



**US Army Corps  
of Engineers**  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

Date: March 30, 2004

Comment Period Ends: April 30, 2004

File Number: 200300869

In Reply Refer To: Paul Sneeringer @ 978-318-8491

Or by e-mail: paul.j.sneeringer@usace.army.mil

MacDougalls' Cape Cod Marine Services, Inc., 145 Falmouth Heights Road, Falmouth, Massachusetts 02540; has requested a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, to discharge dredged and/or fill material within Falmouth Inner Harbor as part of the MacDougalls' Boat Yard Renovation Project. The purpose for this project is to modernize the 103-slip Boat Yard so that it can continue to operate as a full-service marine service facility in the future. NOTE: The renovation projects will not result in an increase in the number of boat slips at the marina. The renovation projects include removing an existing travel lift with associated piers and two marine railways; dredging up to 21,670 square feet of the Southern docking area to a depth of -6.0 feet mean low water (MLW); constructing a replacement bulkhead along the shoreline of the Southern docking area; installing a new 70-foot by 40-foot travel lift well with two associated travel lift access piers (75-foot long by 8.125-foot wide) and two 11-foot long by 6 foot-wide floats as well as two adjacent work floats (43-foot long by 6-foot wide); installing three stormwater outfalls with associated riprap scour protection and removing; and realigning the existing docks in the Northern Basin dockage area. All totaled, approximately 3,010 cubic yards of sandy gravel dredged material will be dewatered on-site and used as backfill for the new timber bulkhead. The proposed reconfiguration of docks in the Northern Basin dockage area includes encroachment into the Falmouth Inner Harbor Federal Navigation Project (FNP). The applicant is currently pursuing deauthorization of a section of the FNP in order to allow for the proposed dock realignment. The renovation plan also includes the demolition of a number of upland marine buildings and the construction of new buildings, but this work does not require a DA permit. The work is described on the enclosed plans entitled "MacDougalls Cape Cod Marine Services, Inc.," on 14 sheets, and dated "2-11-04" and revised "3-10-04" and "3-22-04".

Falmouth Inner Harbor provides spawning nursery and foraging habitat for a number of economically valuable marine fishery species, including but not limited to winter flounder (*Pleuronectes americanus*) (all stages), windowpane flounder (*Scopthalmus aquosus*) (adults only), summer flounder (*Paralichthys dentatus*) (all stages), and scup (*Stenotomus chrysops*) (juveniles and adults). The dredging portion of this project will impact approximately 0.5 acres of Essential Fish Habitat (EFH) for economically valuable marine fishery species such as those described above. Habitat at this site can be described as sandy gravel sub-tidal areas. Loss of this habitat may adversely affect EFH. 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.

This project is located on the Falmouth USGS quadrangle sheet at UTM coordinates 41° 32' 42" N and 70° 35' 54" 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 Mr. Paul Sneeringer at (978) 318-8491, (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**

  
**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 the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

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:

- (XX) Permit, License or Assent from State.
- (XX) Permit from Local Wetland Agency or Conservation Commission.
- (XX) 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.

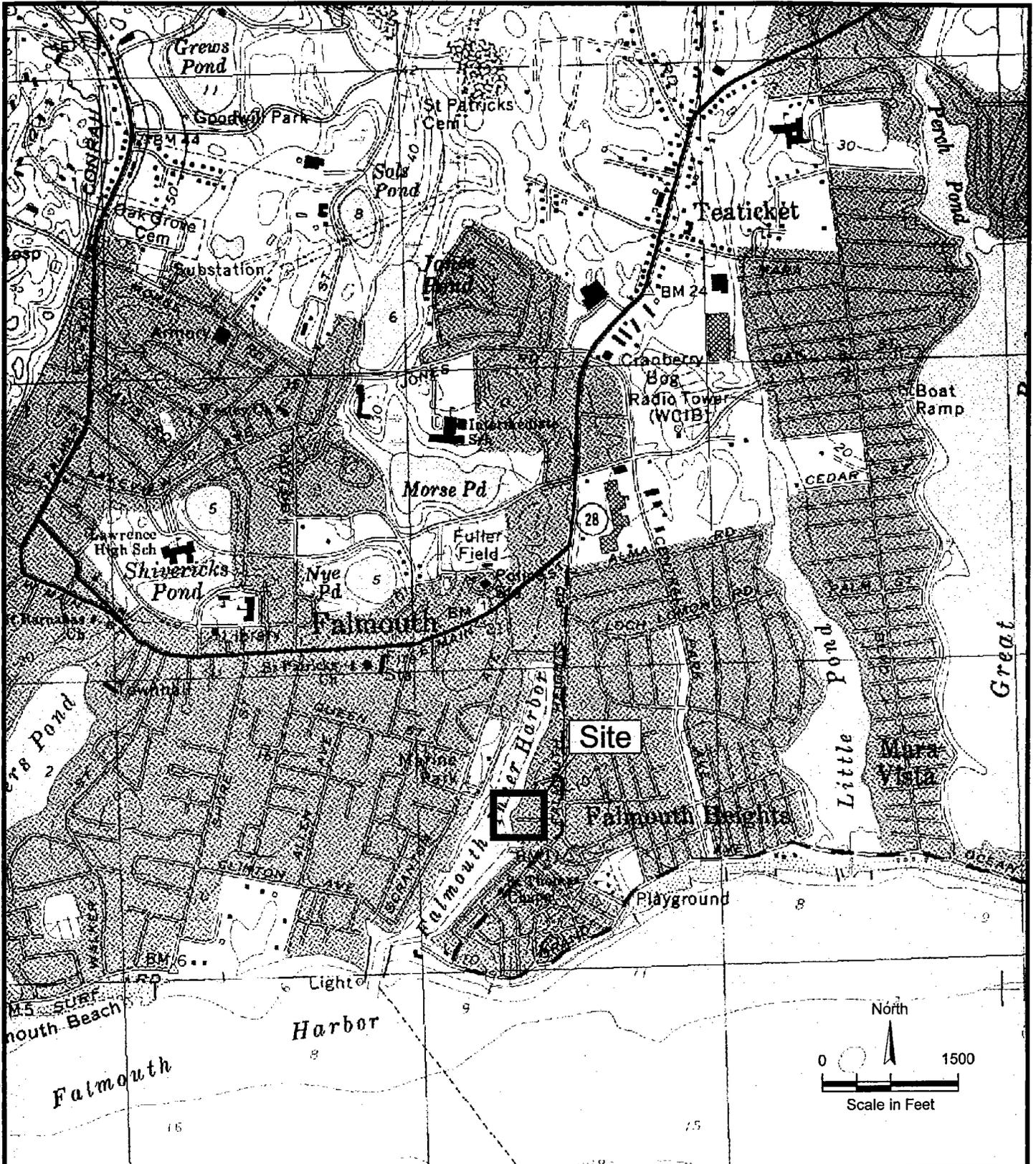
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

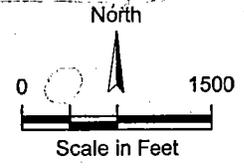
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If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil). You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

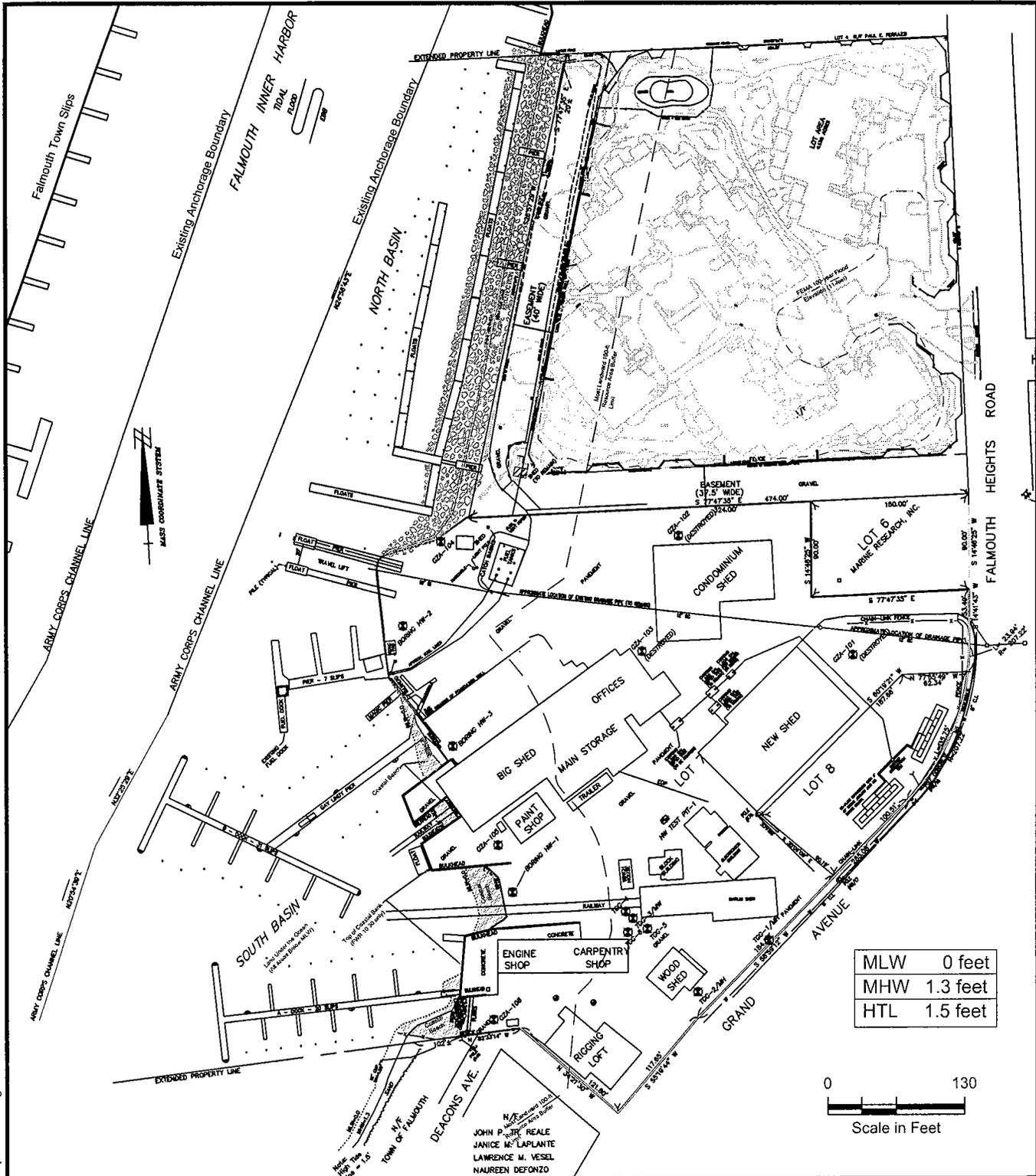
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_



last modified: 03/10/04 printed: 03/11/04 by kk J:\3036 macedougalls review\drawing\army corps plans\3036 Army Corps-Locus.dwg



Sheet: 1	200300869	 <b>Horsley &amp; Witten, Inc.</b> phone: 508-833-6600 <a href="http://www.horsleywitten.com">www.horsleywitten.com</a>	
	Date: 2-11-04		
	Revision: 3-22-04	<b>Vicinity Map</b> MacDougalls Cape Cod Marine Sevice, Inc. 145 Falmouth Heights Road Falmouth Inner Harbor, Falmouth, MA.	
	Revision: 3-10-04		
Datum: for Federal Navigation Channel in State Plan Corodinate System, NAD 1927	Drawn by: kk	Project Number: 3036	Sheet Number: 1 of 4



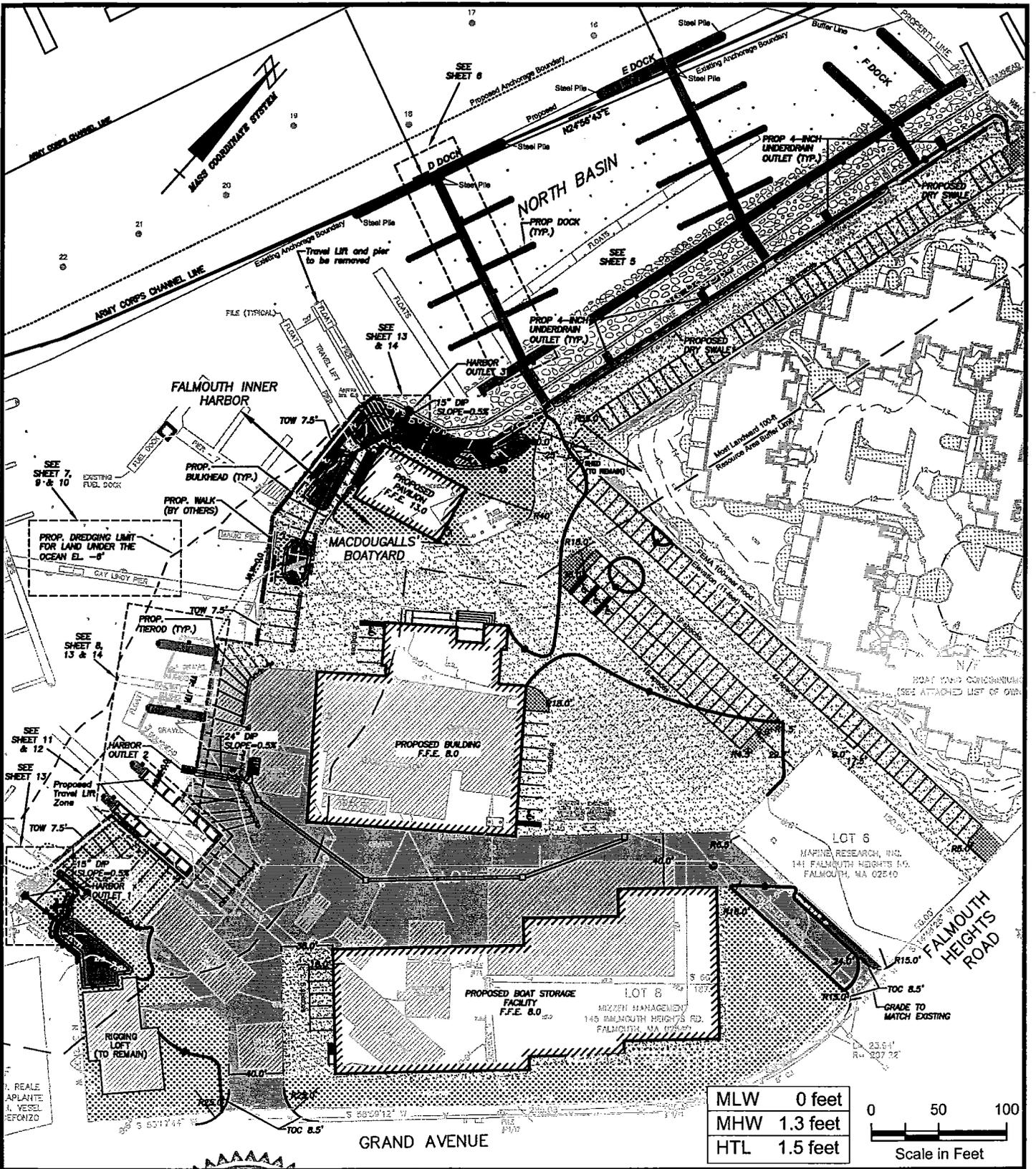
drawing:army\_corps\_plans\3036-army-corps-siteplan.dwg

General notes:  
 Existing slips in North Basin = 45  
 Total of existing slips at MacDougalls = 103  
 (including 9 work slips, 4 transient slips)

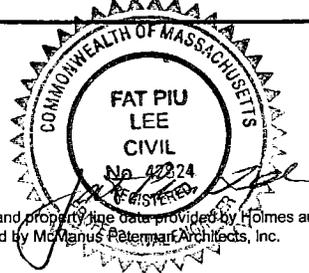
Datum: for Federal Navigation Channel in State Plan  
 Coordinate System, NAD 1927

2003 00869	
Date:	02-11-04
Revision:	03-10-04
Revision:	3-22-04
Drawn by:	KK

	<b>Horsley &amp; Witten, Inc.</b> phone: 508-833-6600 <a href="http://www.horsleywitten.com">www.horsleywitten.com</a>
	<b>Site Plan, Existing Conditions</b> MacDougalls Cape Cod Marine Service, Inc. 145 Falmouth Heights Road Falmouth Inner Harbor, Falmouth, MA.
Project Number: 3036	Sheet Number: 2 of 14



Sheet Index:



General notes:  
 \*Topographical survey and property line data provided by Holmes and McGrath, Inc.  
 \*Building layout provided by McManus Pateman Architects, Inc.

200300869

Date: 02-11-04

REVISION: 03-22-04

Revision: 03-10-04

Drawn by: JJJ



Horsley & Witten, Inc.  
 phone: 508-833-6600  
 www.horsleywitten.com

**PROPOSED SITE PLAN**

MacDougalls Cape Cod Marine Service, Inc.  
 145 Falmouth Heights Road  
 Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036

Sheet Number: 3



**North Basin dock system:**

Existing slips = 45  
 Proposed slips = 36  
 Net reduction = 9 slips

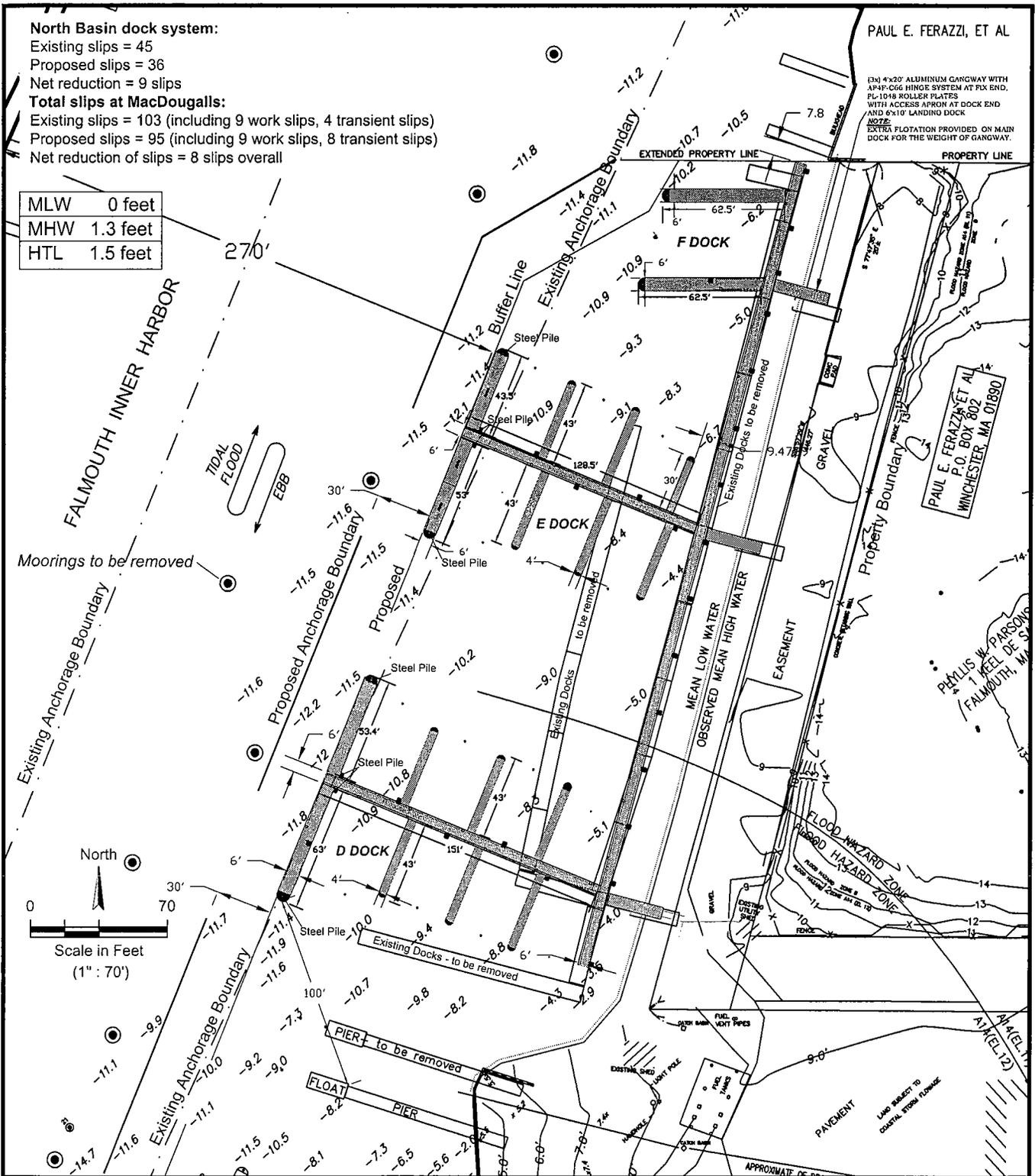
**Total slips at MacDougalls:**

Existing slips = 103 (including 9 work slips, 4 transient slips)  
 Proposed slips = 95 (including 9 work slips, 8 transient slips)  
 Net reduction of slips = 8 slips overall

MLW	0 feet
MHW	1.3 feet
HTL	1.5 feet

PAUL E. FERAZZI, ET AL

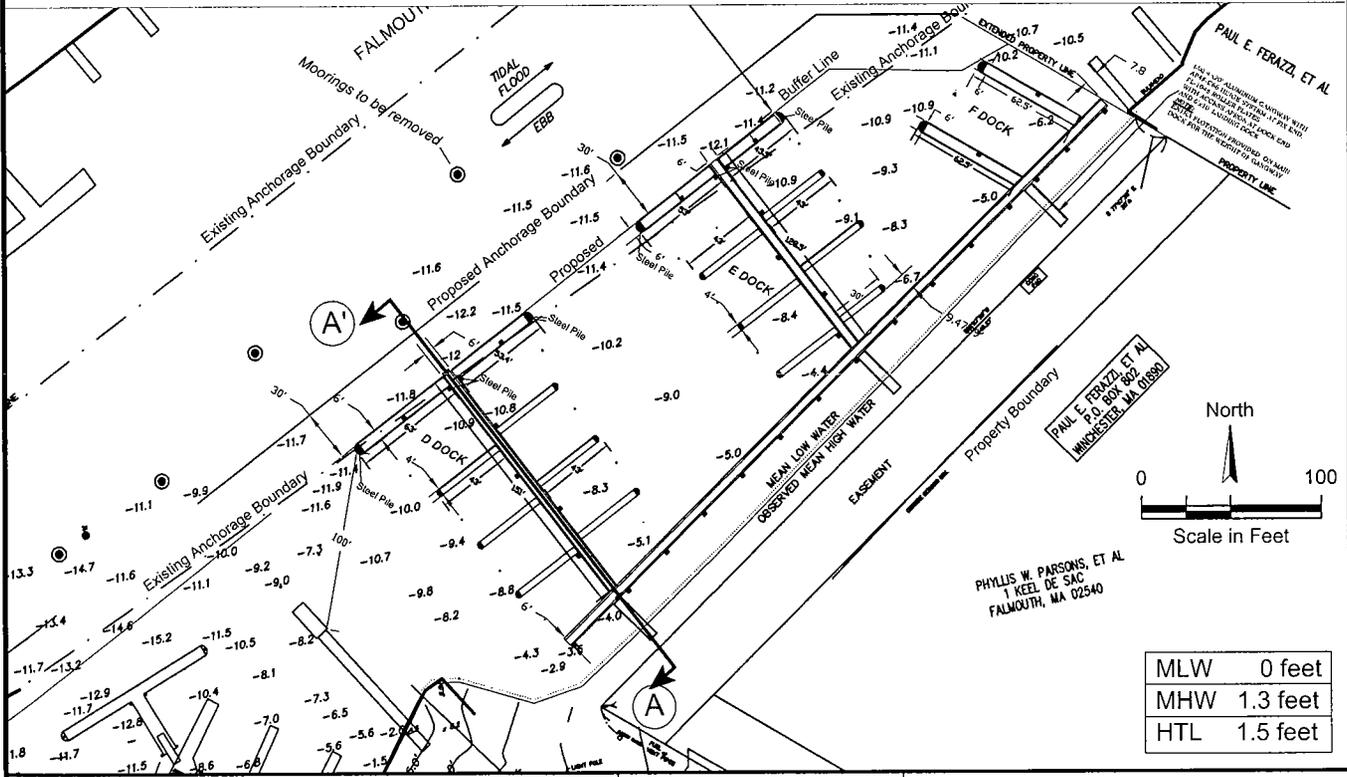
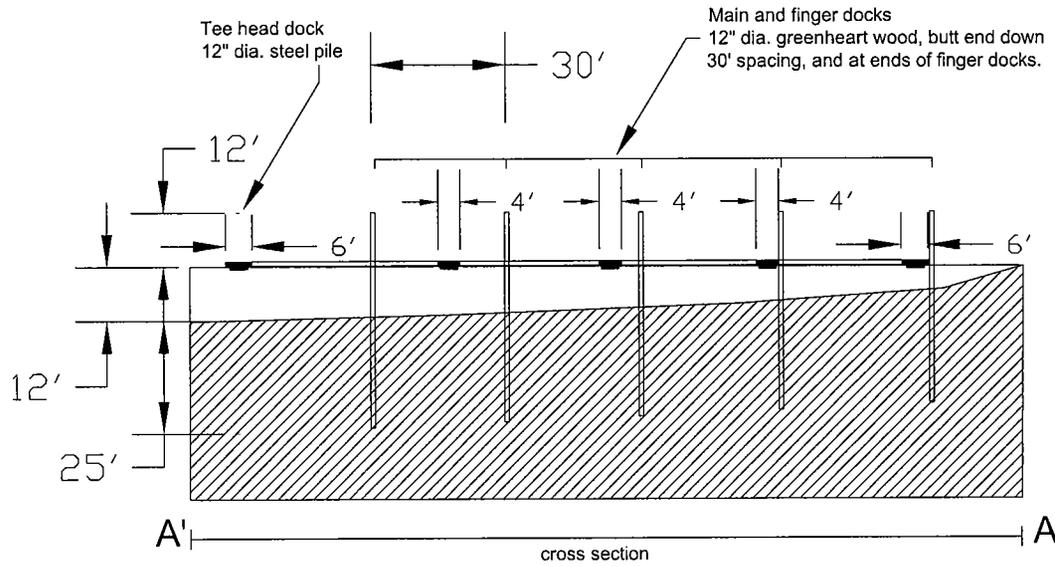
12" 4"x20" ALUMINUM GANGWAY WITH 4"x4" 66" HINGE SYSTEM AT P.K. END, PL-1048 ROLLER PLATES WITH ACCESS APRON AT DOCK END AND 6"x10" LANDING DOCK  
 NOTE: EXTRA FLOTATION PROVIDED ON MAIN DOCK FOR THE WEIGHT OF GANGWAY.



**General notes:**  
 Dock Design: 4 each 12" dia. steel pilings used on Tee Head docks at ends and center. All other pilings are 12" dia. green heart wood pilings, butt end down at a depth of 25' below embedment and 12' elevation above MLW.

Datum: for Federal Navigation Channel in State Plan Coordinate System, NAD 1927

200300869		Horsley & Witten, Inc. phone: 508-833-6600 www.horsleywitten.com	
		<b>North Basin Proposed Conditions</b> MacDougalls Cape Cod Marine Sevice, Inc. 145 Falmouth Heights Road Falmouth Inner Harbor, Falmouth, MA.	
Date: 2-11-04	Revision: 3-22-04		
Drawn by: kk	Project Number: 3036	Sheet Number: 5 of 14	



MLW	0 feet
MHW	1.3 feet
HTL	1.5 feet

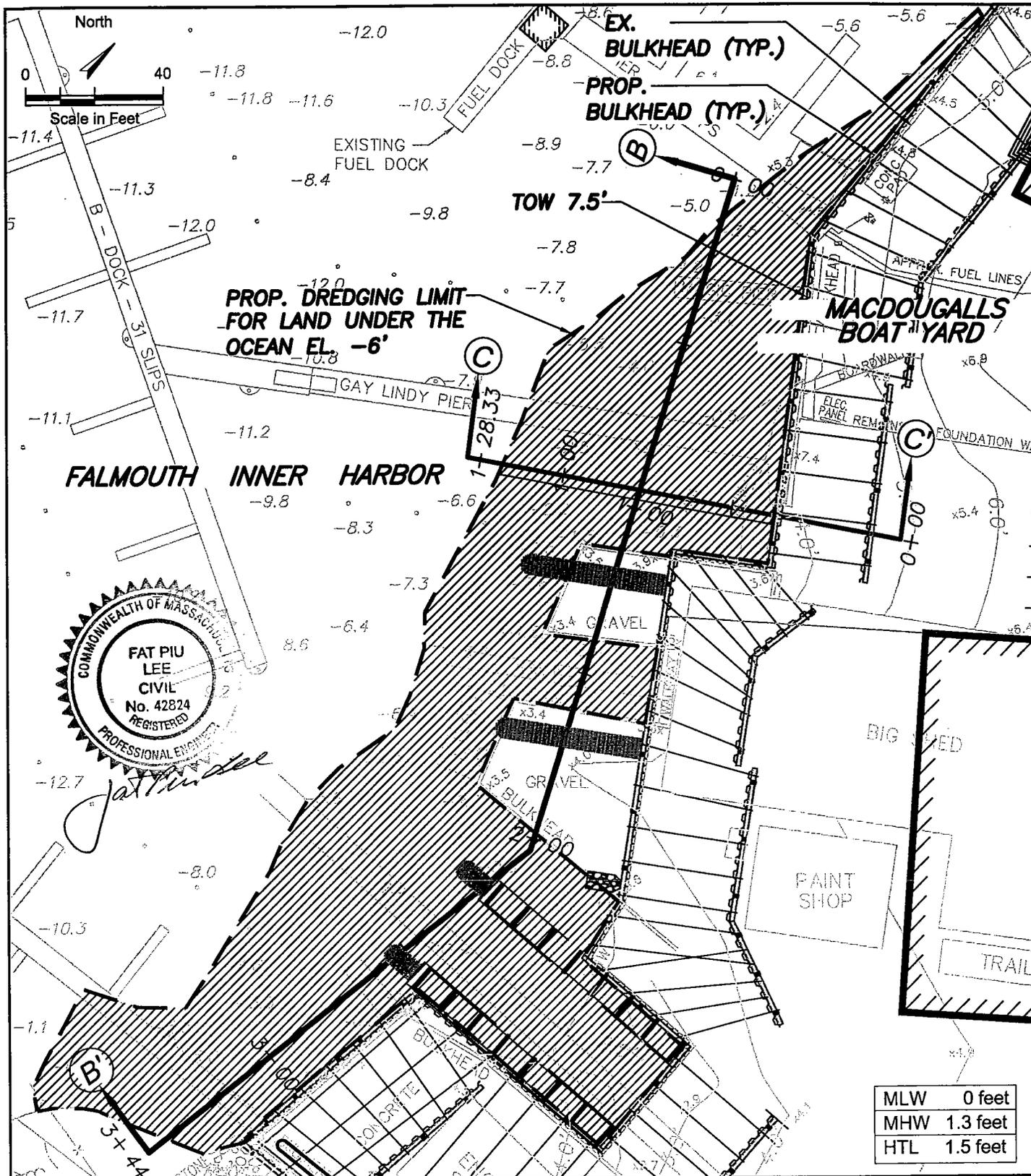
General notes:  
 Dock Design: 4 each 12" dia. steel pilings used on Tee Head docks at ends and center.  
 All other pilings are 12" dia. green heart wood pilings, butt end down at a depth of 25' below embedment and 12' elevation above MLW.  
 Proposed North Basin to accommodate 36 slips (net reduction of 9 slips)  
 Datum: for Federal Navigation Channel in State Plan Coordinate System, NAD 1927

200300869
Date: 2-11-04
Revision: 3-22-04
Drawn by: kk

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North Basin, D Dock Cross Section A-A'  
 MacDougalls Cape Cod Marine Service, Inc.  
 145 Falmouth Heights Road  
 Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036    Sheet Number: 6 of 41



Legend:



Limit of Dredging

200300869



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Date: 02-11-04

REVISION 03-22-04

Revision: 03-10-04

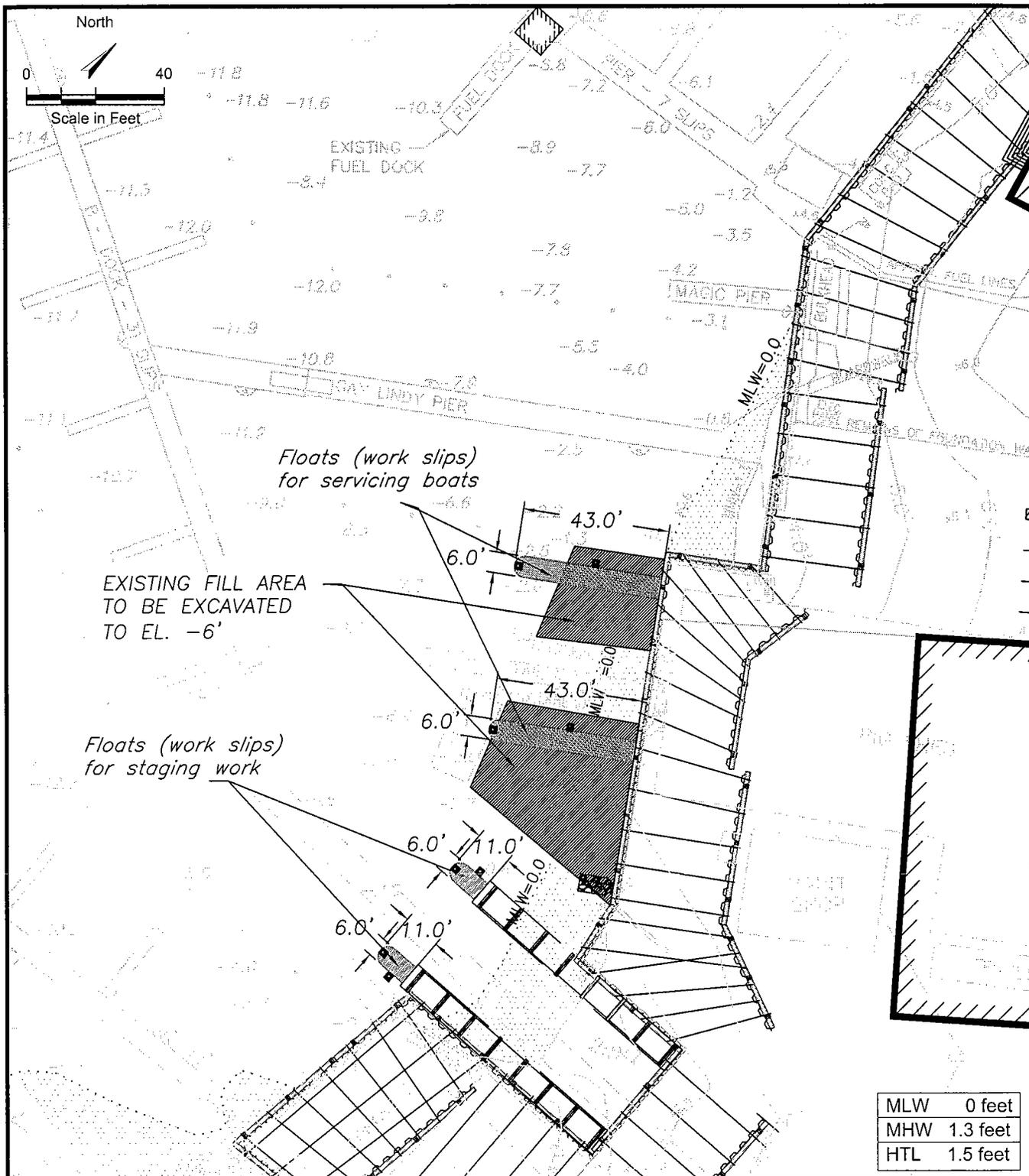
Drawn by: JEH

Proposed Dredging Limit  
Land Under the Ocean

MacDougalls Cape Cod Marine Service, Inc.  
145 Falmouth Heights Road  
Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036

Sheet Number: 7 of 14



**North Basin dock system:**  
 Existing slips = 45  
 Proposed slips = 36  
 Net reduction = 9 slips

**Total slips at MacDougalls:**  
 Existing slips = 103 (including 9 work slips, 4 transient slips)  
 Proposed slips = 95 (including 9 work slips, 8 transient slips)  
 Net reduction of slips = 8 slips overall

Datum: for Federal Navigation Channel in State Plan Coordinate System, NAD 1927

Legend:  
 Fill areas to be excavated

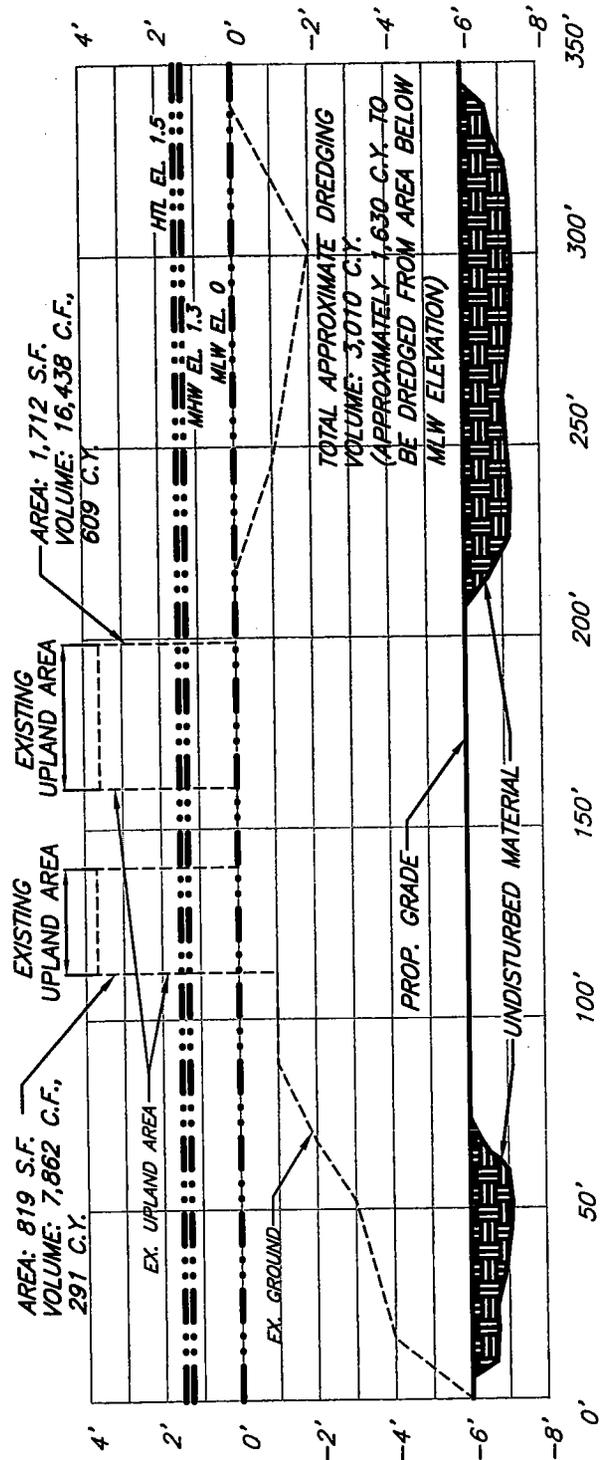
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 phone: 508-833-6600  
 www.horsleywitten.com

Date: 02-11-04  
 Revision: 03-10-04  
 Revision: 3-22-04

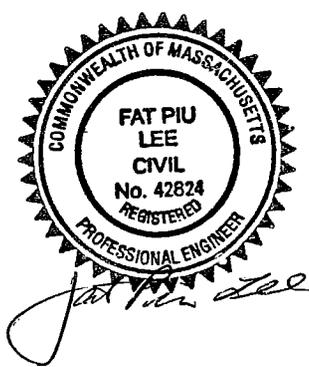
**Proposed Fill Area Excavation Limit**  
 MacDougalls Cape Cod Marine Sevice, Inc.  
 145 Falmouth Heights Road  
 Falmouth Inner Harbor, Falmouth, MA.

Drawn by: JEH      Project Number: 3036      Sheet Number: 8 of 14



**PROPOSED DREDGING PROFILE  
SECTION B - B'**

VERTICAL SCALE: 1"=5'  
HORIZONTAL SCALE: 1"=50'



Legend:

200300869

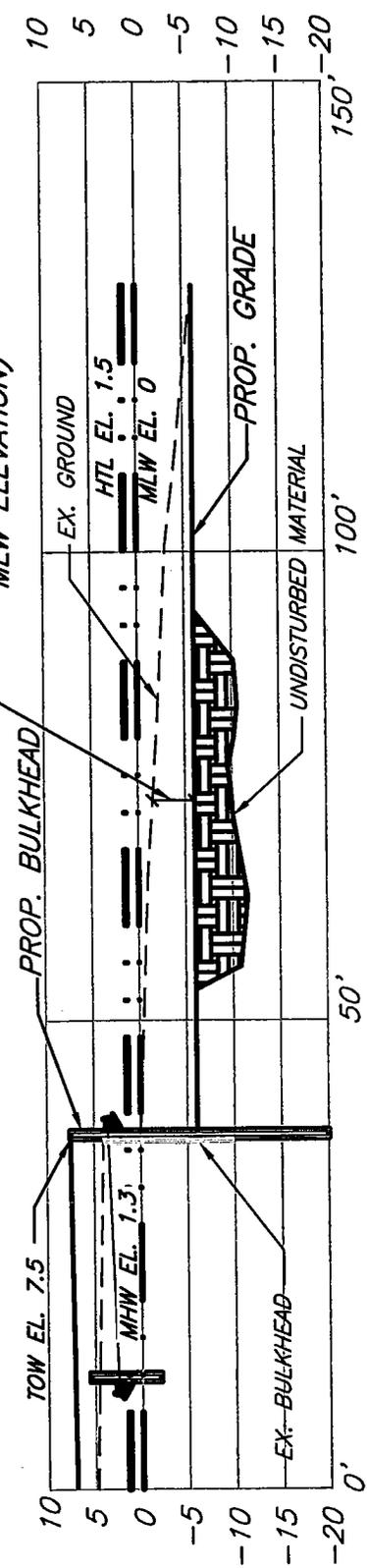


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Date: 2-11-04  
REVISION: 3-22-04  
Revision: 3-10-04  
Drawn by: JEH

Proposed Dredging Profile  
Section B - B'  
MacDougalls Cape Cod Marine Service, Inc.  
145 Falmouth Heights Road  
Falmouth Inner Harbor, Falmouth, MA.  
Project Number: 3036 Sheet Number: 9 of 14

TOTAL APPROXIMATE DREDGING  
 VOLUME: 3,010 C.Y.  
 (APPROXIMATELY 1,630 C.Y. TO  
 BE DREDGED FROM AREA BELOW  
 MLW ELEVATION)

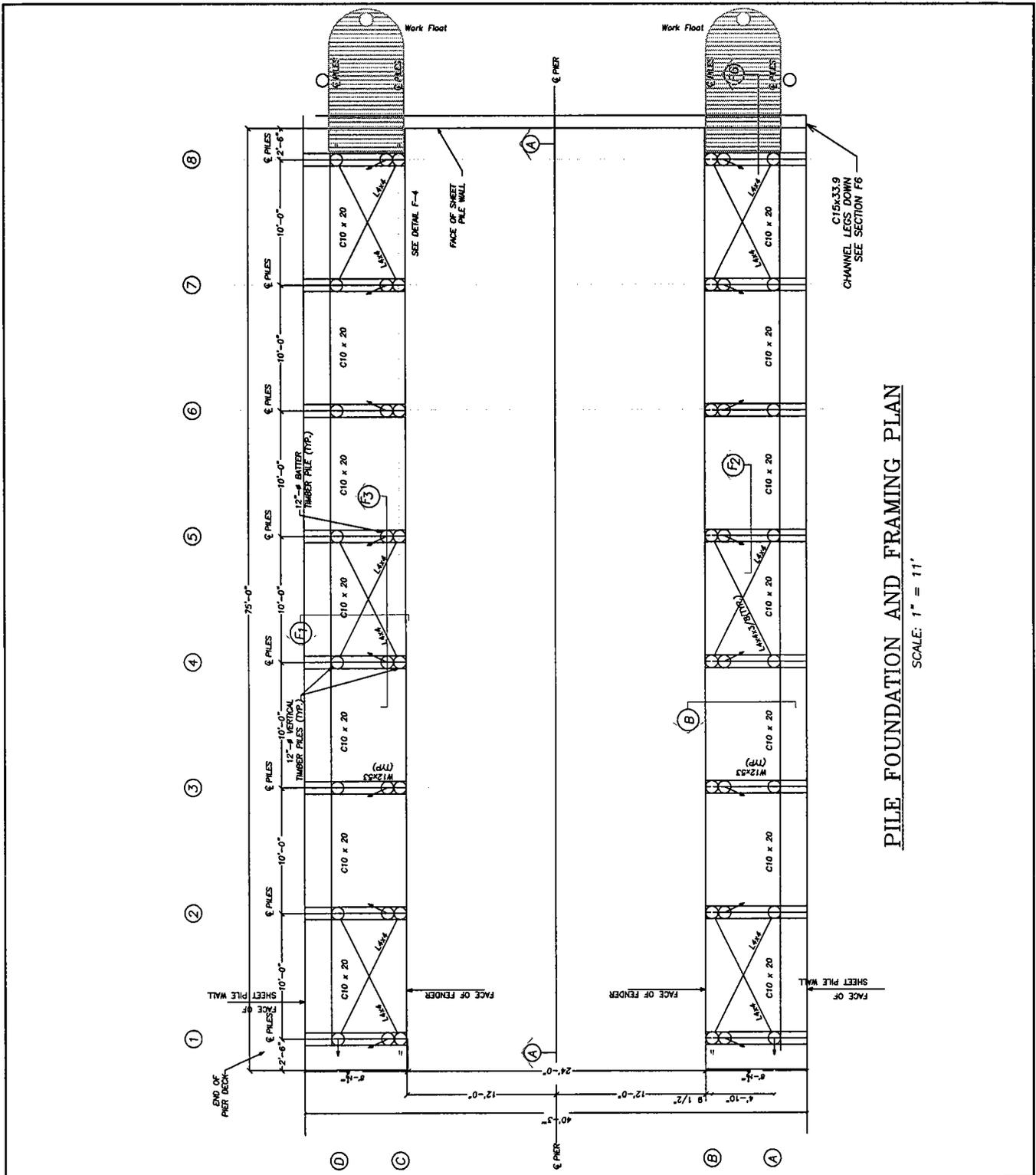


**PROPOSED DREDGING PROFILE  
 SECTION C - C'**

SCALE: 1"=20'



Legend:	200300869	 <b>Horsley &amp; Witten, Inc.</b> phone: 508-833-6600 www.horsleywitten.com	
	Date: 2-11-04		<b>Proposed Dredging Profile          Section C -C'</b> MacDougalls Cape Cod Marine Sevice, Inc. 145 Falmouth Heights Road Falmouth Inner Harbor, Falmouth, MA.
	REVISION: 3-22-04		
	Revision: 3-10-04		
	Drawn by: JEH		Project Number: 3036

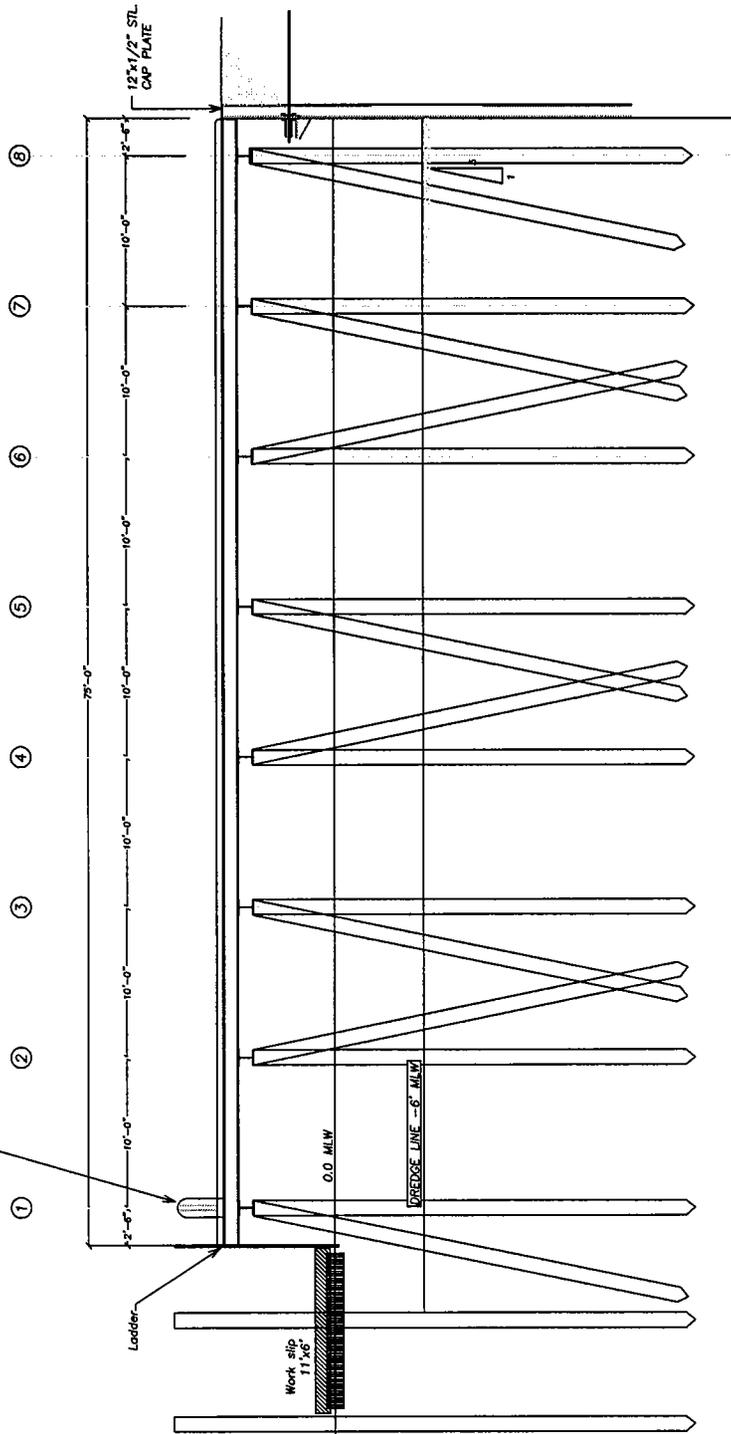


PILE FOUNDATION AND FRAMING PLAN

SCALE: 1" = 11'

Sheet Index:  General notes: Travel lift design provided by CLE Engineering, Inc.	200300869	 Horsley & Witten, Inc. phone: 508-833-6600 www.horsleywitten.com	
	Date: 02-11-04		<b>TRAVEL LIFT PLAN</b> MacDougalls Cape Cod Marine Sevice, Inc. 145 Falmouth Heights Road Falmouth Inner Harbor, Falmouth, MA.
	Revision: 3-22-04		Project Number: 3036
	Drawn by: CLE		Sheet Number: 11 of 14

#16x40 CURB  
STOP 2"  
LONG  
RINGS  
CORNERS - WELD  
3/8" ALL AROUND  
ONE PER SIDE  
SEE DETAIL F-5



**PILE FOUNDATION AND FRAMING PROFILE**

SCALE: 1" = 12'

Sheet Index:

General notes:  
Travel lift design provided by CLE Engineering, Inc.

20030086<sup>9</sup>

Date: 02-11-04

Revision: 3-22-04

Drawn by: CLE



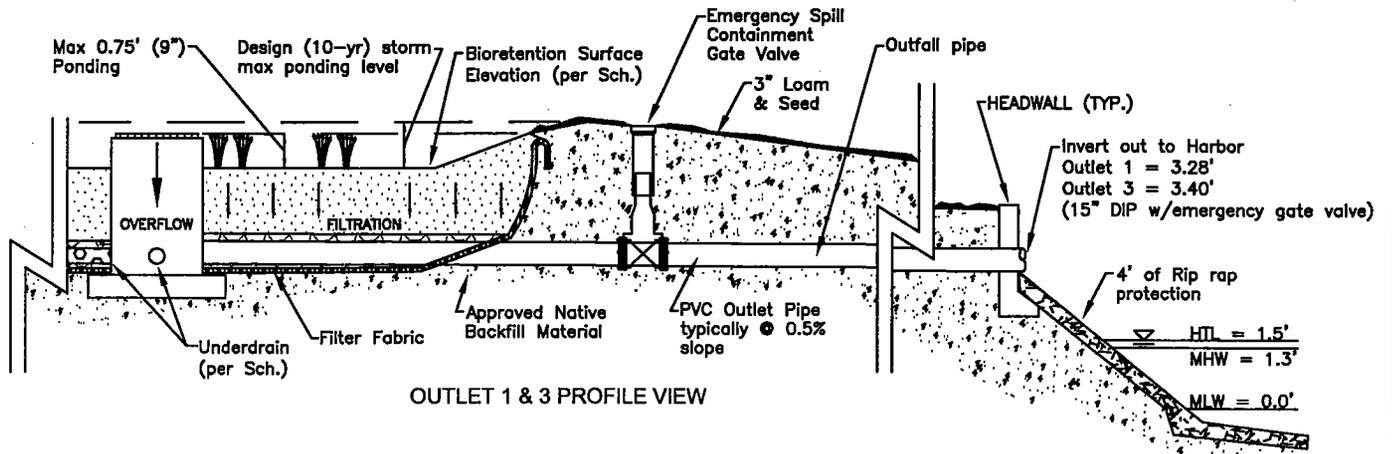
Horsley & Witten, Inc.  
phone: 508-833-6600  
www.horsleywitten.com

**TRAVEL LIFT PROFILE**

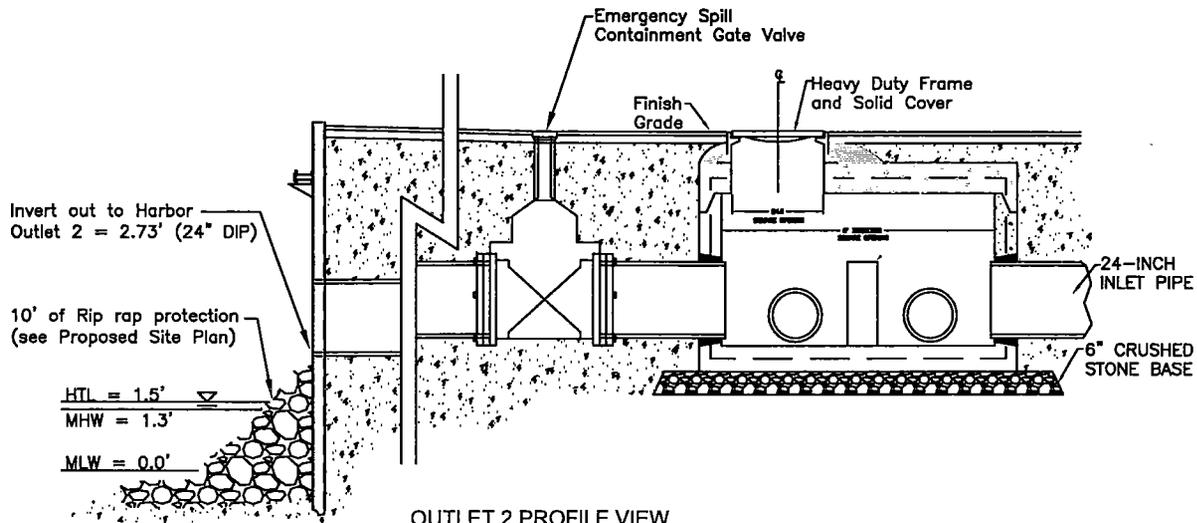
MacDougalls Cape Cod Marine Sevice, Inc.  
145 Falmouth Heights Road  
Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036

Sheet Number: 12 of 14



OUTLET 1 & 3 PROFILE VIEW

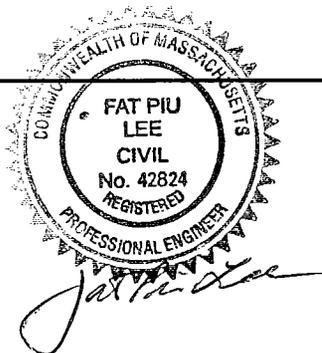


OUTLET 2 PROFILE VIEW

N.T.S.

Sheet Index:

General notes:



200300869

Date: 02-11-04

REVISION: 03-22-04

Revision: 03-10-04

Drawn by: JJJ



Horsley & Witten, Inc.

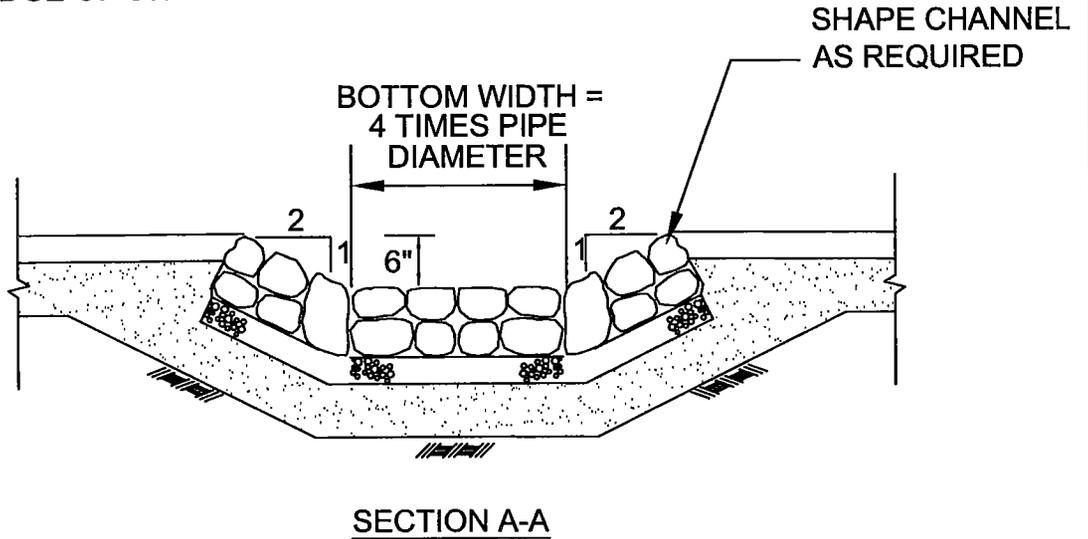
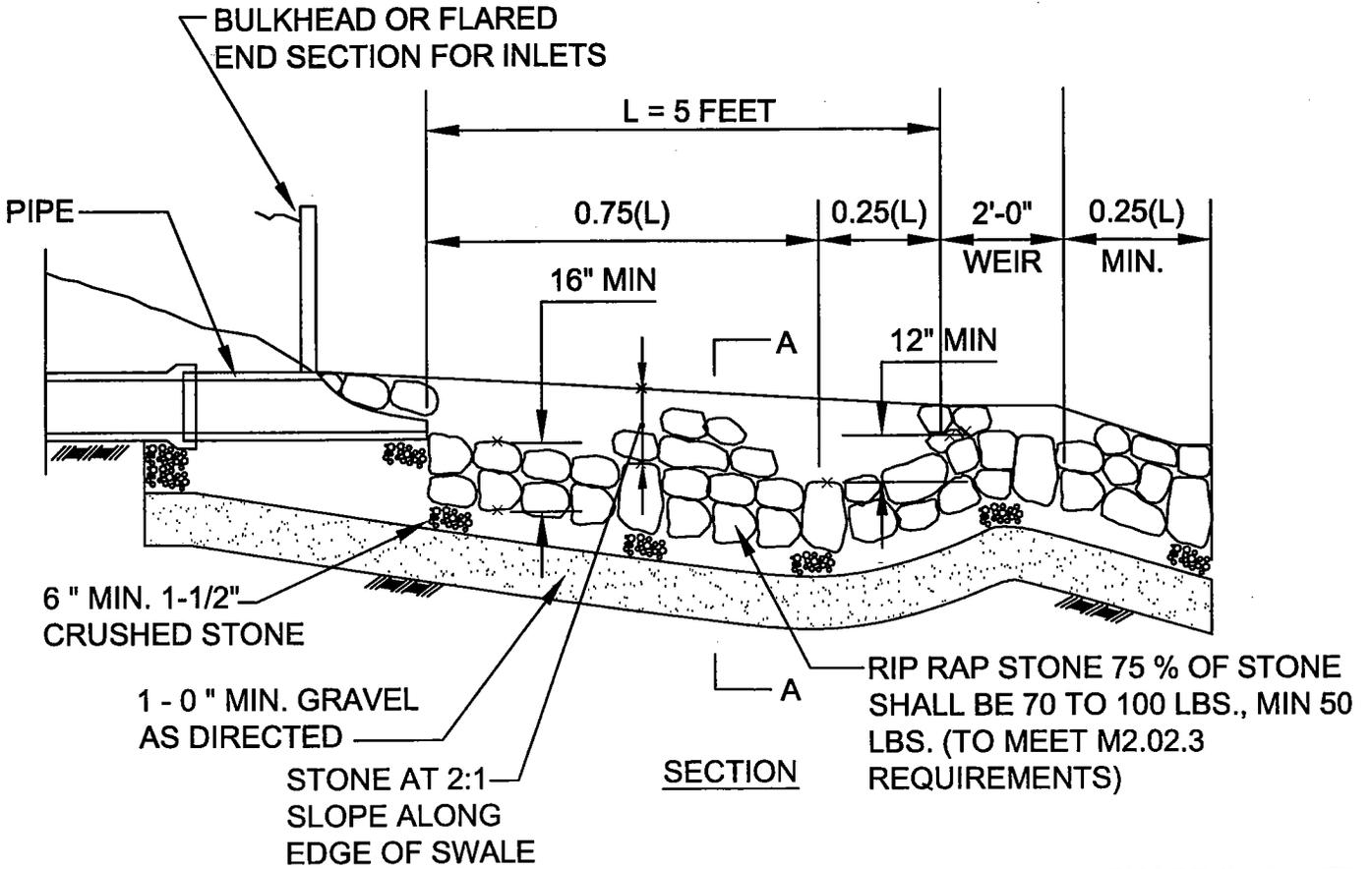
phone: 508-833-6600  
www.horsleywitten.com

**OUTFALL PROFILE VIEW**

MacDougalls Cape Cod Marine Service, Inc.  
145 Falmouth Heights Road  
Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036

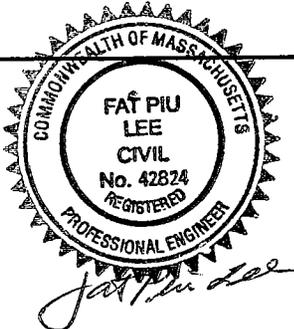
Sheet Number: 13 of 4



N.T.S.

Sheet Index:

General notes:



200300869

Date: 02-11-04

REVISION: 03

Revision: 03-10-04

Drawn by: JJJ



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**OUTFALL CROSS-SECTION**

MacDougalls Cape Cod Marine Service, Inc.  
145 Falmouth Heights Road  
Falmouth Inner Harbor, Falmouth, MA.

Project Number: 3036

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