



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

PUBLIC NOTICE

Comment Period Begins: 21-Feb-2012
Comment Period Ends: 22-Mar-2012
File Number: NAE-2011-2099
In Reply Refer To: Marty Abair
Phone: (802) 872-2903
E-mail: Martha.a.abair@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: Vermont Agency of Transportation, Mr. John Lepore, Environmental Section, 4th Floor, One National Life Drive, Drawer 33, Montpelier, Vermont 05633

ACTIVITY: Place fill in the Black River in conjunction with the stabilization of about 1035 linear ft. of the east bank of the river and reconstruction of a section of VT Route 106 in Perkinsville, Vermont. Approximately 6133 cy of rock riprap and 952 cy of river gravel were placed as stabilization below OHW (6.8 cy/linear ft.). This portion of the work impacted about 0.6 acre of river bottom below OHW. In order to accomplish the work, a 780' long temporary haul road, constructed of blasted ledge, was constructed in the river north of the site. This work impacted about 0.5 acre of river bottom (below OHW). Gravel excavated from the river was used to construct an 850' long work pad/road riverward of the stabilization area. This work impacted about 0.7 acre of river bottom below OHW. Additional gravel used in the stabilization was obtained from two borrow areas/gravel bars south of the site. These areas were accessed by a 2075' long temporary haul road constructed in the river, which impacted about 1.9 acres of river bottom. These temporary fills have been removed from the river and the areas restored. A total of about 7.2 acres of the river channel within a 1.65 mile reach were impacted by gravel extraction.

The basic purpose of this project is to reconstruct a section of VT Route 106 that was damaged during Tropical Storm Irene and to protect this section of the roadway embankment from future erosion.

The project involves the reconstruction of a section of damaged state highway and stabilization of the roadway embankment. There is no other alternative that will allow the applicants to accomplish their basic project purpose.

The work is described on the enclosed plans, in eleven sheets, entitled "VTrans Route 106/Black River" (undated), "VTrans Route 106/Black River" (dated "Revised February 2, 2012" and "Revised February 9, 2012"), and "VT 106 SLIDE" (dated "1/27/2012").

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed on the Black River off VT Route 106 in Perkinsville, Vermont. The project is on the USGS Cavendish, VT 7.5' quadrangle sheet at UTM coordinates 4807550.0 N and 701276.0 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 Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water 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).

CENAE-R
FILE NO. NAE-2011-2099

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:

- 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 Marty Abair at our Vermont Project Office at 802 872-2893.

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.

In accordance with 33 CFR 325.2(a)(8), we publish monthly a list of permits issued or denied during the previous month at www.nae.usace.army.mil/reg, under the heading "Monthly General and Individual Permit Authorizations." Relevant environmental documents and the SOFs or RODs are available upon written request and, where applicable, upon the payment of administrative fees. Also visit www.nae.usace.army.mil for more information on the New England District Corps of Engineers programs.

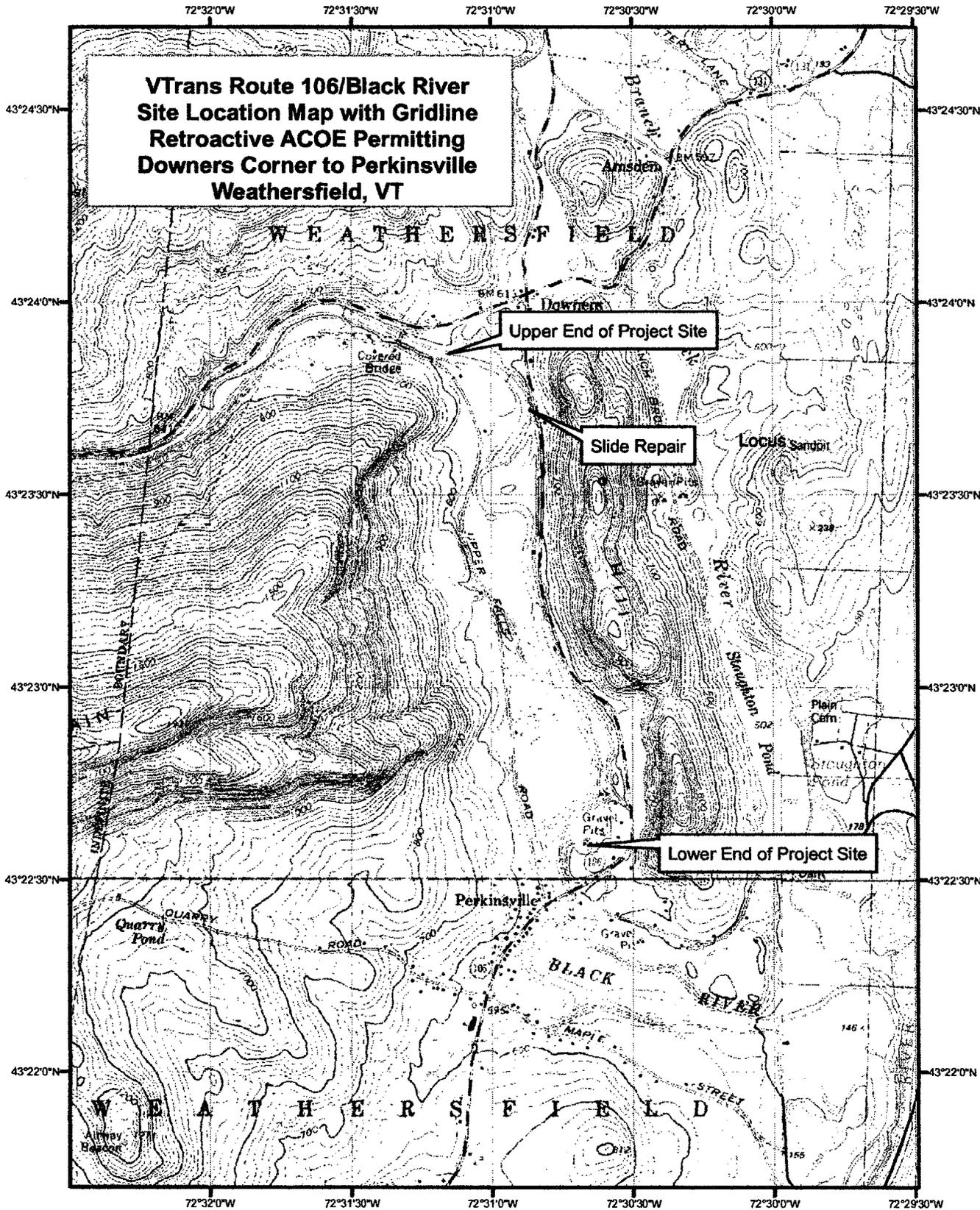
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Frank J. DelGiudice
Chief, Permits and Enforcement Branch
Regulatory Division

CENAE-R
FILE NO. NAE-2011-2099

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: _____

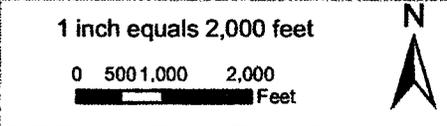


**VTrans Route 106/Black River
Site Location Map with Gridline
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**

Upper End of Project Site

Slide Repair

Lower End of Project Site

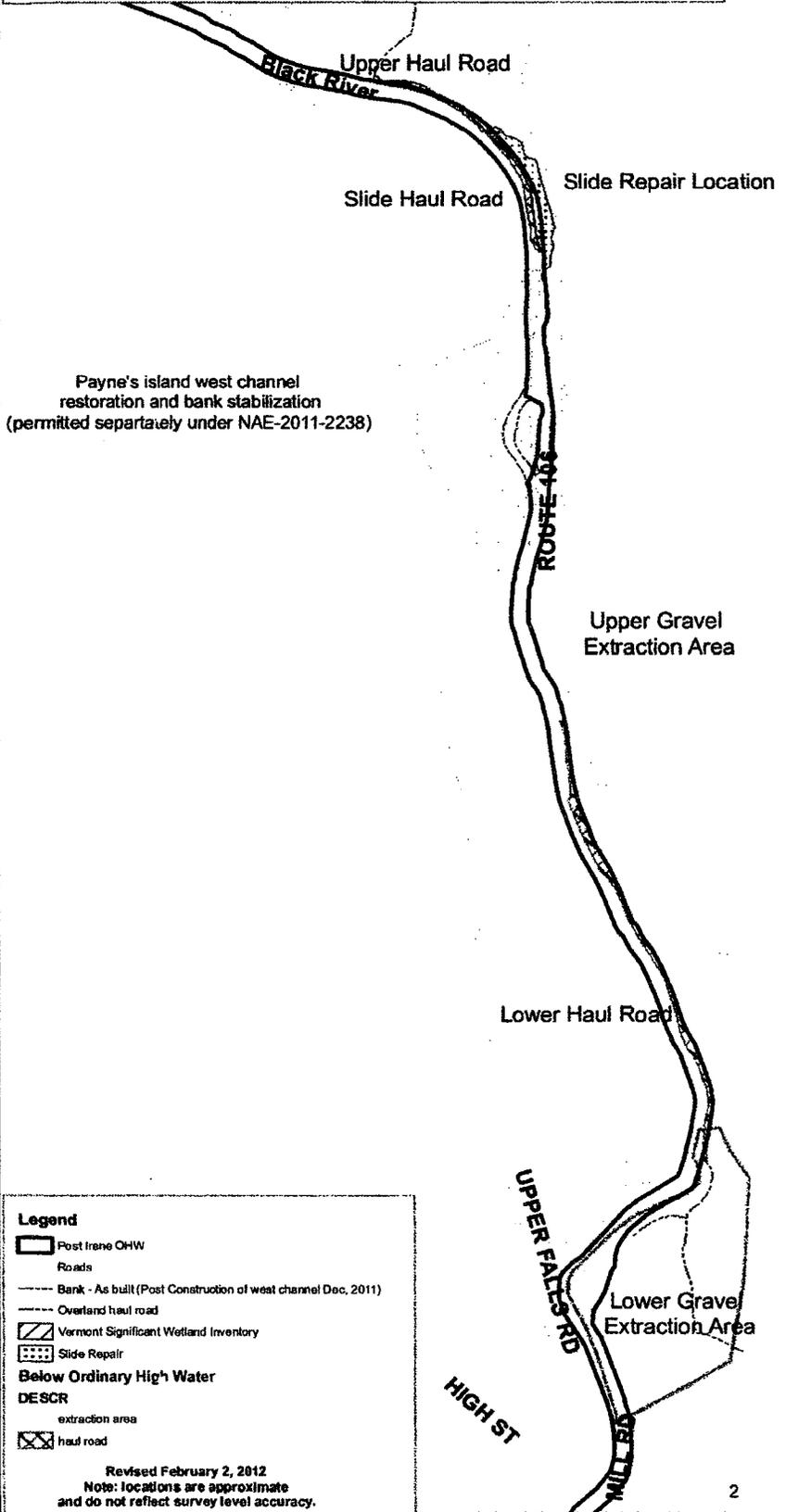


**Bear Creek
Environmental**

Background is 1972 Topographic Map

**VTrans Route 106/Black River
Site Location Map
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**

TH 82
BRANCH BROOK RD



Locus

South Mountain Research & Consulting

Bear Creek Environmental

Legend

- Post frame OHW
- Roads
- Bank - As built (Post Construction of west channel Dec, 2011)
- Overland haul road
- Vermont Significant Wetland Inventory
- Slide Repair

Below Ordinary High Water

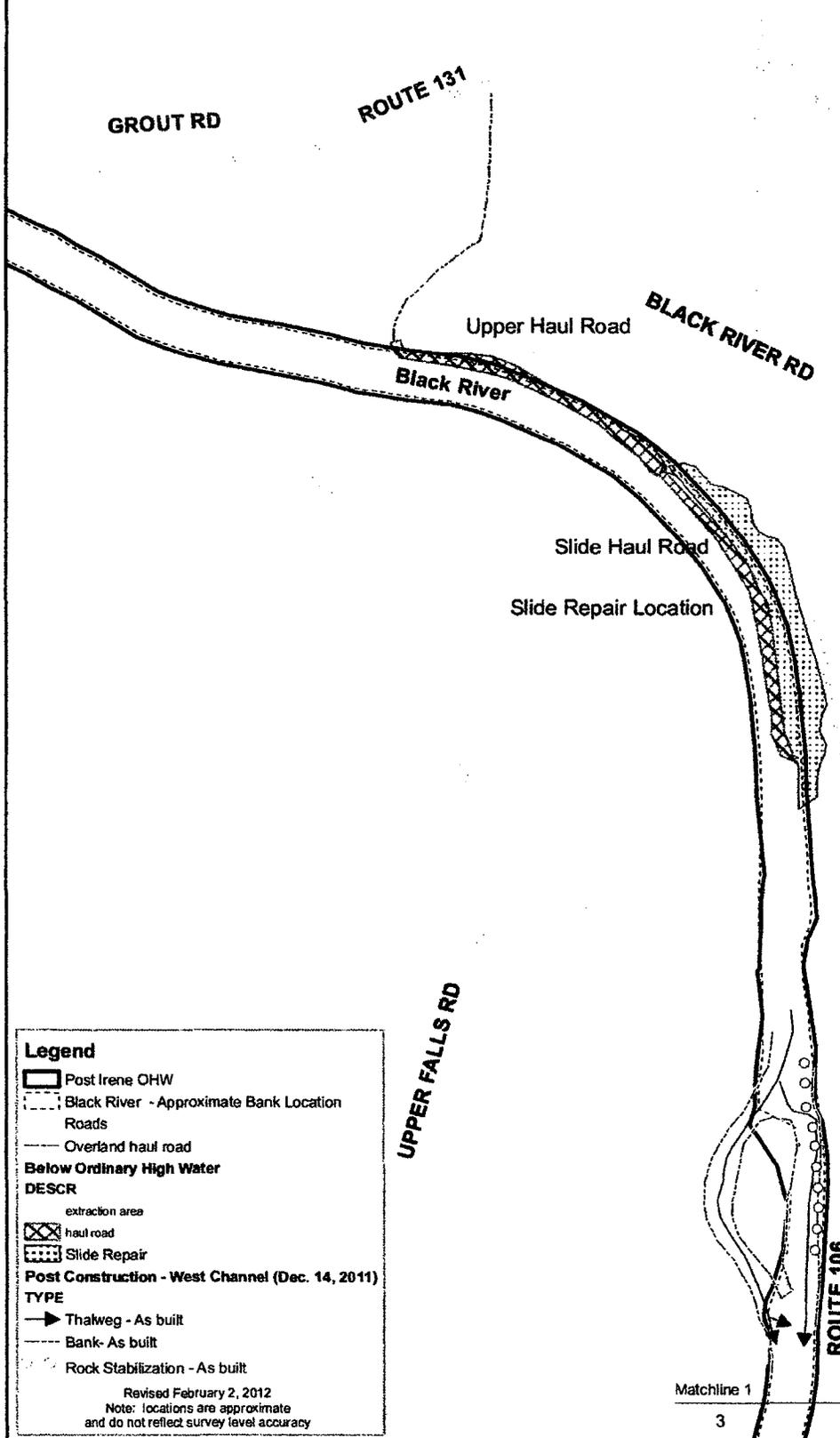
DESCR	Symbol
extraction area	[Hatched box]
haul road	[Cross-hatched box]

Revised February 2, 2012
Note: locations are approximate and do not reflect survey level accuracy.

500 250 0 500 Feet

1 inch equals 1,000 feet

**VTrans Route 106/Black River
Plan View - Sheet 1 of 3
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**



Locus

South Mountain Research & Consulting

Bear Creek Environmental

Legend

- Post Irene OHW
- Black River - Approximate Bank Location
- Roads
- Overland haul road

Below Ordinary High Water

DESCR

- extraction area
- haul road
- Slide Repair

Post Construction - West Channel (Dec. 14, 2011)

TYPE

- Thalweg - As built
- Bank- As built
- Rock Stabilization - As built

Revised February 2, 2012
Note: locations are approximate and do not reflect survey level accuracy

Payne's island west channel restoration and bank stabilization (permitted separately under NAE-2011-2238)

200 100 0 200 Feet

1 inch equals 400 feet

N

**VTrans Route 106/Black River
Plan View - Sheet 2 of 3
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**

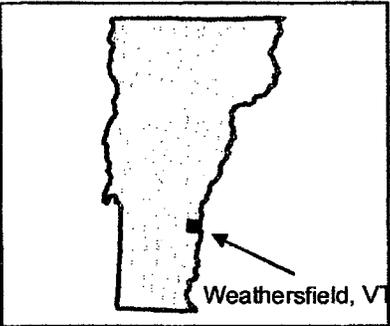
Payne's island west channel
restoration and bank stabilization
(permitted separately under NAE-2011-2238)

Matchline 1

ROUTE 106

Upper Gravel
Extraction Area

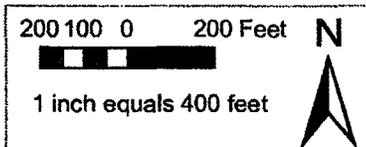
Locus



South Mountain Research
& Consulting



**Bear Creek
Environmental**



Lower Haul Road

UPPER FALLS RD

Matchline 2

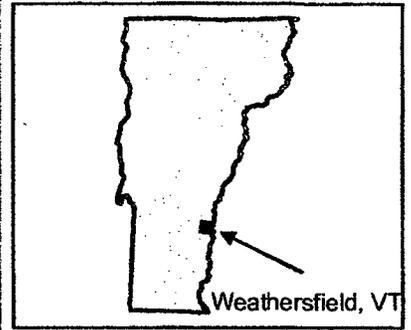
Legend

-  Post Irene OHW
-  Black River - Approximate Bank Location
-  Roads
-  Overland haul road
- Below Ordinary High Water**
- DESCR**
-  extraction area
-  haul road
- Post Construction - West Channel (Dec. 14, 2011)**
- TYPE**
-  Thatweg - As built
-  OHW- As built
-  Rock Stabilization - As built

Revised February 2, 2012
Note: locations are approximate
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**VTrans Route 106/Black River
Plan View - Sheet 3 of 3
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**

Locus



South Mountain Research
& Consulting



Matchline 2

Black River

Lower Haul Road

Due to lateral migration
there is split flow in the area
by the lower gravel extraction area.

UPPER FALLS RD

Lower Gravel
Extraction Area

Fisheries Habitat Enhancement:
(Installation of nine rootwads on
December 7, 2011;
trees placed at 45 degree angle to
bank and trunks buried with river gravel)

ROUTE 108

MILL RD
5

Legend

- Post Irene OHW
- Black River - Approximate Bank Location
- State Gravel Pit
- Roads
- Overland haul road
- Rootwads (approximate location)

Revised February 2, 2012
Note: locations are approximate
and do not reflect survey level accuracy

200 100 0 200 Feet



1 inch equals 400 feet



26

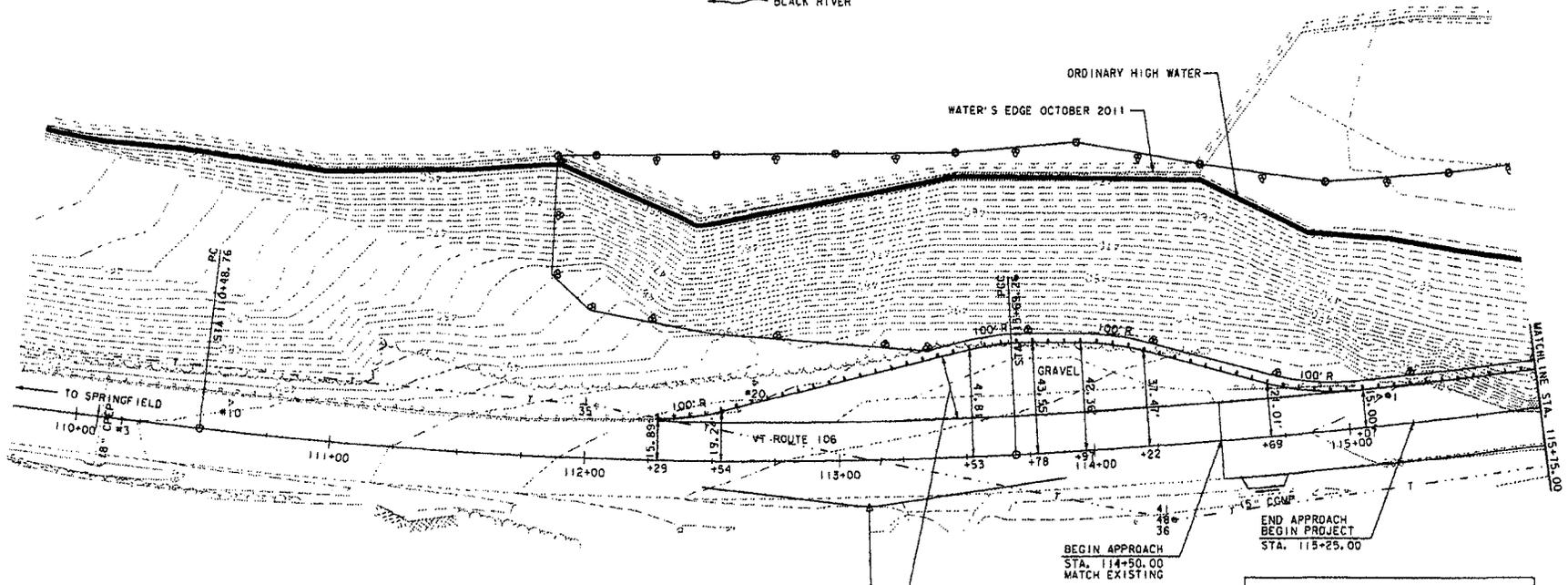
REMOVAL AND DISPOSAL OF GUARDRAIL
STA. 112+29 - STA. 112+61, LT
STA. 114+54 - STA. 115+04, LT

HD STEEL BEAM GUARDRAIL, GALVANIZED
STA. 112+29 - STA. 115+75, LT

PAVED DRIVE APRON
STA. 114+66, RT



BLACK RIVER



4 INCH YELLOW LINE
STA. 114+50 - STA. 115+75, LT & RT

4 INCH WHITE LINE
STA. 114+50 - STA. 115+75, LT & RT

CURVE DATA #3
DELTA = 15° 01' 01"
D = 31° 00' 39" (1) D = 2° 07' 05" (2)
R = 1903.00' (1) R = 2705.00' (2)
T = 264.39' (1) T = 312.73' (2)
L = 320.51' (1) L = 253.39' (2)
E = 18.28'

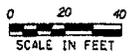
P.I. (CURVE #3)
STA. 113+13.15

CONSTRUCT PAVED APRON
1 1/2" BITUMINOUS CONCRETE PAVEMENT TYPE IV
2 1/2" BITUMINOUS CONCRETE PAVEMENT TYPE II
12" SUBBASE OF DENSE GRADED CRUSHED STONE

LEGEND	
	WATER'S EDGE
	LIMITS OF PROPOSED RIPRAP
	ORDINARY HIGH WATER

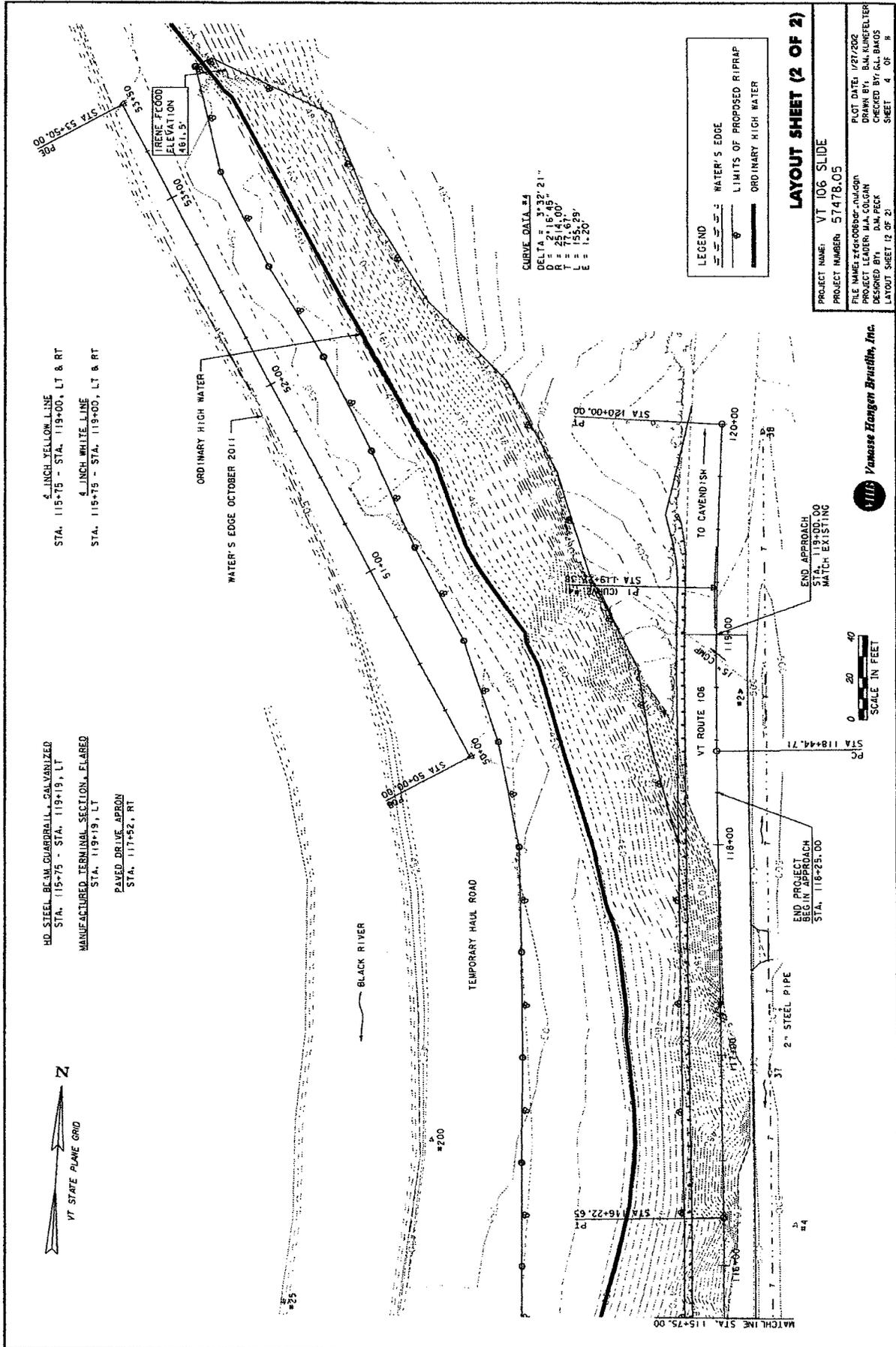
LAYOUT SHEET (1 OF 2)

PROJECT NAME: VT 106 SLIDE	PLOT DATE: 1/27/2012
PROJECT NUMBER: 57478.05	DRAWN BY: B.M. KLINEFELTER
FILE NAME: zfax006bdr_out.dgn	CHECKED BY: G.L. BARKS
PROJECT LEADER: M.A. COLGAN	SHEET 3 OF 8
DESIGNED BY: D.M. PECK	
LAYOUT SHEET # OF 2	



HD STEEL BEAM GUARDRAIL - GALVANIZED
 STA. 115+75 - STA. 119+19, LT
 MANUFACTURED TERMINAL SECTION, FLARED
 STA. 119+19, LT
 PAVED DRIVE APRON
 STA. 117+52, RT

4 INCH YELLOW LINE
 STA. 115+75 - STA. 119+00, LT & RT
 4 INCH WHITE LINE
 STA. 115+75 - STA. 119+00, LT & RT



CURVE DATA #4
 DELTA = 34°32' 21"
 D = 2116.48'
 R = 2514.00'
 T = 746.69'
 E = 1520'

LEGEND
 --- WATER'S EDGE
 --- LIMITS OF PROPOSED RIPRAP
 --- ORDINARY HIGH WATER

LAYOUT SHEET (2 OF 2)

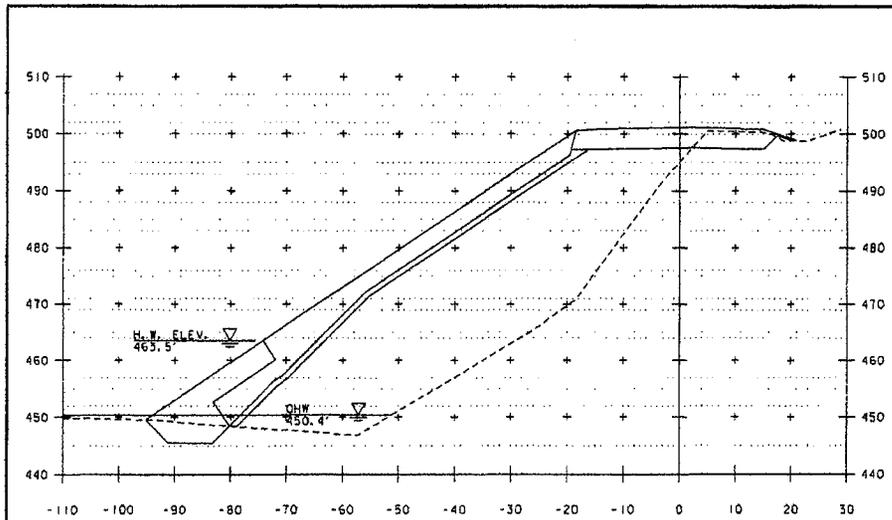
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 PROJECT NUMBER: 57478.05
 FILE NAME: zt650806r-nj40m
 PROJECT LEADER: J.A. COLGAN
 DESIGNED BY: D.M. PECK
 LAYOUT SHEET (2 OF 2)
 PLOT DATE: 12/7/2002
 DRAWN BY: B.M. KURFELTER
 CHECKED BY: G.L. BAKOS
 SHEET: 4 OF 4



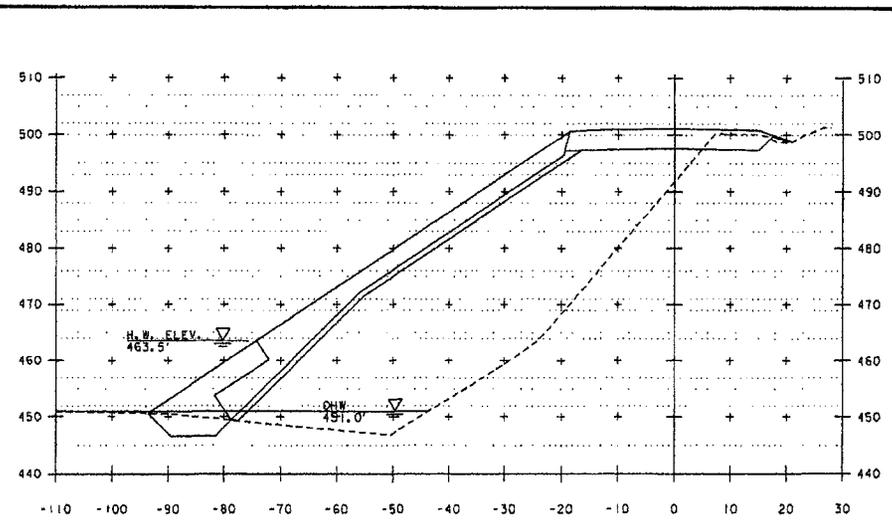
END APPROACH
 BEGIN EXISTING
 MATCH EXISTING

END PROJECT
 BEGIN APPROACH
 STA. 118+25.00

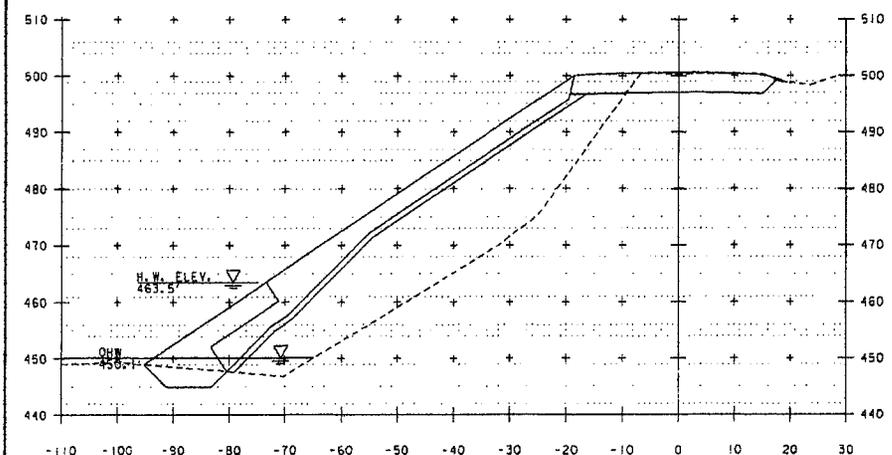
MATCHLINE STA. 115+75.00



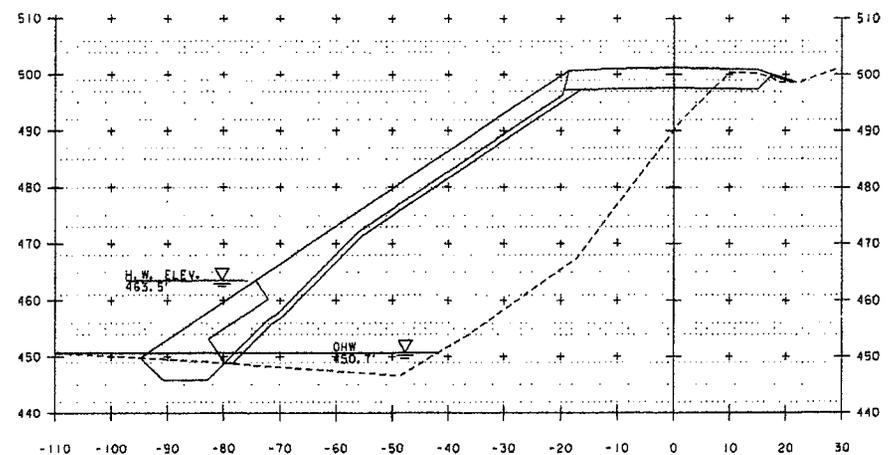
116+00



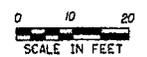
117+00



115+50

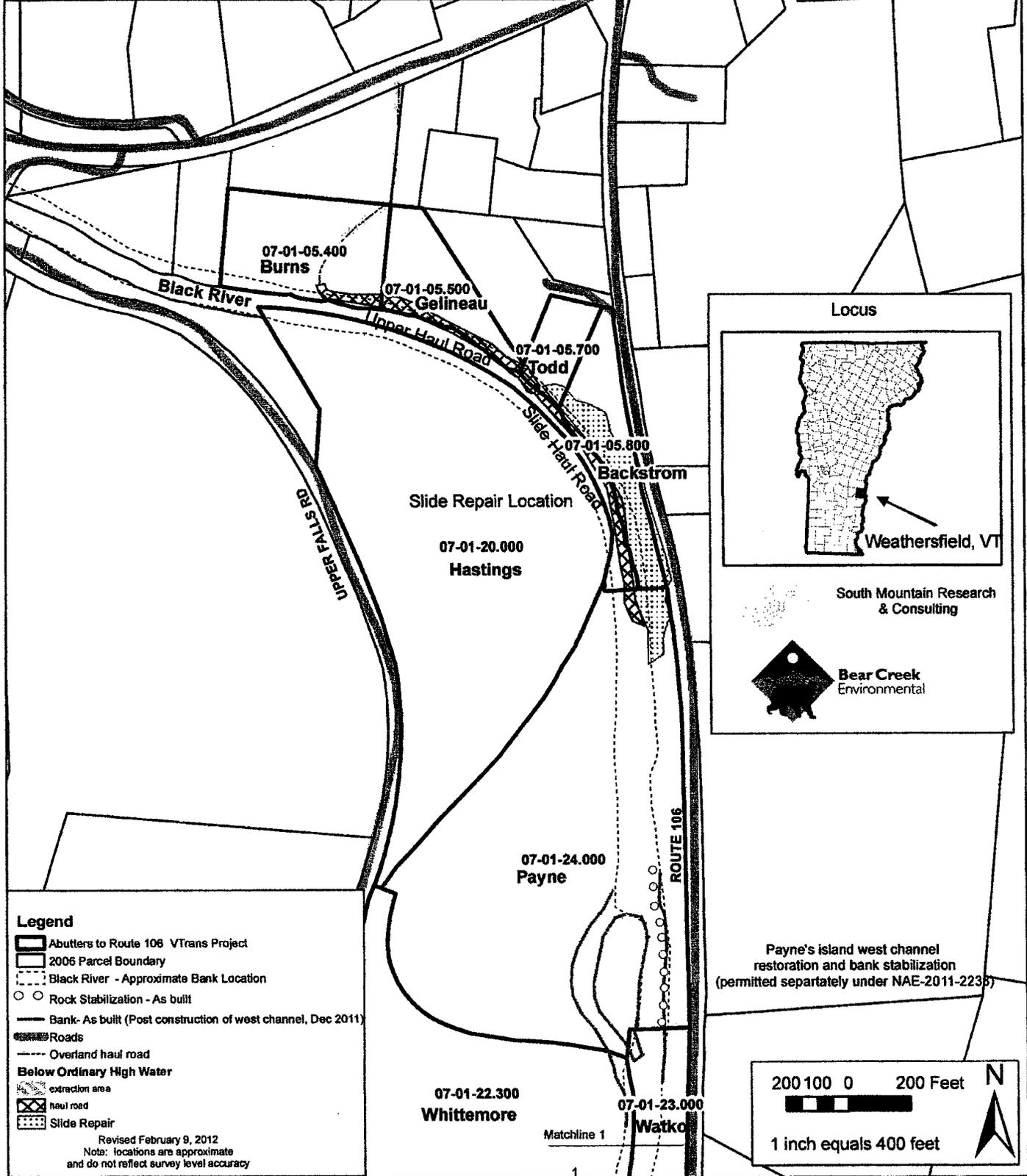


116+50



PROJECT NAME: VT 106 SLIDE	PLOT DATE: 1/27/2012
PROJECT NUMBER: 57478.05	DRAWN BY: B.M. KLINFELTER
FILE NAME: efa006xe.dgn	CHECKED BY: G.L. BAKOS
PROJECT LEADER: M.A. COLGAN	SHEET 8 OF 11
DESIGNED BY: B.M. KLINFELTER	
ROADWAY CROSS SECTIONS	

**VTrans Route 106/Black River
Plan View - Sheet 1 of 3
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**



Locus

South Mountain Research & Consulting

Bear Creek Environmental

Payne's island west channel restoration and bank stabilization (permitted separately under NAE-2011-2238)

Legend

- Abutters to Route 106 VTrans Project
- 2006 Parcel Boundary
- Black River - Approximate Bank Location
- Rock Stabilization - As built
- Bank- As built (Post construction of west channel, Dec 2011)
- Roads
- Overland haul road
- Below Ordinary High Water**
- extraction area
- haul road
- Slide Repair

Revised February 9, 2012
Note: locations are approximate and do not reflect survey level accuracy

200 100 0 200 Feet



1 inch equals 400 feet



07-01-22.300
Whittemore

07-01-23.000
Watko

Matchline 1

**VTrans Route 106/Black River
Plan View - Sheet 2 of 3
Retroactive ACOE Permitting
Downers Corner to Perkinsville
Weathersfield, VT**

07-01-24.000
Payne

Payne's island west channel
restoration and bank stabilization
(permitted separately under NAE-2011-2238)

Matchline 1

07-01-23.000
Watko

Upper Gravel
Extraction Area

07-01-22.300
Whittemore

07-01-25.000
Merritt

07-01-26.000
McCabe

07-01-27.000

No landowner on grand list

Matchline 2

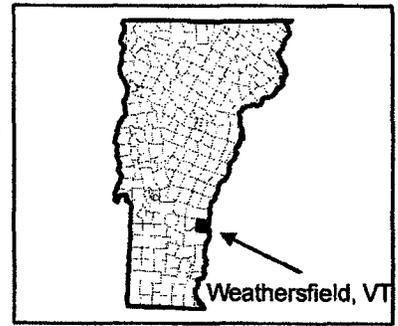
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HUBBER FALLS RD

ROUTE 106

Lower Haul Road

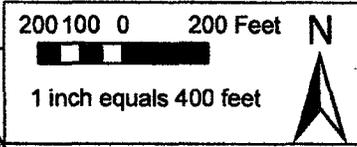
Locus



South Mountain Research
& Consulting



Bear Creek
Environmental



Legend

- Abutters to Route 106 VTrans Project
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**VTrans Route 106/Black River
Plan View - Sheet 3 of 3
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Downers Corner to Perkinsville
Weathersfield, VT**

Locus

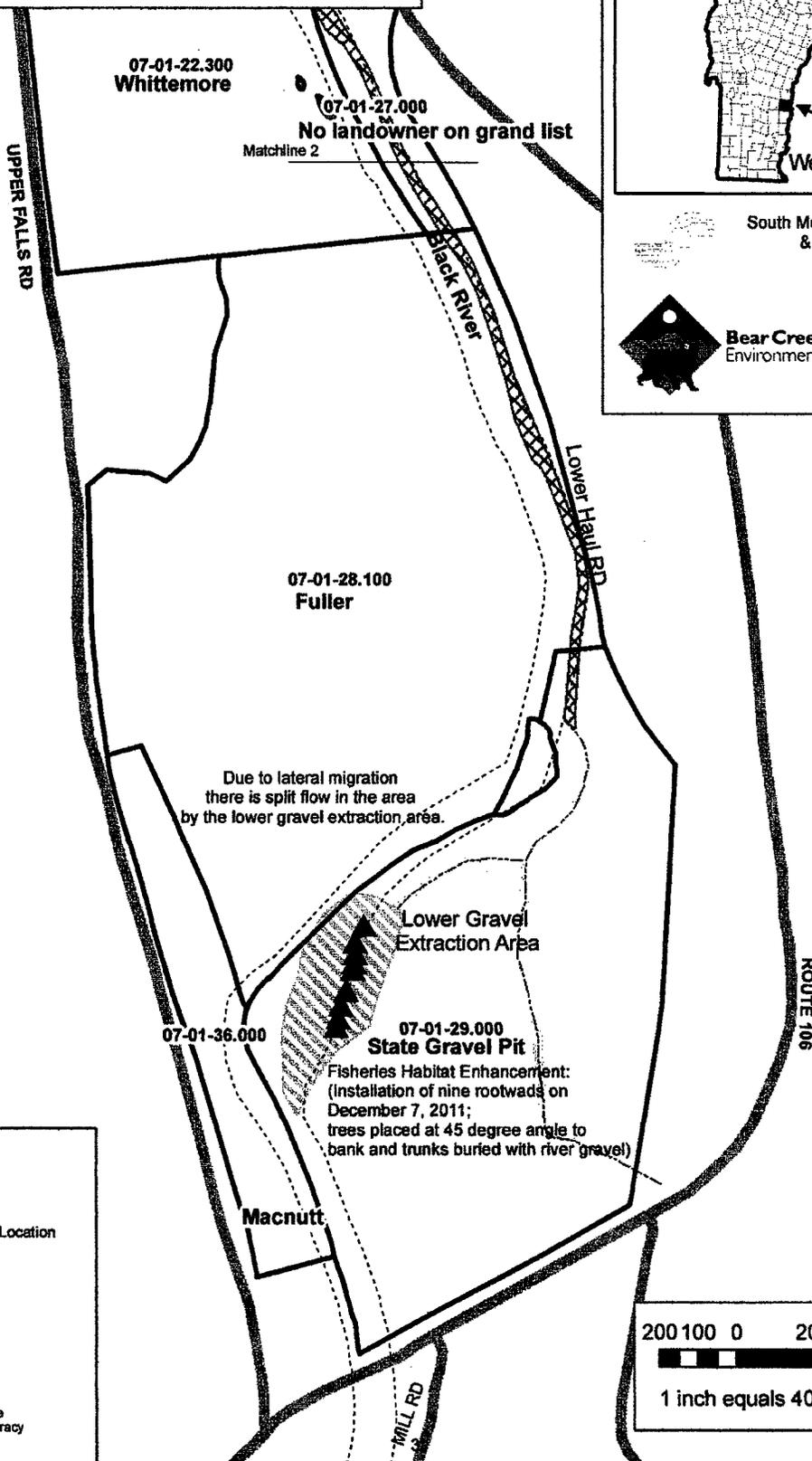


Weathersfield, VT

South Mountain Research & Consulting



Bear Creek Environmental



Legend

-  Abutters to Route 106 Project
-  Black River - Approximate Bank Location
-  Roads
-  Overland haul road
-  Rootwads (approximate location)
- Below Ordinary High Water**
-  extraction area
-  haul road

Revised February 9, 2012
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