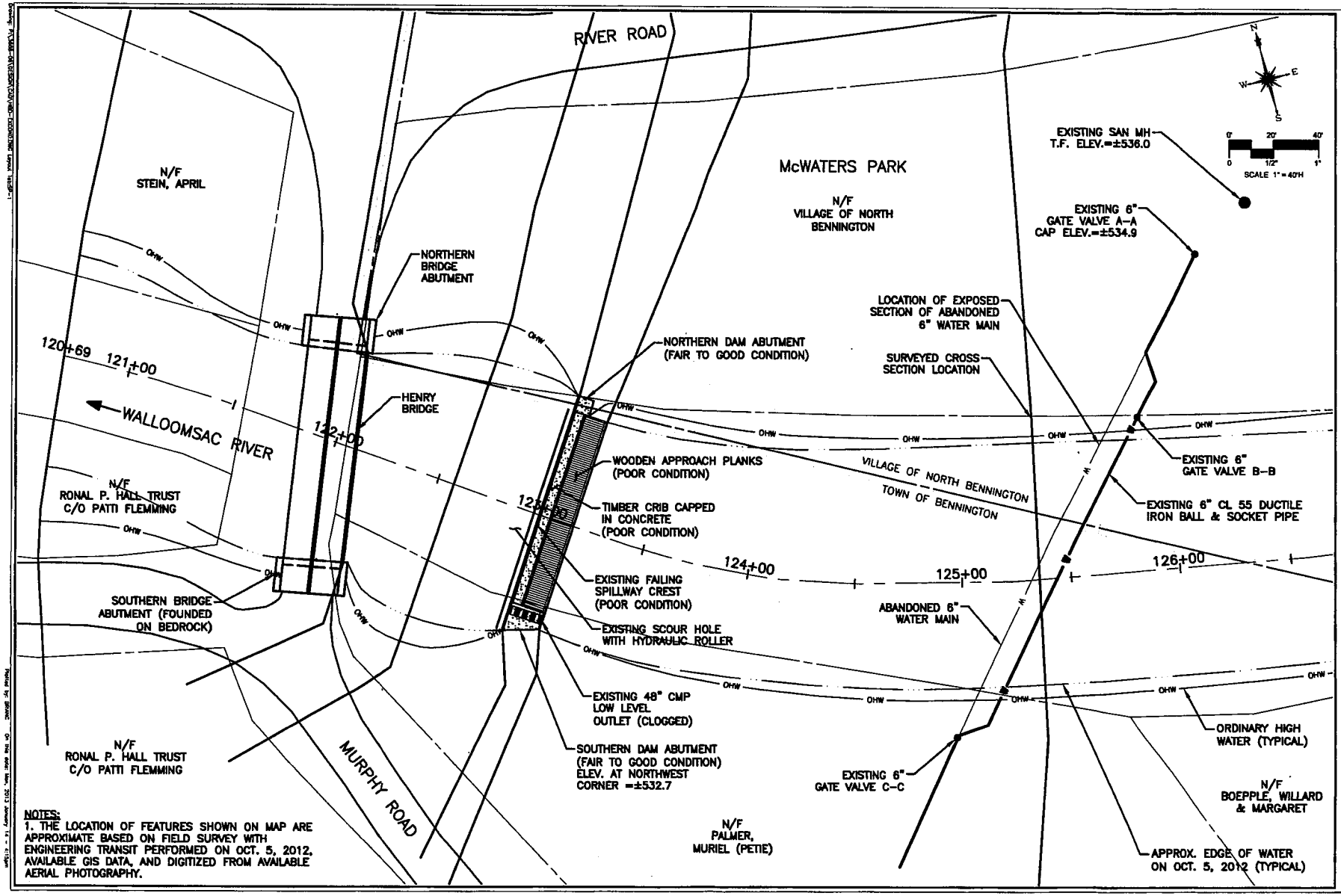

NOTES:
1. THE LOCATION OF FEATURES SHOWN ON MAP ARE APPROXIMATE BASED ON FIELD SURVEY WITH ENGINEERING TRANSIT PERFORMED ON OCT. 5, 2012, AVAILABLE GIS DATA, AND DIGITIZED FROM AVAILABLE AERIAL PHOTOGRAPHY.

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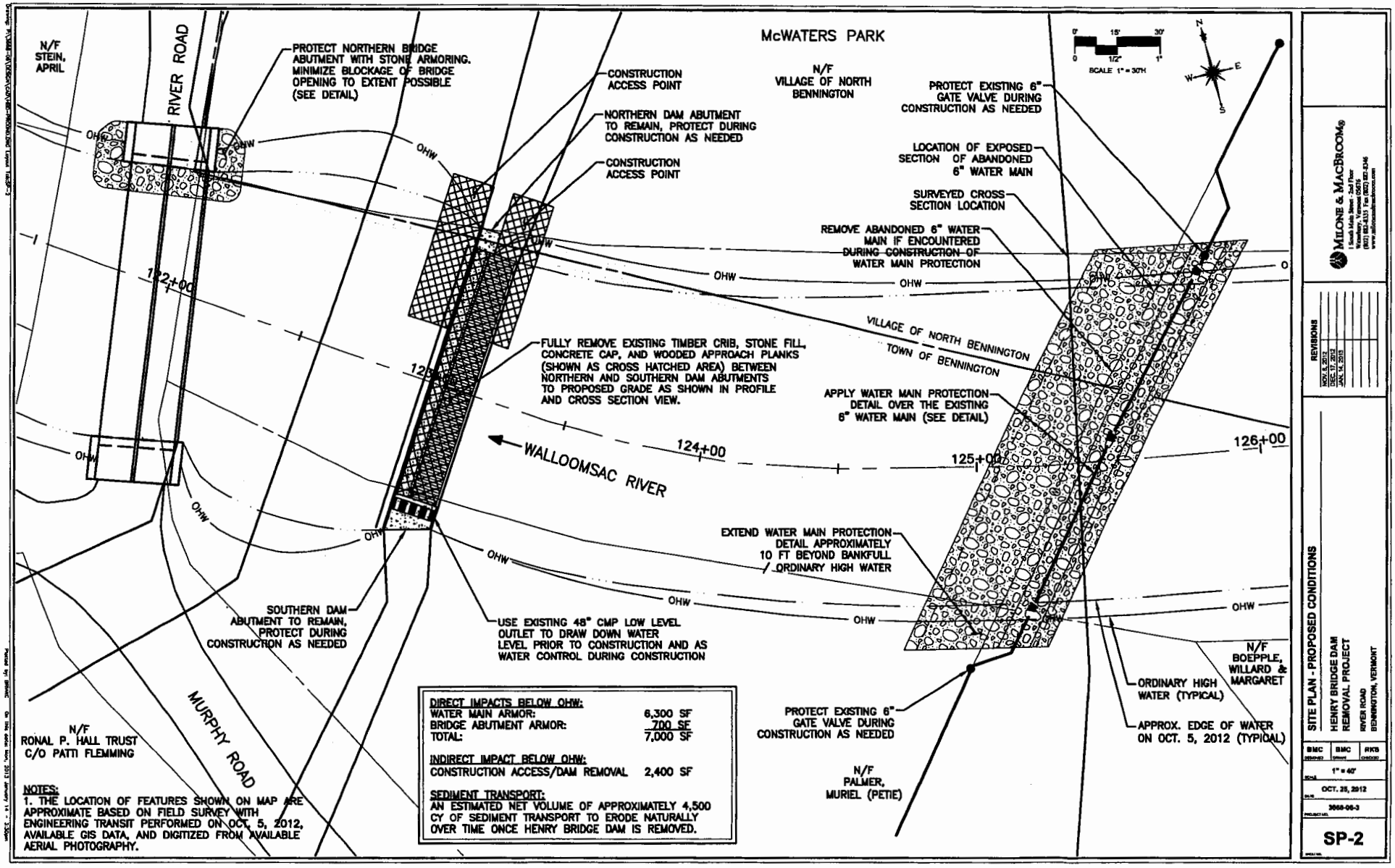
REVISIONS
DEC. 17, 2012
JAN. 14, 2013

SITE PLAN - EXISTING CONDITIONS
HENRY BRIDGE DAM
REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

BMC	BMC	RKB
DESIGNED	DRAWN	CHECKED

SCALE: 1" = 40'
DATE: OCT. 25, 2012
PROJECT NO.: 3868-06-3
SHEET NO.: SP-1



DIRECT IMPACTS BELOW OHW:	
WATER MAIN ARMOR:	6,300 SF
BRIDGE ABUTMENT ARMOR:	700 SF
TOTAL:	7,000 SF
INDIRECT IMPACT BELOW OHW:	
CONSTRUCTION ACCESS/DAM REMOVAL	2,400 SF

SEDIMENT TRANSPORT:
AN ESTIMATED NET VOLUME OF APPROXIMATELY 4,500 CY OF SEDIMENT TRANSPORT TO ERODE NATURALLY OVER TIME ONCE HENRY BRIDGE DAM IS REMOVED.

NOTES:
1. THE LOCATION OF FEATURES SHOWN ON MAP ARE APPROXIMATE BASED ON FIELD SURVEY WITH ENGINEERING TRANSIT PERFORMED ON OCT. 5, 2012, AVAILABLE GIS DATA, AND DIGITIZED FROM AVAILABLE AERIAL PHOTOGRAPHY.

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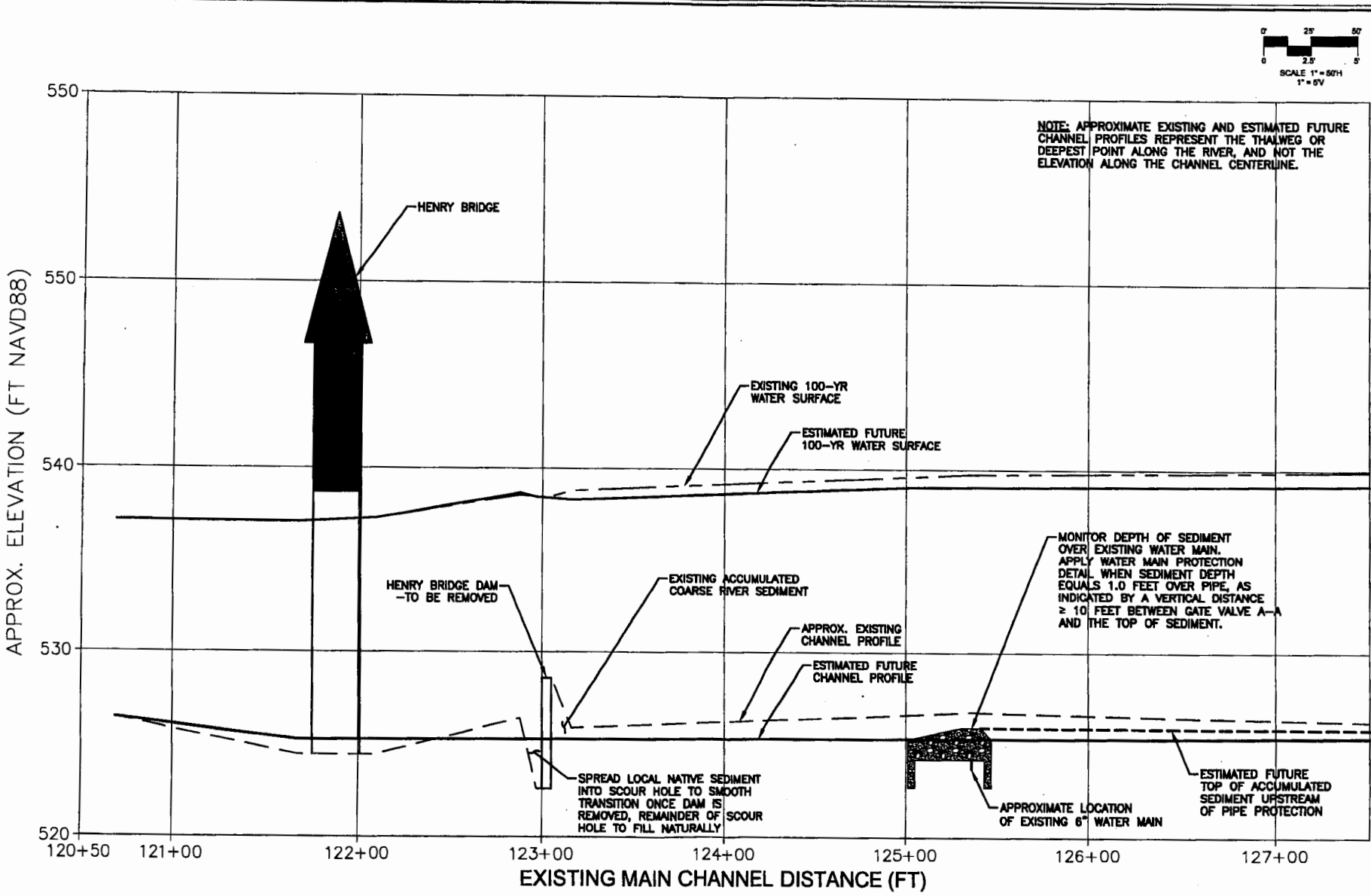
REVISIONS
NOV. 8, 2013
DEC. 17, 2013
JAN. 14, 2014

SITE PLAN - PROPOSED CONDITIONS
HENRY BRIDGE DAM REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

BMC	BMC	RKB
DESIGNED	DRAWN	CHECKED

SCALE: 1" = 60'
DATE: OCT. 25, 2012
PROJECT NO.: 3065-06-3

SP-2



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REVISIONS
NOV. 5, 2012

RIVER PROFILE - DOWNSTREAM
HENRY BRIDGE DAM REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

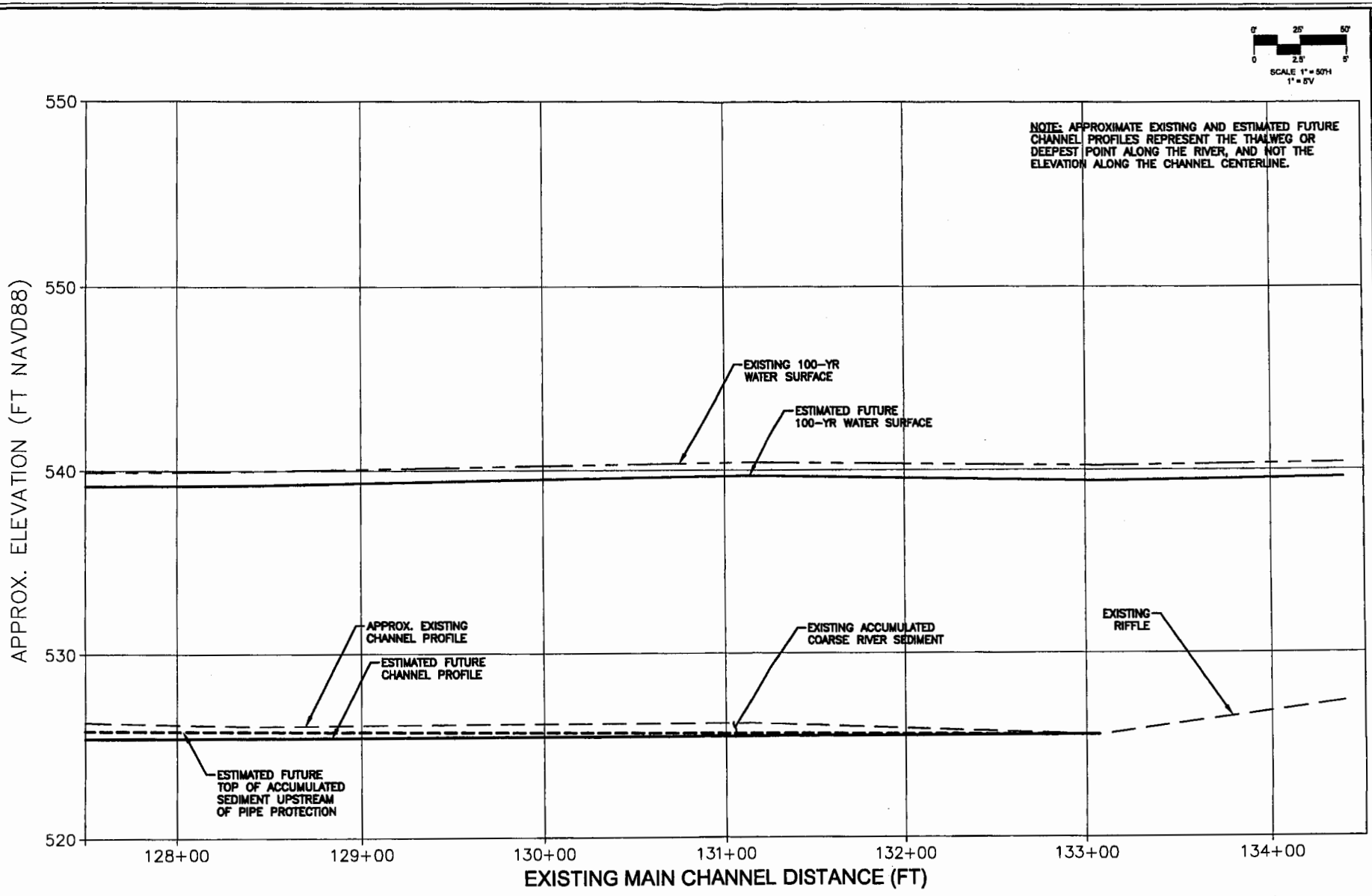
BMC	BMC	RKS
DESIGNED	DRAWN	CHECKED

1" = 50'H
1"=5'V
SCALE

OCT. 25, 2012
DATE

3666-08-3
PROJECT NO.

PR-1



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REVISIONS
NOV. 8, 2012

RIVER PROFILE - UPSTREAM

HENRY BRIDGE DAM
REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

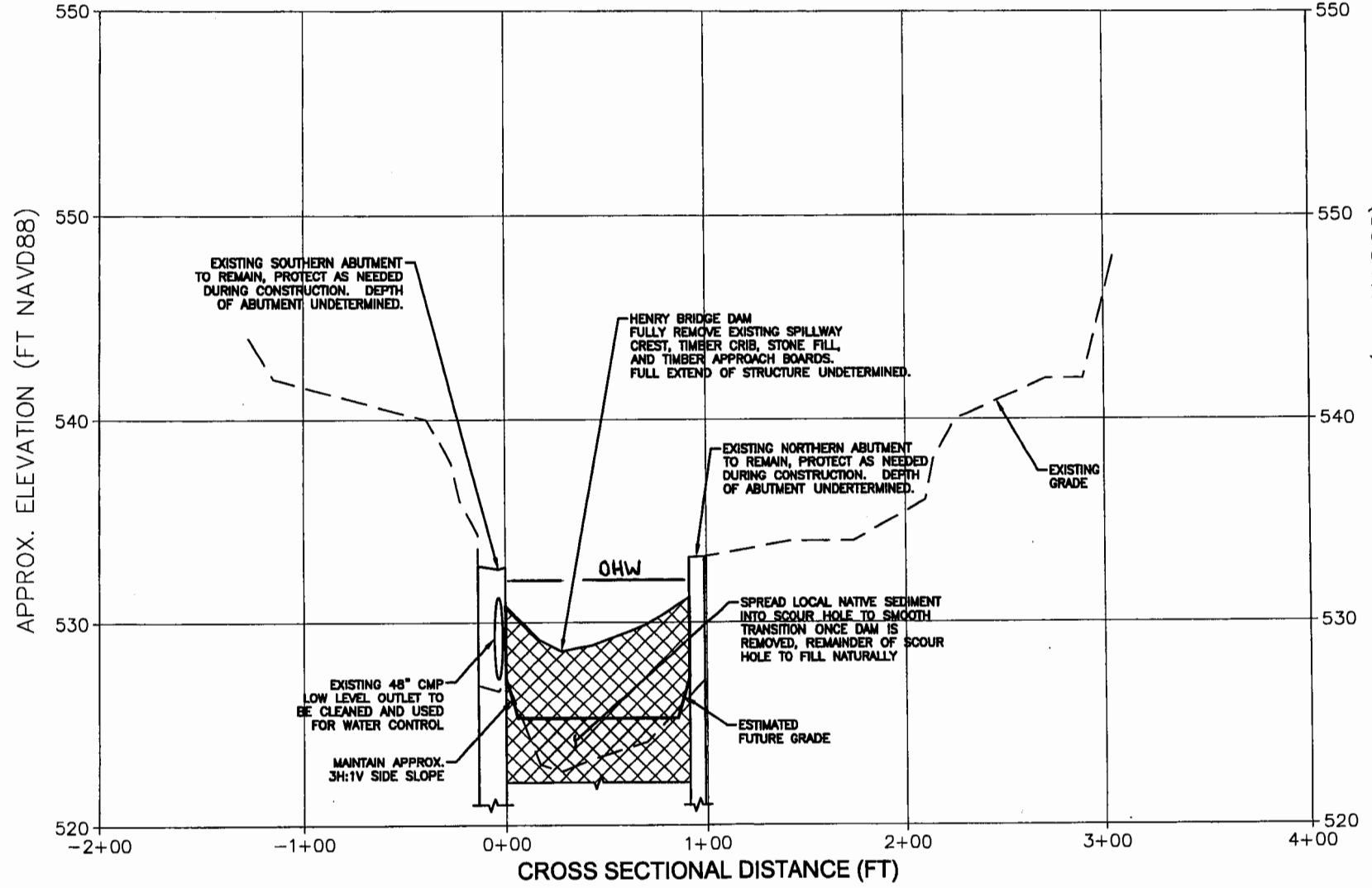
BMC	BMC	RCS
DESIGNED	DRAWN	CHECKED

SCALE: 1" = 50'H
1"=5'V

DATE: OCT. 25, 2012

PROJECT NO.: 3668-06-3

PR-2



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REVISIONS

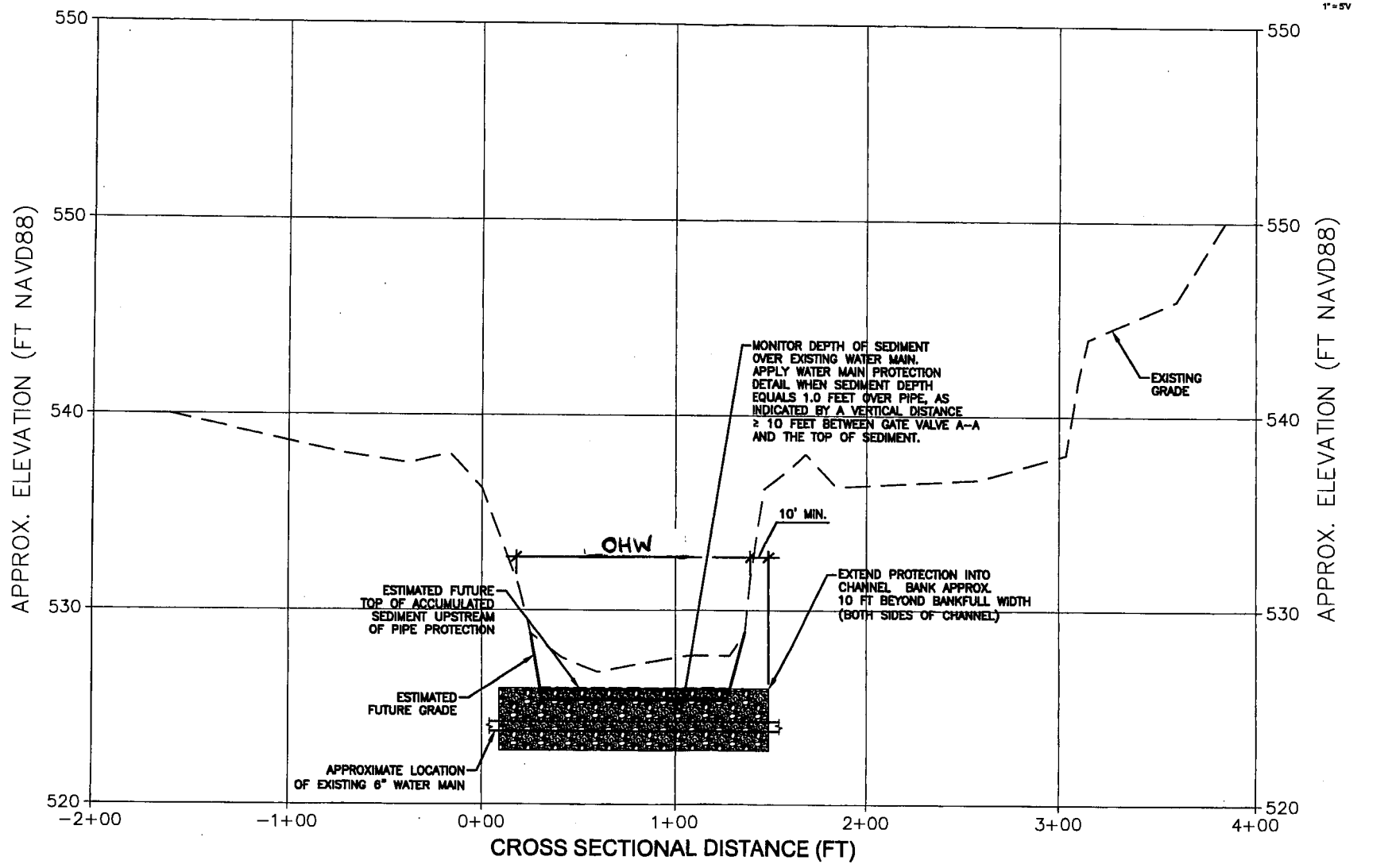
RIVER SECTION - HENRY BRIDGE DAM

HENRY BRIDGE DAM
REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

BMC	BMC	RJCS
DESIGNED	DRAWN	CHECKED

SCALE: 1" = 50'H, 1"=5'V
DATE: OCT. 25, 2012
PROJECT NO.: 3668-06-3

CS-1



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RIVER SECTION - WATER MAIN

HENRY BRIDGE DAM
REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

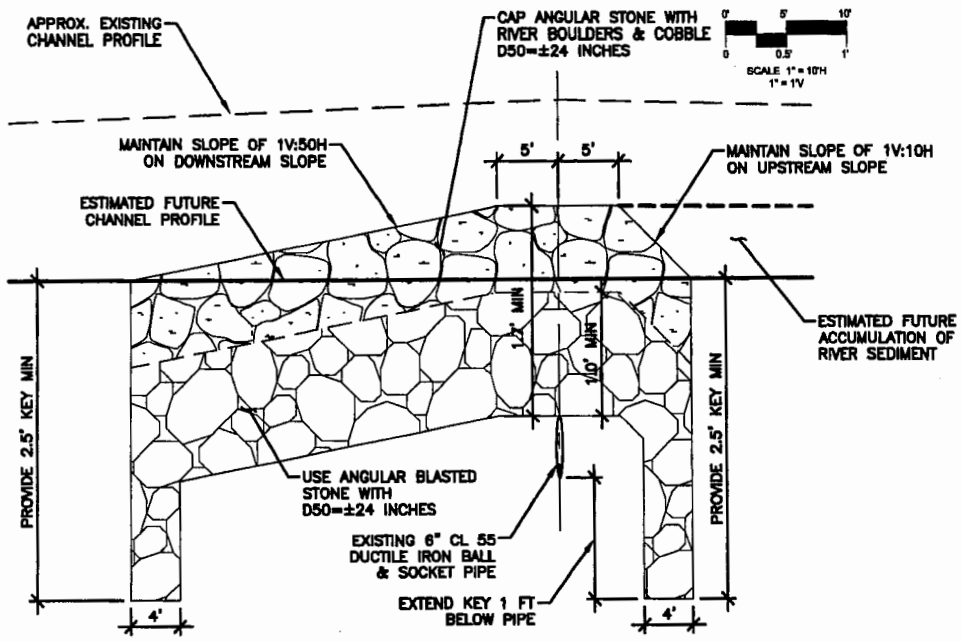
BMC	BMC	RKB
DESIGNED	DRAWN	CHECKED

1" = 50'H
1"=5'V
SCALE

OCT. 25, 2012
DATE

3668-06-3
PROJECT NO.

CS-2
SHEET NO.



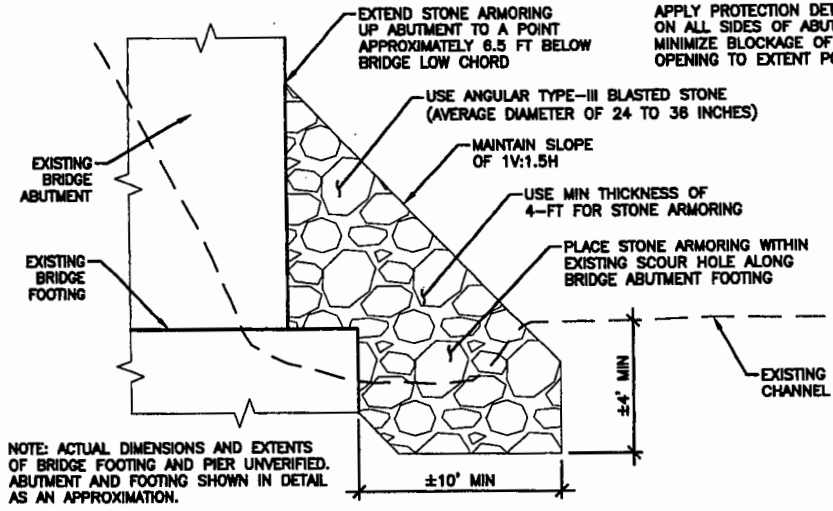
WATER MAIN PROTECTION DETAIL

1"=10'H : 1"=1'V

CONSTRUCTION SEQUENCE

THIS PROPOSED DAM REMOVAL SEQUENCE IS PROVIDED AS A RECOMMENDED APPROACH. ALL CONSTRUCTION IS TO BE PERFORMED BY THE TOWN OF BENNINGTON. THE FOLLOWING CONSTRUCTION SEQUENCE DESCRIBES STEPS FOR DECONSTRUCTION OF THE DAM SPILLWAY, PROTECTION OF THE BRIDGE ABUTMENT, AND MONITORING AND PROTECTION OF THE WATER MAIN CROSSING THE RIVER.

1. UNCLOG EXISTING 48" CMP LOW LEVEL OUTLET THROUGH THE SOUTHERN DAM ABUTMENT AND ALLOW IMPOUNDMENT UPSTREAM OF THE DAM TO DEWATER.
2. FULLY REMOVED TIMBER CRIB, STONE FILL, CONCRETE SPILLWAY CAP, AND WOODEN APPROACH PLANKS LOCATED BETWEEN THE NORTHERN AND SOUTHERN DAM ABUTMENTS. ACCESS TO THE REMOVAL AREA IS TO OCCUR FROM THE NORTHERN CHANNEL BANK VIA McWATERS PARK.
3. APPLY STONE ARMORING AROUND THE NORTHERN BRIDGE ABUTMENT OF THE HENRY BRIDGE.
4. RESTORE DISTURBED AREAS TO PRE-CONSTRUCTION CONDITIONS AND REPAIR ANY TEMPORARY DISTURBANCES CAUSED BY CONSTRUCTION ACCESS.
5. MONITOR SEDIMENT TRANSPORT AT THE EXISTING WATER MAIN CROSSING LOCATED UPSTREAM OF THE DAM.
6. IF SEDIMENT TRANSPORT THRESHOLD IS REACHED AS DESCRIBED ON THE PLANS, MOBILIZE AND IMPLEMENT THE WATER MAIN PROTECTION DETAIL.



NOTE: ACTUAL DIMENSIONS AND EXTENTS OF BRIDGE FOOTING AND PIER UNVERIFIED. ABUTMENT AND FOOTING SHOWN IN DETAIL AS AN APPROXIMATION.

BRIDGE ABUTMENT PROTECTION DETAIL

NTS

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REVISIONS
NOV. 5, 2012

DETAILS
HENRY BRIDGE DAM REMOVAL PROJECT
RIVER ROAD
BENNINGTON, VERMONT

BMC	BMC	RKS
DRAWN	DESIGN	CHECKED

AS SHOWN
SCALE
OCT. 25, 2012
DATE
3888-06-3
PROJECT NO.

D-1