



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

PUBLIC NOTICE

Comment Period Begins: 13-Mar-2012
Comment Period Ends: 12-Apr-2012
File Number: NAE-2012-0220
In Reply Refer To: Marty Abair
Phone: (802) 872-2893
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 Department of Fish and Wildlife, Mr. Patrick Berry, Commissioner, Perry Street, Suite 40, Barre, Vermont 05641

ACTIVITY: Place fill and perform dredging in Lake Champlain in conjunction with the construction of improvements at the existing Chimney Point State Fishing Access off VT Route 17 in Addison, Vermont. The work will involve:

- a. Removal of the existing 20' x 70' concrete ramp which was damaged during the construction of the adjacent Champlain Bridge.
- b. Construction of a new 28' wide, 73' long reinforced concrete ramp with a 15' wide stone apron on the north side and a 10' wide stone apron on the south side. The ramp will extend a maximum of 60' beyond Ordinary High Water (OHW). This portion of the work will involve the placement of about 207 cy of stone fill and precast concrete below OHW and will impact about 3885 sq. ft. (0.09 acre) of lake bottom.
- c. Excavation of about 1646 cy of silt and gravel to a depth of -4' OLOW from an irregularly-shaped 23,250 sq. ft. (0.53 acre) area extending a maximum of 240' beyond OHW. The excavated material will be disposed of at an upland, non-wetland site.
- d. Temporarily place of about 3000 cy of excavated material and stone or granular borrow to facilitate the dredging and the construction of the ramp in the dry. This work will temporarily impact about 17,343 sq. ft. 0.4 acre) of lake bottom. The fill material will be removed from the waterway in its entirety upon completion of the project and disposed of at an upland, non-wetland site.
- e. Installation of a 90' long, 6' wide seasonal dock adjacent to the south side of the ramp, held in place with 3'x 3'x 1' concrete anchors, and extending a maximum of about 80' beyond OHW.

The basic purpose of this project is to improve an existing State Fishing Access area for recreational boaters and fishermen.

The project involves the construction of improvements at an existing State fishing access area. 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 ten sheets, entitled "CHIMNEY POINT ACCESS IMPROVE", and dated "01/31/2012", "02/28/12", "01/31/12 REVISION 3: 2/27/12", "01/31/12", "2/3/12", and "2/3/11 REVISION 3: 1/31/12".

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed on Lake Champlain off VT Route 17 in Addison, Vermont. The project is on the USGS Port Henry, NY- VT 7.5' quadrangle sheet at UTM coordinates 4876692.0 N and 626401.0 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.

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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)

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.

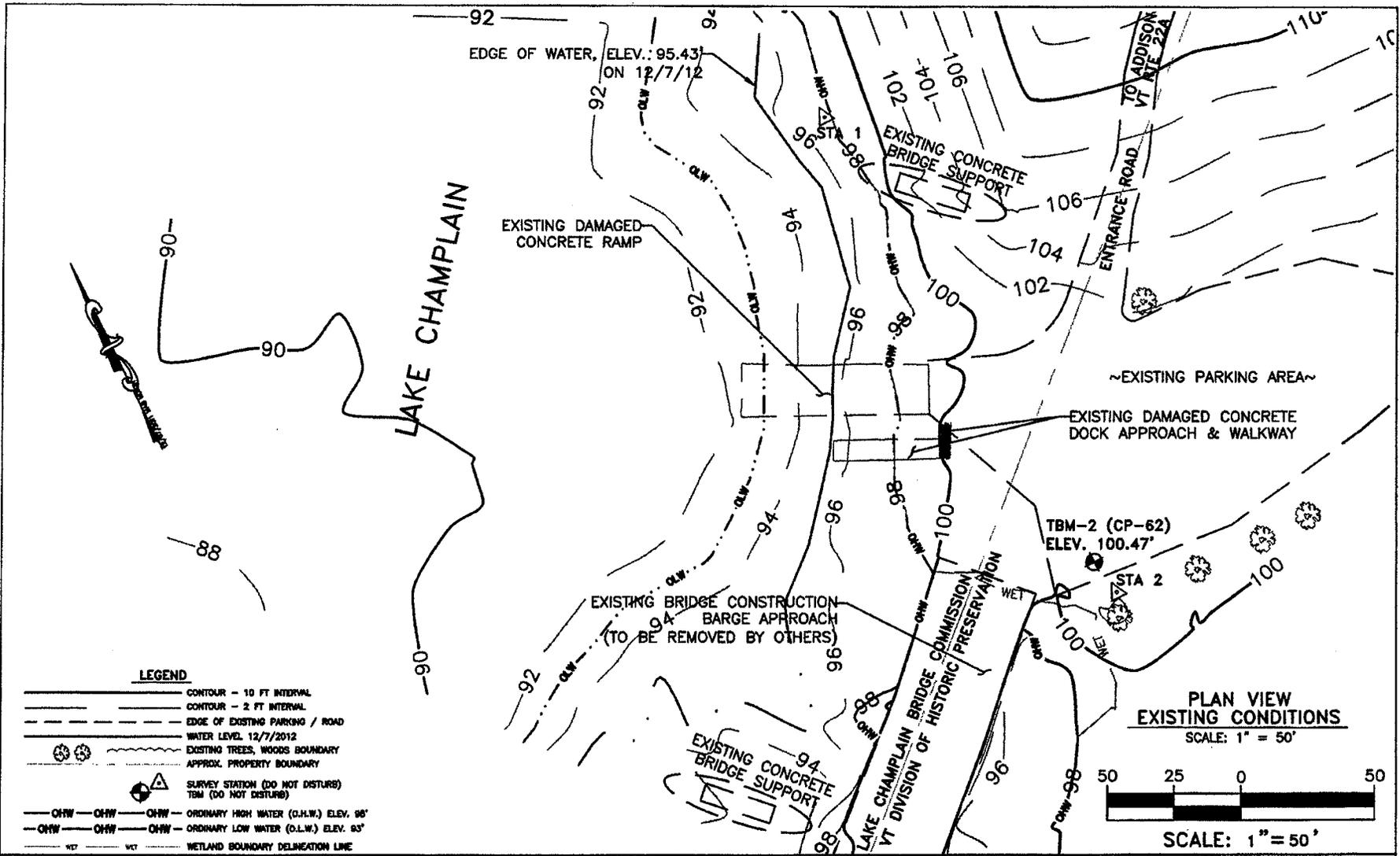
CENAE-R
FILE NO. NAE-2012-0220

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

FDJ
Frank J. DelGiudice
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: _____



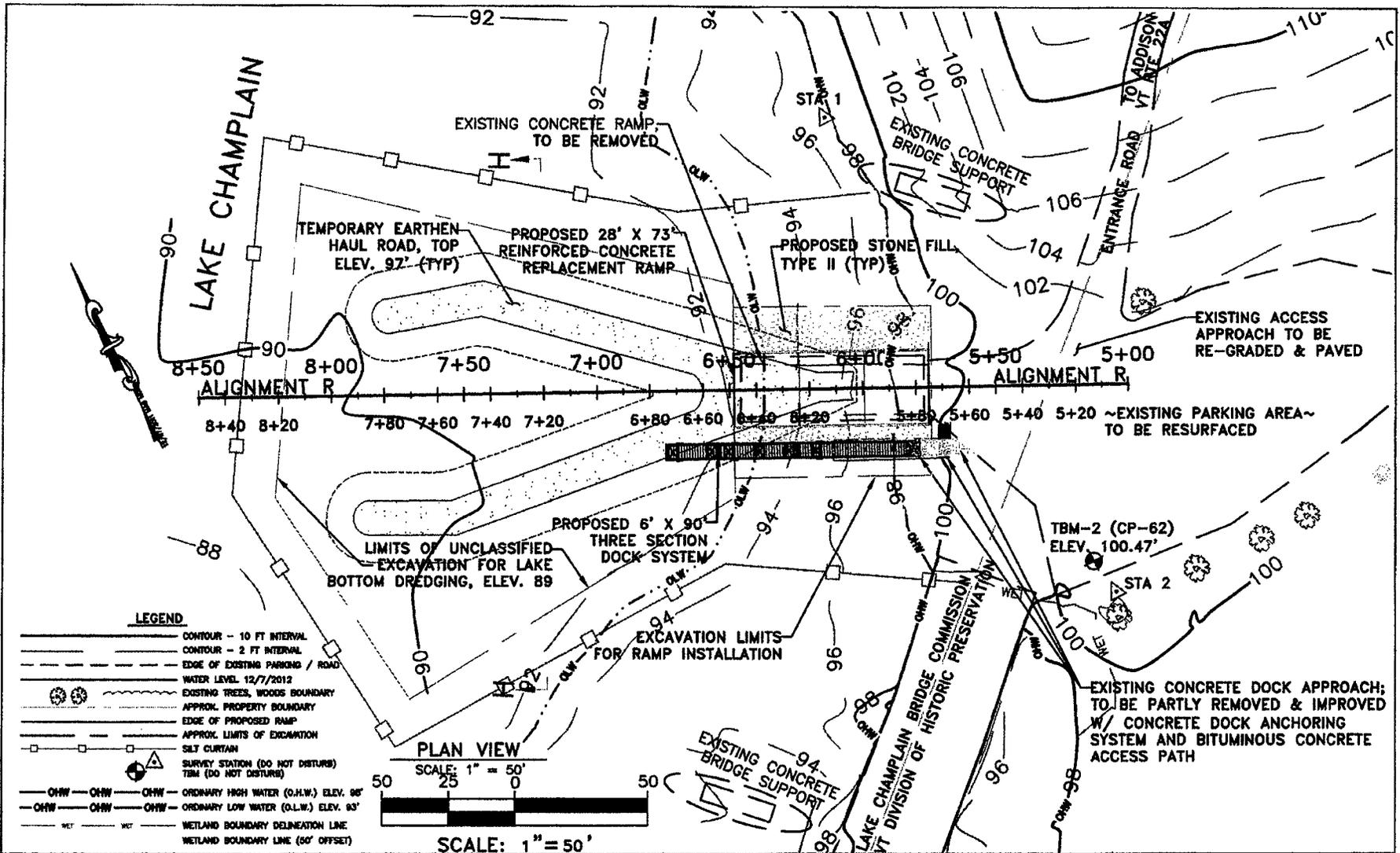
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 DRAWN: JCR
 CHECKED: JJB 1/12
 REVISION 1: 9/15/10
 REVISION 2: 1/31/12
 REVISION 3: 2/27/12

STATE OF VERMONT
 AGENCY OF NATURAL RESOURCES
 DEPT. OF ENVIRONMENTAL CONSERVATION
 FACILITIES ENGINEERING DIVISION
 WATERBURY, VERMONT 05671-0411

DEPARTMENT
VERMONT FISH & WILDLIFE

PROJECT
CHIMNEY POINT ACCESS IMPROVE

TOWN: ADDISON
 STATE: VERMONT
 DATE: 02/28/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 2 OF 13
 SCALE: AS NOTED



DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JJB 2/12
 REVISION 1: 9/15/10
 REVISION 2: 12/6/11
 REVISION 3: 2/27/12

STATE OF VERMONT
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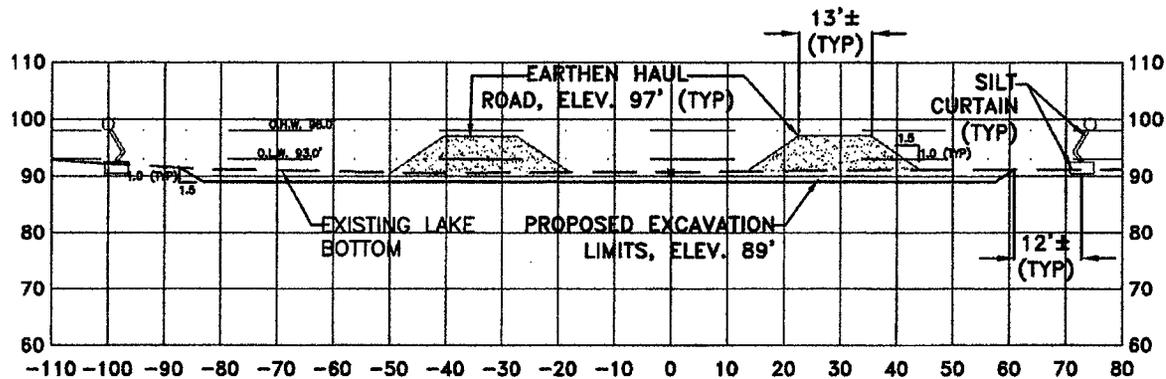
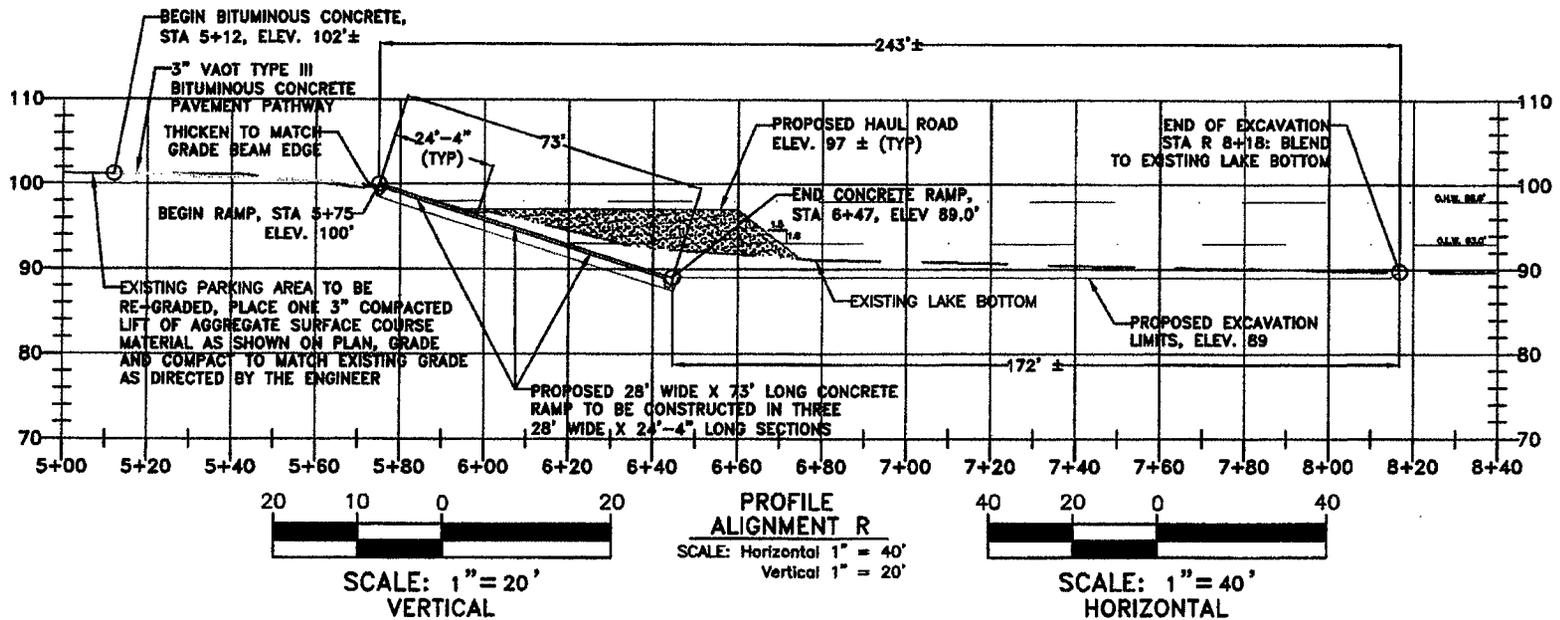
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 STATE: VERMONT
 DATE: 01/31/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 3 OF 13
 SCALE: AS NOTED

DEPARTMENT

VERMONT FISH & WILDLIFE

PROJECT

CHIMNEY POINT ACCESS IMPROVE



DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JJB 2/12
 REVISION 1: 9/15/10
 REVISION 2: 12/6/11
 REVISION 3: 2/28/12

STATE OF VERMONT
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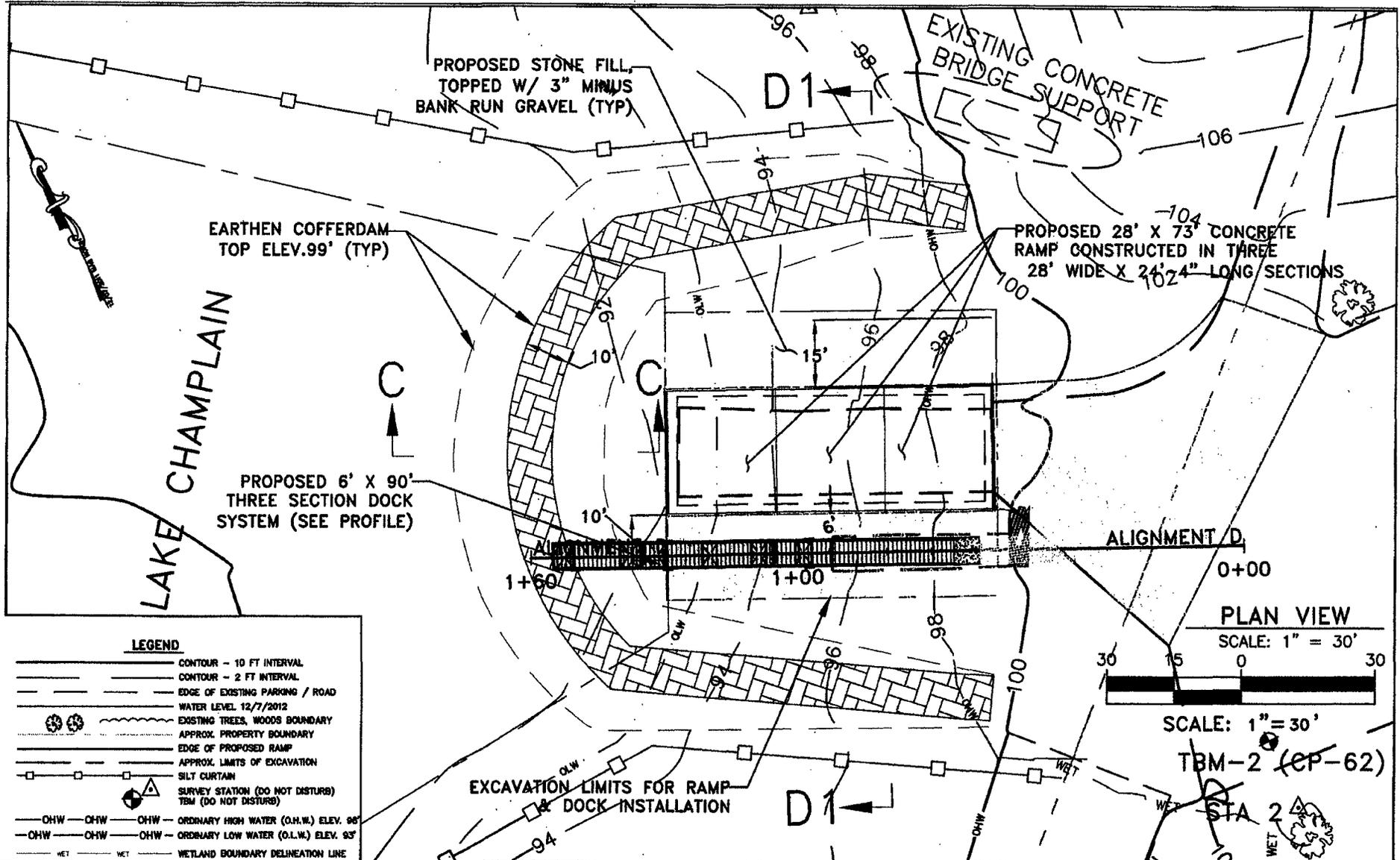
DEPARTMENT

VERMONT FISH & WILDLIFE

PROJECT

CHIMNEY POINT ACCESS IMPROVE

TOWN: ADDISON
 STATE: VERMONT
 DATE: 02/28/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 4 OF 13
 SCALE: AS NOTED



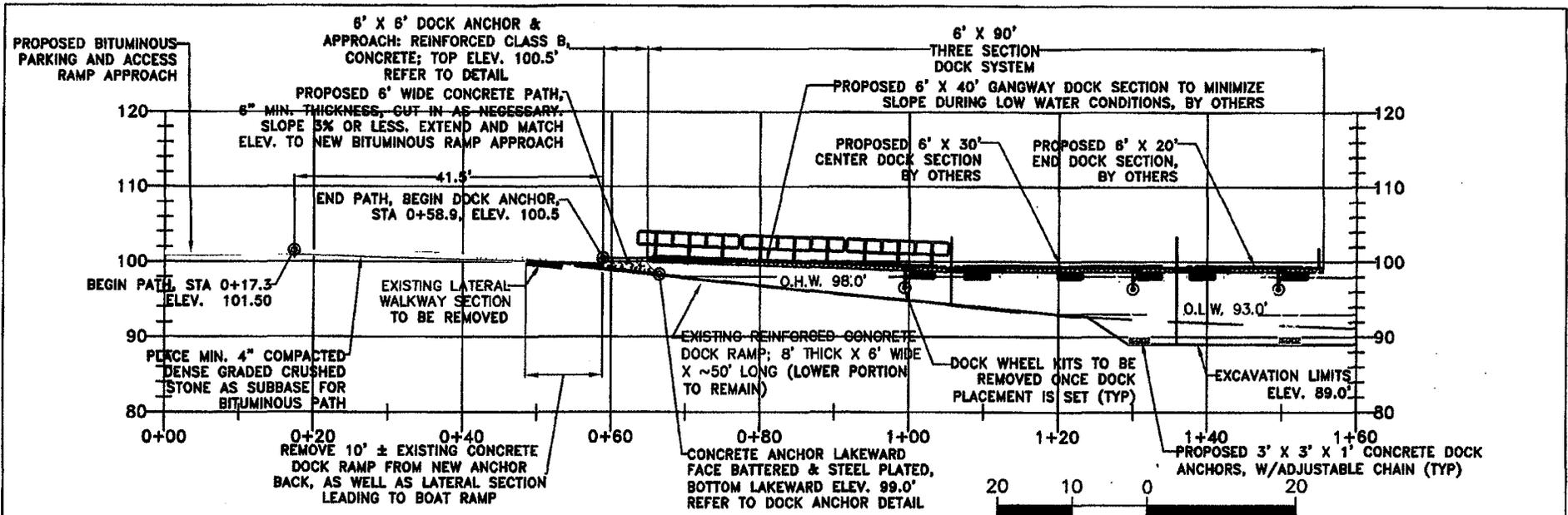
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 CHECKED: JJB 1/12
 REVISION 1: 9/15/10
 REVISION 2: 12/6/11
 REVISION 3: 1/31/12

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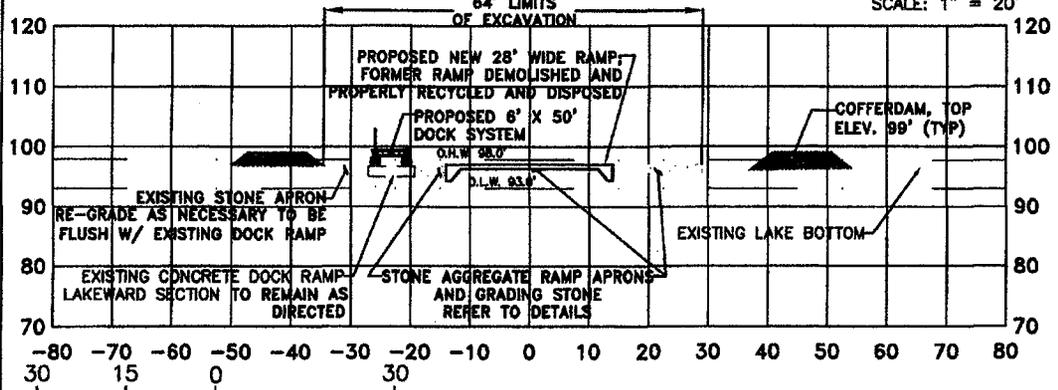
DEPARTMENT
 VERMONT FISH & WILDLIFE

PROJECT
 CHIMNEY POINT ACCESS IMPROVE

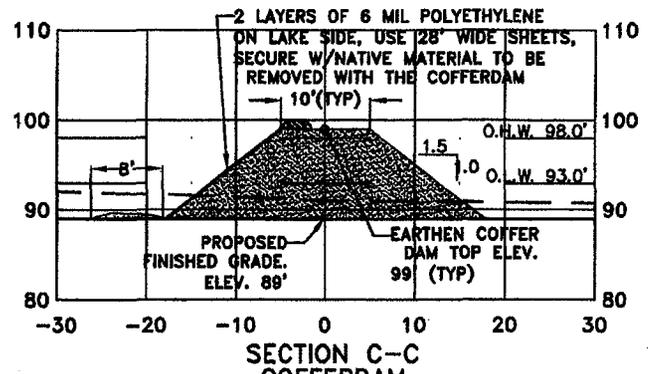
TOWN: ADDISON
 STATE: VERMONT
 DATE: 01/31/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 5 OF 13
 SCALE: AS NOTED



PROFILE ALIGNMENT D
SCALE: 1" = 20'



SECTION D1-D1
SCALE: 1" = 30'



SECTION C-C COFFERDAM
SCALE: 1" = 20'

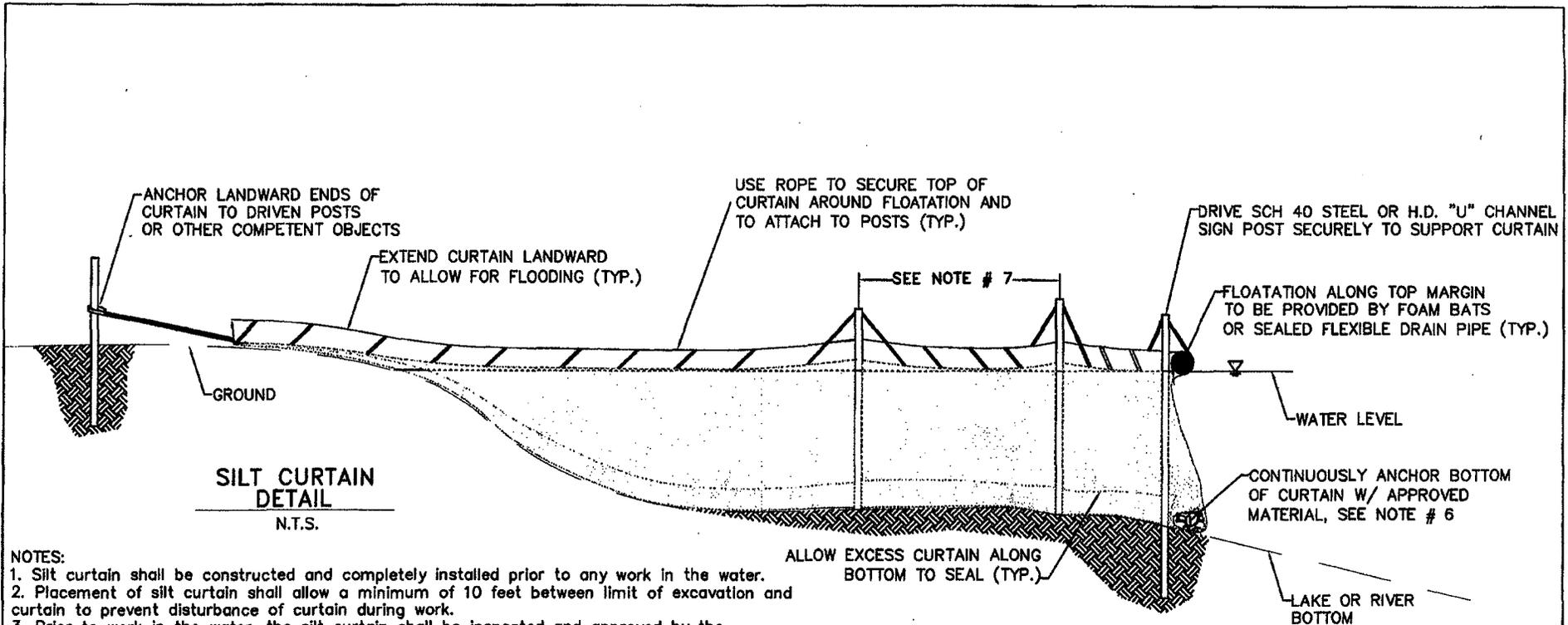
DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JJB 1/12
 REVISION 1: 9/15/10
 REVISION 2: 12/6/11
 REVISION 3: 1/31/12

STATE OF VERMONT
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TOWN: ADDISON
 STATE: VERMONT
 DATE: 01/31/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 6 OF 13
 SCALE: AS NOTED

DEPARTMENT
VERMONT FISH & WILDLIFE

PROJECT
CHIMNEY POINT ACCESS IMPROVE



NOTES:

1. Silt curtain shall be constructed and completely installed prior to any work in the water.
2. Placement of silt curtain shall allow a minimum of 10 feet between limit of excavation and curtain to prevent disturbance of curtain during work.
3. Prior to work in the water, the silt curtain shall be inspected and approved by the Engineer. Filter fabric shall be Mirafi 140N or approved equal.
4. When joining two pieces of filter fabric, overlap shall be at least 12 inches. Method of splicing shall be hand stitching, double row.
5. Continuous floatation along the top margin shall be provided by closed cell foam bats or flexible corrugated drain pipe sealed airtight, sized to account for wave and or current action.
6. Continuous sealing along the bottom margin shall be achieved by leaving excess fabric to be anchored with chain, short pieces of steel rod, cable and native material, as shown in the drawing. All non-native materials used for anchoring shall be completely removed after completion of the work.
7. The spacing of steel posts shall provide additional vertical and horizontal support to the curtain to accommodate for the forces of wind, wave and current.
8. After completion of the work in the water, the silt curtain shall remain in place until turbidity inside the curtain is equal to that outside.

DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JJB 1/12
 REVISION 1: 9/15/10
 REVISION 2: 12/6/11
 REVISION 3: 1/31/12

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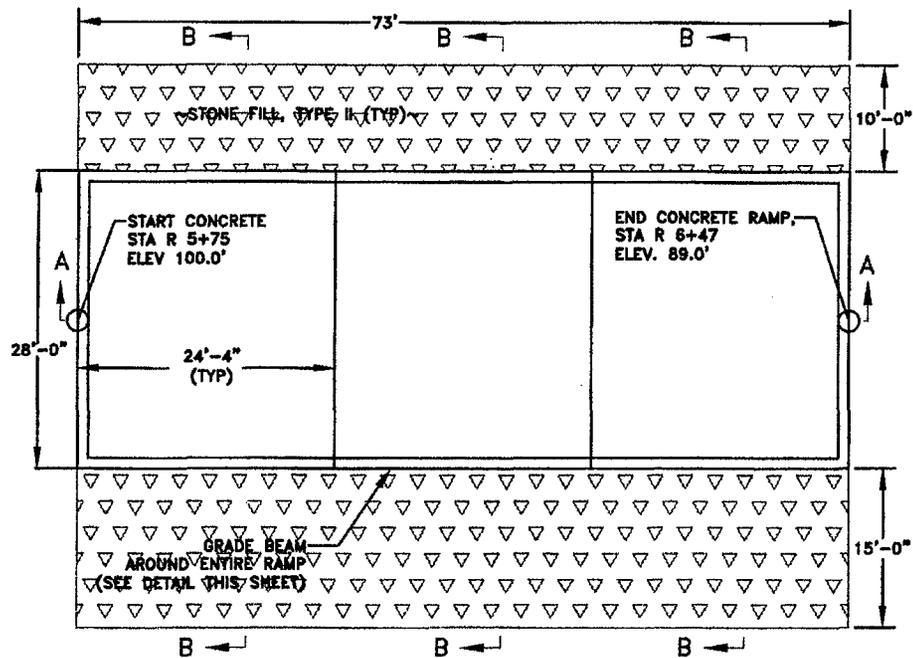
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 STATE: VERMONT
 DATE: 01/31/12
 DATUM: NAD 83 & NAVD 88
 SHEET: 7 OF 13
 SCALE: AS NOTED

DEPARTMENT

VERMONT FISH & WILDLIFE

PROJECT

CHIMNEY POINT ACCESS IMPROVE



**PLAN VIEW
CONCRETE RAMP & GRADE BEAM**

SCALE: 1/16"=1'



SCALE 1/16 1

DESIGNED: JRG
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 CHECKED: JJB 2/12
 REVISION 1: 09/5/10
 REVISION 2: 12/6/11
 REVISION 3: 1/31/12

STATE OF VERMONT
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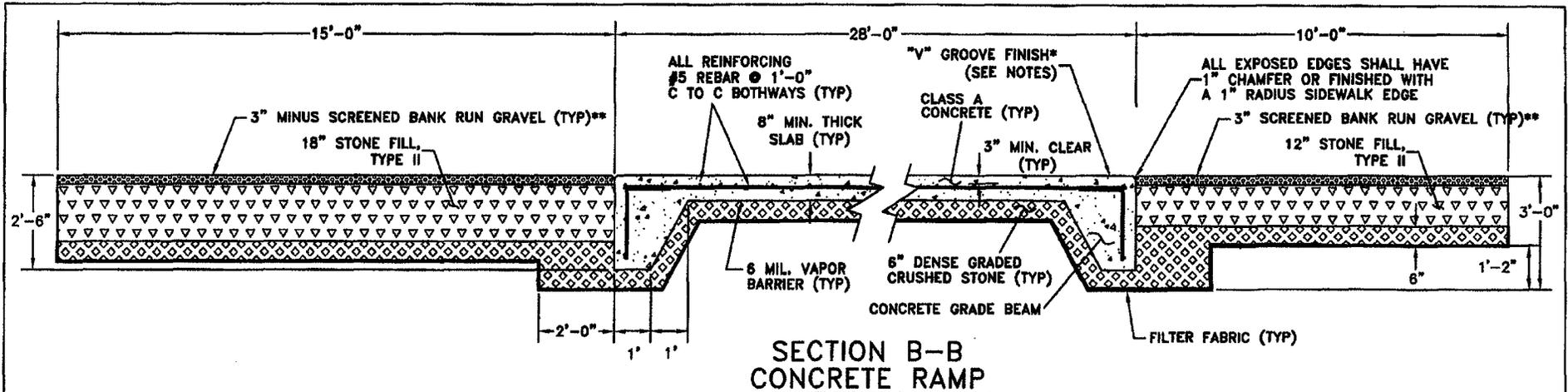
DEPARTMENT

VERMONT FISH & WILDLIFE

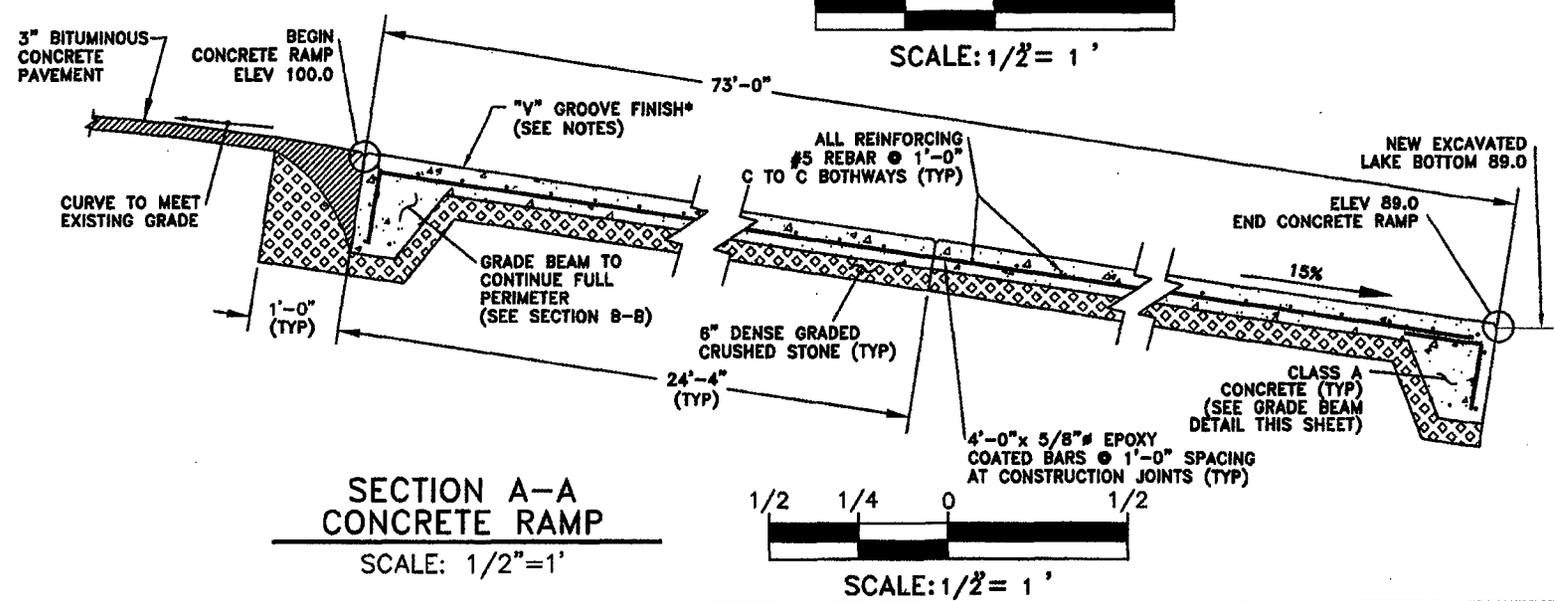
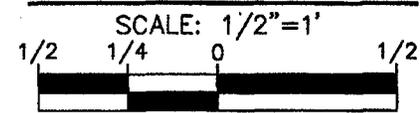
PROJECT

CHIMNEY POINT ACCESS IMPROVEMENTS

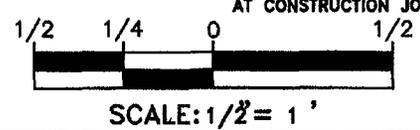
TOWN: ADDISON
 STATE: VERMONT
 DATE: 2/3/12
 DATUM: N/A
 SHEET: 8 OF 13
 SCALE: AS NOTED



SECTION B-B
CONCRETE RAMP



SECTION A-A
CONCRETE RAMP



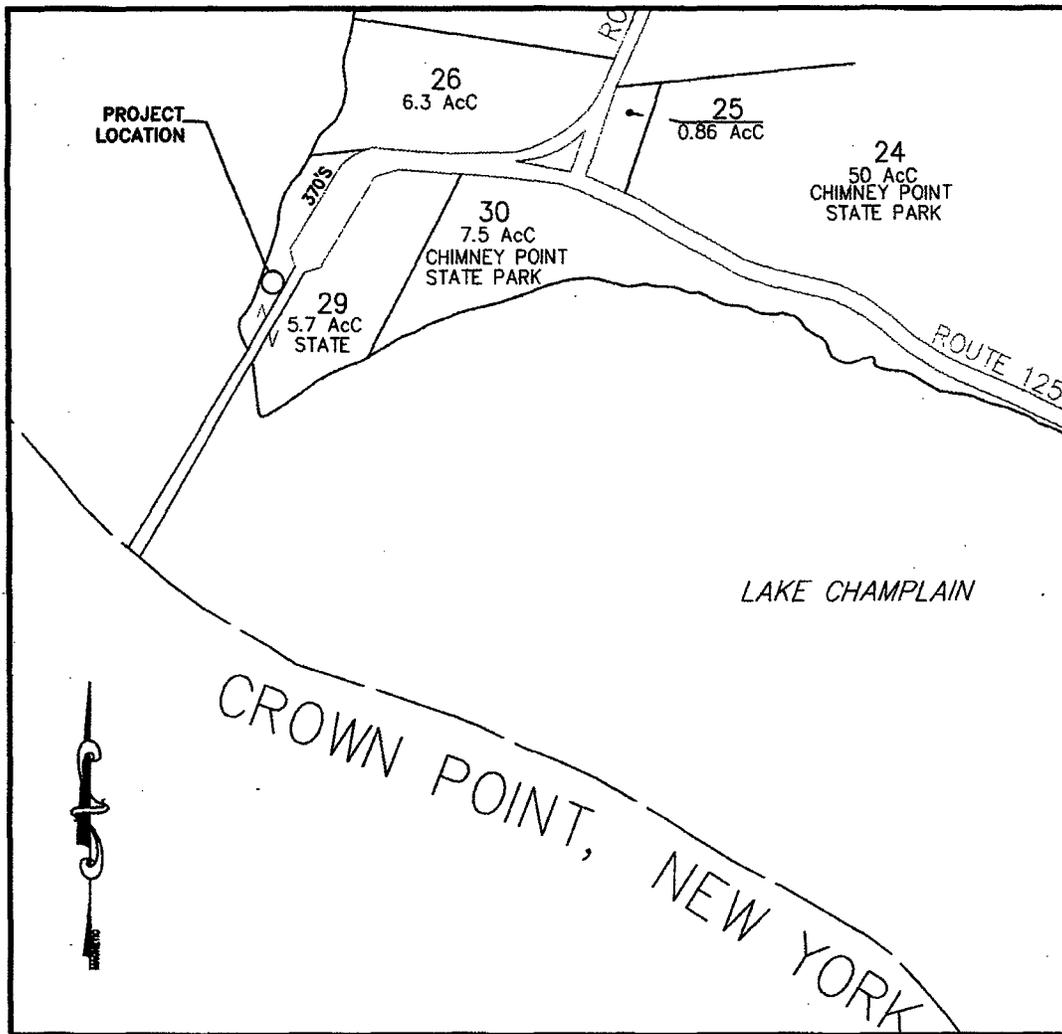
DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JJB 2/12
 REVISION 1: 9/5/10
 REVISION 2: 12/6/11
 REVISION 3: 1/31/12

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 DEPT. OF ENVIRONMENTAL CONSERVATION
 FACILITIES ENGINEERING DIVISION
 WATERBURY, VERMONT 05671-0411

DEPARTMENT
 VERMONT FISH & WILDLIFE

PROJECT
 CHIMNEY POINT ACCESS IMPROVEMENTS

TOWN: ADDISON
 STATE: VERMONT
 DATE: 2/3/11
 DATUM: N/A
 SHEET: 9 OF 13
 SCALE: AS NOTED



PROPERTY ABUTTER MAP

NOT TO SCALE

PARCEL MAPPING PROVIDED BY ADDISON COUNTY REGIONAL PLANNING COMMISSION, OWNER INFORMATION UPDATED THROUGH TOWN OF ADDISON TOWN CLERK. PARCEL OWNERS AND CONTACTS ARE AS FOLLOWS:

| <u>PARCEL NO.</u> | <u>OWNER NAME</u> | <u>CONTACT ADDRESS</u> |
|------------------------|--------------------------------------|---|
| 29 (SUBJECT PROPERTY) | VT DIVISION OF HISTORIC PRESERVATION | NATIONAL LIFE DRIVE, MONTPELIER, VT 05602 |
| 29 (LESSOR) | VT FISH & WILDLIFE DEPT. | 103 S. MAIN STREET, BLDG 10 SOUTH FLOOR 2, WATERBURY, VT 05671-0501 |
| 24 & 30 | VT FORESTS, PARKS & RECREATION | 103 A. MAIN STREET, BLDG 10 SOUTH FLOOR 1, WATERBURY, VT 05671-0601 |
| 26 | DANA & LORRAINE FRANKLIN | 5944 VT RTE 17W, ADDISON, VT 05491 |
| 25 | LISA CLOUTIER | 8005 VT RTE 17W, ADDISON, VT 05491 |
| ABUTTING STATE HIGHWAY | VT AGENCY OF TRANSPORTATION | ONE NATIONAL LIFE DRIVE, MONTPELIER, VT 05633-0501 |

DESIGNED: JRG
 DRAWN: JCR
 CHECKED: JRG
 REVISION 1: 4/15/10
 REVISION 2: 11/2/11
 REVISION 3: 1/31/12

STATE OF VERMONT
 AGENCY OF NATURAL RESOURCES
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 FACILITIES ENGINEERING DIVISION
 WATERBURY, VERMONT 05671-0407

DEPARTMENT OF FISH & WILDLIFE
 PROJECT
 CHIMNEY POINT ACCESS IMPROVE

TOWN: ADDISON
 STATE: VERMONT
 DATE: 2/3/12
 DATUM: N/A
 SHEET: 13 OF 13
 SCALE: N.T.S.