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Corps issues emergency permit for Plum Island beach scraping; future work requires state, federal coordination

CONCORD, Mass. – The U.S. Army Corps of Engineers, New England District issued an emergency permit on Oct. 26, 2012 to the Coastal Property Owner's Association to conduct work in waters of the U.S. in conjunction with placing dredged sand to support a coastal dune on Plum Island in Newbury, Mass. The emergency permit was issued in anticipation of Hurricane Sandy and its impact on the coast.

The Association performed work and discharged dredged material below the high tide line (HTL) of waters of the U.S. in order to bulldoze sand from the intertidal zone and place it in front of the coastal dune that exists just above the high tide line at Plum Island Beach in Newbury. This activity is referred to as beach scraping.

The work area is directly in front of One Southern Boulevard and 25 and 27 Annapolis Way in Newbury. The total area below the high tide line where beach scraping was done is approximately 35,000 square feet. Sand was bulldozed in layers not to exceed 2 feet. The purpose of the project is storm protection. The permit was valid for a one-time beach scraping event only. Future beach scraping proposals will require new authorization. The Corps previously issued a permit for beach scraping in front of the adjacent properties at 29, 31, 35, 37 and 39 Annapolis Way in September 2012.

The application for the federal permit was filed with the Corps in compliance with Section 404 of the Clean Water Act, which regulates the discharge or fill of material in U. S. waters, including wetlands; and with Section 10 of the Rivers and Harbors Act, which provides for federal regulation of any work in, or affecting navigable waters of the U.S. The public notice can be viewed at <http://www.nae.usace.army.mil/Regulatory/Public%20Notices/>.

The Association feels additional beach scraping is needed. The Corps is requiring that they conduct the necessary analysis of the coastal processes and complete the alternative analysis that is normally required for state and federal approvals before permitting any additional work in this area. Although property owners may feel this is an appropriate short term remedy, it is not a sustainable solution to coastal erosion. This long-standing situation also requires extensive coordination with local and state agencies.

For additional information on this activity (file # NAE-2008-3213) contact the U.S. Army Corps of Engineers, New England District, Regulatory Division (ATTN: Kevin Kotelly), 696 Virginia Road, Concord, MA 01742-2751; phone 978-318-8703 or toll free 800-343-4789 or 800-362-4367 (if calling from within Massachusetts) or by email to: kevin.r.kotelly@usace.army.mil.

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