
PUBLIC NOTICE



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

Comment Period Begins: 6 February 2018
Comment Period Ends: 8 March 2018
File Number: NAE-2017-02375
In Reply Refer To: Phillip Nimeskern
Phone: (978) 318-8660
E-mail: Phillip.W.Nimeskern@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Town of Dartmouth, Massachusetts, 400 Slocum Road, Dartmouth, MA 02747. This work is proposed in Apponagansett Bay at 0 Water Street, Dartmouth, Massachusetts. The site coordinates are: Latitude 41.586776; Longitude -70.945564.

The work involves reconstructing the Dartmouth Maritime Center by performing the following work:

- Construct and maintain a 545 sf pile supported deck/landing area over an intertidal area and an 8' by 45' long (360 sq. ft.) pile and timber pier over a subtidal area. The deck will have ten 12" diameter wooden piles and the pier will have twelve 12" diameter wooden piles.
- Construct and maintain a 4' by 40' gangway ramp supported by a four 12" diameter pile hoist system over the subtidal area.
- Remove existing float system and replace it with three 8' by 30' floating docks with a total area of 720 sq. ft. These will be supported by three 12" diameter timber pile guides. The construction drawing will have notes for the contractor to ensure the minimum clearance of 2' off the bottom or to install float stops /chains as required.
- Reconstruct the dinghy launch area by installing MOBI-Mat Liners on 1250 s. f. of intertidal area below the HTL. The mats will be seasonally installed and removed.

The work is shown on the attached plans entitled "PLAN ACCOMPANYING PETITION OF: PROPOSED DARTMOUTH MARITIME CENTER," on 7 sheets, and dated "08/16/17. REV 3: 01/12/2018"

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 U.S. Army Corps of Engineers, New England District (Corps), 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. The Corps will consider all comments received 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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project will impact 0.074 acres of Essential Fish Habitat (EFH). This habitat consists of intertidal fill and unconsolidated sediment. Loss of this habitat may adversely affect species that use these waters and substrate. 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.

NATIONAL HISTORIC PRESERVATION 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).

ENDANGERED SPECIES CONSULTATION

The Corps has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. 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 a listed species or their critical habitat. We are coordinating with the NMFS and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

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.

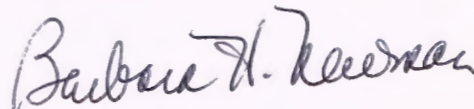
COMMENTS

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 Phillip Nimeskern at (978) 318-8660, (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.



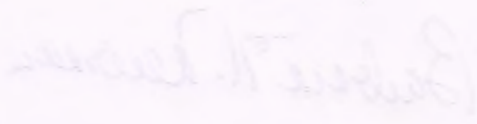
Barbara H. Newman
Chief, Permits and Enforcement Branch A
Regulatory Division

If you would prefer not to continue receiving Public Notices by email, 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

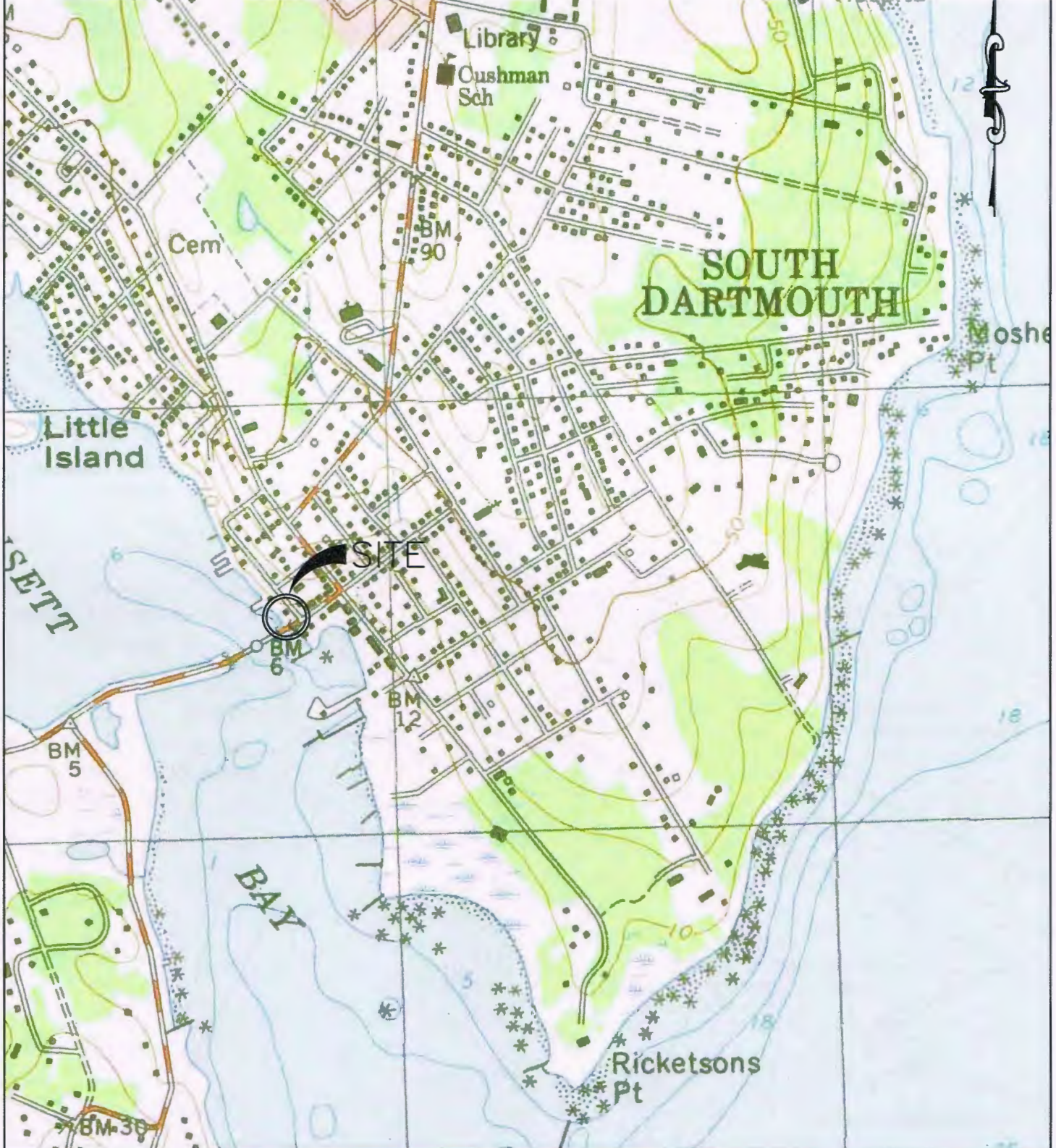
CENAE-R
FILE NO. NAE-2017-02375

this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers,
696 Virginia Road, Concord, MA 01742-2751.

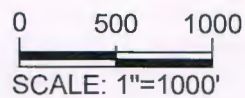
NAME: _____
ADDRESS: _____
PHONE: _____



Robert H. Johnson
Chief, Regulatory Division
U.S. Army Corps of Engineers
Concord, MA 01742-2751



LOCUS PLAN
SCALE: 1"=1000'



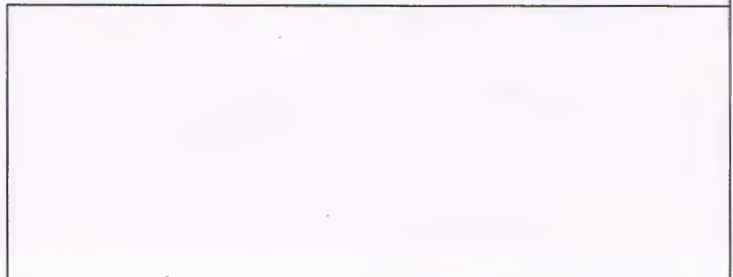
PLAN ACCOMPANYING PETITION OF:
 PROPOSED DARTMOUTH MARITIME CENTER
 0 WATER ST. & BRIDGE ST.
 DARTMOUTH, MA 02748

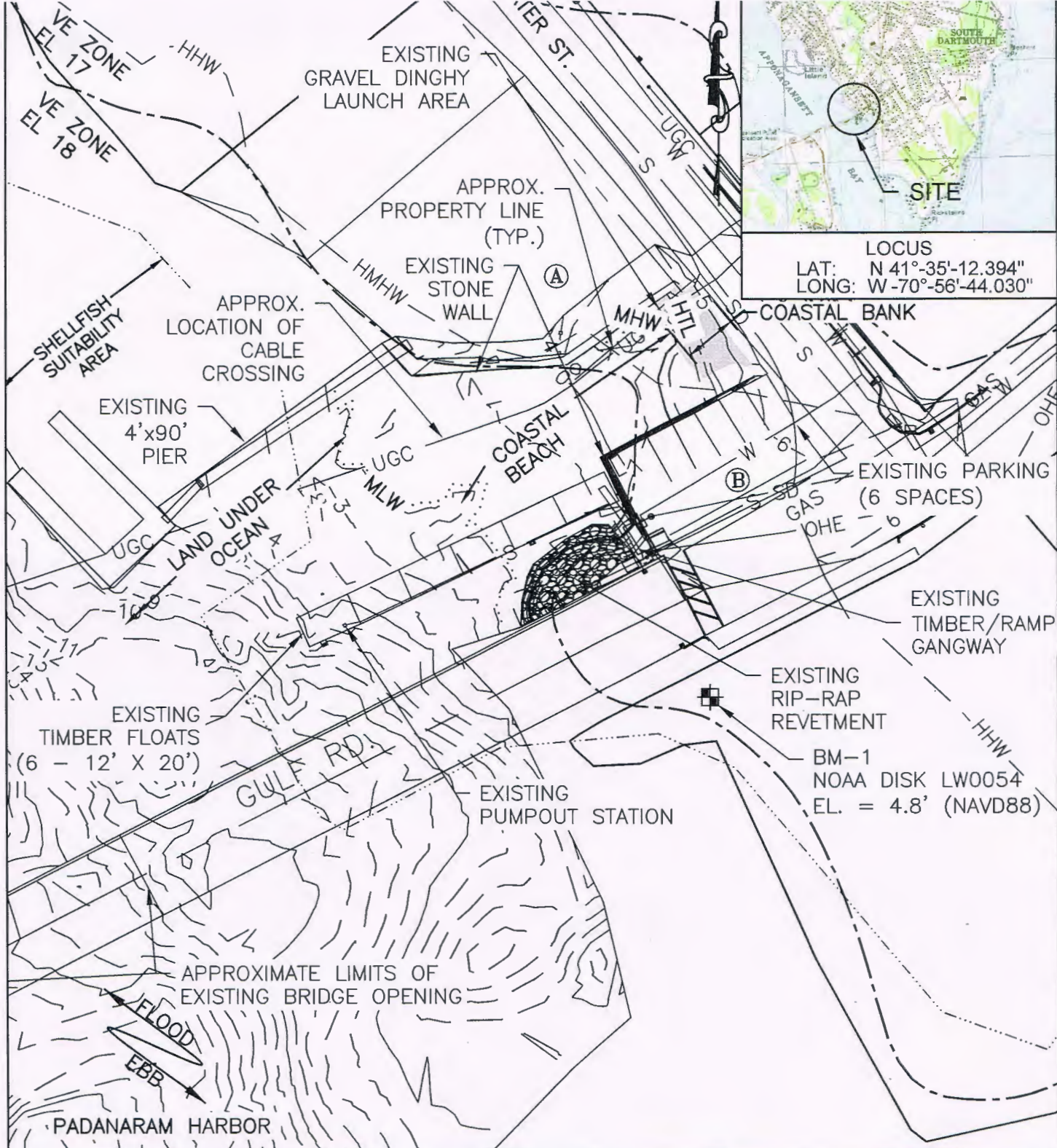
LOCUS

DATE: 07/07/17

TO LICENSE AND MAINTAIN PILE SUPPORTED
 STRUCTURE, DECK, PIER, & FLOAT SYSTEM

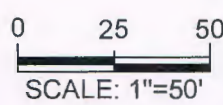
IN APPONAGANSETT BAY
 BRISTOL COUNTY, MASSACHUSETTS





LOCUS
 LAT: N 41°-35'-12.394"
 LONG: W -70°-56'-44.030"

EXISTING CONDITIONS PLAN
SCALE: 1"=50'



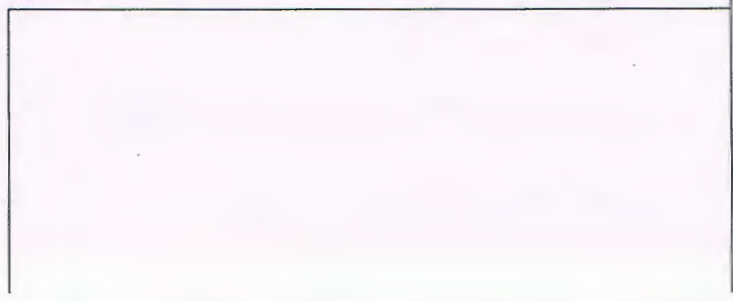
REV 3: 01/12/2018
 REV 2: 12/06/2017
 REV 1: 11/30/2017
 DATE: 08/16/2017

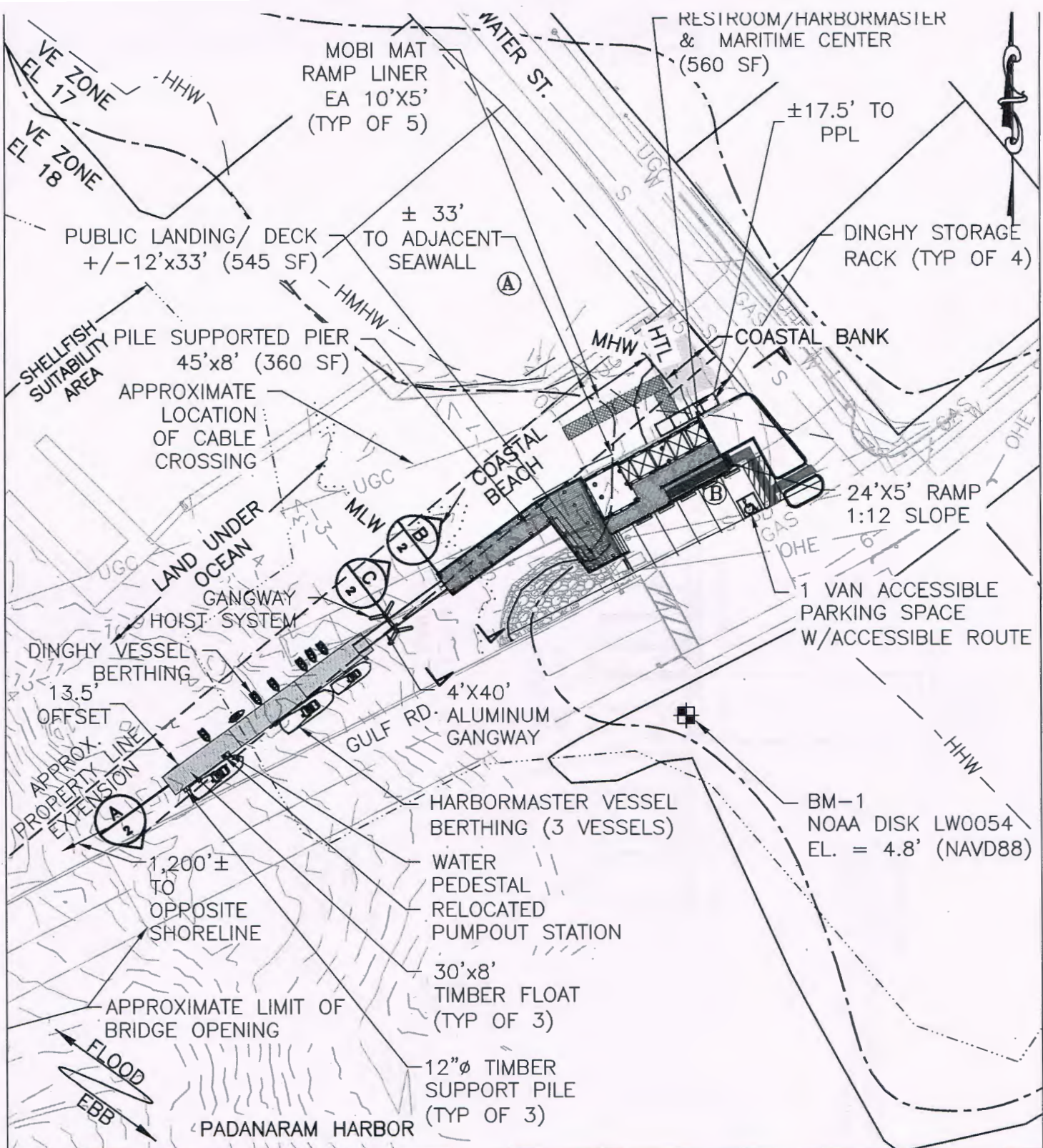
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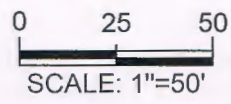
IN APPONAGANSETT BAY
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SHEET 1 OF 6





SITE PLAN
SCALE: 1"=50'



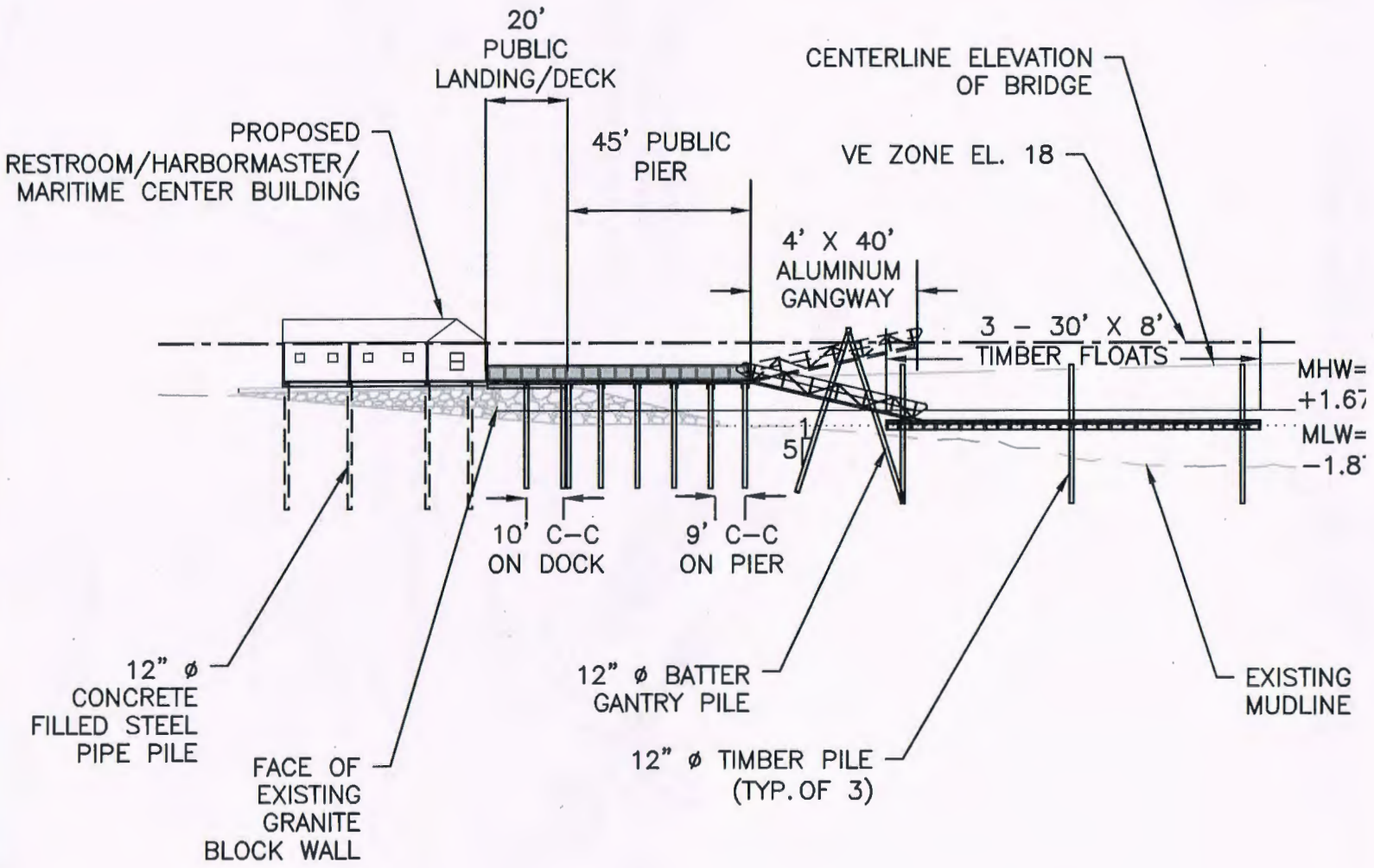
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SHEET 2 OF 6

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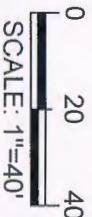


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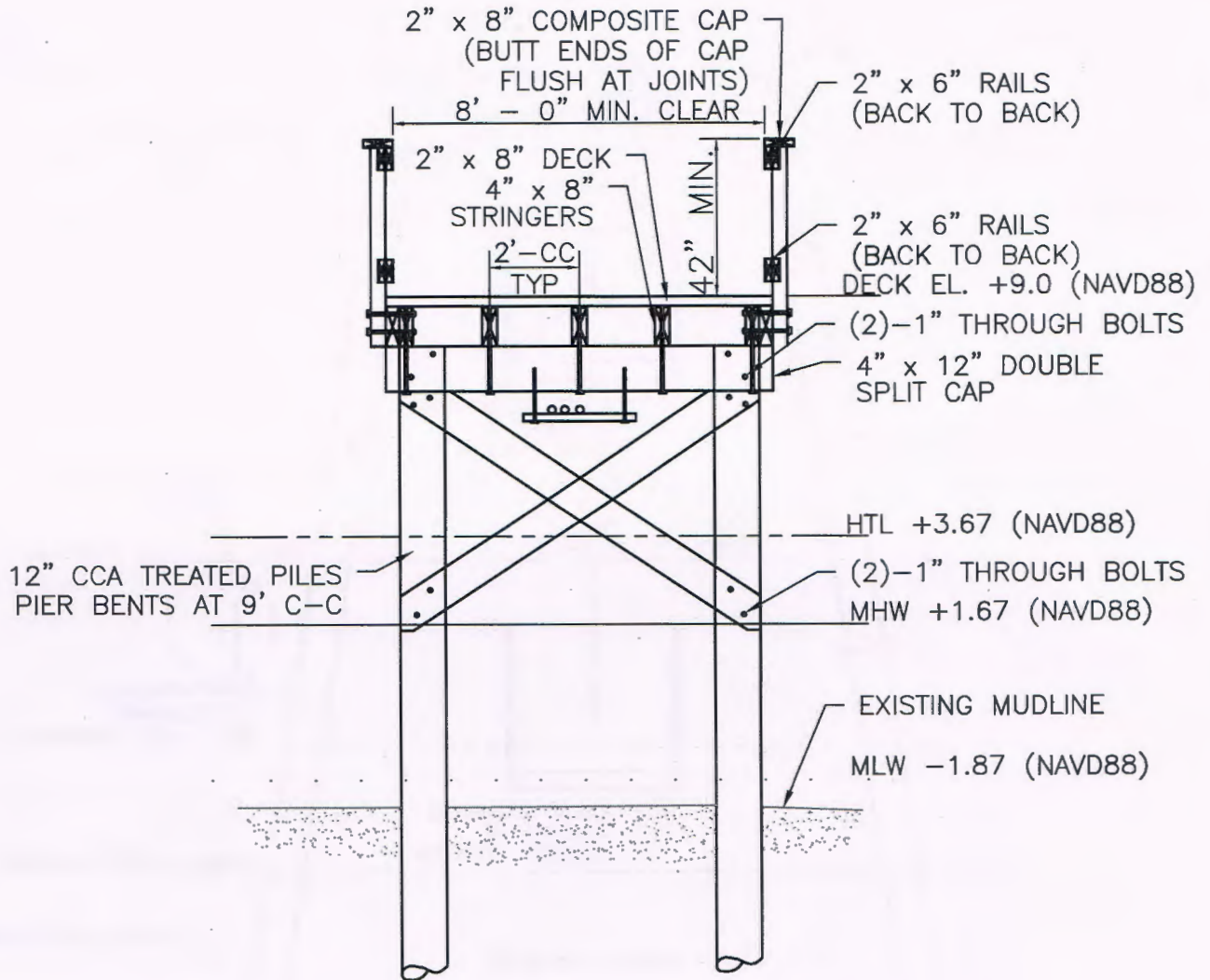
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SECTION A
 SCALE: 1"=40'

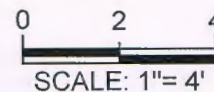
SHEET 3 OF 6



REV 3: 01/12/2018
 REV 2: 12/06/2017
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SECTION B
SCALE: 1"=4'



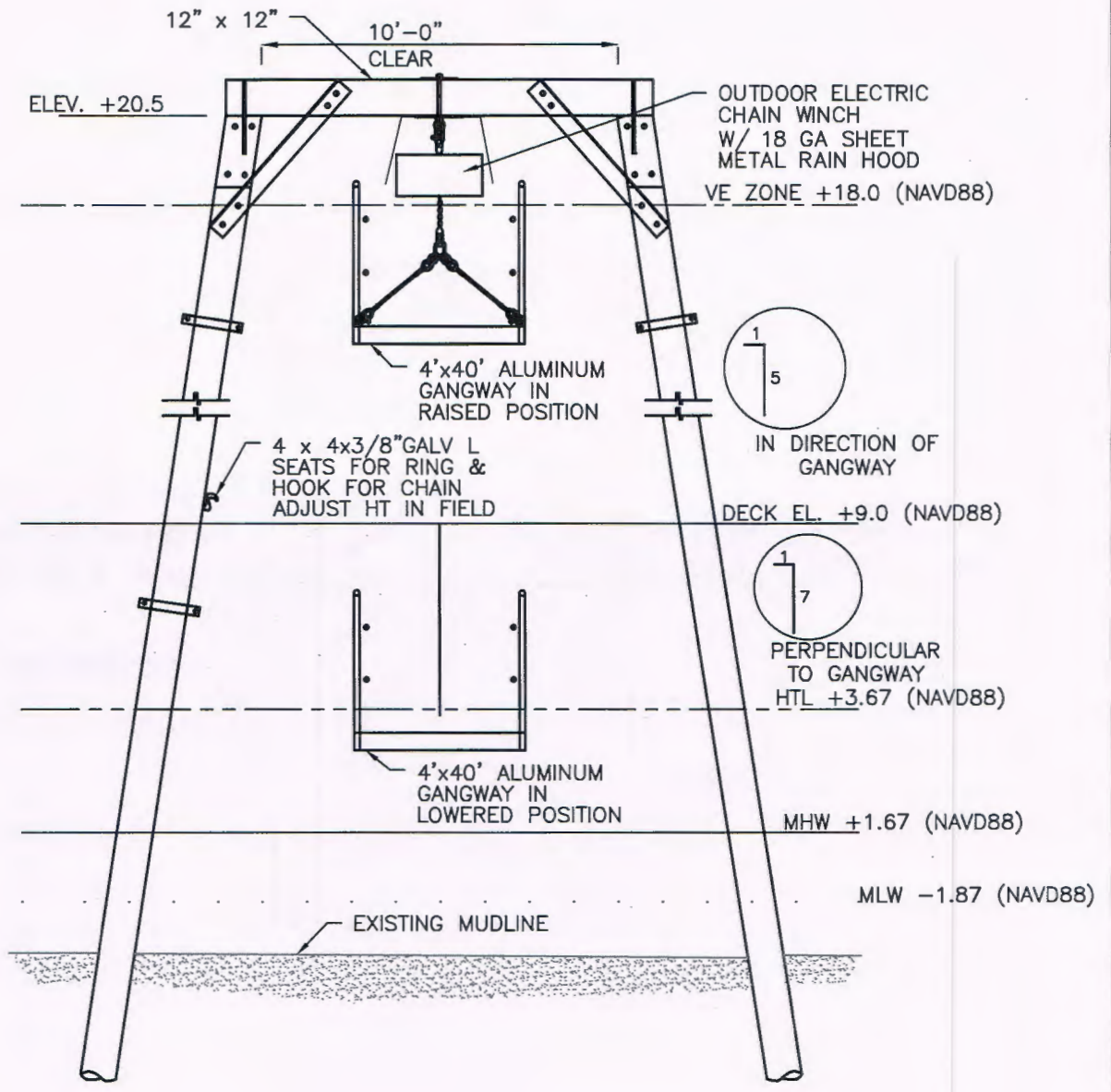
REV 3: 01/12/2018
REV 2: 12/06/2017
REV 1: 11/30/2017
DATE: 08/16/2017

SHEET 4 OF 6

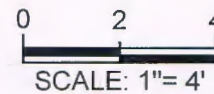
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BRISTOL COUNTY MASSACHUSETTS



SECTION C
SCALE: 1"=4'



REV 3: 01/12/2018
 REV 2: 12/06/2017
 REV 1: 11/30/2017
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SHEET 5 OF 6

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IN APPONAGANSETT BAY
 BRISTOL COUNTY MASSACHUSETTS

..... MLW -1.87'
 _____ MHW +1.67'
 - - - - - HTL +3.63'
 - - - - - HISTORIC MEAN HIGH WATER (HMHW)
 - - - - - FEMA FLOOD ZONE
 _____ NHESP PRIORITY HABITAT
 _____ SHELLFISH SUITABILITY AREA
 _____ APPROX. PROPERTY LINE

DATUM
 OFFSETS

MLW	NAVD88	
+5.50	+3.63	HTL
+3.54	+1.67	MHW
+1.87	0	
0	-1.87	MLW
-0.13	-2.00	MLLW

 OFFSETS PROVIDED
 VDdatum
 LAT - 41.586
 LONG - -70.945

GENERAL NOTES:

1. RESULTS OF TOPOGRAPHIC SURVEY PERFORMED BY CLE ENGINEERING, 08-09-16.
2. PROPERTY LINE INFORMATION PROVIDED BY MERRILL ENGINEERS & LAND SURVEYORS, PLAN ENTITLED WATER ST. & BRIDGE ST. DARTMOUTH, MA, DATED 07/11/17. PLEASE NOTE PROPERTY LINE INFORMATION SHOWN HEREON REFLECTS ASSUMED LIMIT OF LAND OWNERSHIP ABUTTING BRIDGE STREET/GULF RD.
3. RESULTS OF HYDROGRAPHIC SURVEY PERFORMED BY CLE ENGINEERING, INC., 04-13-17.
4. PROJECT BENCHMARK (BM-1) IS NOAA DISK LW0054 EL. - 4.8' (NAVD88). BRASS DISK LOCATED IN THE TOP OF THE ADJACENT SEAWALL ON OPPOSITE SIDE OF GULF RD. SEE PLAN FOR LOCATION.
5. VERTICAL DATUM IS NAVD 88. VERTICAL DATUM CONVERSIONS WERE PERFORMED USING NOAA'S VDdatum SOFTWARE.
6. SHELLFISH SUITABILITY, NHESP, AND FEMA FLOOD ZONES ARE TAKEN FROM MOST RECENT AVAILABLE DATA FROM MA GIS DATABASE AND LICENSE PLAN INFORMATION.

ABUTTER:

A. MAP 117 LOT 9
 MILBURY WILLIAM J TRUSTEE
 107 SLADES CORNER RD.
 S. DARTMOUTH, MA 02748

OWNER:

B. TOWN OF DARTMOUTH
 TOWN LANDING
 400 SLOCUM RD.
 N. DARTMOUTH, MA 02747

NOTES

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SHEET 6 OF 6

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