



PUBLIC NOTICE

Comment Period Begins: July 3, 2024

Comment Period Ends: August 2, 2024

File Number: NAE-2023-00973

In Reply Refer to: Mike Wierbonics

Phone: (978) 318-8723

Email: michael.s.wierbonics@usace.army.mil

The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a revised permit application, file number NAE-2023-00973, for additional work in waters of the United States from Matthew Waldrip representing NSTAR Electric Company d/b/a Eversource Energy. Originally, USACE issued a public notice for this project on July 25, 2023, for impacts subject to Section 10 of the Rivers and Harbors Act of 1899 jurisdiction. The newly revised application now proposes the additional discharge of fill material that is subject to Section 10 and Section 404 of the Clean Water Act jurisdiction. This project is proposed in Vineyard Sound between Surf Drive, Falmouth, Massachusetts and Eastville Avenue in Oak Bluffs, Massachusetts. The end point coordinates for the project are Latitude: 41.542404 Longitude: -70.617339 (Falmouth Landing) and Latitude: 41.462752 Longitude: -70.581319 (Oak Bluffs Landing).

The proposed work would construct a 6.27-mile electrical transmission cable across Vineyard Sound. The cable would landfall off Surf Drive in Falmouth, Massachusetts, and off Eastville Avenue in Oak Bluffs, Massachusetts. Approximately 29,860 linear feet (5.66 miles) of cable would be installed via trenchless jetplow and 3,253 feet (0.62 miles) of cable would be installed via horizontal directional drilling (HDD). Approximately 2,153 feet of HDD would occur to Falmouth landfall and 1,100 feet of HDD would occur to Oak Bluffs landfall. Jetplow installation would bury the cable 6 to 10 feet below the seabed. HDD installation would bury the cable 60 to 80 feet below the seabed. In areas of hard bottom habitat where ideal burial depth would not be achieved, 1,200 cubic yards of concrete mattresses would be discharged over the cable totaling 0.99 acres.

The work is shown on the enclosed plans entitled "PLAN ACCOMPANYING PETITION OF NSTAR ELECTRIC CO. D/B/A EVERSOURCE ENERGY TO CONSTRUCT AND MAINTAIN A BURIED SUBMARINE CABLE WITHIN VINEYARD SOUND FALMOUTH, BARNSTABLE COUNTY, MASSACHUSETTS TO OAK BLUFFS, DUKES COUNTY, MASSACHUSETTS," on thirty-eight (38) sheets dated "MARCH 19, 2024."

The project has been designed to avoid and minimize adverse effects to waters of the United States. HDD installation would occur in nearshore areas to avoid impacts to sensitive habitats such as eelgrass near the landfall sites. Installation of the cable via jetplow would result in temporary effects that are anticipated to revert back to pre-impact conditions within a few tidal cycles. The proposed discharge of concrete mattresses would result in the permanent impact of 0.99 acres of waters of the U.S.

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 USACE 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. The USACE will consider all comments received 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.

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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project would impact 8.69 acres of EFH. This habitat consists of medium to coarse grain sands, hard bottom habitat, and complex bottom habitat. Loss of this habitat may adversely affect species that use these waters and substrate. However, the District Engineer has made a preliminary determination that the site-specific adverse effect would 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 our initial review of the proposed project, no historic properties were identified within the permit area. 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.

ENDANGERED SPECIES CONSULTATION

The USACE has reviewed the application for the potential impact on federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act (ESA) as amended. It is our preliminary 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 a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

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.

COMMENTS

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

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File No. NAE-2023-00973 – Martha's Vineyard Reliability Project

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.

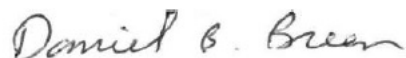
People submitting comments are advised that all comments received will be available for public review in their entirety and will be considered a matter of public record.

Comments should be submitted in writing by the above date. If you have any questions, please contact Michael Wierbonics at michael.s.wierbonics@usace.army.mil, (978) 618-0812, (800) 343-4789 or (800) 362-4367.

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 USACE 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. 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.



Daniel Breen
Chief, Transportation and Utilities Section
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

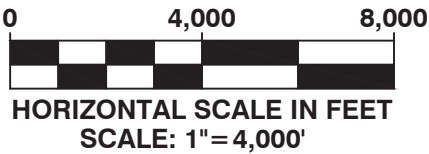
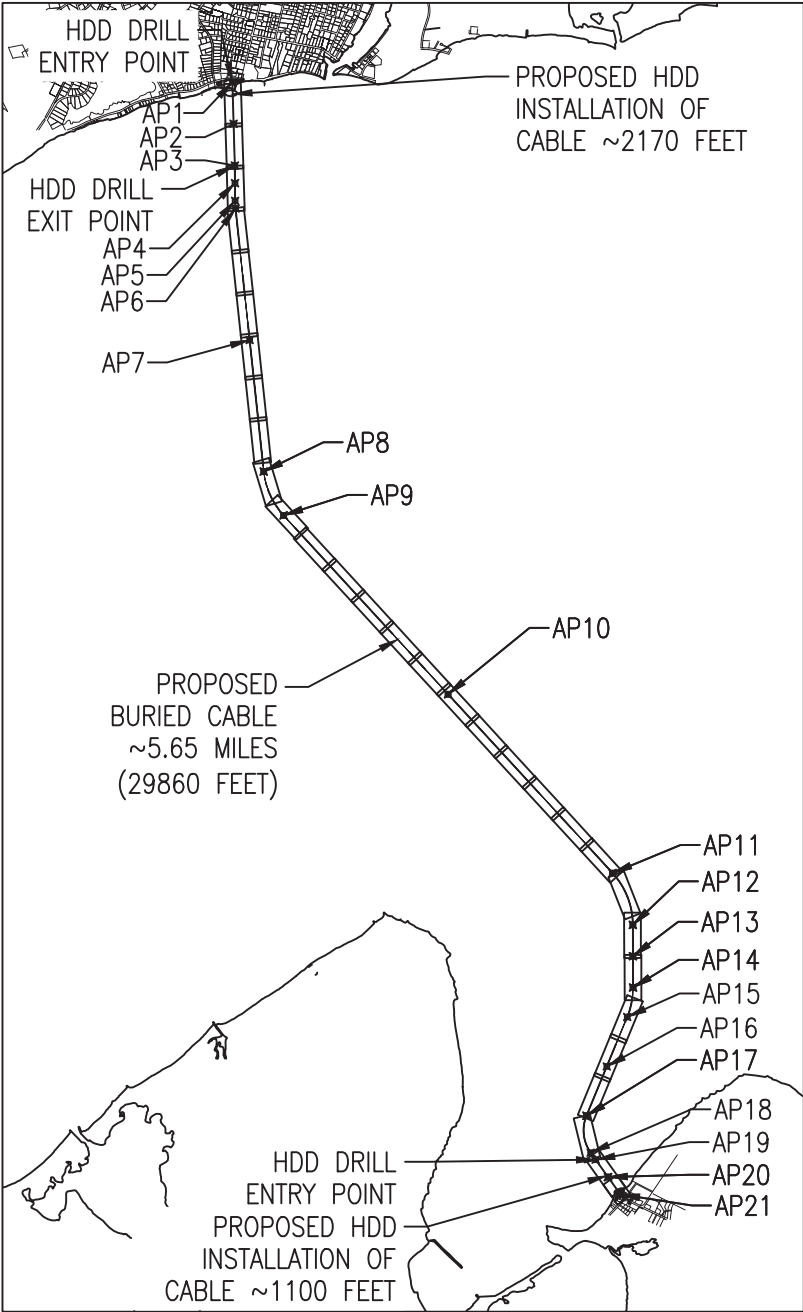
I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME

DATE

DRAWING INDEX

SHEET	TITLE
1	COVER
2	WATERFRONT BOUNDARIES AND FEATURES
3	FALMOUTH LANDING - PLAN & PROFILE
4-32	SUBMARINE ROUTE - PLAN & PROFILE
33	OAK BLUFFS LANDING - PLAN & PROFILE
34	HDD EXIT DETAIL AND ALIGNMENT POINTS
35	SECONDARY CABLE PROTECTION DETAIL
36	ABUTTER'S INFORMATION
37-38	CROSS SECTION DETAILS

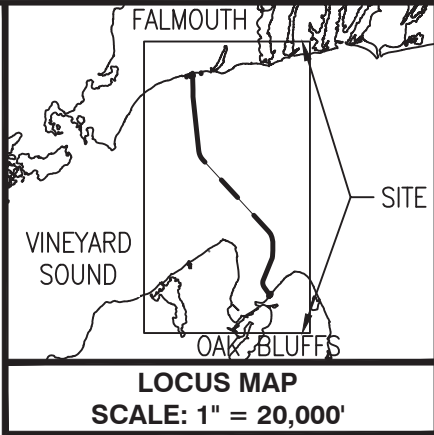


EXISTING CONDITIONS FOR PERMIT USE ONLY NOT APPROVED FOR CONSTRUCTION

SHEET 1 OF 38

MARCH 19, 2024

PLAN ACCOMPANYING PETITION OF NSTAR ELECTRIC CO. D/B/A EVERSOURCE ENERGY TO CONSTRUCT AND MAINTAIN A BURIED SUBMARINE CABLE WITHIN VINEYARD SOUND FALMOUTH, BARNSTABLE COUNTY, MASSACHUSETTS TO OAK BLUFFS, DUKES COUNTY, MASSACHUSETTS.



ALIGNMENT POINTS CHART SHOWN ON SHEET 34

ABUTTER'S INFORMATION SHOWN ON SHEET 36

DATUM VIA BUZZARDS BAY

INTERACTIVE TIDAL DATUM VIEWER (NAVD 88)

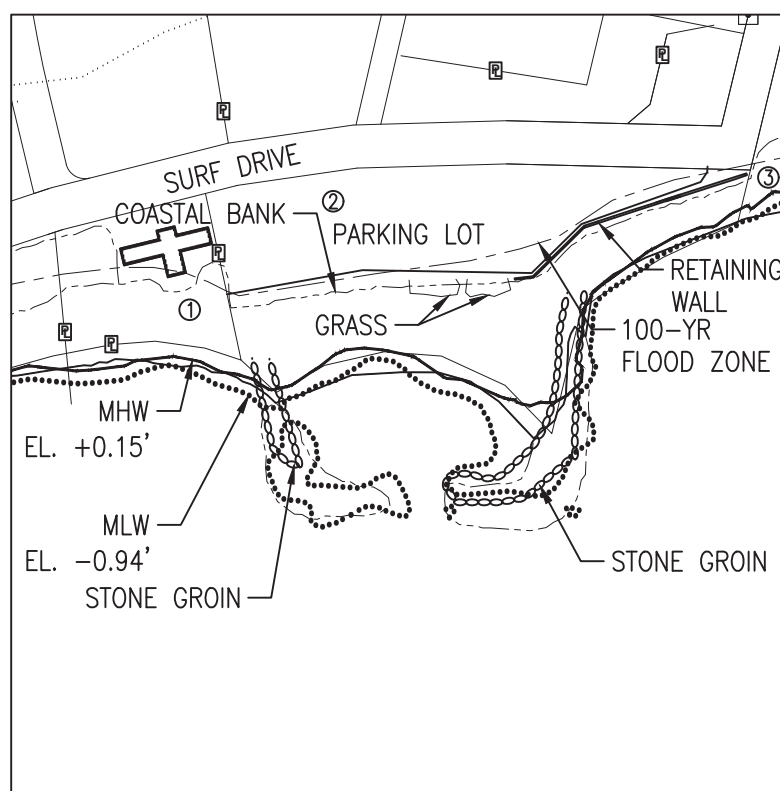
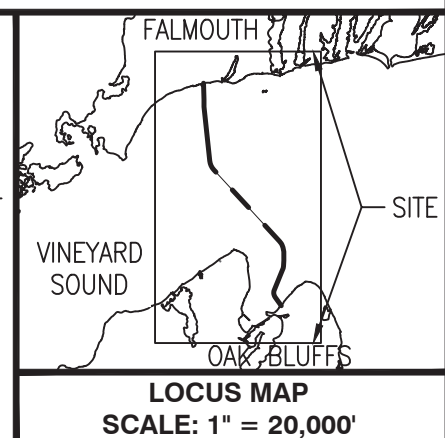
	FALMOUTH		OAK BLUFFS	
	#804	MLLW	#608	MLLW

MAX TIDE	+9.42'	+10.68'	+9.42'	+10.83'
MHHW	+0.40'	+1.66'	+0.66'	+2.07'
MHW	+0.15'	+1.41'	+0.32'	+1.73'
NAVD 88	+0.00'	+1.26'	+0.00'	+1.41'
MLW	-0.94'	+0.32'	-1.15'	+0.26'
MLLW	-1.26'	+0.00'	-1.41'	+0.00'

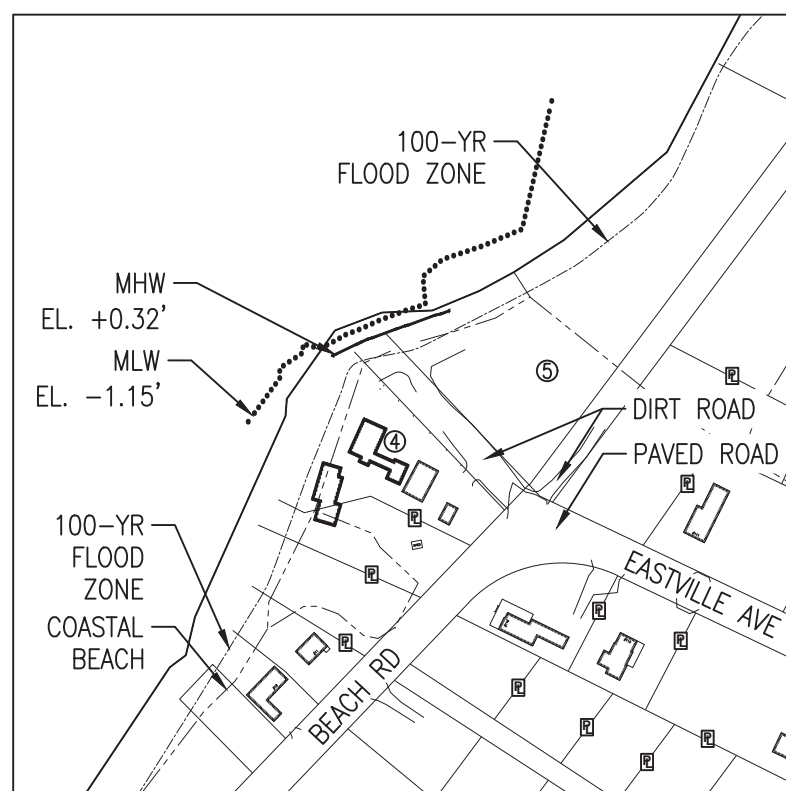
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DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.**

NAME _____

DATE _____














SURF DRIVE LANDING, FALMOUTH



EASTVILLE AVENUE LANDING, OAK BLUFFS

LEGEND

- | | |
|---|---|
|  | HISTORIC HIGH WATER |
|  | MEAN HIGH WATER (MHW, EL. +0.15'/+0.32' NAVD88) |
|  | MEAN LOW WATER (MLW, EL. -0.94'/-1.15 NAVD88) |
|  | STATE HARBOR LINES |
|  | FEMA FLOODPLAIN ZONE AE BOUNDARY |
|  | EXISTING CONTOURS |
|  | ABUTTER INFORMATION - SEE SH 36 |
|  | PROPERTY LINE |
|  | PROJECT SITE |
|  | STONE GROIN |
|  | BUILDING |
- EXISTING CONDITIONS**

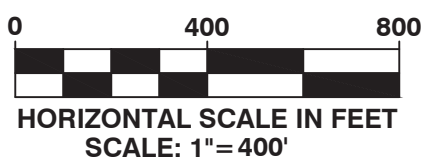
SHEET 2 OF 38

EXISTING CONDITIONS

SHEET 2 OF 38
MARCH 19, 2024

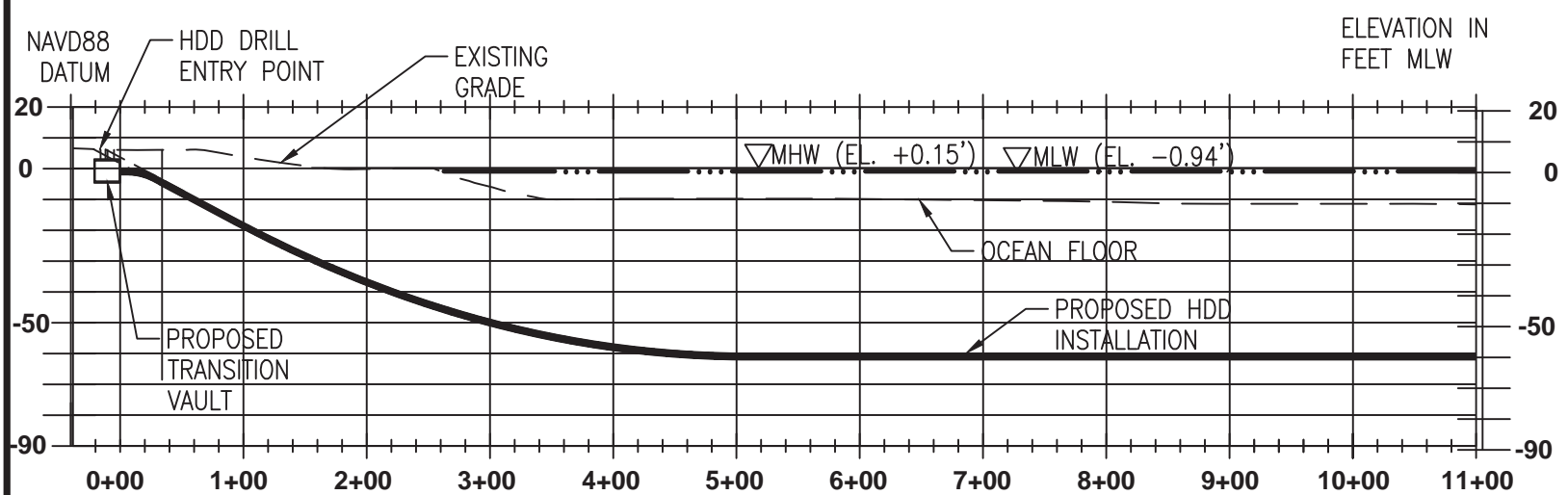
PRIOR CHAPTER 91 AUTHORIZATIONS

AUTHORIZATION	ISSUING AGENCY	DATE
4142	MASS DEP	SEPTEMBER 30, 1994
6007	MASS DEP	OCTOBER 17, 1996

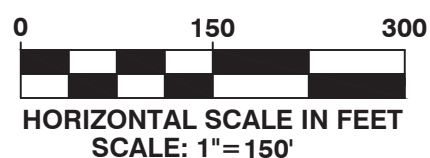
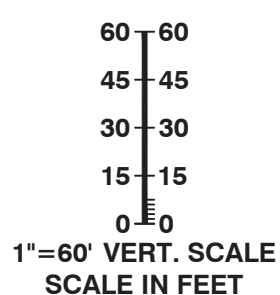


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NAME	DATE
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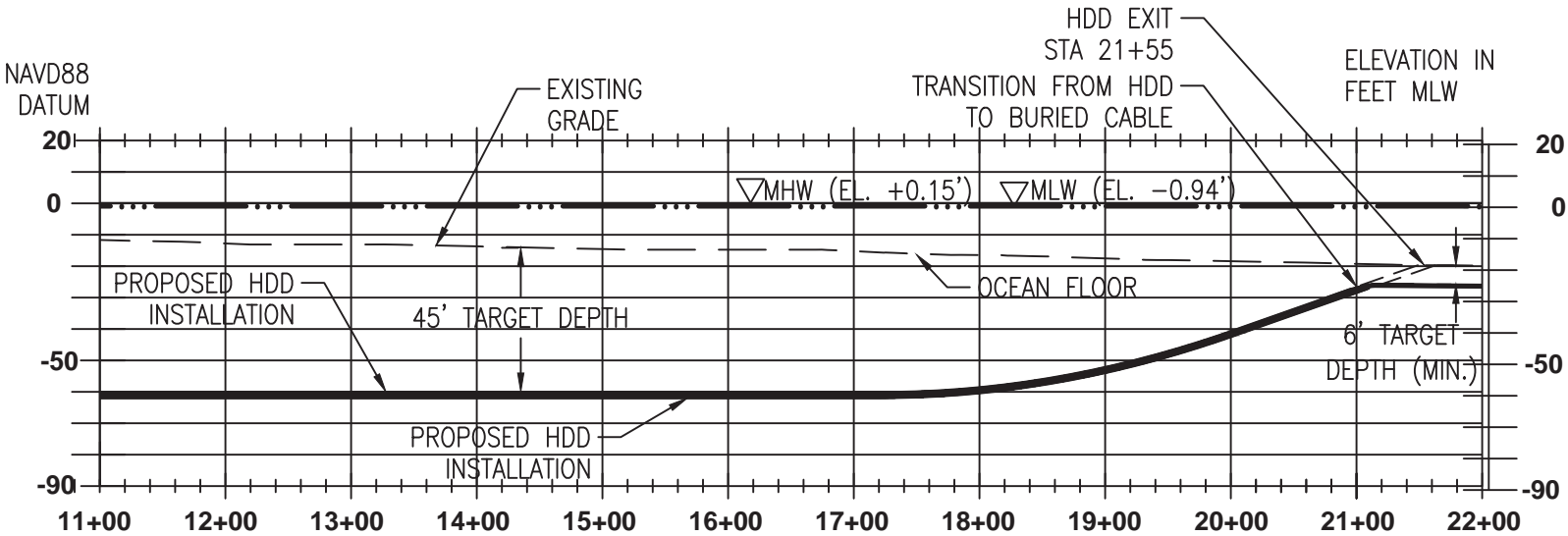
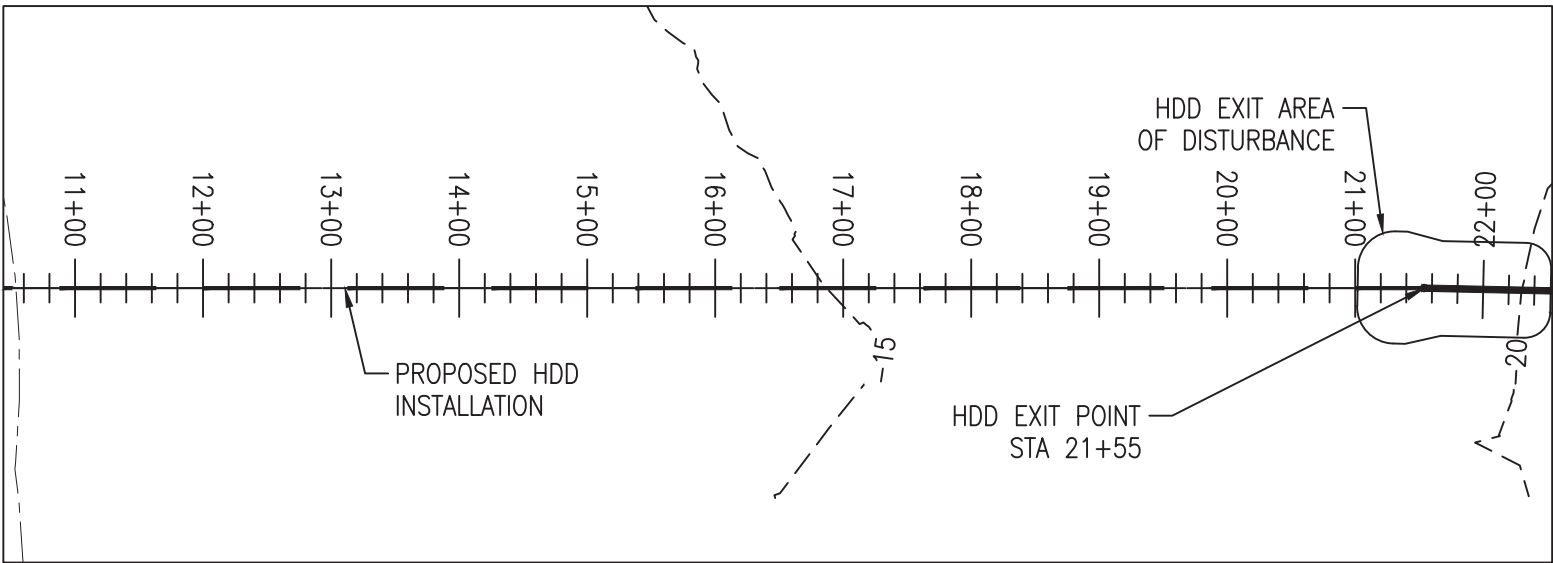
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NAME DATE



PROPOSED CONDITIONS
SHEET 4 OF 38
MARCH 19, 2024

60 60
45 45
30 30
15 15
0 0
1"=60' VERT. SCALE
SCALE IN FEET

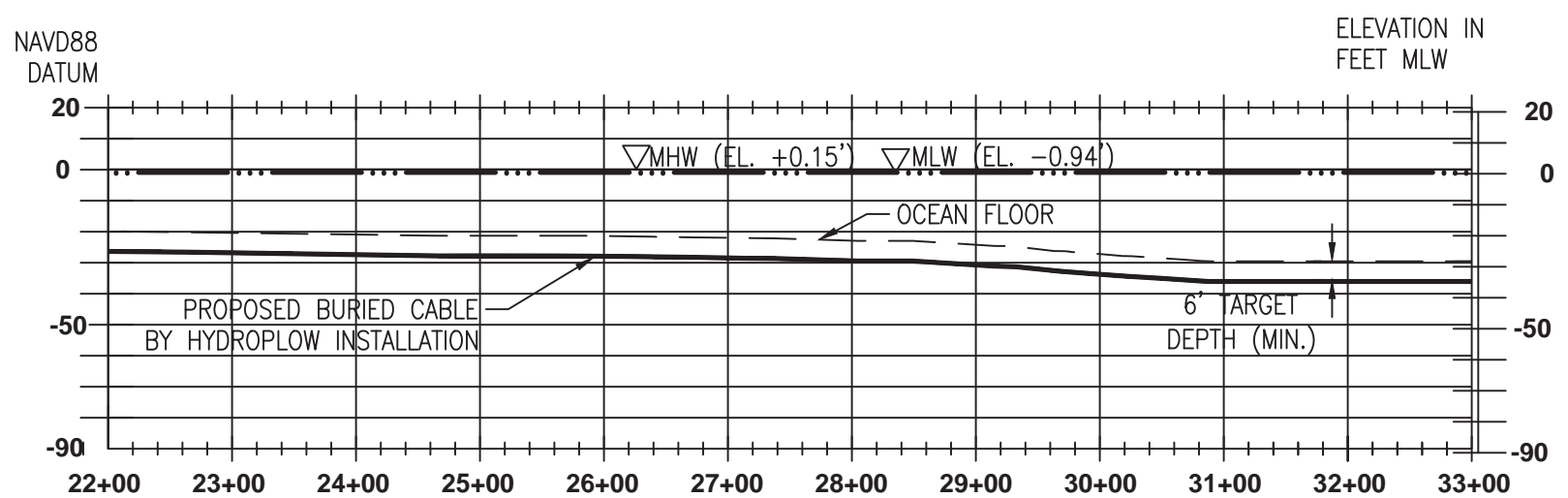
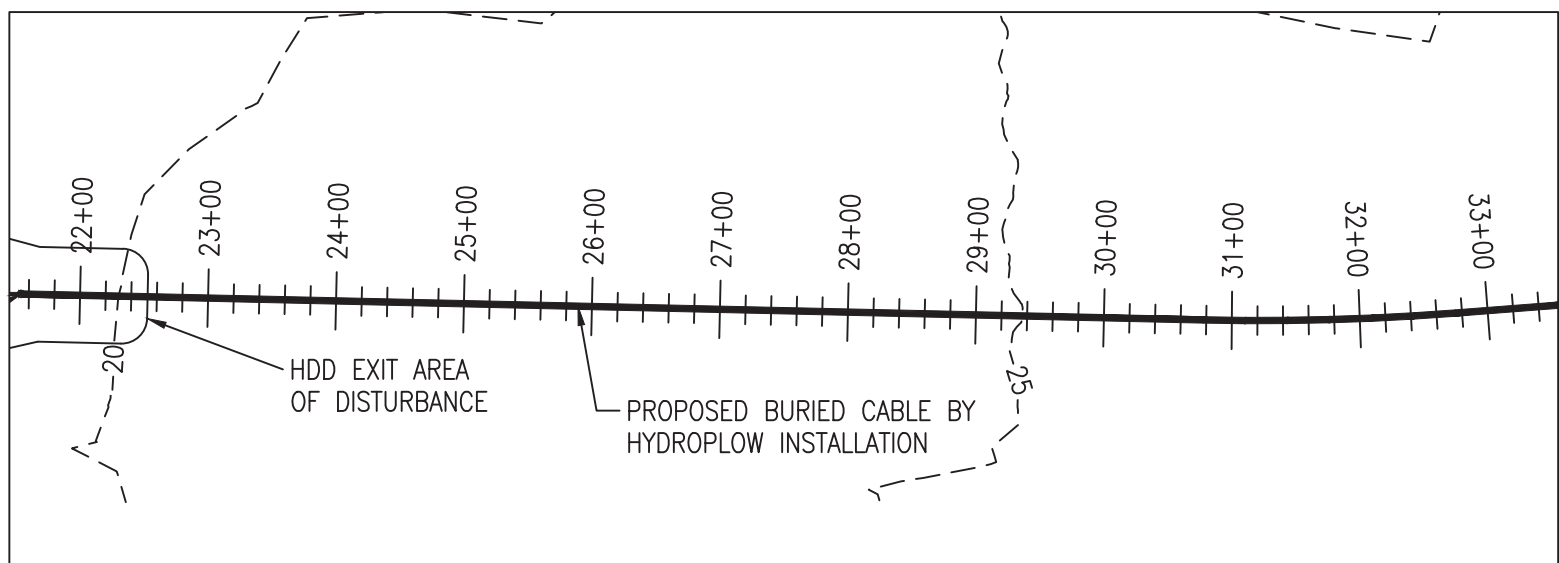
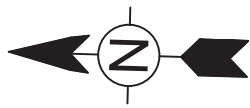
0 150 300
HORIZONTAL SCALE IN FEET
SCALE: 1"=150'

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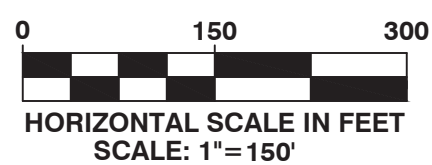
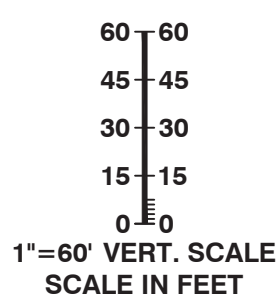
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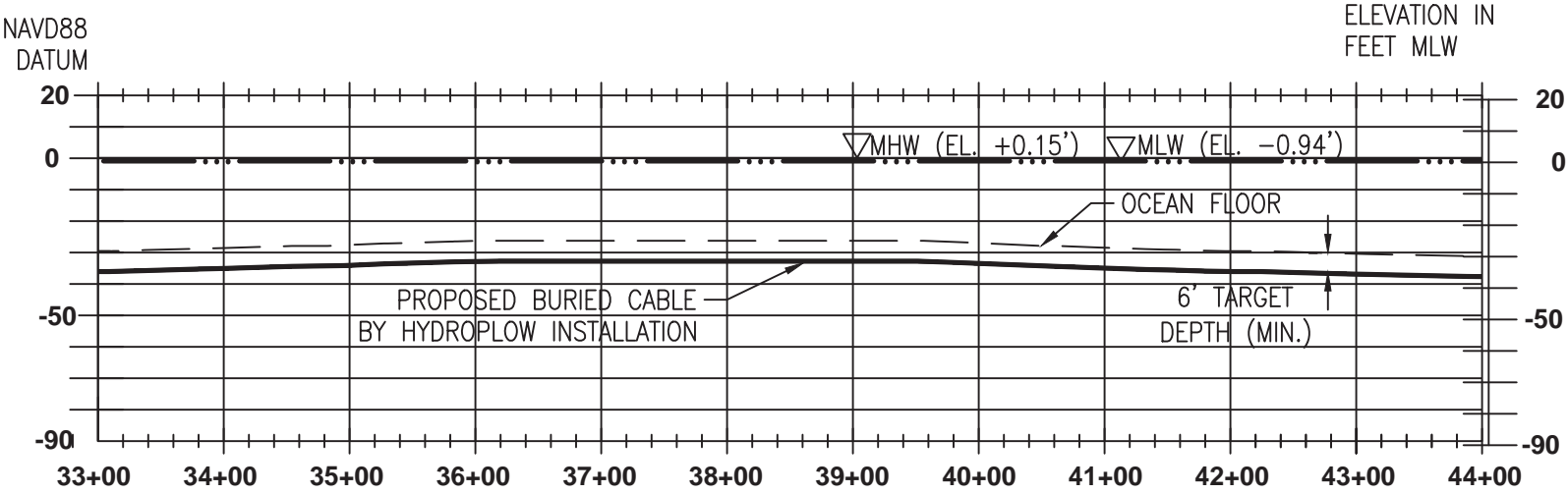
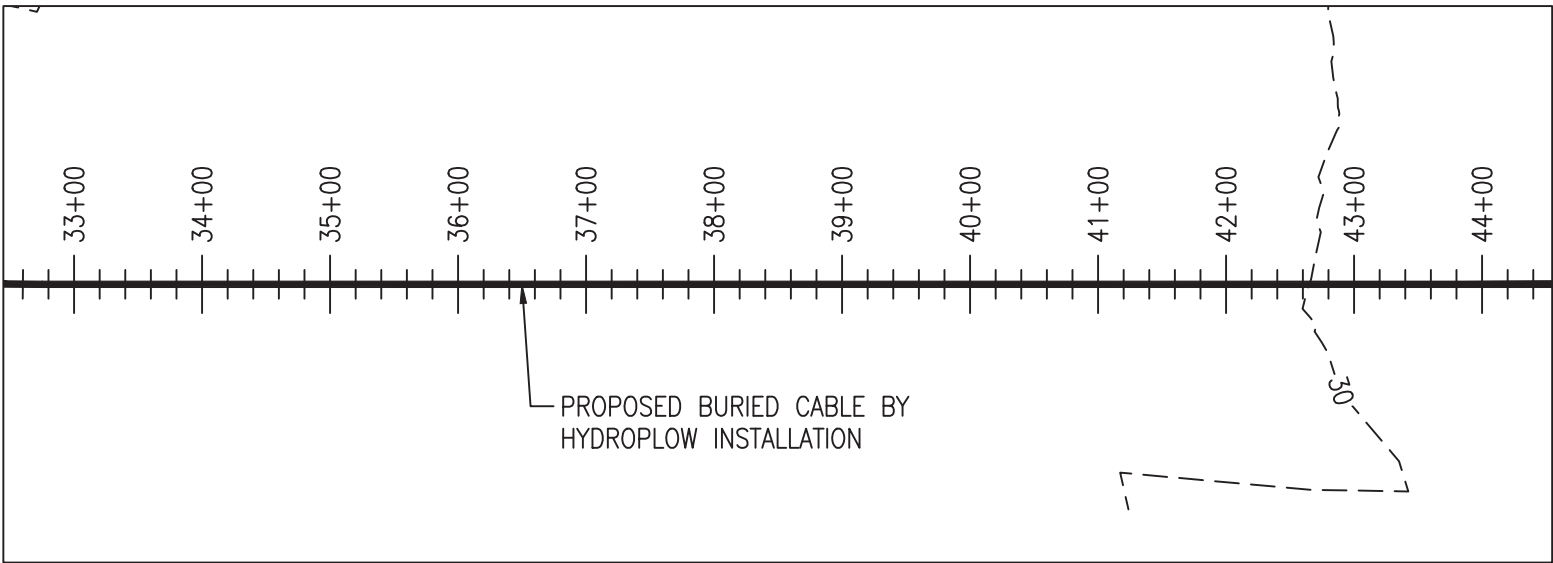
SHEET 5 OF 38

MARCH 19, 2024

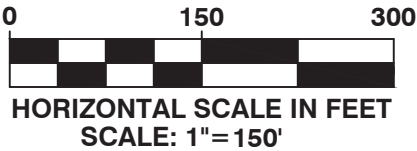
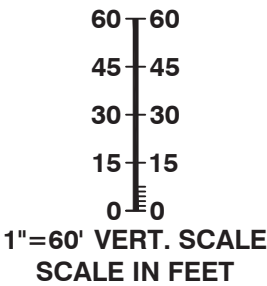


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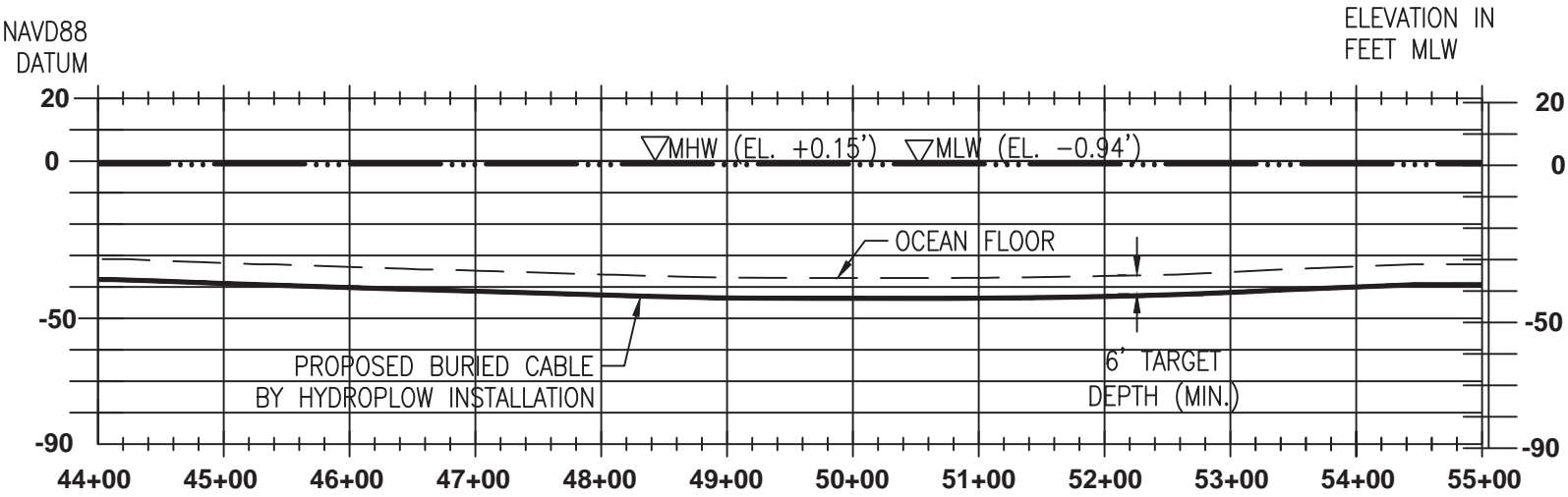
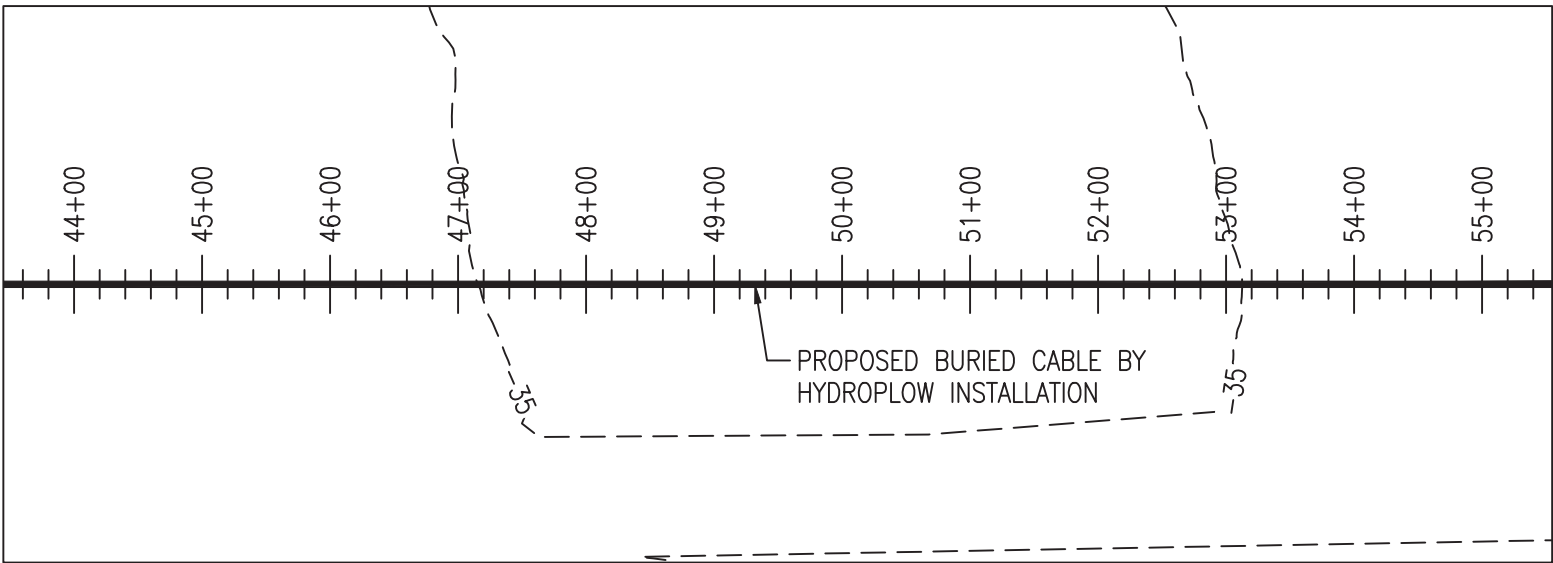


PROPOSED CONDITIONS
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MARCH 19, 2024

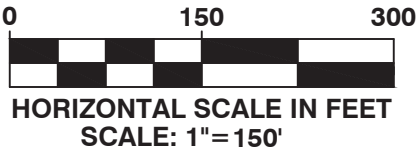
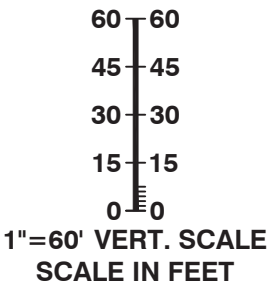


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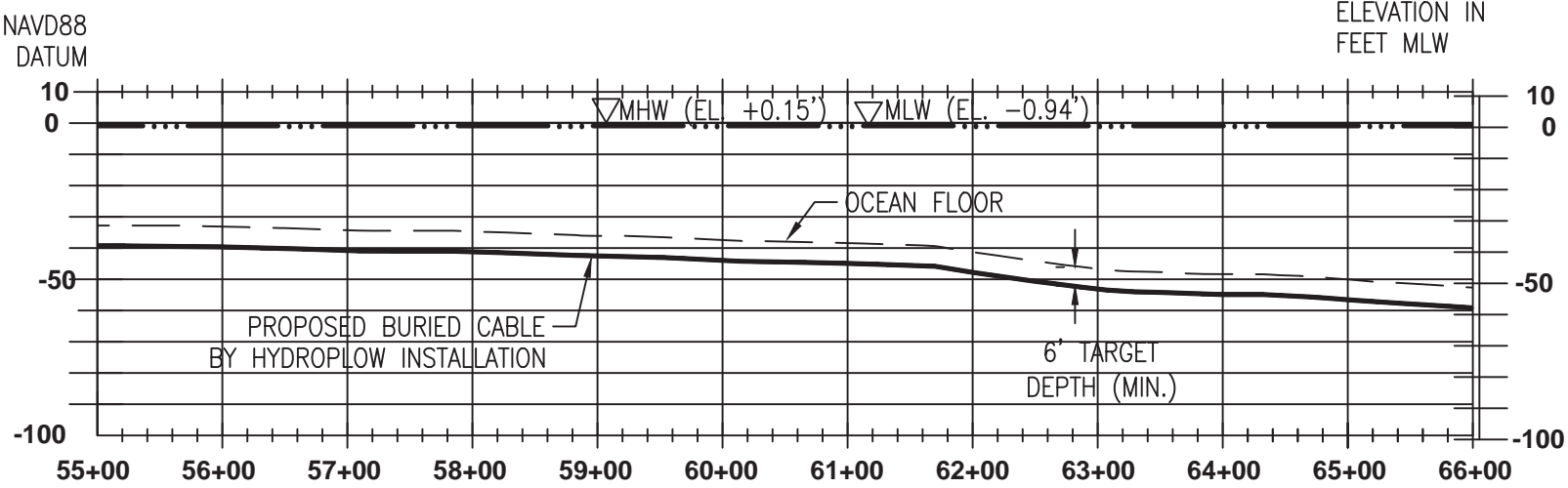
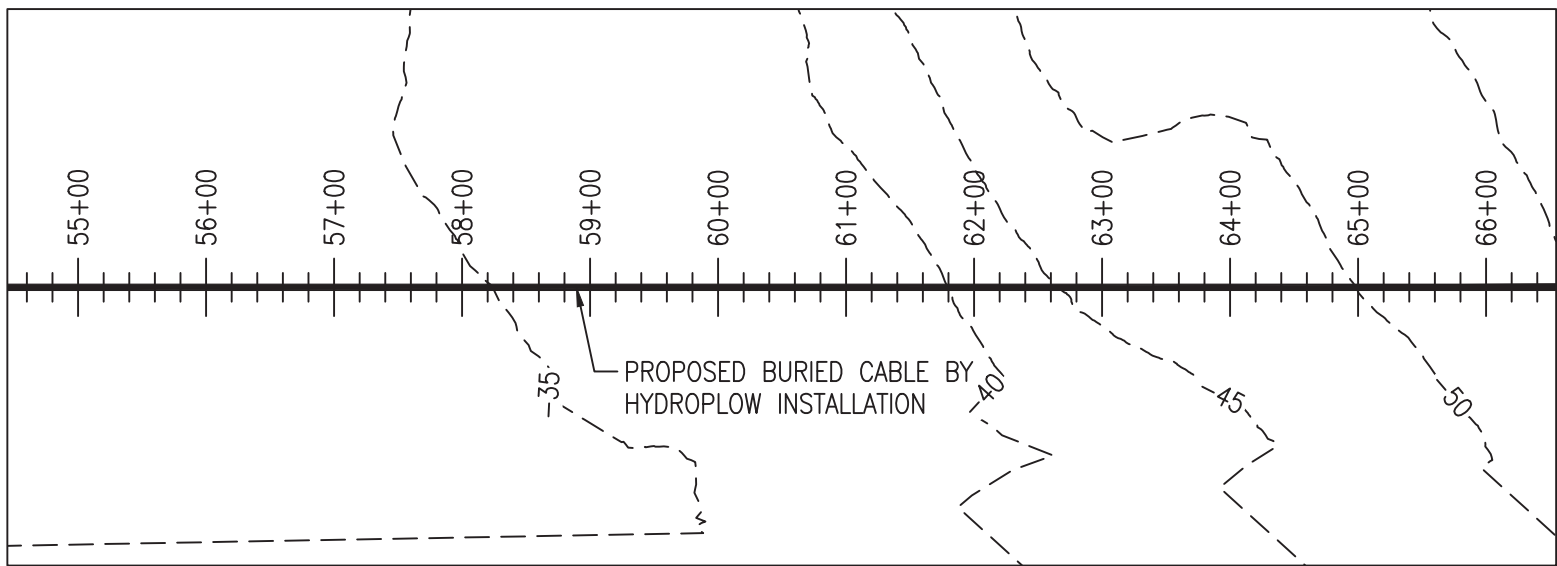


PROPOSED CONDITIONS
SHEET 7 OF 38
MARCH 19, 2024

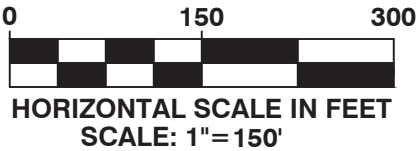
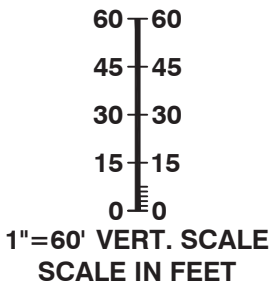


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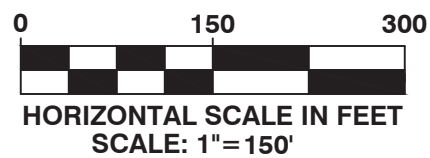
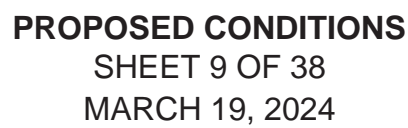
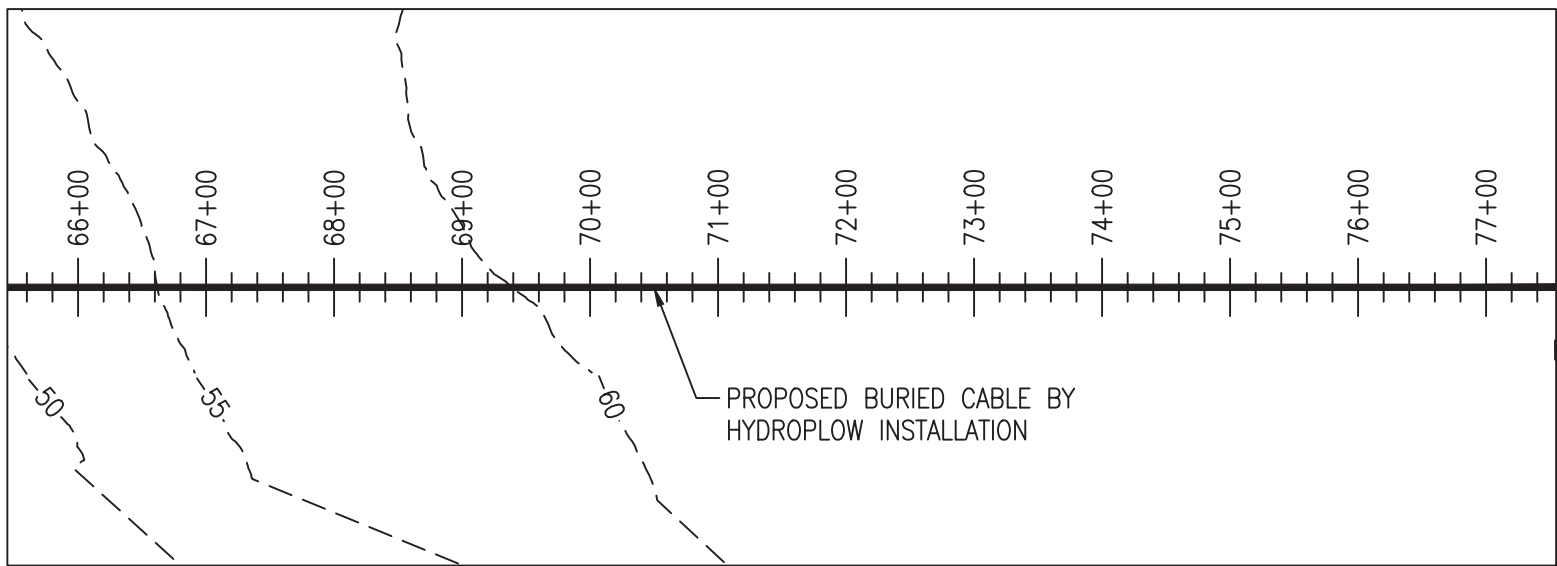


PROPOSED CONDITIONS
SHEET 8 OF 38
MARCH 19, 2024



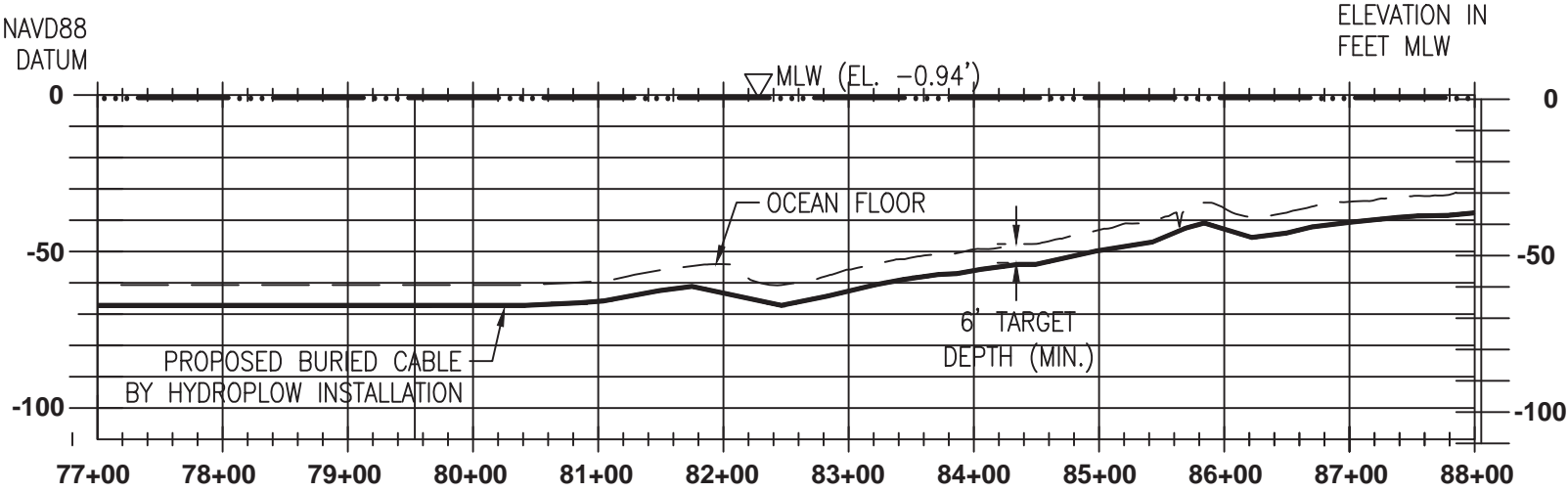
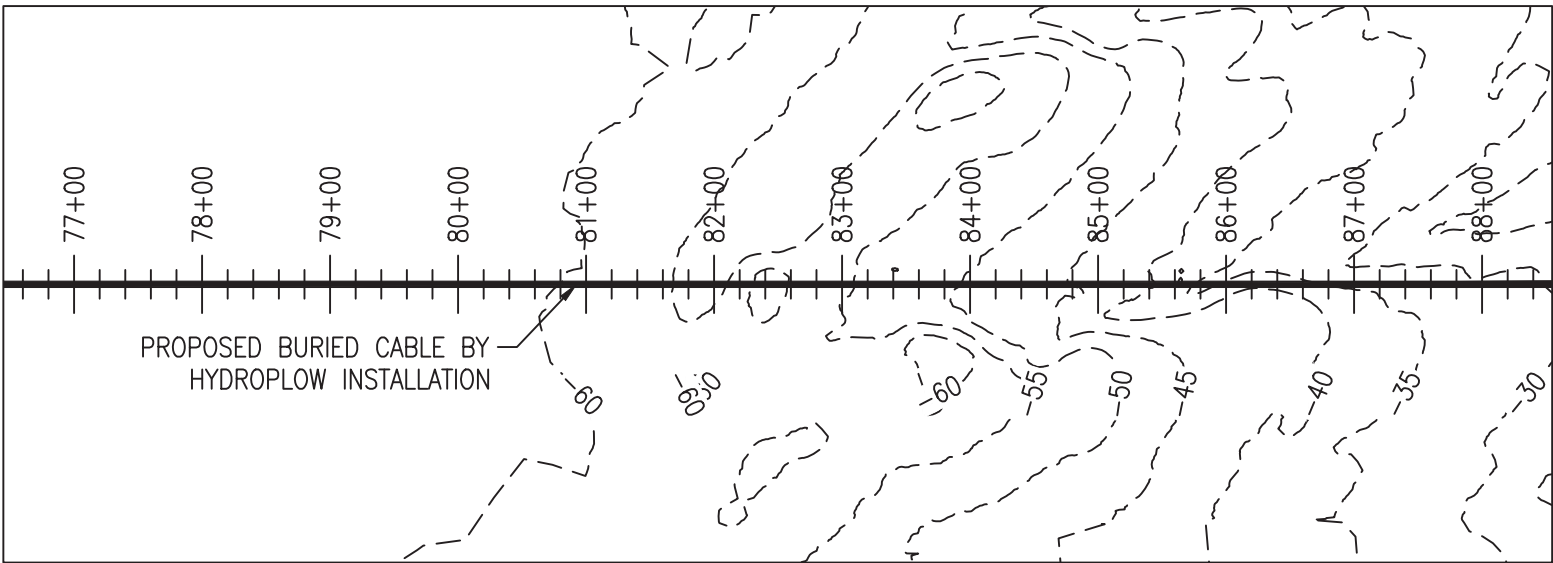
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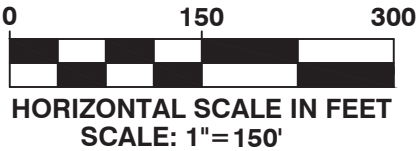
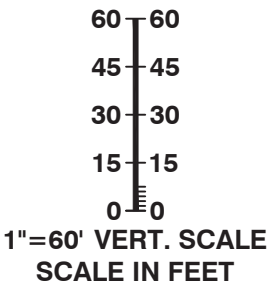


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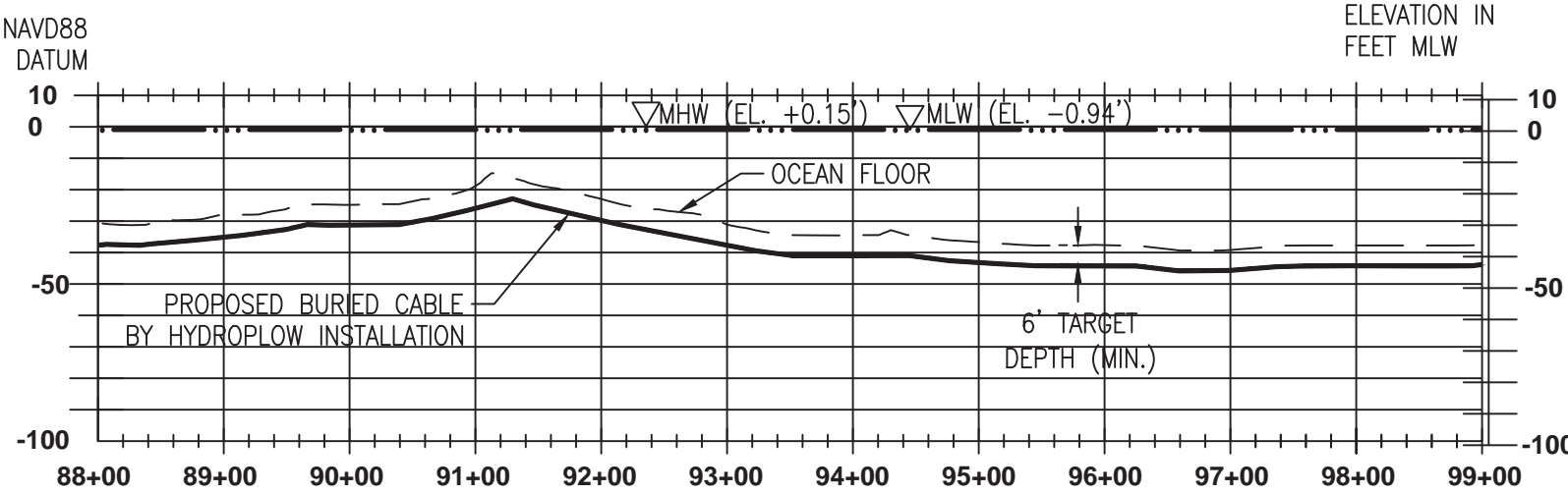
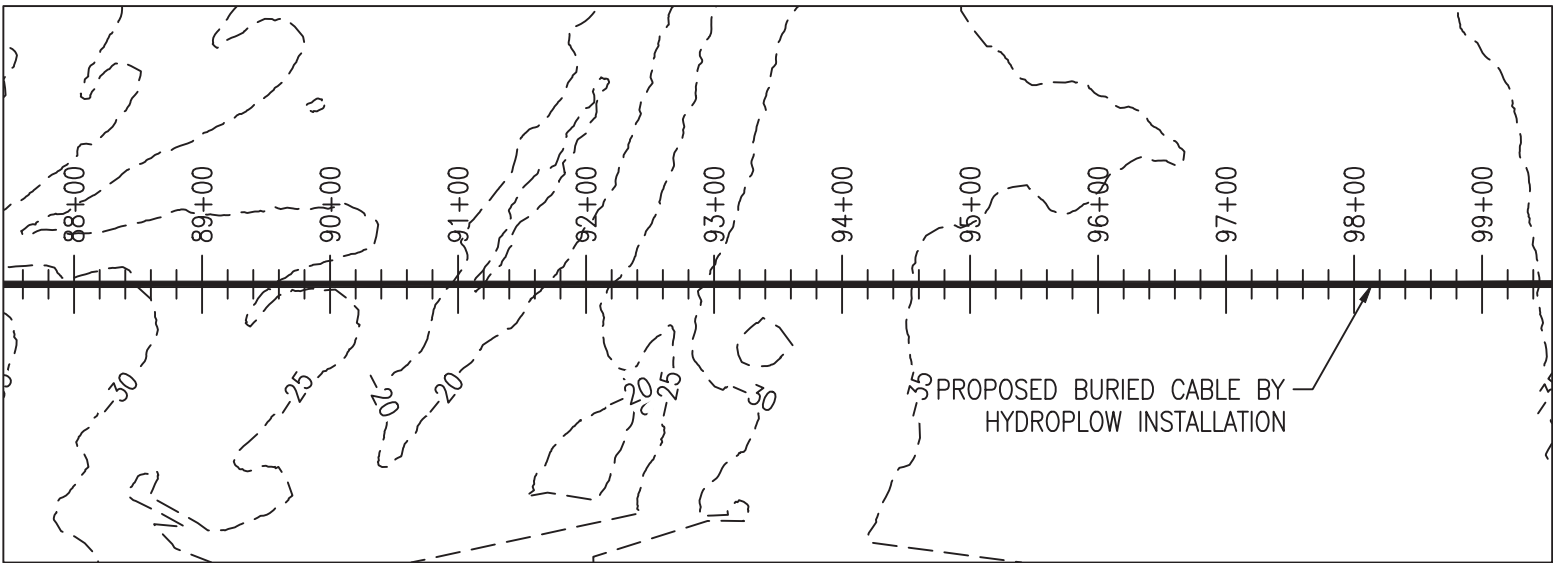


PROPOSED CONDITIONS
SHEET 10 OF 38
MARCH 19, 2024

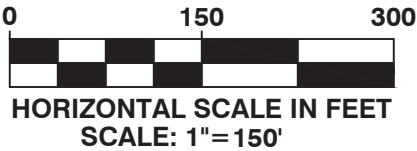
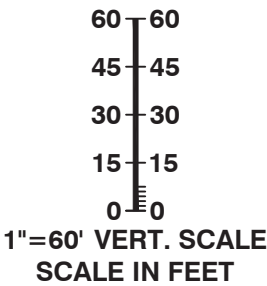


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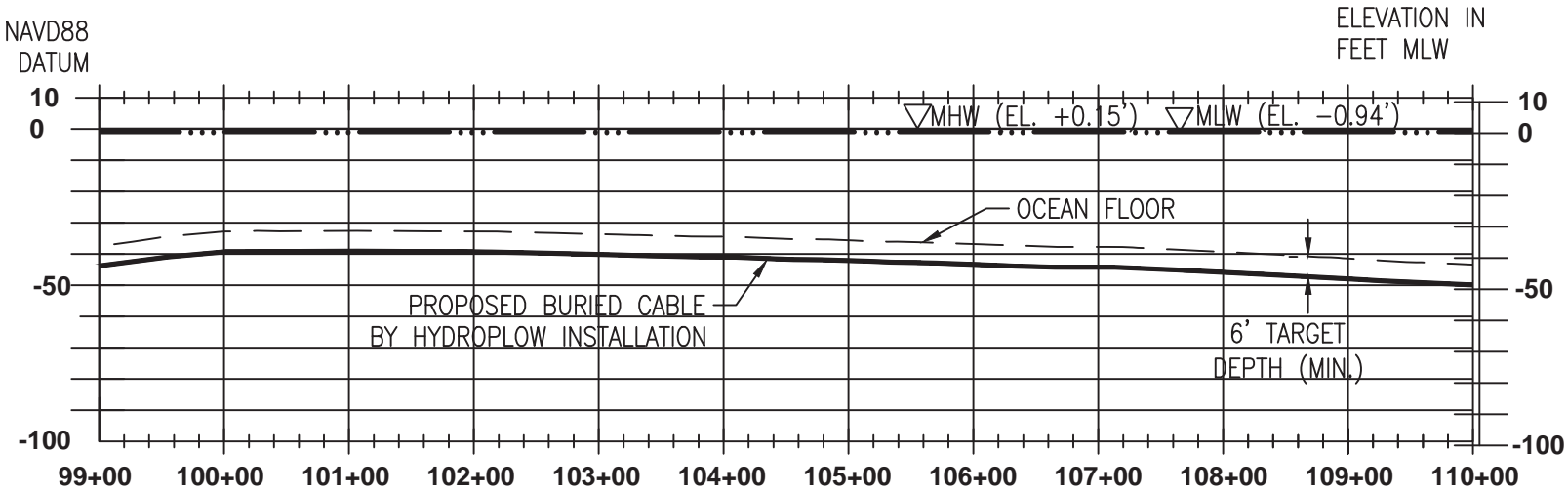
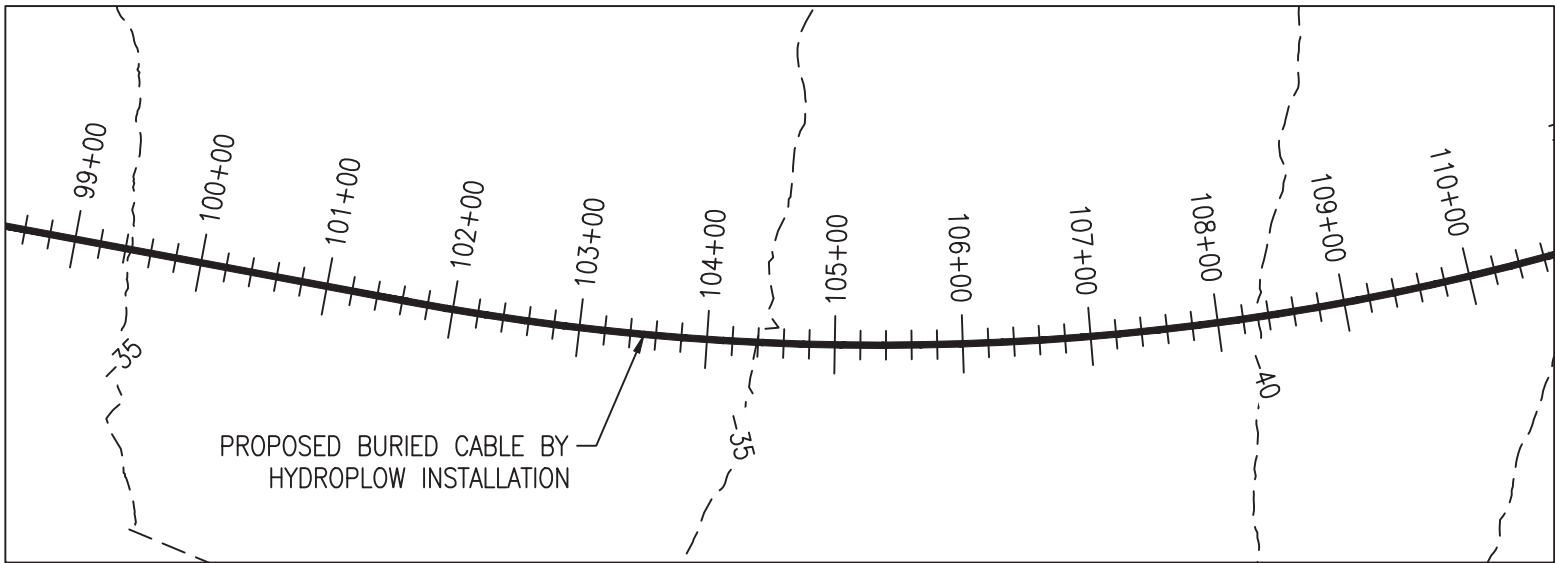
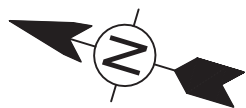


PROPOSED CONDITIONS
SHEET 11 OF 38
MARCH 19, 2024

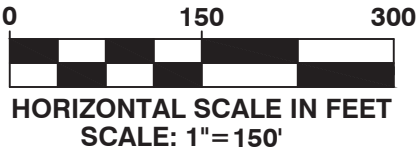
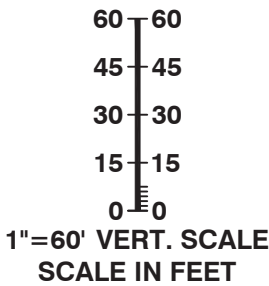


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PROPOSED CONDITIONS
SHEET 12 OF 38
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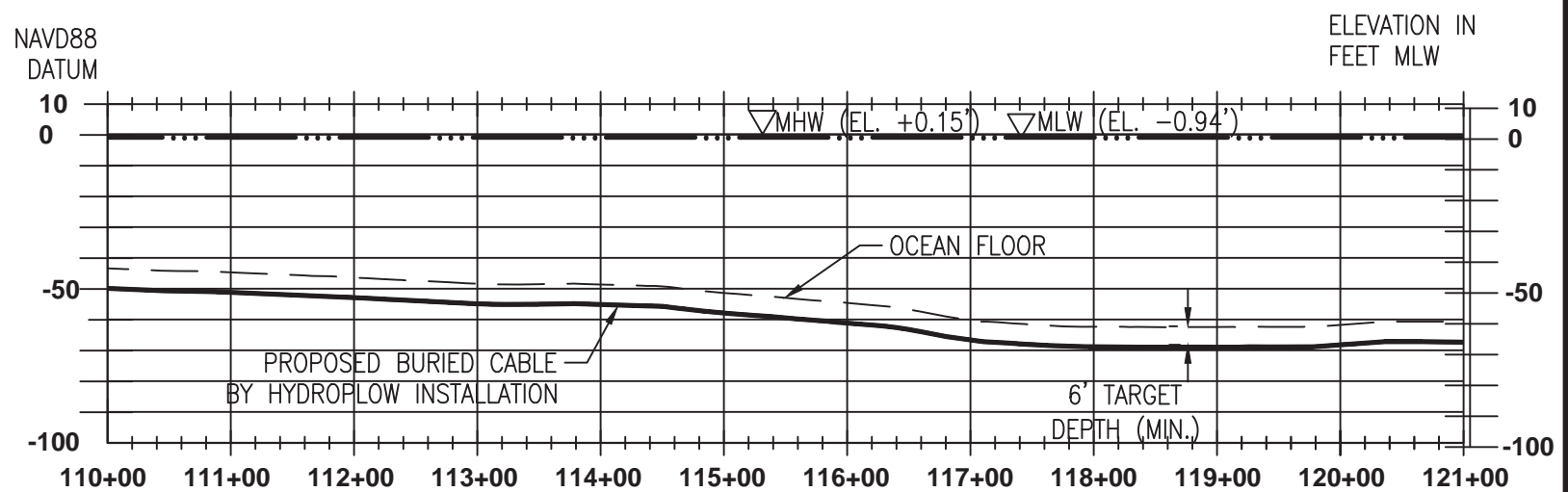
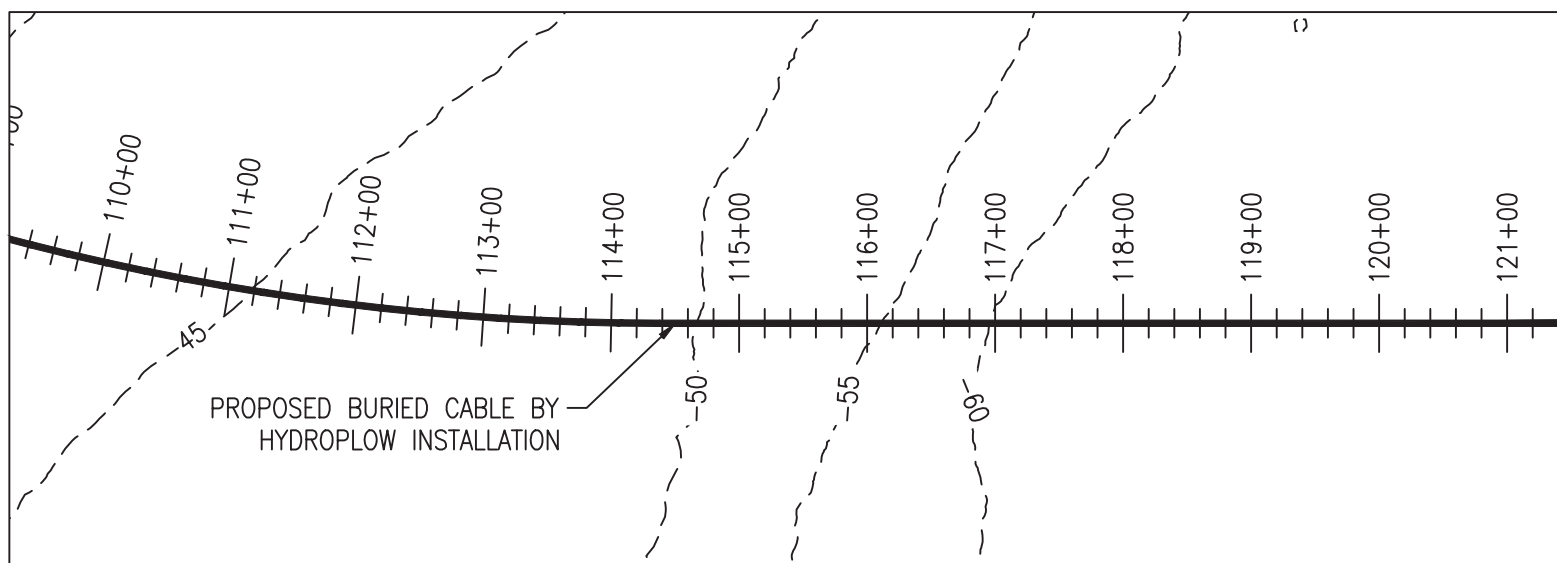
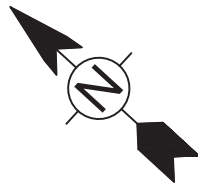


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NAME _____

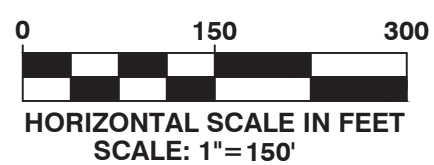
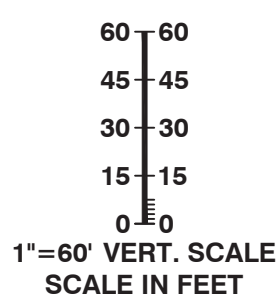
DATE _____



PROPOSED CONDITIONS

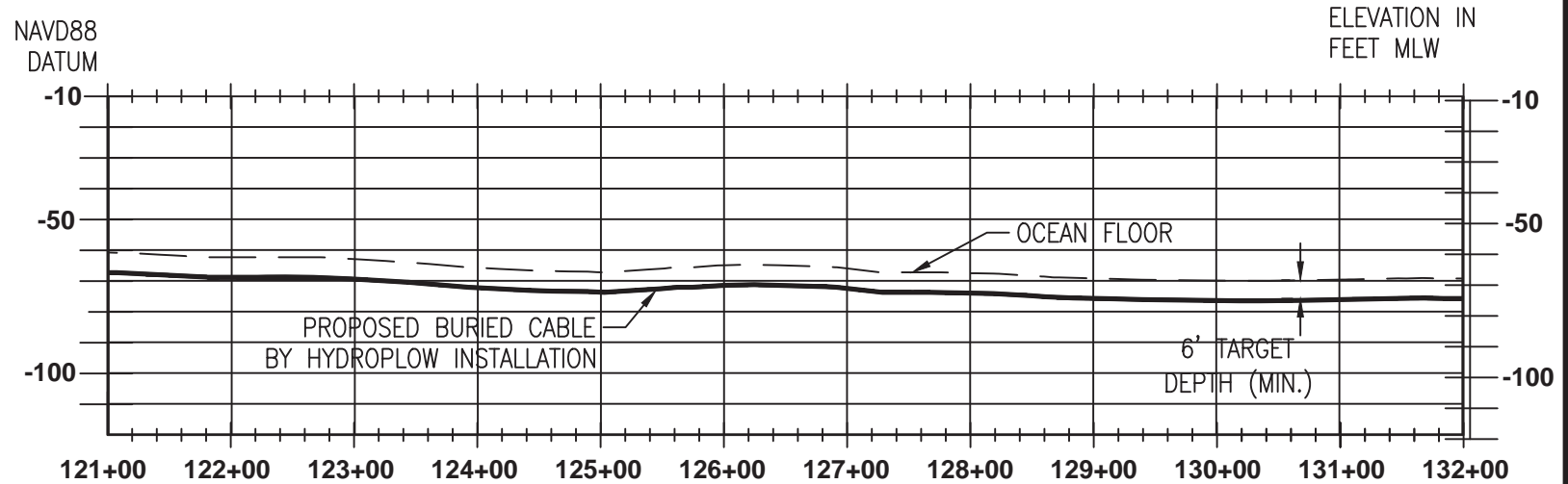
SHEET 13 OF 38

MARCH 19, 2024

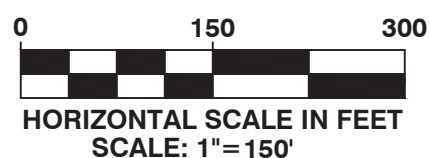
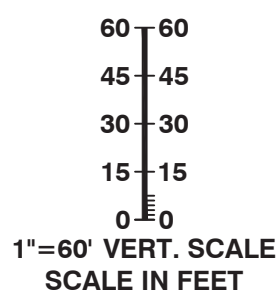


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NAME	DATE
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MARCH 19, 2024

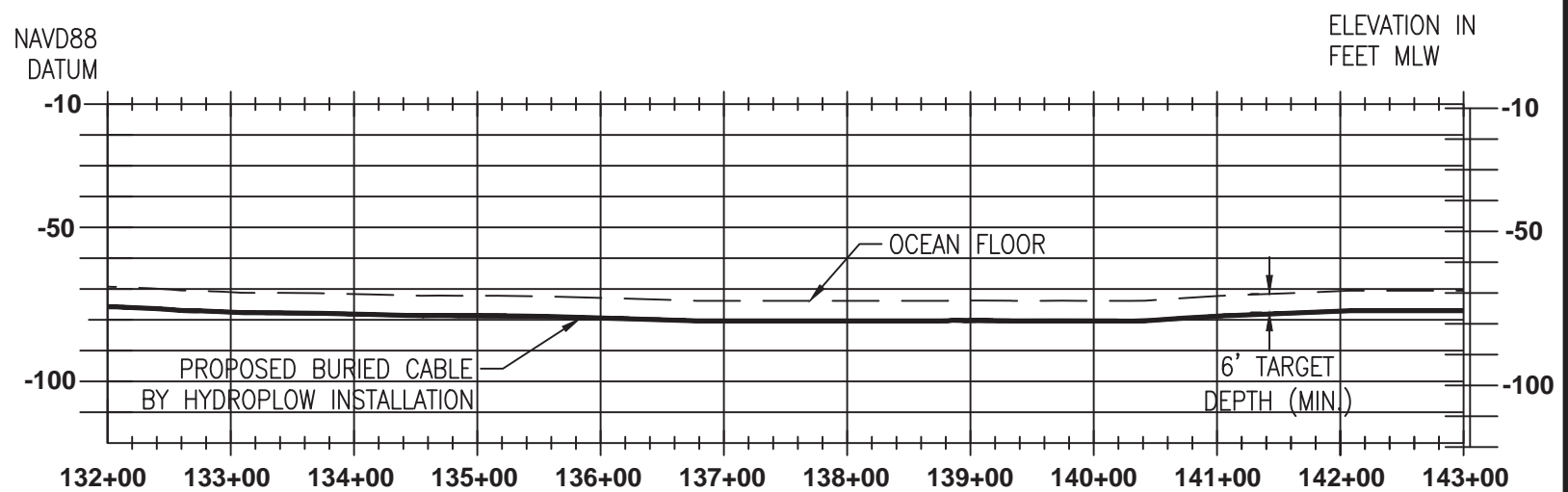
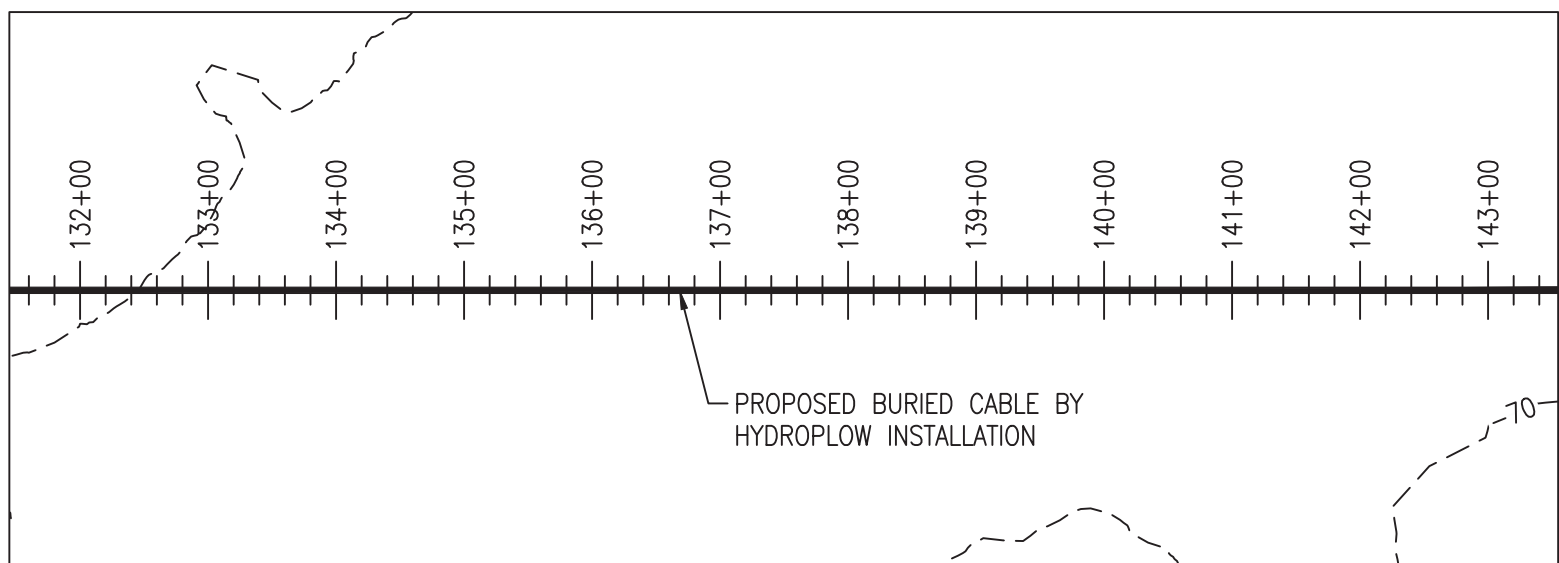
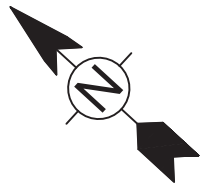


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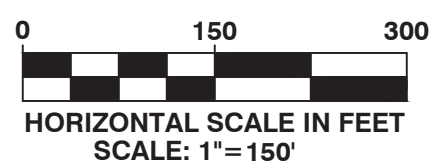
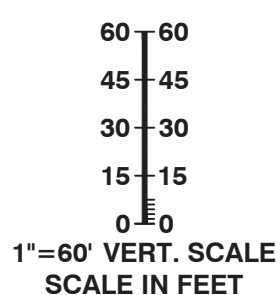
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PROPOSED CONDITIONS

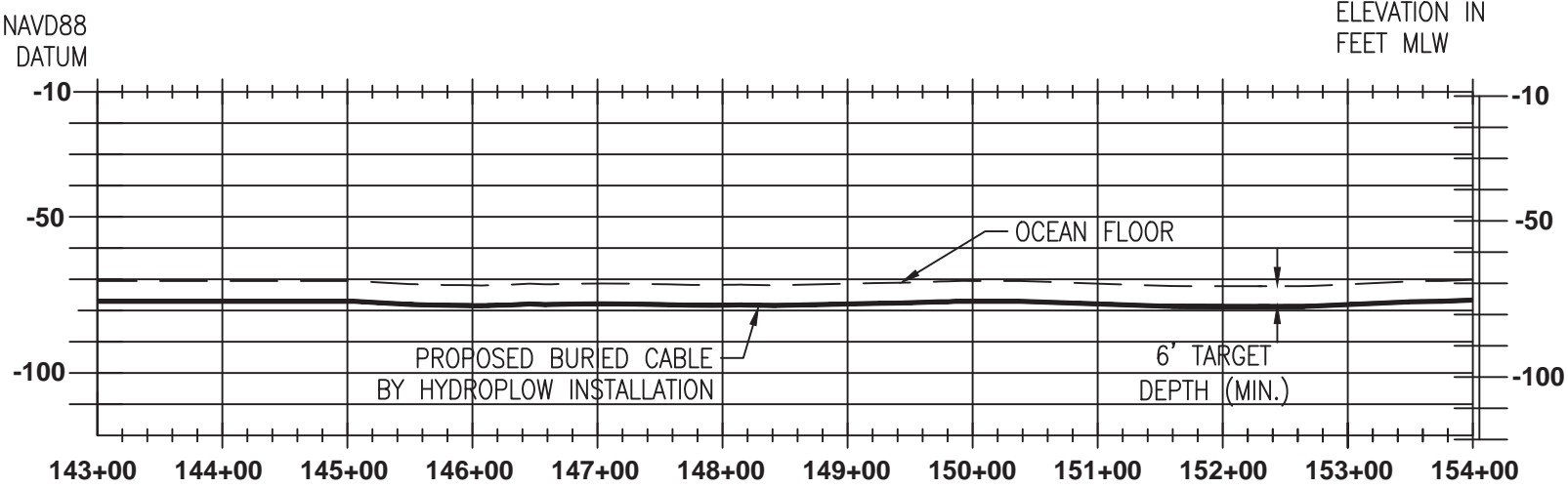
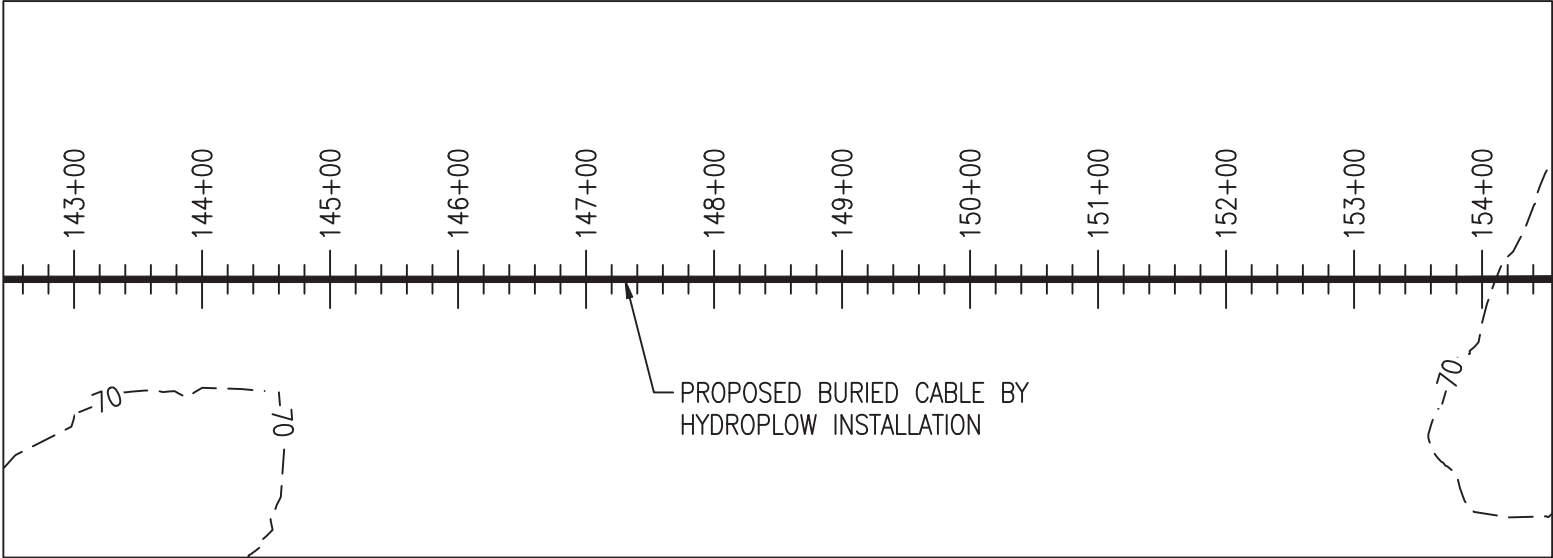
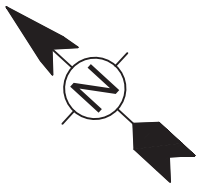
SHEET 15 OF 38

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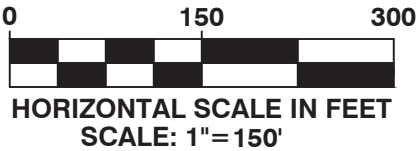
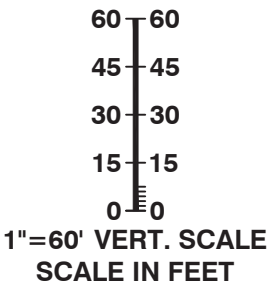


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	<div><div></div><div>NAME</div></div> <div><div></div><div>DATE</div></div>



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MARCH 19, 2024

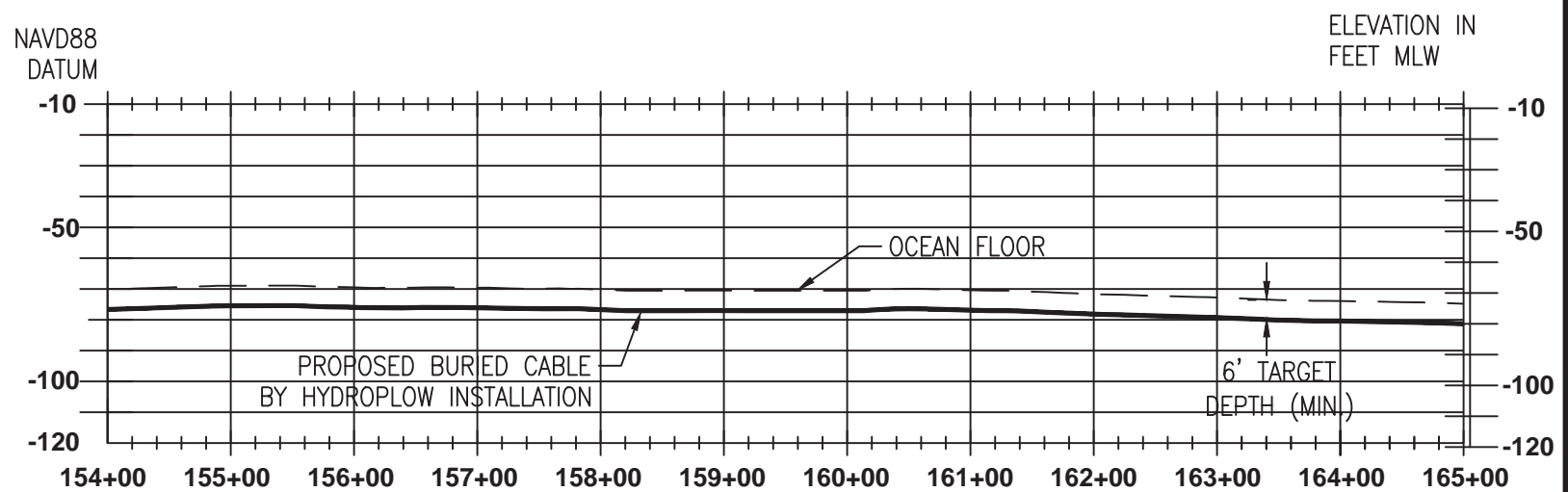
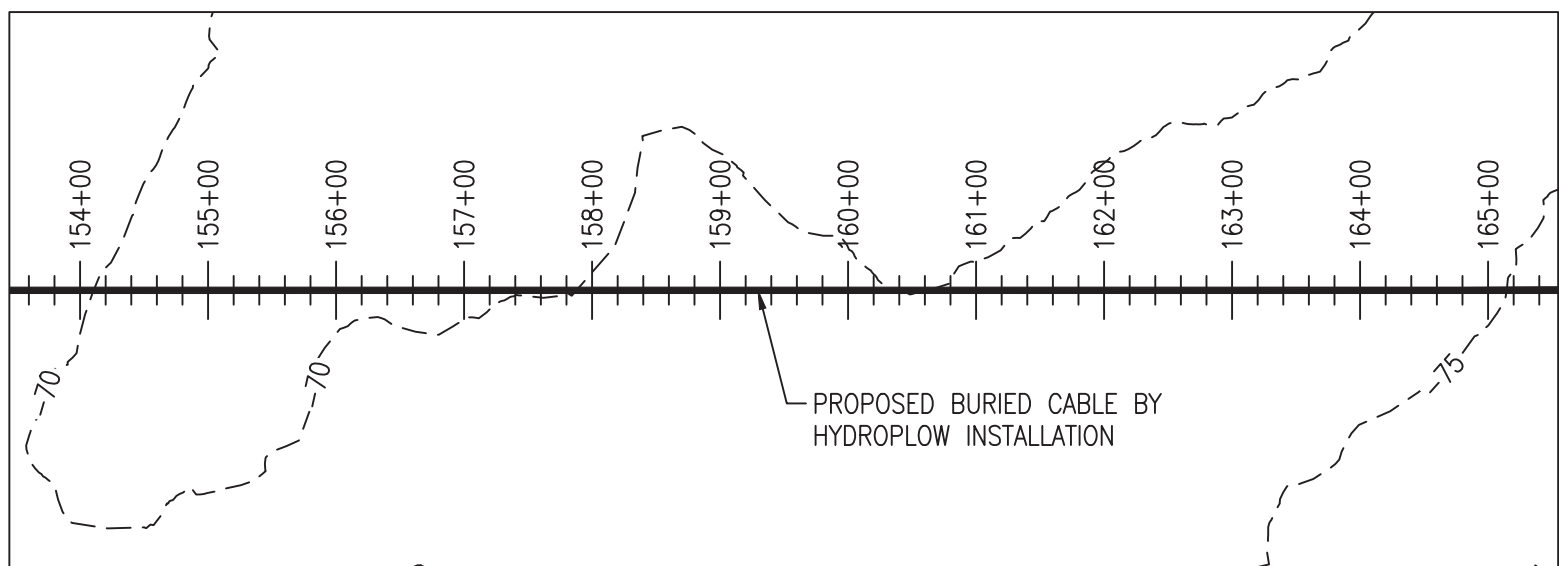
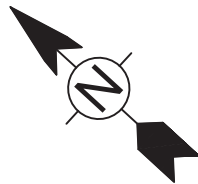


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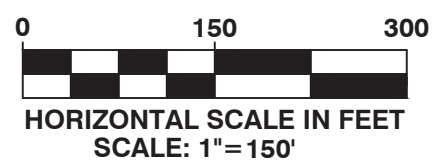
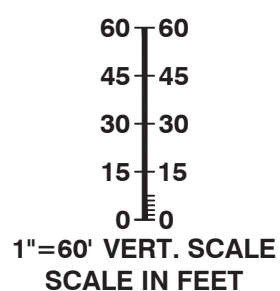
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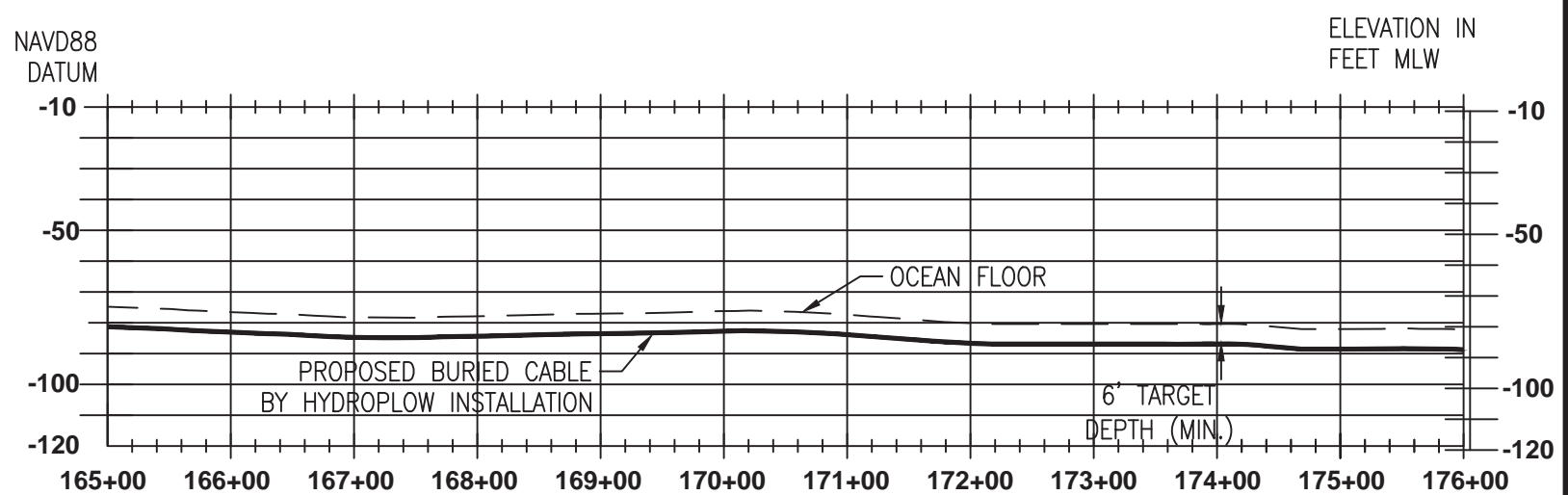
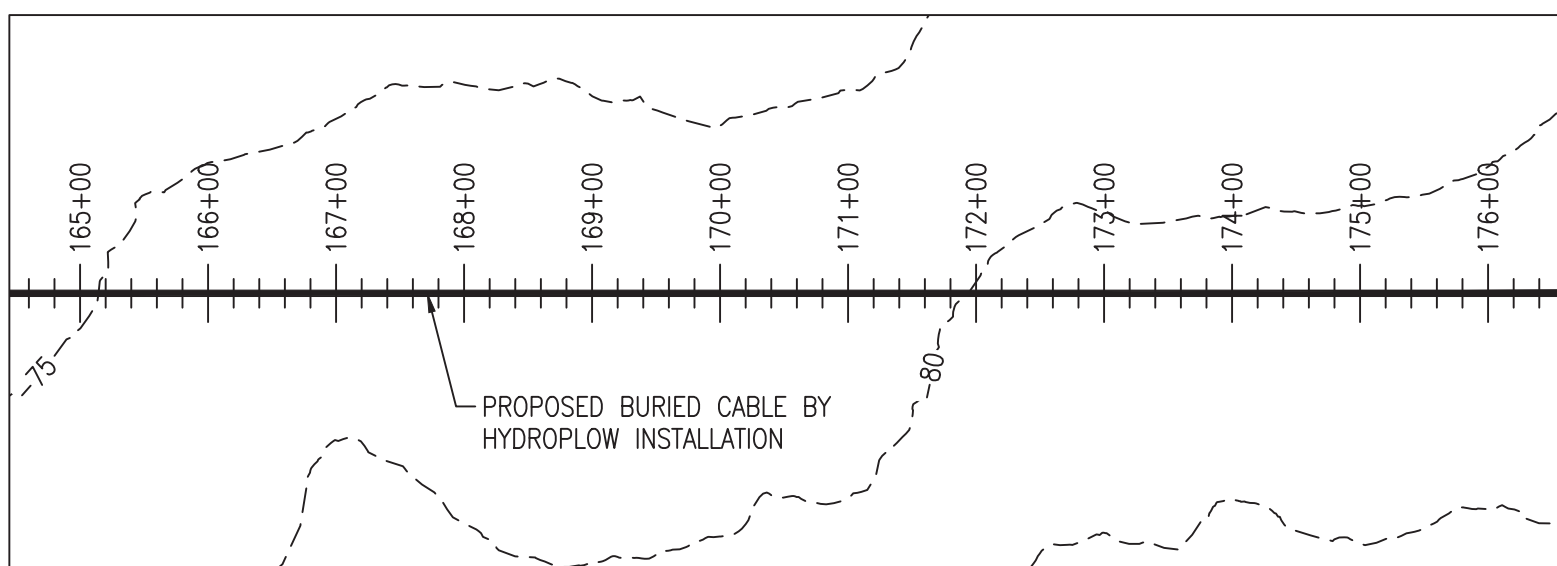
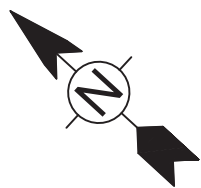


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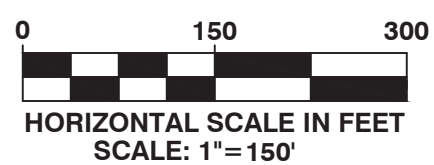
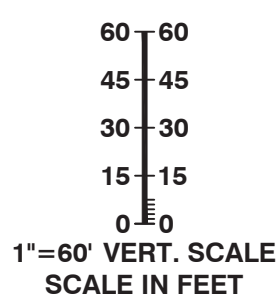
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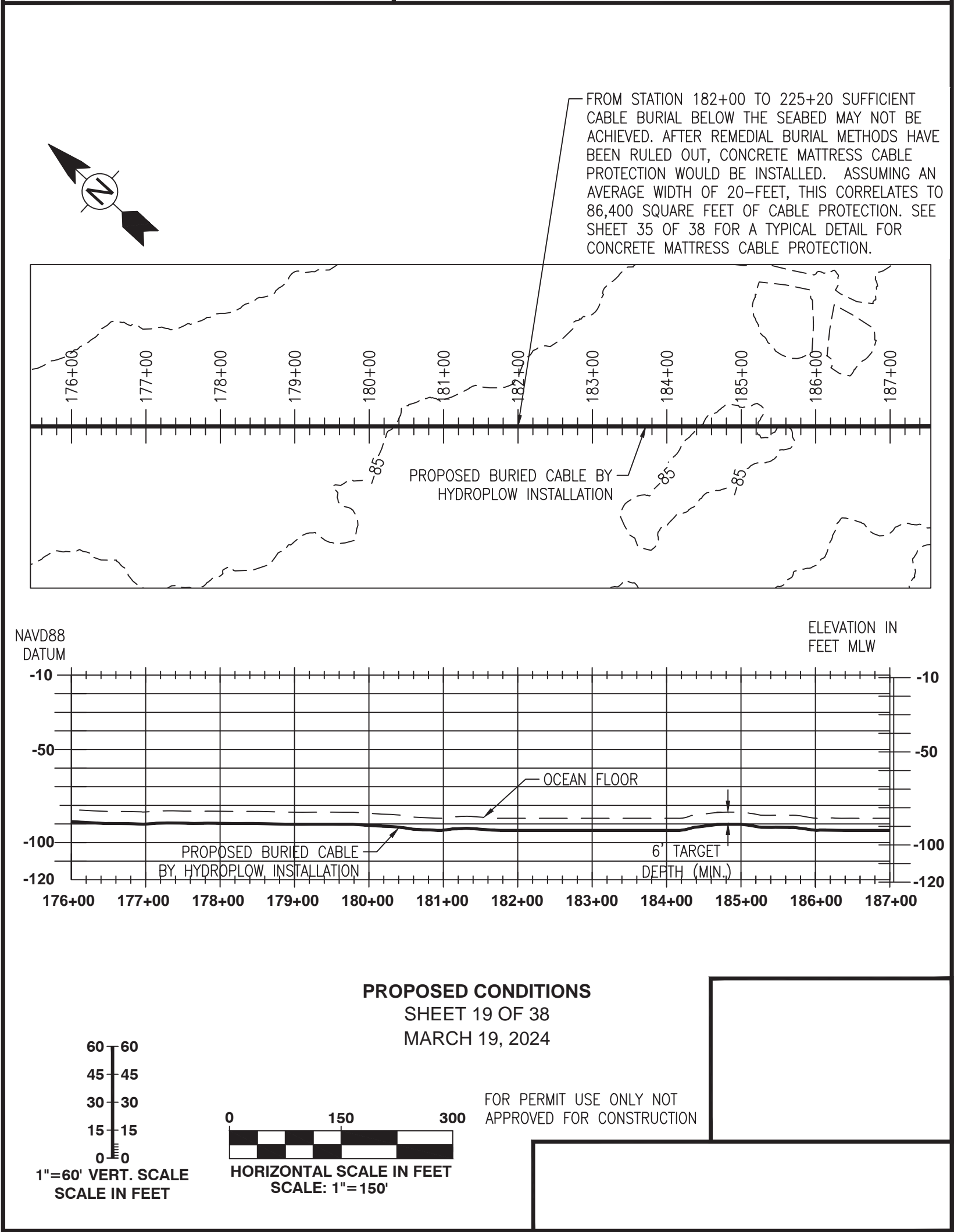
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	<div><div>NAME</div><div>DATE</div></div>



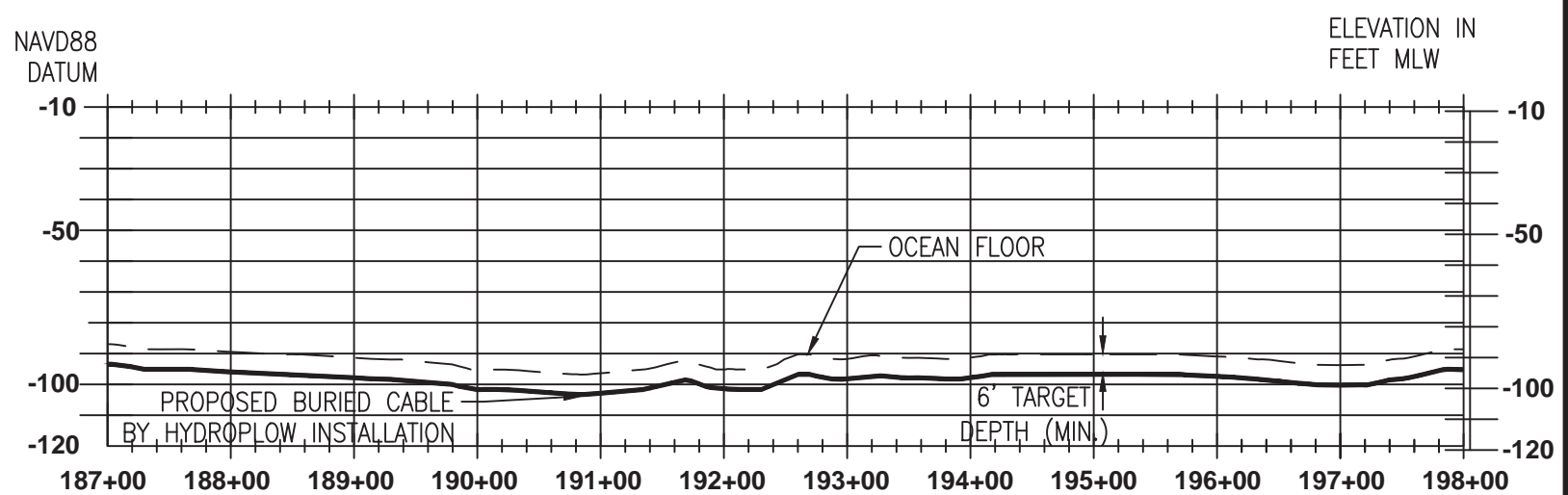
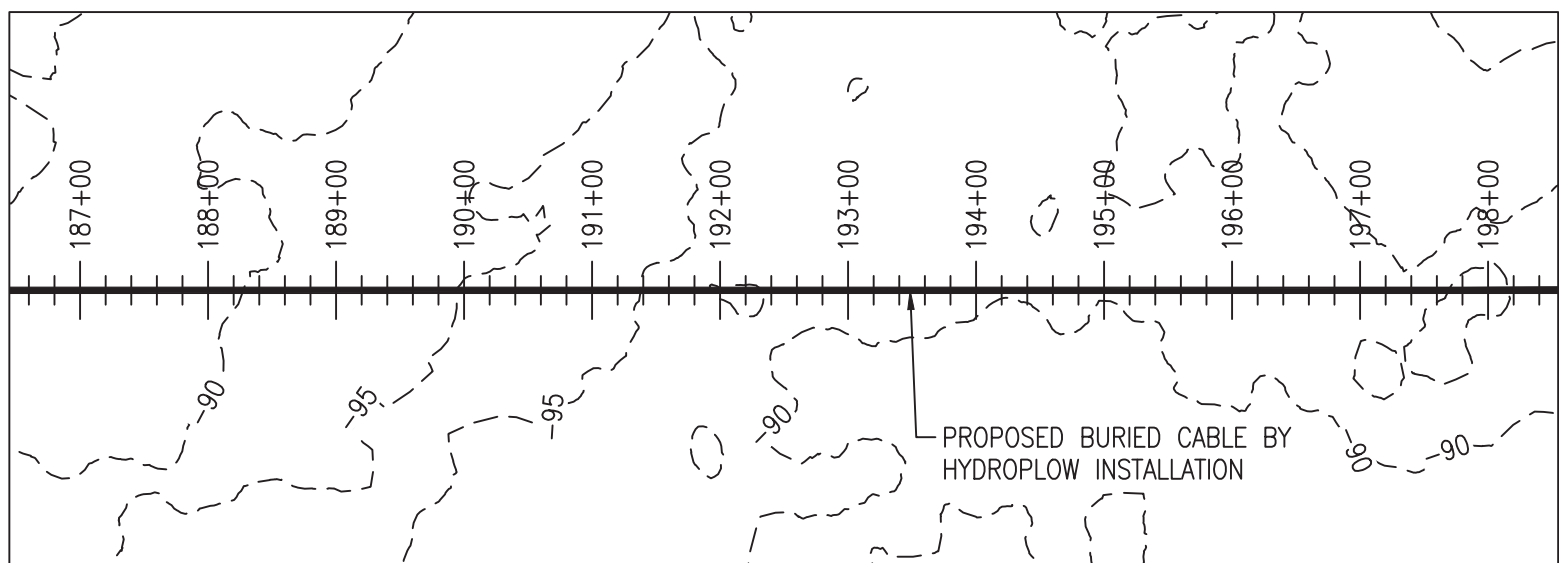
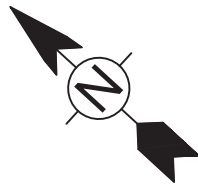
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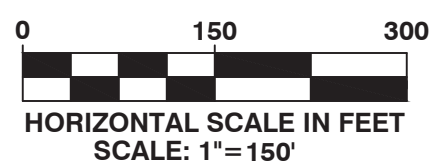
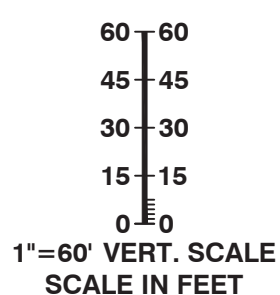
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PROPOSED CONDITIONS

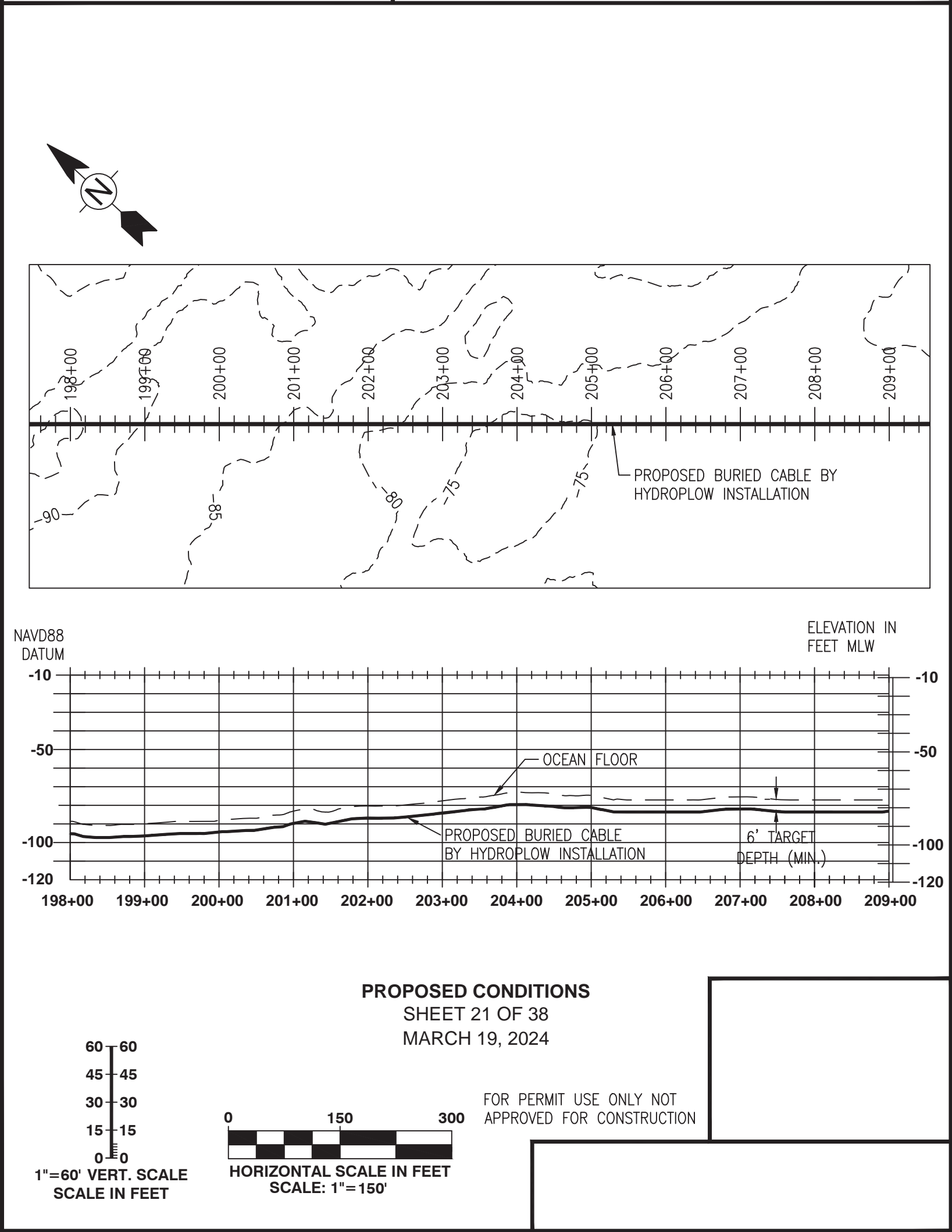
SHEET 20 OF 38

MARCH 19, 2024

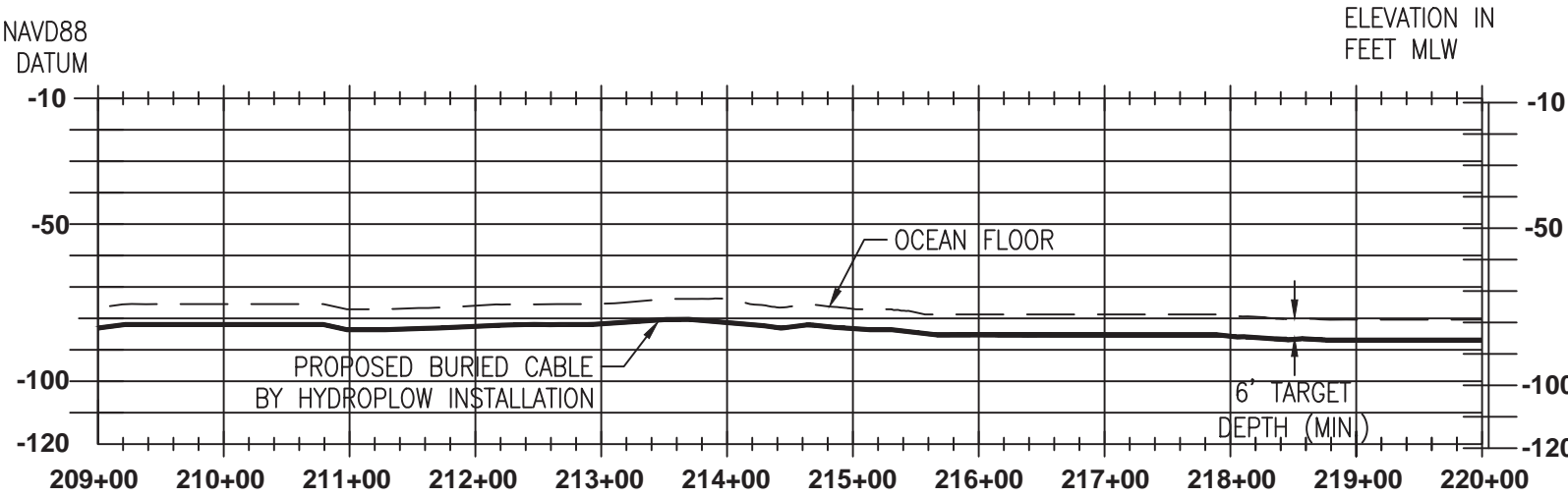
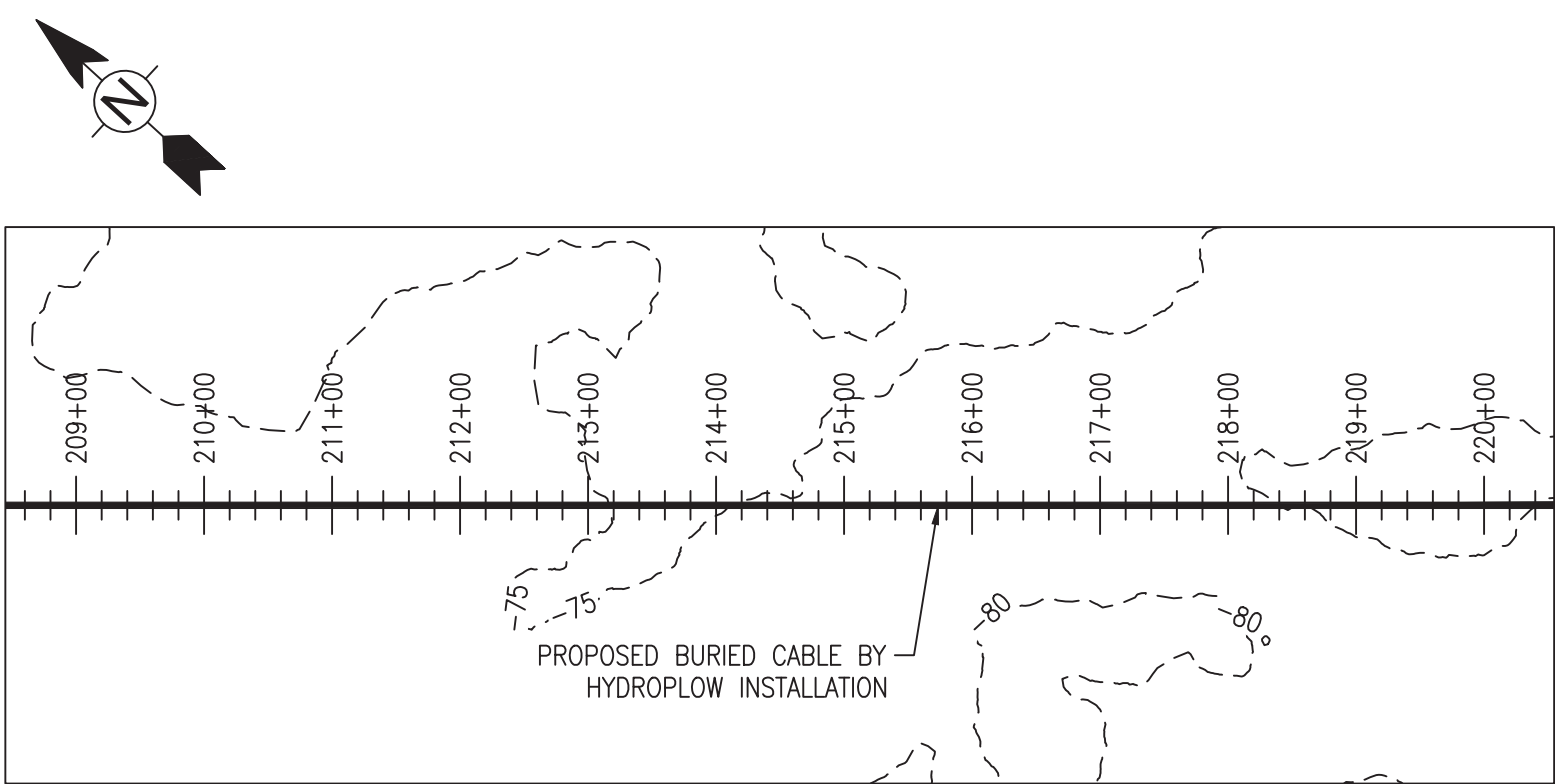


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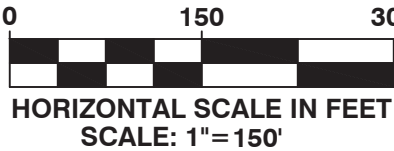
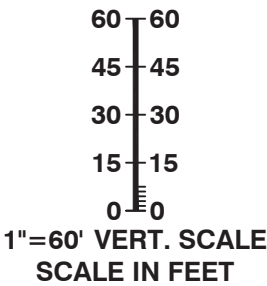
	<p>I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.</p>
	<div><div></div><div>NAME</div></div> <div><div></div><div>DATE</div></div>



	<p>I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.</p>
	<div><div></div><div>NAME</div></div> <div><div></div><div>DATE</div></div>

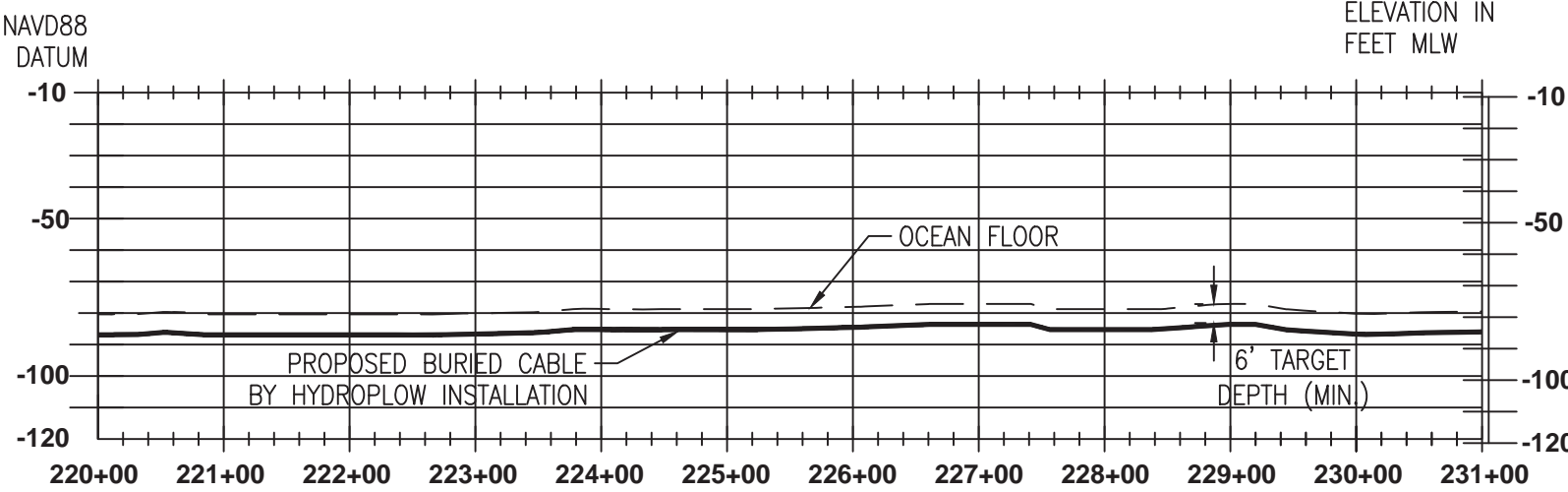
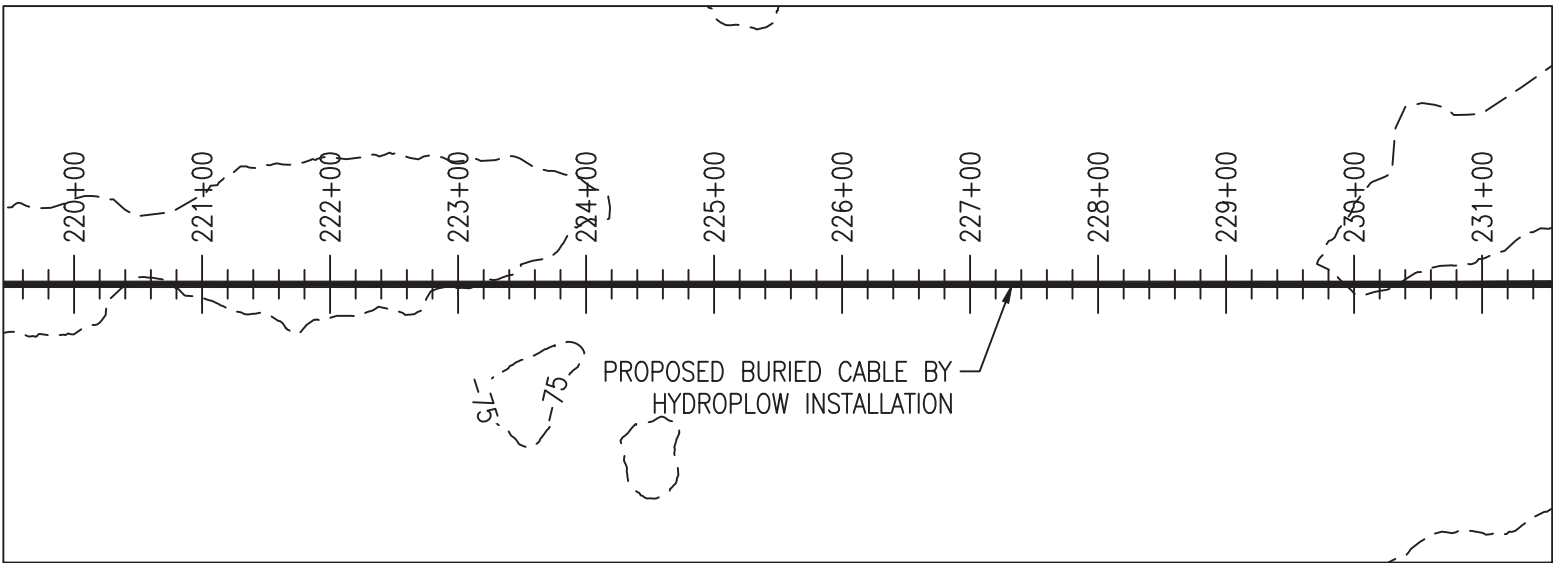
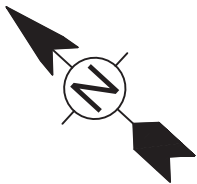


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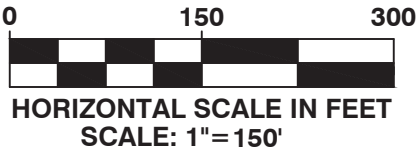
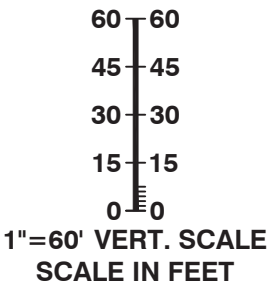


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	<div><div>NAME</div><div>DATE</div></div>



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SHEET 23 OF 38
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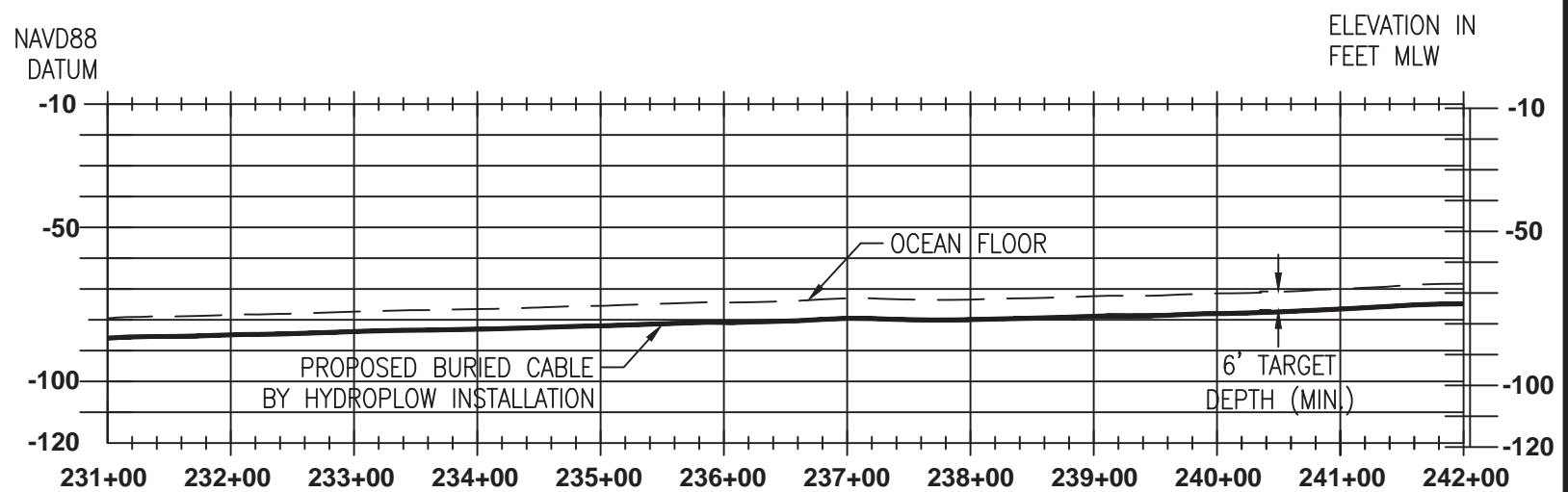
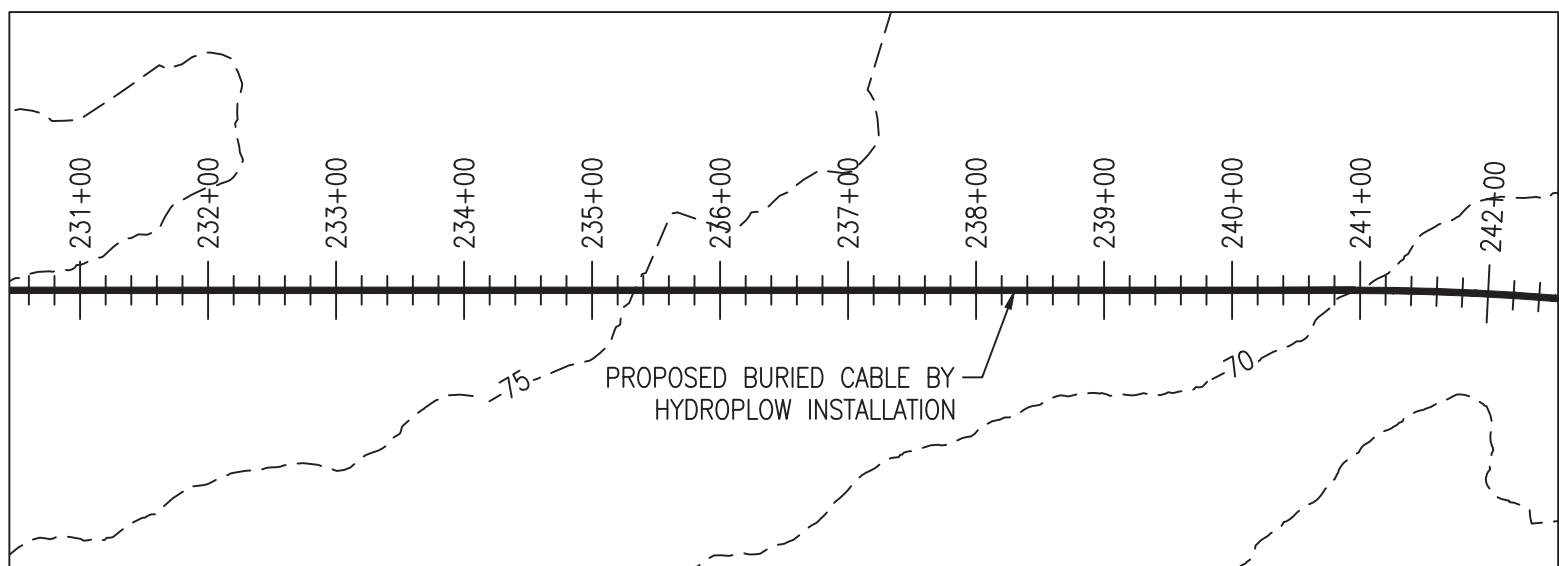
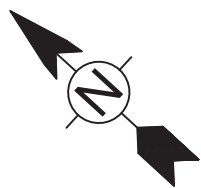


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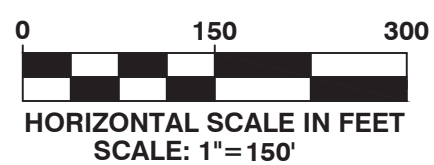
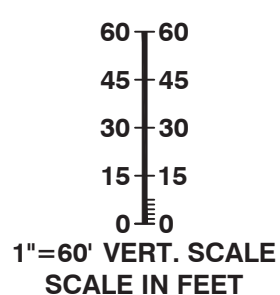
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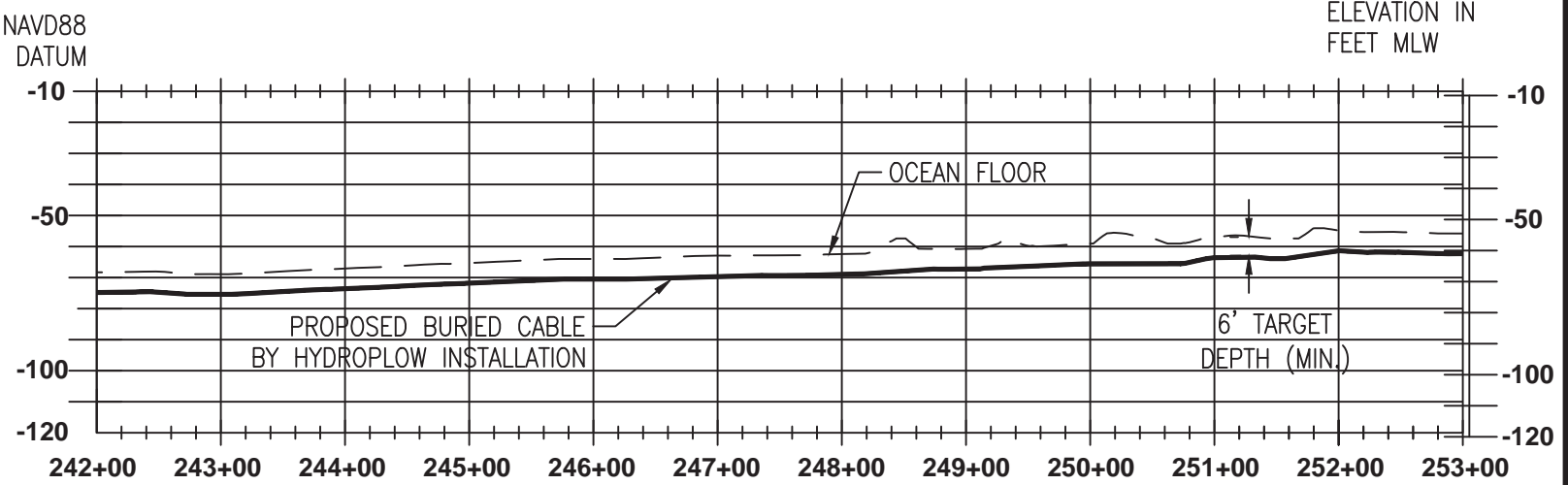
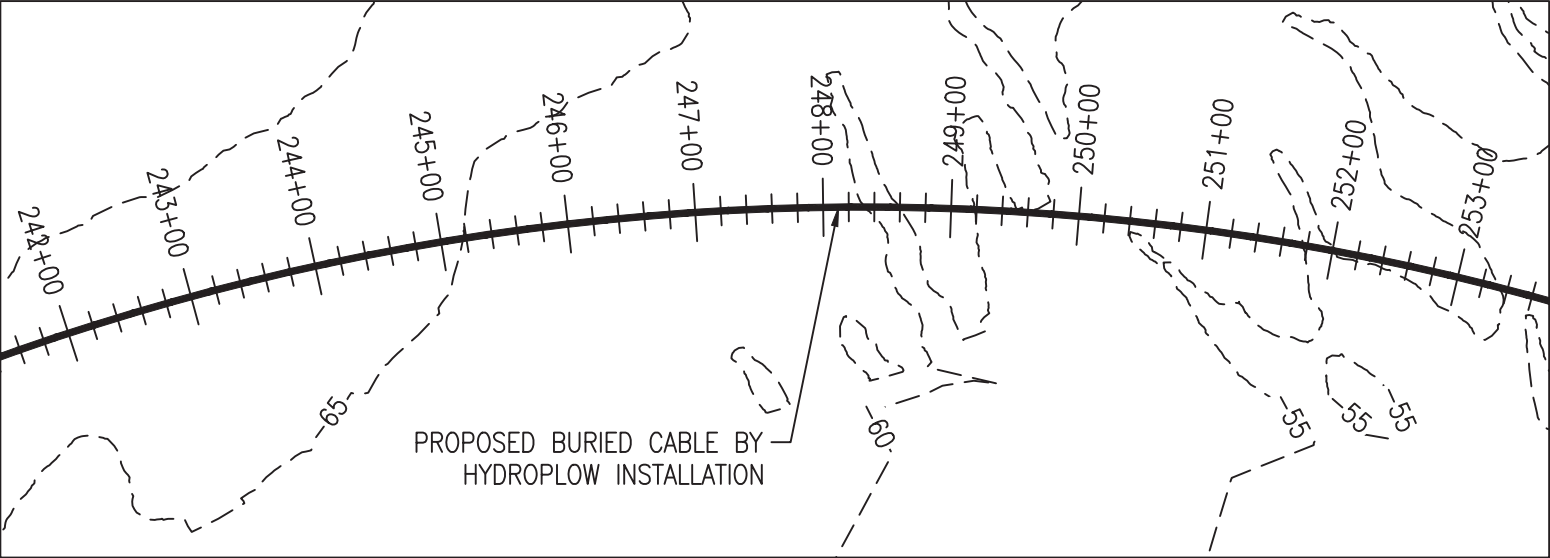
SHEET 24 OF 38

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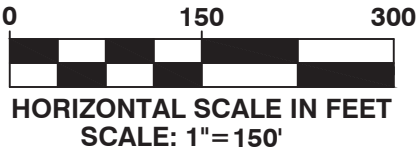
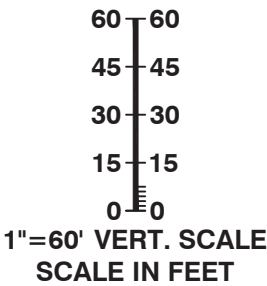


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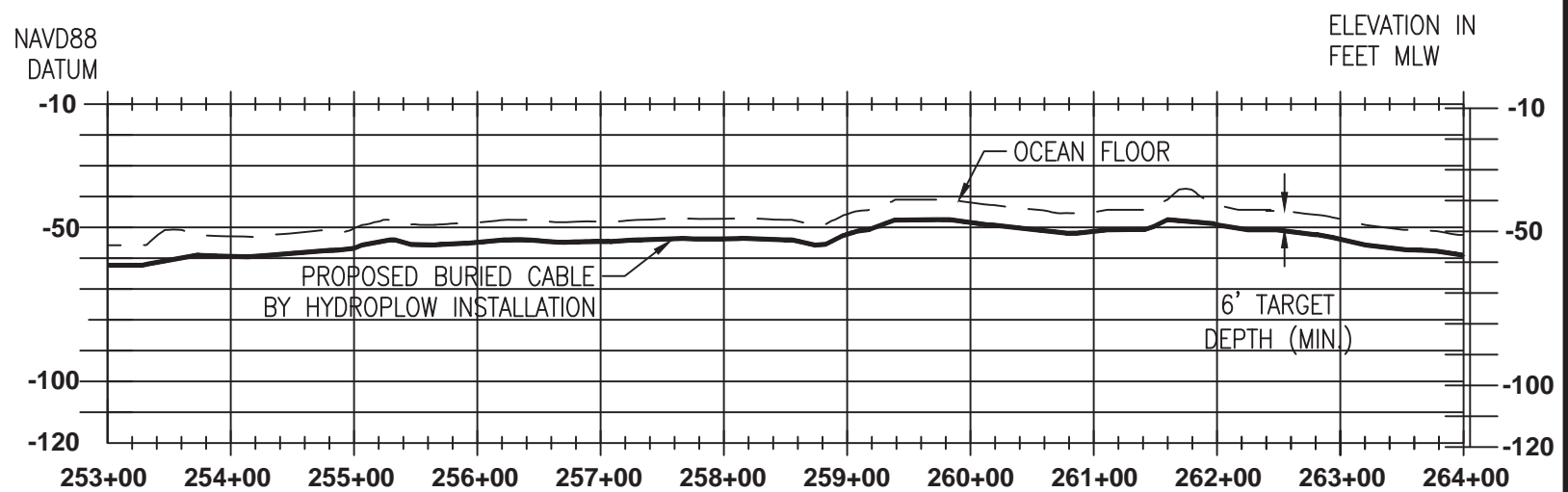
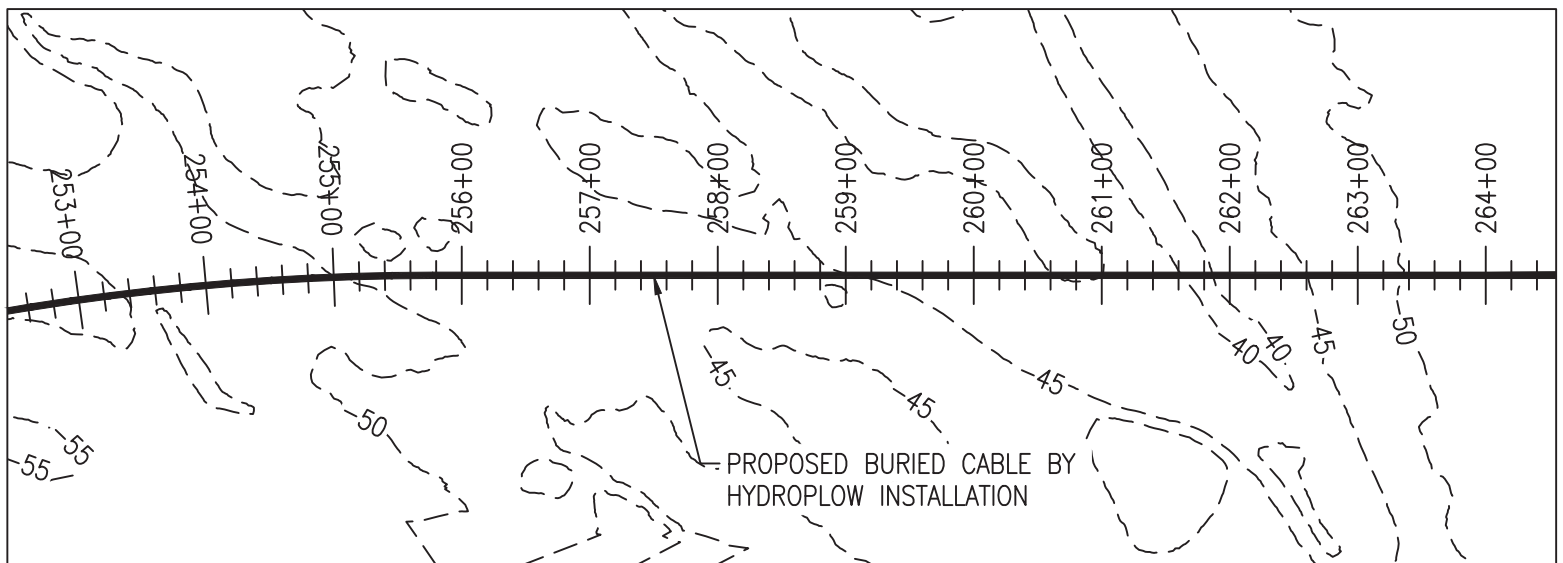


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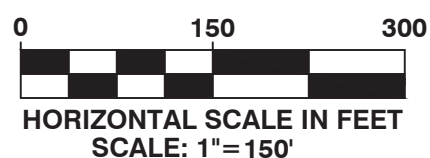


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MARCH 19, 2024

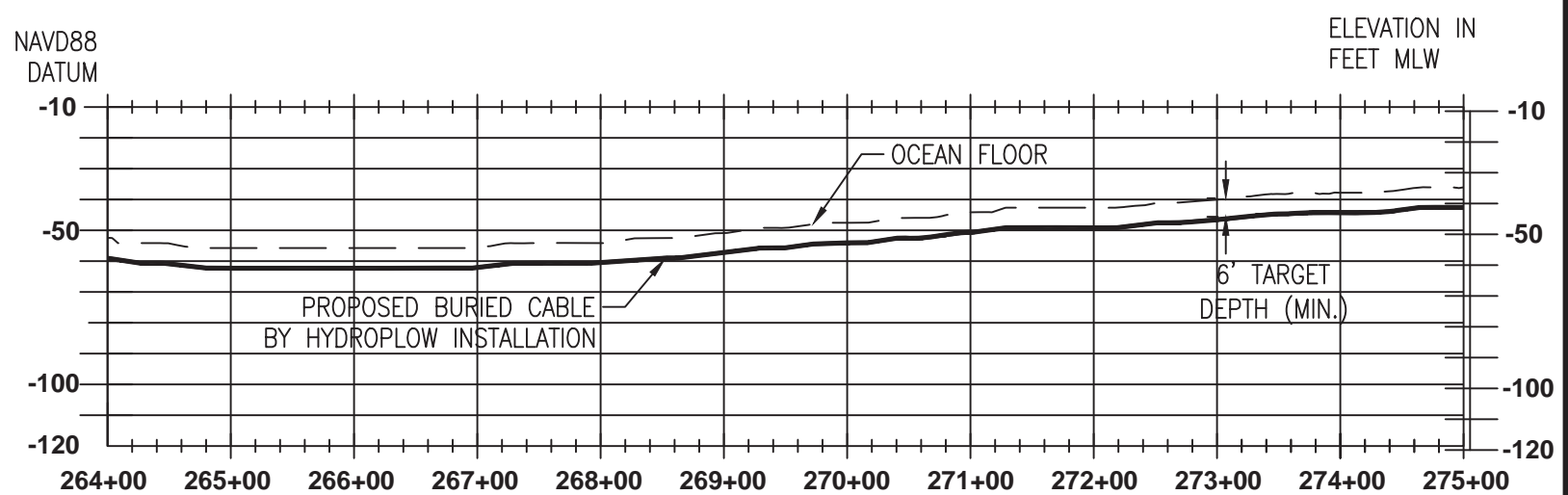
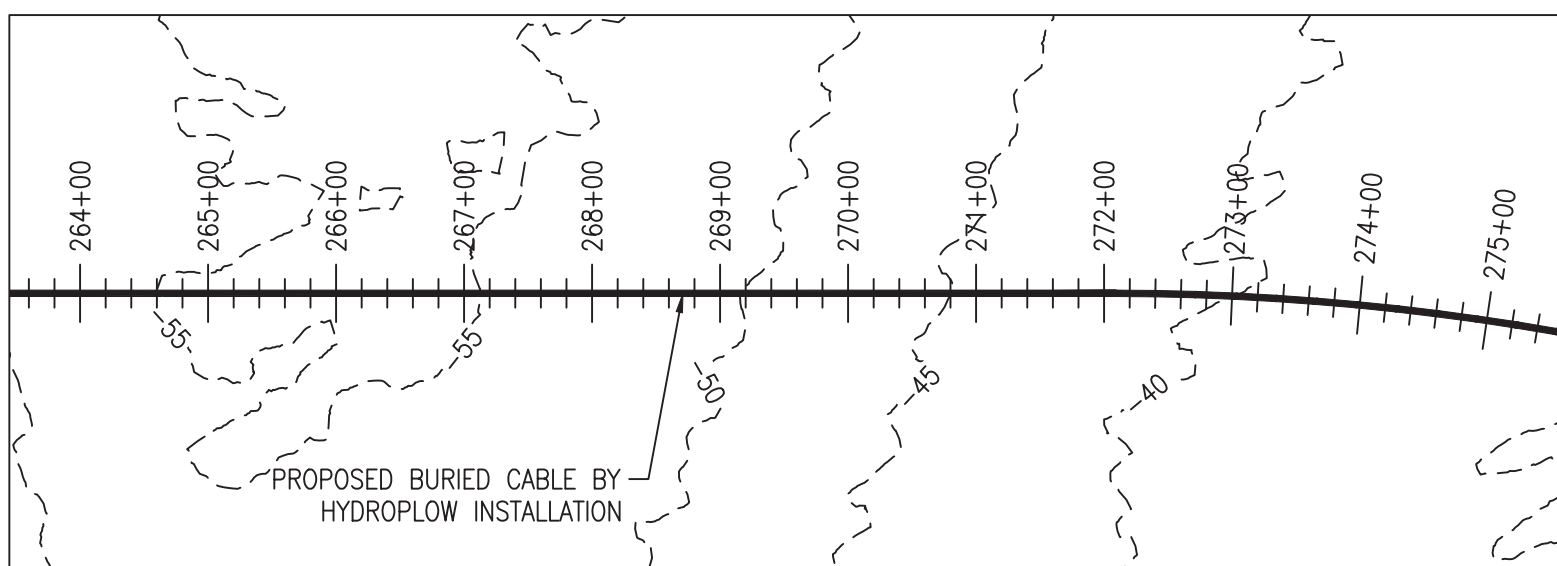
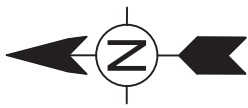


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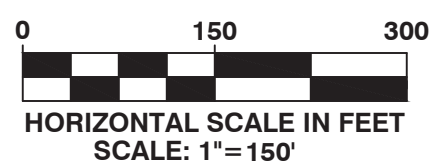
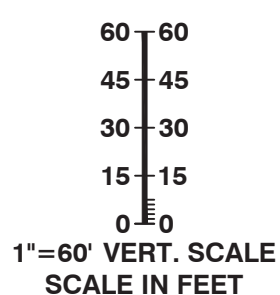
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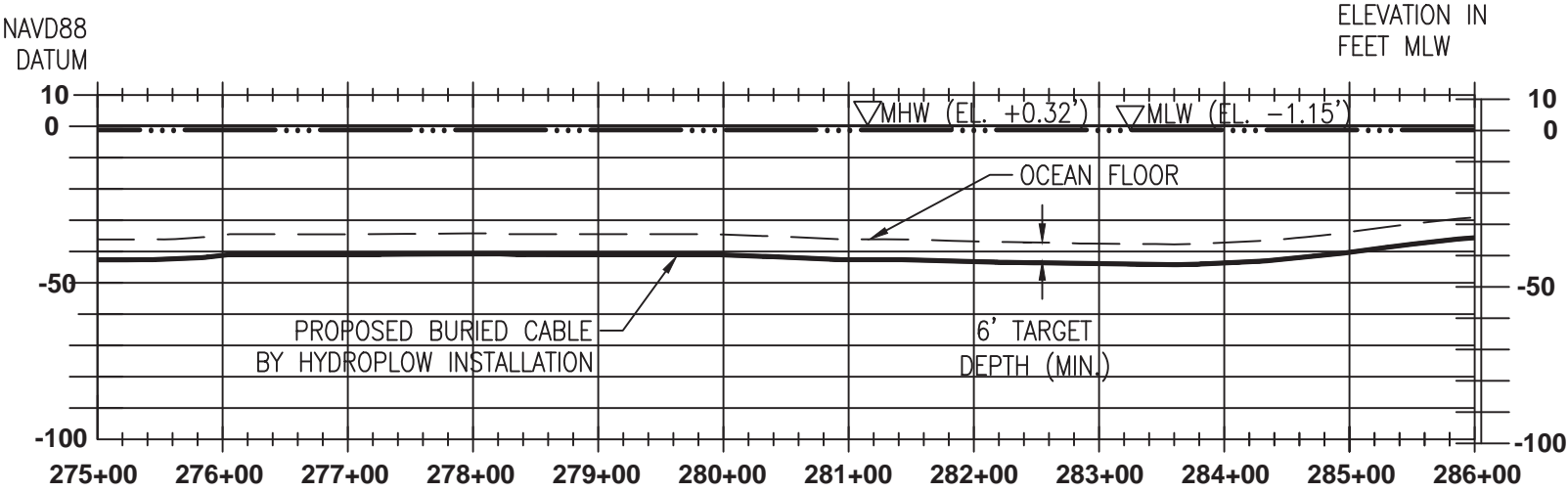
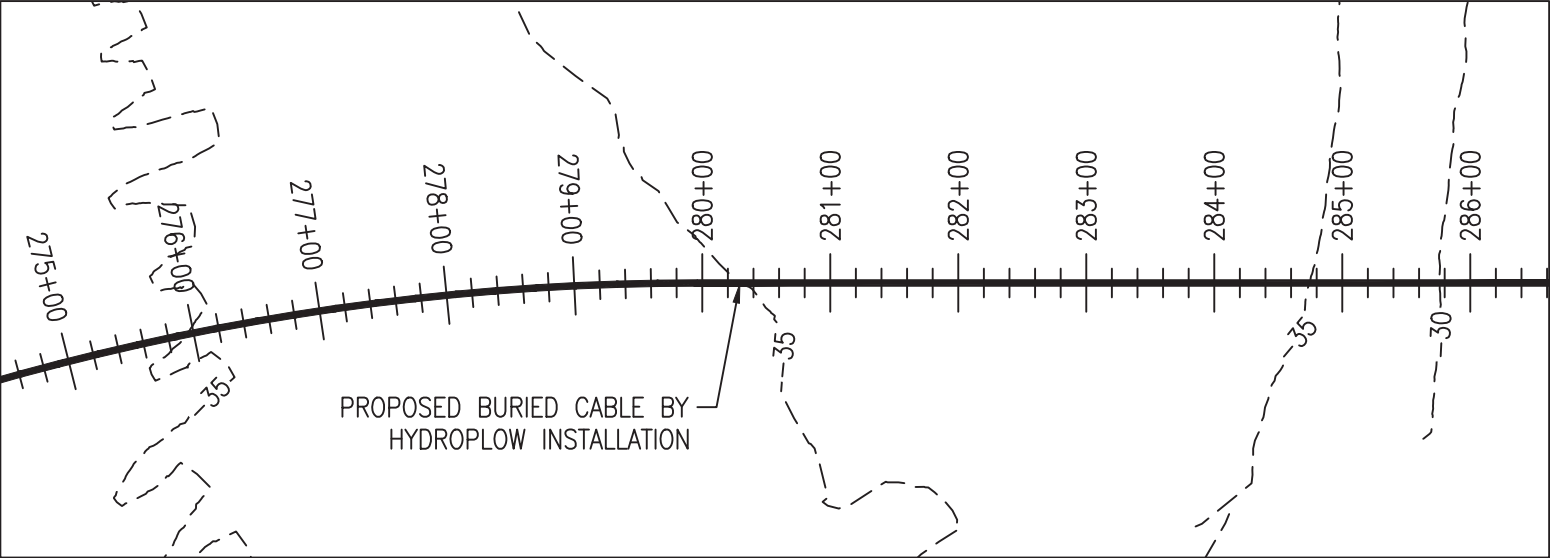
SHEET 27 OF 38

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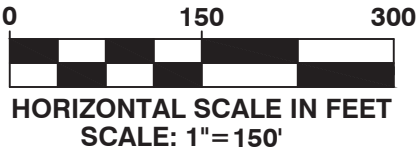
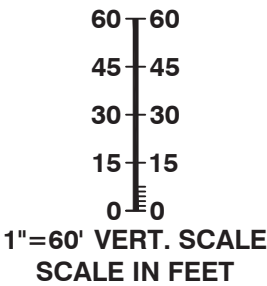


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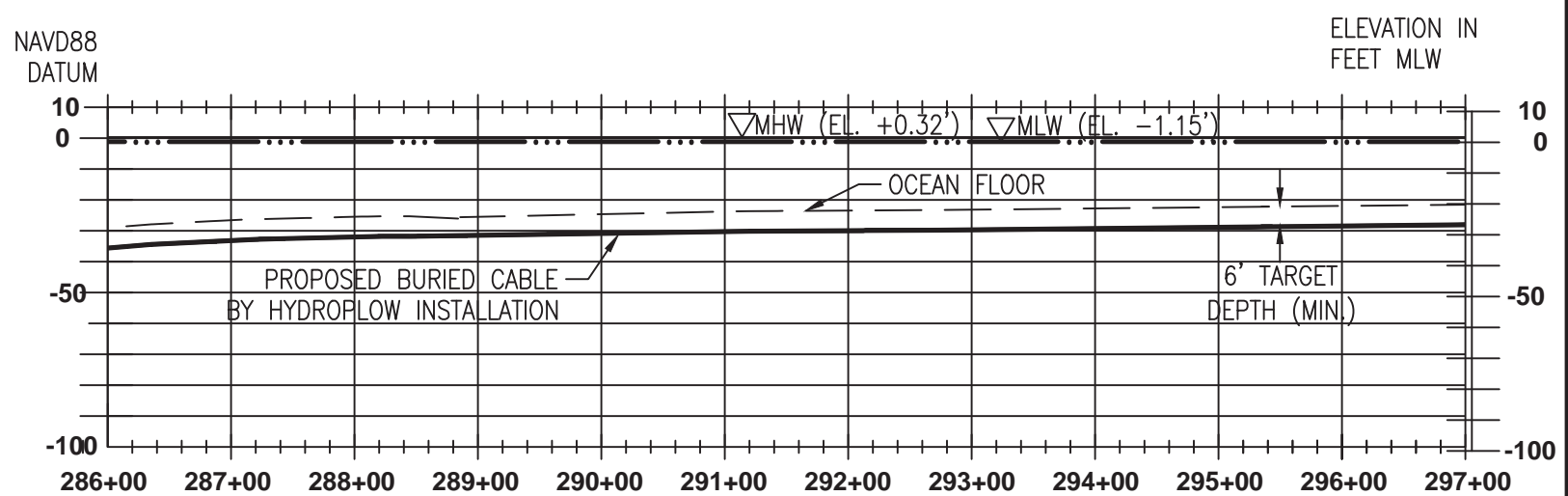
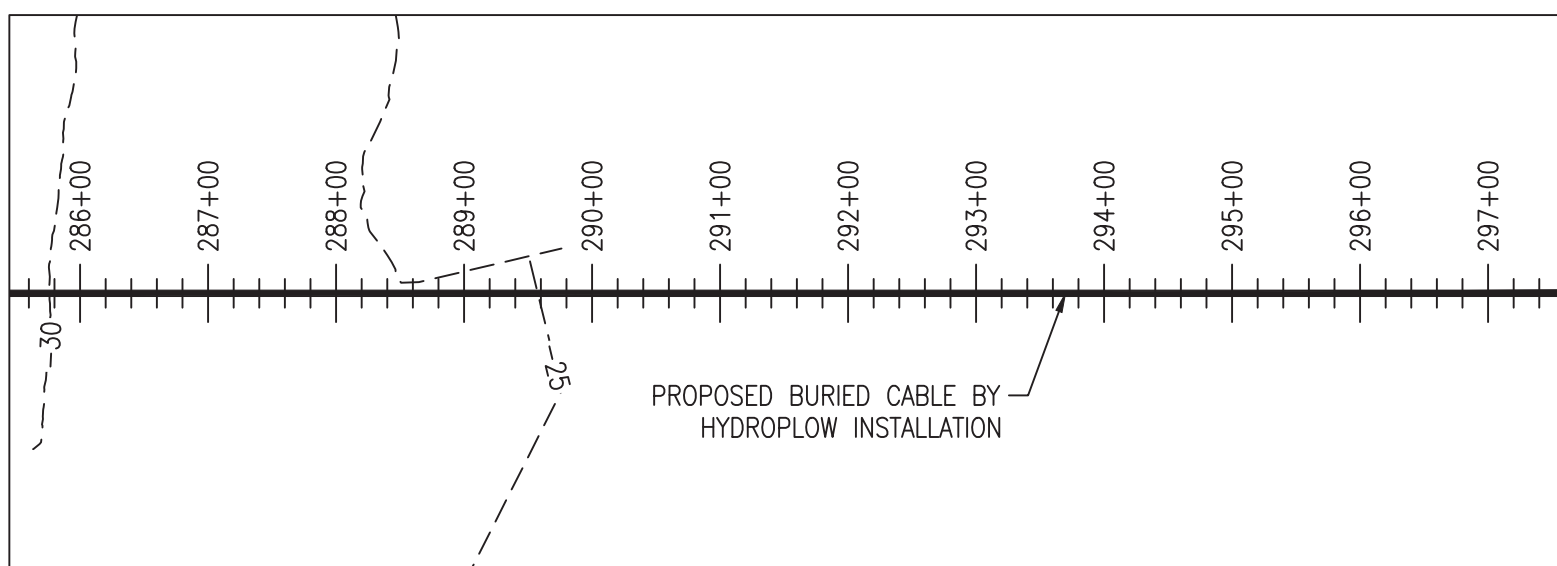


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SHEET 28 OF 38
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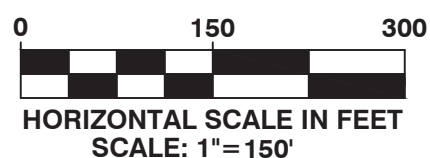
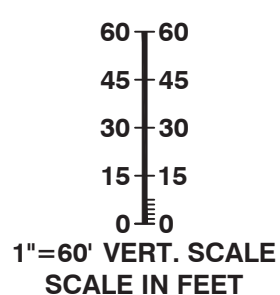


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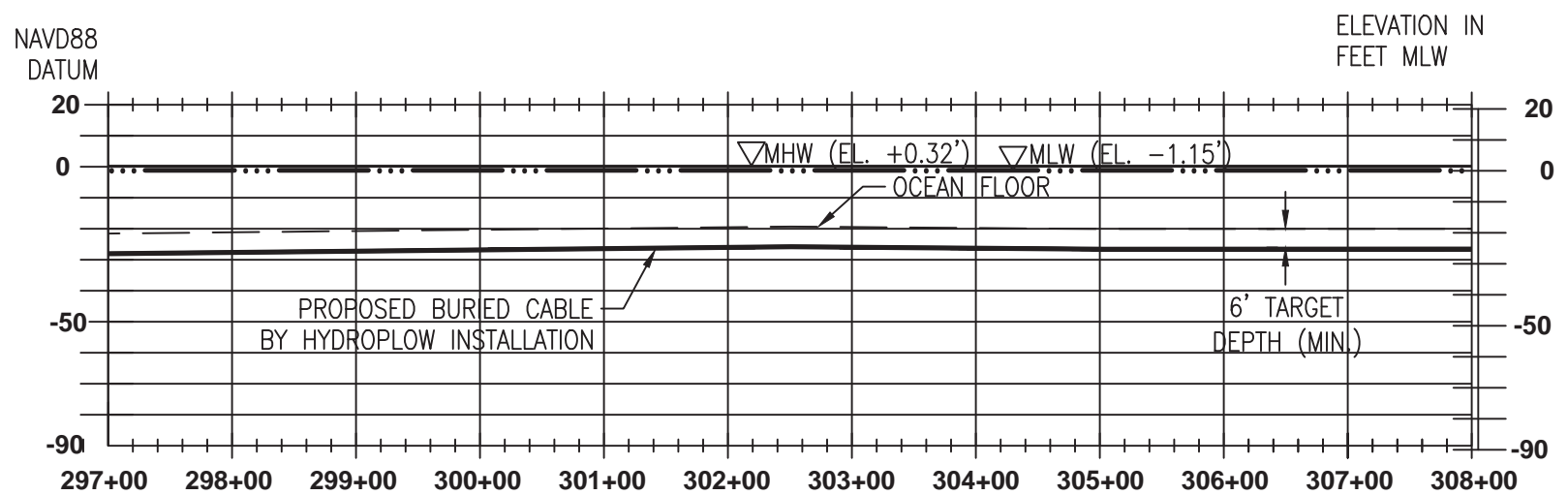
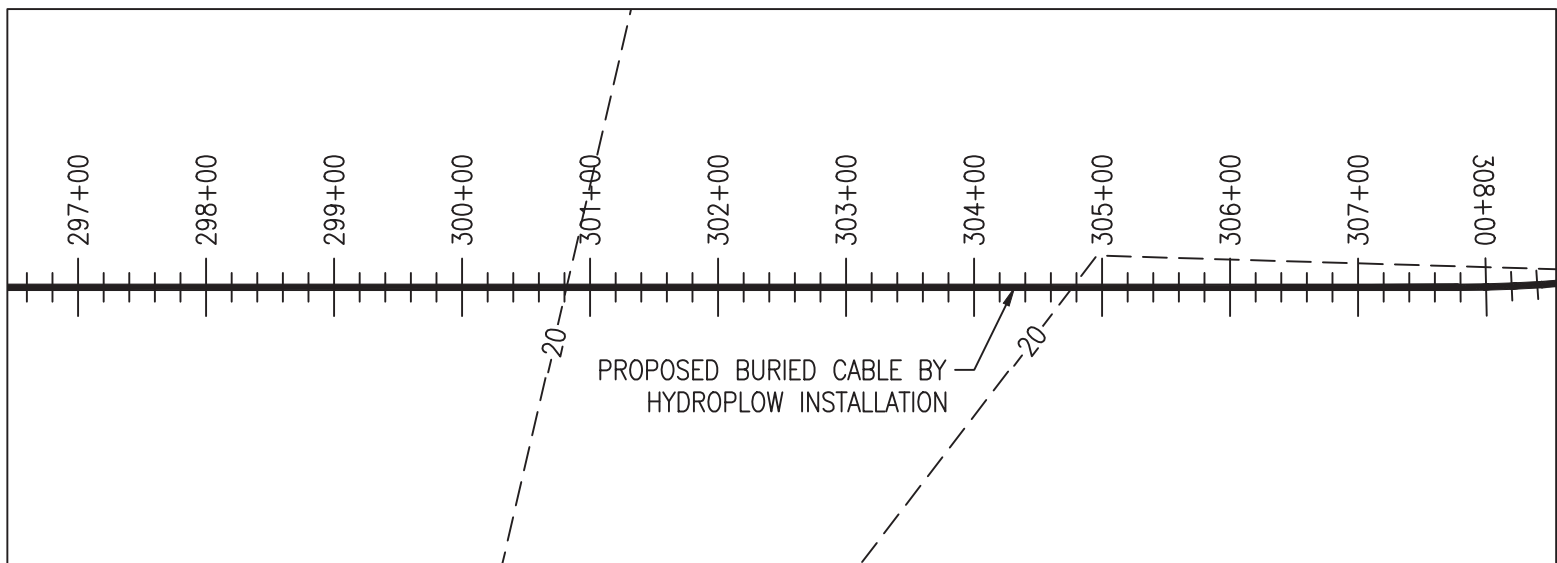
NAME _____ DATE _____



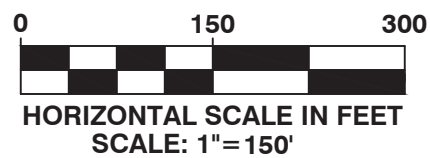
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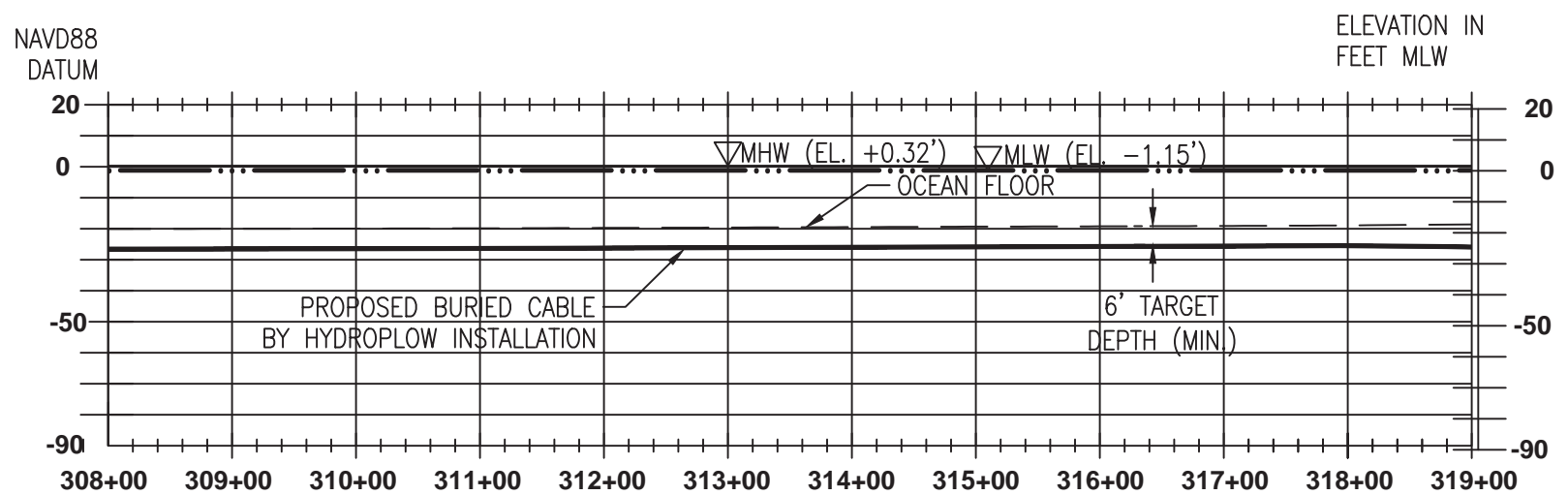
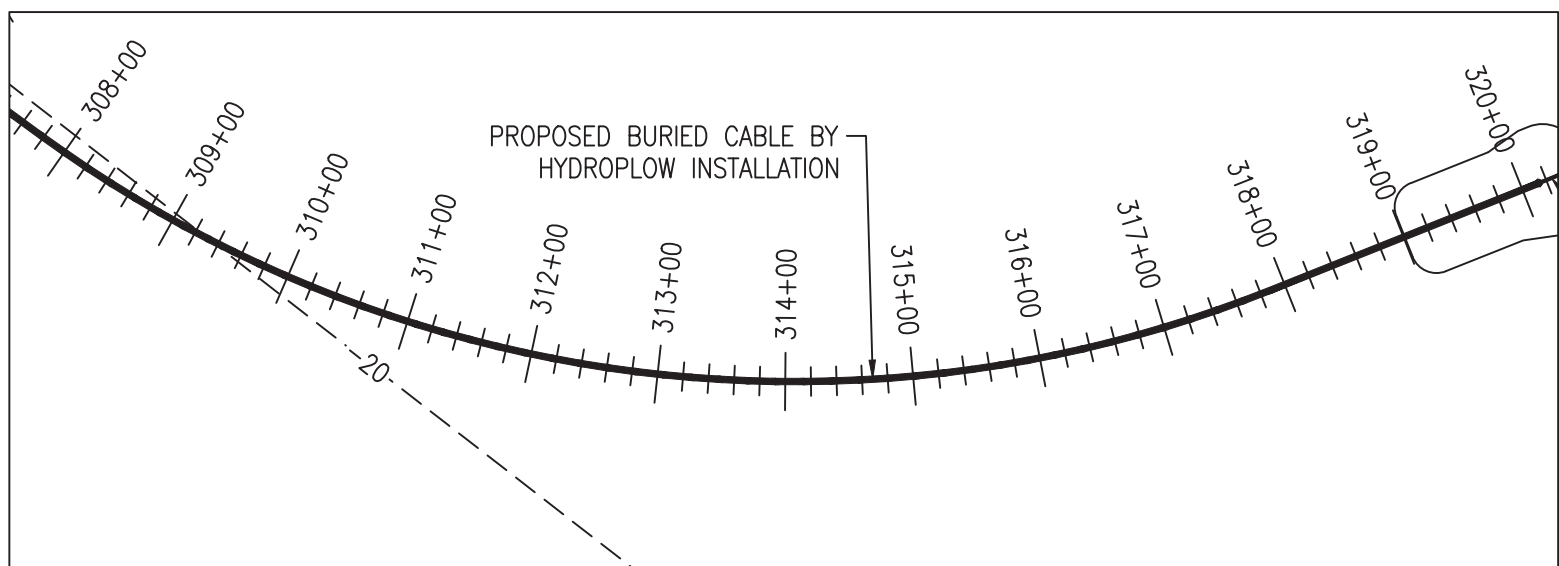
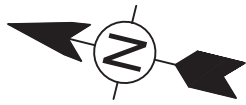
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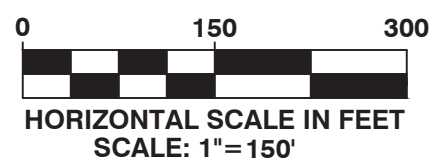
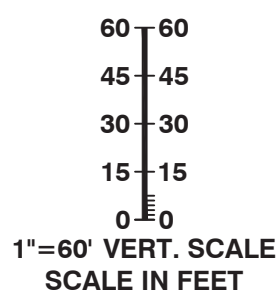
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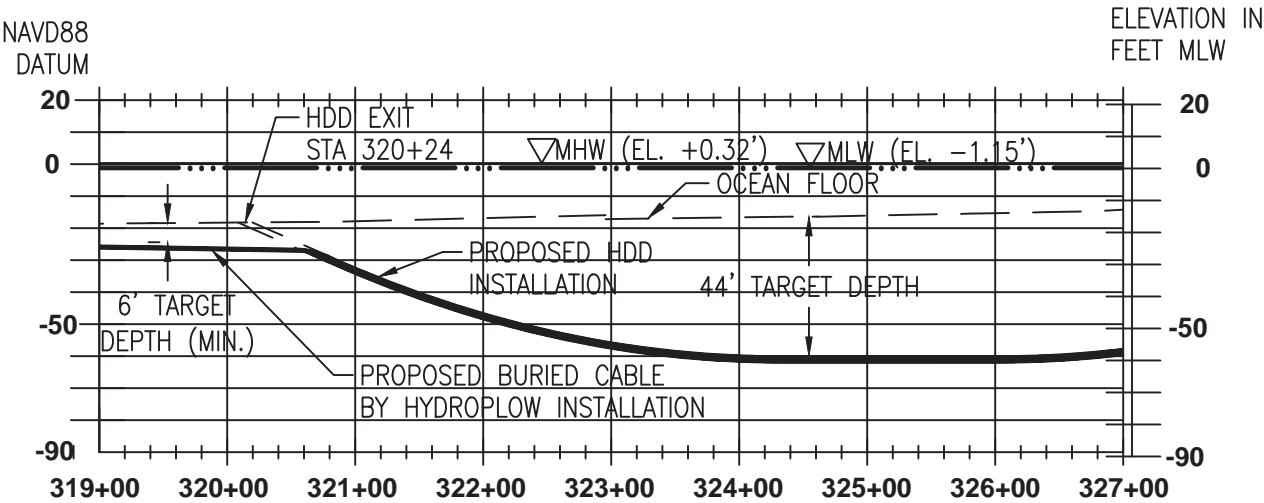
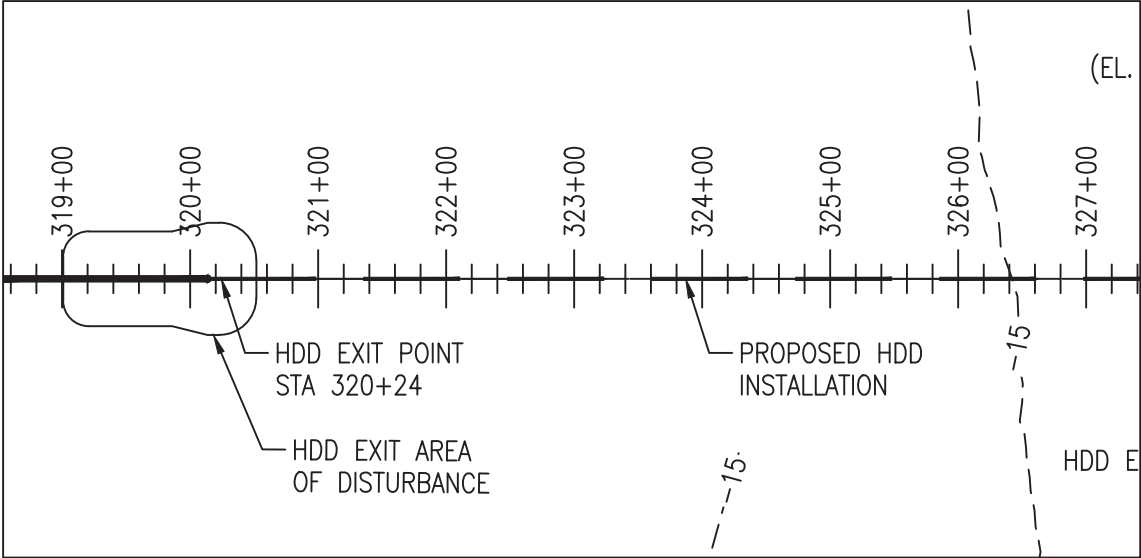
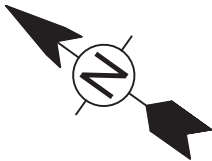
MARCH 19, 2024



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APPROVED FOR CONSTRUCTION

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NAME DATE



PROPOSED CONDITIONS
SHEET 32 OF 38
MARCH 19, 2024

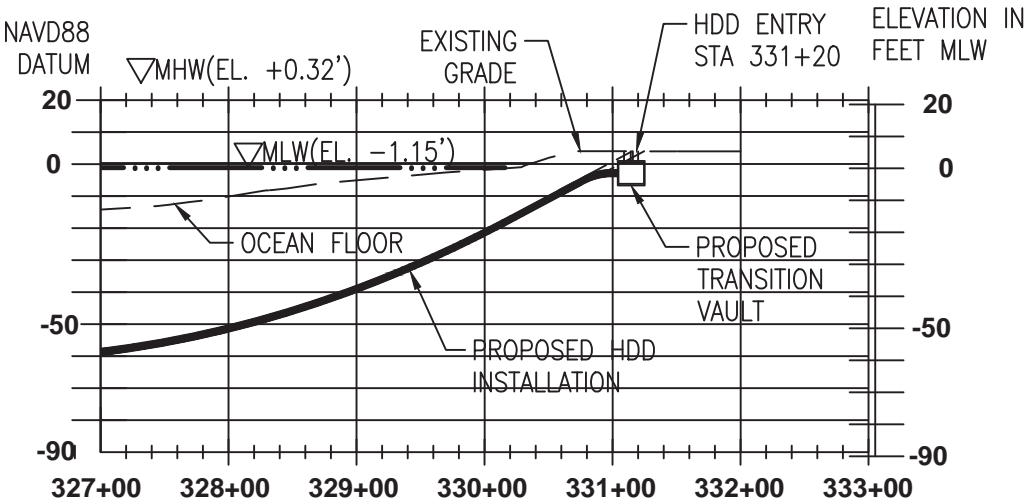
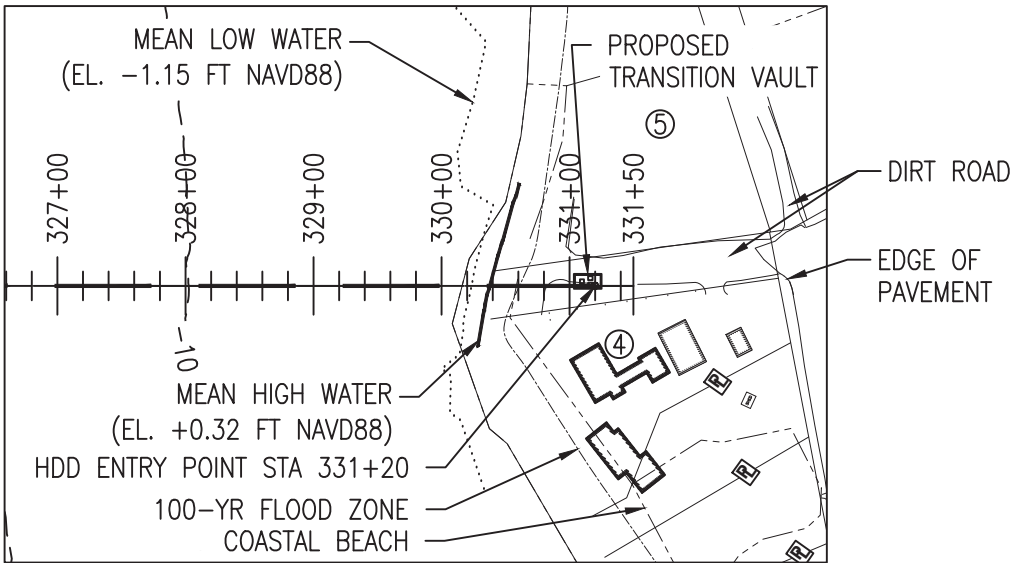
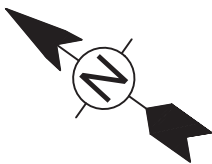
60 45 30 15 0
1"=60' VERT. SCALE
SCALE IN FEET

0 150 300
HORIZONTAL SCALE IN FEET
SCALE: 1"=150'

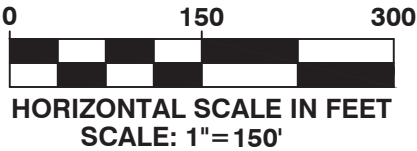
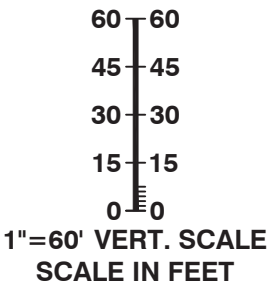
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NAME _____ DATE _____



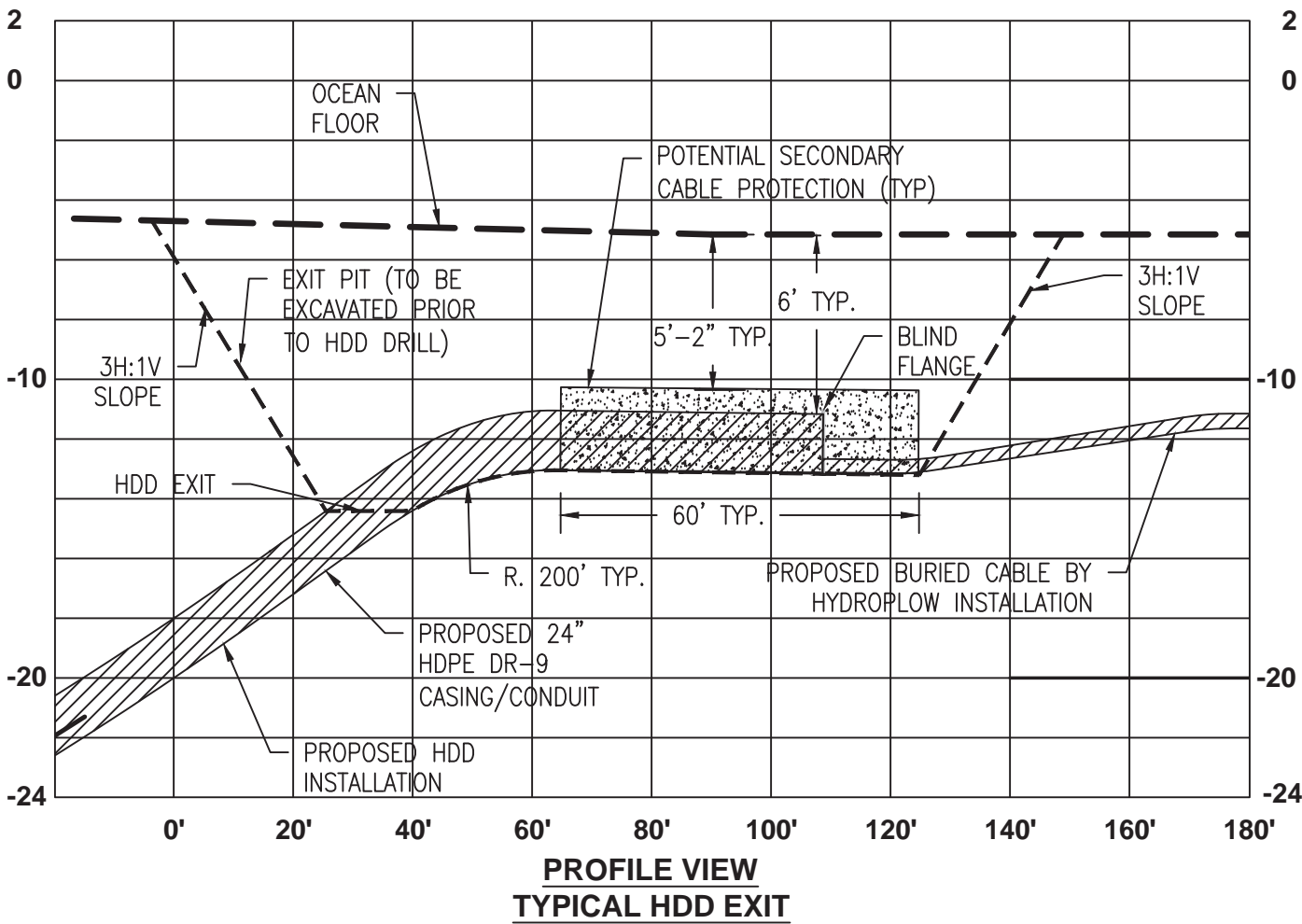
PROPOSED CONDITIONS
SHEET 33 OF 38
MARCH 19, 2024



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			ALIGNMENT POINTS (SHOWN ON COVER)							
			#	STATIONING	NORTHING	EASTING	#	STATIONING	NORTHING	EASTING
TOTAL VOLUME OF DREDGE AT HDD PITS PER EXIT PIT			AP1	-0+15	2659531.6'	897908.9'	AP11	240+95	2638935.0'	907809.6'
			AP2	10+69	2658447.5'	897941.4'	AP12	255+77	2637586.0'	908337.4'
			AP3	21+54	2657363.4'	897973.8'	AP13	263+93	2636770.4'	908339.4'
			AP4	26+16	2656901.5'	897977.5'	AP14	272+09	2635954.8'	908341.3'
			AP5	30+78	2656439.6'	897981.2'	AP15	279+96	2635187.0'	908190.1'
			AP6	32+75	2656242.6'	897992.5'	AP16	293+87	2633901.3'	907659.5'
			AP7	67+20	2652817.7'	898359.2'	AP17	307+78	2632615.7'	907128.9'
			AP8	101+64	2649392.8'	898725.8'	AP18	317+87	2631654.6'	907238.3'
			AP9	114+38	2648251.9'	899242.3'	AP19	320+14	2631470.3'	907369.4'
			AP10	177+66	2643593.5'	903526.0'	AP20	325+67	2631019.5'	907690.0'
LANDFALL TOTAL (2 PITS TOTAL)							AP21	331+20	2630.568.6'	908010.6'
APPROXIMATE	1638	cu yd								
APPROXIMATE	3276	cu yd								



6
4
2
0

1"=6' VERT. SCALE
SCALE IN FEET

03060

HORIZONTAL SCALE IN FEET
SCALE: 1"=30'

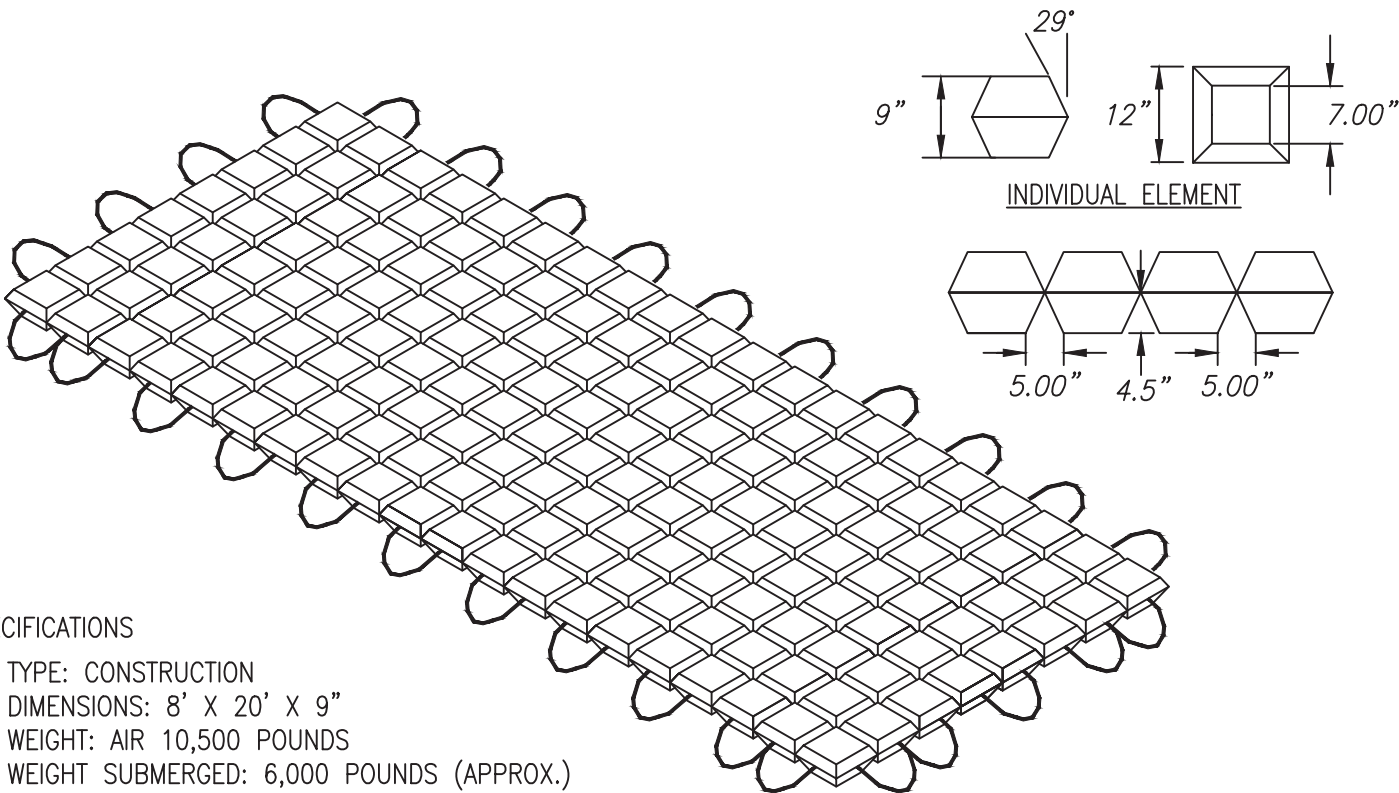
PROPOSED CONDITIONS

SHEET 34 OF 38

MARCH 19, 2024

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	<div><div>NAME</div><div>DATE</div></div>



SPECIFICATIONS

MATTRESS TYPE: CONSTRUCTION
MATTRESS DIMENSIONS: 8’ X 20’ X 9”
MATTRESS WEIGHT: AIR 10,500 POUNDS
MATTRESS WEIGHT SUBMERGED: 6,000 POUNDS (APPROX.)
CONCRETE DENSITY: 145 LBS. PER CU. FT., 4,000PSI
160 ELEMENTS: 5/8” ULTRA VIOLET STABILIZED COPOLYMER
EXTRUDED FIBER ROPE, MINIMUM TENSILE STRENGTH 9,500 POUNDS

FROM STATION 182+00 TO 225+20 SUFFICIENT CABLE
BURIAL BELOW THE SEABED MAY NOT BE ACHIEVED.
AFTER REMEDIAL BURIAL METHODS HAVE BEEN RULED
OUT, CONCRETE MATTRESS CABLE PROTECTION WOULD
BE INSTALLED. ASSUMING AN AVERAGE WIDTH OF
20–FEET, THIS CORRELATES TO 86,400 SQUARE FEET
OF CABLE PROTECTION.

PROPOSED CONDITIONS
SHEET 35 OF 38
MARCH 19, 2024

	I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
	<div><div></div><div>NAME</div></div> <div><div></div><div>DATE</div></div>

SURF DRIVE LANDING
ABUTTER'S INFORMATION

①
47 07 000B 000
56 SURF DR
FALMOUTH, TOWN OF

②
47 07 000A 000
0 SURF DR
FALMOUTH, TOWN OF

③
47C 07 005 005E
338 SHORE STREET
NASIF TRUST
RONALD NASIF, TRUSTEE

EASTVILLE AVENUE LANDING
ABUTTER'S INFORMATION

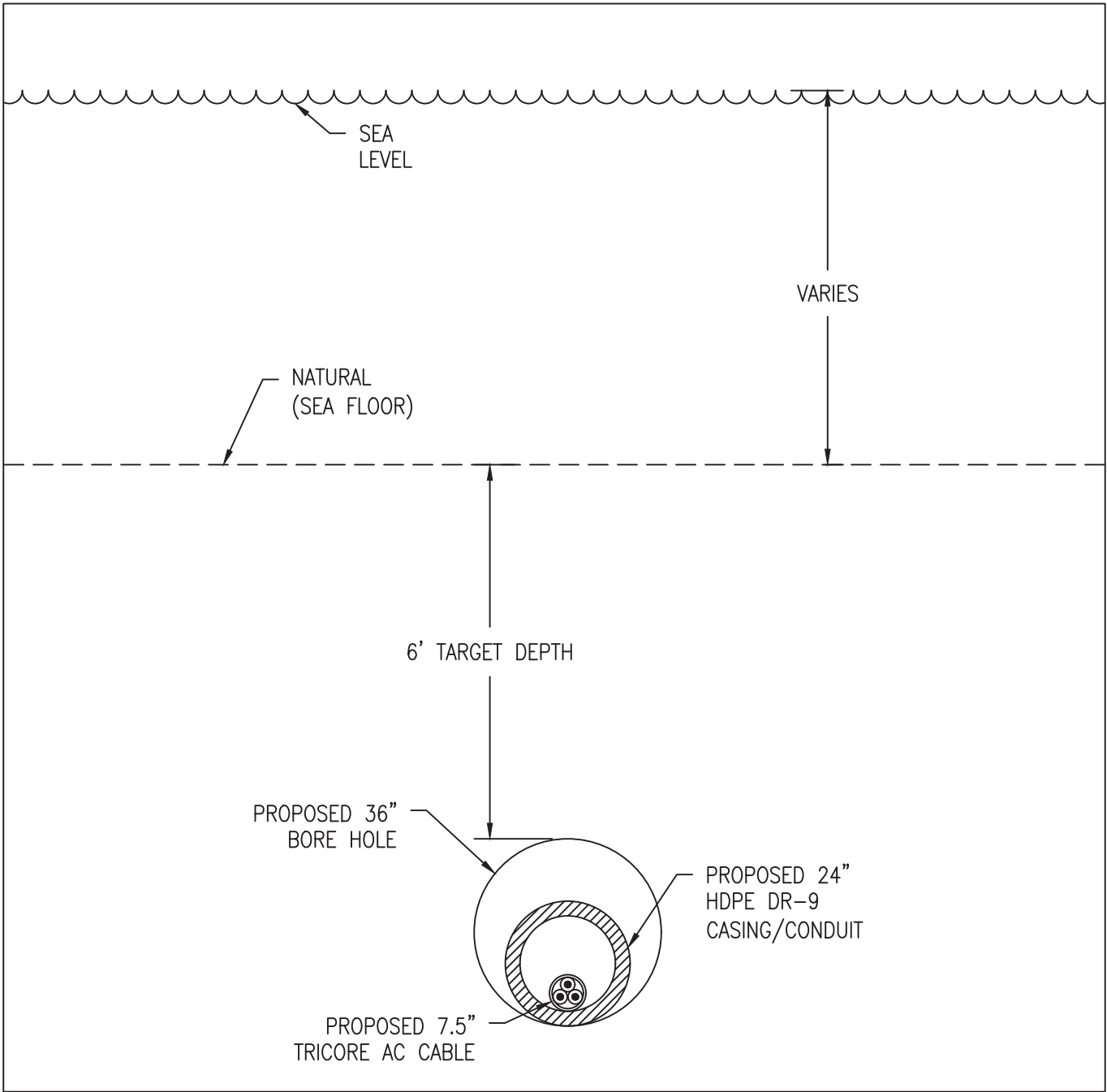
④
120 EASTVILLE AVENUE
N/F
PAUL A. AKERMAN &
MAIRI JACQUELINE MALEY
ASSESSOR'S MAP 5, PARCEL 9

⑤
8 BEACH ROAD EXT.
N/F
CCFP LTD
ASSESSOR'S MAP 5, PARCEL 10

LIST OF ABUTTERS
SHEET 36 OF 38
MARCH 19, 2024

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	<div><div>NAME</div><div>DATE</div></div>



PROFILE VIEW
AT STATION 21+55 FACING NORTH
AND STATION 320+60 FACING SOUTH
HDD INSTALLATION

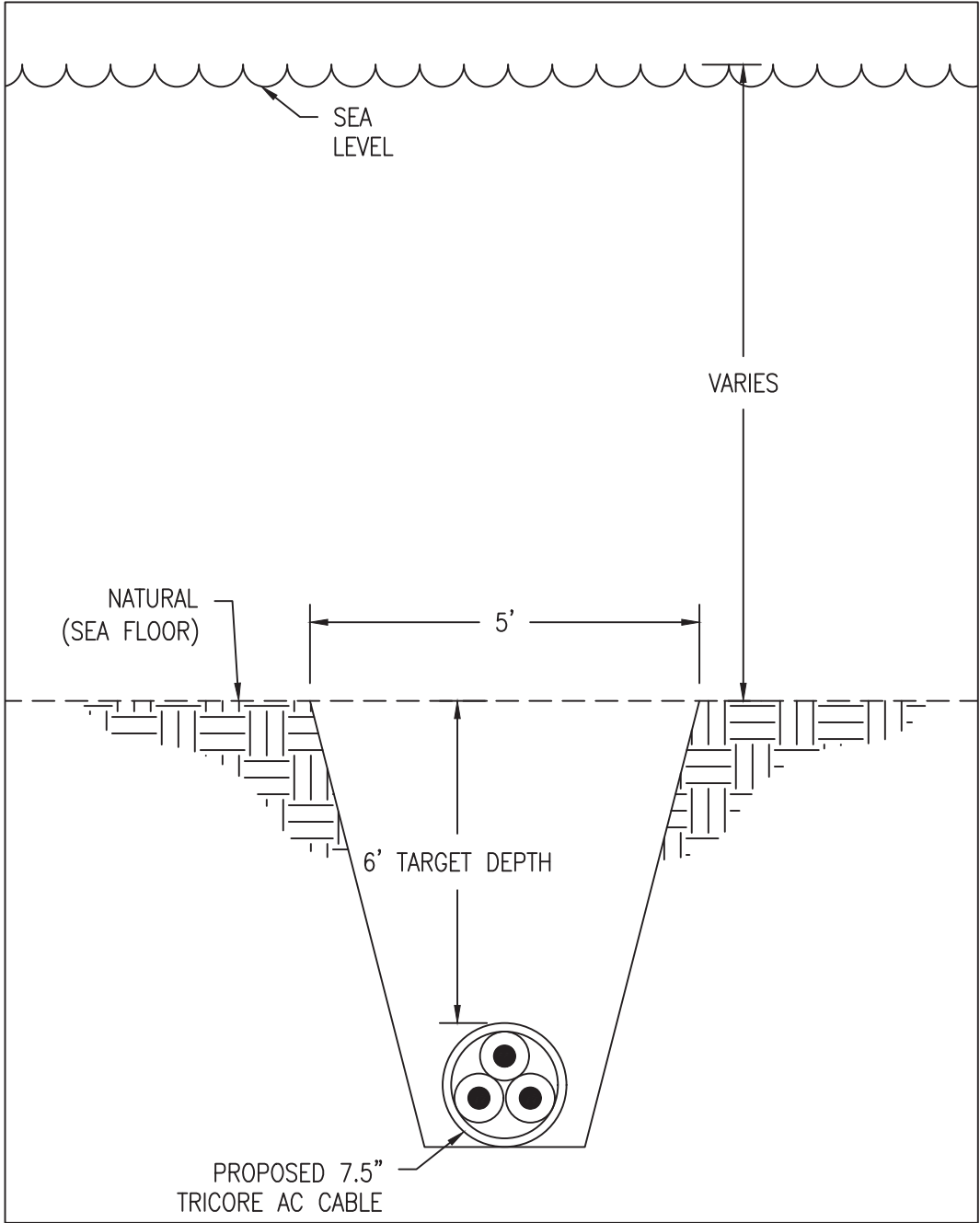
PROPOSED CONDITIONS
SHEET 37 OF 38
MARCH 19, 2024

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SCALE: N.T.S.

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME DATE



SECTION VIEW
AT STATION 29+00 FACING NORTH
AND STATION 318+00 FACING SOUTH
HYDROFLOW INSTALLATION

PROPOSED CONDITIONS
SHEET 38 OF 38
MARCH 19, 2024

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SCALE: N.T.S.