
PUBLIC NOTICE



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

Comment Period Begins: March 13, 2012
Comment Period Ends: April 13, 2012
File Number: NAE-2011-2340
In Reply Refer To: Paul Sneeringer
Phone: (978) 318-8491 or
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: 201 Marginal Street LLC, 107 North Washington Street, Boston, Massachusetts 02150.

ACTIVITY: To rebuild the pre-existing wharf and to install a 10-slip pile-supported floating docking facility within the Chelsea River at 201 Marginal Street in Chelsea, Massachusetts. This proposal does not include any dredging. This application also includes designating a reconfiguration zone. This work is described on the attached plans entitled "HAROLD KALICK", on 5 sheets, and dated "3/01/12".

WATERWAY AND LOCATION OF THE PROPOSED WORK:

This work is proposed in the Chelsea River at 201 Marginal Street, Chelsea, Massachusetts. The proposed location on the USGS Boston North quadrangle sheet at 42°23'10 N and 71°02'00" W.

AUTHORITY

Permits are required pursuant to:

- XX 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.

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").

EFH has been designated within Boston Harbor for a total of 26 species of economically valuable marine fishery species. Listed species include Atlantic cod (*Gadus morhua*), winter flounder (*Pleuronectes americanus*), yellowtail flounder (*Pleuronectes ferruginea*), windowpane flounder (*Scopthalmus aquosus*), American plaice (*Hippoglossoides platessoides*), Atlantic butterfish (*Peprilus triacanthus*), and Atlantic mackerel (*Scomber scombrus*). This project involves the installation of floating structures over sub-tidal areas. However, the District Engineer has made a preliminary determination that the site-specific adverse effects 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 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 Officers

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.

CENAE-R
FILE NO. NAE-2011-2340

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:

- (XX) 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, 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.

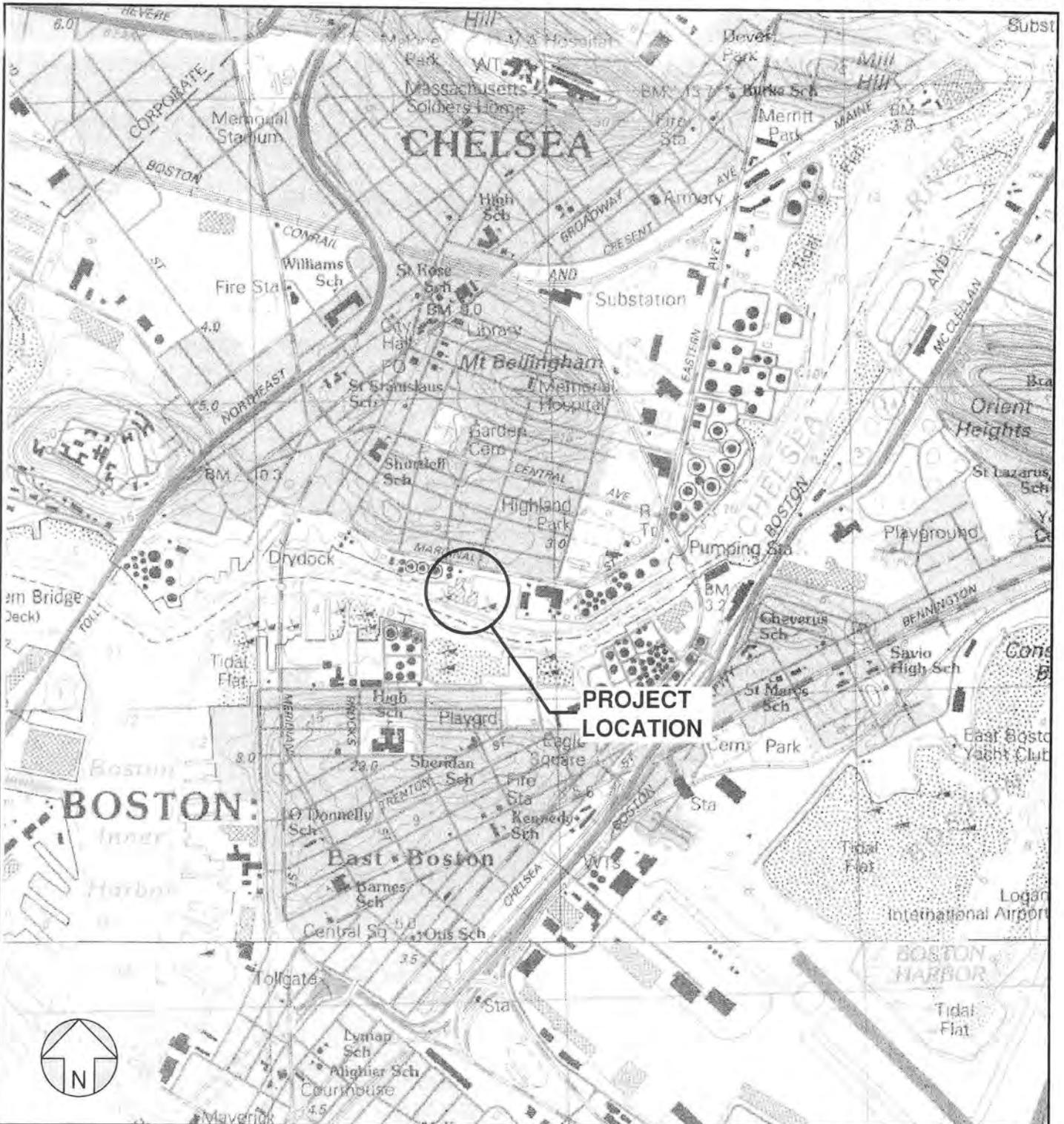
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Karen Adams
Chief, Permits and Enforcement Branch
Regulatory Division

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: _____

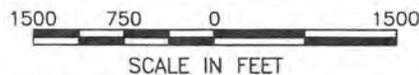


PURPOSE: RECONFIGURATION OF FLOATING DOCK SYSTEM

DATUM: NGVD (1929) = 0.0'
 HTL = +7.84'
 MHW = +5.13'
 MLW = -4.36'

CHILDS ENGINEERING CORPORATION
 34 WILLIAM WAY, BELLINGHAM, MA 02019

VICINITY MAP



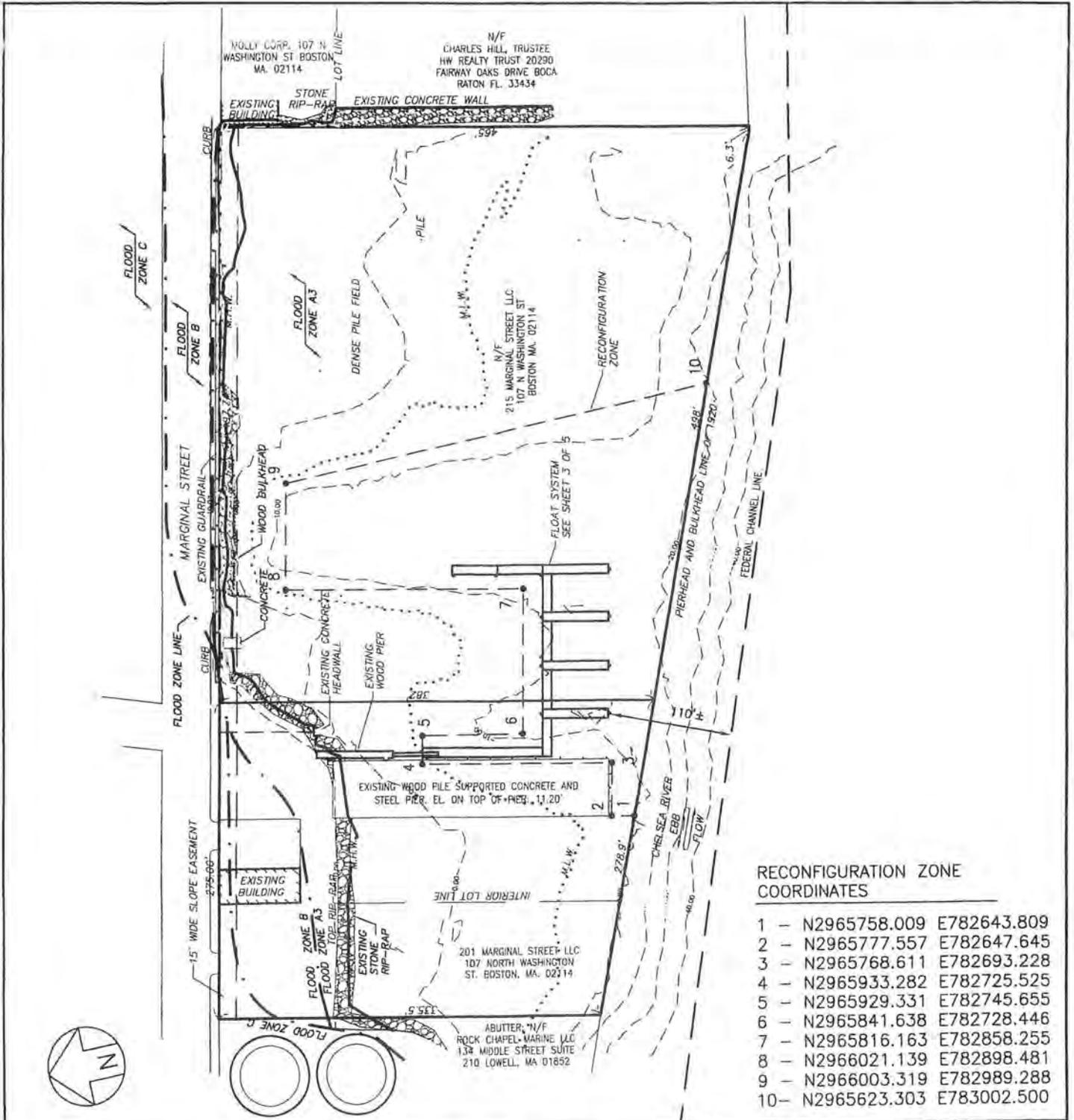
SCALE IN FEET

APPLICATION BY:
 HAROLD KALICK
 107 N WASHINGTON ST
 BOSTON, MA 02114

INSTALLATION OF NEW TIMBER PILE SUPPORTED WOOD PIER, ALUMINUM RAMP AND VARIOUS WOODEN FLOATS.

IN: THE CHELSEA RIVER
 AT: 201 MARGINAL STREET, CHELSEA
 COUNTY: SUFFOLK STATE: MA

SHEET 1 OF 5 DATE: 3/01/12



RECONFIGURATION ZONE COORDINATES

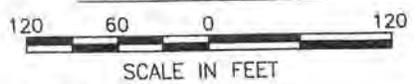
| | | |
|------|--------------|-------------|
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| 2 - | N2965777.557 | E782647.645 |
| 3 - | N2965768.611 | E782693.228 |
| 4 - | N2965933.282 | E782725.525 |
| 5 - | N2965929.331 | E782745.655 |
| 6 - | N2965841.638 | E782728.446 |
| 7 - | N2965816.163 | E782858.255 |
| 8 - | N2966021.139 | E782898.481 |
| 9 - | N2966003.319 | E782989.288 |
| 10 - | N2965623.303 | E783002.500 |

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SITE PLAN

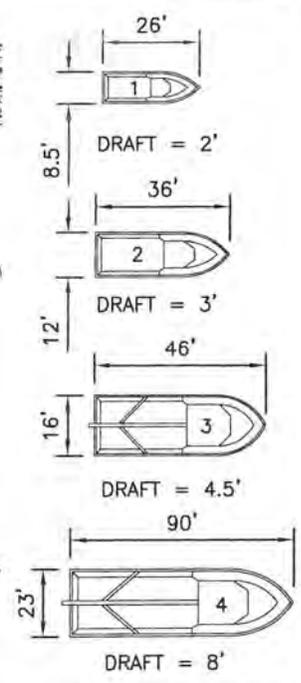
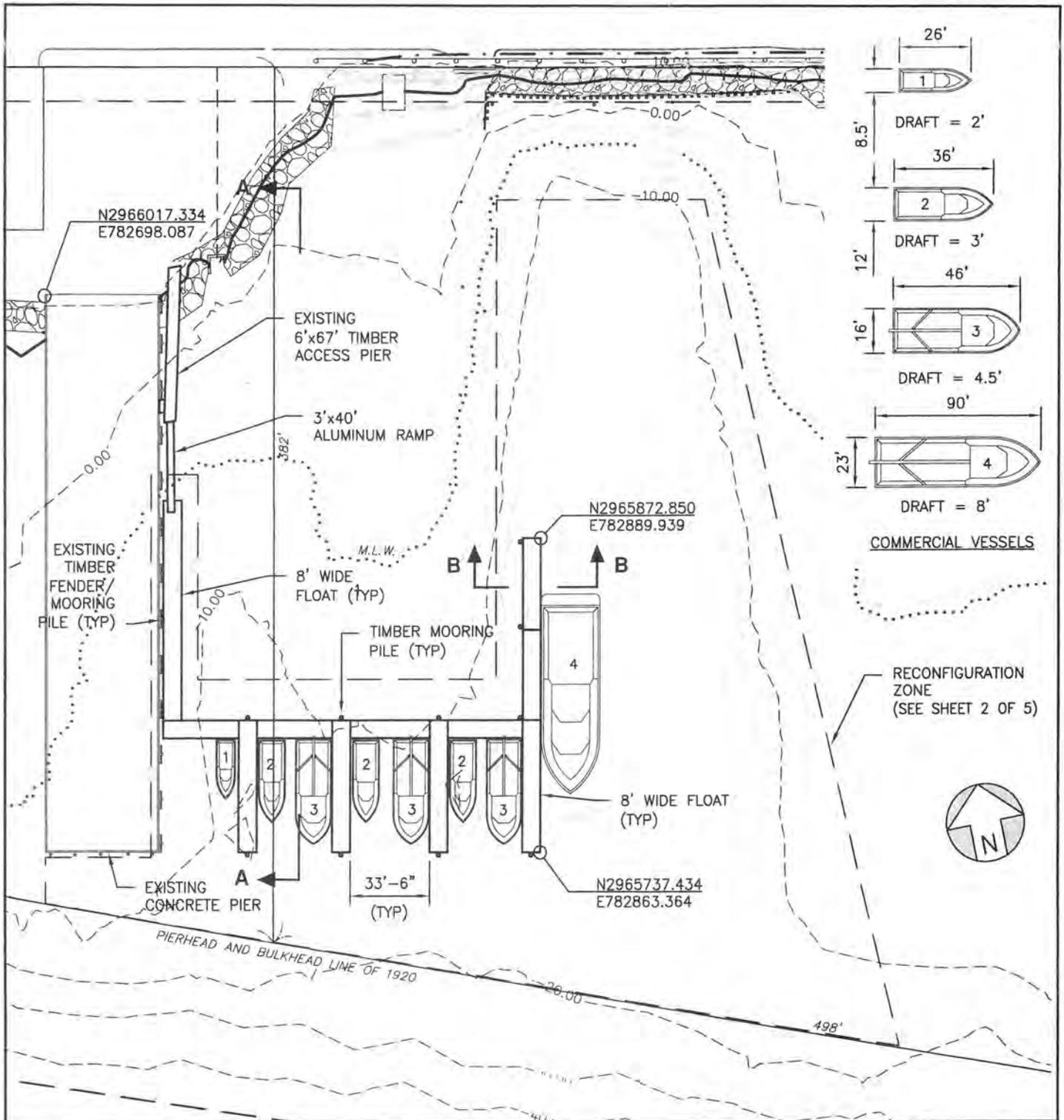


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 COUNTY: SUFFOLK STATE: MA

SHEET 2 OF 5 DATE: 3/01/12



COMMERCIAL VESSELS

RECONFIGURATION ZONE (SEE SHEET 2 OF 5)



PURPOSE: RECONFIGURATION OF FLOATING DOCK SYSTEM
 DATUM: NGVD (1929) = 0.0'
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 CHILDS ENGINEERING CORPORATION
 34 WILLIAM WAY, BELLINGHAM, MA 02019

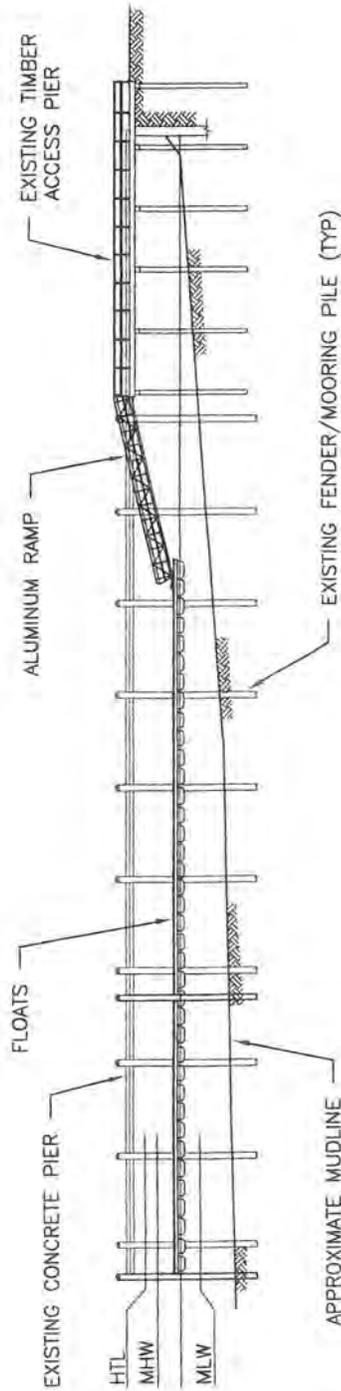
PLAN

50 25 0 25 50

SCALE IN FEET

APPLICATION BY:
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 BOSTON, MA 02114

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 IN: THE CHELSEA RIVER
 AT: 201 MARGINAL STREET, CHELSEA
 COUNTY: SUFFOLK STATE: MA
 SHEET 3 OF 5 DATE: 3/01/12



ELEVATION A-A

SCALE: 1"=40'-0"

PURPOSE: RECONFIGURATION OF
FLOATING DOCK SYSTEM

DATUM: NGVD (1929) = 0.0'
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CHILDS ENGINEERING CORPORATION
34 WILLIAM WAY, BELLINGHAM, MA 02019

ELEVATION A-A



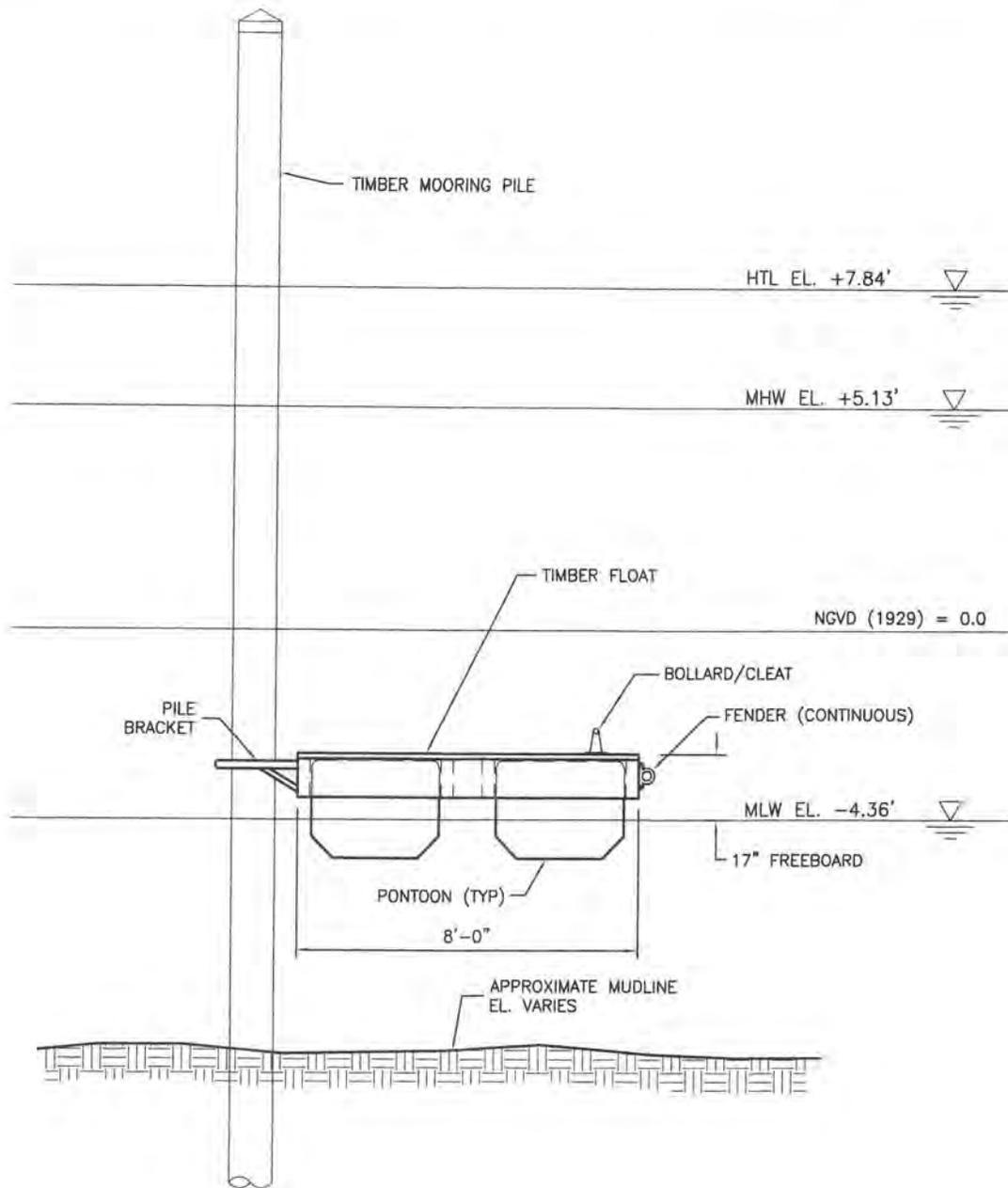
SCALE IN FEET

APPLICATION BY:
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107 N WASHINGTON ST
BOSTON, MA 02114

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IN: THE CHELSEA RIVER
AT: 201 MARGINAL STREET, CHELSEA
COUNTY: SUFFOLK STATE: MA

SHEET 4 OF 5 DATE: 3/01/12



FLOATING DOCK - SECTION B-B

SCALE: 1/4"=1'-0"

PURPOSE: RECONFIGURATION OF
FLOATING DOCK SYSTEM

DATUM: NGVD (1929) = 0.0'
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SECTION B-B



SCALE IN FEET

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