



## PUBLIC NOTICE

**Comment Period Begins:** July 16, 2024

**Comment Period Ends:** August 15, 2024

**File Number:** NAE-2020-00987

**In Reply Refer to:** Regulatory Division

**Phone:** (978) 318-8054

**Email:** CENAE-R-PN-MA@usace.army.mil

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The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a permit application, file number NAE-2020-00987, to conduct work in waters of the United States from The City of New Bedford Department of Public Infrastructure, 1105 Shawmut Avenue, New Bedford, MA 02746. This work is proposed in Clark's Cove along 3,830 linear feet of shoreline between 127 and 519 West Rodney French Boulevard in New Bedford, MA. The site coordinates are Latitude 41.603625 and Longitude -70.914975.

The proposed work involves beach nourishment, groin installation, groin removal, and groin reconfiguration. The applicant would nourish the beach along 2,222 linear feet of shoreline from Hazelwood Park south to the existing boat ramp. The applicant would deposit approximately 31,150 cubic yards of material below the high tide line within a six acre area to create a 50-ft wide berm with an elevation of 4.5 ft NAVD and a 1 Vertical: 6 Horizontal (1V:6H) seaward slope. Coastal processes would rework this berm to create a beach profile with a 30-ft wide berm and a seaward slope of 1V:10H. Within this section of shoreline, the applicant would also install approximately nine T-head groins consisting of wooden trunks perpendicular to the shore with stone heads that parallel the shoreline. The stone heads would be approximately 5 feet in width but would vary in length from 60 to 100 feet, sloping to the existing grade at 1V:1.5H. The distance between the stone heads would range from 60 to 100 feet. The new groins would occupy a footprint of approximately 0.55 acre.

The applicant is also proposing the following measures: 1) Removal of the northernmost groin in the vicinity of Woodlawn Street (Groin #1 on the enclosed plans) while leaving the lowest level of armor stone for intertidal and subtidal habitat. 2) Repositioning the tip of the groin in the vicinity of Oaklawn Street (Groin #5 on the enclosed plans). 3) Removal of approximately 11,200 square feet of angular stones, brick, and concrete debris within the project footprint. 4) Addition of porous surfaces along 2,185 square feet of revetment face south of the Coral Street boat ramp. The existing revetment is constructed of fitted armor stone that forms a relatively 'smooth' structure face, with narrow voids that provide limited habitat for marine species. The proposed tiles would be attached to the armor stone to increase roughness and create surfaces that have been shown to enhance biodiversity.

The proposed project would impact 3.2 acres of subtidal waters and 2.8 acres of intertidal zone.

The work is shown on the enclosed plans titled "PLAN ACCOMPANYING PETITION OF CITY OF NEW BEDFORD DEPARTMENT OF INFRASTRUCTURE 1105 SHAWMUT

AVE, NEW BEDFORD, MA 02746 AT WEST RODNEY BEACH, CLARKS COVE  
COUNTY OF BRISTOL,” on eight sheets, and dated “05/22/2024.”

The applicant is proposing to avoid and minimize impacts to the maximum extent practicable but is not currently proposing compensatory mitigation. There are no proposed impacts to wetlands or other special aquatic sites although there is eelgrass in the general project vicinity. The applicant will perform an updated eelgrass survey to assist with avoidance of impacts to this resource. For any impacts that could not be avoided, USACE would require minimization measures and compensatory mitigation as needed.

#### **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.
- ☐ Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

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.

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 six acres of EFH. This habitat consists of intertidal beach and subtidal waters. Loss of this habitat may adversely affect species that use these waters and substrate. 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 and the area of potential effects. 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 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 the Regulatory Division, at [CENAE-R-PN-MA@usace.army.mil](mailto:CENAE-R-PN-MA@usace.army.mil), (978) 318-8054, (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.

CENAE-R  
File No. NAE-2020-00987

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.

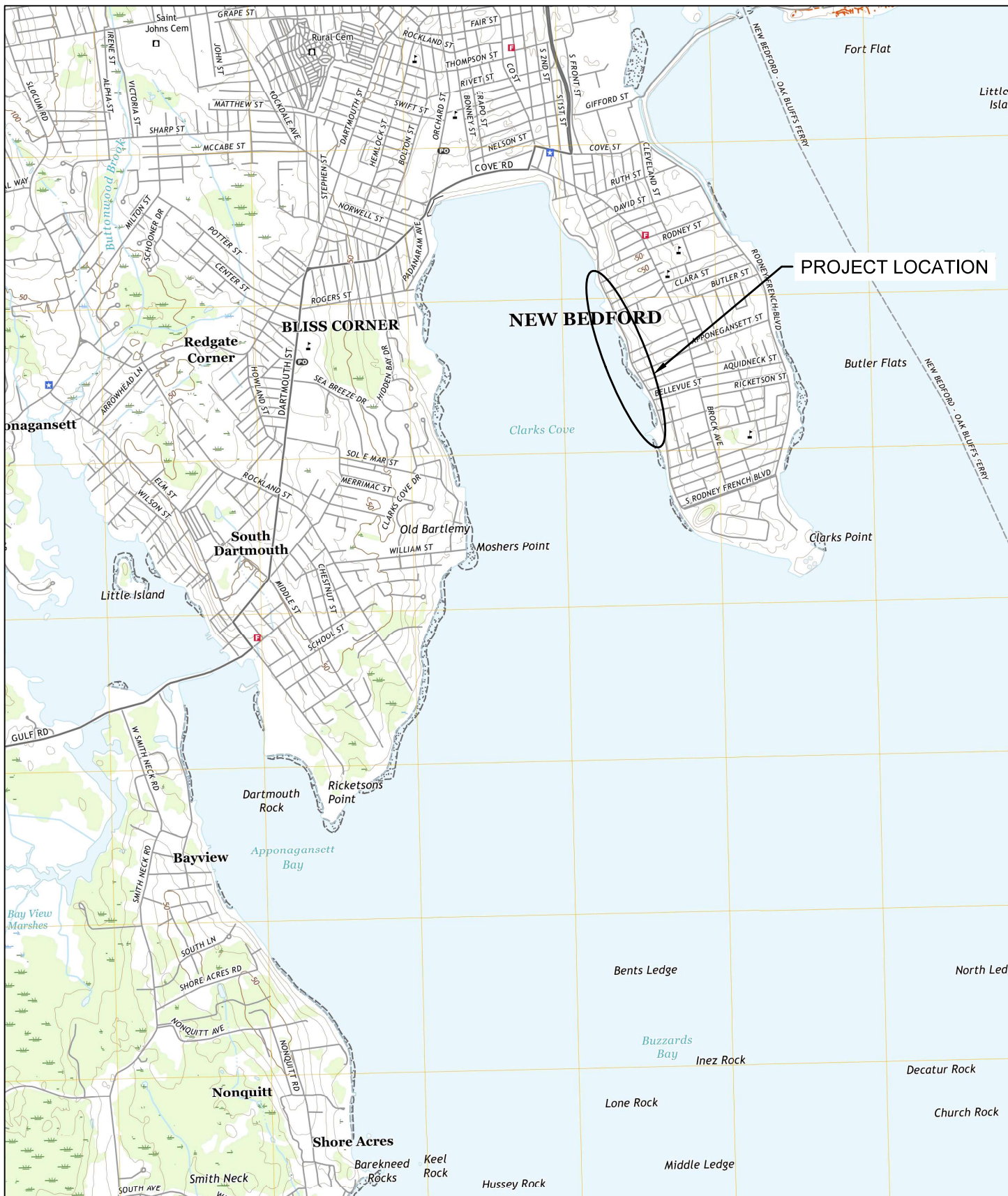
**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

*Paul Maniccia*

Paul Maniccia  
Chief, Massachusetts Section  
Regulatory Division

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Please contact Ms. Tina Chaisson at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil) or (978) 318-8058 if you would like to be removed from our public notice mailing list.



PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE GROINS/ TIMBER BREAKWATER AT WEST RODNEY FRENCH BLVD, NEW BEDFORD, MA 02740  
DATUM:  
MLLW EL. = -1.98' NAVD88  
MLW EL. = -1.85' NAVD88  
MHW EL. = 1.70' NAVD88  
AHTL EL. = 3.42' NAVD 88  
SUSTAINABLE COSTAL SOLUTIONS, INC.  
107 COUNTY RD, NORTH FALMOUTH, MA 02556

### LOCUS MAP

0' 2500 5000

SCALE: 1 INCH = 5000 FEET

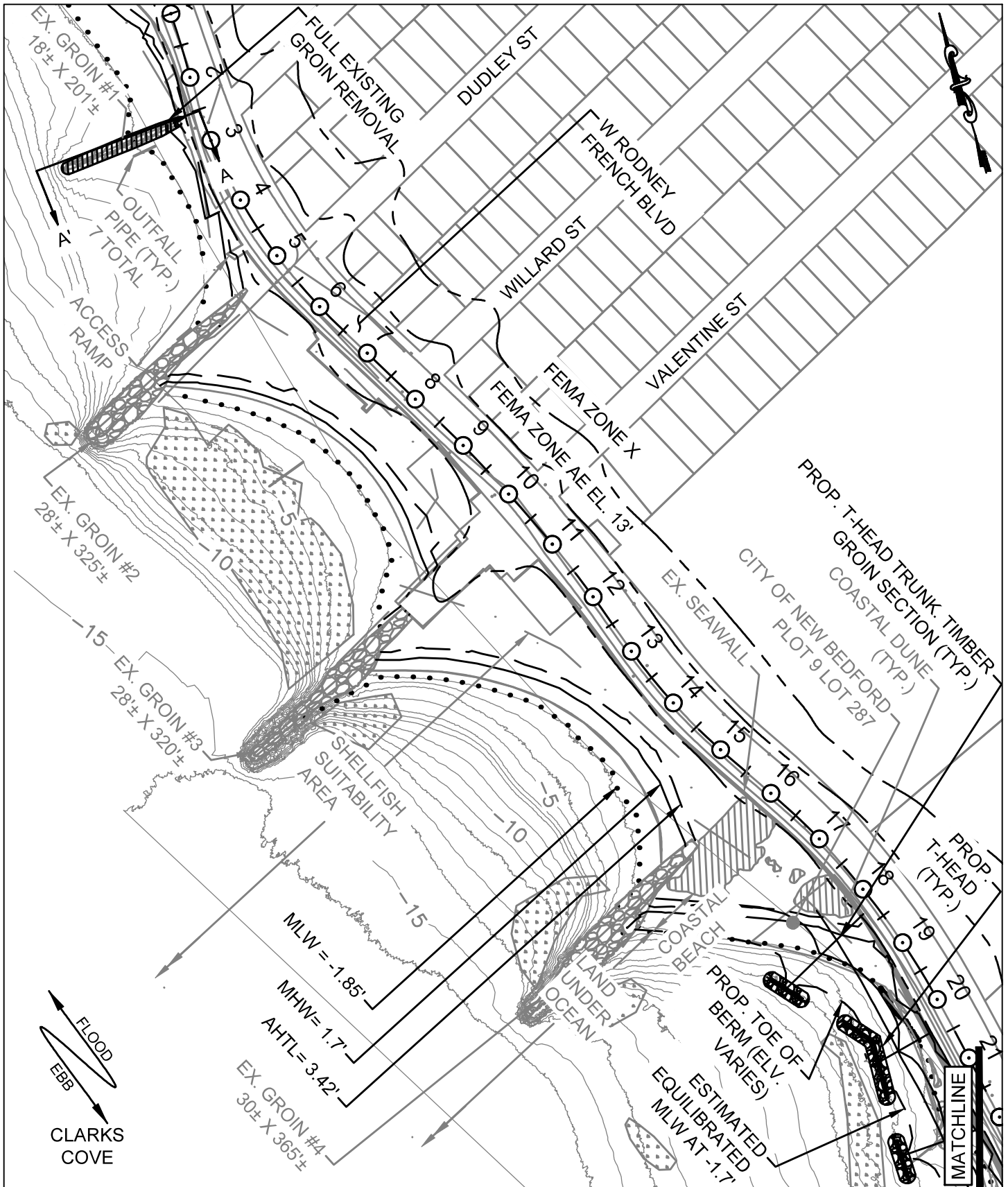
PLAN ACCOMPANYING PETITION OF:  
CITY OF NEW BEDFORD  
DEPARTMENT OF INFRASTRUCTURE  
1105 SHAWMUT AVE, NEW BEDFORD, MA 02746

AT WEST RODNEY BEACH; CLARKS COVE  
COUNTY OF: BRISTOL

05/22/2024

SHEET 1 OF 8





PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE GROINS/ TIMBER BREAKWATER AT WEST RODNEY FRENCH BLVD, NEW BEDFORD, MA 02740

DATUM:  
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 107 COUNTY RD, NORTH FALMOUTH, MA 02556

**PROPOSED SITE PLAN**  
**1 OF 2**

0' 100 200

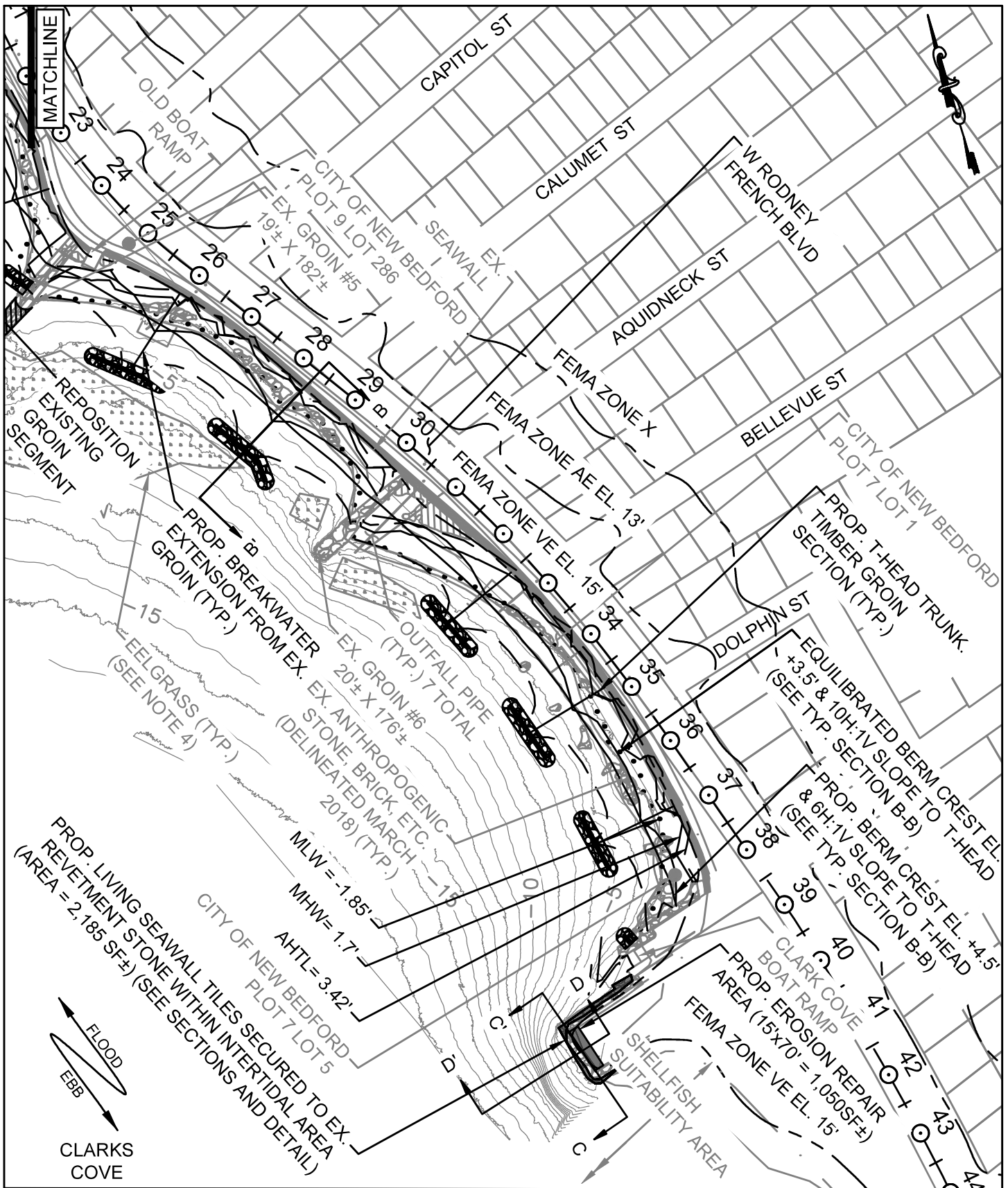
SCALE: 1 INCH = 200 FEET

PLAN ACCOMPANYING PETITION OF:  
 CITY OF NEW BEDFORD  
 DEPARTMENT OF INFRASTRUCTURE  
 1105 SHAWMUT AVE, NEW BEDFORD, MA 02746

AT WEST RODNEY BEACH; CLARKS COVE  
 COUNTY OF: BRISTOL

05/22/2024

SHEET 2 OF 8



PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE GROINS/ TIMBER BREAKWATER AT WEST RODNEY FRENCH BLVD, NEW BEDFORD, MA 02740

DATUM:  
 MLLW EL. = -1.98' NAVD88  
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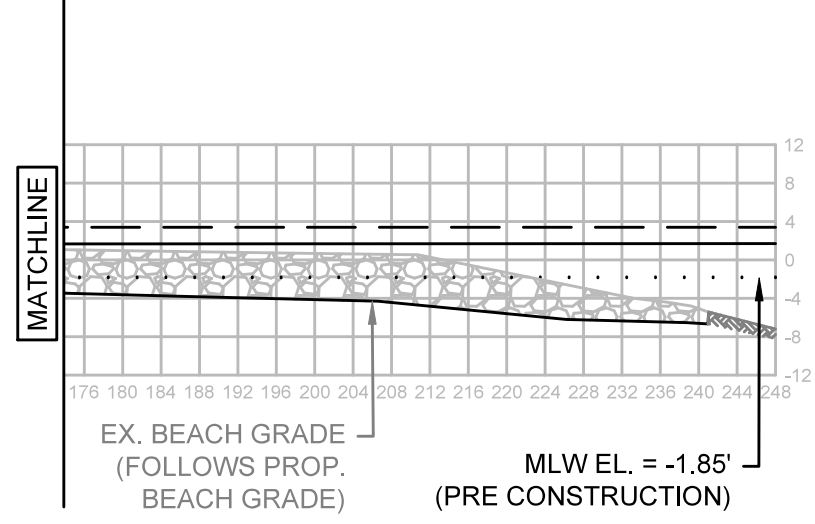
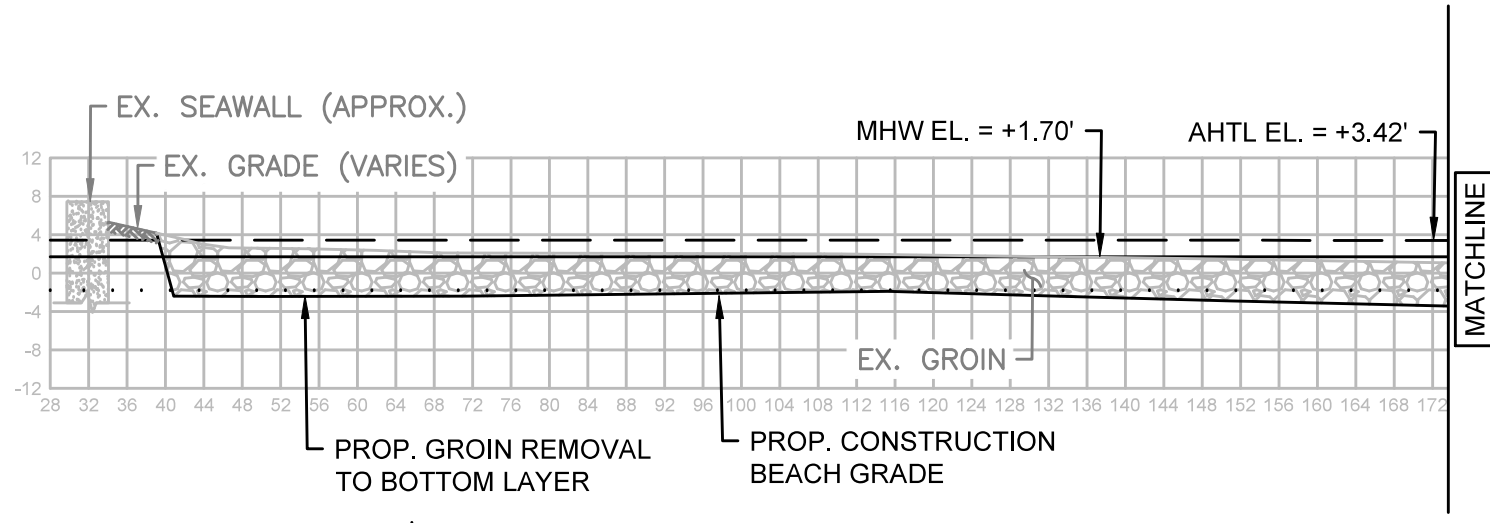
SUSTAINABLE COSTAL SOLUTIONS, INC.  
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PLAN ACCOMPANYING PETITION OF:  
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AT WEST RODNEY BEACH; CLARKS COVE  
 COUNTY OF: BRISTOL

05/22/2024 SHEET 3 OF 8



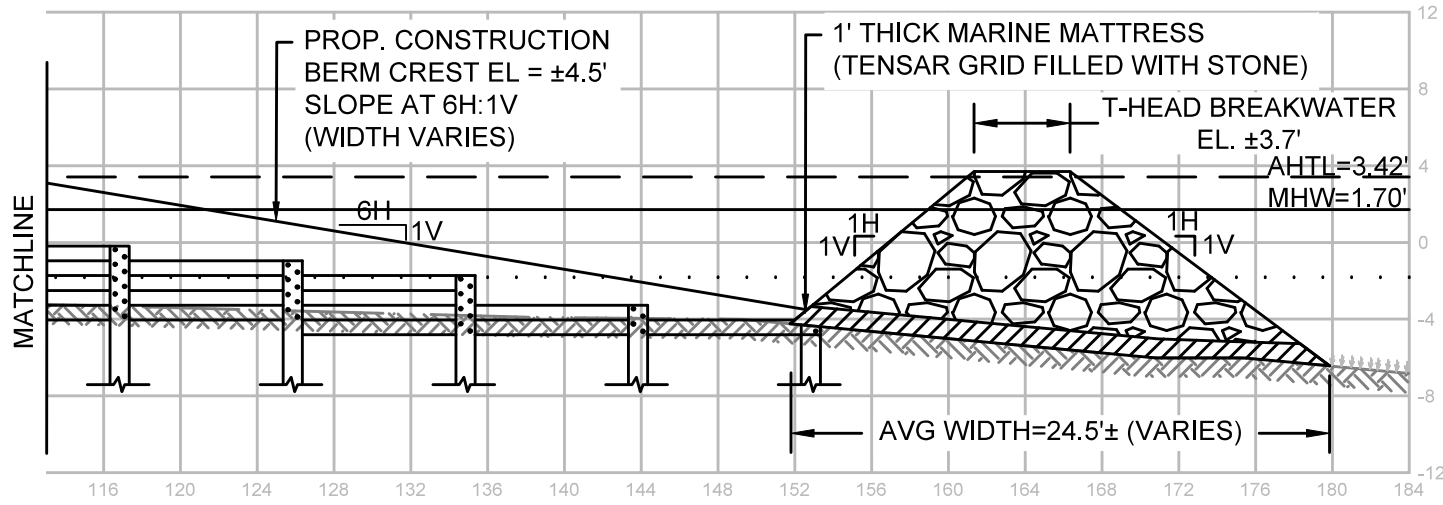
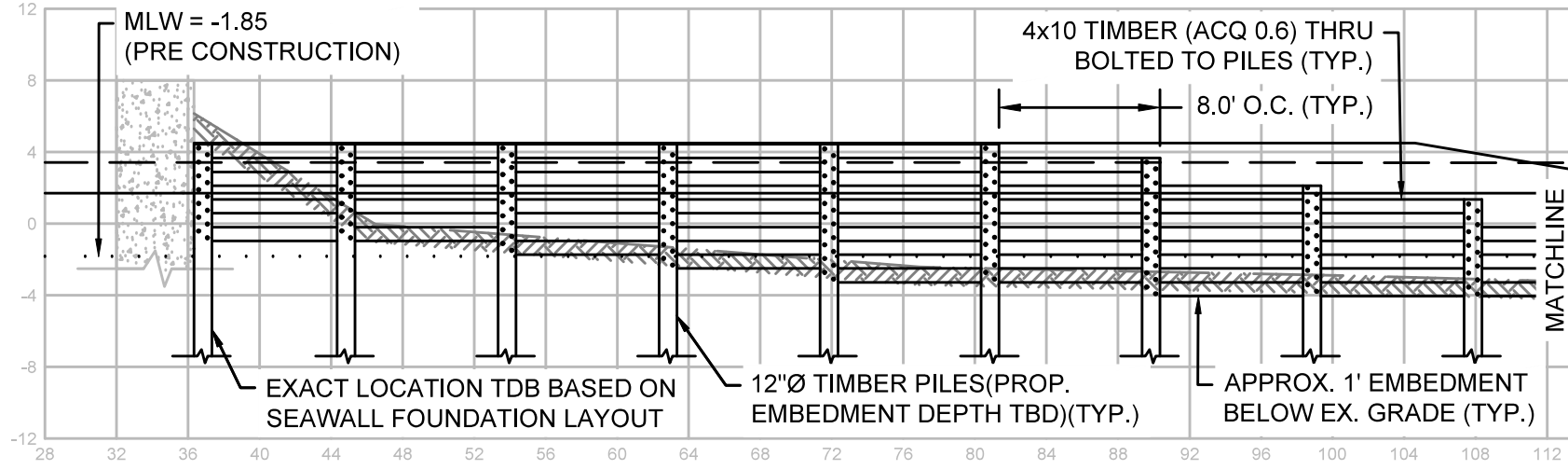


(A-A') EXISTING GROIN REMOVAL

CROSS SECTION A-A'  
0' 10' 20'  
SCALE: 1 INCH = 20 FEET

PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE  
GROINS/ TIMBER BREAKWATER AT WEST RODNEY  
FRENCH BLVD, NEW BEDFORD, MA 02740  
DATUM:  
MLLW EL. = -1.98' NAVD88  
MLW EL. = -1.85' NAVD88  
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AHTL EL. = 3.42' NAVD 88  
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COUNTY OF: BRISTOL  
05/22/2024



B-B' T-HEAD BREAKWATERS TYPICAL

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COUNTY OF: BRISTOL

CROSS SECTION B-B'



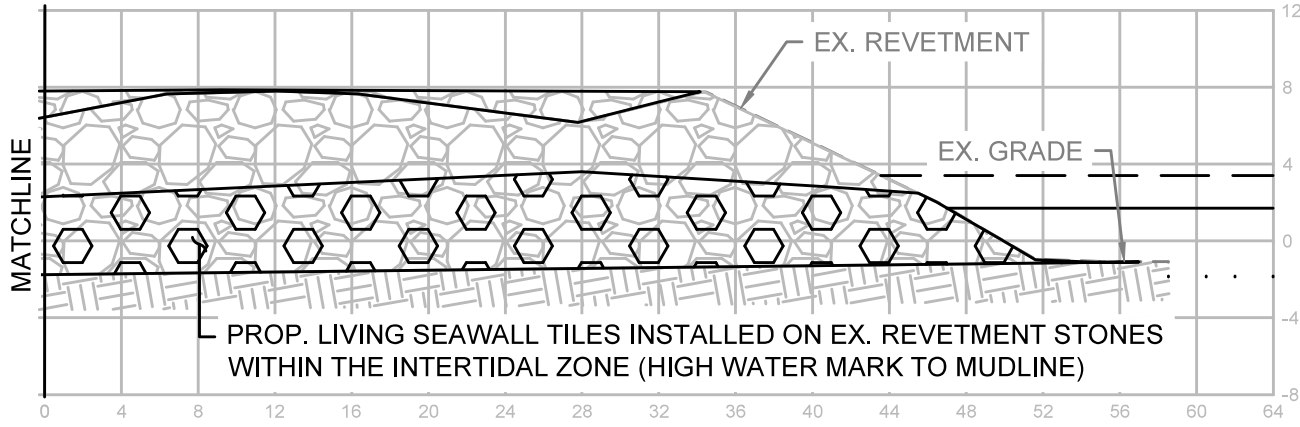
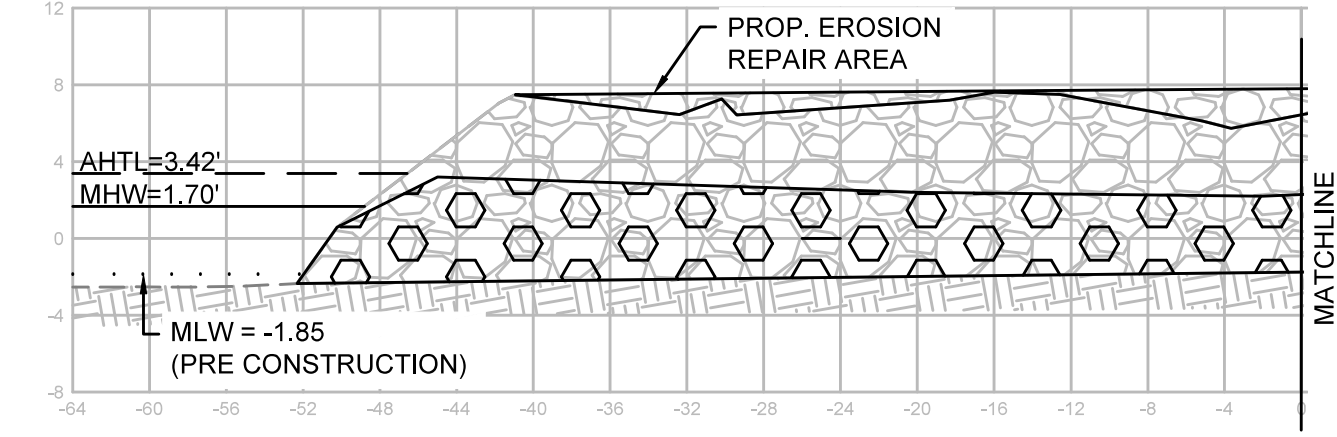
PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE  
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DATUM:  
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MLW EL. = -1.85' NAVD88  
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SUSTAINABLE COSTAL SOLUTIONS, INC.  
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05/22/2024

SHEET 5 OF 8



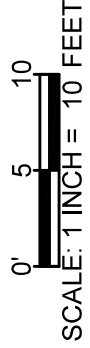
**C-C'** PROPOSED LIVING SEAWALL TILES

PLAN ACCOMPANYING PETITION OF:  
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DEPARTMENT OF INFRASTRUCTURE  
1105 SHAWMUT AVE, NEW BEDFORD, MA 02746  
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COUNTY OF: BRISTOL

05/22/2024

SHEET 6 OF 8

**CROSS SECTION C-C'**

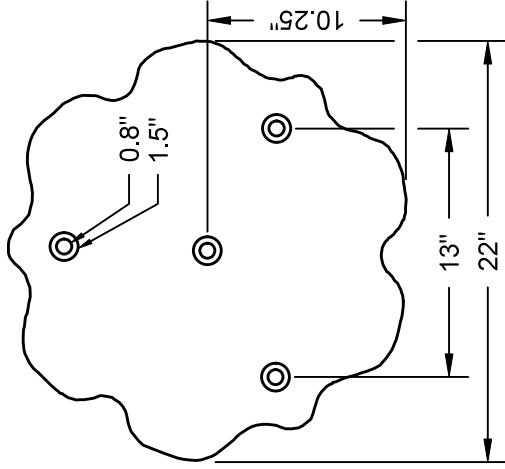
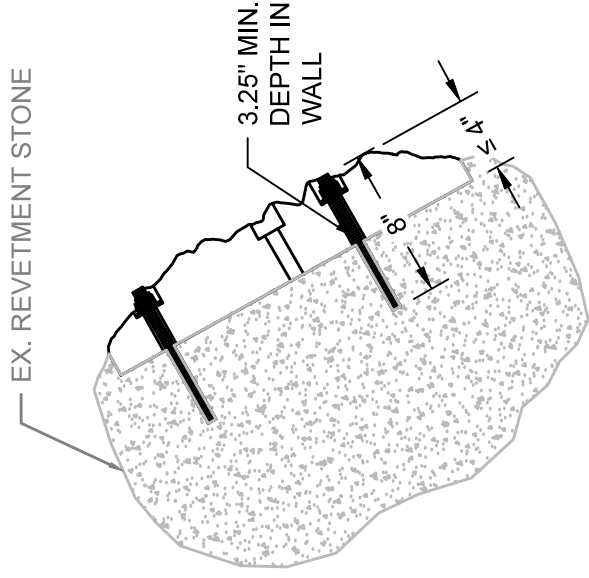


PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE  
GROINS/ TIMBER BREAKWATER AT WEST RODNEY  
FRENCH BLVD, NEW BEDFORD, MA 02740

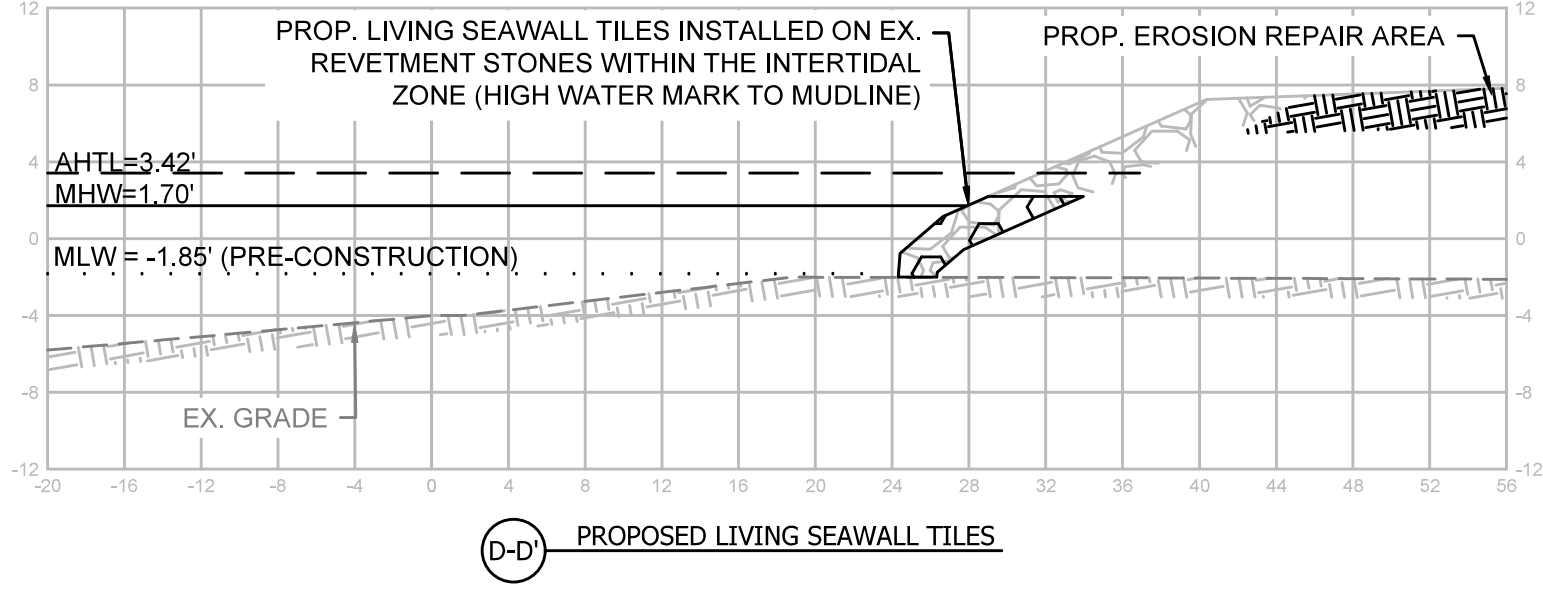
DATUM:  
MLW EL. = -1.98' NAVD88  
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SUSTAINABLE COSTAL SOLUTIONS, INC.  
107 COUNTY RD. NORTH FALMOUTH, MA 02556

\*NOTE: ALL DIMENSIONS  
SHOWN ARE APPROXIMATE



**LIVING SEAWALL TILE DETAIL**



**D-D' PROPOSED LIVING SEAWALL TILES**

PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE  
GROINS/ TIMBER BREAKWATER AT WEST RODNEY  
FRENCH BLVD, NEW BEDFORD, MA 02740

DATUM:

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SUSTAINABLE COSTAL SOLUTIONS, INC.

107 COUNTY RD. NORTH FALMOUTH, MA 02556

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AT WEST RODNEY BEACH; CLARKS COVE  
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05/22/2024

SHEET 7 OF 8

## DRAWING INDEX

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1	LOCUS MAP
2	PROPOSED PLAN 1
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4	CROSS SECTION A-A'
5	CROSS SECTION B-B'
6	CROSS SECTION C-C'
7	CROSS SECTION D-D'
8	NOTES

## GENERAL NOTES:

1. THE VERTICAL REFERENCE PLANE FOR THIS PROJECT IS NAVD88.
2. EXISTING SHORELINE TOPOGRAPHY BASED UPON SURVEY CONDUCTED BY THE CITY OF NEW BEDFORD ON 12/22/16 AND 01/13/2017. NEARSHORE BATHYMETRY WAS PERFORMED BY FOTH INFRASTRUCTURE & ENVIRONMENT, LLC. , ON 01/04/2017.
3. SHELLFISH SUITABILITY IS FROM MASSGIS.
4. LIMITS OF EELGRASS, AS SHOWN, ARE BASED UPON THE FIELD SURVEY PERFORMED BY STANTEC CONSULTING, INC. ON 05/26/2017.
5. PREVIOUSLY PERMITTED UNDER DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING, DIVISION OF WATERWAYS, CONTRACT NO. 2905.

## LEGEND

-----	ANNUAL HIGH TIDE LINE (AHTL)
————	MEAN HIGH WATER (MHW)
.....	EX. MEAN LOW WATER (MLW)
—— — — —	FEMA FLOOD LINE (MASSGIS)
————	BATHYMETRY 2-FT CONTOURS
- . - . - . - . - . - . - .	SHELLFISH SUITABILITY DELINEATION
————	PROPERTY LINE
-----	EXISTING CONTOURS



EELGRASS



STONE RIPRAP



COASTAL DUNE

DATUM OFFSETS		
MLW	NAVD88	
5.27	3.42	AHTL
3.55	1.70	MHW
1.85	0	NAVD88
0	-1.85	MLW
-0.13	-1.98	MLLW
OFFSETS TAKEN FROM VDATUM V3.4 41-35-59 N 70-54-53 W		

PURPOSE: PROPOSED BEACH NOURISHMENT/ STONE GROINS/ TIMBER BREAKWATER AT WEST RODNEY FRENCH BLVD, NEW BEDFORD, MA 02740  
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## NOTES

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SHEET 8 OF 8