



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

PUBLIC NOTICE

Comment Period Begins: October 25, 2016
Comment Period Ends: November 23, 2016
File Number: NAE-2011-1511
In Reply Refer To: Kevin R. Kotelly, P.E.
Phone: (978) 318-8703
E-mail: kevin.r.kotelly@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States as described below.

APPLICANT

The Town of Edgartown, Massachusetts

PROPOSED WORK AND PURPOSE

This is a revised public notice to incorporate additional beach nourishment into an existing Corps permit issued on September 18, 2014. The additional beach nourishment will consist of an expansion of the existing Fuller Street/Lighthouse Beach footprint. The expanded beach nourishment includes two Town of Edgartown-owned parcels that comprise a portion of Fuller Street/Lighthouse Beach and two privately-owned properties located immediately north of Fuller Street (15 Gaines Way and 94 Fuller Street). The expanded beach nourishment area per property would be Fuller Street/Lighthouse Beach = 137,322 square feet (SF), 94 Fuller Street = 13,202 SF, and 15 Gaines Way = 30,970 SF. The source of the beach nourishment material would be from previously permitted Edgartown maintenance dredging sites or a compatible upland sand source. The rest of the project remains the same as in the permit description below.

Description of Corps Permit issued on September 18, 2014

Dredging and the discharge of dredged material below the high tide line of waters of the United States for the maintenance dredging and beach nourishment of several sites in the Town of Edgartown, Massachusetts, in order to maintain navigation within multiple waterways and the nourishment of multiple beaches in the Town. A total volume of approximately 200,000 cubic yards of sand and silt material would be removed by both mechanical and hydraulic means and disposed of below and above the high tide line of approximately 18 acres of Town beaches. The maintenance dredging sites include the following: Cape Pogue Bay (The Gut, The Narrows, and Dike Bridge Approach); Edgartown Harbor and Eel Pond (Eel Pond Boat Channel and Boat Ramp, Lighthouse Point, Inner Harbor, Collins Beach, Caleb's Pond); Katama Bay Boat Ramp and Channel; Great Pond (Great Pond Channel, Sluiceway Approach, and Herring Creek Restoration Sites); Sengekontacket Pond (Borrow Site #1 and Sengekontacket Pond Inner Channel); and Little Bridge-North Inlet Channel. The beach nourishment sites include the following: Cape Pogue Bay (Cape Pogue Elbow, North Gut, The Narrows – Over Sand Roads and Nantucket Sound Beach, and Dike Bridge Over Sand Roads); Edgartown Harbor and Eel Pond (Eel Pond Spit, Lighthouse (Fuller) Beach, Private Property Sites A-F, and the Froelich Property); Great Pond (South Beach, Great Pond Delta, and Wilson's Landing and Beach Area); Sengekontacket Pond (Sylvia State Beach, Bend in the Road Beach, Cow Bay Beach, Pay Beach, and Inkwell Beach).

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The purpose of this permit review is to bring all of the Town's dredging and beach nourishment maintenance activities under one comprehensive permit. This will give the Town the flexibility they need to dredge and nourish the highest priority areas and allow for effective and efficient use of Town resources. The permit will be valid for 10 years. The work locations are shown on the enclosed location plans entitled, "Dredging and Beach Nourishment Locations, Edgartown, Massachusetts," on 7 sheets. Detail plans are available for each work location by request.

MITIGATION

The various dredging and beach nourishment sites have been designed to avoid and minimize impacts to aquatic resources as much as possible. The proposed plan is for typical dredging and beach nourishment of sand. The Corps determined the dredge material to be suitable for beach nourishment at all locations. The beneficial reuse of good quality sand is a part of the project. No compensatory mitigation is proposed.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in several waterways and beach areas in the Town of Edgartown, Massachusetts. The location of the Town of Edgartown, Massachusetts, on the USGS Edgartown quadrangle sheet is at Latitude 41°24'1" N and Longitude 70°35'37" 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

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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).

The dredging portion of this project will impact approximately 40 acres and the beach nourishment portion of this project will impact approximately 18 acres of Essential Fish Habitat (EFH) for various life stages of Atlantic cod (*Gadus morhua*), winter flounder (*Pseudopleuronectes americanus*), 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*), cobia (*Rachycentron canadum*), blue shark (*Prionace glauca*), shortfin mako shark (*Isurus oxyrinchus*), sandbar shark (*Carcharhinus plumbeus*), and bluefin tuna (*Thunnus thynnus*). Habitat at this site can be described as subtidal silt and 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 determination that, with the inclusion of special conditions to the permit, the proposed activity will be performed in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat.

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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:

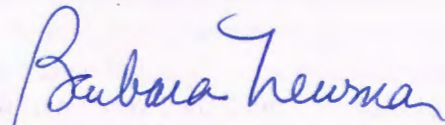
- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Kevin Kotelly at (978) 318-803, (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. 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.

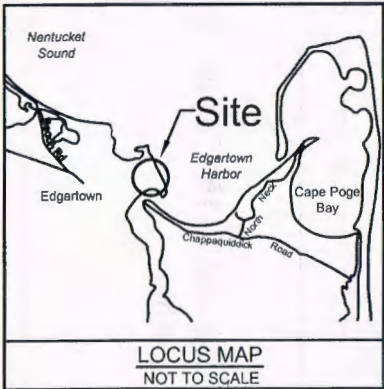
NAME: _____
ADDRESS: _____
PHONE: _____



The Woods Hole Group
 81 Technology Park Drive
 E. Falmouth, MA 02536

Town of Edgartown
 Fuller St Beach, 94 Fuller St & 15 Gaines Wy
 Edgartown, Massachusetts

USGS Map - Edgartown

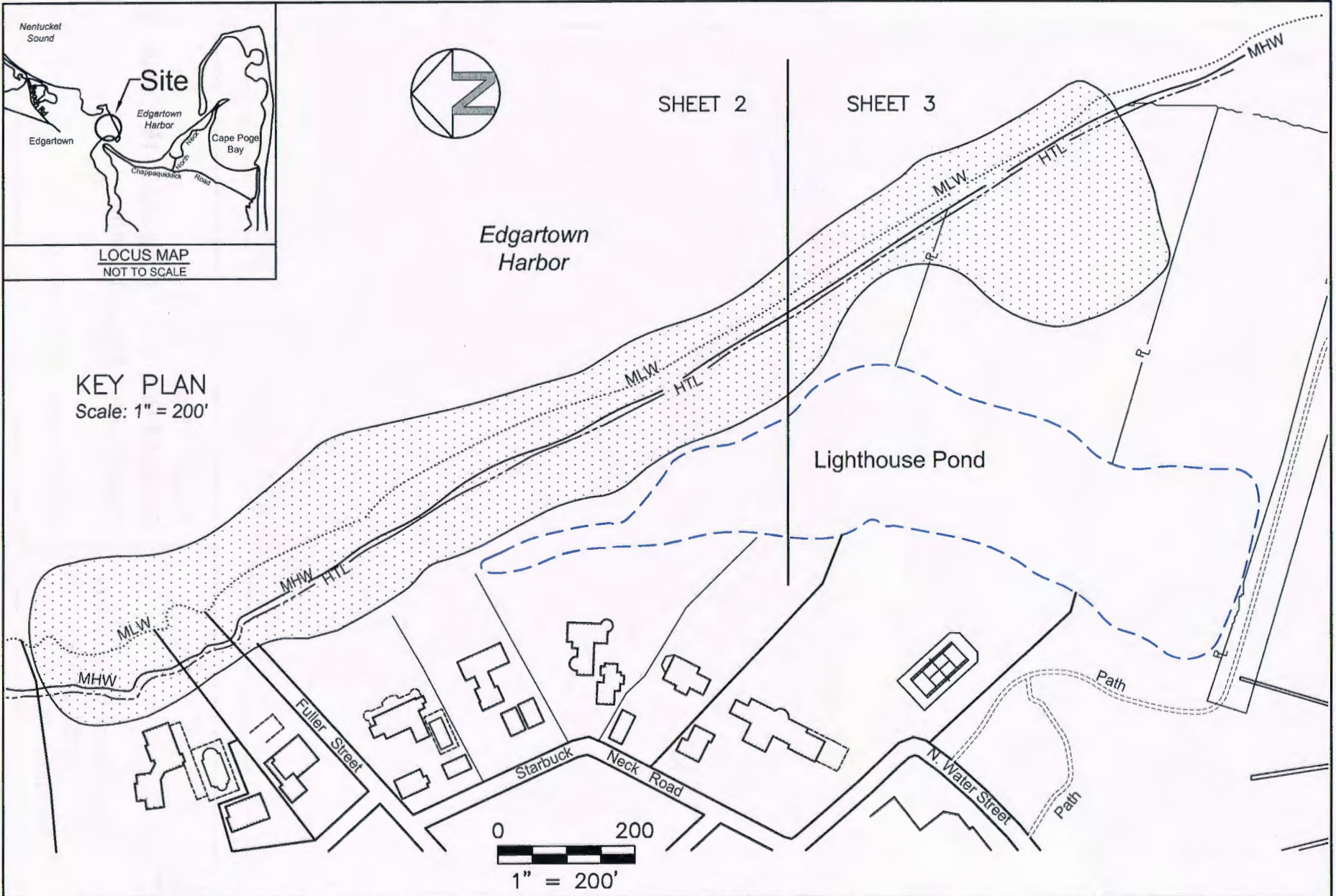


SHEET 2

SHEET 3

Edgartown Harbor

KEY PLAN
Scale: 1" = 200'



WOODS HOLE GROUP

81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536
TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

TITLE:
Fuller Street Beach
Proposed Dune and
Beach Restoration

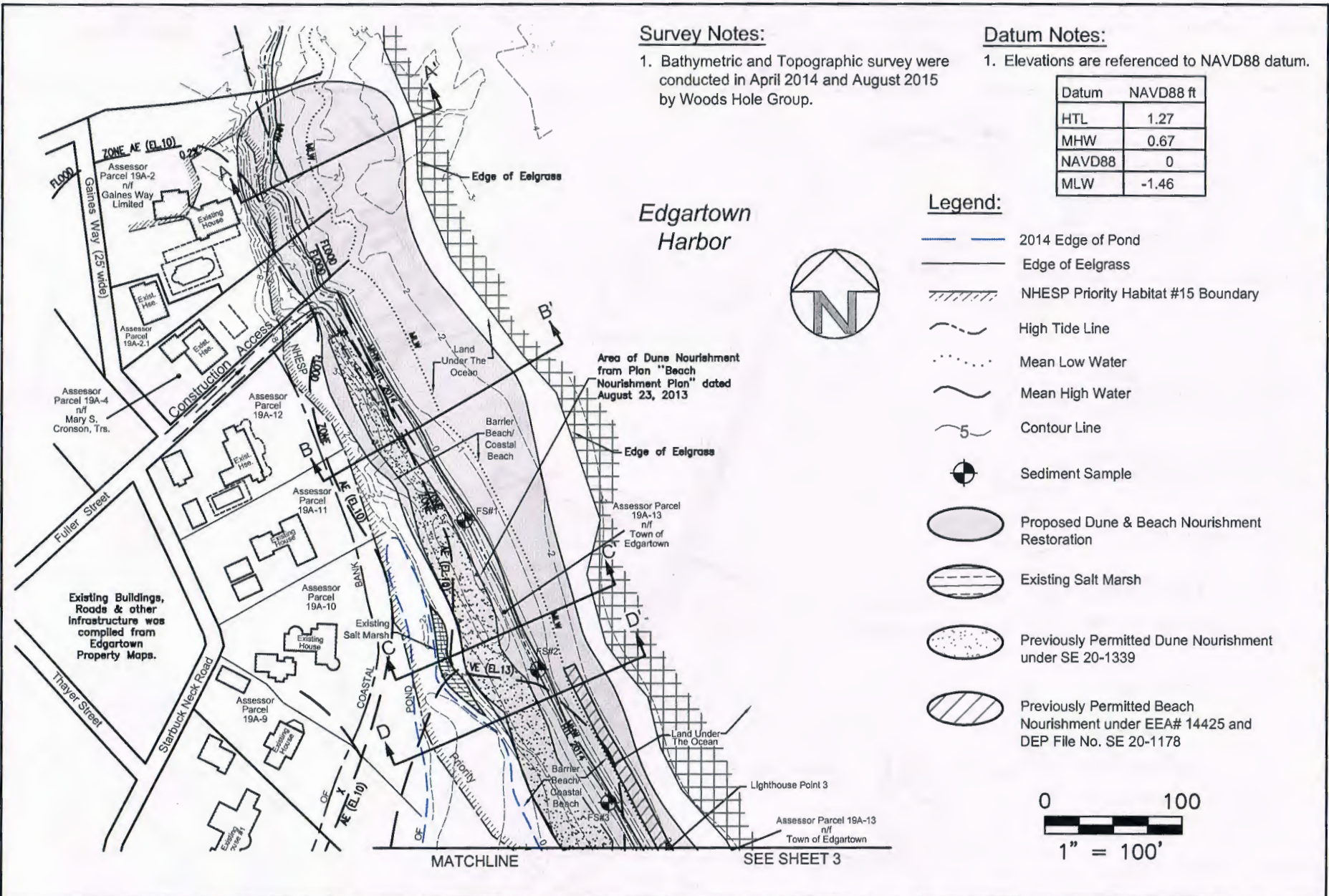
APPLICATION BY:
TOWN OF EDGARTOWN

TOWN: EDGARTOWN
COUNTY: DUKES
STATE: MA

SHEET 1 OF 11

DATE: June 7, 2016

REVISED:



Survey Notes:

1. Bathymetric and Topographic survey were conducted in April 2014 and August 2015 by Woods Hole Group.

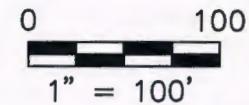
Datum Notes:

1. Elevations are referenced to NAVD88 datum.

Datum	NAVD88 ft
HTL	1.27
MHW	0.67
NAVD88	0
MLW	-1.46

Legend:

- 2014 Edge of Pond
- Edge of Eelgrass
- NHESP Priority Habitat #15 Boundary
- High Tide Line
- Mean Low Water
- Mean High Water
- Contour Line
- Sediment Sample
- Proposed Dune & Beach Nourishment Restoration
- Existing Salt Marsh
- Previously Permitted Dune Nourishment under SE 20-1339
- Previously Permitted Beach Nourishment under EEA# 14425 and DEP File No. SE 20-1178



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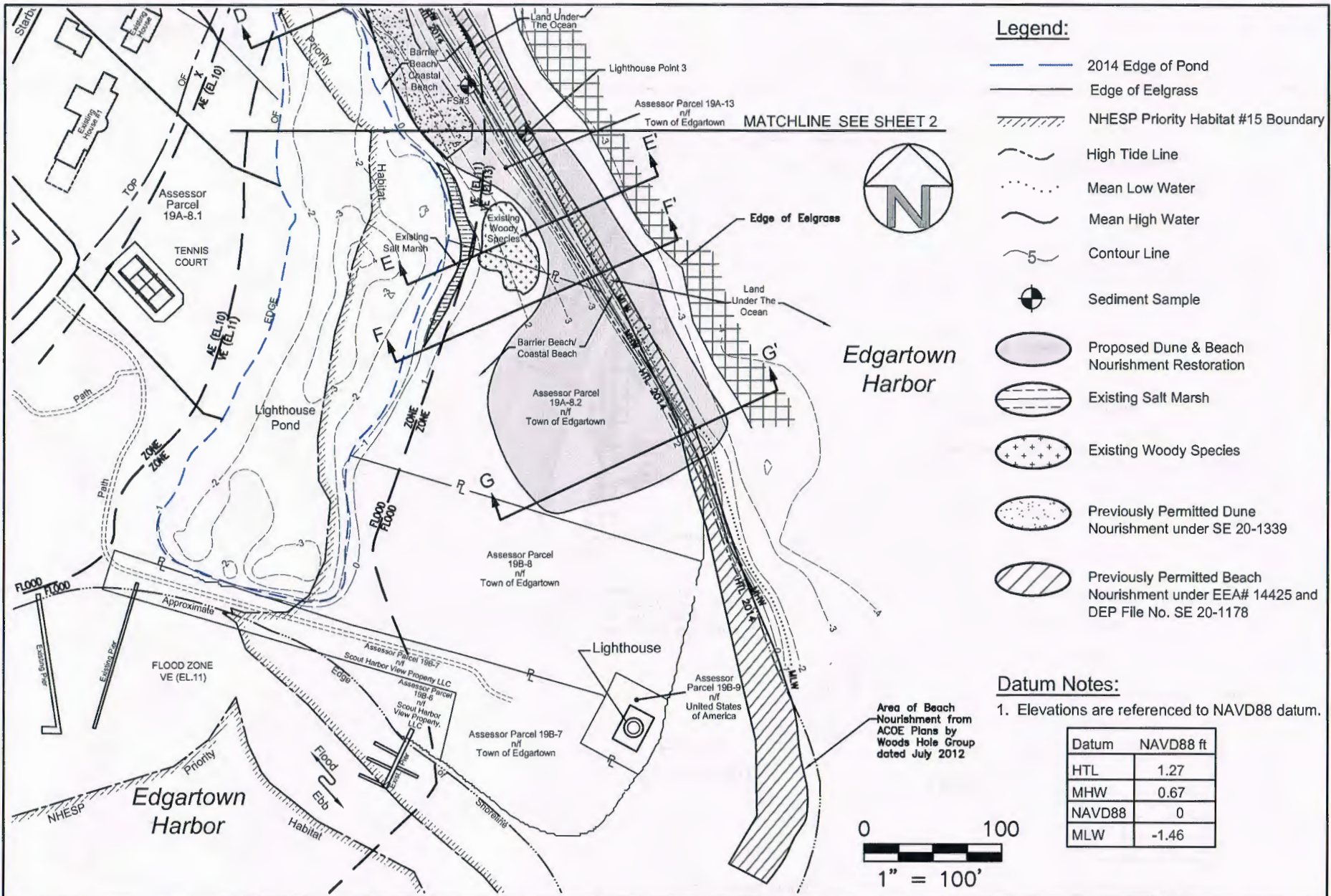
APPLICATION BY:
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APPLICATION BY:
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TOWN: EDGARTOWN
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SHEET 3 OF 11

DATE: June 7, 2016

REVISED:

Permit Plan:

This plan is for permitting purposes only. The plan describes the full scope of the project; however, the contractor shall coordinate with the engineer for detailing prior to providing a bid on this project.

Flood Note:

Flood Zones VE11 and VE13 from FEMA Firm Panel #25007C0119H, Dated July 6, 2010.

References:

Assessors Map 19A, Parcels 13, 8.2, 2 and 4.

General Notes:

1. Performance of work shall be in compliance with the plan and details, and the Order of Conditions issued by the Edgartown Conservation Commission for the referenced project as described herein.
2. The purpose of this project is to restore a coastal dune and nourish the beach with compatible sediment as shown on the plan and details.
3. The dune and beach restoration project presented herein is intended to increase overall beach width, improve habitat areas, provide enhanced storm damage protection and flood control, and provide protection from storm overwash into Lighthouse Pond. All stakeholders understand that the proposed design is not expected to be a long-term, permanent solution and, therefore, will require future maintenance in order to maintain protection from storm damage and flooding.
4. The restoration project specifies dune crest elevation should be 10' NAVD88.
5. Dune crest elevation is consistent along the length of the project but dune crest width varies along the beach.
6. After placement, the dune and beach material shall be graded to the dune and berm widths, slopes and elevations indicated on the plans.
7. All fill material required should be clean, beach compatible sediment.
8. All work will be completed from the beach.
9. During periods of high water levels, all equipment will be moved to higher ground.
10. Both the eastern and western ends of the coastal dune/beach shall taper into the existing dune/beach on a 10:1 slope.
11. All beach slopes should be no steeper than 10:1, as indicated on the plan. Specific beach slopes are provided on the plans.
12. 64,500 cubic yards of beach compatible sand will be placed. The sand placement on the beach will not exceed a slope of 10:1 per the direction of the NHESP.
13. Construction access will be from Fuller Street. Upon completion all disturbed areas to be re-graded and re-vegetated to match pre-construction conditions.
14. The dune and beach system shall be inspected by the engineer following the completion of the work.
15. The contractor shall attend a pre-construction on-site meeting which will be attended by the engineer and representative of the Edgartown Conservation Commission. The contractor will present to the engineer and the Conservation Commission representative, the proposed methods and means to construct the proposed project.
16. The contractor shall not vary from the plans, specifications, Order of Conditions, or instructions provided at the pre-construction meeting, without first obtaining approval of the Conservation Commission representative and the engineer.

Planting Notes:

1. After final grading, the coastal dune shall be planted with American Beach Grass using a 12" minimum matrix. The planting spacing shall follow the detail presented on the plan.
2. Beach grass to be planted in 2-3 culms per hole.

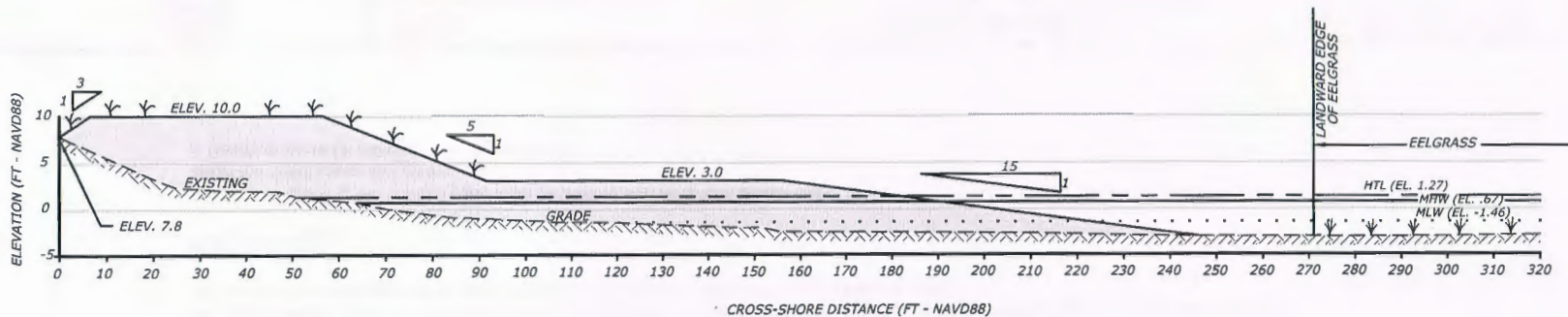


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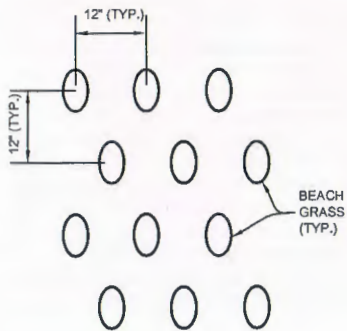
APPLICATION BY:
TOWN OF EDGARTOWN
TOWN: EDGARTOWN
COUNTY: DUKES
STATE: MA

SHEET 4 OF 11
DATE: June 7, 2016
REVISED:



CROSS-SECTION A-A'

SCALE:
 HORIZONTAL: 1" = 40'
 VERTICAL: 1" = 20'



NOTES:

1. PLANTS & ROOTS MUST BE KEPT MOIST BEFORE AND DURING PLANTING.
2. PLANT 2 - 3 CULMS IN A HOLE, APPROXIMATELY 7"-9" DEEP.
3. COMPACT THE SAND FIRMLY AROUND THE PLANTS.

BEACH GRASS PLANTING DETAIL

NOT TO SCALE

Legend:

- 2014 Edge of Lighthouse Point Pond
- High Tide Line
- Mean Low Water
- Mean High Water
- Proposed Beach Nourishment
- Proposed Beach Grass
- Eelgrass Vegetation

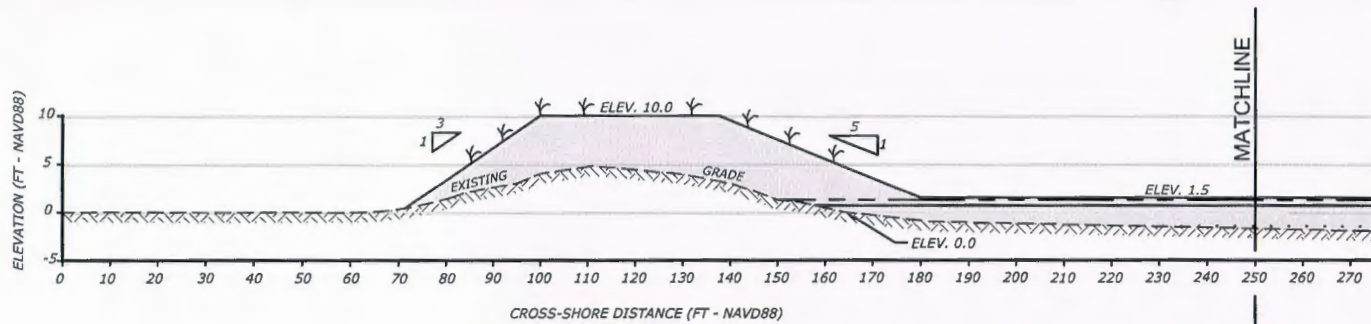


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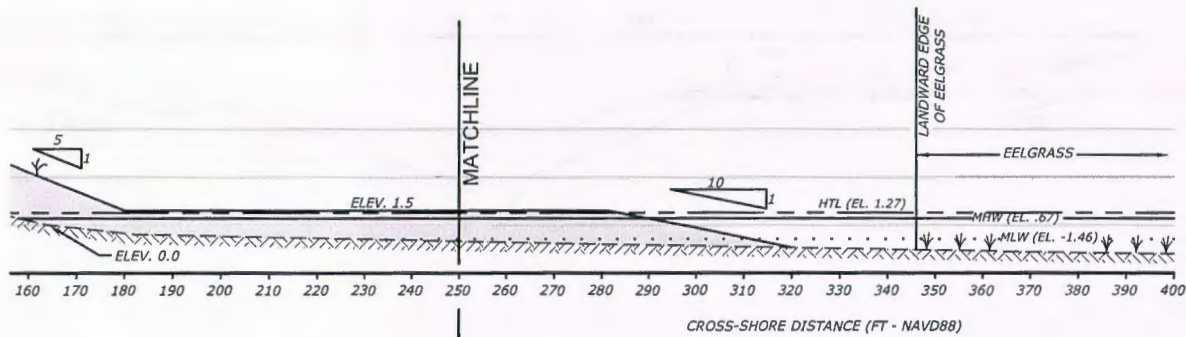
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SHEET 5 OF 11
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CROSS-SECTION B-B'

SCALE:
 HORIZONTAL: 1" = 20'
 VERTICAL: 1" = 10'



CROSS-SECTION B-B'

SCALE:
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 VERTICAL: 1" = 10'

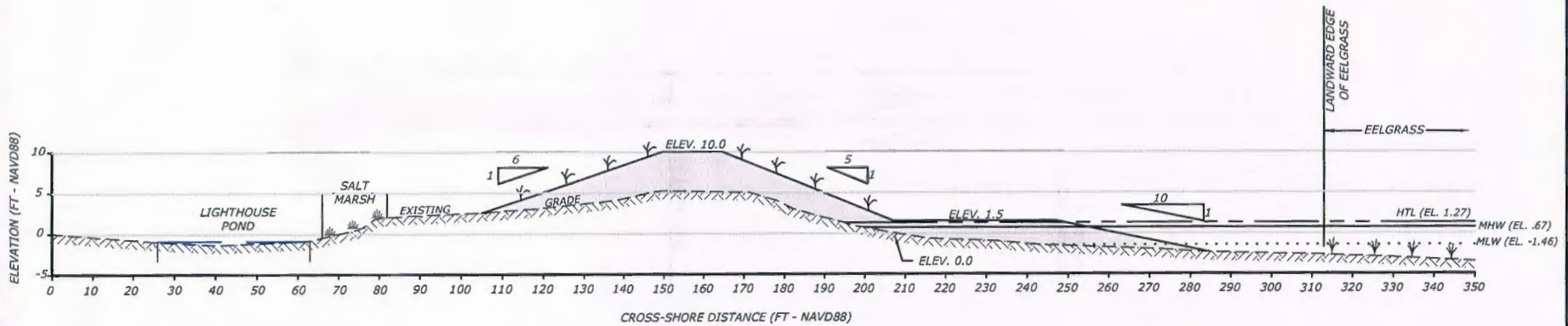


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SHEET 6 OF 11
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CROSS-SECTION C-C'

SCALE:
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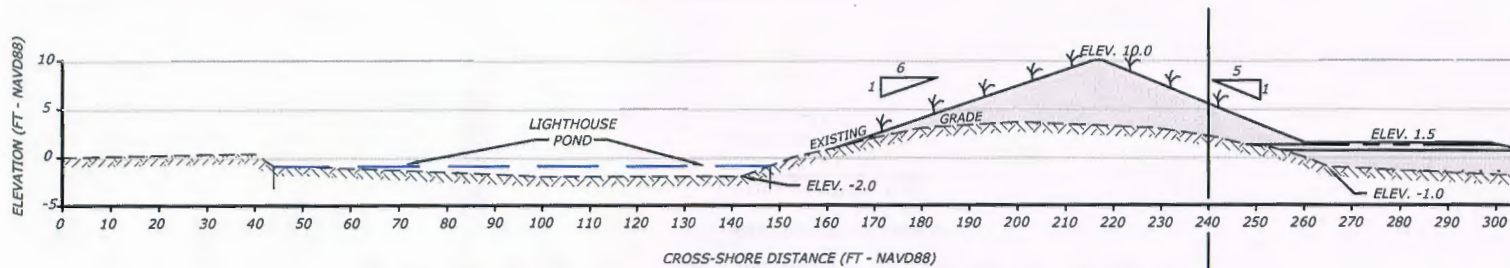
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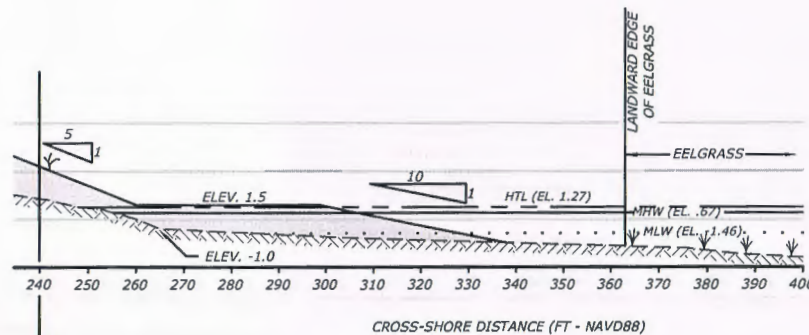
REVISED:



CROSS-SECTION D-D'

SCALE:
 HORIZONTAL: 1" = 40'
 VERTICAL: 1" = 20'

MATCHLINE



CROSS-SECTION D-D'

SCALE:
 HORIZONTAL: 1" = 40'
 VERTICAL: 1" = 20'

MATCHLINE



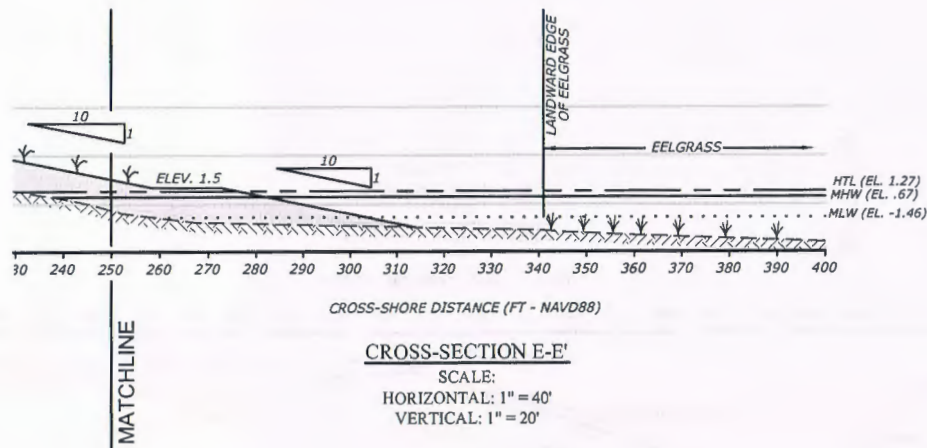
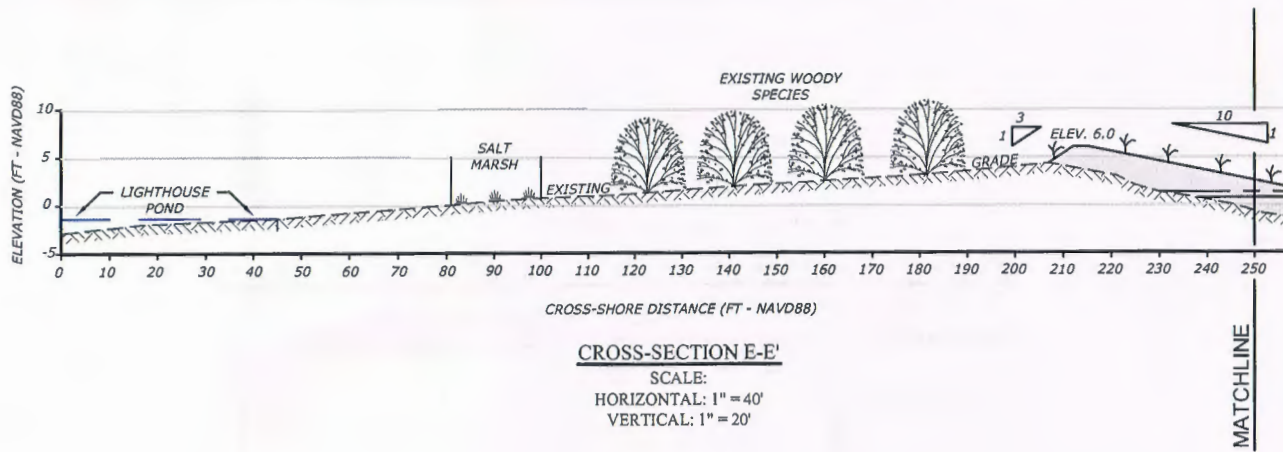
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SHEET 8 OF 11
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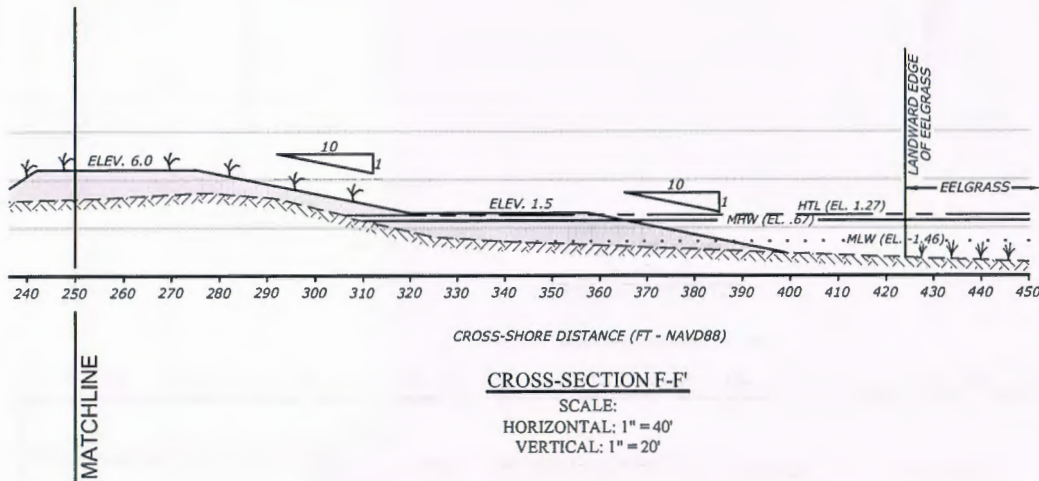
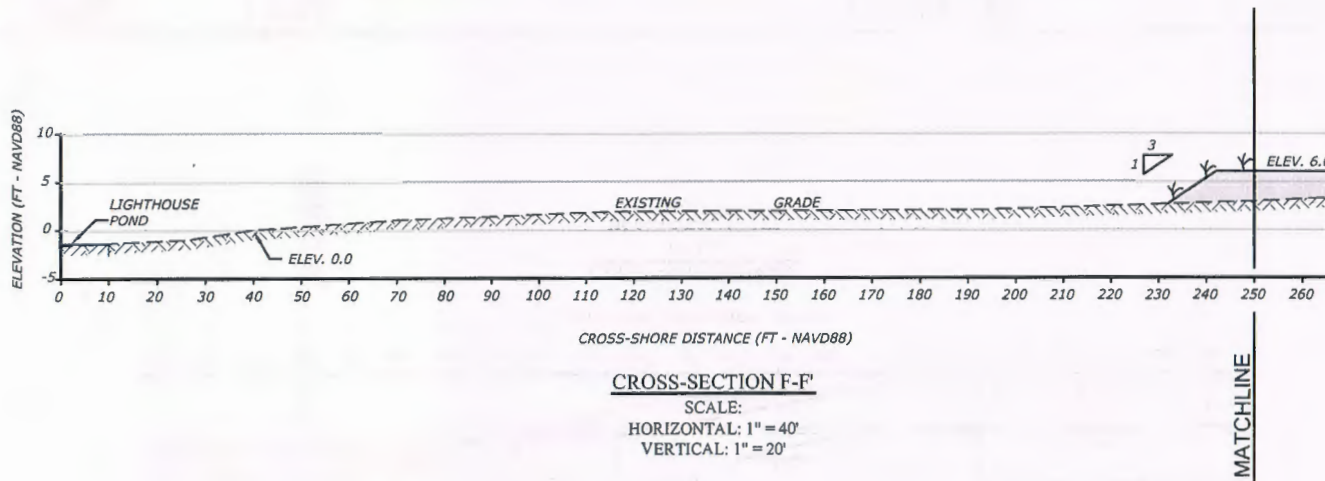


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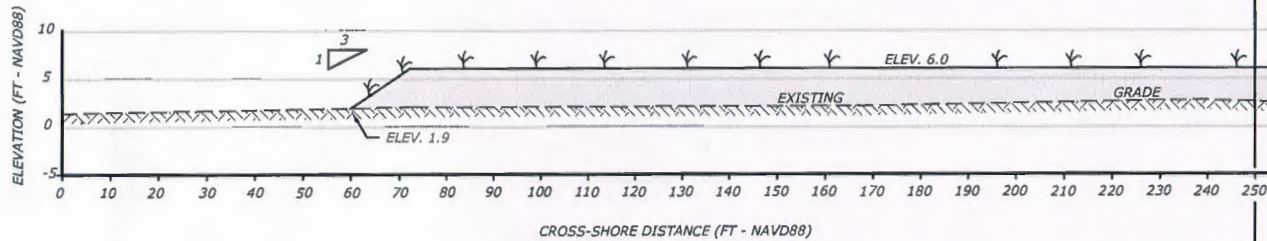


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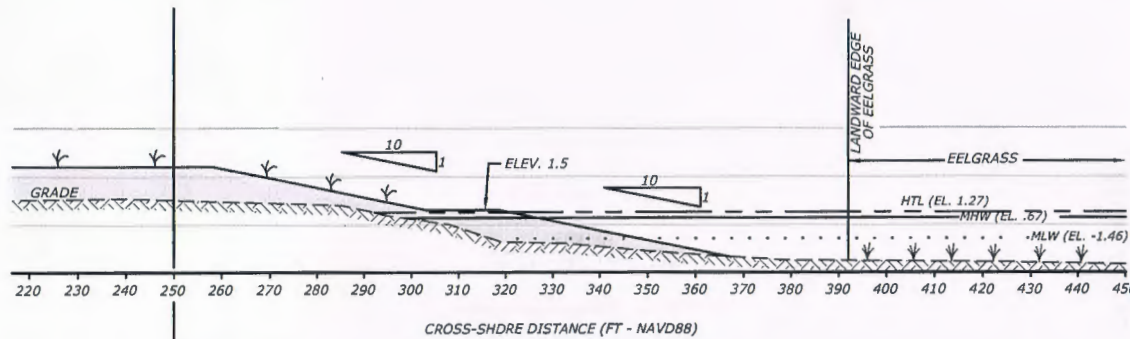
SHEET 10 OF 11
DATE: June 7, 2016
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CROSS-SECTION G-G'

SCALE:
HORIZONTAL: 1" = 40'
VERTICAL: 1" = 20'

MATCHLINE



CROSS-SECTION G-G'

SCALE:
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VERTICAL: 1" = 20'

MATCHLINE



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