



PUBLIC NOTICE

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

Comment Period Begins: March 7, 2017
Comment Period Ends: April 7, 2017
File Number: NAE-2002-2261
In Reply Refer To: Christine Jacek
Phone: (978) 318-8026
E-mail: Christine.M.Jacek@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Tyler Deaton of 140 Northern Avenue, LLC at 125 High Street, Boston, Massachusetts. This work is proposed in Boston Harbor at 140 Northern Avenue, Boston, Massachusetts. The site coordinates are: Latitude 42.353414, Longitude -71.041524.

The proposed project includes fill, work, and structures below the high tide line of waters of the United States in order to develop Pier 4 into a multi-use waterfront site for residential, retail, restaurant, and public open space usage.

The applicant proposes the following work, structures, and fill on the west side of Pier 4:

- The demolition and removal of the existing deteriorated timber pile supported piers.
- The removal of existing riprap as required for the installation of the new riprap revetment protection.
- Repair the existing stone wall utilizing the existing retained stone.
- The installation of a concrete foundation wall and cap stone along the line of the historic granite block seawall.
- Construct riprap protection seaward of the repaired stone wall by placing toe stones, filter fabric, filter stones, and riprap.
- Construct pile supported sea steps, decking, and piers that will extend the same distance over Boston Harbor as the current timber pile supported piers to be removed.

The applicant proposes the following work and structures on the north side of Pier 4:

- Construct a pile supported pier that will extend 40 feet over Boston Harbor where no pier structures currently exist.

The project as proposed will result in 10,136 square feet (sq. ft.) of new fill, 10,176 sq. ft. of new pile supported structures, and the installation of eighty new 14 inch steel piles.

The work is shown on the attached plans entitled "INSTALLATION OF STEEL PILE SUPPORTED TIMBER PIER, RIP RAP SLOPE PROTECTION, AND REPAIR EXISTING STONE SEAWALL," on nine (9) sheets, and dated "12/8/16."

Mitigation shall consist of payment to the Massachusetts In Lieu Fee program for aquatic resources lost as a result of the placement of 10,136 sq. ft. of fill.

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, 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 0.34 acres of Essential Fish Habitat (EFH) for those species listed on the attached table. This habitat consists of rocky intertidal shore and subtidal areas. Loss of this rocky intertidal and subtidal habitat may adversely affect the species listed on the attached table. 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 Christine Jacek at (978) 318-8026, (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.

CENAE-R
FILE NO. NAE-2002-2261

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. 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: _____

Essential Fish Habitat for NAE-2002-2261 - Pier 4 Redevelopment Project

Species	Scientific Name	Life Stage				
		Eggs	Larvae	Juvenile	Adult	All Life Stages
American Plaice	<i>Hippoglossoides platessoides</i>	X	X	X	X	X
Atlantic Butterfish	<i>Peprilus triacanthus</i>	X	X			X
Atlantic Cod	<i>Gadus morhua</i>	X	X	X	X	X
Atlantic Halibut	<i>Hippoglossus hippoglossus</i>					X
Atlantic Herring	<i>Clupea harengus</i>		X	X	X	X
Atlantic Mackerel	<i>Scomber scombrus</i>	X	X	X	X	X
Atlantic Wolffish	<i>Anarhichas lupus</i>					X
Bluefin Tuna	<i>Thunnus thynnus</i>				X	
Bluefish	<i>Pomatomus saltatrix</i>			X	X	X
Black Sea Bass	<i>Centropristis striata</i>				X	
Haddock	<i>Melanogrammus aeglefinus</i>	X	X			X
Little Skate	<i>Leucoraja erinacea</i>			X		X
Ocean Pout	<i>Zoarces americanus</i>			X	X	X
Pollock	<i>Pollachius virens</i>	X	X	X		X
Red Hake	<i>Urophycis chuss</i>	X		X	X	X
Silver Hake	<i>Merluccius bilinearis</i>	X	X	X	X	X
White Hake	<i>Urophycis tenuis</i>	X	X	X	X	X
White Shark	<i>Carcharodon carcharias</i>					X
Window Pane Flounder	<i>Scophthalmus aquosus</i>	X	X	X	X	X
Winter Flounder	<i>Psuedopleuronectes americanus</i>	X	X	X	X	X
Yellowtail Flounder	<i>Pleuronectes ferruginea</i>	X	X	X	X	X



PURPOSE: TO CONSTRUCT STEEL PILE SUPPORTED TIMBER PIER, REPAIR EXISTING STONE SEAWALL AND INSTALL RIP RAP SLOPE PROTECTION.

DATUM: BOSTON CITY BASE (BCB) = 0.0'

CHILDS ENGINEERING CORPORATION
34 WILLIAM WAY, BELLINGHAM, MA 02019

LOCUS MAP

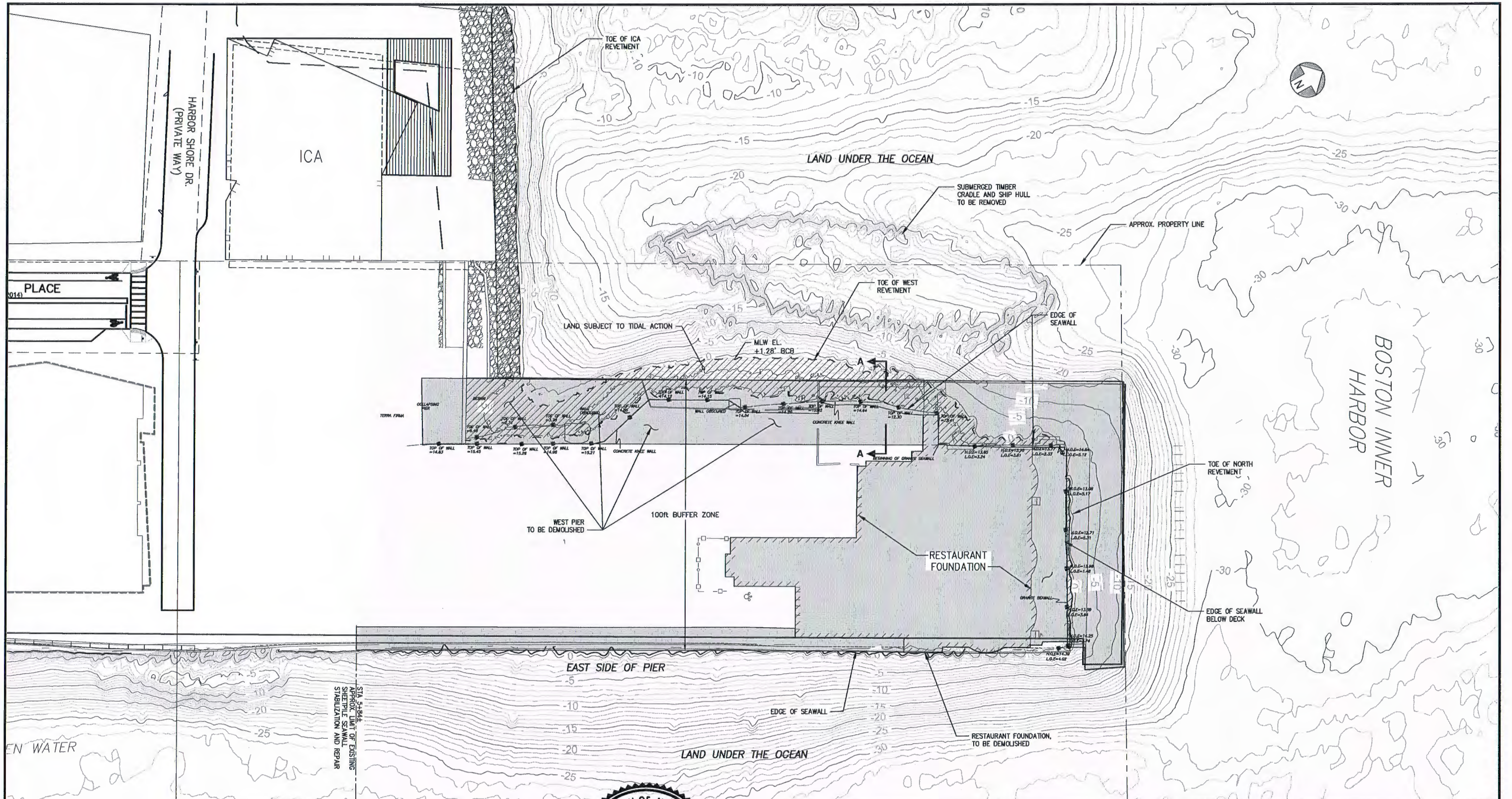
SCALE: NONE

APPLICATION BY:
140 NORTHERN AVENUE, L.L.C.
140 NORTHERN AVENUE
BOSTON, MA 02210

INSTALLATION OF STEEL PILE SUPPORTED TIMBER PIER, RIP RAP SLOPE PROTECTION, AND REPAIR EXISTING STONE SEAWALL

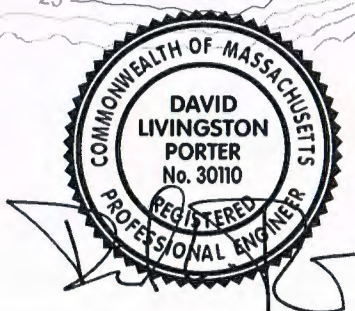
IN: SOUTH BOSTON
AT: PIER 4
COUNTY: SUFFOLK STATE: MA

SHEET 1 OF 9 DATE: 12/08/16



EN WATER

STA 5+84.6
APPROX. LIMIT OF EXISTING
SHEETPILE SEAWALL
STABILIZATION AND REPAIR



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SITE PLAN

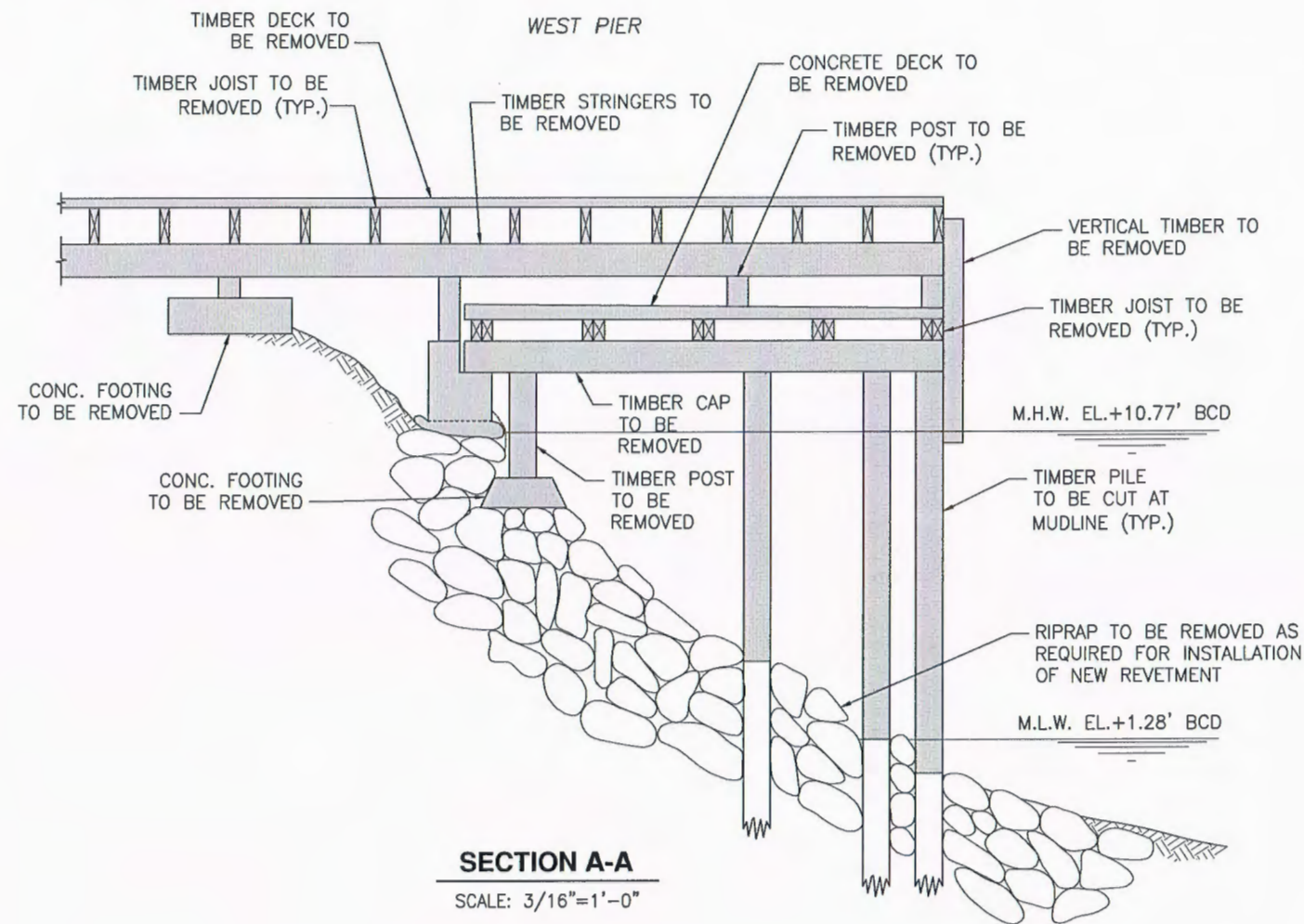
60 30 0 60
SCALE IN FEET

APPLICATION BY:
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INSTALLATION OF STEEL PILE SUPPORTED TIMBER PIER, RIP RAP SLOPE PROTECTION, AND REPAIR EXISTING STONE SEAWALL

IN: SOUTH BOSTON
AT: PIER 4
COUNTY: SUFFOLK STATE: MA

SHEET 2 OF 9 DATE: 12/08/16



SECTION A-A

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

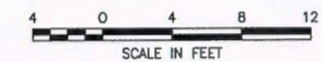


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EXISTING SECTION A-A

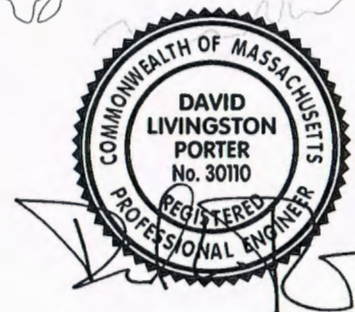
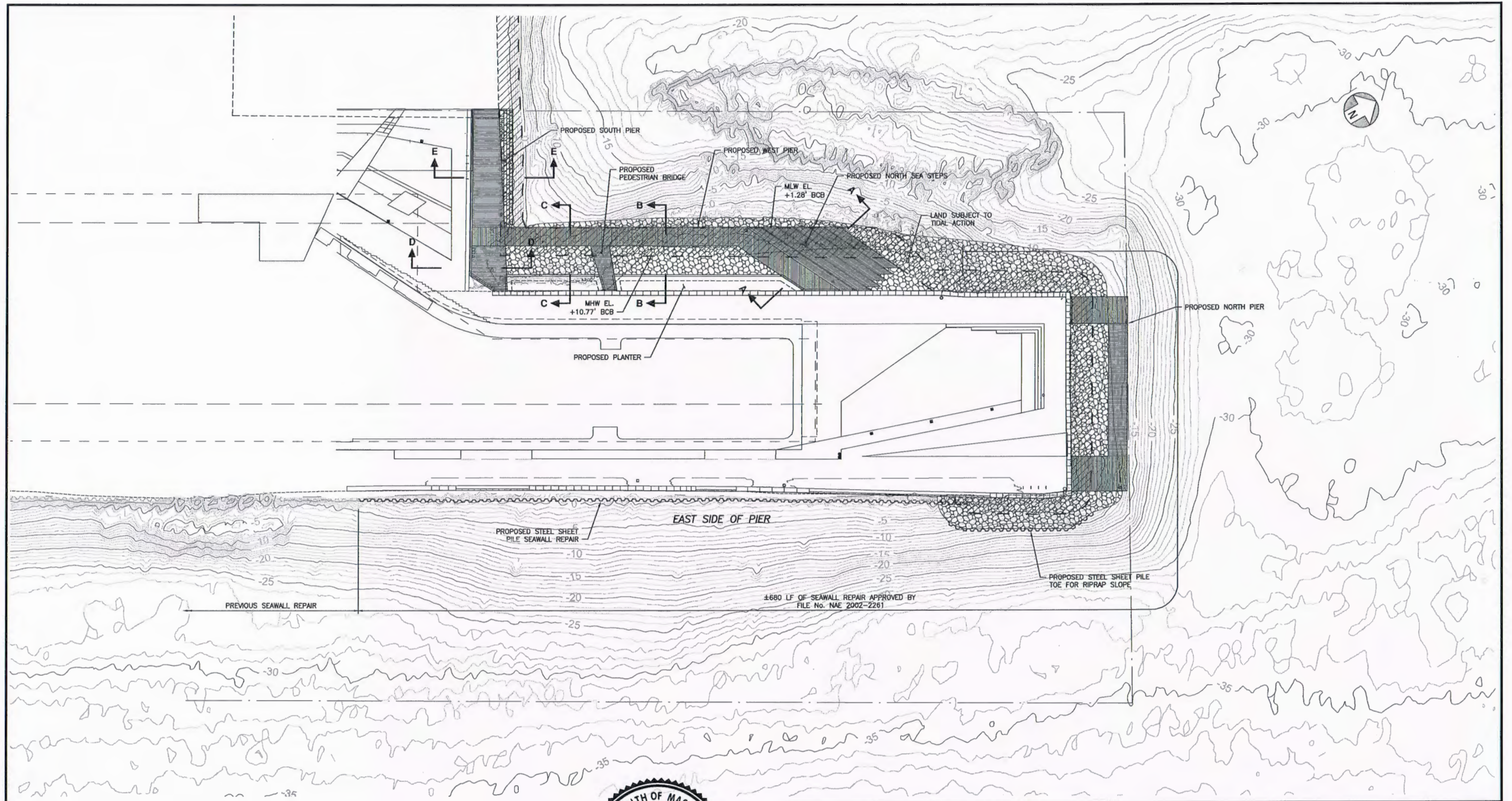


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IN: SOUTH BOSTON
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SHEET 3 OF 9 DATE: 12/08/16



PURPOSE: TO CONSTRUCT STEEL PILE SUPPORTED TIMBER PIER, REPAIR EXISTING STONE SEAWALL AND INSTALL RIP RAP SLOPE PROTECTION.

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PROPOSED PLAN

60 30 0 60
SCALE IN FEET

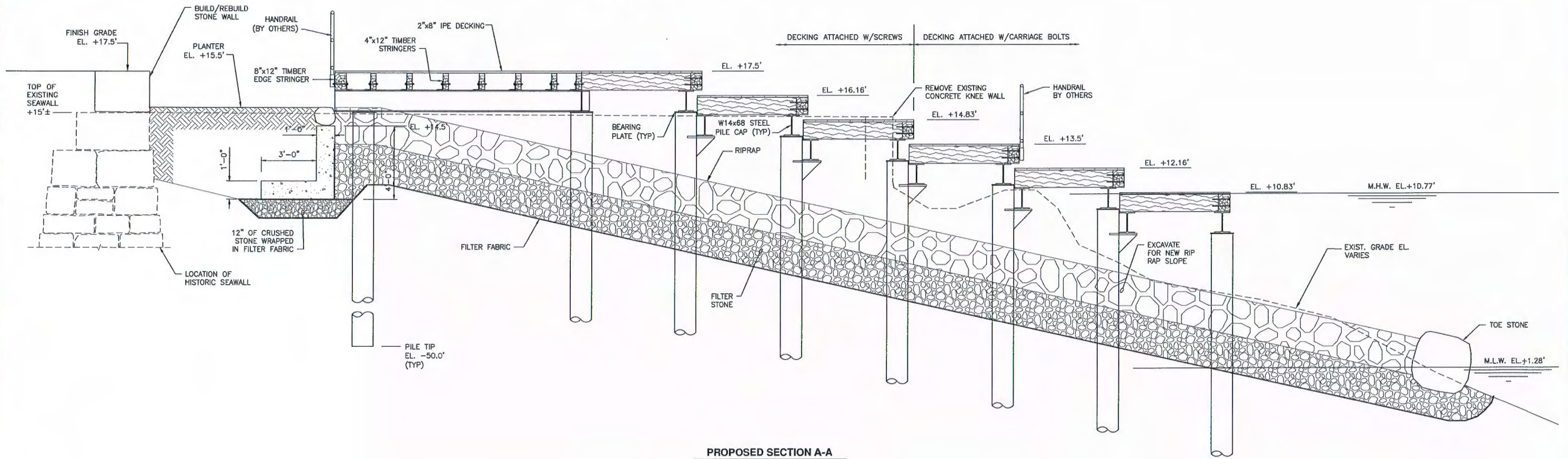
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SHEET 4 OF 9 DATE: 12/08/16

WEST SIDE OF PIER

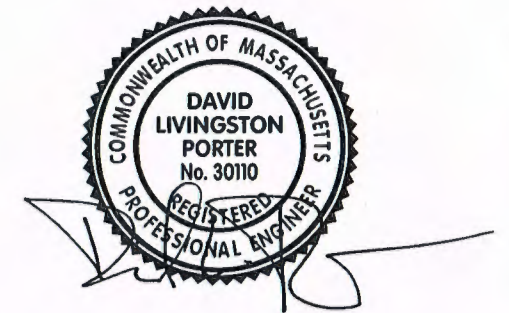


PROPOSED SECTION A-A

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

SEAWALL CAP STONE AND RIP RAP PLACEMENT SHALL FOLLOW THE FOLLOWING SEQUENCE:

1. EXCAVATE EXISTING SOIL/DEMOLISH EXISTING CONCRETE AND OLD PIER ELEMENTS TO PROPOSED RIP RAP SLOPE SUBGRADE AS SHOWN ON THE DRAWINGS.
2. PLACE TOE STONE.
3. INSTALL PILES FOR FIXED PIERS.
4. PLACE FILTER FABRIC, FILTER STONE AND RIP RAP (DUMPED APPEARANCE).
5. REBUILD STONE SEAWALL WITH EXISTING STONE FROM SITE. SEE LANDSCAPE DRAWINGS FOR FINISH ELEVATIONS, CAP STONE DIMENSIONS AND FINISH.
6. AT PLANTER LOCATIONS INSTALL CANTILEVERED CONCRETE WALL TO FORM OUTSHORE SIDE OF PLANTER.

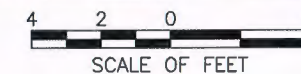


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PROPOSED SECTION A-A

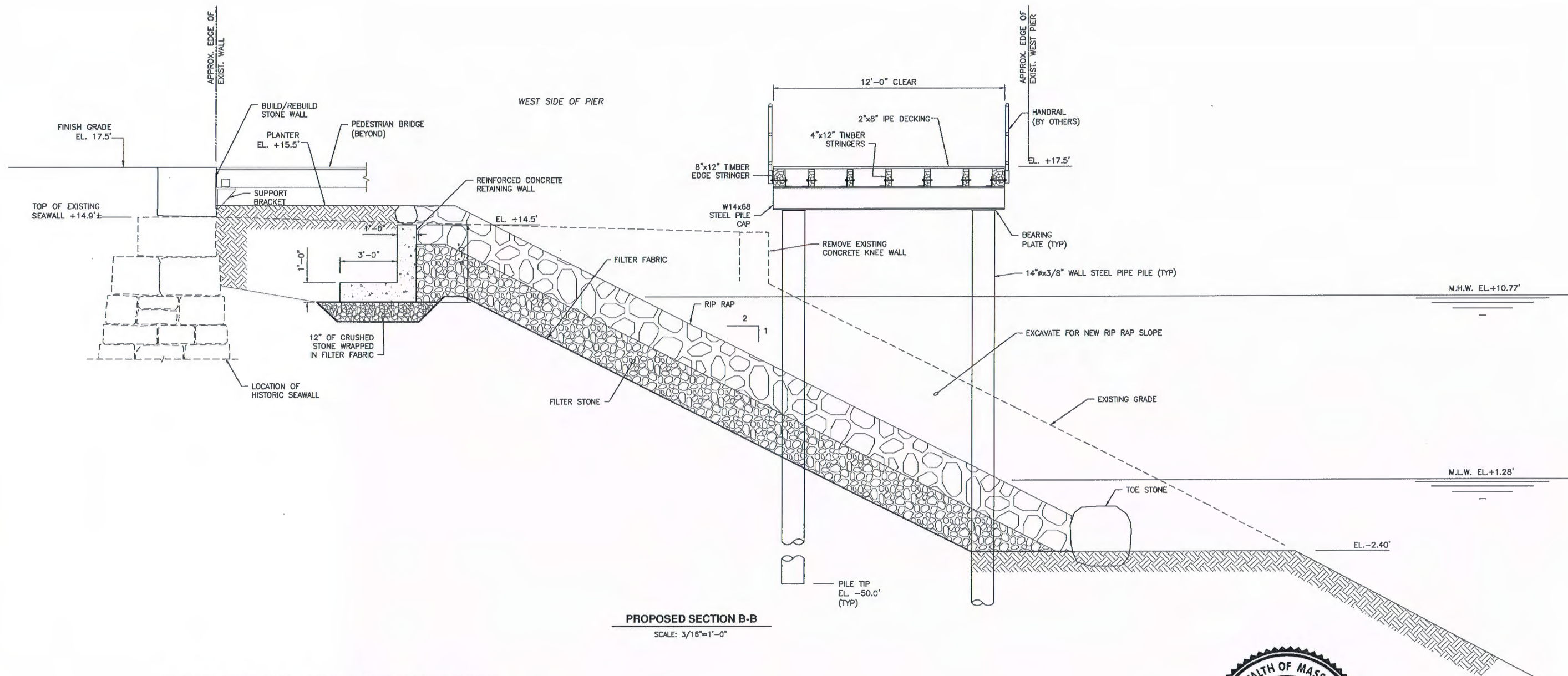


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IN: SOUTH BOSTON
 AT: PIER 4
 COUNTY: SUFFOLK STATE: MA

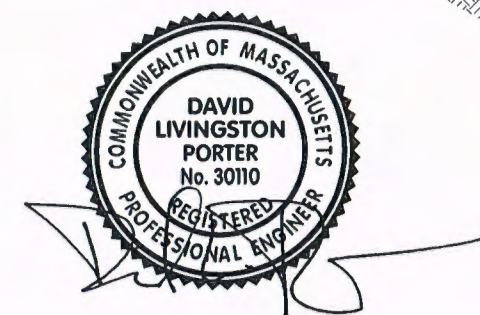
SHEET 5 OF 9 DATE: 12/08/16



PROPOSED SECTION B-B
SCALE: 3/16"=1'-0"

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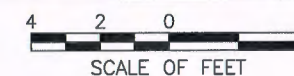


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PROPOSED SECTION B-B

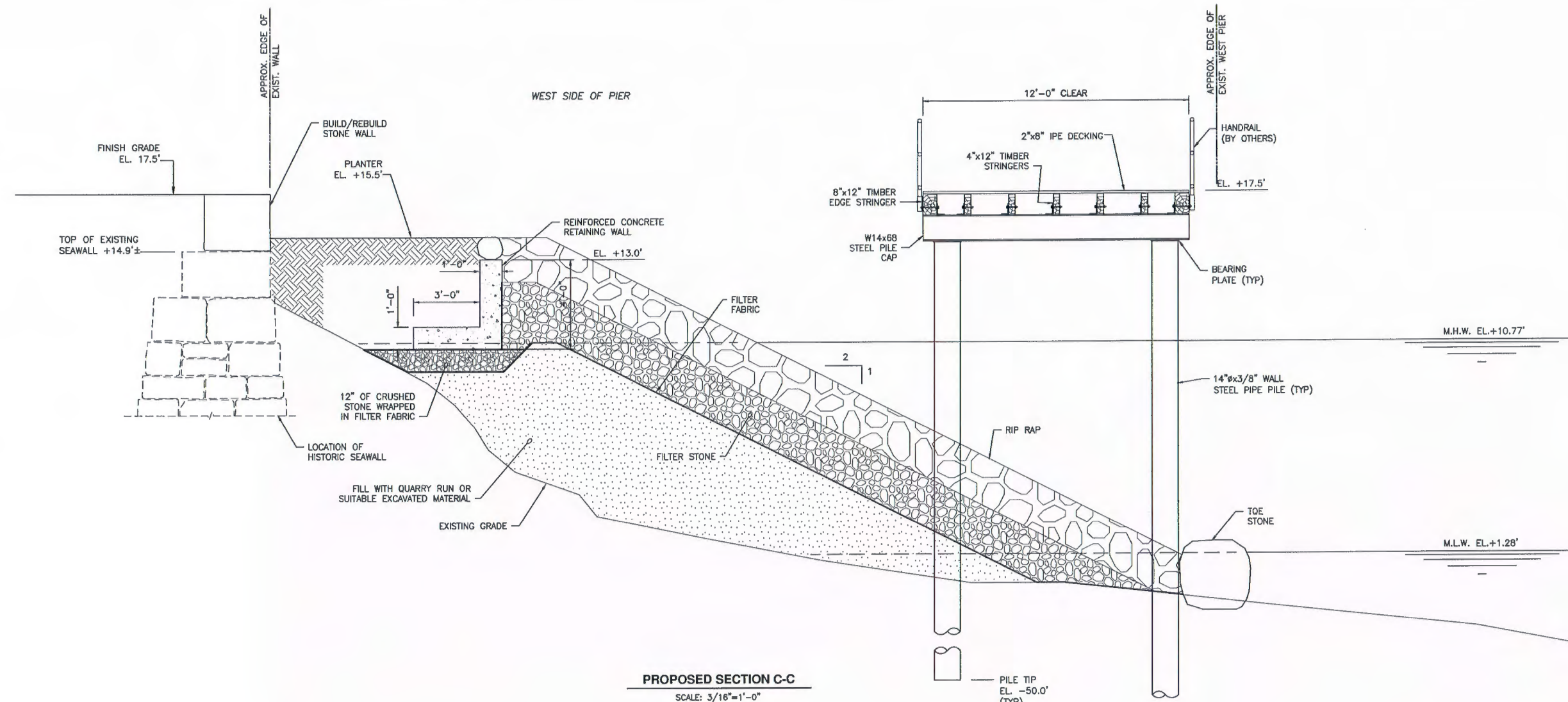


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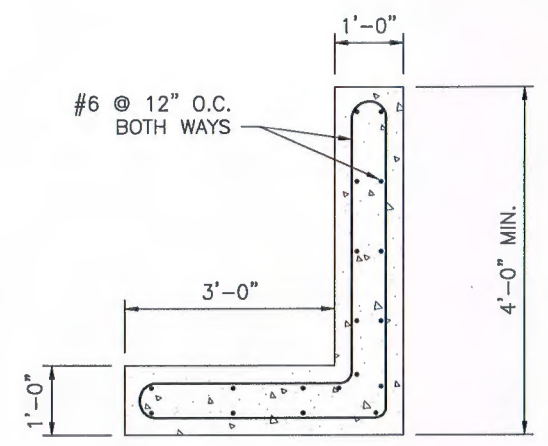
INSTALLATION OF STEEL PILE SUPPORTED TIMBER PIER, RIP RAP SLOPE PROTECTION, AND REPAIR EXISTING STONE SEAWALL

IN: SOUTH BOSTON
AT: PIER 4
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SHEET 6 OF 9 DATE: 12/08/16

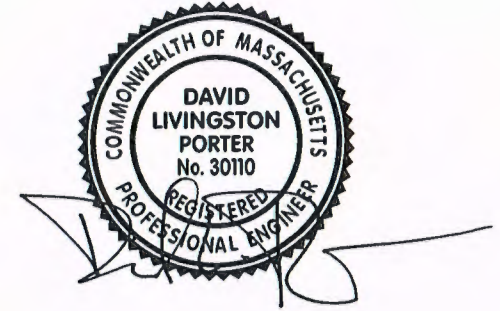


PROPOSED SECTION C-C
SCALE: 3/16"=1'-0"



TYPICAL PLANTER WALL
SCALE: 3/8"=1'-0"

- SEAWALL CAP STONE AND RIP RAP PLACEMENT SHALL FOLLOW THE FOLLOWING SEQUENCE:
1. DEMOLISH EXISTING CONCRETE AND OLD PIER ELEMENTS AND PLACE FILL TO PROPOSED RIP RAP SLOPE SUBGRADE AS SHOWN ON THE DRAWINGS.
 2. PLACE TOE STONE.
 3. INSTALL PILES FOR FIXED PIERS.
 4. PLACE FILTER FABRIC, FILTER STONE AND RIP RAP (DUMPED APPEARANCE).
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PROPOSED SECTION C-C

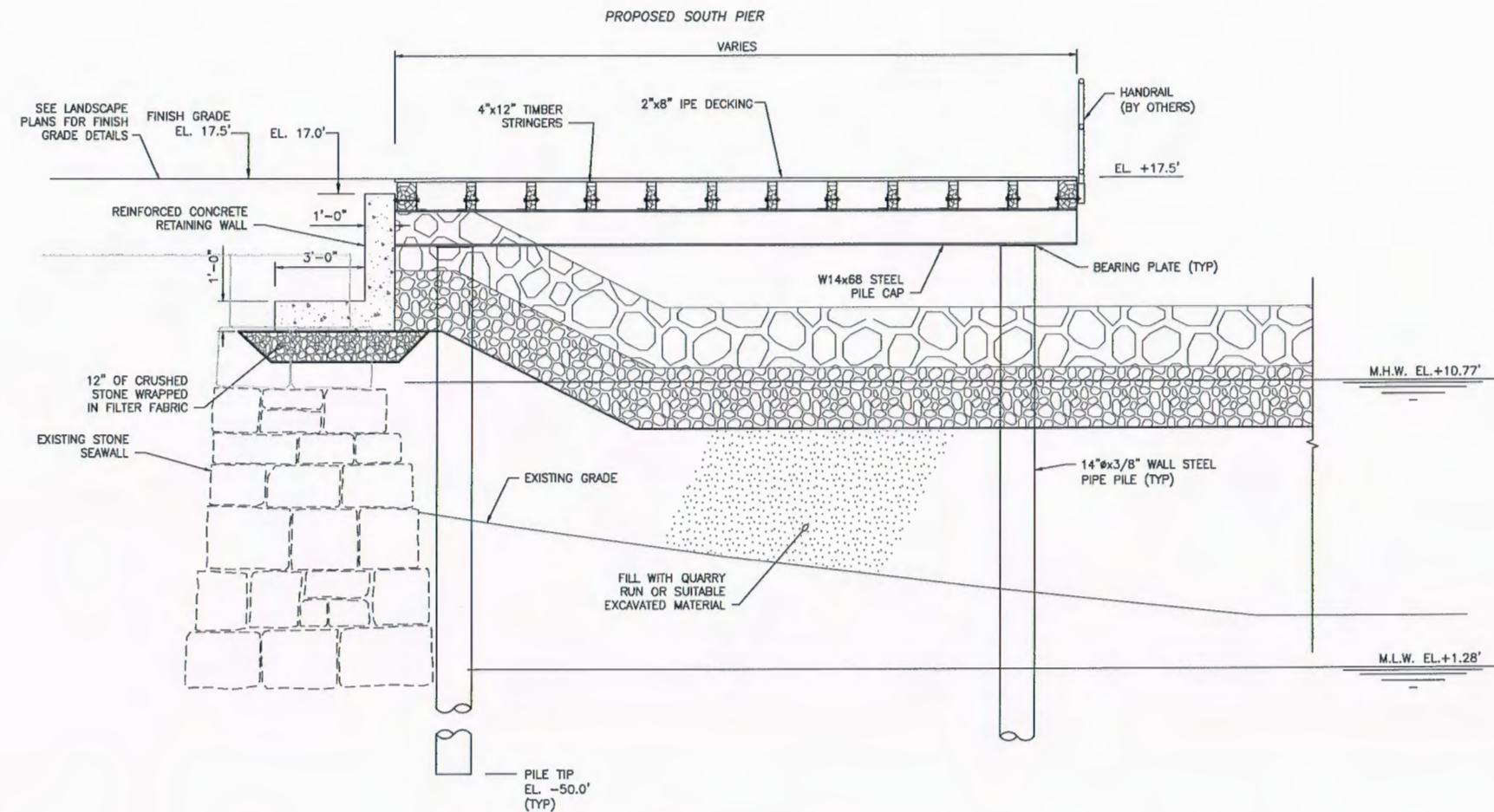
SCALE OF FEET

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IN: SOUTH BOSTON
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SHEET 7 OF 9 DATE: 12/08/16



PROPOSED SECTION D-D
SCALE: 3/16"=1'-0"

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1. DEMOLISH EXISTING CONCRETE AND OLD PIER ELEMENTS. FILL EXISTING VOID WITH SUITABLE MATERIAL AND COMPACT PER SITE GEOTECHNICAL SPECIFICATIONS.
2. INSTALL PILES FOR FIXED PIERS.
3. PLACE TOE STONE.
4. PLACE FILTER FABRIC, FILTER STONE AND RIP RAP (PLACED TO LOOK LIKE ICA RIP RAP).
5. INSTALL CONCRETE FOUNDATION WALL AND INSTALL CAP STONE ALONG THE LINE OF THE HISTORIC SEAWALL.
6. SEE LANDSCAPE DRAWINGS FOR CAPSTONE DETAILS AND FINISH ELEVATIONS (GRADES).

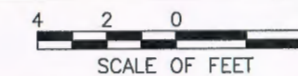


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PROPOSED SECTION D-D

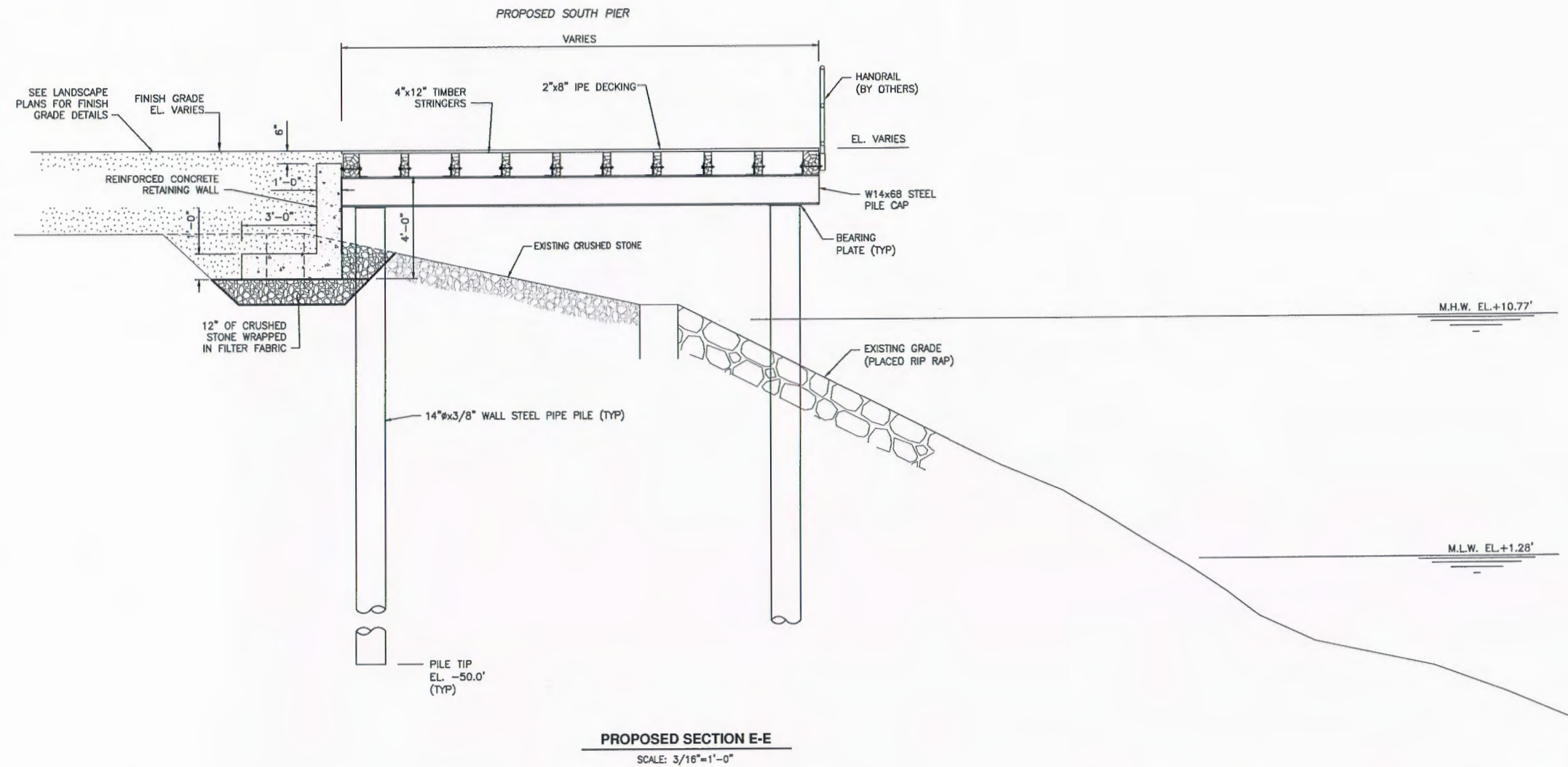


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INSTALLATION OF STEEL PILE SUPPORTED TIMBER PIER, RIP RAP SLOPE PROTECTION, AND REPAIR EXISTING STONE SEAWALL

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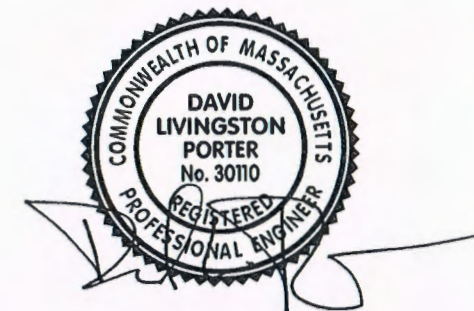
SHEET 8 OF 9 DATE: 12/08/16



PROPOSED SECTION E-E
SCALE: 3/16"=1'-0"

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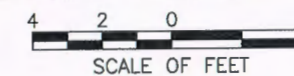


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PROPOSED SECTION E-E



SCALE OF FEET

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