



PUBLIC NOTICE

**US Army Corps
of Engineers®**
New England District
Vermont Project Office
8 Carmichael Street, Suite 205
Essex Junction, Vermont 05452

Date: July 31, 2007
Comment Period Ends: August 31, 2007
File Number: NAE-2007-1619
In Reply Refer To: Michael S. Adams
Or by e-mail: Michael.s.adams@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT

Paul Saenger, P.O. Box 205, Shoreham, Vermont 05770

ACTIVITY

Place and maintain fill in about 24,310 sq. ft. (0.56 acre) of wetlands adjacent to Otter Creek for the construction of five ditch plugs in conjunction with the proposed Wetland Reserve Program Project (WRP) off Crosby Road in Whiting, Vermont. These structures will result in the inundation of about 19.34 acres of wetlands.

The USDA Natural Resource Conservation District has purchased a perpetual easement on the entire 152-acre site. The basic purpose of the project is to restore hydrology of drained wetlands.

The work is described on the enclosed plans, in ten sheets, entitled "PAUL SAENGER WRP", and dated "1/07".

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in wetland adjacent to Otter Creek at Whiting, Vermont. The proposed location on the USGS Sudbury quadrangle sheet is at UTM coordinates 4858830.0 N and 546311.0 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

CENAE-R

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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.

SECTION 106 COORDINATION

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 proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our 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 BA determination.

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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.

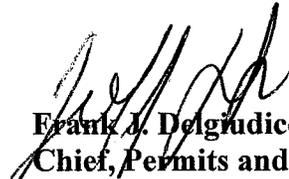
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Michael S. Adams at (802) 872-2893.

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.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

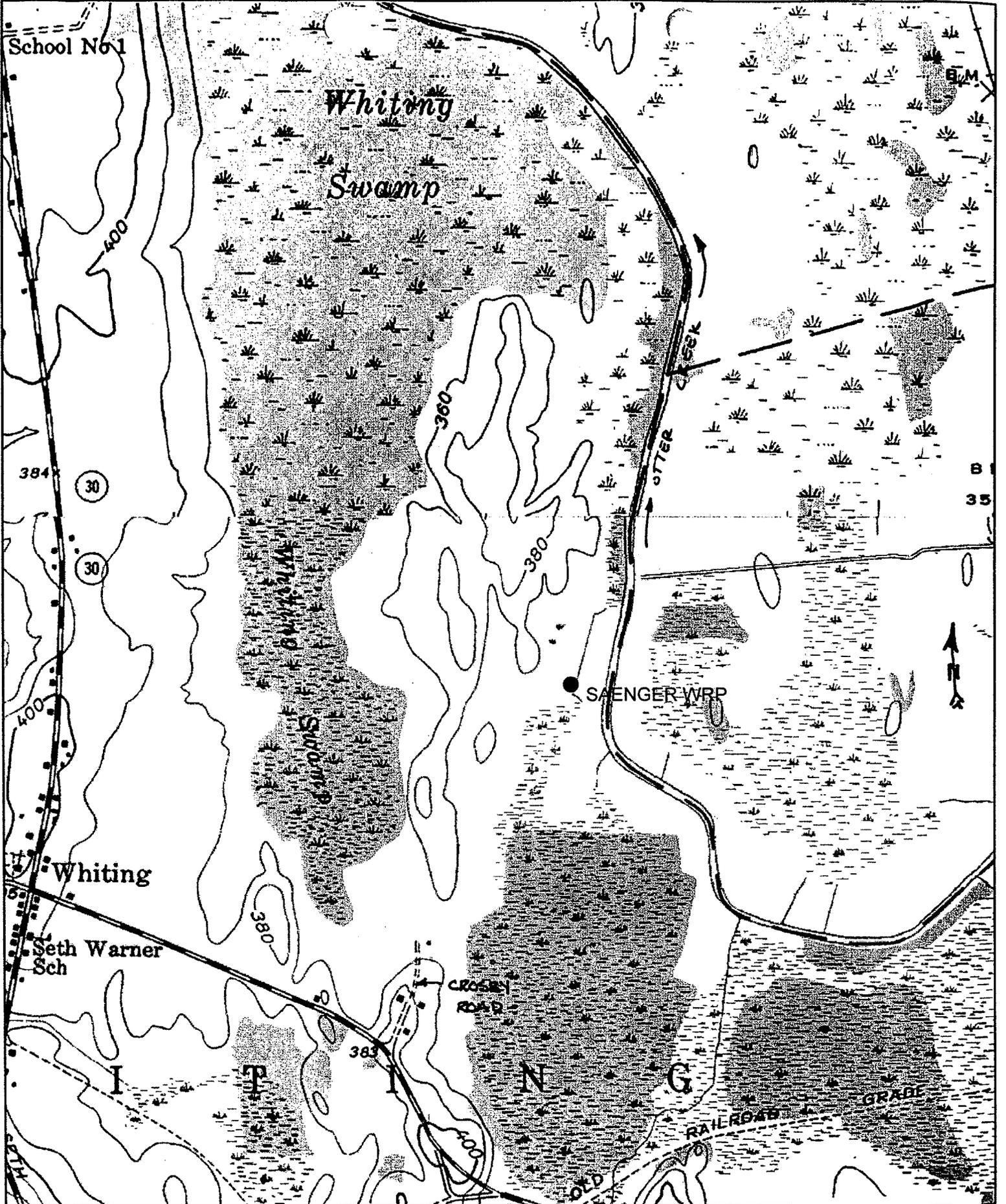
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Frank J. Delguidice
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, 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: _____



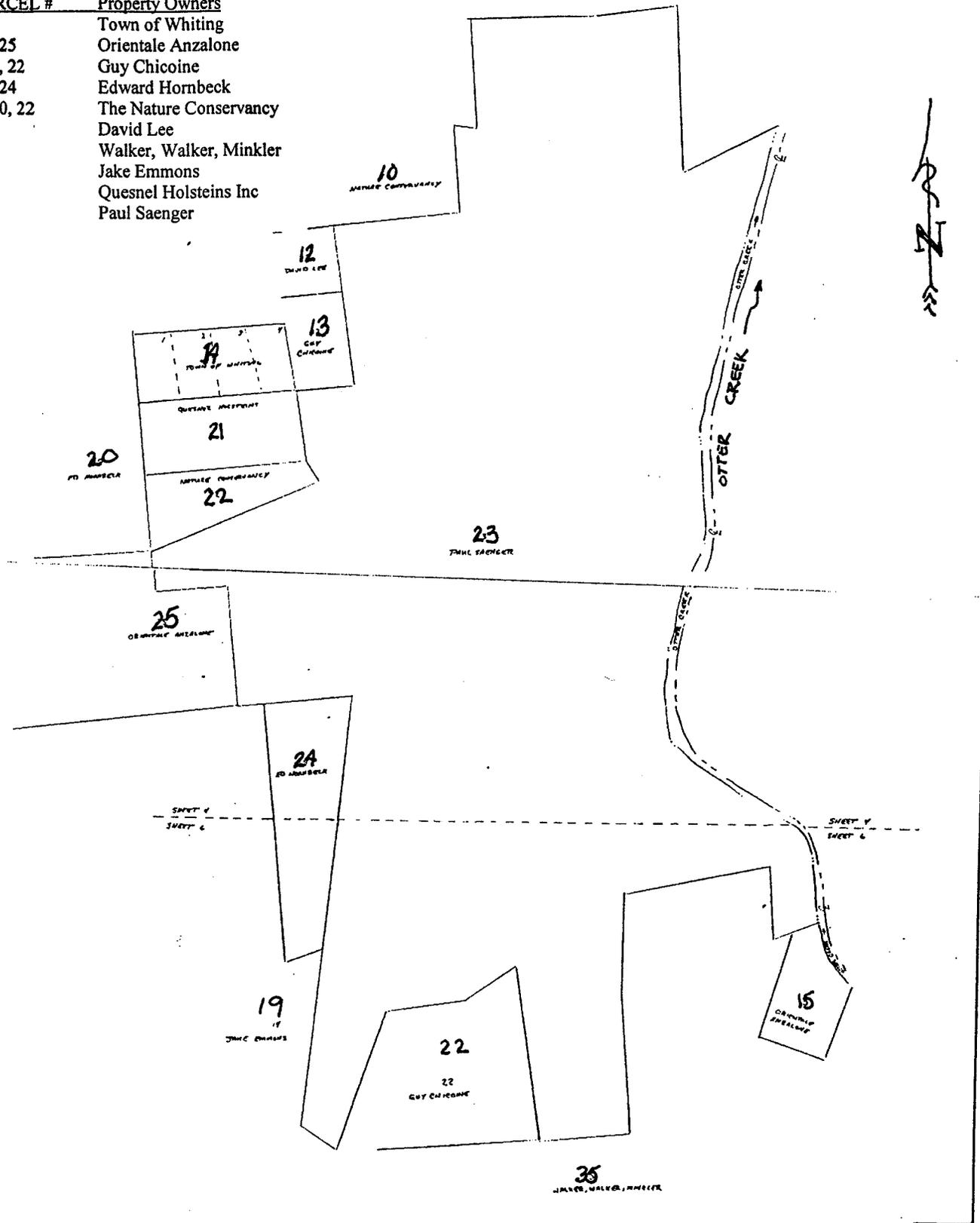
Name: SUDBURY
 Date:
 Scale: 1 inch equals 1333 feet

Location: 18 0646069 E 4859086 N

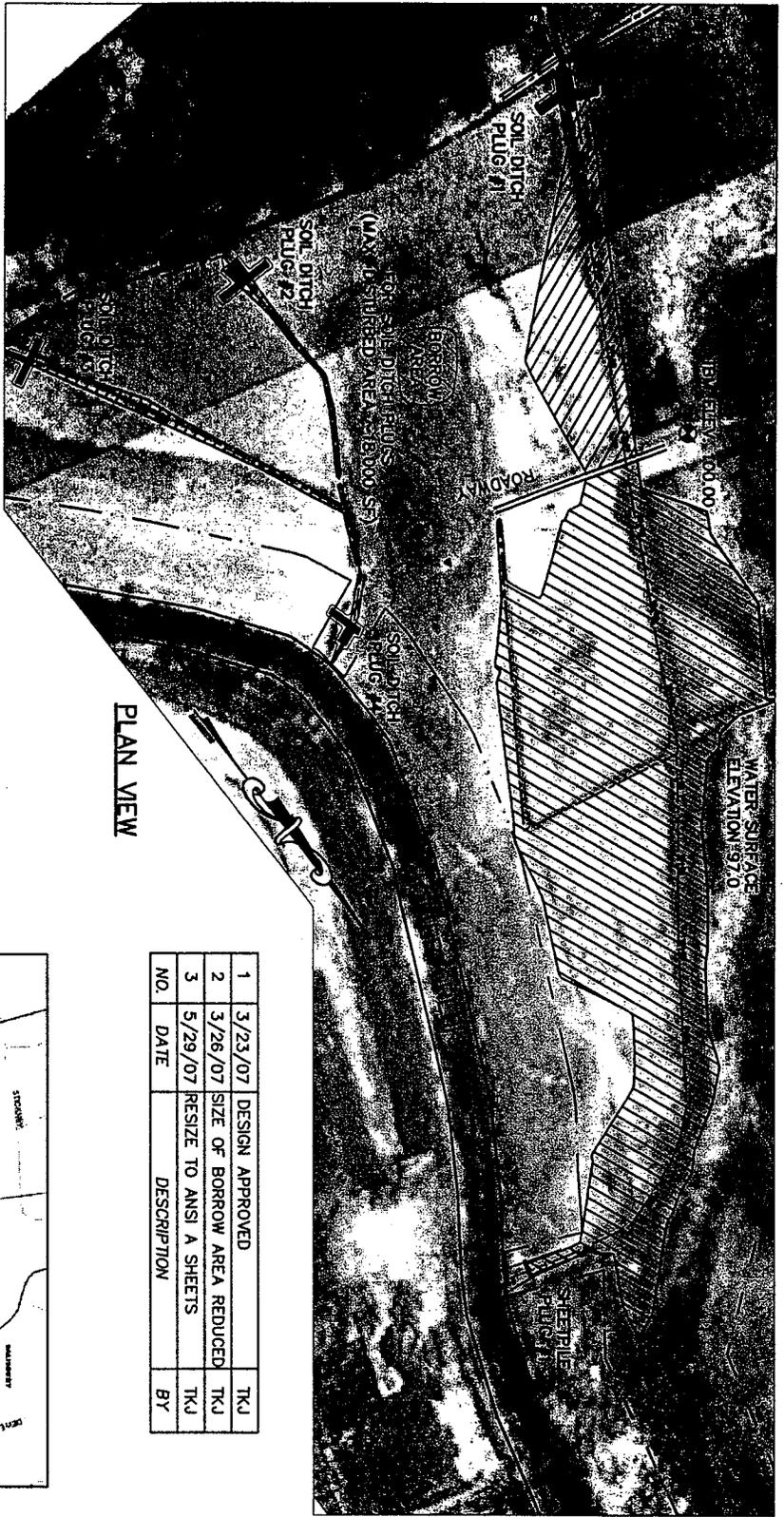
PAUL SAENGER
 WRP

Drawn 1/07

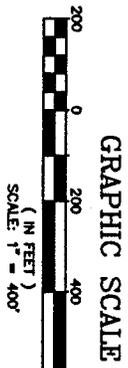
PARCEL #	Property Owners
14	Town of Whiting
15, 25	Oriental Anzalone
113, 22	Guy Chicoine
20, 24	Edward Hornbeck
3, 10, 22	The Nature Conservancy
12	David Lee
35	Walker, Walker, Minkler
19	Jake Emmons
21	Quesnel Holsteins Inc
23	Paul Saenger



PAUL SAENGER
WRP

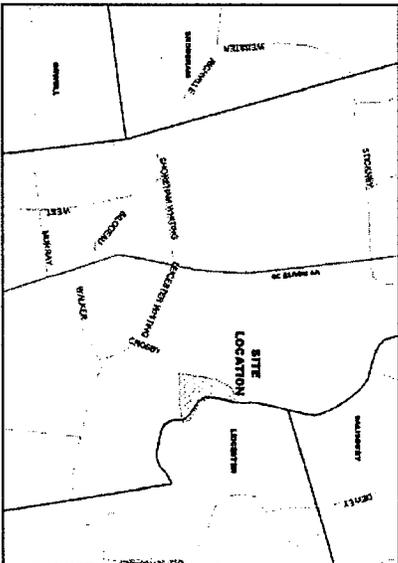


PLAN VIEW



POOL AREA @ 97.0 ~ 19.4 ACRES
 O.H.W. ~98.0
 FILL BELOW O.H.W. ~1600 CY
 DISTURBED AREA:
 SOIL PLUGS: ~24,310 SF
 SHEETPILE PLUG: ~250 SF
 BORROW AREA: MAX. 18,000 SF

NO.	DATE	DESCRIPTION	BY
1	3/23/07	DESIGN APPROVED	TKJ
2	3/26/07	SIZE OF BORROW AREA REDUCED	TKJ
3	5/29/07	RESIZE TO ANSI A SHEETS	TKJ



LOCATION MAP

File Name
 Drawing Name
 VT052807ADD

PAUL SAENGER
 WRP
 PLAN VIEW
 WHITING VERMONT

HAZARD CLASS
 LOW
 JOB CLASS
 I



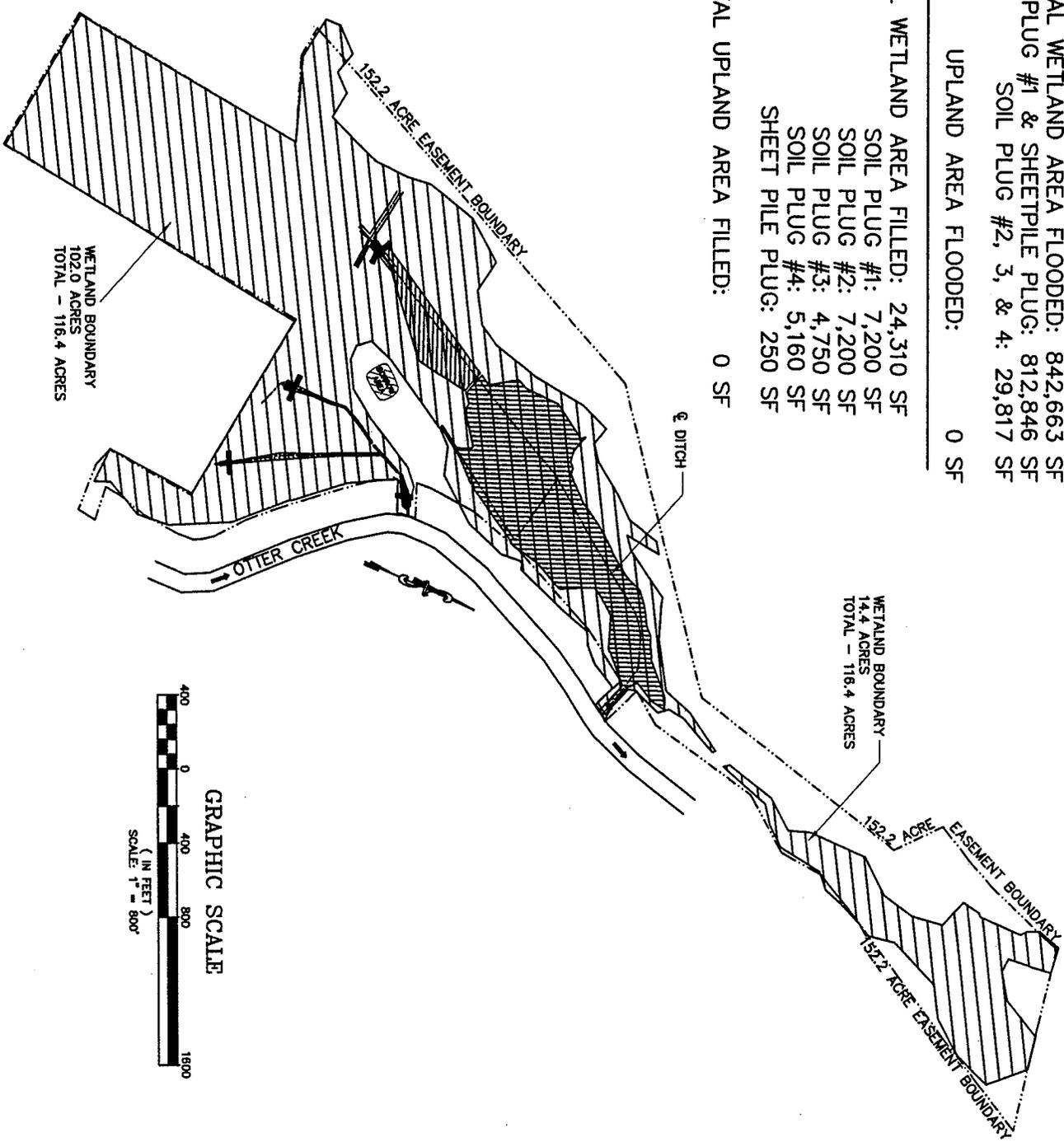
Designed	Date
TATE JEFFREY	1/07
Drawn TATE JEFFREY	1/07
Checked NORMAN SMITH	3/07
Approved by TATE JEFFREY	3/07

TOTAL WETLAND AREA FLOODED: 842,663 SF
 SOIL PLUG #1 & SHEETPILE PLUG: 812,846 SF
 SOIL PLUG #2, 3, & 4: 29,817 SF

UPLAND AREA FLOODED: 0 SF

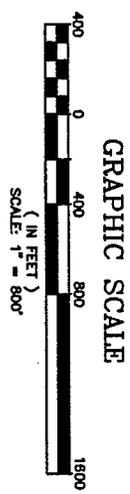
TOTAL WETLAND AREA FILLED: 24,310 SF
 SOIL PLUG #1: 7,200 SF
 SOIL PLUG #2: 7,200 SF
 SOIL PLUG #3: 4,750 SF
 SOIL PLUG #4: 5,160 SF
 SHEET PILE PLUG: 250 SF

TOTAL UPLAND AREA FILLED: 0 SF



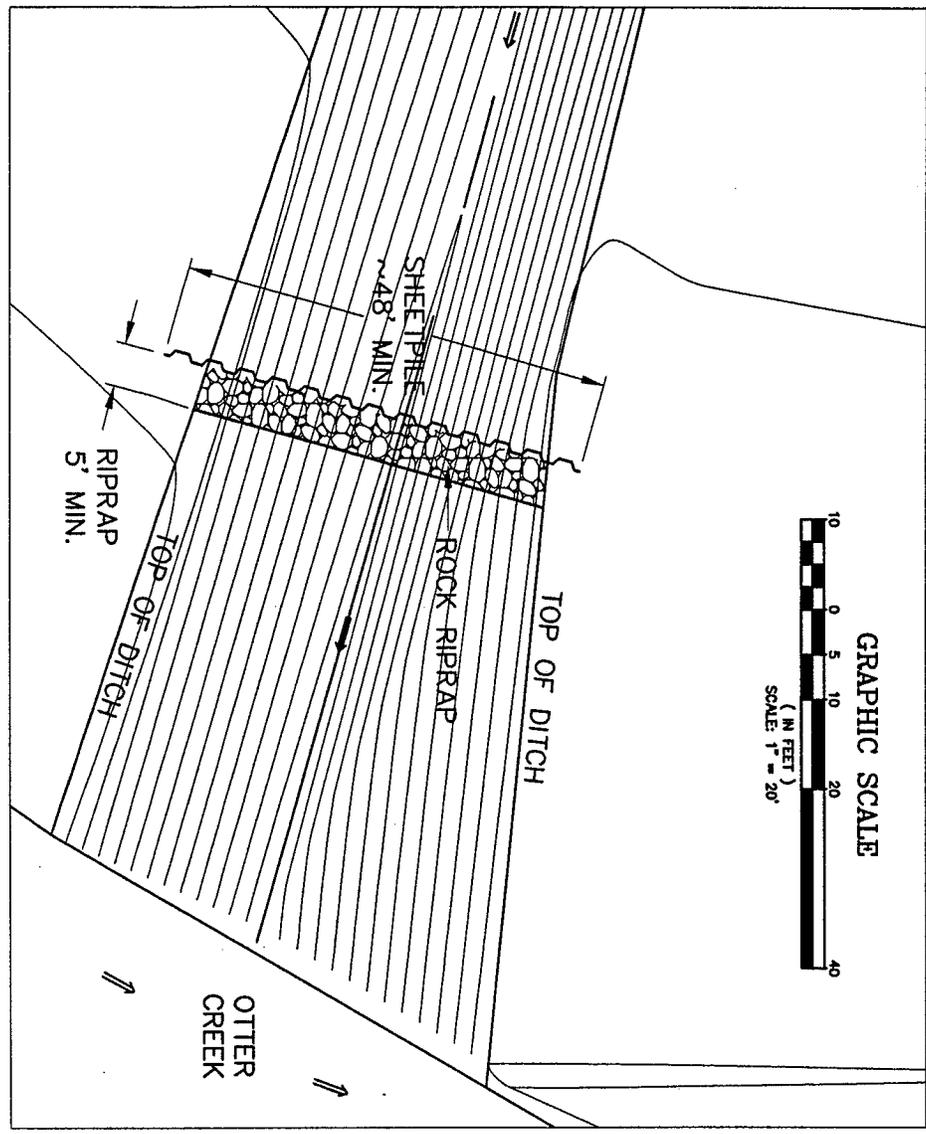
WETLAND BOUNDARY
 102.0 ACRES
 TOTAL - 116.4 ACRES

WETLAND BOUNDARY
 14.4 ACRES
 TOTAL - 116.4 ACRES

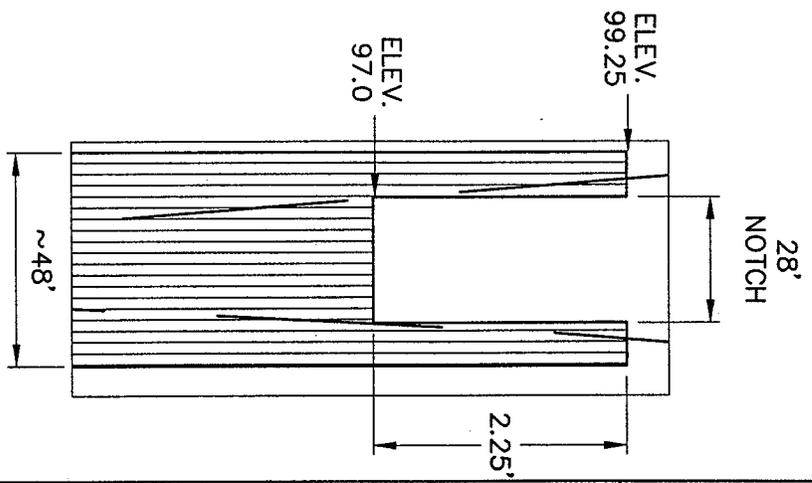


File Name Drawing Name VT052907ADD	PAUL SAENGER WRP NWI & BOUNDARY MAP		 Natural Resources Conservation Service United States Department of Agriculture	Designed <u>TATE JEFFREY</u> Date <u>1/07</u>
	WHITING VERMONT	HAZARD CLASS LOW		JOB CLASS I

PLAN VIEW



SHEETPILE NOTCH DETAIL



Sheet 4 of 10
 Drawing Name VT052807ADD
 File Name

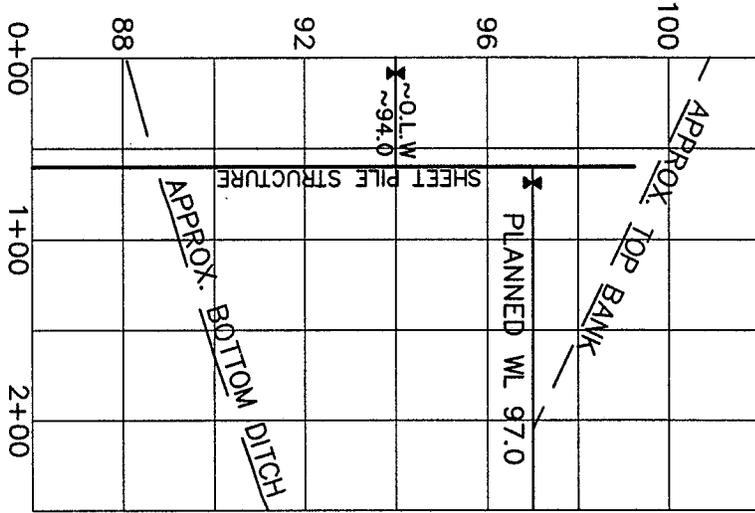
PAUL SAENGER
 WRP
 SHEETPILE SECTIONS
 WHITING VERMONT

HAZARD CLASS LOW
 JOB CLASS I

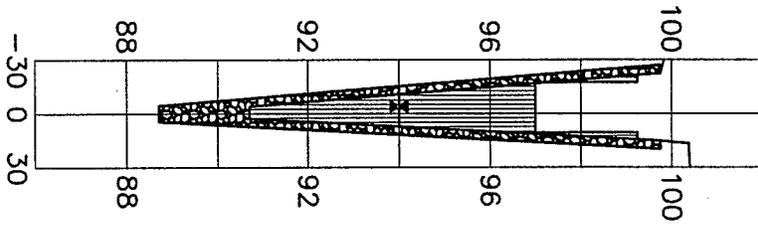


Designed	TATE JEFFREY	Date	1/07
Drawn	TATE JEFFREY		1/07
Checked	NORMAN SMITH		3/07
Approved by	TATE JEFFREY		3/07

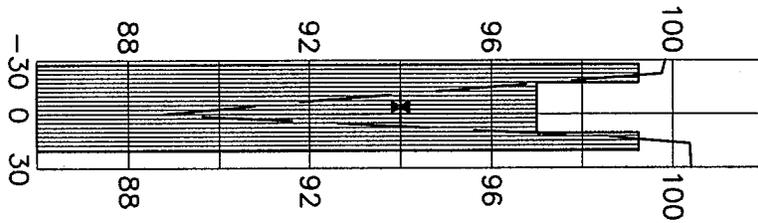
PROFILE



**SECTION
0+57**



**SECTION
0+60**



	Date
Designed <u>TATE JEFFREY</u>	<u>1/07</u>
Drawn <u>TATE JEFFREY</u>	<u>1/07</u>
Checked <u>NORMAN SMITH</u>	<u>3/07</u>
Approved by <u>TATE JEFFREY</u>	<u>3/07</u>



HAZARD CLASS
LOW

JOB CLASS
I

PAUL SAENGER
WRP
SHEETPILE SECTIONS(2)

WHITING

VERMONT

File Name

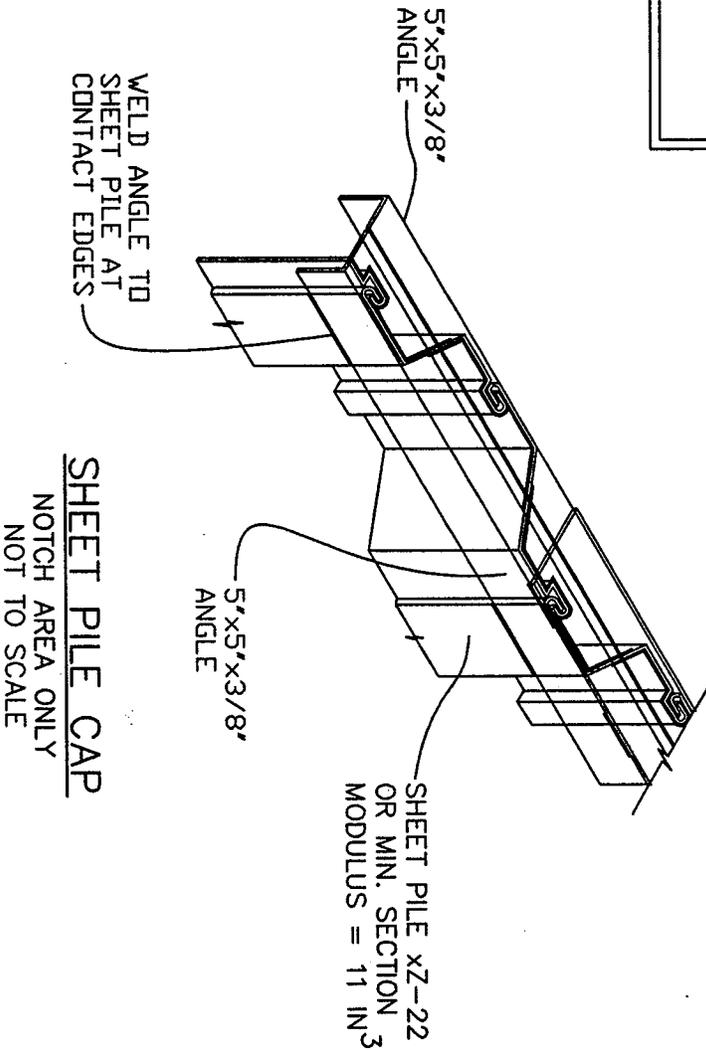
Drawing Name
VT052907ADD

Sheet 5 of 10

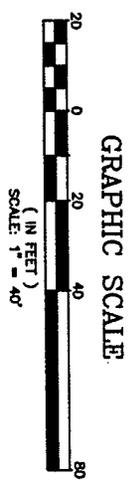
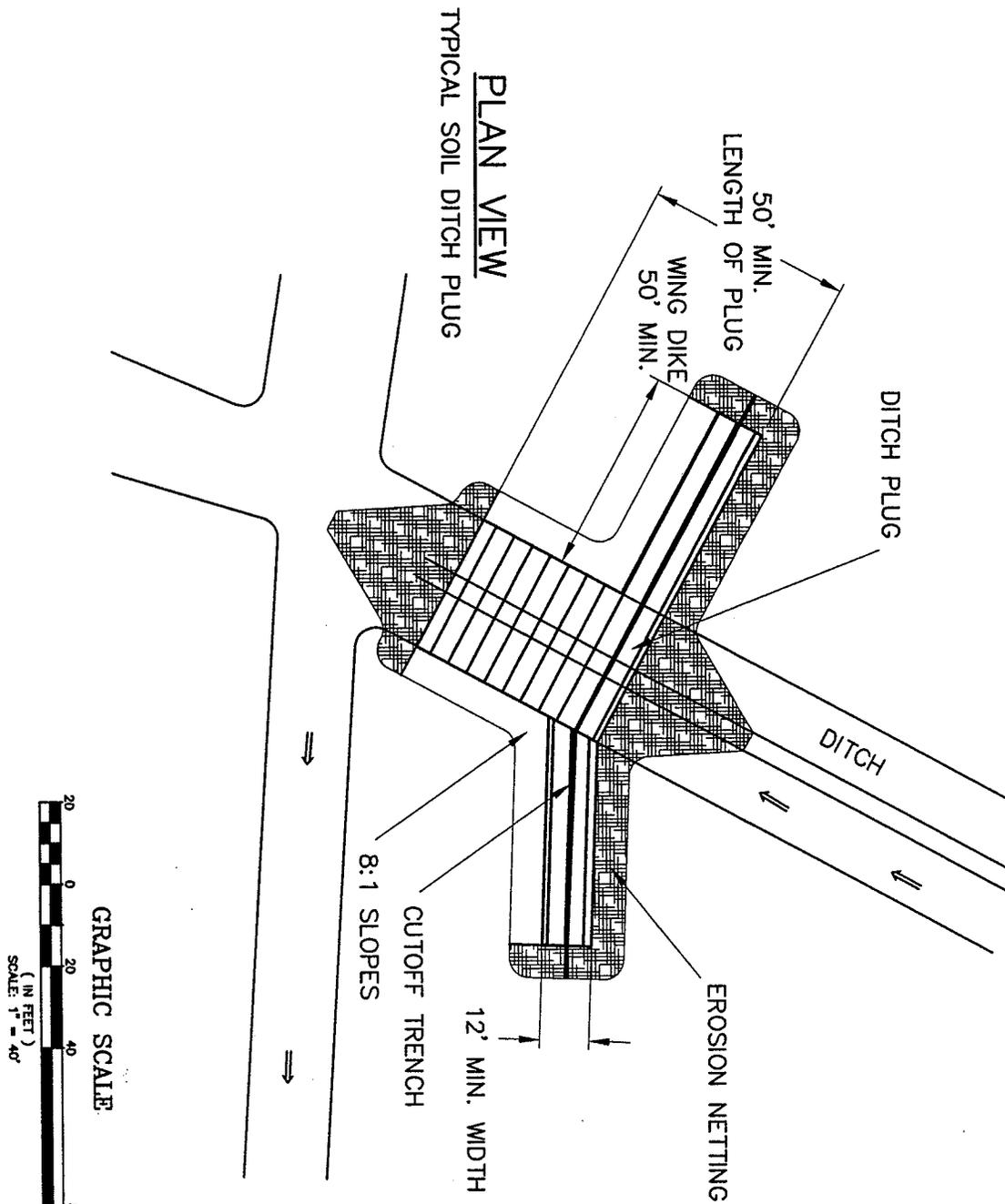
TYPE IV RIPRAP GRADATION

SIEVE SIZE	% PASSING
3/4"	5 - 15
3"	15 - 25
9"	25 - 50
12"	50 - 75
15"	75 - 90
18"	100

NOTE: INCORPORATE 15 - 25% GRAVEL SIZES INTO RIPRAP IN LIEU OF BEDDING.

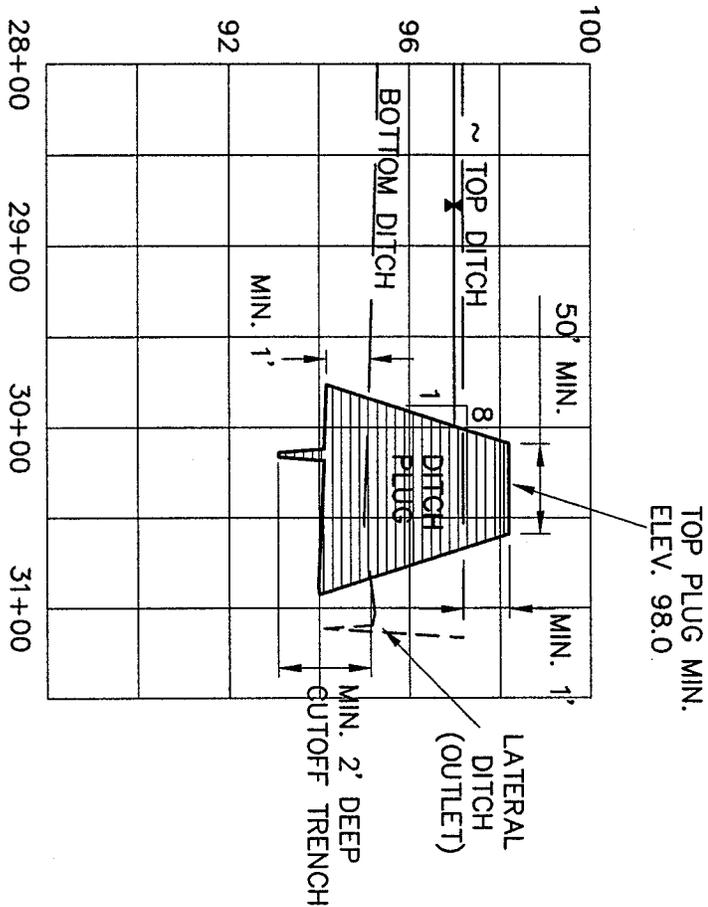


PAUL SAENGER WRP SHEETPILE DETAILS WHITING VERMONT	HAZARD CLASS LOW	 Natural Resources Conservation Service United States Department of Agriculture	Designed <u>TATE JEFFREY</u> 1/07
	JOB CLASS I		Drawn <u>TATE JEFFREY</u> 1/07 Checked <u>NORMAN SMITH</u> 3/07 Approved by <u>TATE JEFFREY</u> 3/07
File Name Drawing Name VT052907ADD	Sheet 6 of 10		

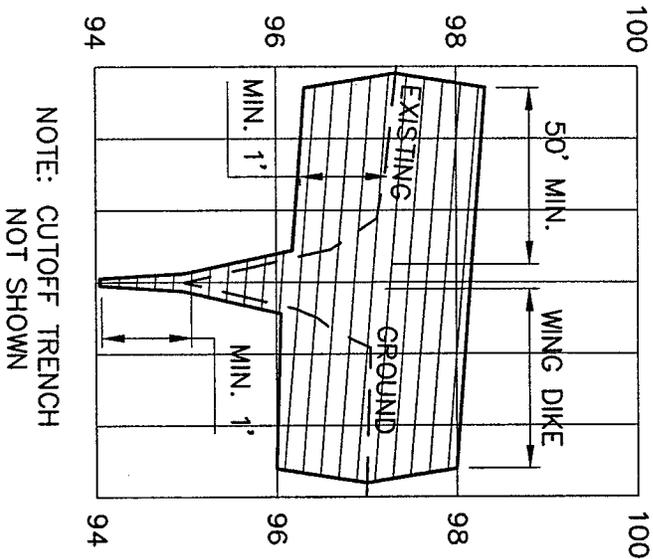


File Name Drawing Name VT052907ADD	PAUL SAENGER WRP DITCH PLUG TYPICAL		HAZARD CLASS LOW JOB CLASS I	 Natural Resources Conservation Service United States Department of Agriculture	Designed <u>TATE JEFFREY</u> Date <u>1/07</u>
	WHITING VERMONT	Checked <u>NORMAN SMITH</u> Date <u>3/07</u>			
Sheet 7 of 10	Approved by <u>TATE JEFFREY</u> Date <u>3/07</u>				

PROFILE



SECTION TYPICAL



File Name
Drawing Name
VT052907ADD

PAUL SAENGER
WRP
DITCH PLUG SECTIONS

WHITING VERMONT

HAZARD CLASS
LOW
JOB CLASS
I



	Date
Designed TATE JEFFREY	1/07
Drawn TATE JEFFREY	1/07
Checked NORMAN SMITH	3/07
Approved by TATE JEFFREY	3/07