



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: December 9, 2003

Comment Period Ends: January 8, 2004

File Number: 200301326

In Reply Refer To: Mark A. Mirabella

Or by e-mail: mark.a.mirabella@usace.army.mil

White Cliffs Community Association, One East Cliff Drive, Plymouth, Massachusetts 02360; has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, to construct and maintain a stone groin measuring 160 feet in length and 30 feet in width and place and maintain approximately 5,100 cubic yards of medium to coarse sand from an upland source, discharging fill material into approximately 43,100 square feet of Cape Cod Bay below the High Tide Line, north of the proposed groin, for beach nourishment. The purpose of the project is to decrease bank erosion and create a beach/dune nourishment area that will be maintained on the north side of the groin. This work is proposed in Cape Cod Bay, at One East Cliff Drive, Plymouth, Massachusetts. The work is described on the enclosed plans entitled "APPLICATION BY: WHITE CLIFFS ASSOCIATION, IN: PLYMOUTH, AT: WHITE CLIFFS, COUNTY: PLYMOUTH, STATE: MA," on 6 sheets, and dated "6/6/03."

This project will impact approximately 0.99 acres of Essential Fish Habitat (EFH) for species including; Atlantic Cod (*Gadus morhua*)(all life stages), haddock (*Melanogrammus aeglefinus*)(eggs and larvae), Pollack (*Pollachius virens*)(larvae, juveniles & adults), whiting (*Merluccius bilinearis*)(all life stages), red hake (*Urophycis chuss*)(all life stages), white hake (*Urophycis tenuis*)(all life stages), winter flounder (*Pleuronectes americanus*)(all life stages), yellowtail flounder (*Pleuronectes ferruginea*)(all life stages), windowpane flounder (*Scopthalmus aquosus*)(all life stages), American plaice (*Hippoglossoides platessoides*)(all life stages), ocean pout (*Macrozoarces americanus*)(all life stages), Atlantic halibut (*Hippoglossus hippoglossus*)(all life stages), Atlantic sea scallop (*Placopecten magellanicus*)(all life stages), Atlantic sea herring (*Clupea harengus*)(larvae, juveniles & adults), monkfish (*Lophius americanus*)(eggs and larvae), bluefish (*Pomatomus saltatrix*)(juveniles & adults), long finned squid (*Loligo pealei*)(juveniles & adults), Atlantic butterfish (*Peprilus triacanthus*)(all life stages), Atlantic mackerel (*Scomber scombrus*)(all life stages), summer flounder (*Paralichthys dentatus*)(adults), scup (*Stenotomus chrysops*)(all life stages), black sea bass (*Centropristus striata*)(juveniles & adults), spiny dogfish (*Squalus acanthias*)(adults) and bluefin tuna (*Thunnus thynnus*)(juveniles & adults). Habitat present at the subject site consists of deep fine-grained sand, silt & cobble waterway with typical coastal sediments found in this region of Cape Cod with evidence of saltmarsh grasses in the vicinity of the proposed groin and beach nourishment area. Shellfish beds have been reported in the area but are said to be small in number in and around the proposed site.

Installation of the groin may adversely affect the normal migratory movement of pelagic fish such as Atlantic herring, Atlantic mackerel and long-finned squid; however, it is believed that the behavioral impedance of this structure will be no more than minimal, as is seen and documented by comparison from the adjacent groins of similar size and length.

Initial installation of the proposed structure may result in the temporary re-suspension of fine sediments. It is anticipated that there will not be a significant increase in deposition because of the short-term nature of the installation activities and normal daily tidal fluctuation; however, as with all groins, beach profiles and coastal changes are expected due to littoral drift and sediment transport mechanisms and can be estimated to be no greater than the adjacent groins found in the immediate area.

Installation of the structure will result in permanent impacts to approximately 43,000 +/- square feet of benthic habitat and water column in Cape Cod Bay.

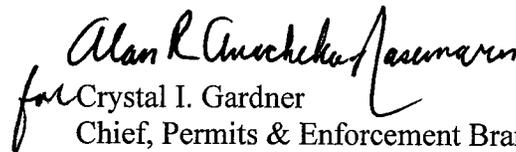
As a result of the assessment of impacts, the District Engineer has made a preliminary determination that the site-specific adverse effect of the project will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

This project is located on the USGS Sagamore quadrangle sheet at UTM coordinates 4630453.63 N and 371884.18 E.

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 Mark A. Mirabella, at (978) 318-8708, (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.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS


for Crystal I. Gardner
Chief, Permits & Enforcement Branch
Regulatory Division

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.

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.

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)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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.

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.

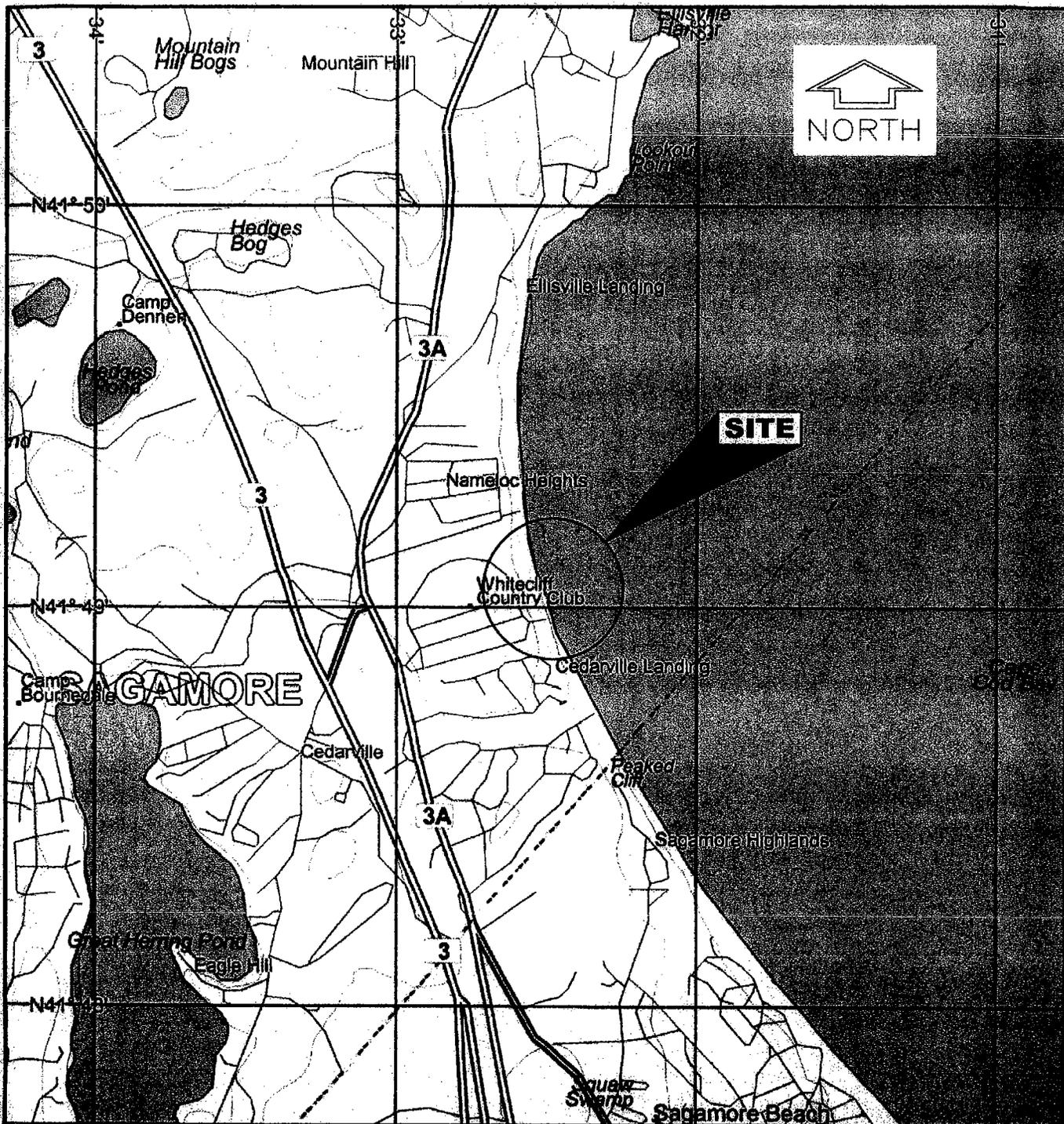
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

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.

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.

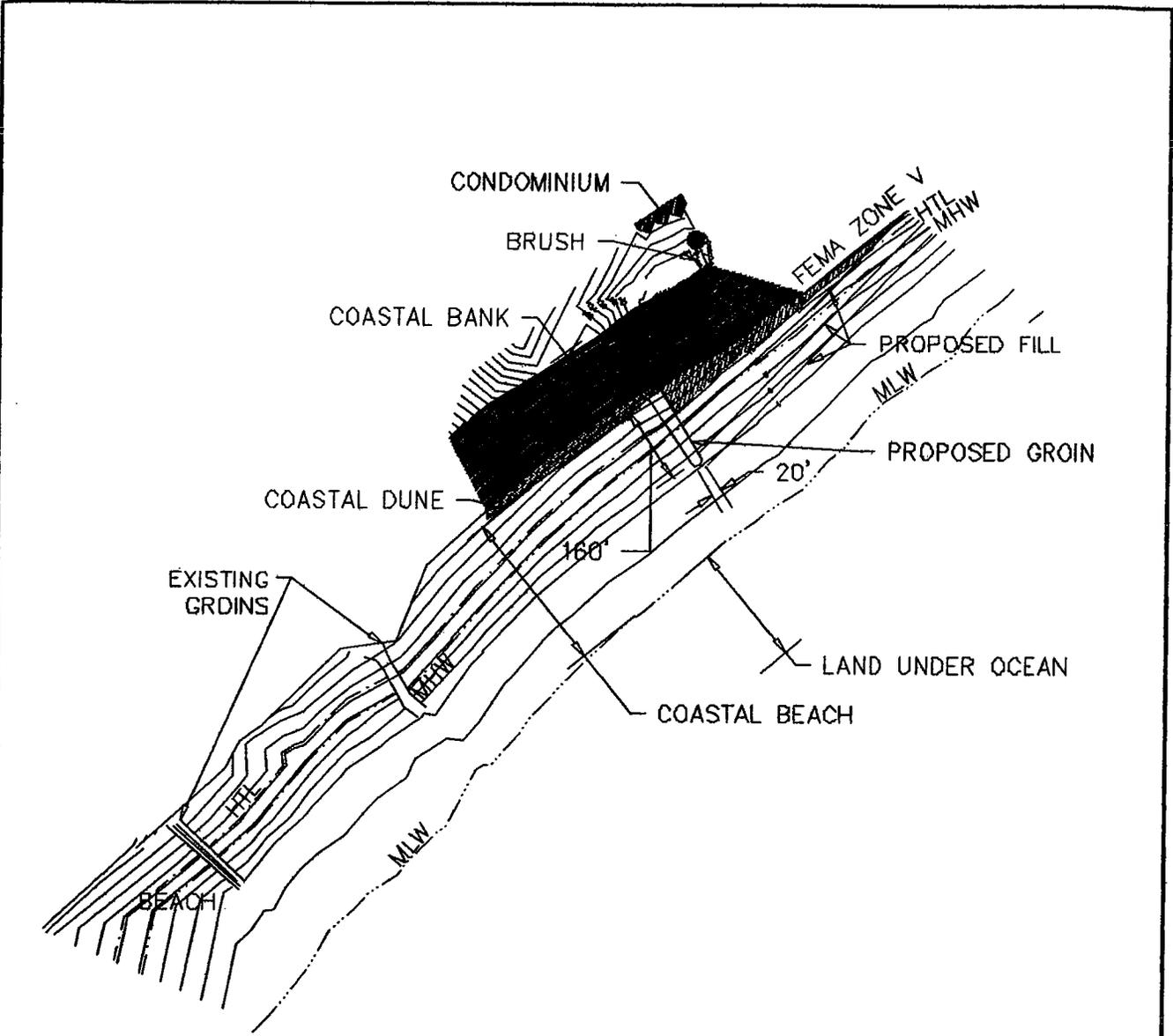
NAME: _____
ADDRESS: _____



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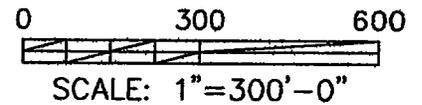
PURPOSE: BEACH AND DUNE RESTORATION	TITLE: LOCUS MAP	APPLICATION BY: WHITE CLIFFS ASSOCIATION										
<table border="0"> <tr> <td>100 YR FLOOD</td> <td>+30.25</td> </tr> <tr> <td>HTL</td> <td>+12.50</td> </tr> <tr> <td>MHW</td> <td>+9.82</td> </tr> <tr> <td>NGVD</td> <td>+5.25</td> </tr> <tr> <td>MLW</td> <td>0.00</td> </tr> </table>	100 YR FLOOD	+30.25	HTL	+12.50	MHW	+9.82	NGVD	+5.25	MLW	0.00	 <p>Ocean and Coastal Consultants, Inc. 36 Conrage Park Circle Plymouth, MA 02380 Phone: (508) 830-1110 Fax: (508) 830-1202</p>	IN: PLYMOUTH AT: WHITE CLIFFS COUNTY: PLYMOUTH STATE: MA SHEET 1 OF 6 DATE: 6/6/03
100 YR FLOOD	+30.25											
HTL	+12.50											
MHW	+9.82											
NGVD	+5.25											
MLW	0.00											



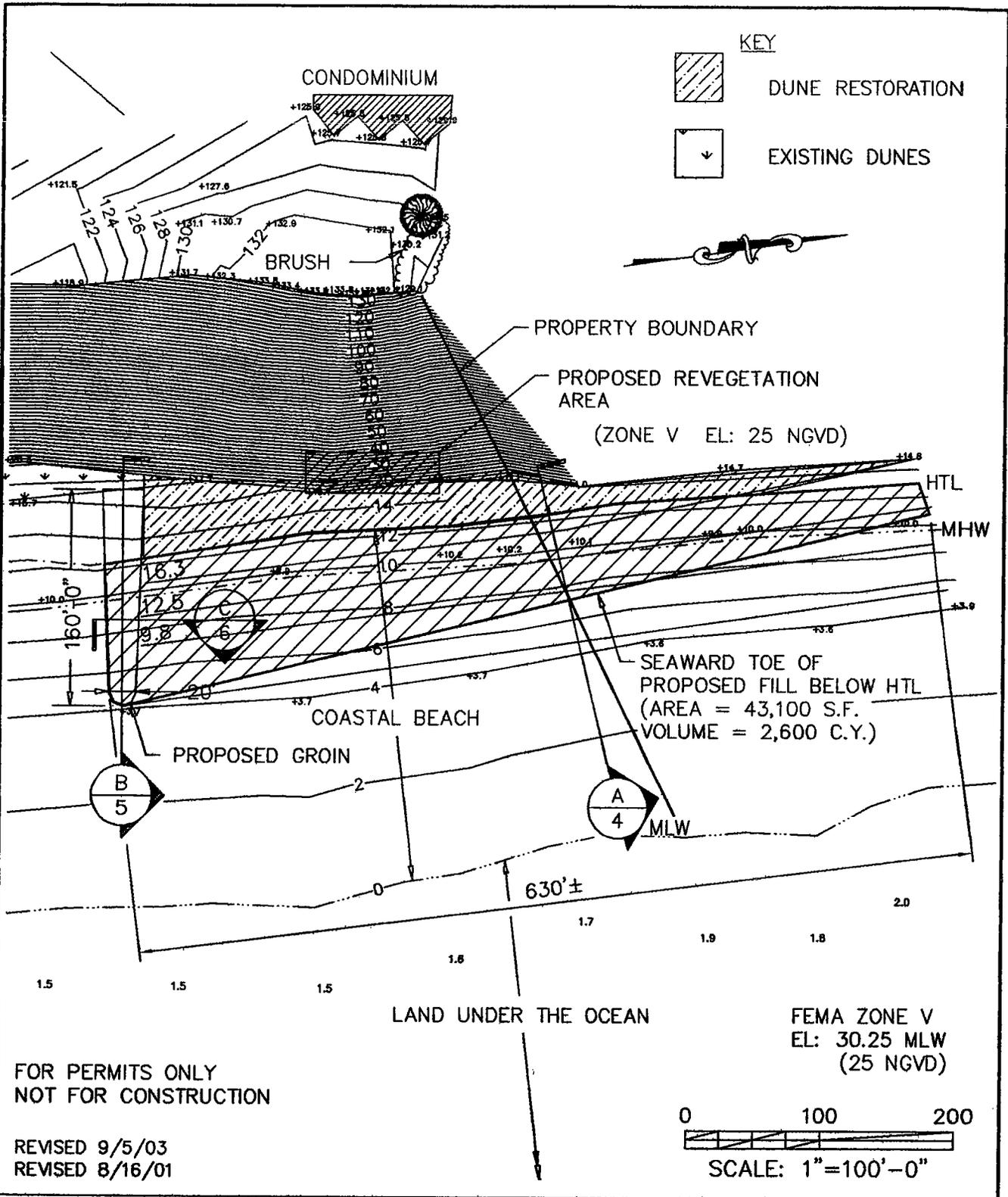
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FEMA ZONE V
EL: 30.25 MLW
(25 NGVD)

REVISED 9/5/03
REVISED 8/16/01



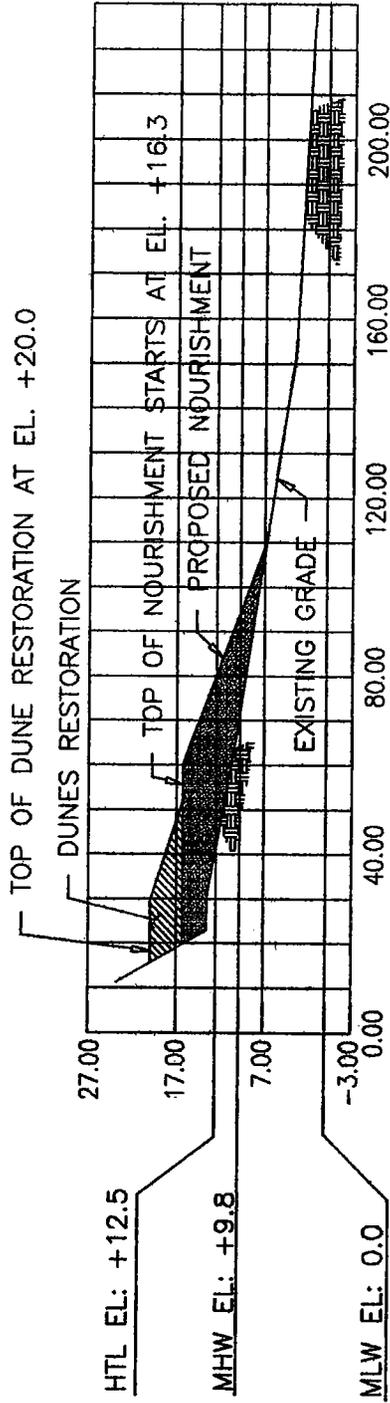
PURPOSE: BEACH AND DUNE RESTORATION	TITLE: OVERALL PLAN	APPLICATION BY: WHITE CLIFFS ASSOCIATION
100 YR FLOOD +30.25 HTL +12.50 MHW +9.82 NGVD +5.25 MLW 0.00		IN: PLYMOUTH AT: WHITE CLIFFS COUNTY: PLYMOUTH STATE: MA SHEET 2 OF 6 DATE: 6/20/01



PURPOSE: BEACH AND DUNE RESTORATION	TITLE: NORTH AREA PLAN	APPLICATION BY: WHITE CLIFFS ASSOCIATION
100 YR FLOOD +30.25 HTL +12.50 MHW +9.82 NGVD +5.25 MLW 0.00		IN: PLYMOUTH AT: WHITE CLIFFS COUNTY: PLYMOUTH STATE: MA SHEET 3 OF 6 DATE: 6/20/01

CROSS SECTIONS OF EXISTING AND PROPOSED BEACH CONDITIONS
 NORTH OF PROPOSED GROIN TO SATISFY 310 CMR 10.27 (4)(b)
 FILL TO ENTRAPMENT COMPACITY

PROPOSED FILL BELOW HTL - AREA = 43,100 S.F. / VOLUME = 2,600 C.Y.



BEACH NOURISHMENT - ELEV.



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REVISED 9/5/03
 REVISED 8/16/01

HORIZONTAL SCALE 1" = 40'-0"
 VERTICAL SCALE 1" = 20'-0"

100 YR FLOOD	+30.25	NGVD	+5.25
HTL	+12.5	MLW	0.0
MHW	+9.82		

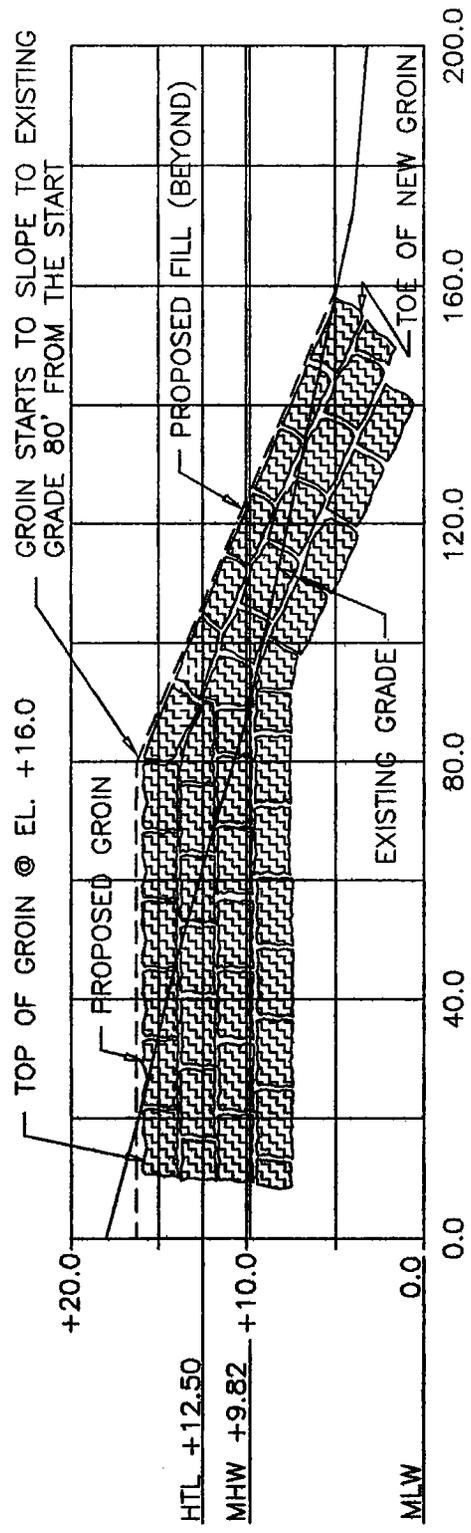


TITLE:

SECTIONS

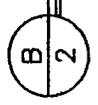
PURPOSE: BEACH AND DUNE RESTORATION
 APPLICATION BY: WHITE CLIFFS ASSOCIATION

IN: PLYMOUTH
 AT: WHITE CLIFFS
 COUNTY: PLYMOUTH
 SHEET 4 OF 6
 DATE: 6/20/01
 STATE: MA



PROPOSED GROIN - ELEV.

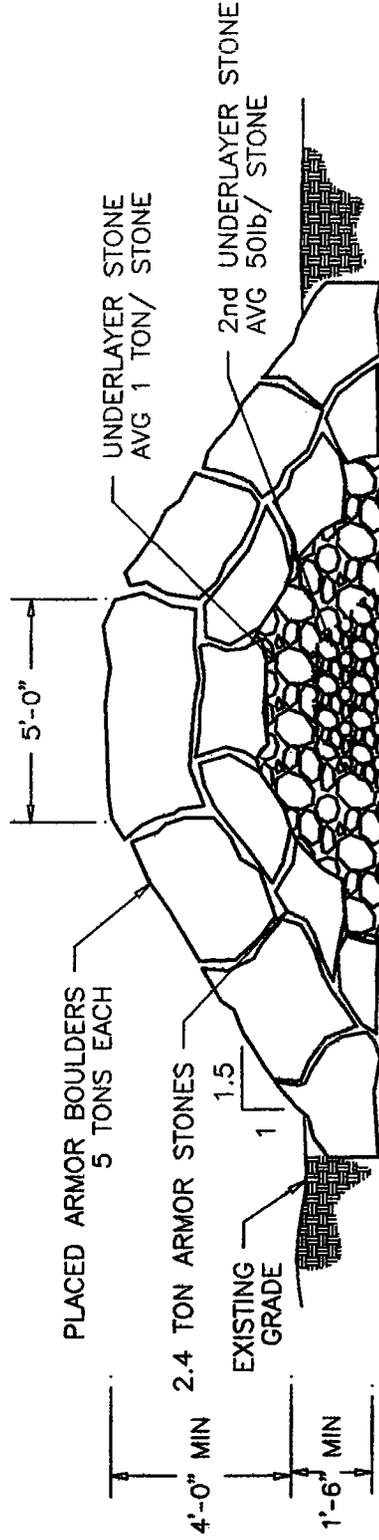
HORIZONTAL SCALE: 1" = 30'-0"
 VERTICAL SCALE: 1" = 10'-0"



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 REVISED 9/09/02
 REVISED 5/20/02
 REVISED 8/16/01

100 YR FLOOD	+30.25	NGVD	+5.25	TITLE:	SECTIONS	IN: PLYMOUTH
HTL	+12.50	MLW	0.0			AT: WHITE CLIFFS
MHW	+9.82			PURPOSE:		COUNTY: PLYMOUTH
				BEACH & DUNE RESTORATION	APPLICATION BY:	STATE: MA
					WHITE CLIFFS ASSOCIATION	
						SHEET 5 OF 6
						DATE: 6/20/01





GROIN SECTION



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100 YR FLOOD	+30.25	NGVD	+5.25
HTL	+12.5	MLW	0.0
MHW	+9.82		



TITLE:

SECTIONS

PURPOSE: BEACH & DUNE RESTORATION
APPLICATION BY: WHITE CLIFFS ASSOCIATION

IN: PLYMOUTH
AT: WHITE CLIFFS
COUNTY: PLYMOUTH STATE: MA

SHEET 6 OF 6
DATE: 6/20/01