



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

8 Carmichael St., Suite 205  
Essex Jct., VT 05452

# PUBLIC NOTICE

Date: MAY 4, 2004

Comment Period Ends: JUNE 4, 2004

File Number: NAE-2004-097

In Reply Refer To: Marty Lefebvre

Or by e-mail: martha.a.lefebvre@usace.army.mil

**Town of Colchester, ATTN: Bryan K. Osborne, Director of Public Works, P.O. Box 55, 55 Blakely Road, Colchester, Vermont 05446** has requested a Corps of Engineers permit under Section 404 of the Clean Water Act to: Place fill in a scrub-shrub/emergent wetland adjacent to Lake Champlain in conjunction with the construction of a 1500' long, 10' wide recreational path at the Rosetti Natural Area off Holy Cross Road in Colchester, Vermont. Approximately 585 linear ft. of wetland will be crossed by the path. A total of 9800 sq. ft. (0.22 acre) of wetland will be permanently impacted. A 6' wide, 280' long fixed, post-supported boardwalk will connect the filled path to the lakeshore and a popular beach. About 130 linear ft. of the boardwalk will cross a buttonbush swamp. The purpose of the path is to provide emergency vehicle access to the lakeshore. The wetland to be impacted functions primarily to provide wildlife habitat and to store and desynchronize floodwaters. The work is described on the enclosed plans entitled "PROPOSED: Access Road & Boardwalk" in six sheets, dated "3/16/04", "Revised Dates: 3/29/04 - 4/2/04", "Revised: 3/16/04, 3/29/04", and "Revised DATE: 3/16/04".

The project site is located on the Colchester, VT USGS quadrangle sheet at UTM coordinates N 4934538.0 and E 638996.0.

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 Marty Lefebvre 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.

SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS

  
Frank J. Delgiudice  
Acting 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:

- Permit, License or Assent from State of Vermont.
- Permit from Local Wetland Agency or Conservation Commission.
- 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.

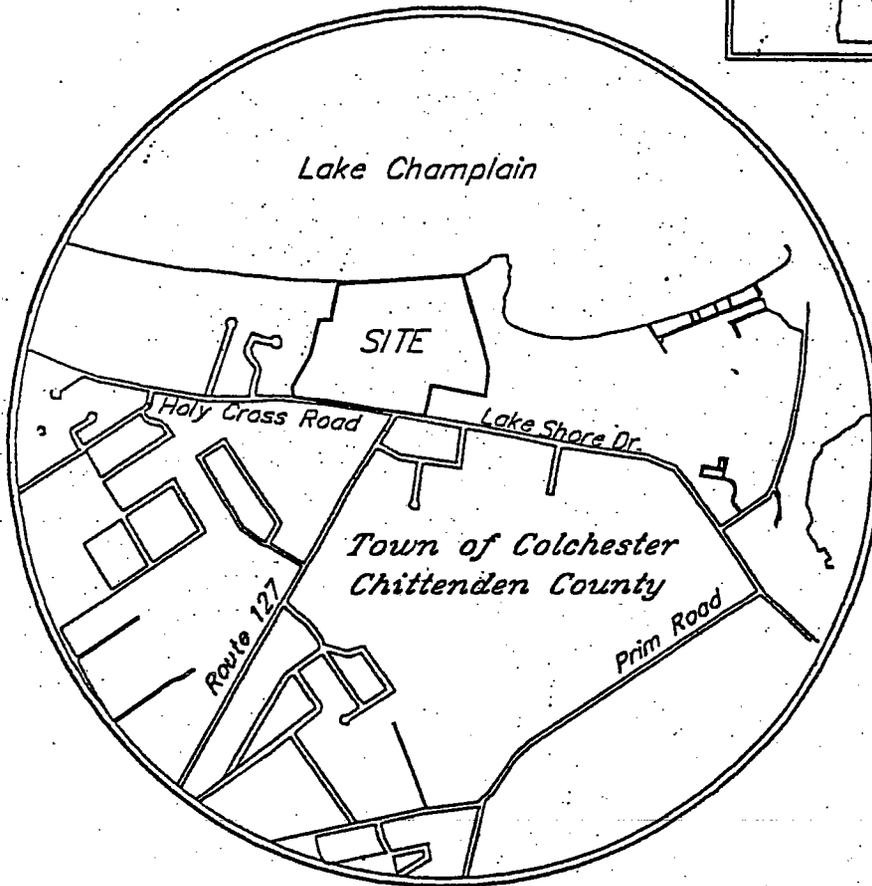
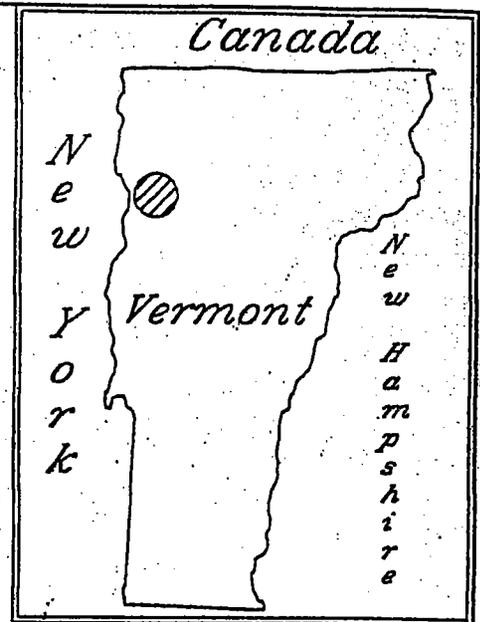
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in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



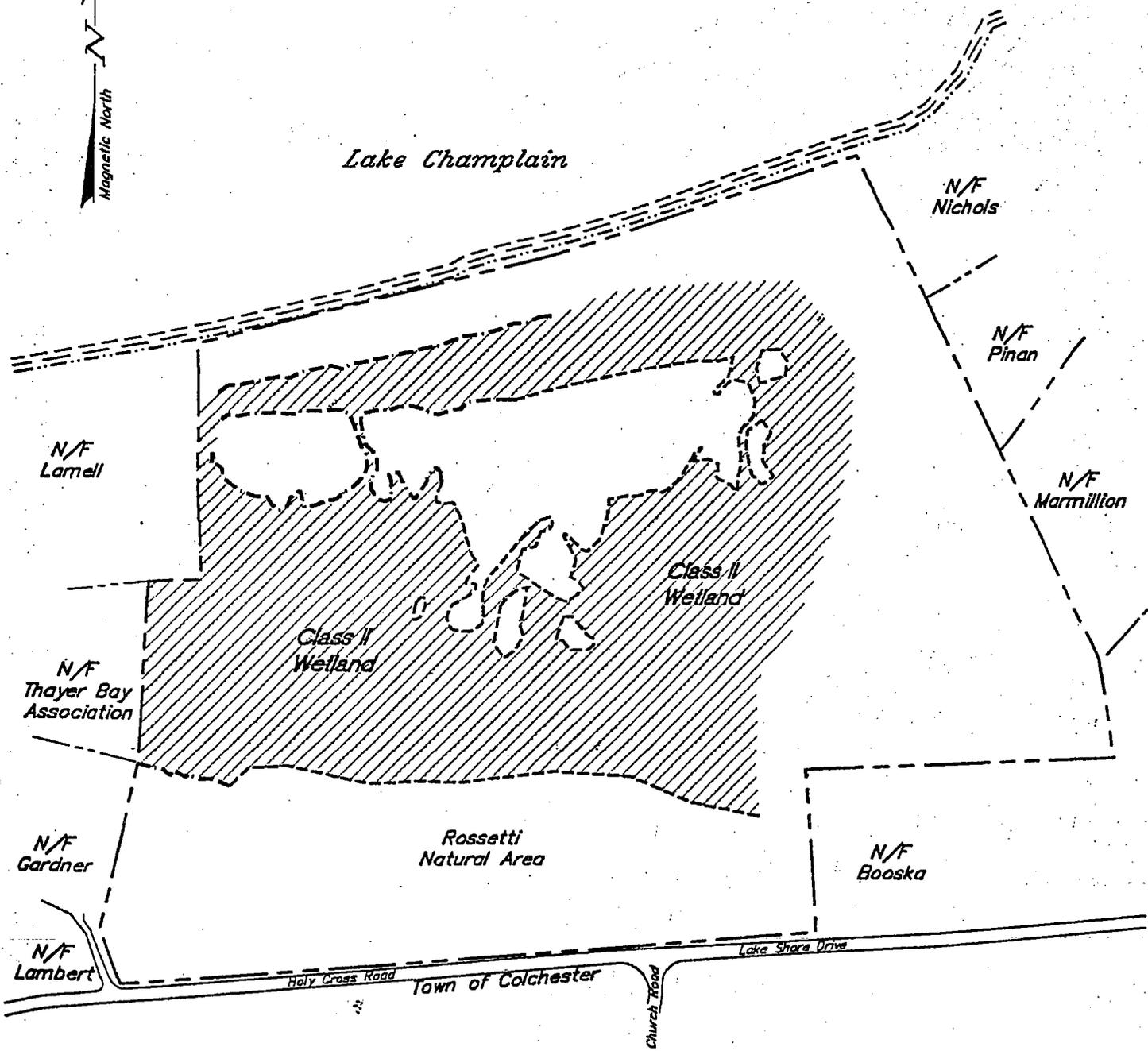
Location Map

N.T.S.

<p>Source: Town of Colchester Drawings for Rosetti Natural Area Prepared by Krebs and Lansing Consulting Engineers, Inc.</p>	<p>Project Location</p>	<p>PROPOSED: Access Road &amp; Boardwalk IN: Class II Wetland AT: Holy Cross Road Colchester, Vermont APPLICATION BY: Town of Colchester</p>
		<p>DATE: 3/16/04   SHEET: 1 of 6</p>



Lake Champlain



Source:  
Town of Colchester  
Drawings for Rosetti Natural Area  
Prepared by Krebs and Lansing  
Consulting Engineers, Inc.

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SCALE: 1"=300'

PROPOSED: Access Road  
& Boardwalk  
IN: Class II Wetland  
AT: Holy Cross Road  
Colchester, Vermont  
APPLICATION BY:  
Town of Colchester

Revised Dates: 3/29/04 - 6/2/04

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DATE: 3/18/04

SHEET: 2 of 6

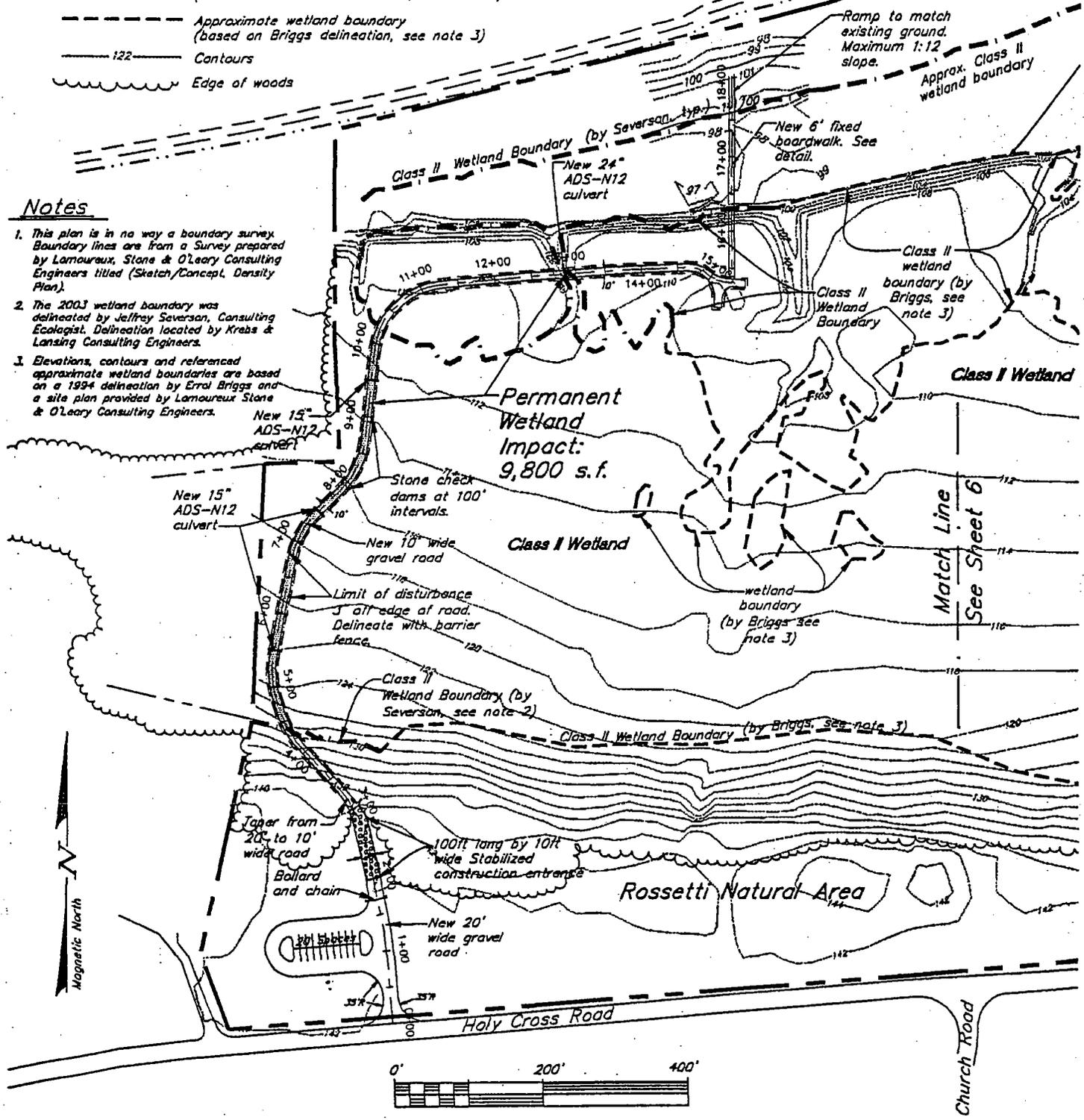
**Legend**

- Approximate Existing Property line
- Class II wetland boundary (based on Severson delineation, see note 2)
- Approximate wetland boundary (based on Briggs delineation, see note 3)
- 122 Contours
- Edge of woods

**Lake Champlain**

**Notes**

1. This plan is in no way a boundary survey. Boundary lines are from a Survey prepared by Lamoureux, Stone & O'Leary Consulting Engineers titled (Sketch/Concept, Density Plan).
2. The 2003 wetland boundary was delineated by Jeffrey Severson, Consulting Ecologist, Delineation located by Krebs & Lansing Consulting Engineers.
3. Elevations, contours and referenced approximate wetland boundaries are based on a 1994 delineation by Errol Briggs and a site plan provided by Lamoureux Stone & O'Leary Consulting Engineers.



Source:  
Town of Colchester  
Drawings for Rosetti Natural Area  
Prepared by Krebs and Lansing  
Consulting Engineers, Inc.

**Proposed Permanent  
Wetland Impacts**

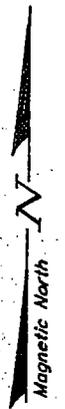
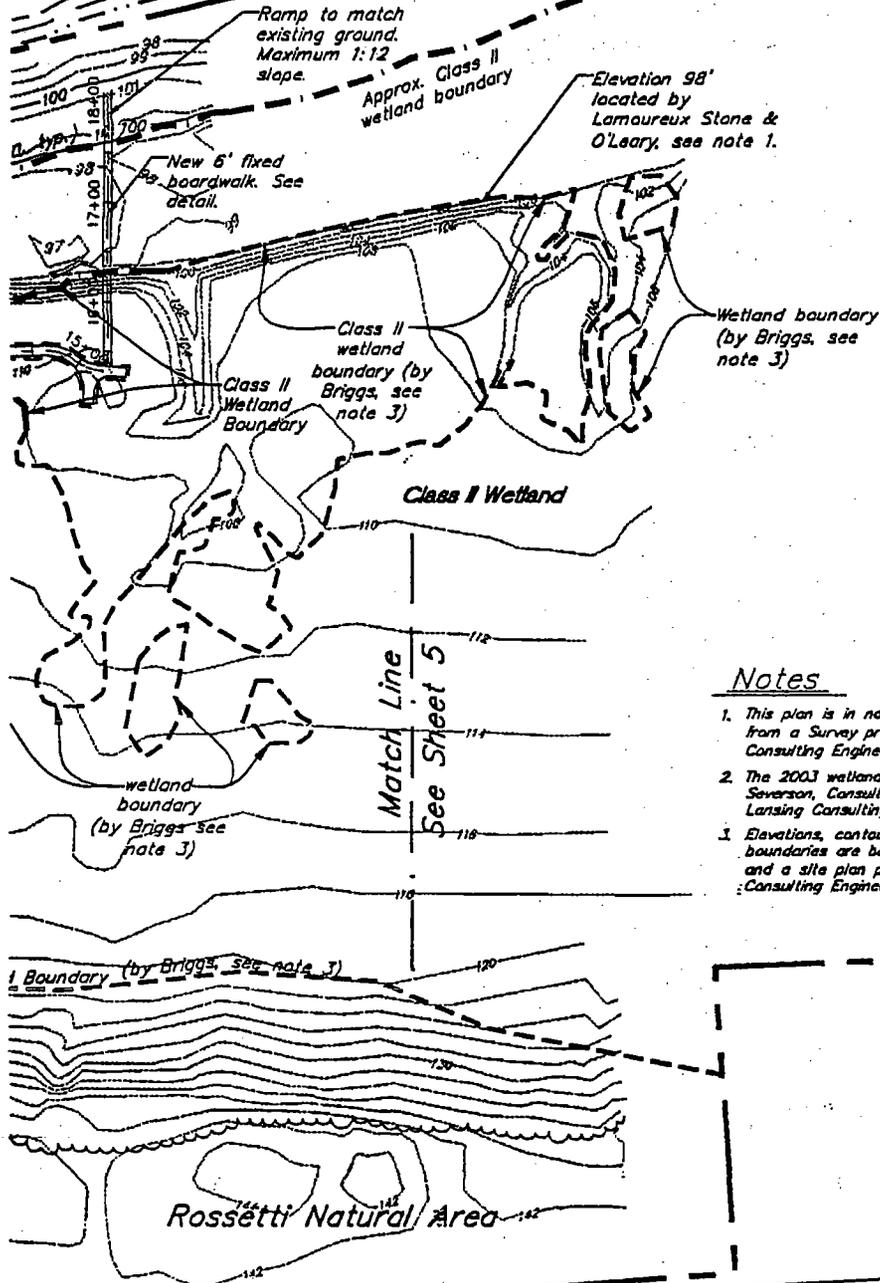
SCALE: 1"=200'

**PROPOSED:** Access Road  
& Boardwalk  
**IN:** Class II Wetland  
**AT:** Holy Cross Road  
Colchester, Vermont  
**APPLICATION BY:**  
Town of Colchester

Revised: 3/16/04, 3/29/04  
DATE: 2/12/04  
SHEET: 3 of 6

# Lake Champlain

located by Lamoureux Stone & O'Leary, see note 3



### Notes

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### Legend

- Approximate Existing Property line
- Class II wetland boundary (based on Severson delineation, see note 2)
- Approximate wetland boundary (based on Briggs delineation, see note 3)
- Contours
- Edge of woods



Source:  
Town of Colchester  
Drawings for Rosetti Natural Area  
Prepared by Krebs and Lansing  
Consulting Engineers, Inc.

Proposed Permanent  
Wetland Impacts

SCALE: 1"=200'

PROPOSED: Access Road  
& Boardwalk

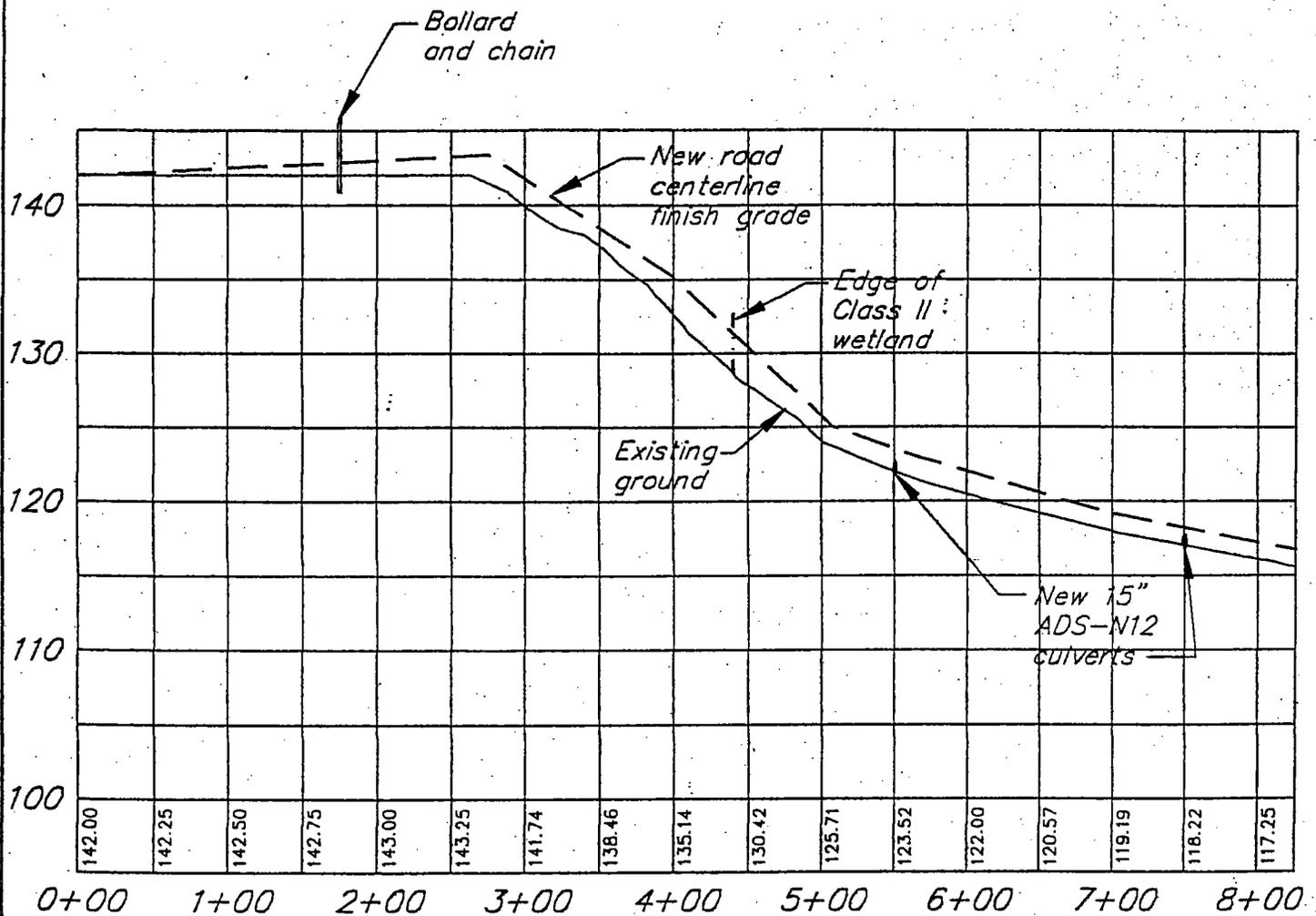
IN: Class II Wetland  
AT: Holy Cross Road  
Colchester, Vermont

APPLICATION BY:  
Town of Colchester

Revised: 3/16/04, 3/29/04  
DATE: 2/12/04

SHEET: 4 of 6

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## Road Profile

Horiz. 1" = 120'  
 Vert. 1" = 12'

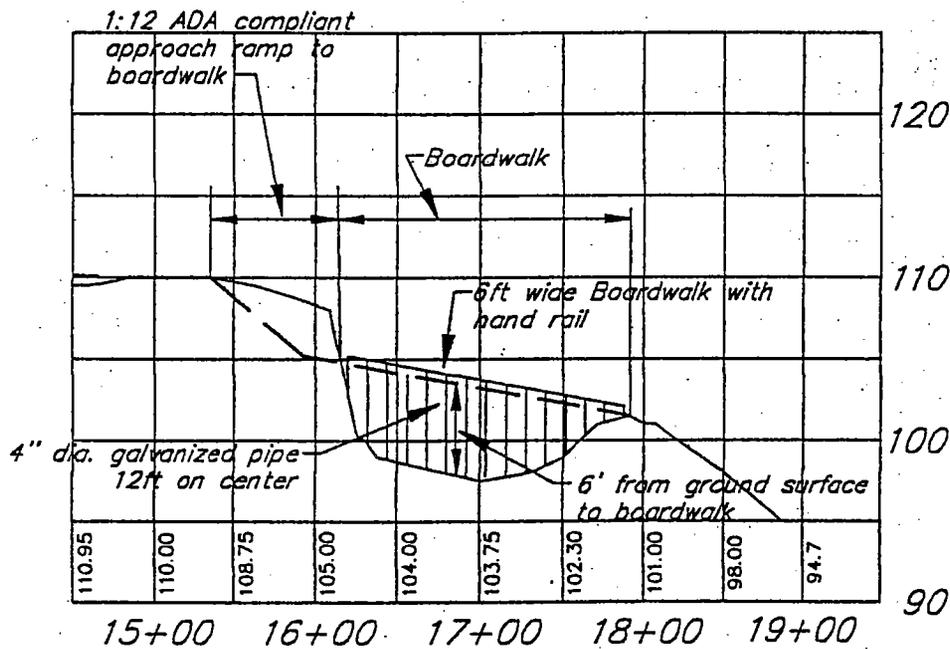
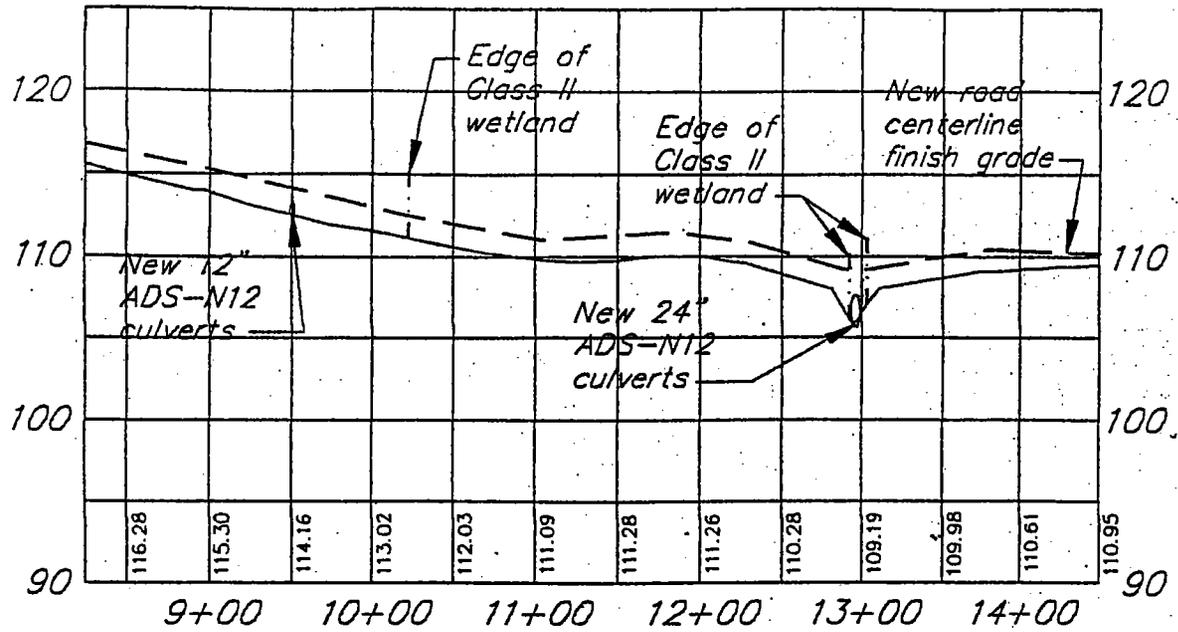
Source:  
 Town of Colchester  
 Drawings for Rosetti Natural Area  
 Prepared by Krebs and Lansing  
 Consulting Engineers, Inc.

**Proposed Permanent  
 Wetland Impacts**

**PROPOSED:** Access Road  
 & Boardwalk  
**IN:** Class II Wetland  
**AT:** Holy Cross Road  
 Colchester, Vermont  
**APPLICATION BY:**  
 Town of Colchester

Revised DATE: 3/18/04  
 DATE: 2/12/04

SHEET: 5 of 6



## Road Profile

Horiz. 1" = 120'  
Vert. 1" = 12'

Source:  
Town of Colchester  
Drawings for Rosetti Natural Area  
Prepared by Krebs and Lansing  
Consulting Engineers, Inc.

Proposed Permanent  
Wetland Impacts

**PROPOSED:** Access Road  
& Boardwalk  
**IN:** Class II Wetland  
**AT:** Holy Cross Road  
Colchester, Vermont  
**APPLICATION BY:**  
Town of Colchester

Revised DATE: 3/16/04  
DATE: 2/12/04

SHEET: 6 of 6