



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: April 9, 2019

Comment Period Ends: May 9, 2019

File Number: NAE-2017-01616

In Reply Refer To: Mike Wierbonics

Phone: (978) 318-8723

E-mail:

michael.s.wierbonics@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Town of Oak Bluffs, Massachusetts, 56 School Street, P.O. Box 1327, Oak Bluffs, Massachusetts. This work is proposed along the northeastern shoreline of Oak Bluffs seaward of East Chop Road in Nantucket Sound, Oak Bluffs, Massachusetts. The site coordinates are: Latitude: 41.46644 Longitude: -70.561225.

The project involves the discharge of approximately 11,158 cubic yards (CY) of rip rap material over an approximately 34,500 square foot area below the high tide line (HTL) for the rehabilitation/expansion of an existing, deteriorated stone revetment to mitigate future erosion of the bluff.

The work is shown on the enclosed plans entitled "PROPOSED EAST CHOP BLUFF REPAIR EAST CHOP BLUFF TOWN OF OAK BLUFFS 56 SCHOOL STREET OAK BLUFFS, MA 02557," on thirteen sheets, and dated "1/10/19".

The applicant has taken measures to reduce impacts to Waters of the United States (WOUS) by limiting seaward encroachment to maximum extent practicable to achieve the project purpose. A majority of the proposed rehabilitation will occur within the historic and existing footprint of the revetment.

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 U.S. Army Corps of Engineers, New England District (Corps), 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 Corps 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.

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.

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 will impact 0.79 acres of EFH. This habitat consists of intertidal habitat and hard 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 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.

NATIONAL HISTORIC PRESERVATION ACT

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 fulfil 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 Corps 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 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.

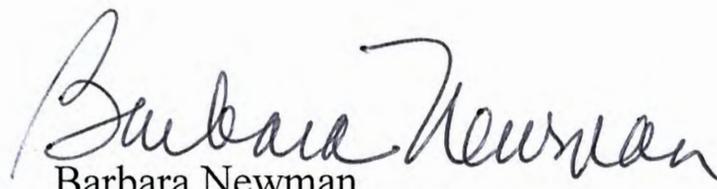
COMMENTS

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 Mike Wierbonics at (978) 318-8723, (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.

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.


Barbara Newman
Chief, Permits and Enforcement Branch
Regulatory Division

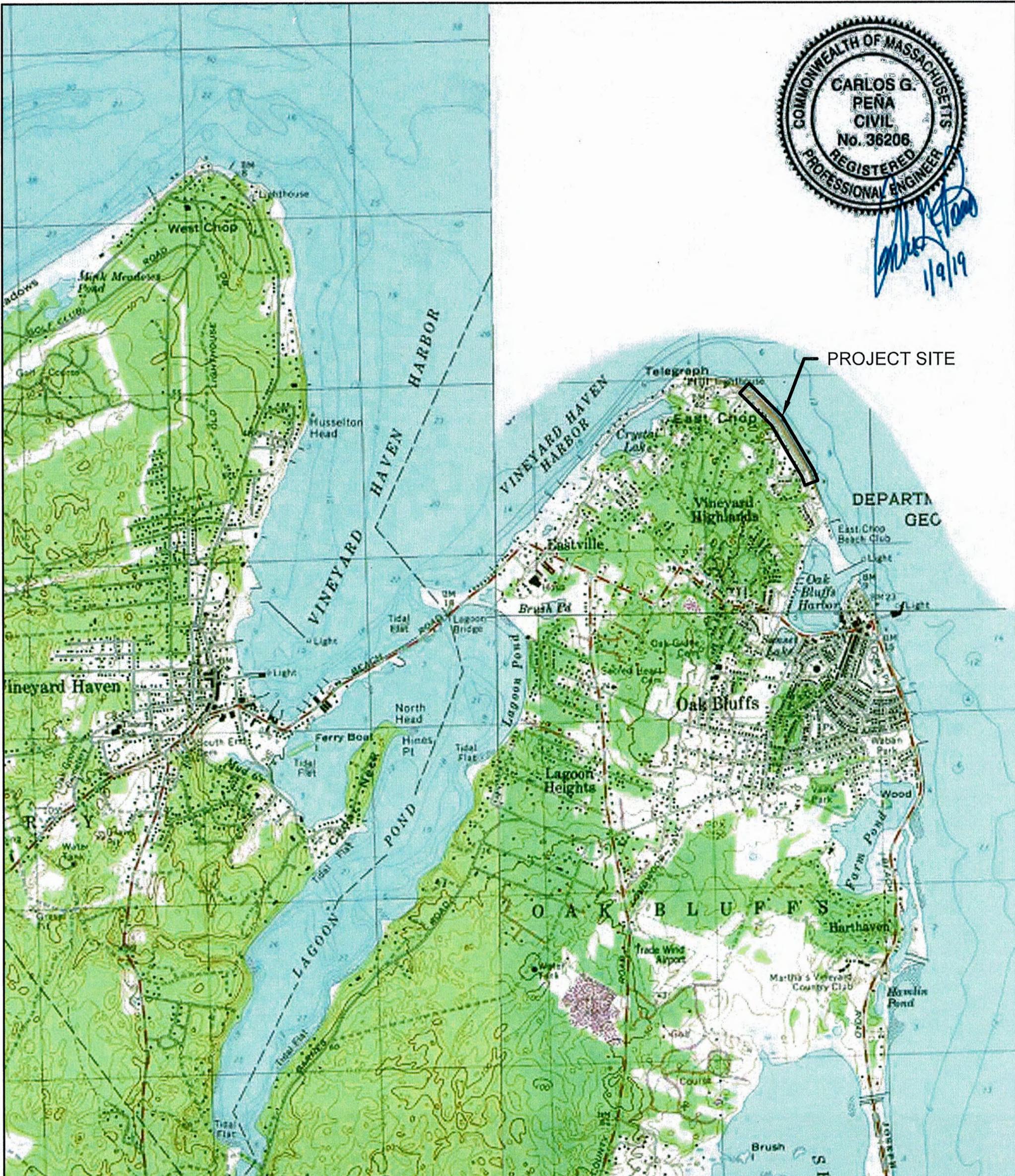
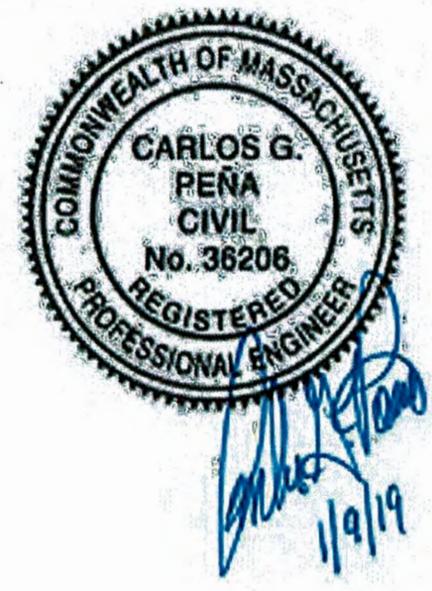
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FILE NO. NAE-2017-01616

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. 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: _____

PHONE: _____



DATUM: NGVD29
 MLW = -0.56'
 MHW = +1.14'
 NGVD29 = 0.00'
 AHTL = +1.54'

FOTH-CLE ENGINEERING GROUP
 15 CREEK ROAD
 MARION MA, 02738

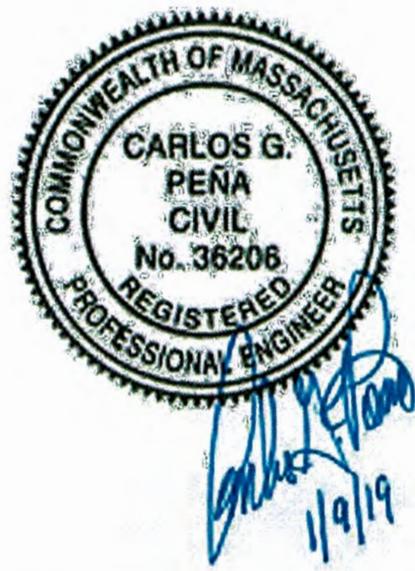
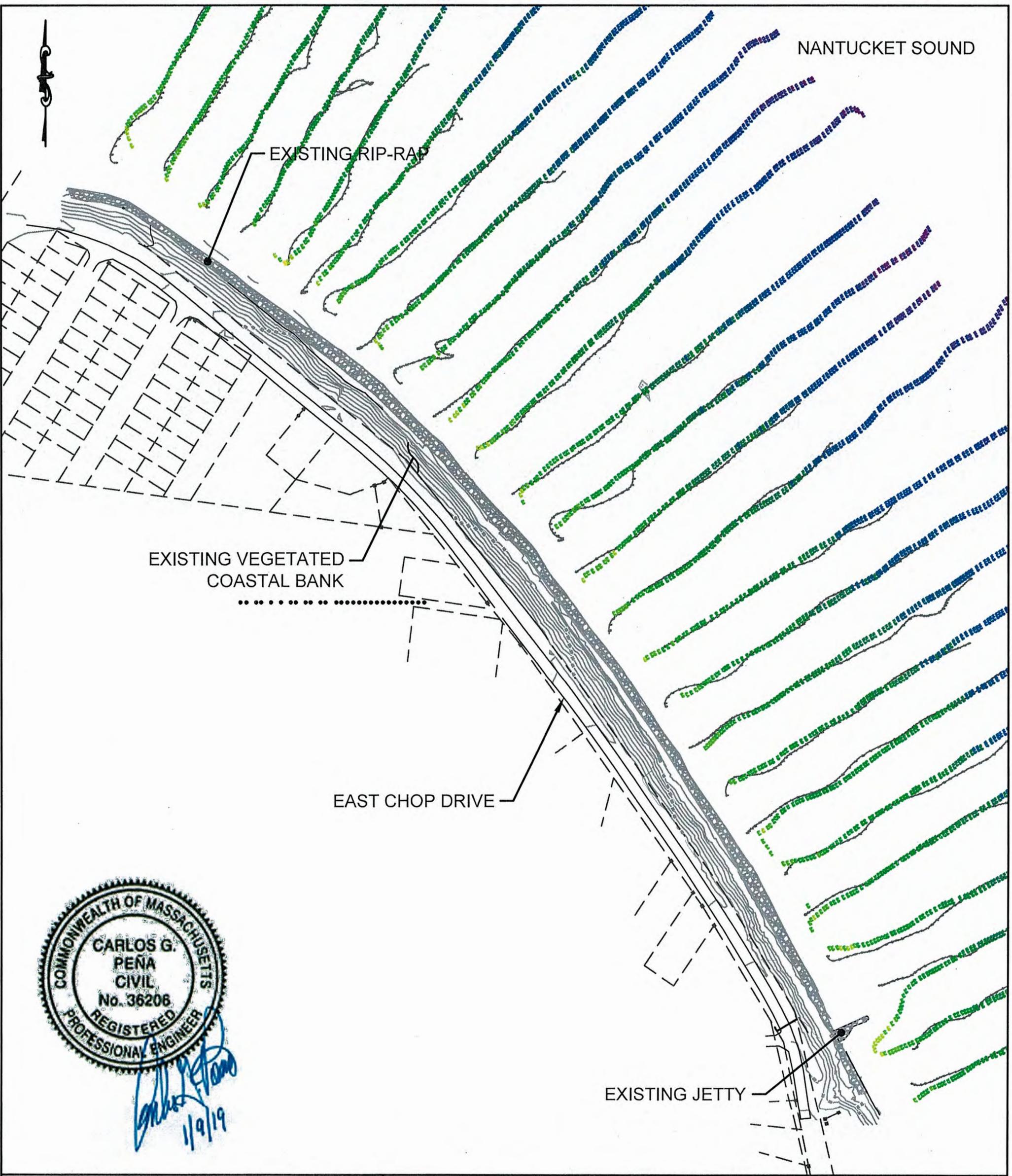
LOCUS MAP
NOT TO SCALE

PROPOSED EAST CHOP BLUFF REPAIR
 EAST CHOP BLUFF

TOWN OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

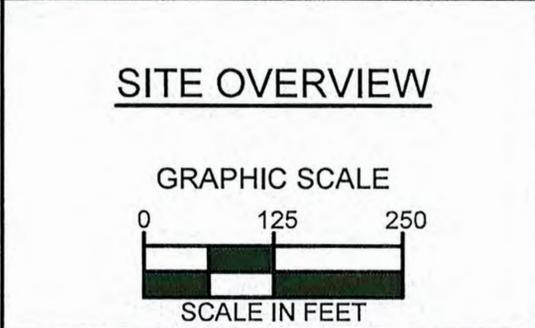
DATE: 1/10/19 SHEET 1 OF 13

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DATUM: NGVD29
 MLW = -0.56'
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FOTH-CLE ENGINEERING GROUP
 15 CREEK ROAD
 MARION MA, 02738



PROPOSED EAST CHOP BLUFF REPAIR

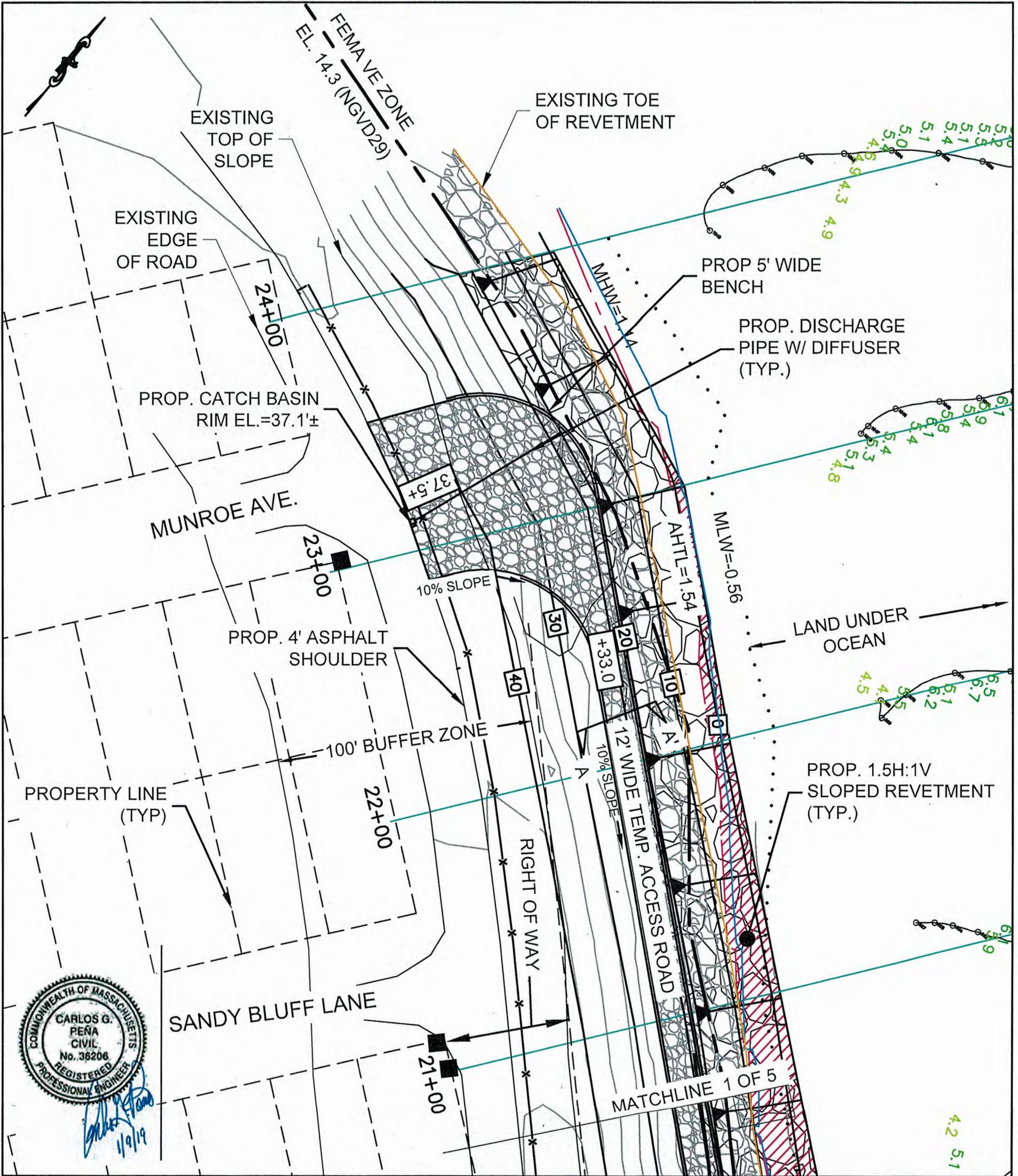
EAST CHOP BLUFF

TOWN OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: 1/10/19

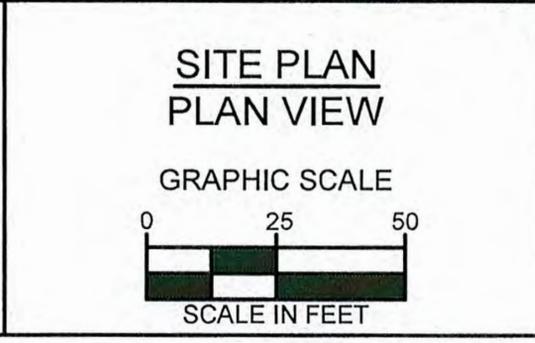
SHEET 2 OF 13

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Foth Infrastructure and Environment, LLC
 15 CREEK ROAD
 MARION MA, 02738



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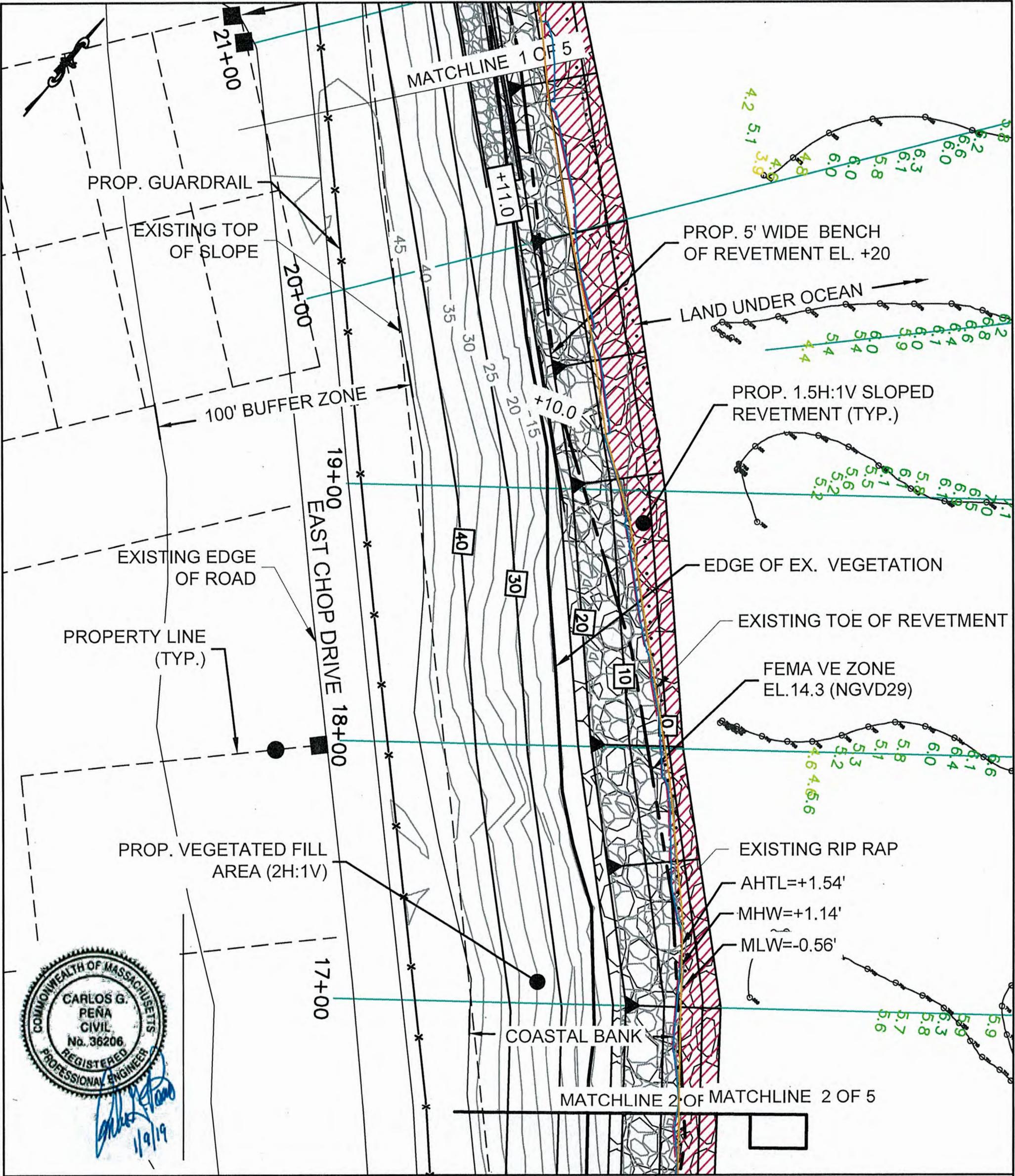
EAST CHOP BLUFF

TOWNS OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: OCTOBER 3, 2018

SHEET 3 OF 13

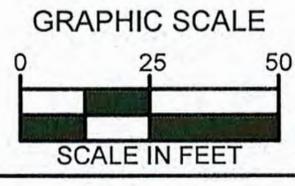
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Foth Infrastructure and Environment, LLC
 15 CREEK ROAD
 MARION MA, 02738

**SITE PLAN
 PLAN VIEW**



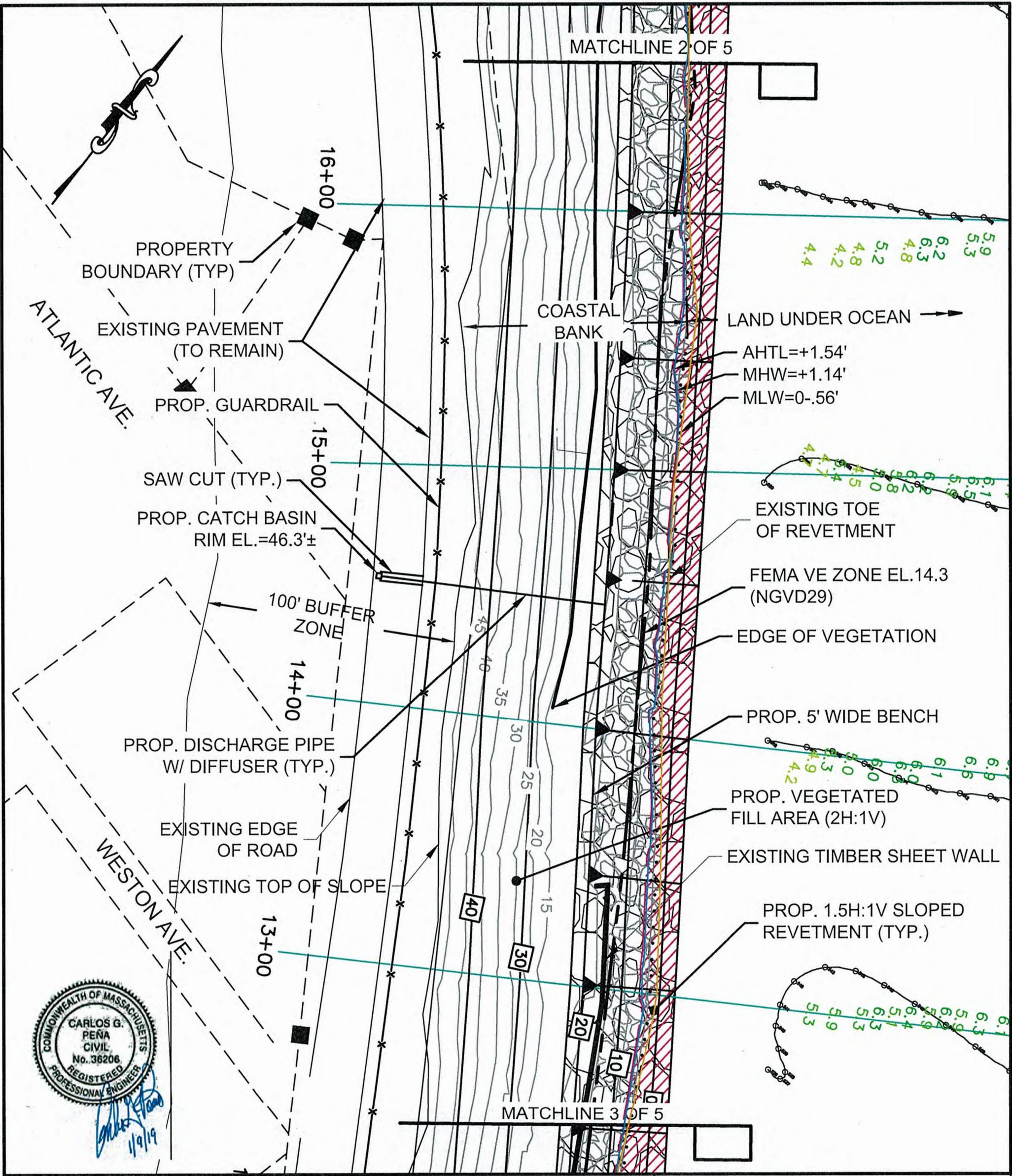
PROPOSED EAST CHOP BLUFF REPAIR

EAST CHOP BLUFF
 TOWNS OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: OCTOBER 3, 2018

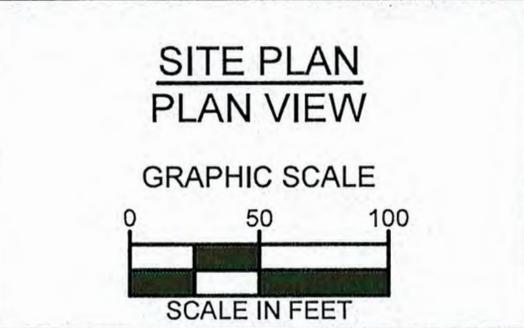
SHEET 4 OF 13

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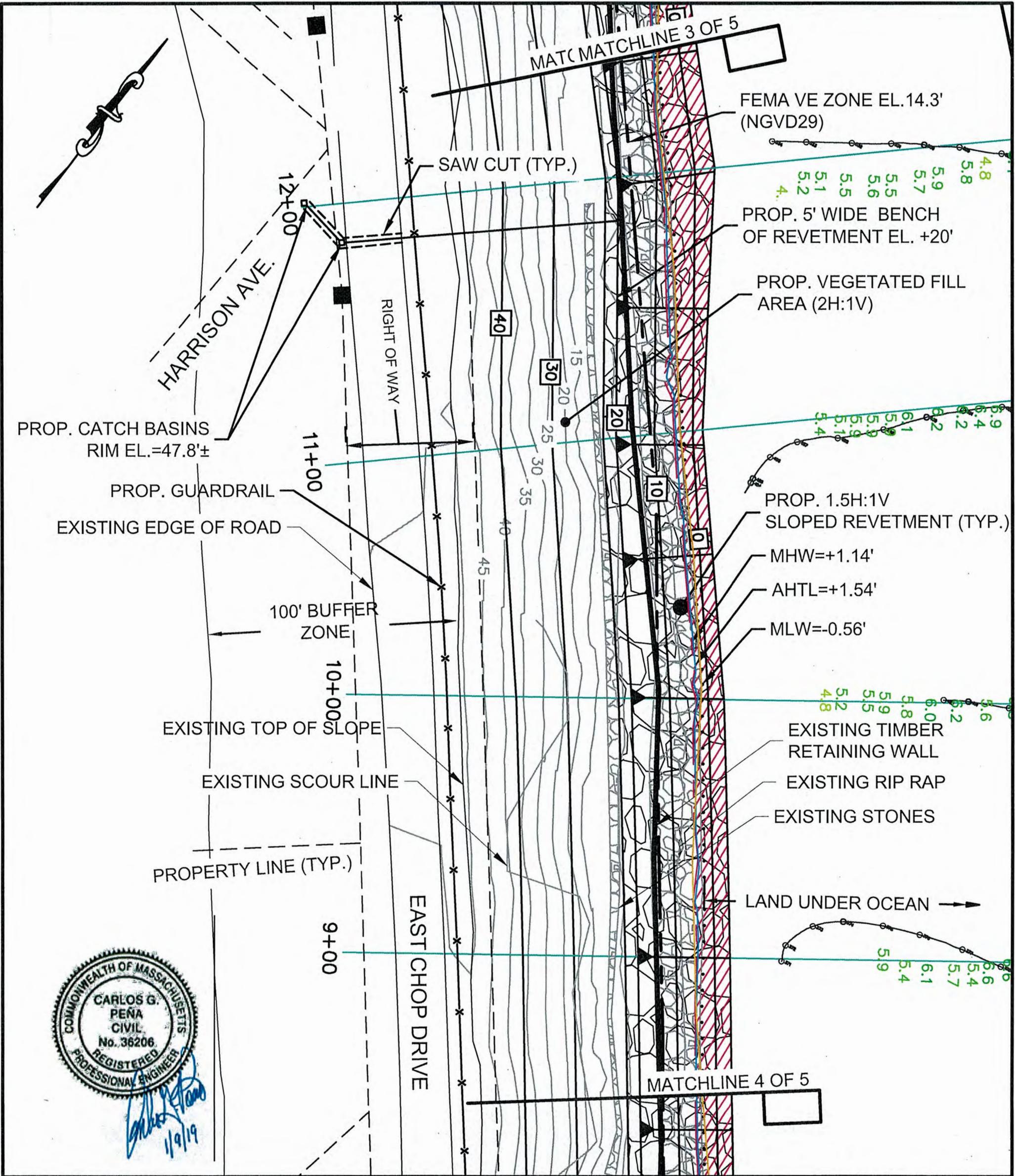
EAST CHOP BLUFF

TOWNS OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: OCTOBER 3, 2018

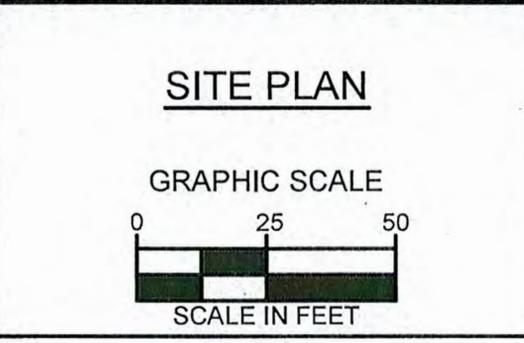
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PROPOSED EAST CHOP BLUFF REPAIR

EAST CHOP BLUFF

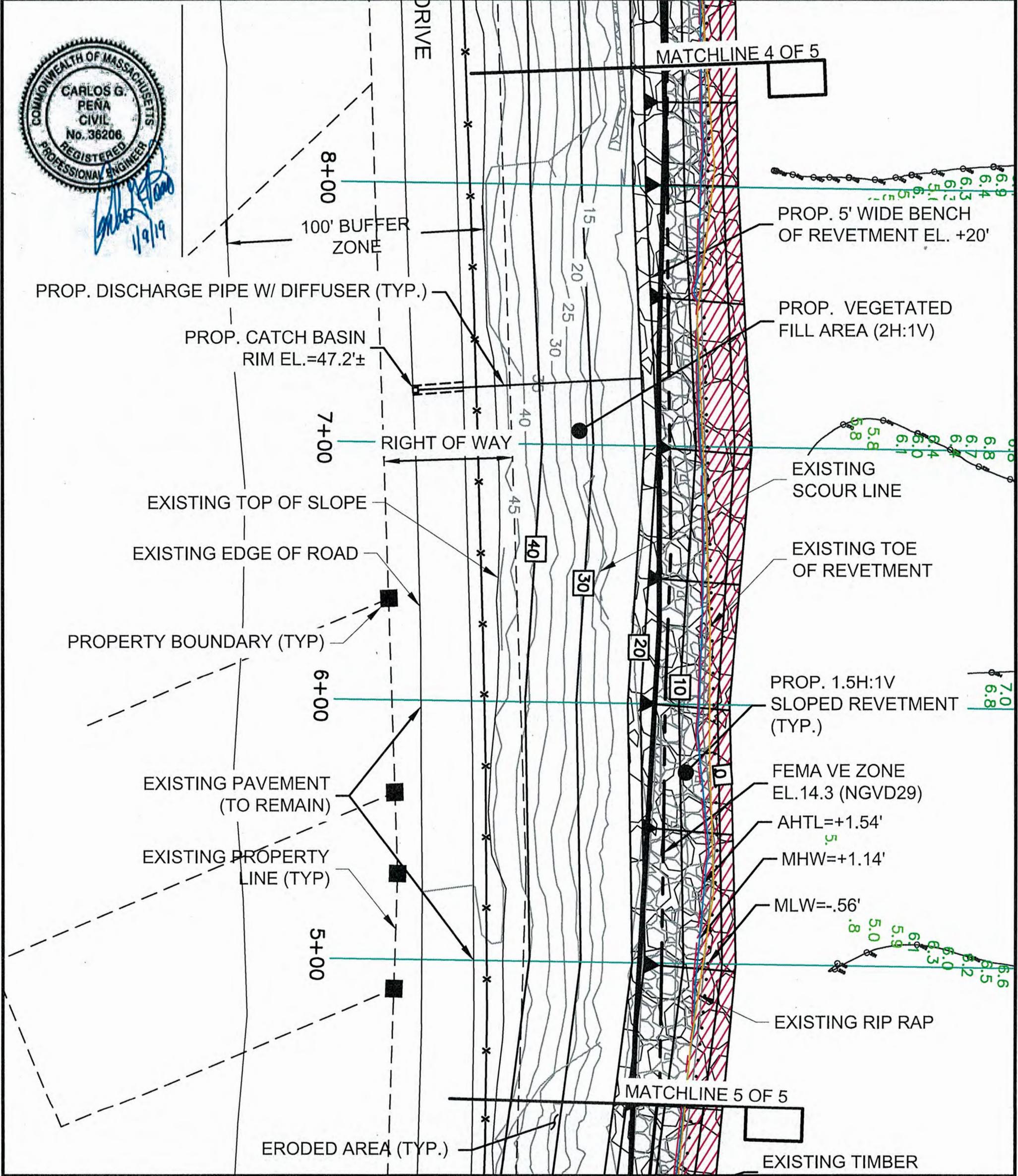
TOWNS OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: OCTOBER 3, 2018 SHEET 6 OF 13

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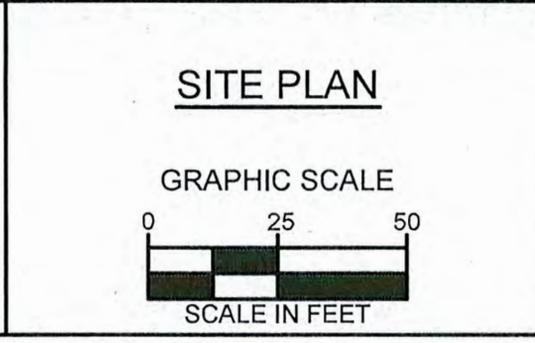


Carlos G. Pena
11/9/19



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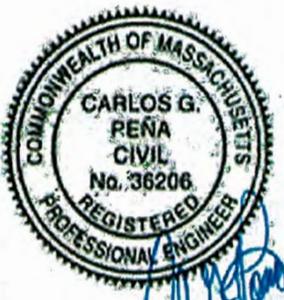
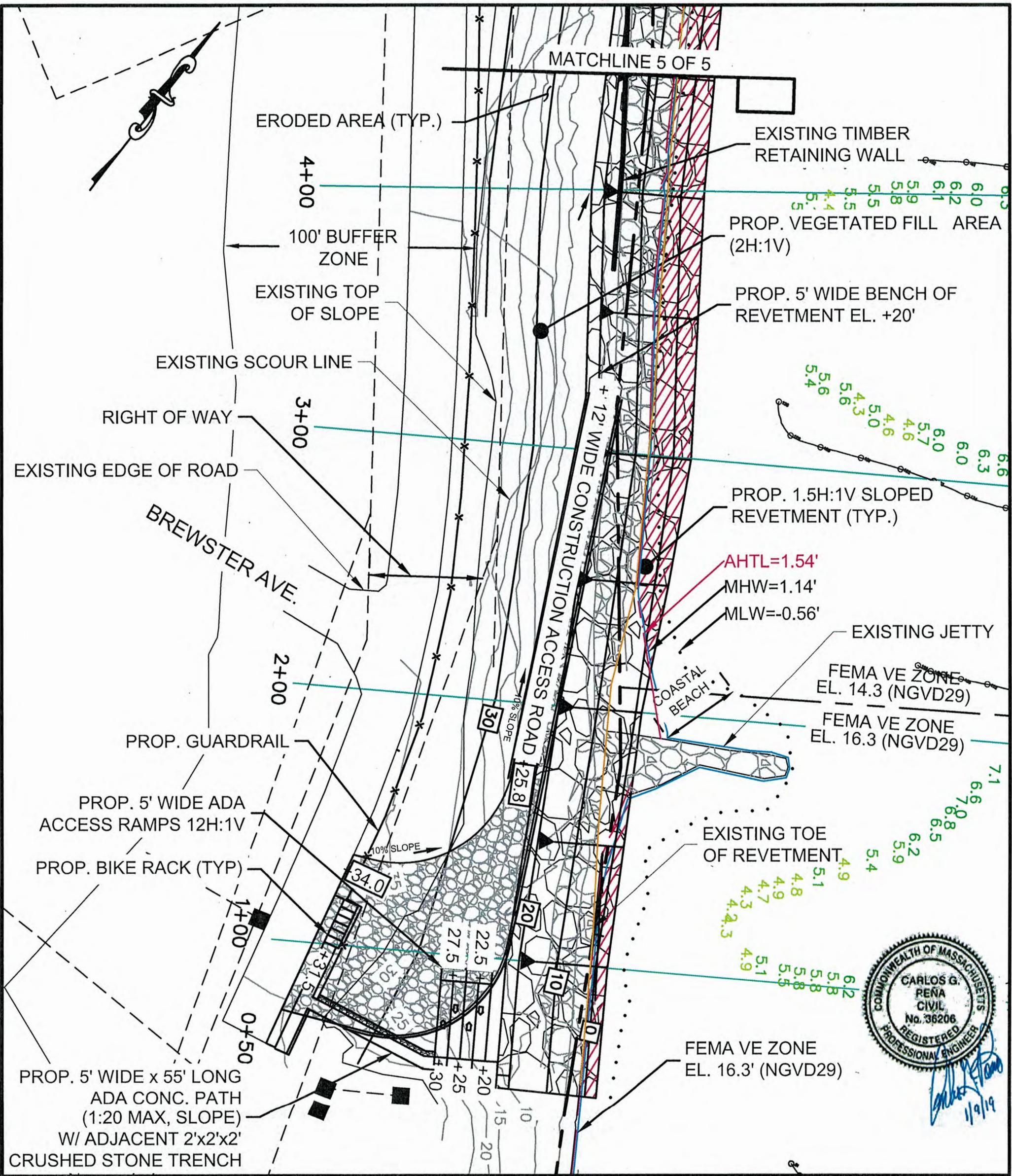
EAST CHOP BLUFF

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SHEET 7 OF 13

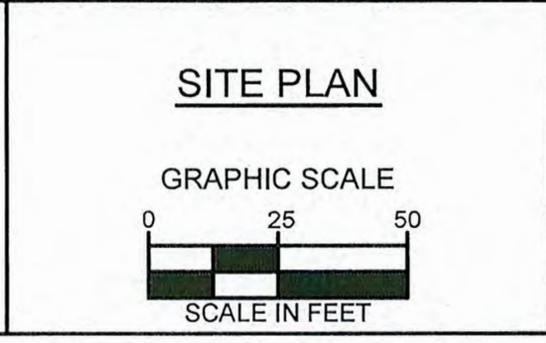
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Handwritten signature and date: 11/9/19

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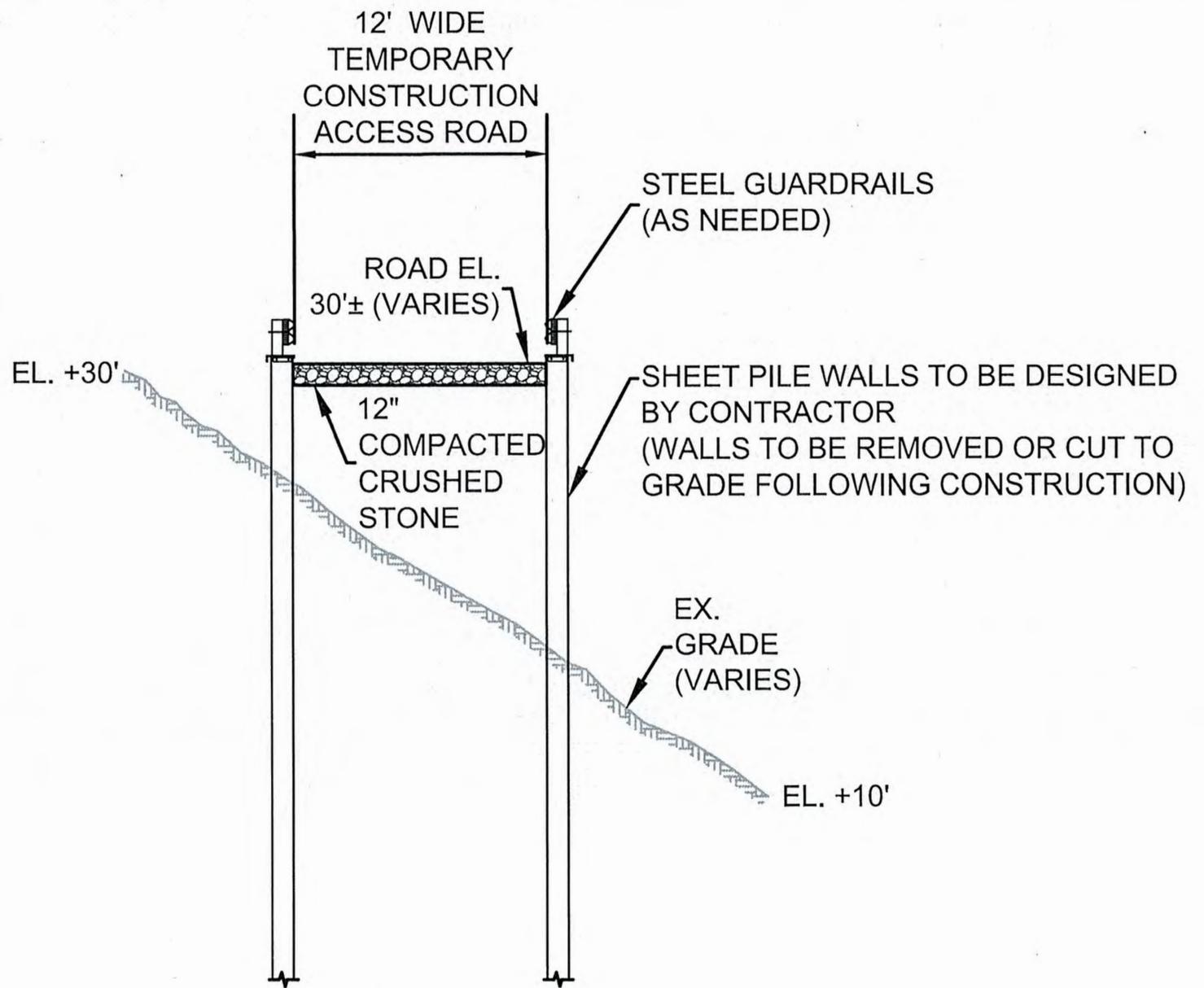
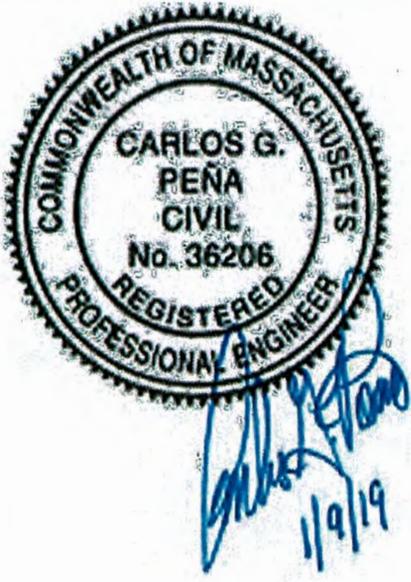
EAST CHOP BLUFF

TOWNS OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

DATE: OCTOBER 3, 2018

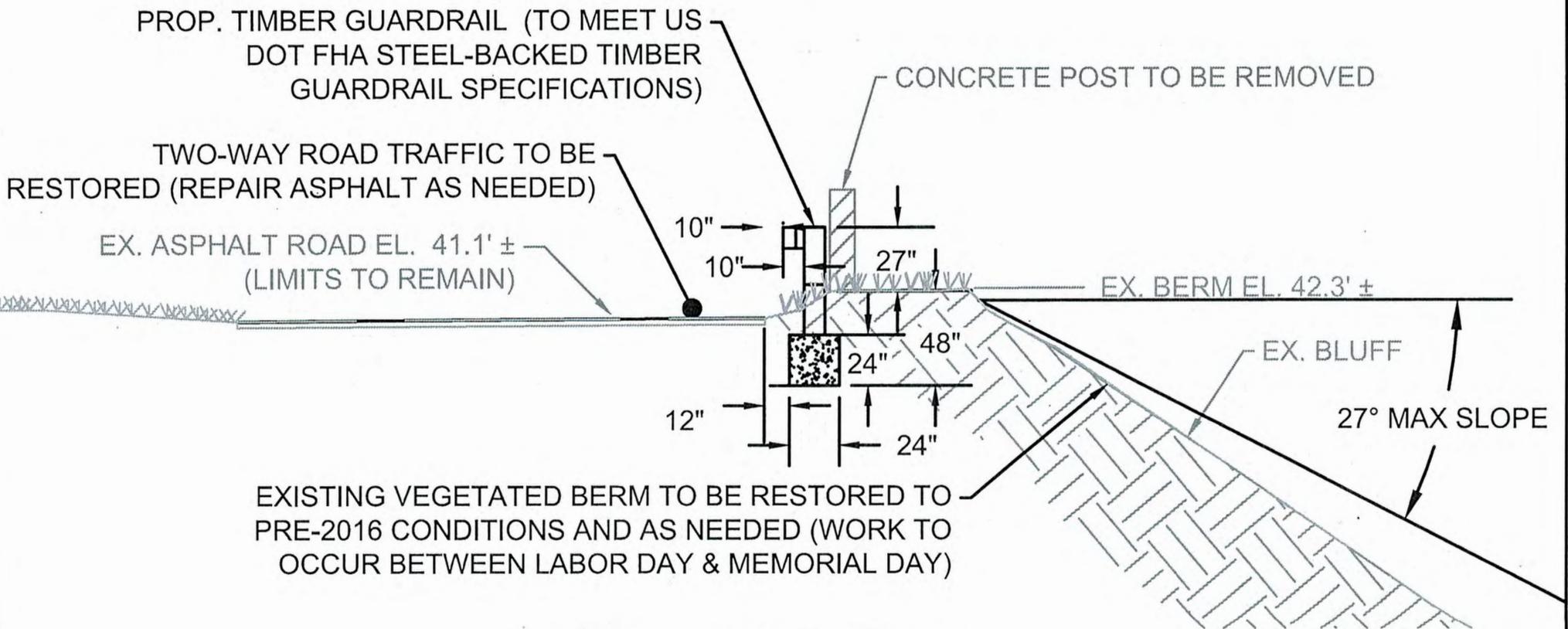
SHEET 8 OF 13

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SECTION A-A'

SCALE: 1"=10'



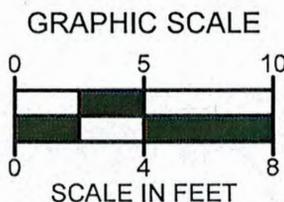
ASPHALT ROAD DETAIL

SCALE: 1"=8'

DATUM: NGVD29
MLW = -0.56'
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FOTH-CLE ENGINEERING GROUP
15 CREEK ROAD
MARION MA, 02738

SECTION & DETAILS



PROPOSED EAST CHOP BLUFF REPAIR

EAST CHOP BLUFF

TOWN OF OAK BLUFFS
56 SCHOOL STREET
OAK BLUFFS, MA 02557

DATE: 1/10/19

SHEET 9 OF 13

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PROPOSED EAST CHOP BLUFF REPAIR

EAST CHOP BLUFF
TOWNS OF OAK BLUFFS
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SECTION & DETAILS



EROSION CONTROL AS REQUIRED
BY TOWN OF OAK BLUFFS
CONSERVATION COMMISSION (TYP.)

PROP. ADA WALKWAY
1:20 MAX. SLOPE

5' WIDE ADA CONCRETE PATH
(4" CONCRETE SLAB W/
6" CRUSHED STONE BASE)

4' ASPHALT
SHOULDER

Station

1+00

PROP. REVETMENT TOP
EL. = +20' NGVD29

5' THICK LAYER OF 4-6 TON STONES (TYP)

5.0' BENCH

1:20 MAX SLOPE

EXISTING GRADE

PROP. WELL GRADED
FILL (TO BE COMPACTED)

PROP. WELL GRADED FILL: 27°
MAXIMUM SLOPE (2H:1V) (TO BE
PLANTED WITH SALT TOLERANT
VEGETATION: SEE SHEET 3)

1.5
1 PROP. SLOPE FEMA VE=16.3
EX. REVETMENT

AHTL=1.54
MHW=1.14
MLW=-0.56

1' THICK LAYER OF
FILTER STONE (TYP)

TOE EL. ±7.0' (TYP.)

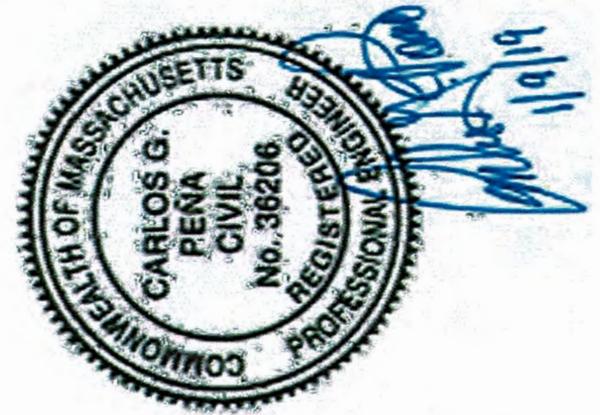
3' THICK LAYER OF
800-120 LB STONES (TYP)

6-8 TON TOE STONE
(TYP)

GEOTEXTILE
FABRIC (TYP)

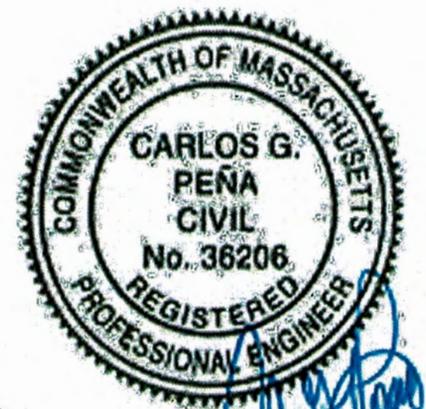
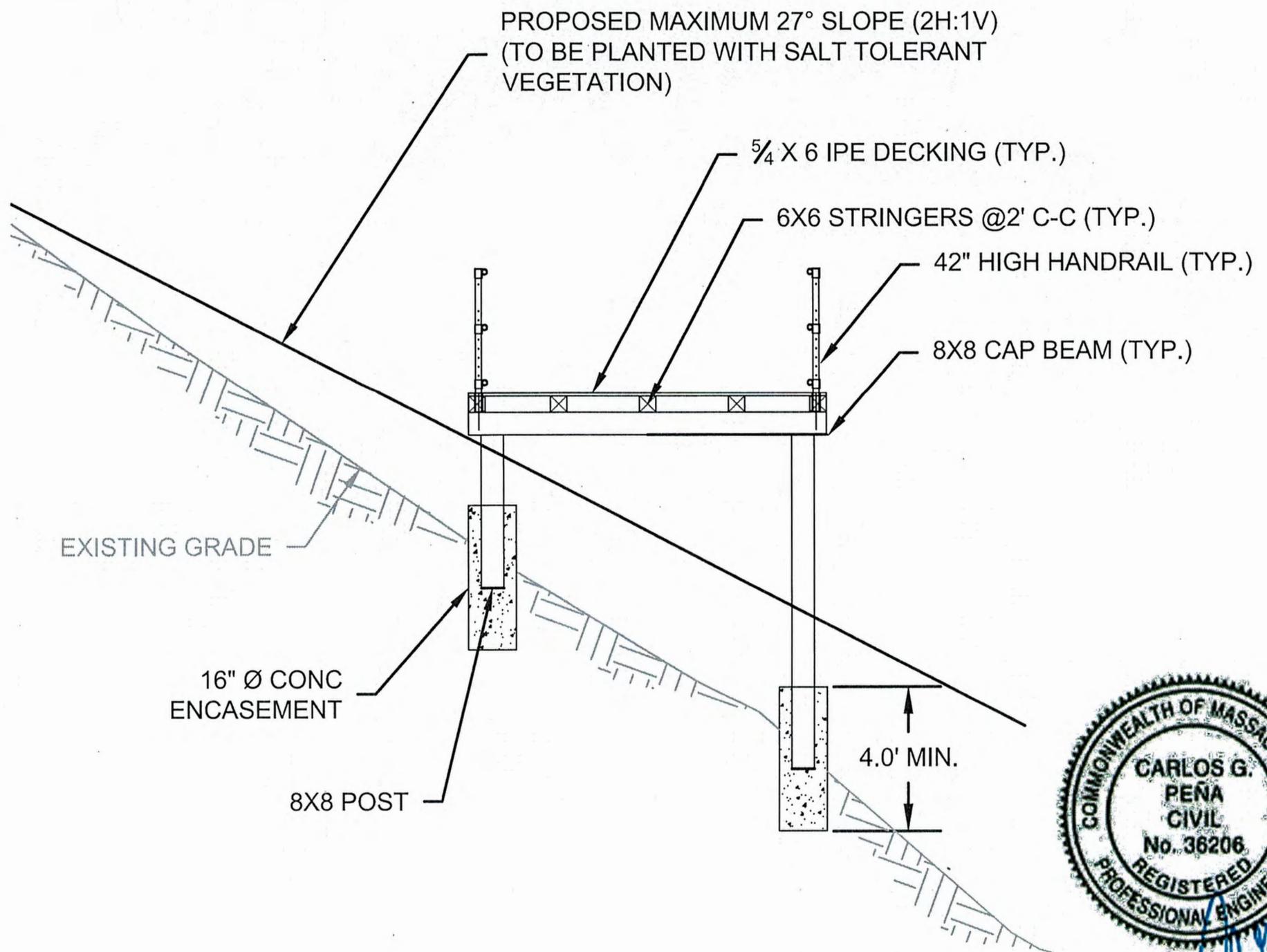
ACCESS RAMP DETAIL

SCALE: 1"=20'



DATUM: NGVD29
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Foth Infrastructure and Environment, LLC
15 CREEK ROAD
MARION MA, 02738



TYPICAL HORIZONTAL LANDING DETAIL

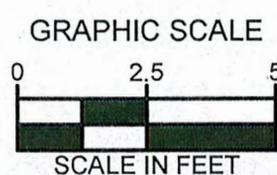
SCALE: 1"=5'

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DATUM: NGVD29
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FOTH-CLE ENGINEERING GROUP
 15 CREEK ROAD
 MARION MA, 02738

SECTIONS & DETAILS

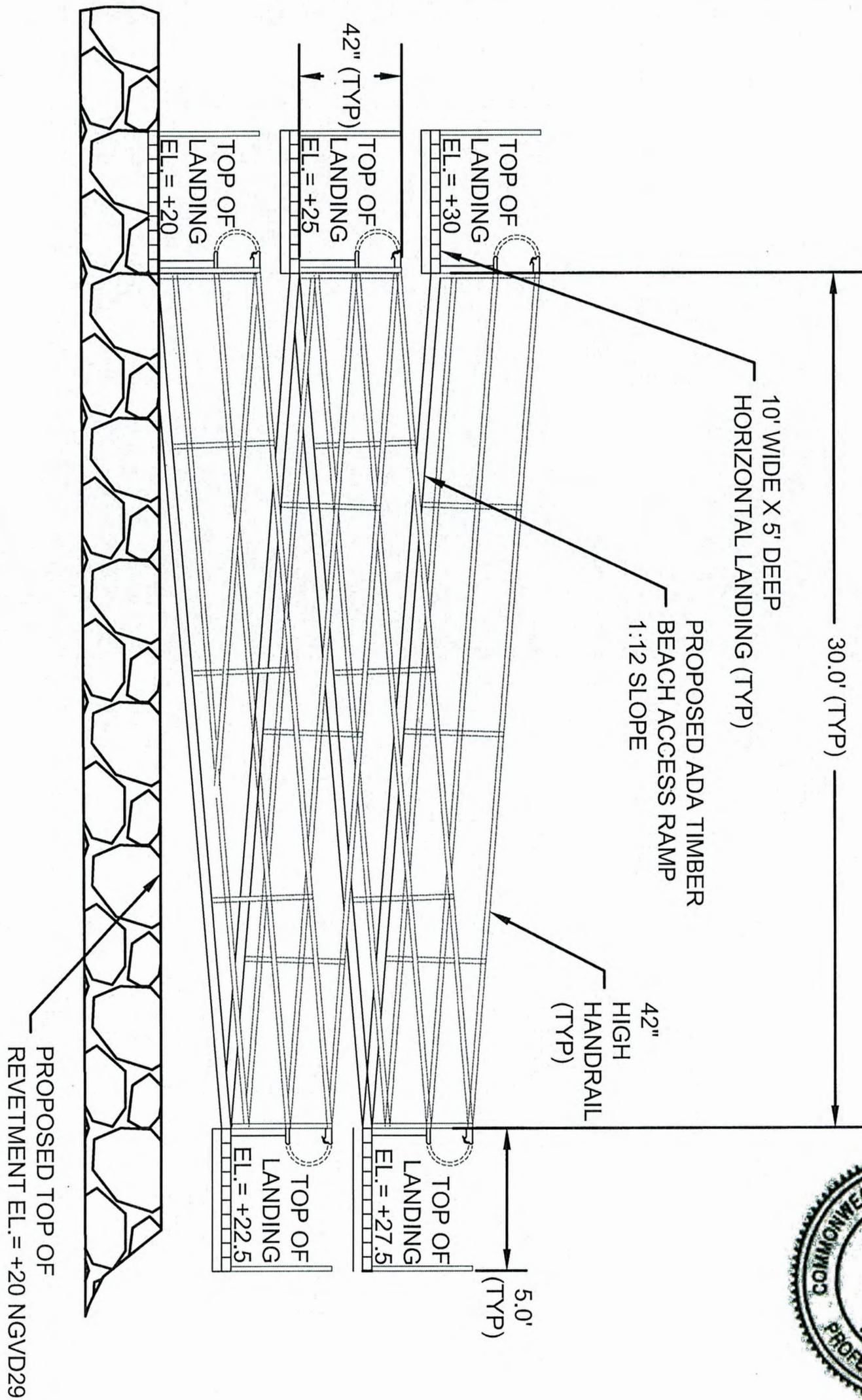


PROPOSED EAST CHOP BLUFF REPAIR

EAST CHOP BLUFF
 TOWN OF OAK BLUFFS
 56 SCHOOL STREET
 OAK BLUFFS, MA 02557

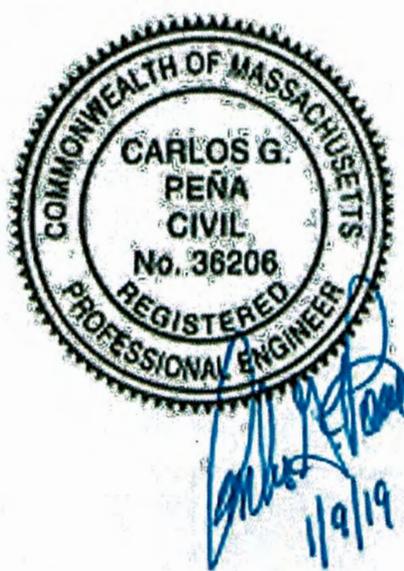
DATE: 1/10/19

SHEET 11 OF 13

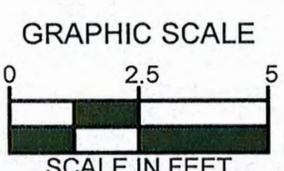


TYPICAL HORIZONTAL LANDING DETAIL

SCALE: 1"=5'



SECTION & DETAILS



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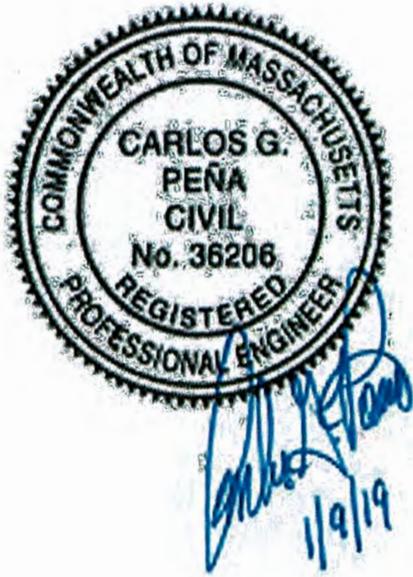
FOTH-CLE ENGINEERING GROUP
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PROPOSED EAST CHOP BLUFF REPAIR
 EAST CHOP BLUFF
 TOWN OF OAK BLUFFS
 56 SCHOOL STREET
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DATE: 1/10/19

SHEET 12 OF 13

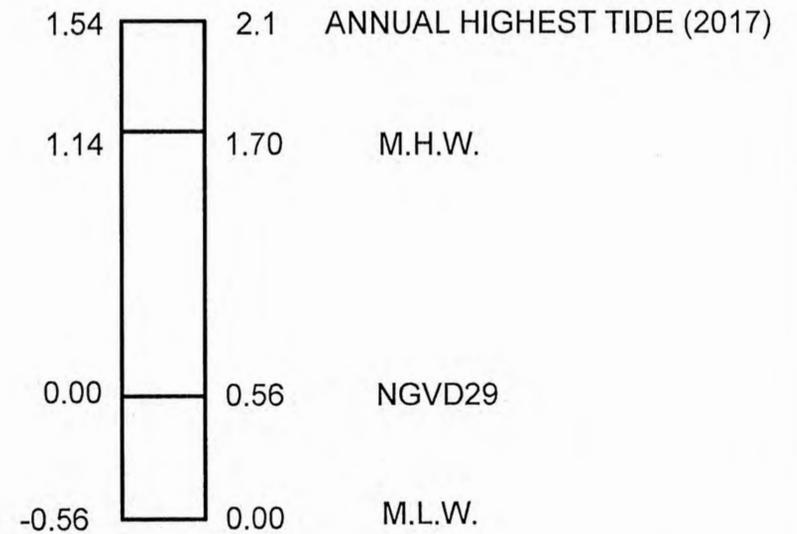
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TIDAL DATUM

NGVD29

MLW



TIDAL OFFSETS FROM
NOAA TIDE STATION
OAK BLUFFS #8448208
AND VDATUM V3.5

SURVEY NOTES:

1. PROJECT NAME: HYDROGRAPHIC SURVEY
2. PROJECT NUMBER: 09027.300 & 13021.300
3. PLOT SCALE: 1"=40'
4. SURVEY DATE: SEPTEMBER 14, 2016
5. SURVEYOR: M.COUNT, J. BARANELLO
6. VESSEL: "OLAF"
7. TRANS./FATH.: 200KHZ, 4 DEGREE ODOM CVM
8. WEATHER COND: SUNNY, 60 DEGREES, WIND LIGHT, SEAS CALM
9. PROJECT DATUM: NGVD29
10. COOR. SYSTEM: NAD-83, MA-2001 MASS ISLAND
11. DATA REDUCTION: DATA SORTED WITH 10' RADIUS
12. BENCHMARK: BENCHMARK NO. 1 EL. +14.85' NGVD29

NOTES:

1. RESULTS OF TOPOGRAPHIC SURVEY BY FOTH-CLE ENGINEERING (FOTH) ON 9/9, 9/15, 9/21, 11/10, AND 11/11/2016.
 2. RESULTS OF HYDROGRAPHIC SURVEY BY FOTH ON 9/14/2016.
 3. EEL GRASS INSPECTION BY FOTH ON 9/16/2016.
 4. EEL GRASS INSPECTION CONFIRMED THERE IS NO EEL GRASS IN THE SCOPE OF WORK.
 5. ELEVATIONS AND SOUNDINGS ARE IN FEET AND TENTHS, AND REFER TO THE NGVD29 DATUM. AHTL=+1.54'.
 6. DATUM CONVERSIONS PERFORMED USING NOAA BM DISK NO. 1 SET IN ROCK AT BUS STATION.
 7. COORDINATES ARE BASED ON NAD83 MASSACHUSETTS ISLAND STATE PLANE GRID SYSTEM.
 8. SOUNDINGS ARE BASED ON THE 5' MINIMUM VALUE DATA SET FOR MAPPING.
 9. PROJECT BENCHMARK IS NOAA DISK "BM NO.1". BENCHMARK ELEVATION IS +14.85' NGVD29 SET IN ROCK AT BUS STATION NEAR OAK BLUFFS FERRY TERMINAL.
 10. PROPERTY LINES FOR EAST CHOP PROVIDED BY REID & SILVA ON PLAN DATED 5/29/13.
 11. FERRY TERMINAL LIMITS ARE APPROXIMATE AND WERE SCALED FROM GOOGLE EARTH AERIAL IMAGERY.
 12. PROJECT SITE IS IN FEMA ZONE VE EL. +13 NAVD88 (EL. +14.3 NGVD29) & VE EL. 15' NAVD88 (EL. +16.3 NGVD29) IN ACCORDANCE TO MOST RECENT FEMA FIRM #25007C0108J, EFFECTIVE DATE JULY 20, 2016.
- POSSESSION AND USE OF THE MATERIAL CONTAINED ON THESE DRAWINGS IS GRANTED ONLY IN CONNECTION WITH ITS USE AS IT RELATES TO THE TITLED PROJECT, ANY OTHER USE, REPRODUCTION OR DISCLOSURE OF THE INFORMATION CONTAINED HEREON IS EXPRESSLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF FOTH-CLE ENGINEERING GROUP.
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<p>DATUM: NGVD29 MLW = -0.56' MHW = +1.14' NGVD29 = 0.00' AHTL = +1.54'</p> <p>FOTH-CLE ENGINEERING GROUP 15 CREEK ROAD MARION MA, 02738</p>	<p><u>NOTES</u></p>	<p>PROPOSED EAST CHOP BLUFF REPAIR</p> <p>EAST CHOP BLUFF</p> <p>TOWN OF OAK BLUFFS 56 SCHOOL STREET OAK BLUFFS, MA 02557</p> <p>DATE: 1/10/19</p> <p style="text-align: right;">SHEET 13 OF 13</p>
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