



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

# PUBLIC NOTICE

**Comment Period Begins: October 24, 2017**  
**Comment Period Ends: November 24, 2017**  
**File Number: NAE-2017-1057**  
**In Reply Refer To: Kevin R. Kotelly, P.E.**  
**Phone: (978) 318-8703**  
**E-mail: kevin.r.kotelly@usace.army.mil**

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The District Engineer has received a permit application to conduct work in waters of the United States from the Town of Falmouth, Massachusetts. This work is proposed in Bournes Pond/Vineyard Sound at 0 Menauhant Road, Falmouth, Massachusetts 02540. The site coordinates are: Latitude 41°32'59" N, Longitude 70°33'19" W.

The work involves dredging and the discharge of dredged material below the high tide line (HTL) of waters of the United States. The dredging will be an approximately 3.4 acre area to a depth of approximately 7 feet (ft) below the horizontal plane of mean low water. An estimated quantity of 11,000 cubic yards of sand will be removed by mechanical means and disposed of as beach nourishment on Menauhant Beach. This estimated volume includes all overdredge material. The majority of the beach nourishment will be placed above the HTL, however, 2050 square feet (SF) of material will be placed below the HTL. The project purpose is to widen the Bournes Pond inlet channel to increase tidal flushing to Bournes Pond and provide beach nourishment on Menauhant Beach. The widening of the Bourne's Pond inlet would be done in conjunction with the replacement of the Menauhant Road Bridge. The inlet is proposed to be widened from its existing width of 50 ft to 90 ft. In addition, the west jetty would be reconstructed and extended by 25 ft, 25 ft of the existing west groin would be removed and rebuilt, and the east jetty will be moved further east to accommodate the inlet widening. The jetty reconstructions will result in approximately 2500 SF of fill.

Approximately 81,000 SF of the dredge footprint was previously permitted in 2012 by Department of the Army Permit #NAE-2010-145 and is maintenance dredging. Approximately 68,000 SF of new dredging is proposed: 40,000 SF for the inner pond channel and 27,900 SF for the inlet channel widening. The proposed dredge volume is 11,000 cubic yards. The construction of the Menauhant Road Bridge is not under the jurisdiction of the Corps of Engineers. However, the Corps does have jurisdiction over the three, 6'x35' bridge abutments and two rip-rap side slopes associated with the bridge.

The work is shown on the attached plans entitled, "Plans Accompanying Petition of Town of Falmouth, Massachusetts Menauhant Road Bridge, Replacement Project," on 17 sheets, and dated, June 13, 2017.

The project has been designed to avoid and minimize impacts as much as possible. The project is intended as a water quality improvement project by increasing tidal flushing within Bournes Pond. The increase in tidal flow into the system will enhance water quality and habitat. Mitigation is not proposed.

## **AUTHORITY**

Permits are required pursuant to:

\_X\_ Section 10 of the Rivers and Harbors Act of 1899

\_X\_ 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, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

#### **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).

This project will impact approximately 4.5 acres of Essential Fish Habitat (EFH) for Atlantic cod (*Gadus morhua*), haddock (*Melanogrammus aeglefinus*), pollock (*Pollachius virens*), winter flounder (*Pseudopleuronectes americanus*), windowpane flounder (*Scophthalmus aquosus*), bluefish (*Pomatomus saltatrix*), long finned squid (*Loligo pealeii*), Atlantic butterfish (*Peprilus triacanthus*), Atlantic mackerel (*Scomber scombrus*), summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), black sea bass (*Centropristis striata*), surf clam (*Spisula solidissima*), king mackerel (*Scomberomorus cavalla*), Spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*). This habitat consists of subtidal sand. Loss of this habitat may adversely affect the species listed above. 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 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.

### **COASTAL ZONE MANAGEMENT**

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:

- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) 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 (PM name) at (978) 318-8703, (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 Newman  
Chief, Permits and Enforcement Branch  
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](mailto: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: \_\_\_\_\_  
PHONE: \_\_\_\_\_

ABUTTERS LIST  
507 CENTRAL AVE / 40A 02 001 000  
DECOTEAU TRUSTEE LEA S  
SHANKLIN TRUSTEE F GARRETT  
100 OVERLOOK DR  
GROTON, MA 01450

0 MOONPENNY LN / 45 18 010 000  
FLEMING III JOSEPH T  
316A WESTON RD  
WELLESLEY, MA 02481

0 MENAUAHANT RD / 40A 02 008A 004  
DER KAZARIAN TRUSTEE ALAN K  
DER KAZARIAN TRUSTEE EDWARD  
51 MARSH ST  
BELMONT, MA 02478  
0 MENAUAHANT RD / 45 20 002 000  
FALMOUTH TOWN OF  
59 TOWN HALL SQ  
FALMOUTH, MA 02540

663 MENAUAHANT RD / 40A 01 001 099  
SHANKLIN TRUSTEE SARAH W  
COHEN TRUSTEE LAWRENCE B  
60 HEMLOCK PARK DR  
GROTON, MA 01450

ZONE VE  
(EL 14')

BOURNES POND

NHESP LIMITS

NHESP PRIORITY  
HABITAT #940

2663035.8700  
914442.9000

2663048.7000  
914491.2300

CURRENT DREDGE LIMITS -  
EXISTING PERMIT DREDGE  
AREA = 5,200 CU YD (TOTAL)

2662547.3700  
914571.3600

BARRIER BEACH/ COASTAL BEACH

2662570.3500  
914617.8200

DEP WETLAND BND. (TYP)

\*WF

PROPERTY LINE

DEP WETLAND  
BOUND.

MEAN HIGH WATER  
EL 1.1'

HTL EL 1.8'

EXISTING STONE GROIN

EEL GRASS  
LIMITS NOV.2016

2662110.0000  
914665.0000

EXISTING  
BRIDGE

NHESP PRIORITY  
HABITAT #15

EXISTING STONE GROIN  
MEAN LOW WATER EL 0.7'

DEP WETLAND BOUND

2662187.0000  
914823.0000

EXISTING STONE JETTIES

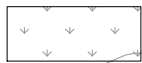


SALT MARSH

2661768.0000  
914741.0000

2661790.0000  
914871.0000

EEL GRASS LIMITS NOV 2016



EEL GRASS LIMITS  
(1995-2001) MASS GIS (TYP)

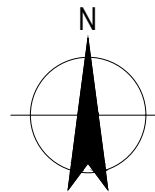
EEL GRASS LIMITS 1995-2001 MASS GIS



\*WF=WETLAND FLAG

## EXISTING CONDITIONS - PLAN

SCALE: 1"=300'



0 150' 300' 450'  
SCALE 1"=300' AT ORIGINAL SIZE



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT



315 Norwood Park South  
2nd Floor  
Norwood, Massachusetts 02062  
781.255.1982  
www.BETA-Inc.com

DATE: 06/13/17



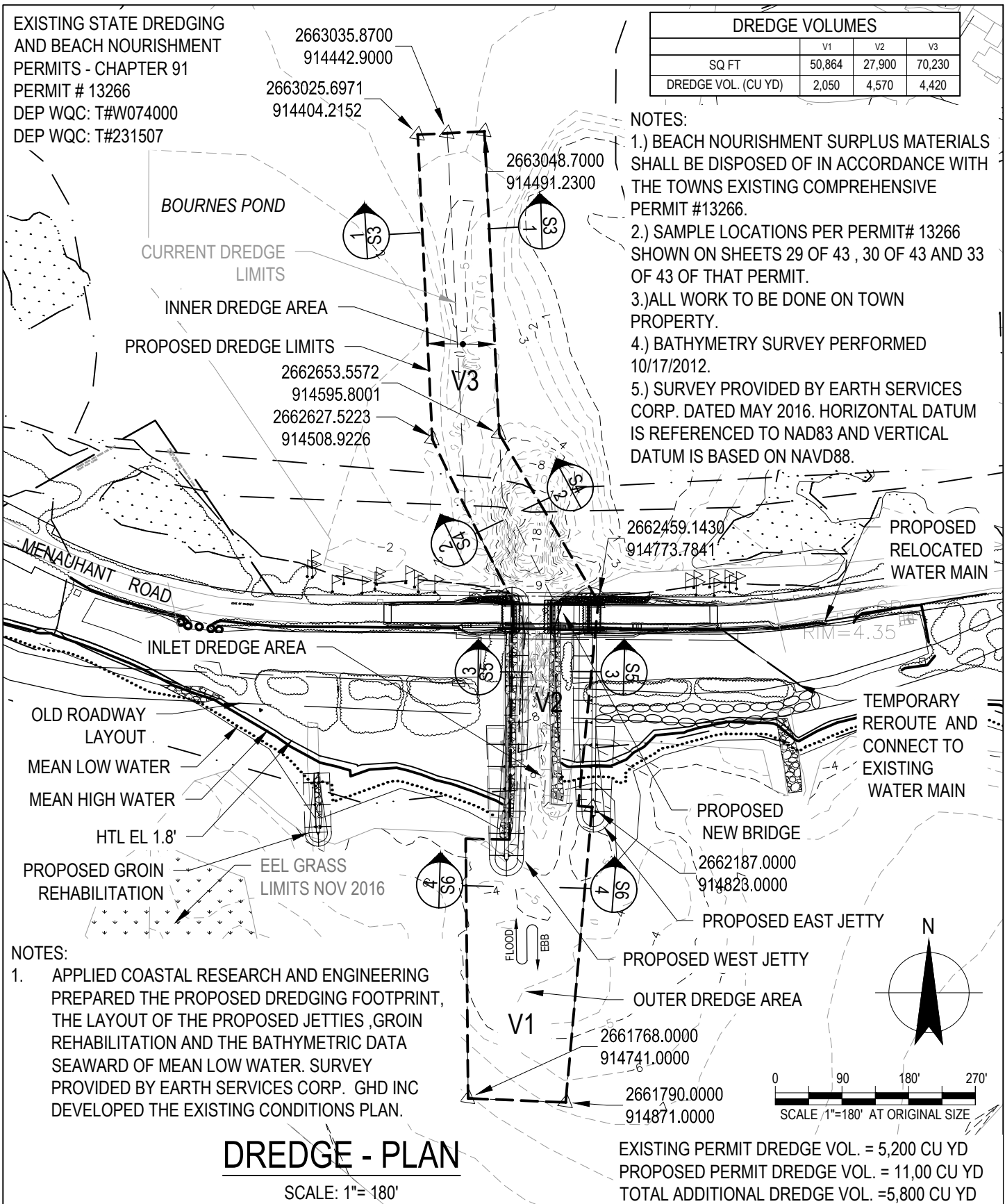
SHEET: 1 OF 17

EXISTING STATE DREDGING  
AND BEACH NOURISHMENT  
PERMITS - CHAPTER 91  
PERMIT # 13266  
DEP WQC: T#W074000  
DEP WQC: T#231507

DREDGE VOLUMES			
	V1	V2	V3
SQ FT	50,864	27,900	70,230
DREDGE VOL. (CU YD)	2,050	4,570	4,420

**NOTES:**

- 1.) BEACH NOURISHMENT SURPLUS MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE TOWNS EXISTING COMPREHENSIVE PERMIT #13266.
- 2.) SAMPLE LOCATIONS PER PERMIT# 13266 SHOWN ON SHEETS 29 OF 43 , 30 OF 43 AND 33 OF 43 OF THAT PERMIT.
- 3.) ALL WORK TO BE DONE ON TOWN PROPERTY.
- 4.) BATHYMETRY SURVEY PERFORMED 10/17/2012.
- 5.) SURVEY PROVIDED BY EARTH SERVICES CORP. DATED MAY 2016. HORIZONTAL DATUM IS REFERENCED TO NAD83 AND VERTICAL DATUM IS BASED ON NAVD88.



**NOTES:**

1. APPLIED COASTAL RESEARCH AND ENGINEERING PREPARED THE PROPOSED DREDGING FOOTPRINT, THE LAYOUT OF THE PROPOSED JETTIES, GROIN REHABILITATION AND THE BATHYMETRIC DATA SEAWARD OF MEAN LOW WATER. SURVEY PROVIDED BY EARTH SERVICES CORP. GHD INC DEVELOPED THE EXISTING CONDITIONS PLAN.

EXISTING PERMIT DREDGE VOL. = 5,200 CU YD  
 PROPOSED PERMIT DREDGE VOL. = 11,00 CU YD  
 TOTAL ADDITIONAL DREDGE VOL. = 5,800 CU YD



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 MASSACHUSETTS MENAUAHNT ROAD BRIDGE  
 REPLACEMENT PROJECT

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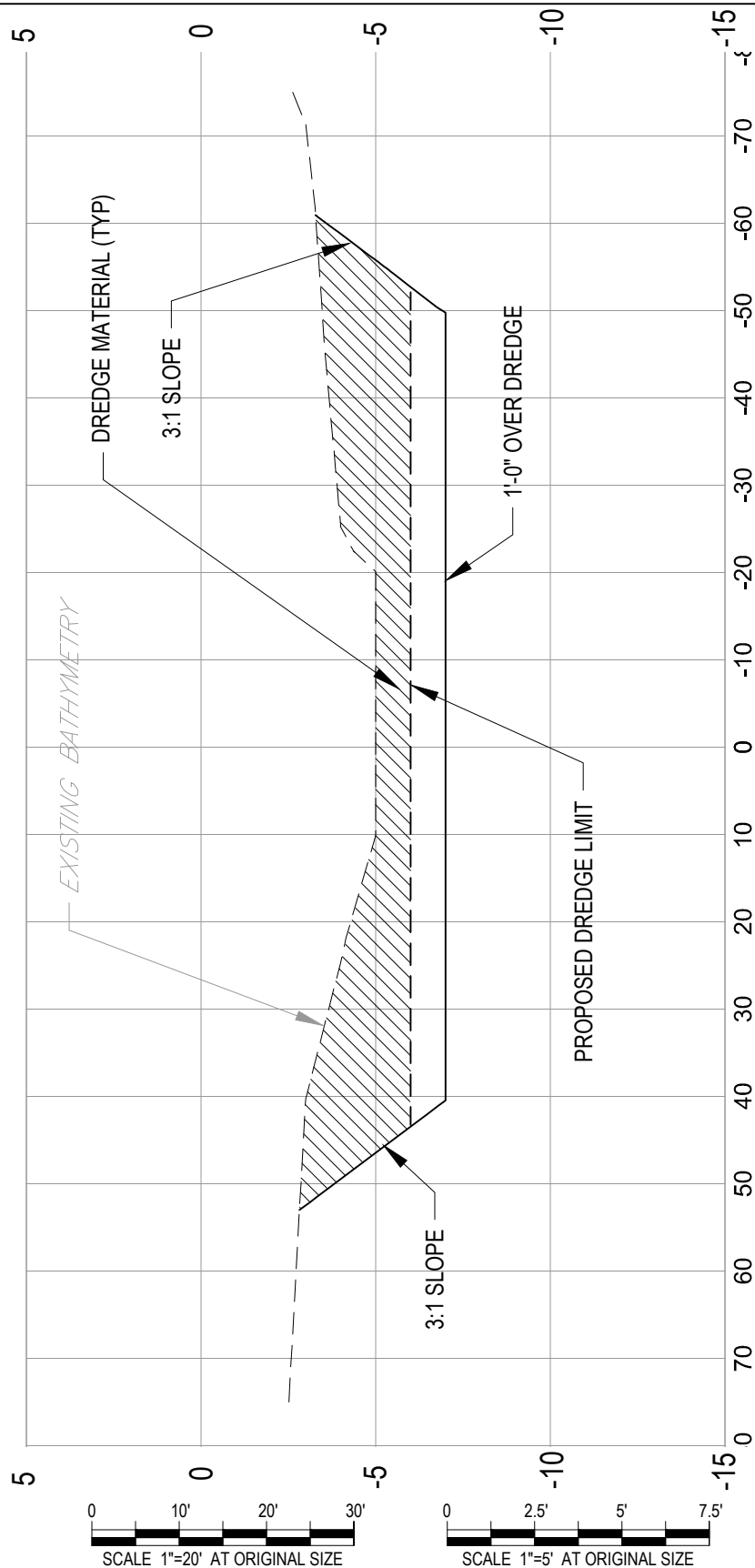
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 781.255.1982  
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SHEET: 2 OF 17





1 SECTION

SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

S2

NOTE: VERTICAL DATUM IS NAVD 88

## INNER BOURNES POND

### DREDGE SECTION



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MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT

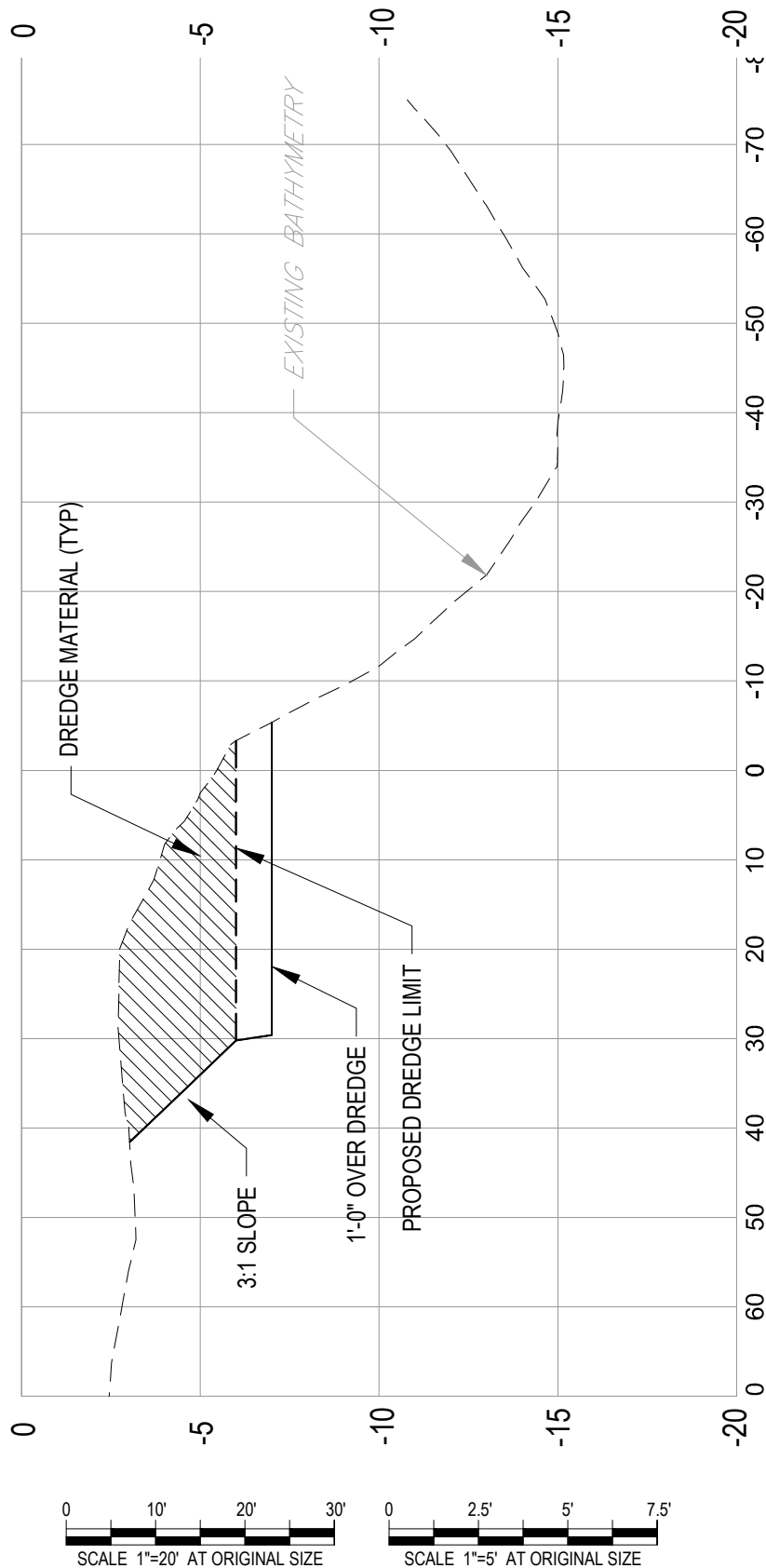


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SHEET: 3 OF 17



NOTE: VERTICAL DATUM IS NAVD 88

2 SECTION  
S2  
SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

## INNER BOURNES POND DREDGE SECTION



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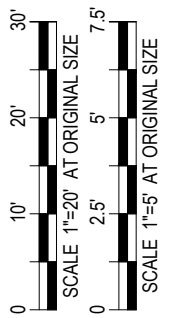
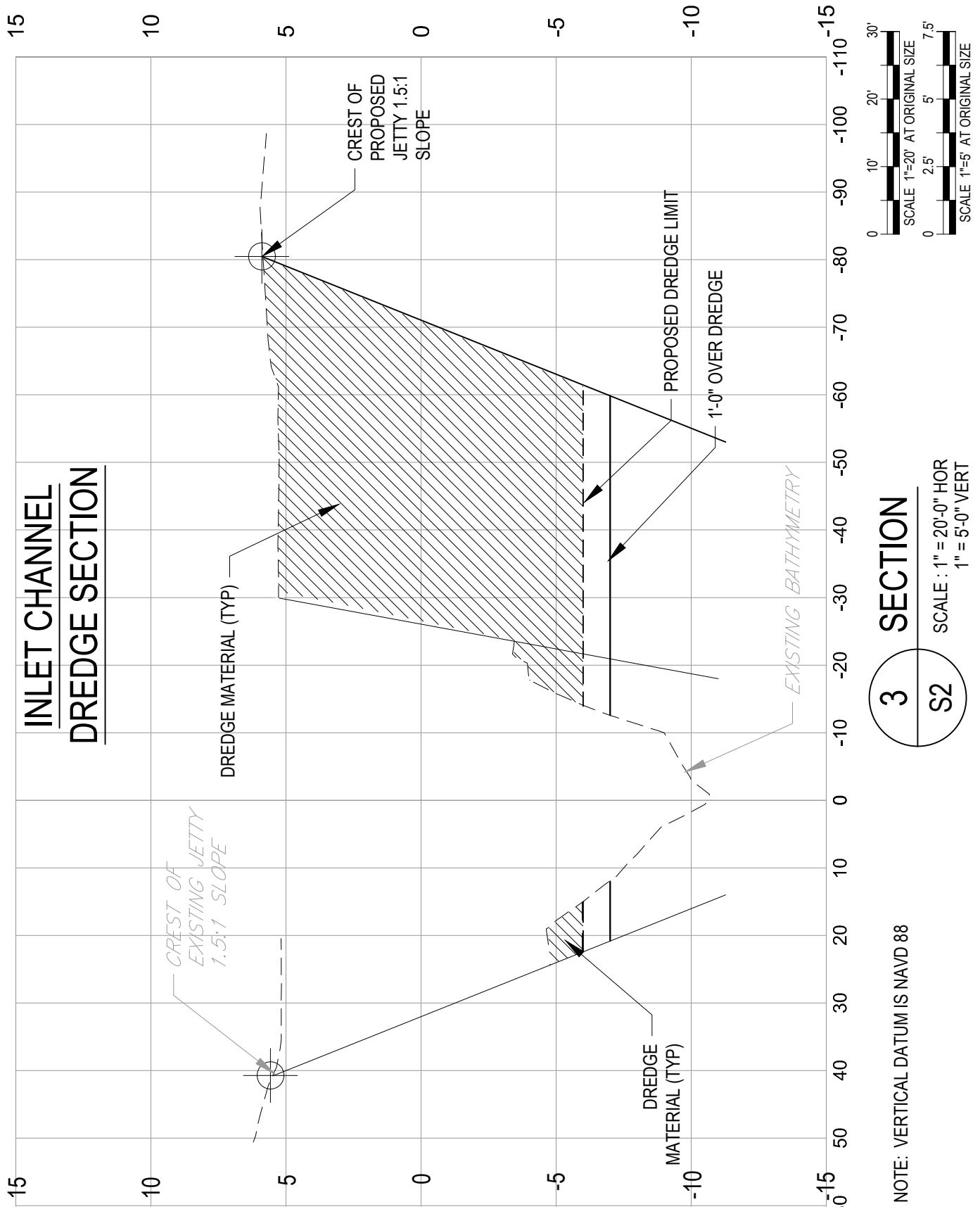
DATE: 06/13/17



SHEET: 4 OF 17



# INLET CHANNEL DREDGE SECTION



**3 SECTION**  
S2  
SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

NOTE: VERTICAL DATUM IS NAVD 88



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MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT

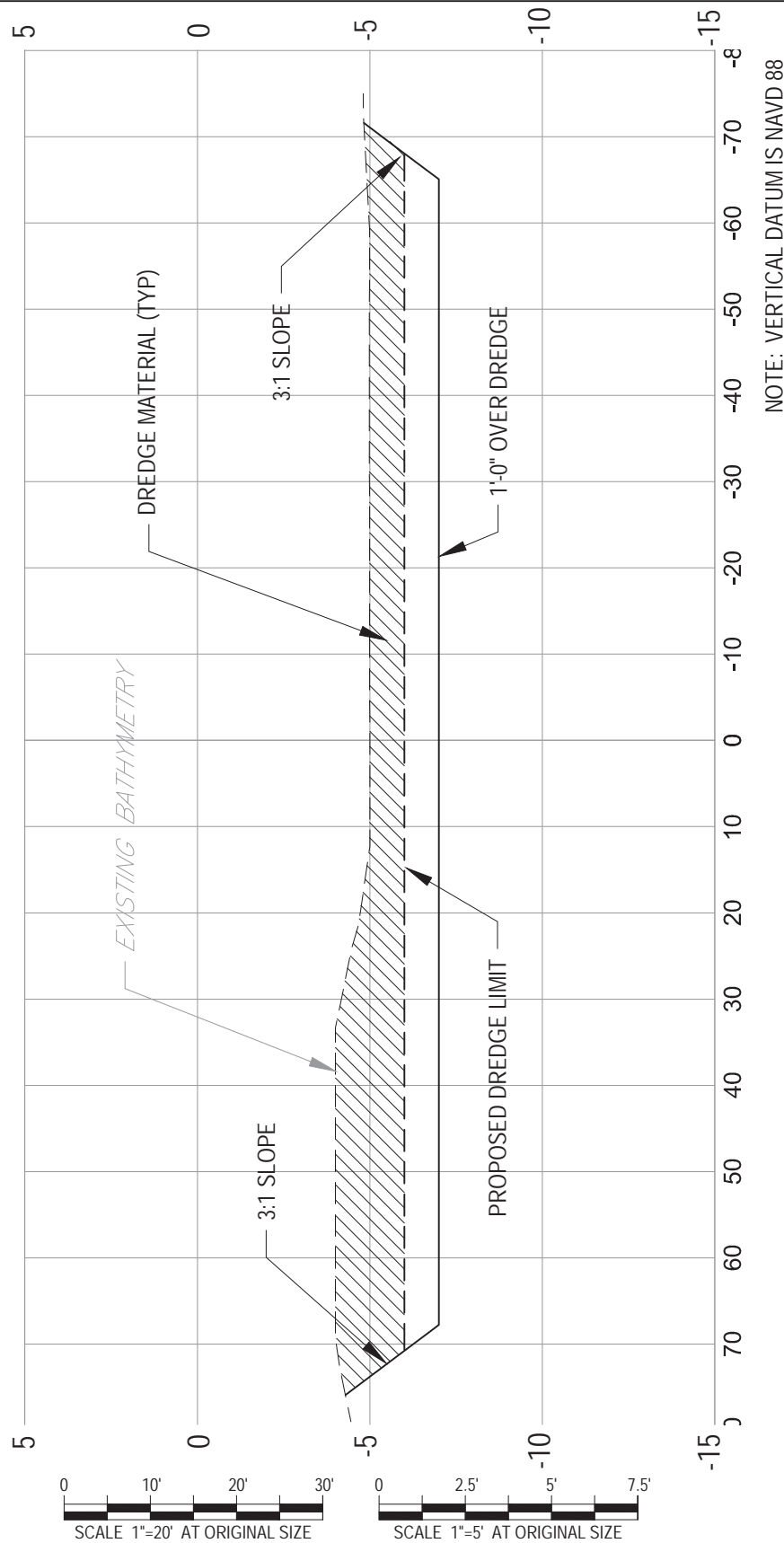


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SHEET: 5 OF 17



4 SECTION  
S2  
SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

## OUTER BOURNES POND DREDGE SECTION



LATEST REVISION: 03/28/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT

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DATE: 04/17/17



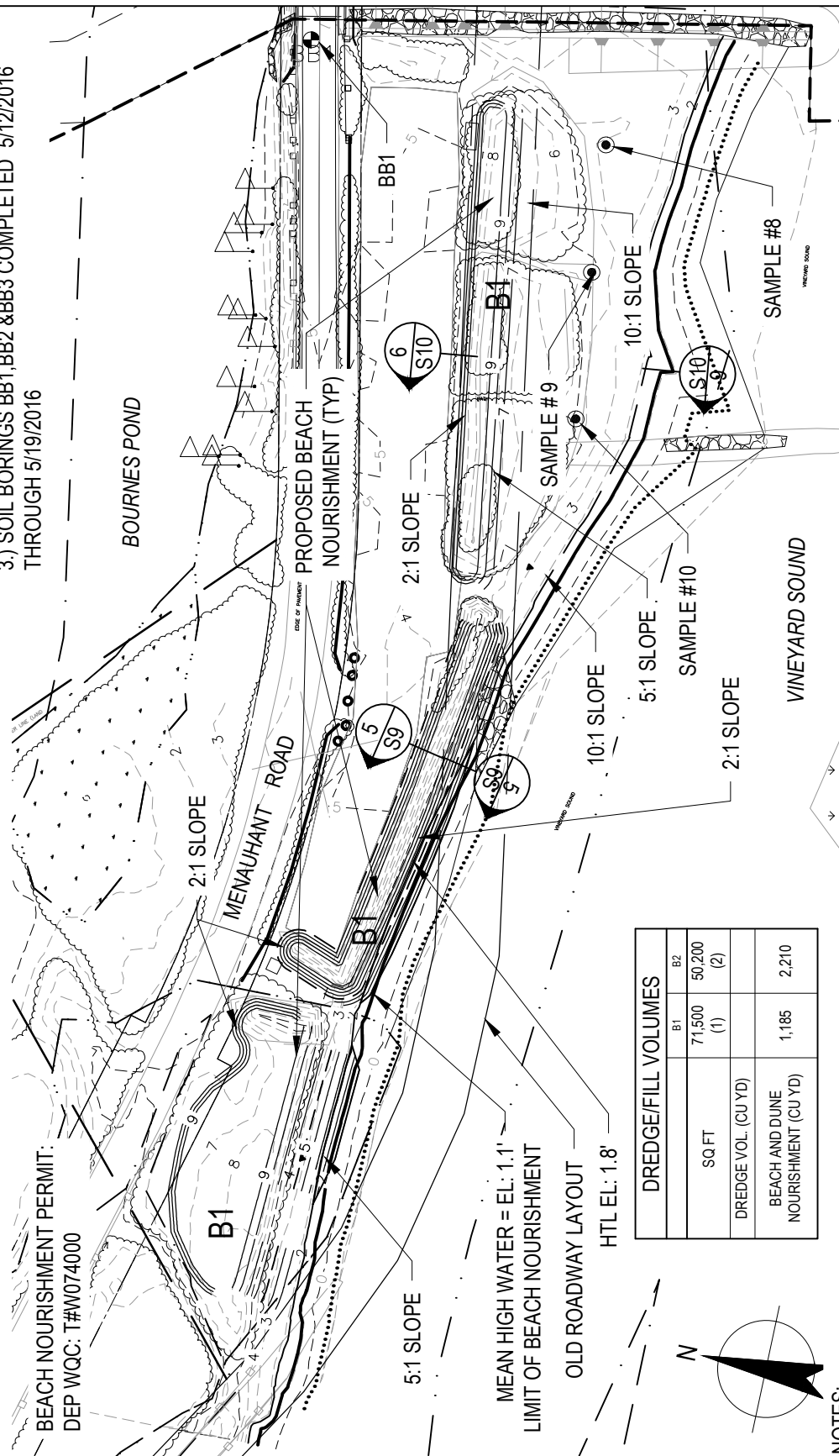
SHEET: 6 OF 17

# PLAN - WEST

SCALE: 1"=100'



- 1.) BEACH NOURISHMENT SURPLUS MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE TOWNS EXISTING COMPREHENSIVE PERMIT #13266
- 2.) SAMPLE LOCATIONS PER PERMIT# 13266 SHOWN ON SHEETS 29 OF 43, 30 OF 43 AND 33 OF 43 OF THAT PERMIT
- 3.) SOIL BORINGS BB1,BB2 &BB3 COMPLETED 5/12/2016 THROUGH 5/19/2016



DREDGE/FILL VOLUMES		
	B1	B2
SQ FT	71,500 (1)	50,200 (2)
DREDGE VOL. (CU YD)		
BEACH AND DUNE NOURISHMENT (CU YD)	1,185	2,210

NOTES:

- (1) BEACH NOURISHMENT  
BELOW THE HTL LINE (EL: 1.8') =  
2050 SQFT
- (2) BEACH NOURISHMENT  
BELOW THE HTL LINE (EL: 1.8') =  
0 SQFT



GHD Inc.

LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT



SHEET: 7 OF 17

DATE: 06/13/17

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DREDGE/FILL VOLUMES	
	B1 B2
SQ. FT.	71,500 (1) 50,200 (2)
DREDGE VOL. (CU YD)	
BEACH AND DUNE NOURISHMENT (CU YD)	1,185 2,210

# NOTES:

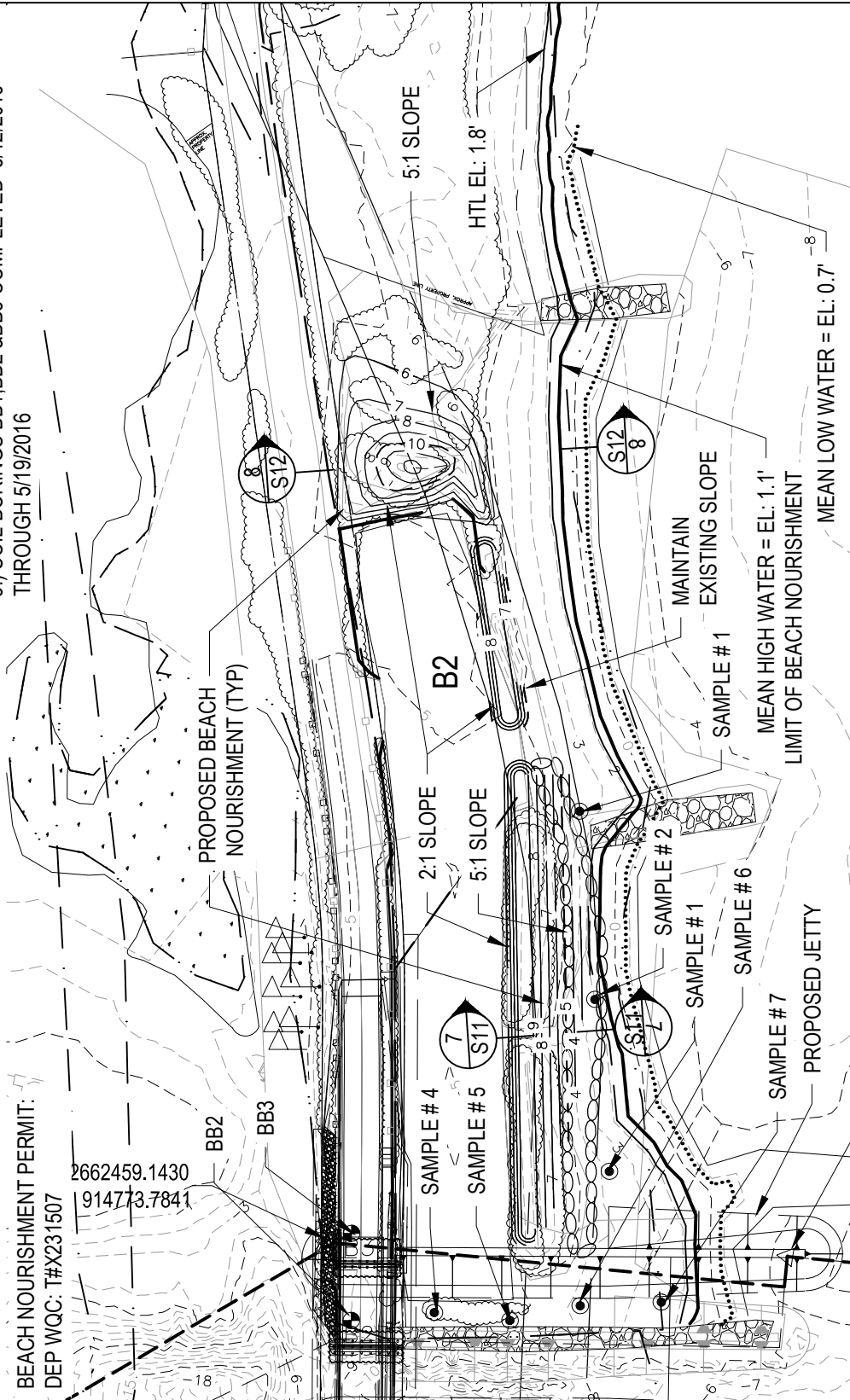
- BEACH NOURISHMENT  
BELOW THE HTL LINE (EL: 1.8') =  
2050 SQFT
- BEACH NOURISHMENT  
BELOW THE HTL LINE (EL: 1.8') =  
0 SQFT

# NOTES:

- BEACH NOURISHMENT SURPLUS MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE TOWNS EXISTING COMPREHENSIVE PERMIT #13266
- SAMPLE LOCATIONS PER PERMIT# 13266 SHOWN ON SHEETS 29 OF 43, 30 OF 43 AND 33 OF 43 OF THAT PERMIT
- SOIL BORINGS BB1, BB2 & BB3 COMPLETED 5/12/2016 THROUGH 5/19/2016

BEACH NOURISHMENT PERMIT:  
DEP WQC: T#X231507

2662459.1430  
914773.7841



## MENAUAHANT BEACH NOURISHMENT- PLAN - EAST

SCALE: 1"=100'



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUAHANT ROAD BRIDGE  
REPLACEMENT PROJECT

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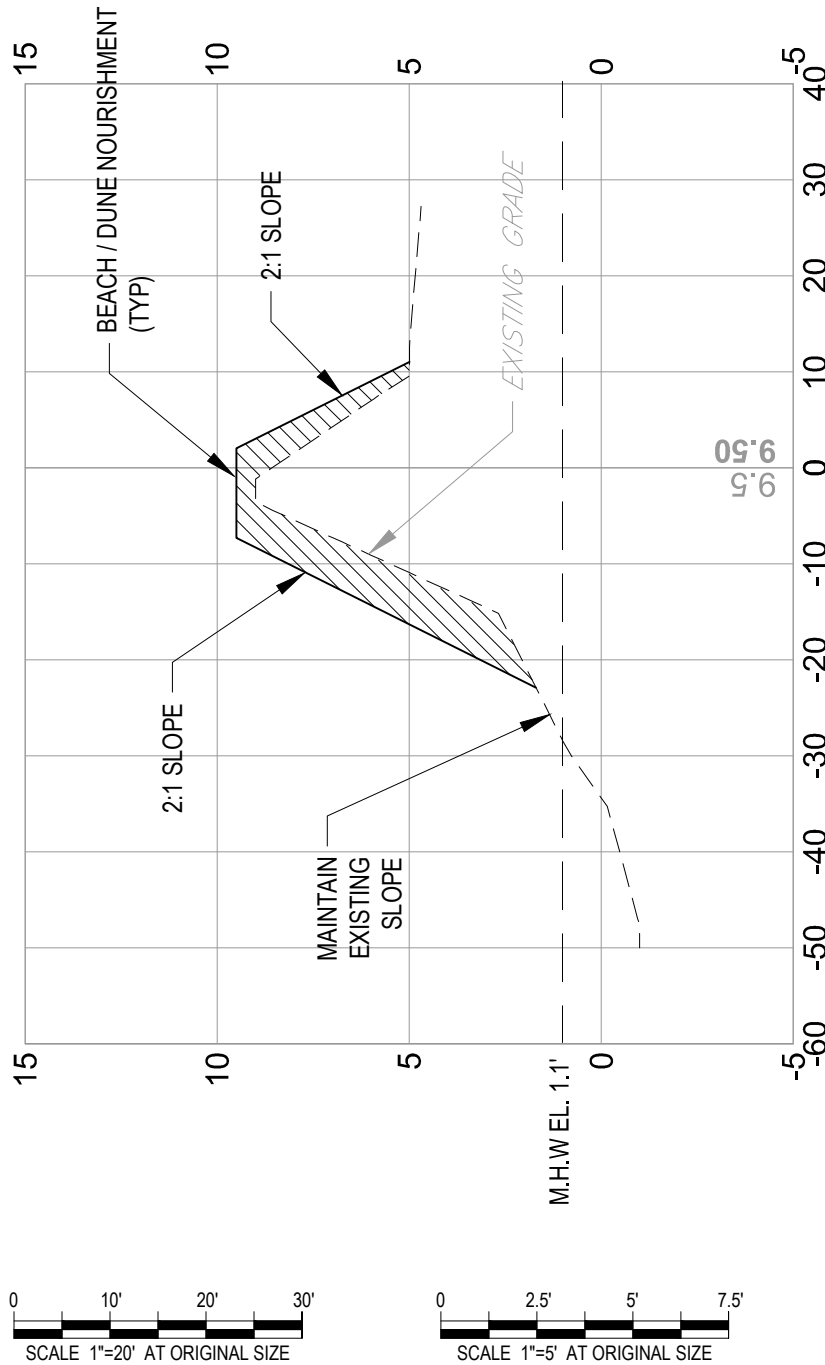


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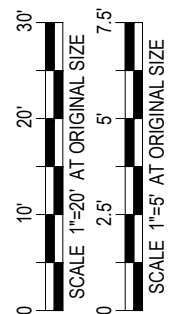


SHEET: 8 OF 17



5 SECTION  
S7 SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

## MENAUHANT BEACH NOURISHMENT - WEST SECTION



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUHANT ROAD BRIDGE  
REPLACEMENT PROJECT

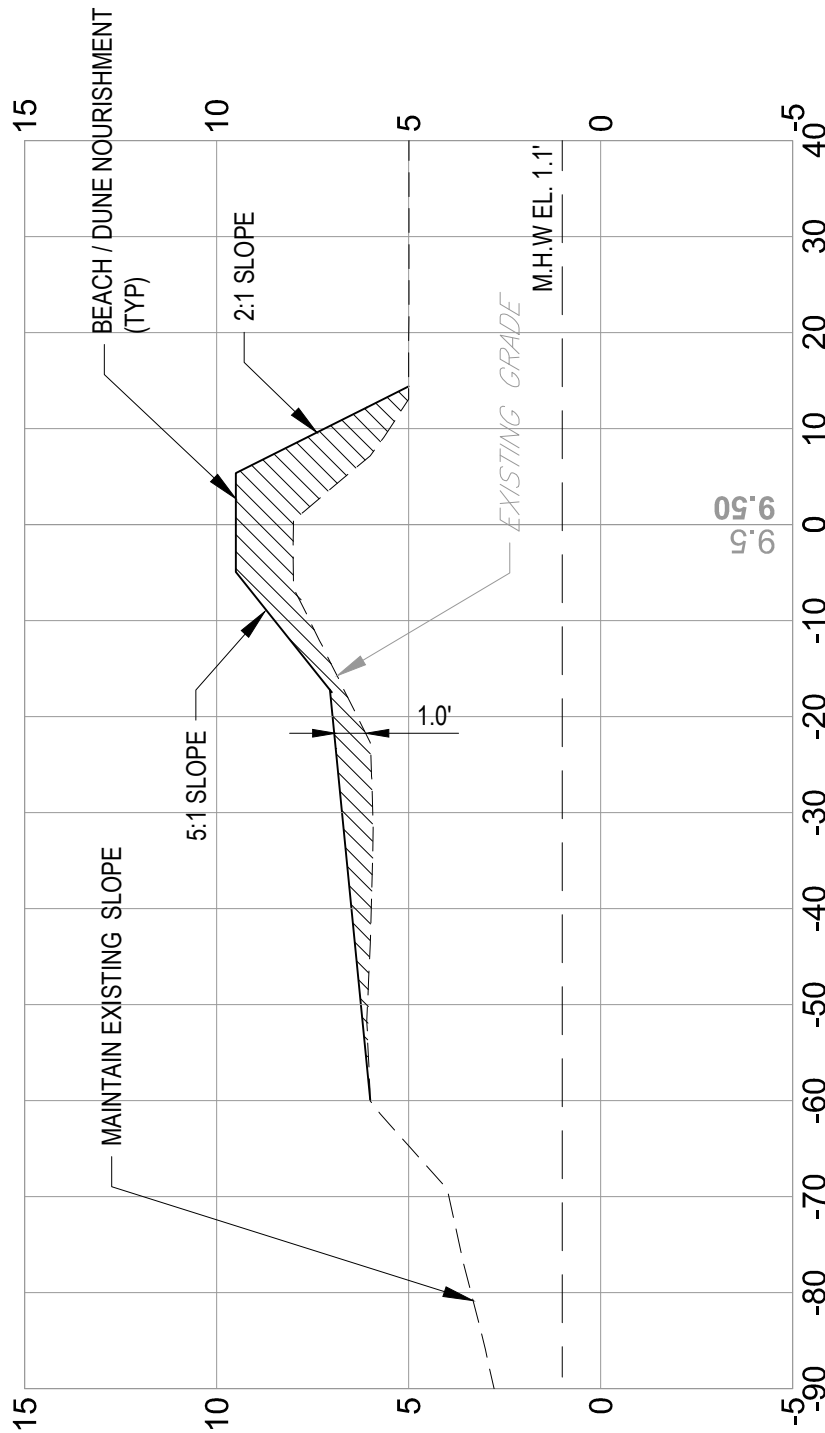


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SHEET: 9 OF 17



0 10' 20' 30'  
SCALE 1"=20' AT ORIGINAL SIZE

0 2.5' 5' 7.5'  
SCALE 1"=5' AT ORIGINAL SIZE

6 SECTION  
S7  
SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

## MENAUHANT BEACH NOURISHMENT- WEST SECTION



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PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
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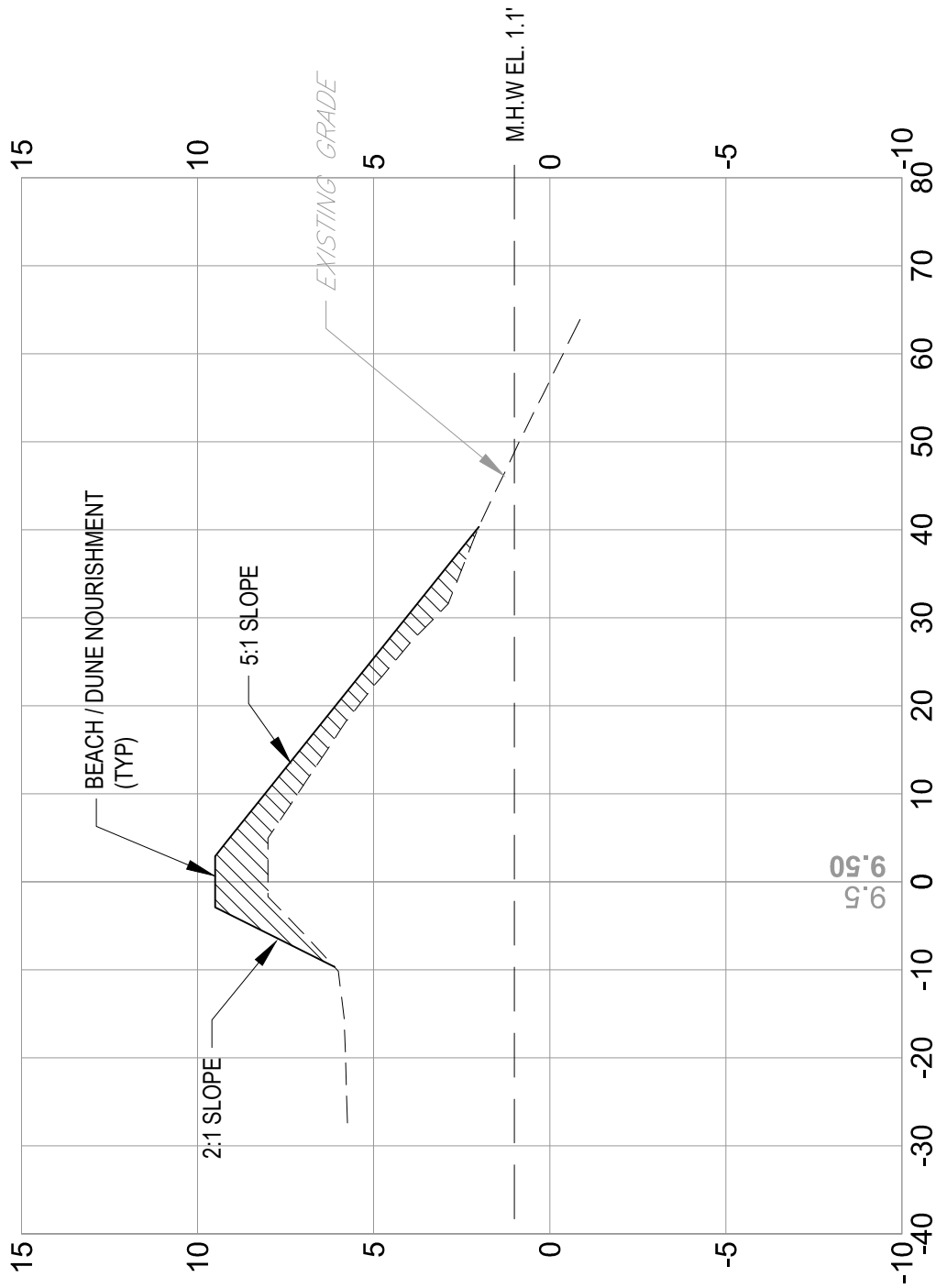


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SHEET: 10 OF 17



0 10' 20' 30'  
SCALE 1"=20' AT ORIGINAL SIZE

0 2.5' 5' 7.5'  
SCALE 1"=5' AT ORIGINAL SIZE

7 SECTION  
S8  
SCALE : 1" = 20'-0" HOR  
1" = 5'-0" VERT

## MENAUHANT BEACH NOURISHMENT- EAST SECTION



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
MASSACHUSETTS MENAUHANT ROAD BRIDGE  
REPLACEMENT PROJECT



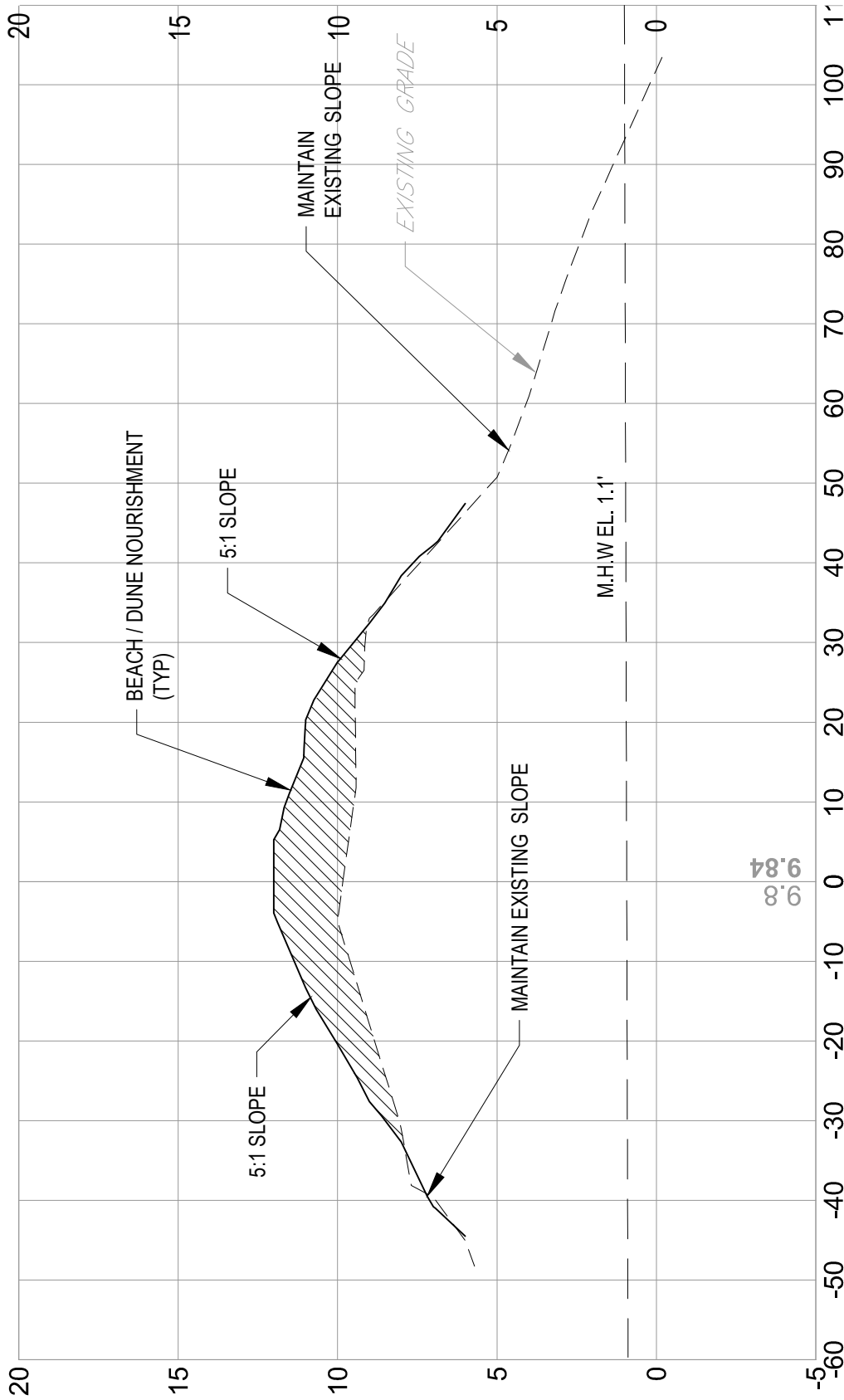
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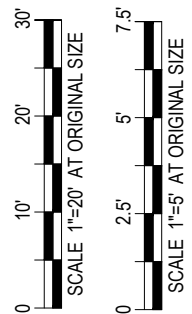
SHEET: 11 OF 17





8 SECTION  
S8

SCALE: 1" = 20'-0" HOR  
1" = 5'-0" VERT



## MENAUHANT BEACH NOURISHMENT- EAST SECTION



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
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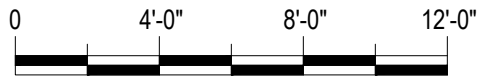


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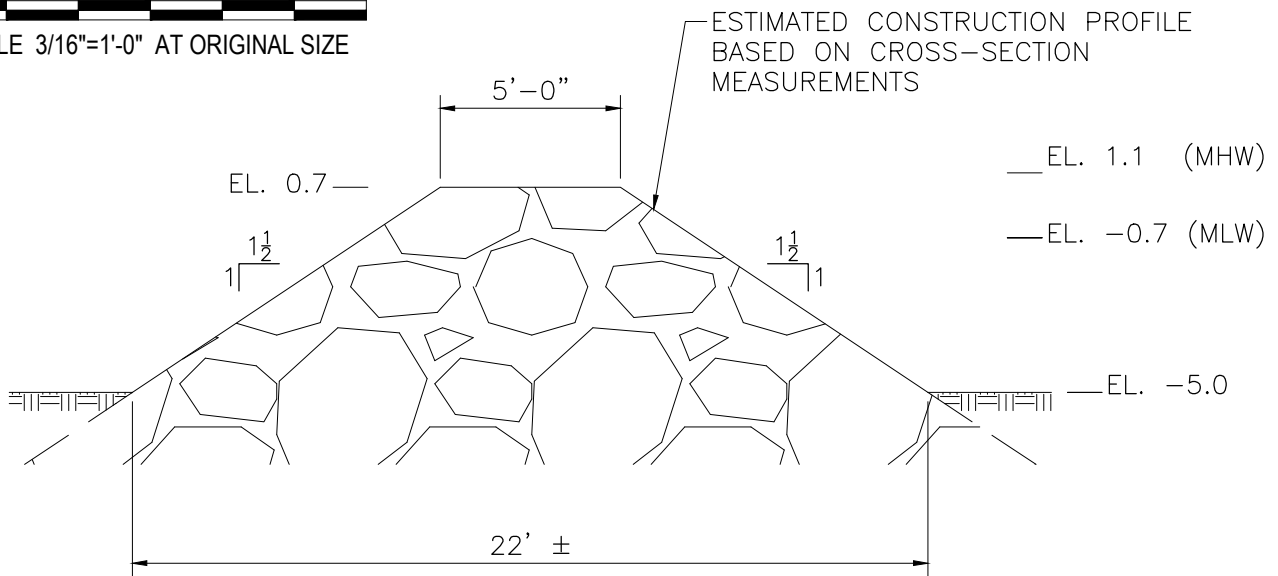
DATE: 06/13/17



SHEET: 12 OF 17

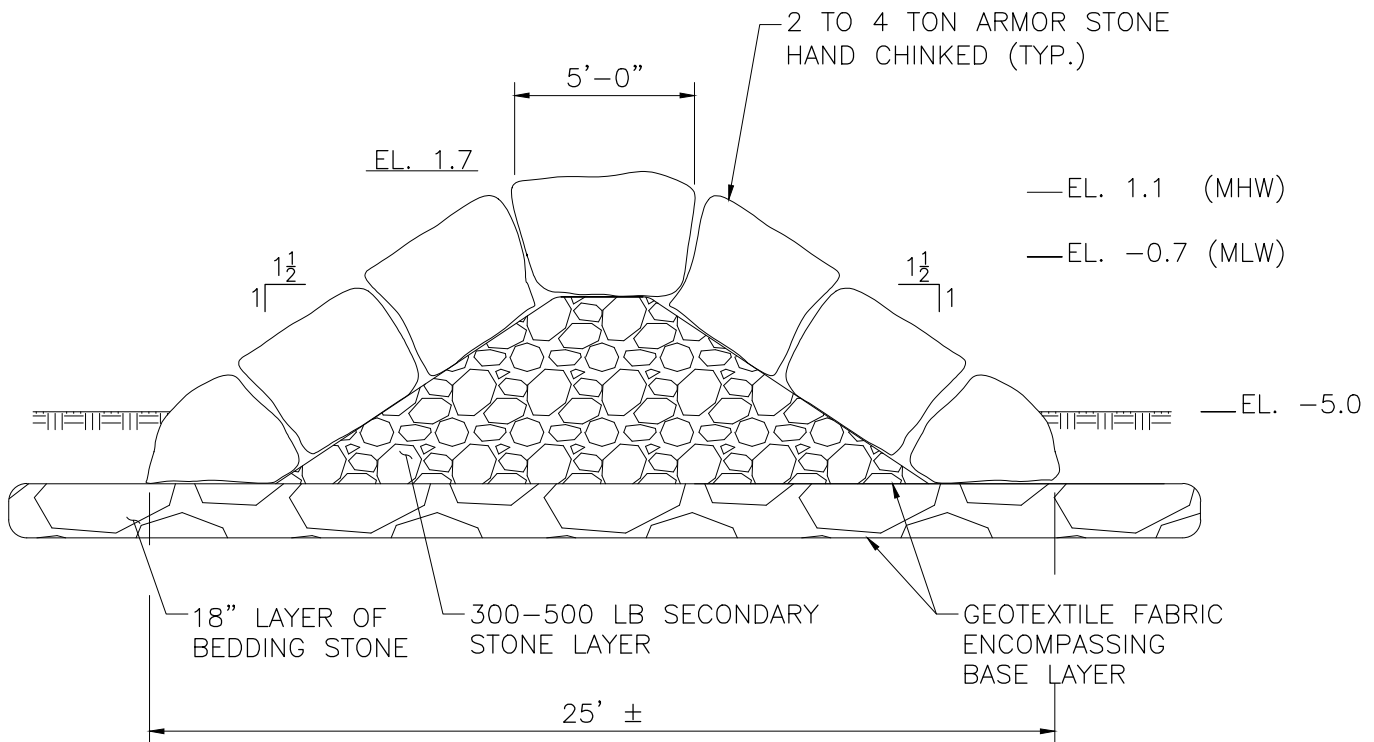


SCALE 3/16"=1'-0" AT ORIGINAL SIZE



### EXISTING CROSS-SECTION

SCALE: 3/16" = 1'-0"



### PROPOSED GROIN CROSS-SECTION

SCALE: 3/16" = 1'-0"

NOTE: VERTICAL DATUM IS NAVD 88



LATEST REVISION: 09/15/17  
PLANS ACCOMPANYING PETITION OF TOWN FALMOUTH,  
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REPLACEMENT PROJECT

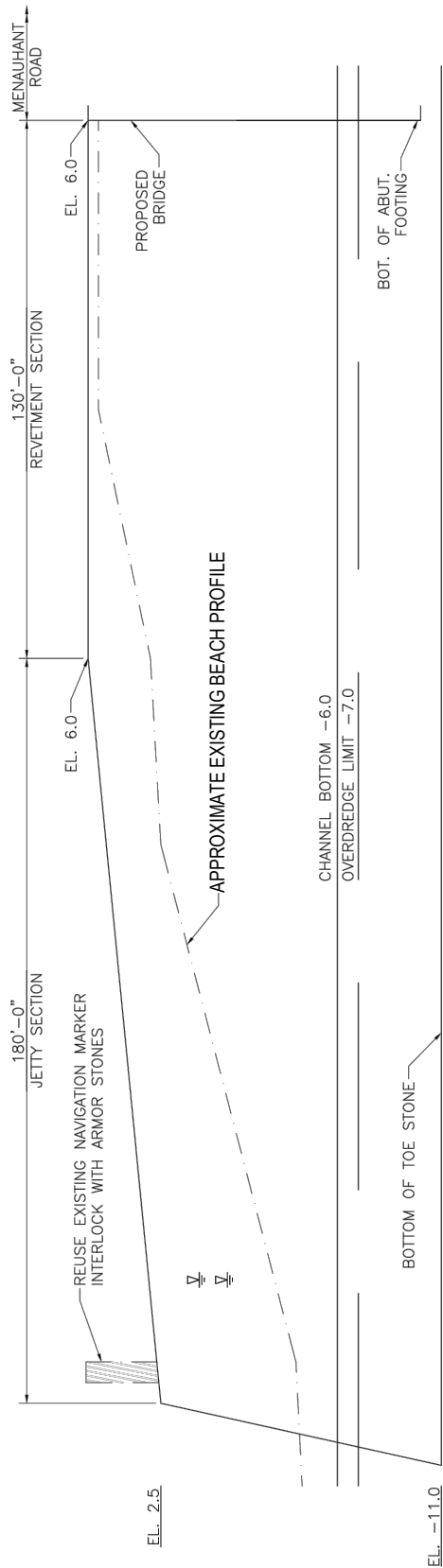


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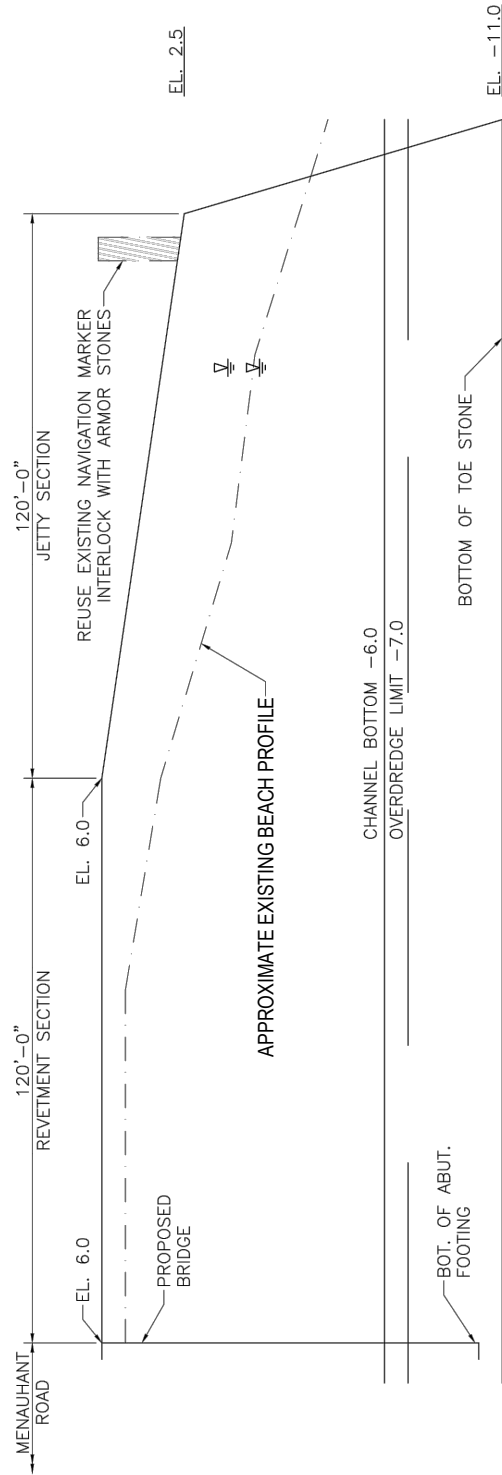
SHEET: 13 OF 17



**WEST JETTY PROFILE**  
(LOOKING WEST)

## WEST JETTY PROFILE (LOOKING WEST)

SCALE: N.T.S



## EAST JETTY PROFILE (LOOKING EAST)

SCALE: N.T.S

NOTE: VERTICAL DATUM IS NAVD 88



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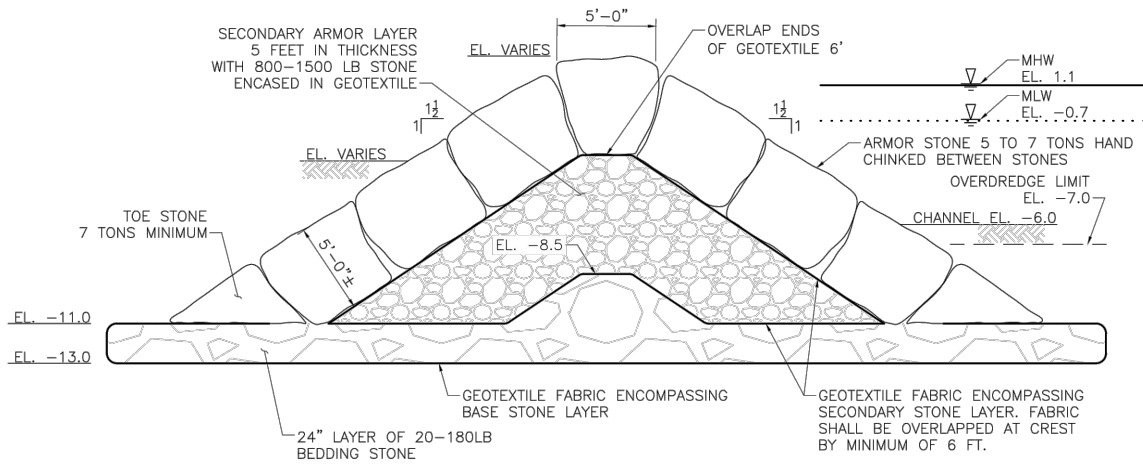


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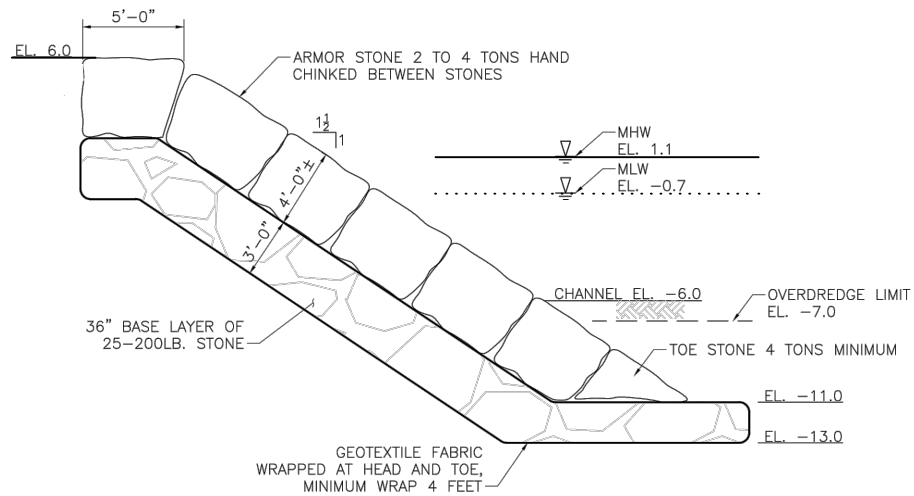
SHEET: 14 OF 17



## TYPICAL STONE JETTY SECTION

SCALE: N.T.S

NOTE: VERTICAL DATUM IS NAVD 88



## TYPICAL REVETMENT SECTION

SCALE: N.T.S



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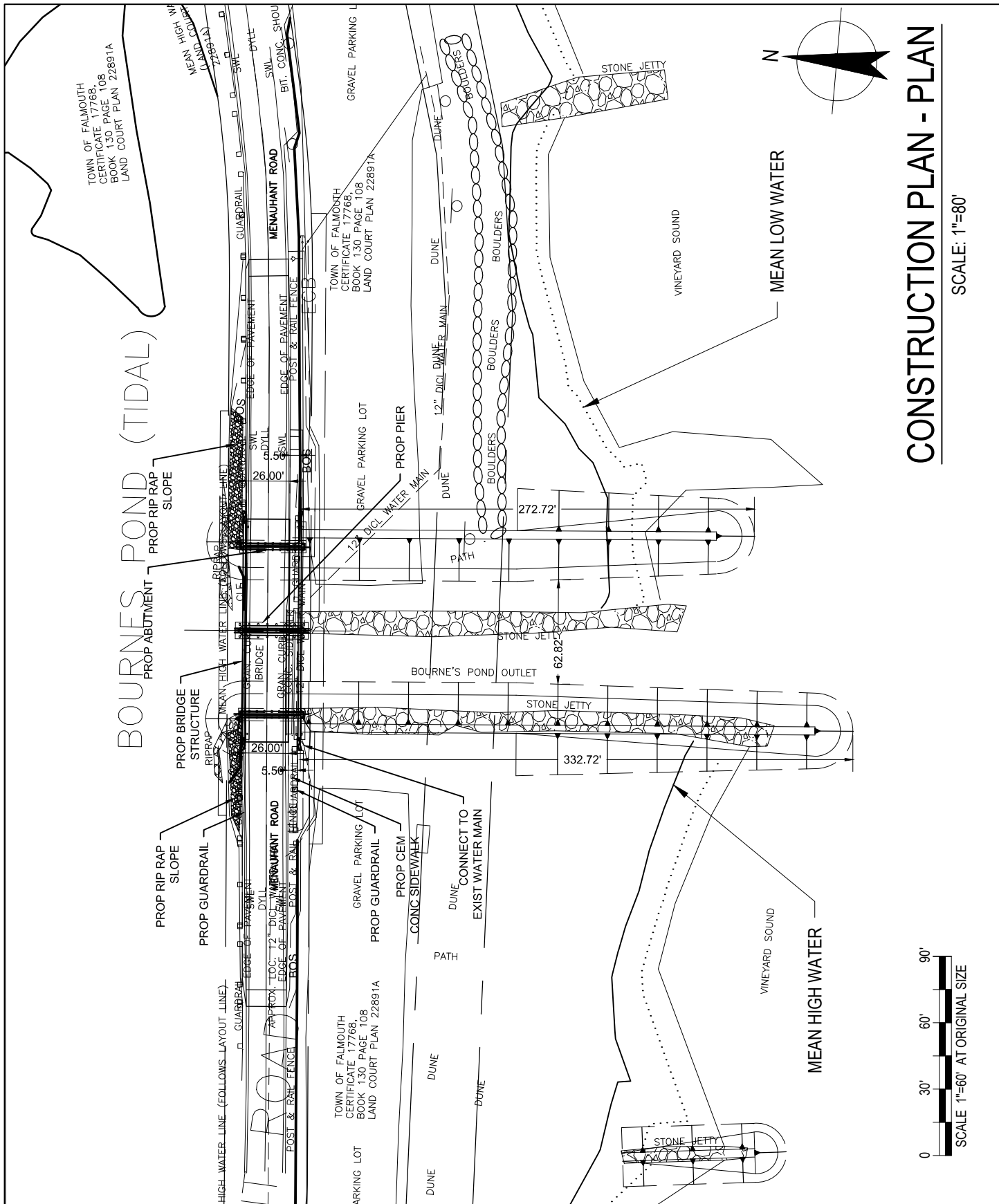


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# CONSTRUCTION PLAN - PLAN

SCALE: 1"=80'



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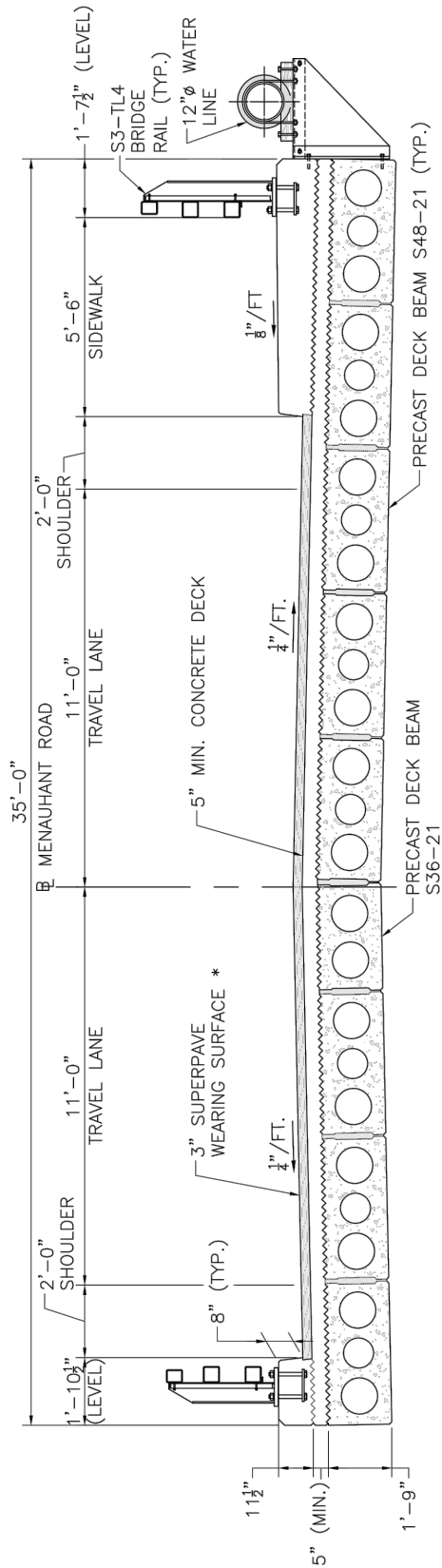


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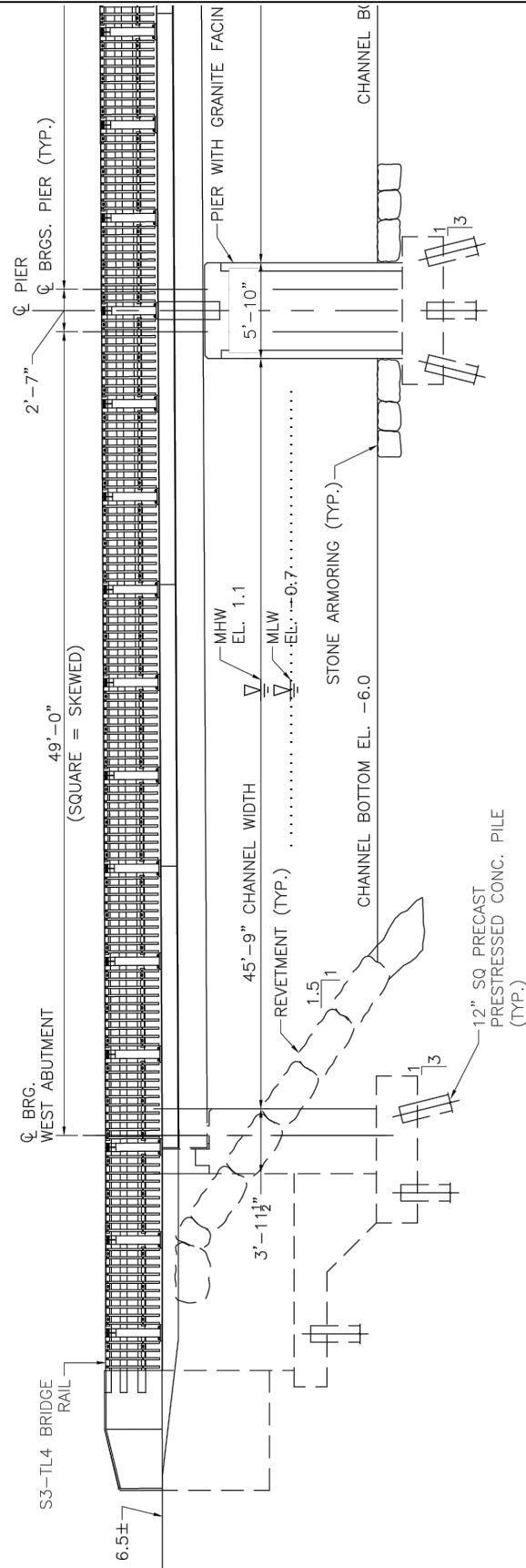


SHEET: 16 OF 17



## PROPOSED BRIDGE TRANSVERSE SECTION

SCALE: N.T.S



## PROPOSED PARTIAL BRIDGE ELEVATION

SCALE: N.T.S

NOTE: VERTICAL DATUM IS NAVD 88



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