



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

PUBLIC NOTICE

Comment Period Begins: August 9, 2011
Comment Period Ends: September 9, 2011
File Number: NAE-2008-3216
In Reply Refer To: Paul J. Sneeringer 978-318-8491
E-mail: paul.j.sneeringer @usace.army.mil

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

**APPLICANT: Massachusetts Department of Transportation – Highway Division (“MassDOT”),
10 Park Plaza, Boston, Massachusetts 02116**

ACTIVITY: MassDOT has submitted an application to discharge dredged and/or fill material in approximately **10,500** square feet of waters of the United States and adjacent wetlands associated with the Taunton River, as part of the construction of the PERMANENT Berkley – Dighton Bridge (#B-08-001 = #D-08-011) in Berkley and Dighton, Massachusetts. [NOTE: The U.S. Coast Guard Bridge Branch is the permitting authority for the bridge structures. The Corps only has permitting authority over any filling in waters of the United States and adjacent wetlands.] A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK:

This work is proposed in Taunton River on Elm Street (Berkley)/ Center Street (Dighton), Massachusetts. The proposed location on the USGS Assonet quadrangle sheet is at 41° 50' 3.83" N, -71° 6' 29.96" W.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- XX 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 approximately 10,500 square feet of Essential Fish Habitat (EFH) for summer flounder (juvenile), winter flounder (larval), and windowpane flounder (all stages). This habitat consists of sandy intertidal and sub-tidal areas, mudflat intertidal areas, as well as salt marsh and freshwater wetlands areas. Loss of this habitat may adversely affect these fish species. 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.

SECTION 106 COORDINATION:

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:

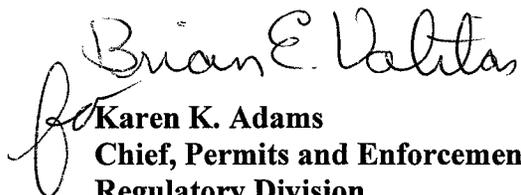
- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 **Paul Sneeringer** at (978) 318-8491, (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

CENAE-R
FILE NO. NAE-2008-3216

If you would prefer not to continue receiving Public Notices, 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.

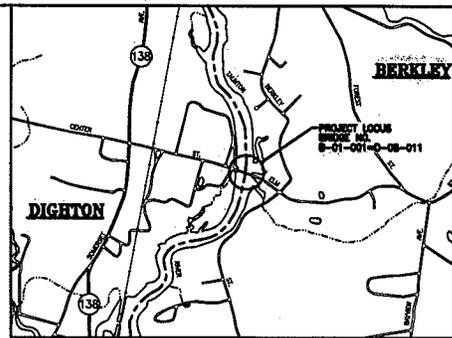
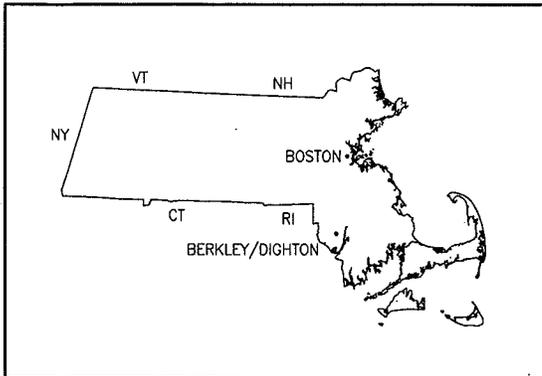
NAME: _____
ADDRESS: _____

PROPOSED WORK AND PURPOSE:

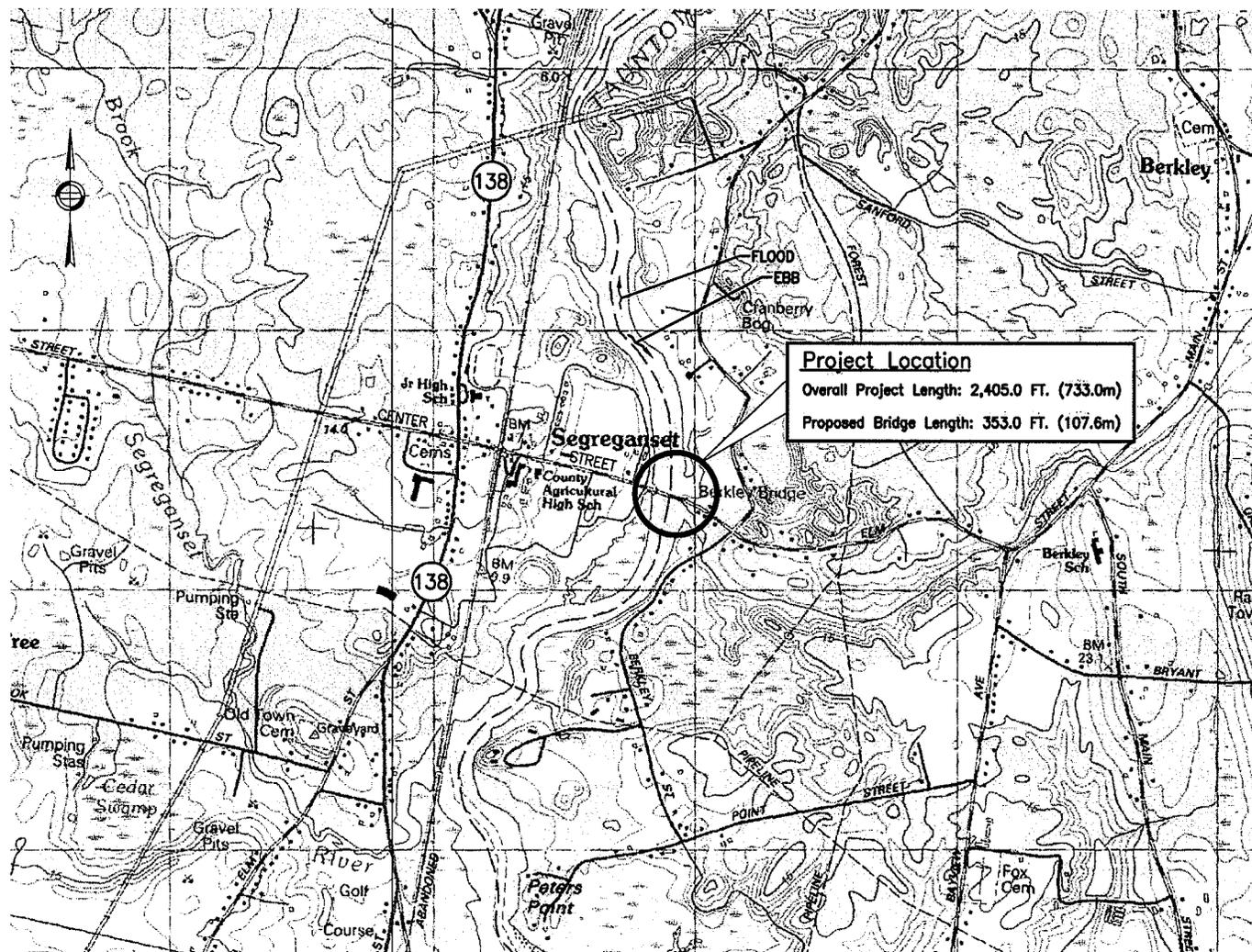
This project involves the discharge of dredged and/or fill material in approximately **10,500** square feet of waters of the United States and jurisdictional wetlands associated with the Taunton River, as part of the construction of the PERMANENT Berkley – Dighton Bridge (#B-08-001 = #D-08-011) in Berkley and Dighton, Massachusetts. NOTE: Approximately 100 square feet of salt marsh areas will be impacted as part of this project. The project purpose for this work is to provide a PERMANENT replacement bridge. As part of this project the previous five-span, swing-span drawbridge will be replaced with a wider four-span fixed bridge. This work will include widening of the approach roadway embankments with associated riprap scour protection, the construction of new bridge abutments and three “in-river” piers with associated riprap scour protection, as well as the installation of temporary cofferdams so that “in-river” construction can be completed “in the dry”. MassDOT has proposed to install a temporary river access/egress ramp along the Berkley shoreline in order to allow for barge access during the construction phase of this project. Approximately **1,096** cubic yards of bottom sediments will be excavated as part of this bridge replacement project. Excavated materials will be disposed of at an approved upland disposal site (not in waters of the United States). Section 404 impacts associated with this project include roadway embankment fills and the temporary construction river access fill, the construction of new bridge abutments and the three “in-river” piers with associated riprap scour protection, the installation of temporary cofferdams, and site grading for the proposed freshwater wetland and salt marsh compensatory mitigation areas (see below). This work is described on the enclosed plan drawings entitled “BERKLEY-DIGHTON ELM ST. /CENTER ST. OVER TAUNTON RIVER BRIDGE NO. B-08-001 = D-08-011,” on a total of 12 sheets, and dated “JULY 23, 2008” and revised “JANUARY 25, 2010” and “AUGUST 1, 2011”.

The U.S. Coast Guard Bridge Branch is also currently reviewing an application for the structures and work associated with the construction of the PERMANENT Berkley – Dighton Bridge. Work associated with the removal of remaining components of the previous Berkley –Dighton Bridge and the TEMPORARY Berkley – Dighton Bridge will be completed under the terms and conditions of the existing U.S. Coast Guard’s Permit #6-08-1 for the temporary bridge.

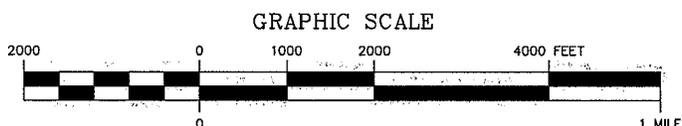
MITIGATION: In developing plans for the PERMANENT Berkley – Dighton Bridge Project, MassDOT considered ways to avoid and to minimize impacts to waters of the United States, including jurisdictional wetlands. In order to mitigate for unavoidable impacts to jurisdictional wetland areas, MassDOT proposes to construct a 2,500 square foot freshwater wetland mitigation area as well as a 340 square foot salt marsh creation area. See plan drawing for more details.



LOCUS PLAN
SCALE: N.T.S.



Project Location
 Overall Project Length: 2,405.0 FT. (733.0m)
 Proposed Bridge Length: 353.0 FT. (107.6m)



NAE-0008-3216
PAGE 1 OF 12
REVISED: AUGUST 1, 2011

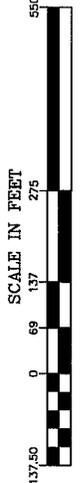
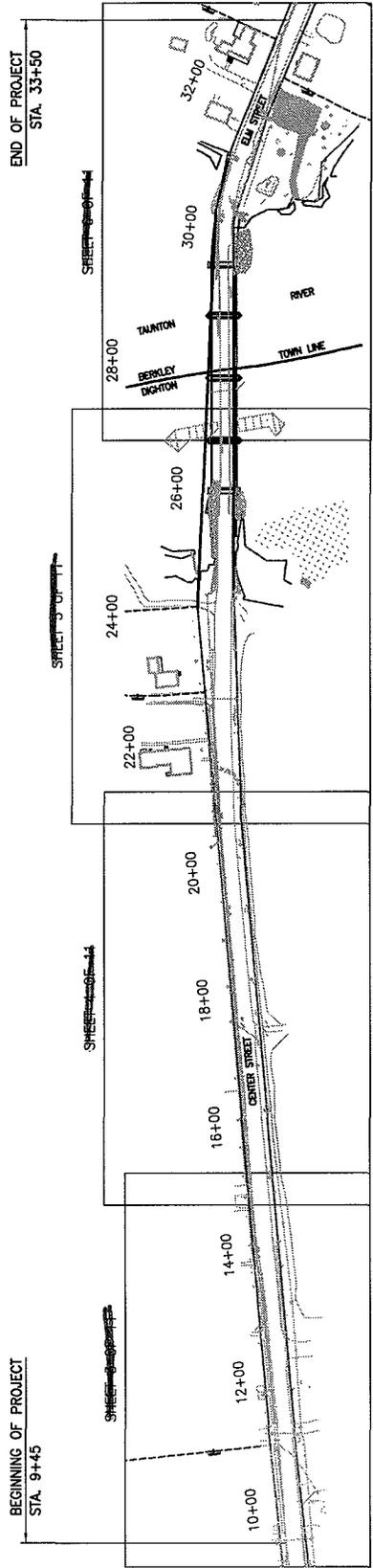
JULY 23, 2008

SHEET 1 OF 11

MASSACHUSETTS HIGHWAY DEPARTMENT
 ELM STREET/CENTER STREET OVER TAUNTON RIVER
 PROPOSED BRIDGE PROJECT
 BERKLEY/DIGHTON, MA

BR. NO. B-08-001-D-08-011
 TAUNTON RIVER, M.P. 10.0 (16.1 km)

VICINITY MAP



NAG-2008-3216
PROJECT OVERVIEW:
PAGE 2 OF 12
REVISION: AUGUST 1, 2011

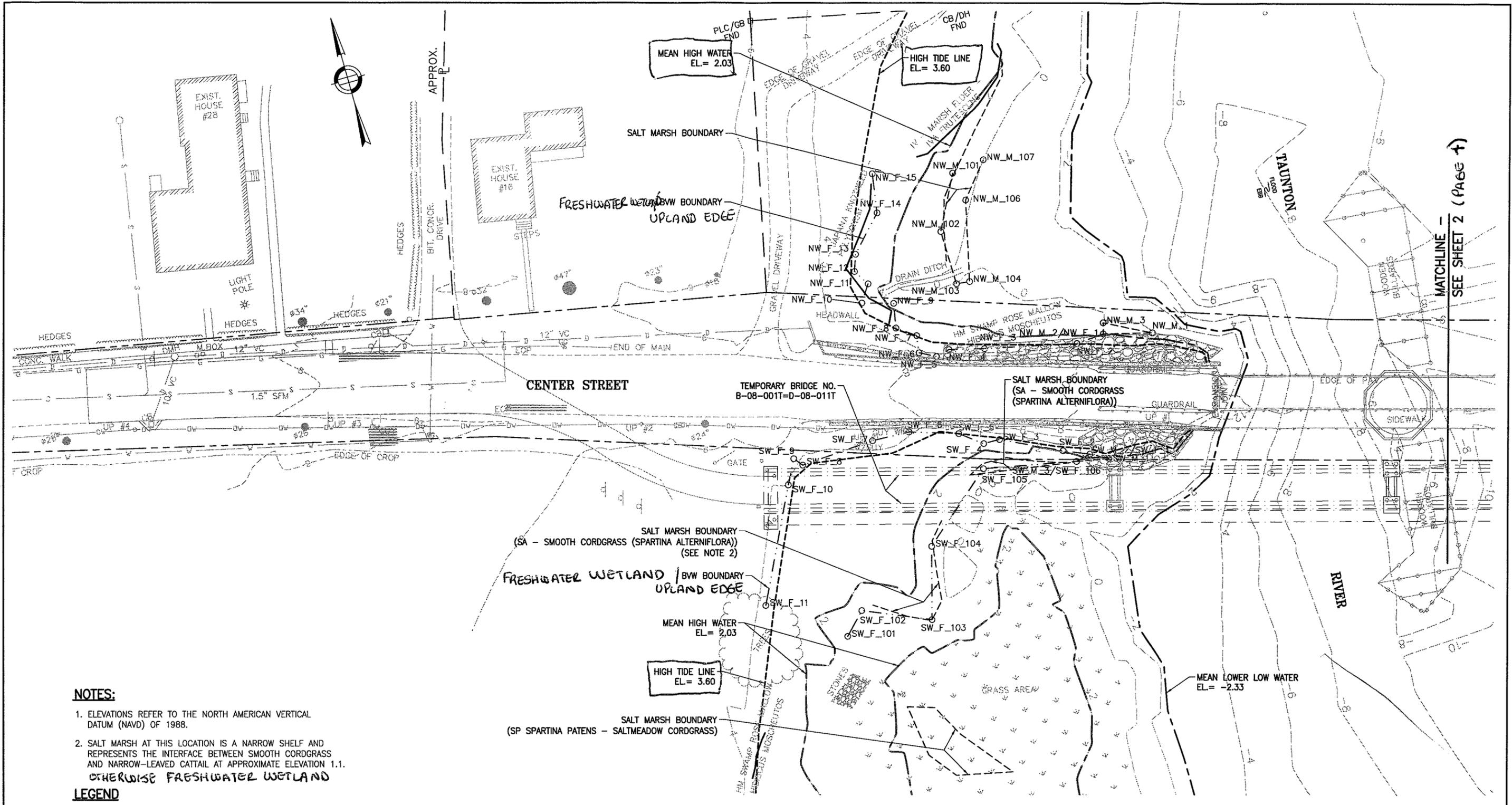
JULY 23, 2008

SHEET 2 OF 11

MASSACHUSETTS HIGHWAY DEPARTMENT
ELM STREET/CENTER STREET OVER TAUNTON RIVER
PROPOSED BRIDGE PROJECT
BERKLEY/DIGHTON, MA

BR. NO. B-08-001=D-08-011
TAUNTON RIVER, M.P. 10.0 (16.1 km)

KEY PLAN

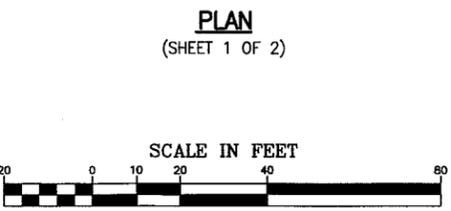


NOTES:

1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
2. SALT MARSH AT THIS LOCATION IS A NARROW SHELF AND REPRESENTS THE INTERFACE BETWEEN SMOOTH CORDGRASS AND NARROW-LEAVED CATTAIL AT APPROXIMATE ELEVATION 1.1. OTHERWISE FRESHWATER WETLAND

LEGEND

- - - - - BW BOUNDARY
- - - - - SALT MARSH BOUNDARY
- - - - - MEAN HIGH/LOW WATER BOUNDARY
- - - - - HIGH TIDE BOUNDARY

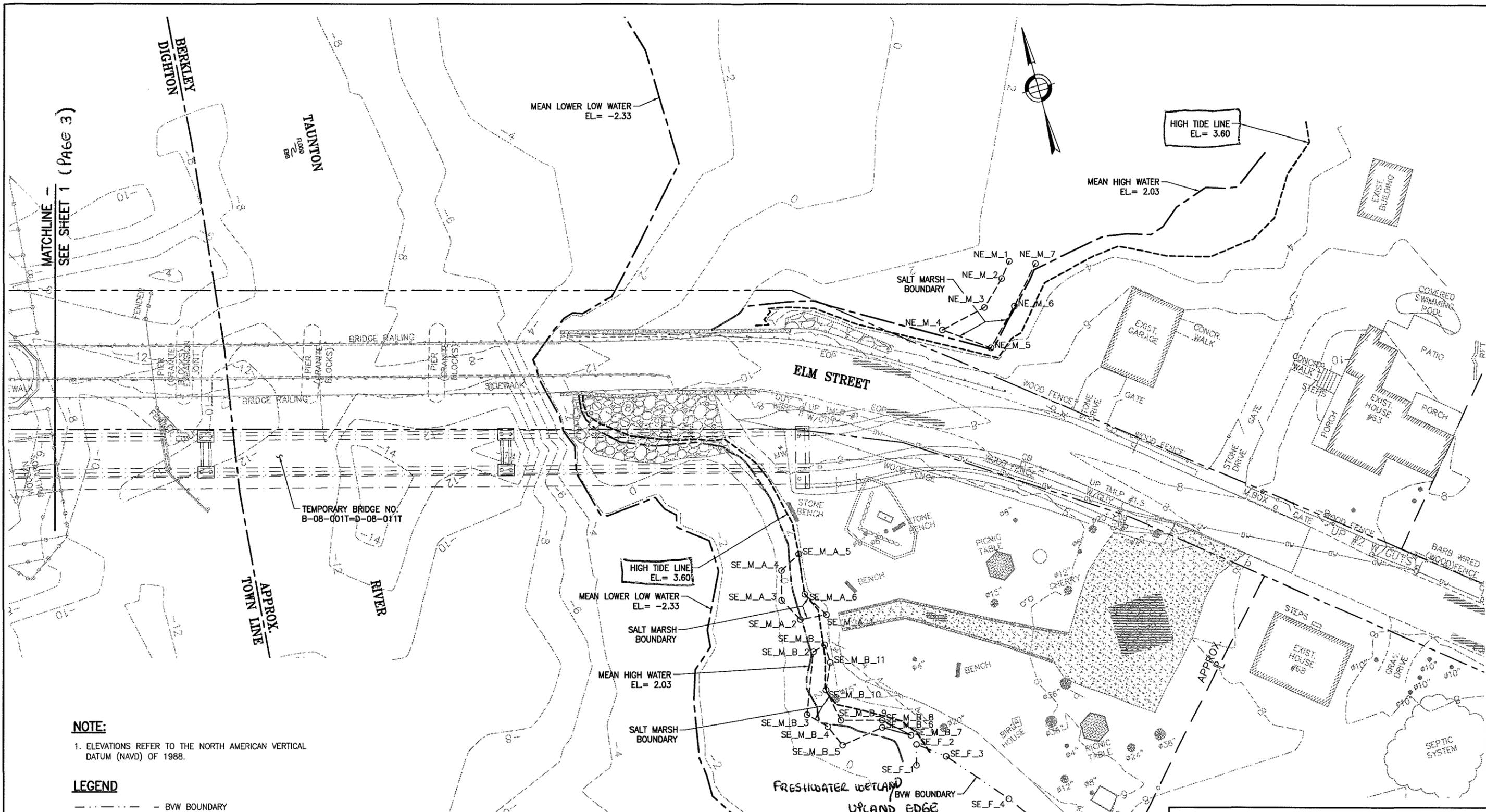


NAE-2008-3216
PAGE 3 OF 12

BERKLEY-DIGHTON
ELM ST./CENTER ST. OVER
TAUNTON RIVER
BRIDGE NO. B-08-001=D-08-011
EXISTING RESOURCE AREA PLAN
SHEET 1

AUGUST 1, 2011

MATCHLINE - SEE SHEET 2 (PAGE 4)



MATCHLINE -
SEE SHEET 1 (PAGE 3)

HIGH TIDE LINE
EL= 3.60

MEAN HIGH WATER
EL= 2.03

MEAN LOWER LOW WATER
EL= -2.33

TAUNTON
RIVER

ELM STREET

TEMPORARY BRIDGE NO.
B-08-001=D-08-011T

APPROX.
TOWN LINE

HIGH TIDE LINE
EL= 3.60

MEAN LOWER LOW WATER
EL= -2.33

SALT MARSH
BOUNDARY

MEAN HIGH WATER
EL= 2.03

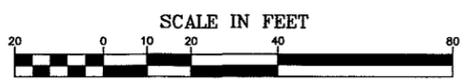
SALT MARSH
BOUNDARY

FRESHWATER WETLAND
UPLAND EDGE

NOTE:
1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

LEGEND
 - - - - - BWV BOUNDARY
 - - - - - SALT MARSH BOUNDARY
 - - - - - MEAN HIGH/LOW WATER BOUNDARY
 - - - - - HIGH TIDE BOUNDARY

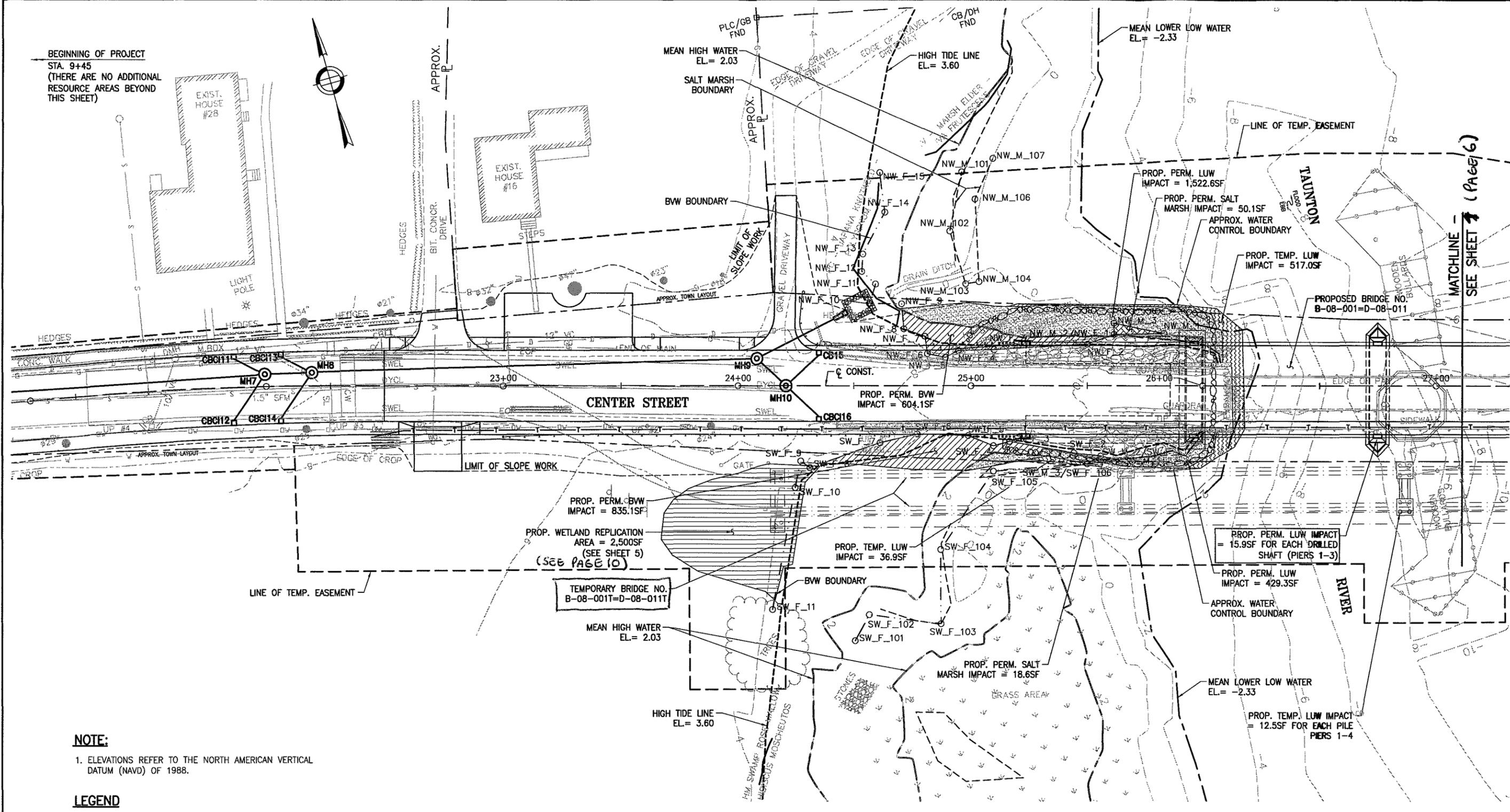
PLAN
(SHEET 2 OF 2)



NAE-2008-3216
PAGE 4 OF 12
REVISED AUGUST 1, 2011

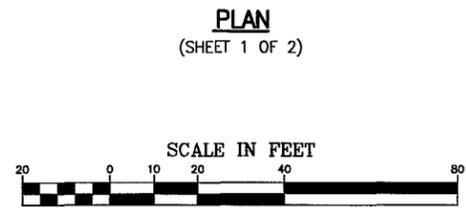
BERKLEY-DIGHTON
 ELM ST./CENTER ST. OVER
 TAUNTON RIVER
 BRIDGE NO. B-08-001=D-08-011
 EXISTING RESOURCE AREA PLAN
 SHEET 2

BEGINNING OF PROJECT
STA. 9+45
(THERE ARE NO ADDITIONAL
RESOURCE AREAS BEYOND
THIS SHEET)



NOTE:
1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL
DATUM (NAVD) OF 1988.

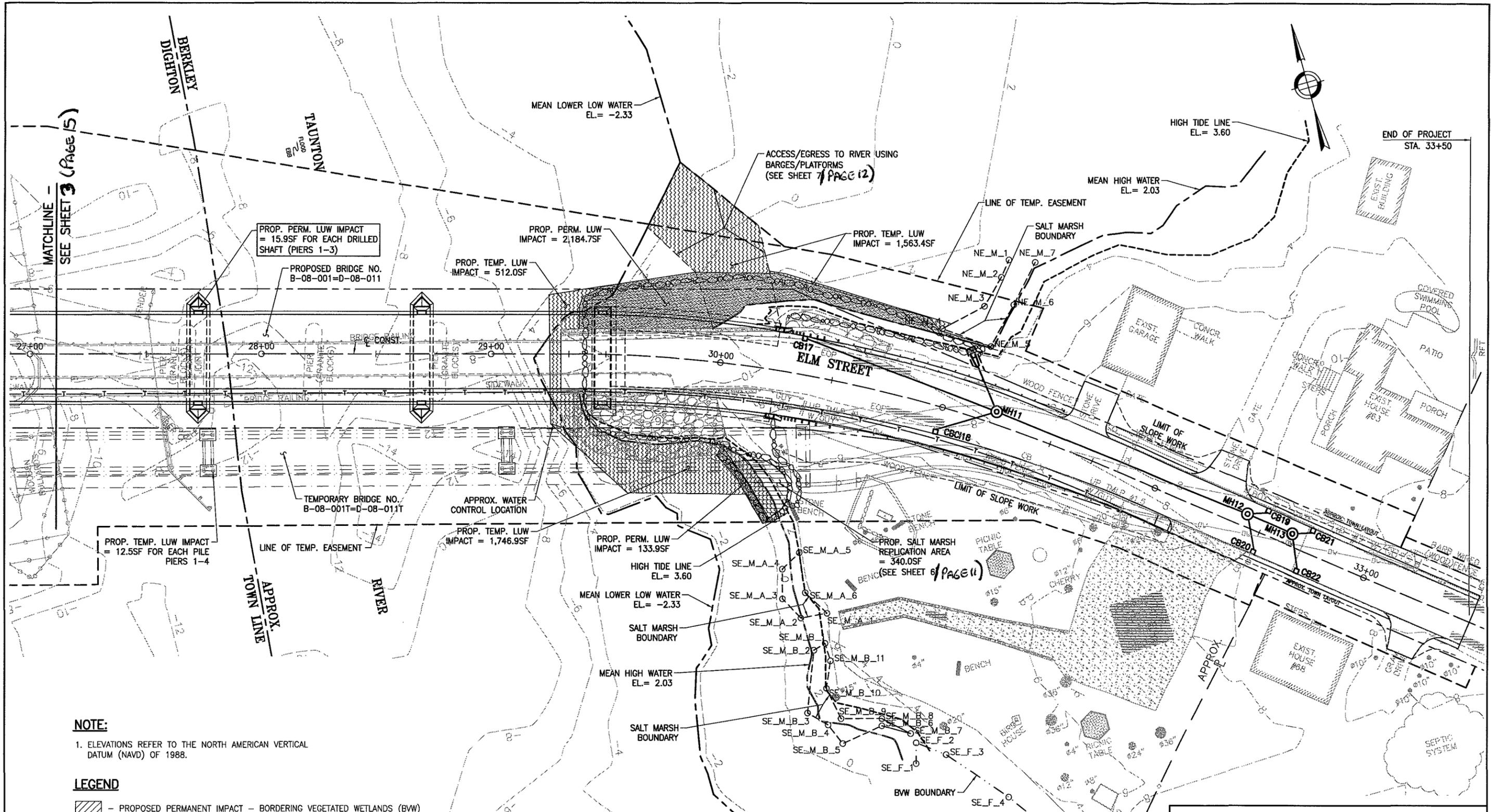
- LEGEND**
- PROPOSED PERMANENT IMPACT - BORDERING VEGETATED WETLANDS (BWV)
 - PROPOSED PERMANENT IMPACT - SALT MARSH
 - PROPOSED TEMPORARY IMPACT - SALT MARSH
 - PROPOSED PERMANENT IMPACT - LAND UNDER WATER (LUW)
 - PROPOSED TEMPORARY IMPACT - LAND UNDER WATER (LUW)
 - LIMITS OF PROPOSED RIPRAP



NAE-2008-3216
PAGE 5 OF 12
REV: AUGUST 1, 2011

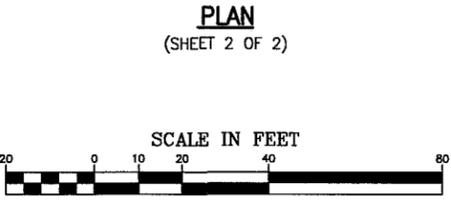
BERKLEY-DIGHTON
ELM ST./CENTER ST. OVER
TAUNTON RIVER
BRIDGE NO. B-08-001=D-08-011
RESOURCE AREA IMPACTS
SHEET 3

MATCHLINE - SEE SHEET (PAGE 6)



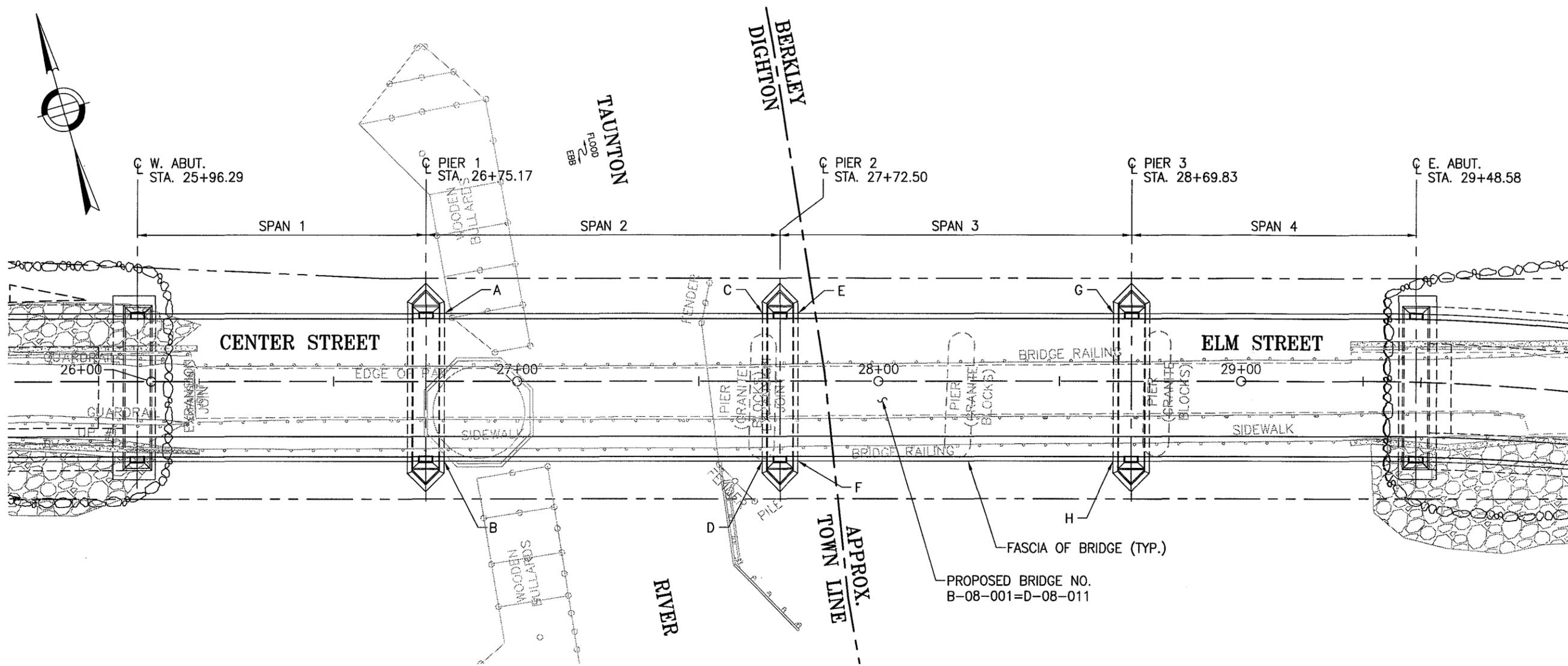
NOTE:
 1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

- LEGEND**
- PROPOSED PERMANENT IMPACT - BORDERING VEGETATED WETLANDS (BVW)
 - PROPOSED PERMANENT IMPACT - SALT MARSH
 - PROPOSED TEMPORARY IMPACT - SALT MARSH
 - PROPOSED PERMANENT IMPACT - LAND UNDER WATER (LUIW)
 - PROPOSED TEMPORARY IMPACT - LAND UNDER WATER (LUIW)
 - LIMITS OF PROPOSED RIPRAP



NAG-2008-3216
 PAGE 6 OF 12
 REV AUGUST 1, 2011

BERKLEY-DIGHTON
 ELM ST./CENTER ST. OVER
 TAUNTON RIVER
 BRIDGE NO. B-08-001=D-08-011
 RESOURCE AREA IMPACTS
 SHEET 4



WATERWAY OPENING COORDINATES			
POINT	LOCATION	NORTHING	EASTING
A	E. FACE OF PIER 1	2765173.5030	762867.9559
B	E. FACE OF PIER 1	2765134.8847	762856.9112
C	W. FACE OF PIER 2	2765149.4889	762951.9228
D	W. FACE OF PIER 2	2765110.8705	762940.8781
E	E. FACE OF PIER 2	2765146.7392	762961.5373
F	E. FACE OF PIER 2	2765108.1208	762950.4926
G	W. FACE OF PIER 3	2765122.7250	763045.5041
H	W. FACE OF PIER 3	2765084.1067	763034.4595

NOTE:
 1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

BRIDGE PLAN
 SCALE: N.T.S.

NAE-0008-3216
 PAGE 7 OF 12
 BRIDGE COORDINATES
 REV: AUGUST 1, 2011

BERKLEY-DIGHTON
 ELM ST./CENTER ST. OVER
 TAUNTON RIVER
 BRIDGE NO. B-08-001=D-08-011
 BRIDGE PLAN
 SHEET 8

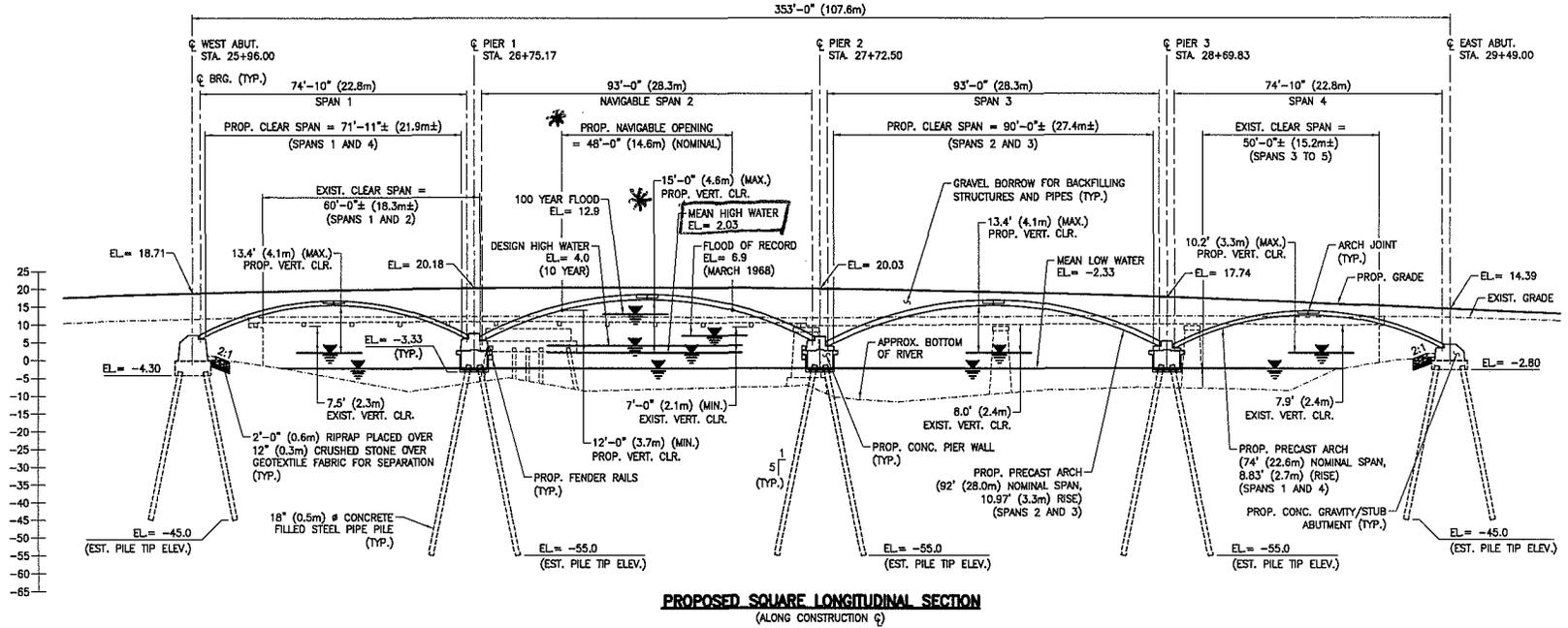
NAE-2008-3216
 Page 8 of 12
 Revised: August 1, 2011
 JANUARY 25, 2010

SHEET 8B OF 11

MASSACHUSETTS HIGHWAY DEPARTMENT
 ELM STREET/CENTER STREET OVER TAUNTON RIVER
 PROPOSED BRIDGE PROJECT
 BERKLEY/DIGHTON, MA

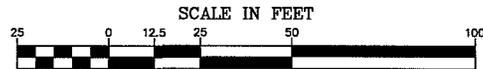
BR. NO. B-08-001=D-08-011
 TAUNTON RIVER, M.P. 10.0 (16.1 km)

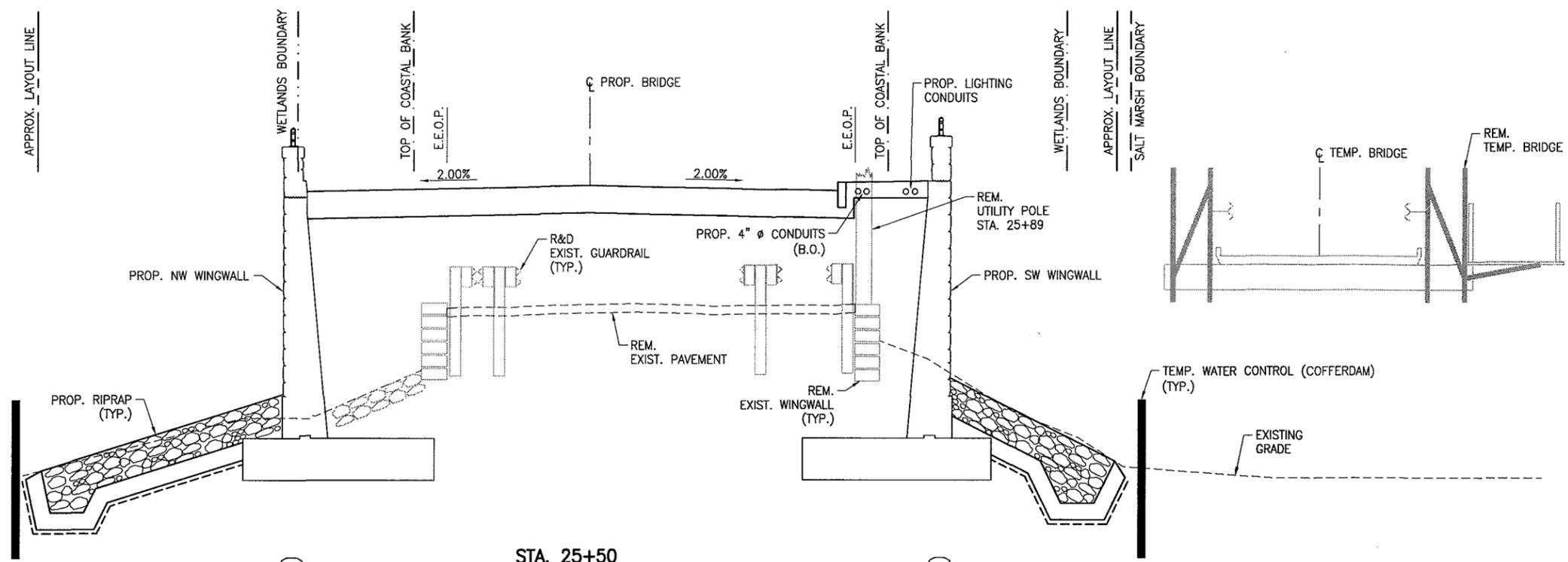
LONGITUDINAL SECTION



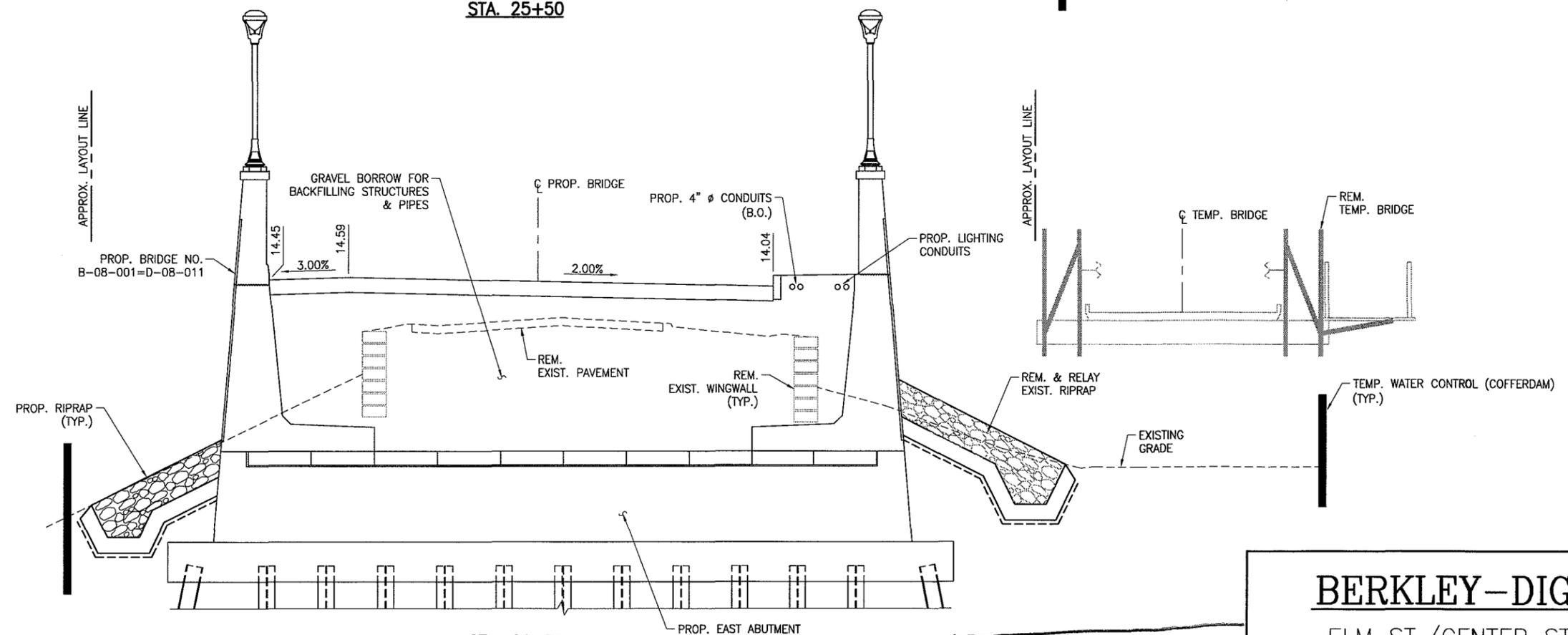
NOTE:

- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988. TIDAL BENCHMARK: NOAA TIDE STATION NO. 8447386, STATE PIER, FALL RIVER, MA

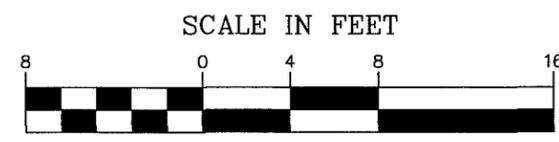




STA. 25+50



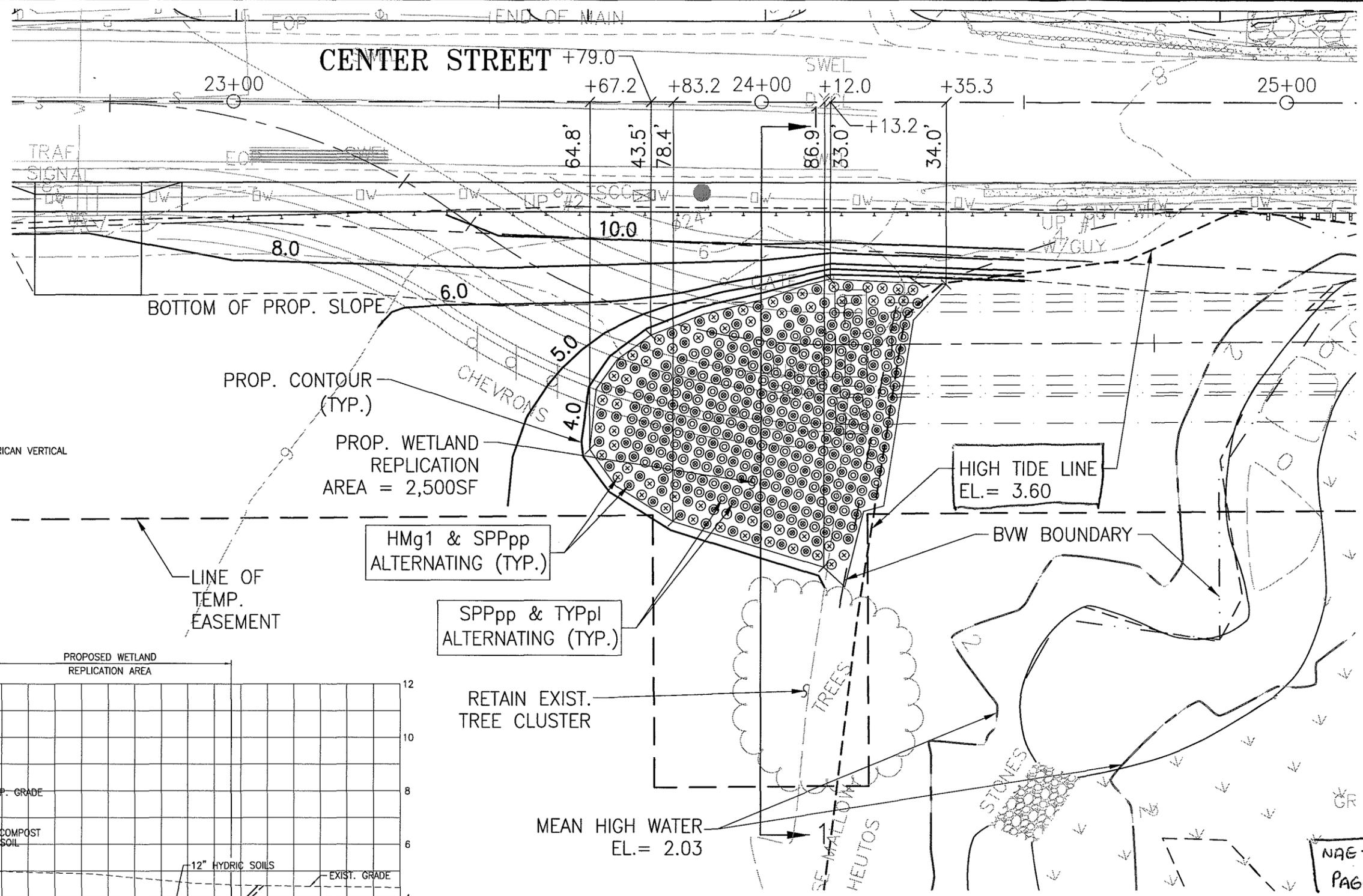
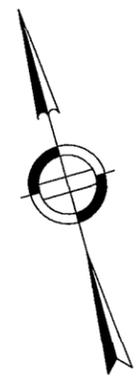
STA. 29+50



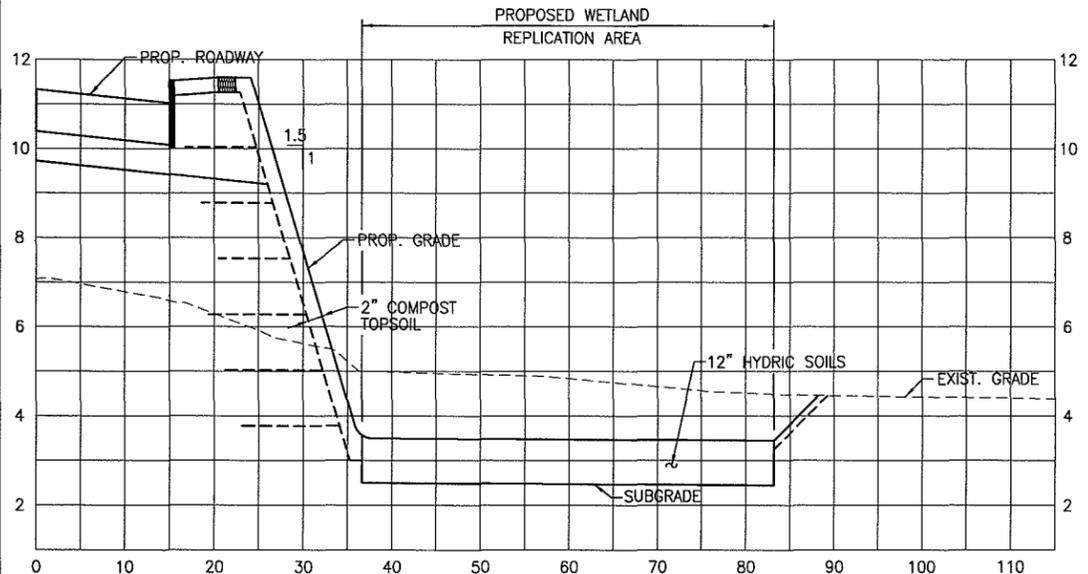
NOTE:
 1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988. TIDAL BENCHMARK: NOAA TIDE STATION NO. 8447386, STATE PIER, FALL RIVER, MA

NAE-2008-3216
 PAGE 9 OF 12
 REVISED: AUGUST 1, 2011

BERKLEY-DIGHTON
 ELM ST./CENTER ST. OVER
 TAUNTON RIVER
 BRIDGE NO. B-08-001=D-08-011
 ROADWAY CROSS SECTIONS
 SHEET 9



NOTE:
1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.



SECTION 1
SCALES: HORIZ: 1" = 20'-0"
VERT: 1" = 4'-0"

NOTE:
ELEVATION OF LOWER BOUNDARY OF REPLICATION AREA = 3.3'.
ELEVATION OF UPPER BOUNDARY OF REPLICATION AREA = 3.6'.

WETLAND REPLICATION PLAN
SCALE: 1" = 20'-0"

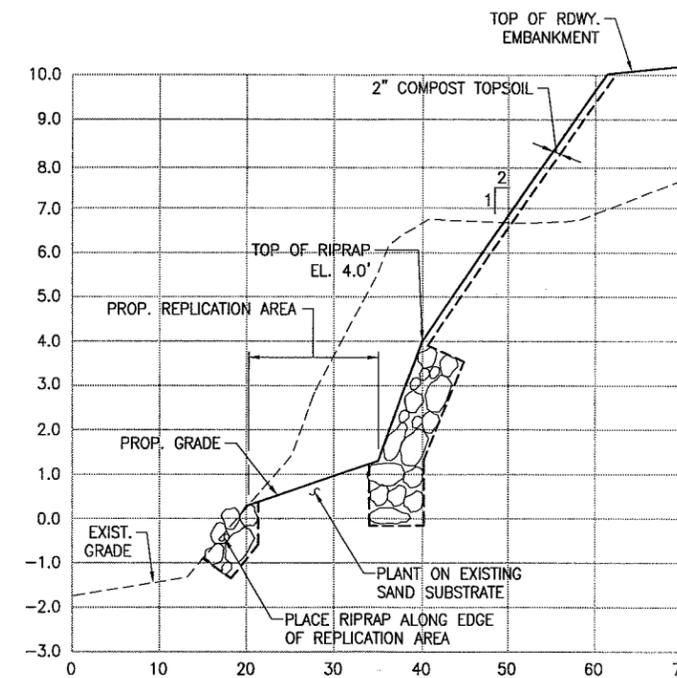
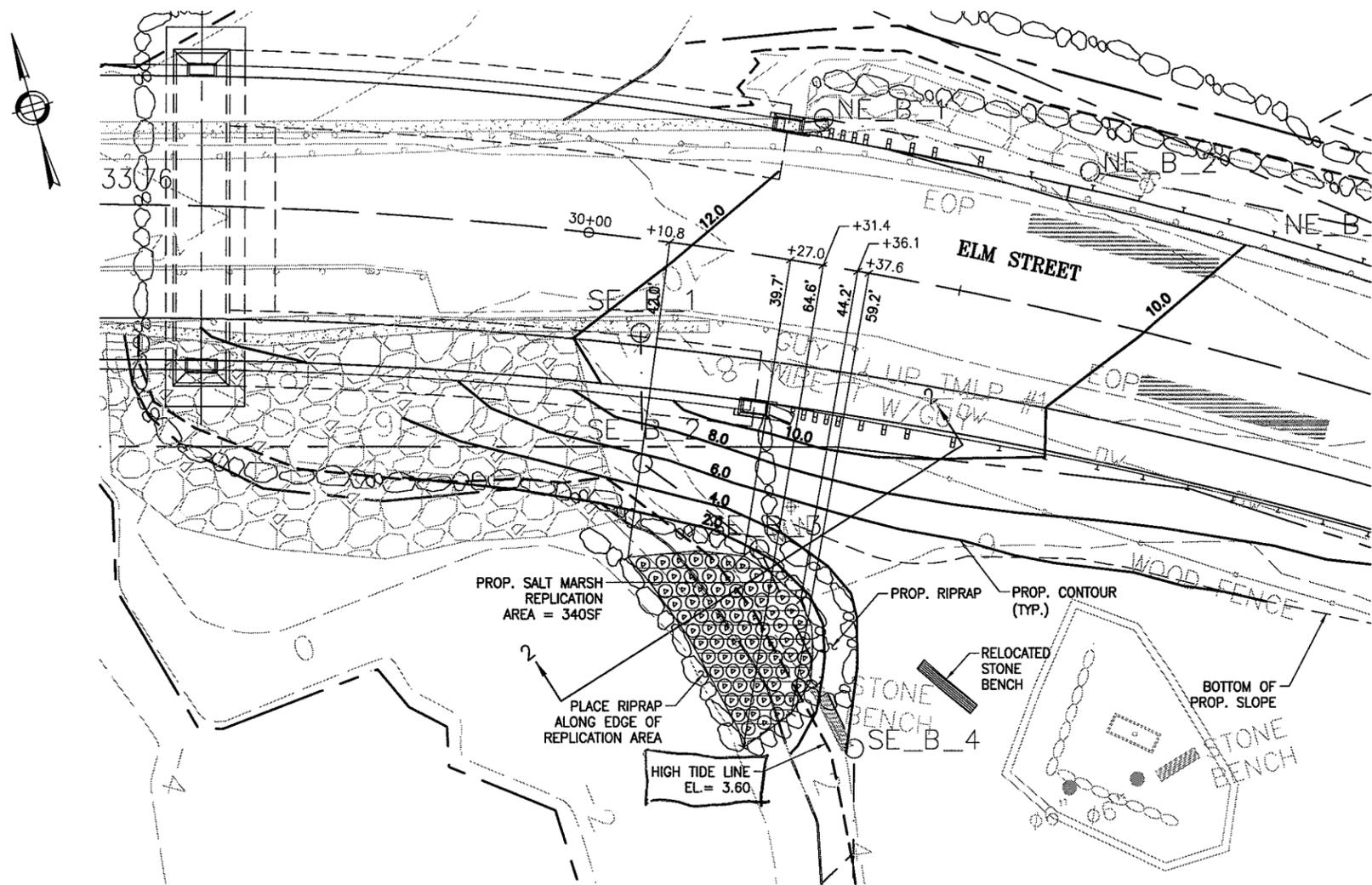
PLANTING SUMMARY					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
○ - HMg1	60	HIBISCUS MOSCHEUTOS	SWAMP ROSE MALLOW	1 QT. POT	3ft. O.C.
● - SPPpp	210	SPARTINA PATENS	SALT MEADOW HAY	2" PEAT POT	18in. O.C.
○ - TYAp1	165	TYPHA ANGUSTIFOLIA	CATTAIL-NARROW-LEAVED	PLUG	18in. O.C.

Revised AUGUST 1, 2011

BERKLEY-DIGHTON

ELM ST./CENTER ST. OVER
TAUNTON RIVER
BRIDGE NO. B-08-001=D-08-011
WETLAND REPLICATION DETAILS
SHEET 5

NAE-2008-3216
PAGE 10 OF 12



NOTE:
 ELEVATION OF LOWER BOUNDARY OF REPLICATION AREA = 0.3'.
 ELEVATION OF UPPER BOUNDARY OF REPLICATION AREA = 1.3'.

SECTION 2
 SCALES: HORIZ: 1" = 20'-0"
 VERT: 1" = 5'-0"

PLANTING SUMMARY						
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	TARGET ELEVATIONS
⊙ - HMg1	80	SPARTINA ALTERNIFLORA	SMOOTH CORDGRASS	2" PEAT POT	18in. O.C.	0.3' (MIDTIDE) TO 1.3'

SALT MARSH REPLICATION PLAN
 SCALE: 1" = 20'-0"

NOTE:

1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

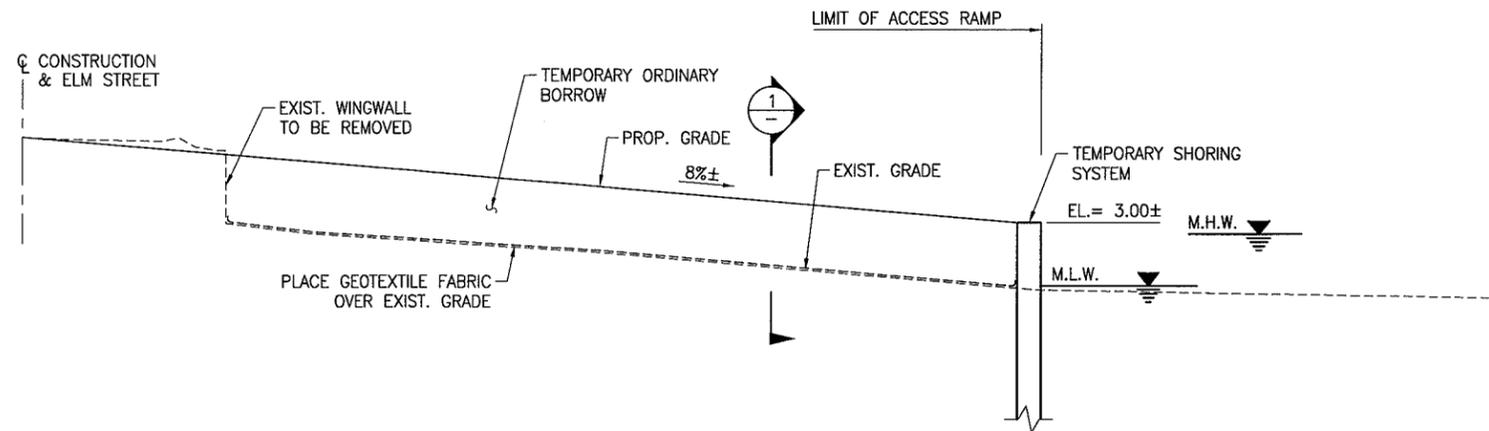
NAE - 2008 - 3216

PAGE 11 OF 12

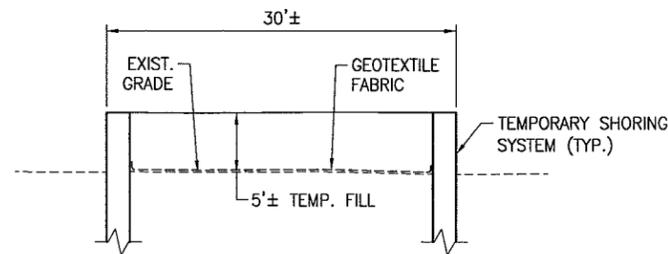
REV: AUGUST 1, 2011

BERKLEY-DIGHTON

ELM ST./CENTER ST. OVER
 TAUNTON RIVER
 BRIDGE NO. B-08-001=D-08-011
 SALT MARSH REPLICATION DETAILS
 SHEET 6



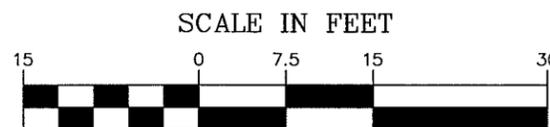
**SUGGESTED RIVER ACCESS/EGRESS RAMP
LONGITUDINAL SECTION**



**SUGGESTED RIVER ACCESS/EGRESS RAMP
SECTION 1**

NOTE:

1. ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988. TIDAL BENCHMARK: NOAA TIDE STATION NO. 8447386, STATE PIER, FALL RIVER, MA



NAE - 2008 - 3216

PAGE 12 OF 12

REV: AUGUST 1, 2011

BERKLEY-DIGHTON

ELM ST./CENTER ST. OVER
TAUNTON RIVER
BRIDGE NO. B-08-001=D-08-011
RIVER ACCESS/EGRESS DETAILS
SHEET 7