



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

PUBLIC NOTICE

Comment Period Begins: May 15, 2018
Comment Period Ends: June 14, 2018
File Number: NAE-1995-00955
In Reply Refer To: Joshua Helms
Phone: (978) 318-8211
E-mail: Joshua.M.Helms@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Town of Swansea (MA), 81 Main Street, Swansea, Massachusetts 02777. Dredging is proposed in the Cole River and Mount Hope Bay in the waters adjacent to Ocean Grove Avenue at 458 Ocean Grove Avenue, Swansea, Massachusetts. Dredged material will be used as Nourishment at the address previously stated (Map 74, Parcel 35). The site coordinates are: Latitude: 41.724389°, Longitude: -71.215356°. The Town has requested a 10 year permit to maintain these areas.

The work includes the maintenance dredging of approximately 5,950 cubic yards (CY) of sandy material by hydraulic means from a 5.69 acre area of the Cole River channel to the previously authorized 1997 dimensions and a depth of -7 MLW and -8 MLW in order to ensure safe passage through the channel and provide sandy material to supplement beach nourishment at the Town Beach (2722985N, 731359E → 27245419N, 731400E).

Additional work includes the hydraulic dredging of two new areas for the purpose of navigational improvements and sand mining in order to supplement beach nourishment at the Town Beach as described below:

1. Dredging of the eastern shoal adjacent to the channel in Mount Hope Bay in order to mine sand for beach nourishment. Approximately 9,610 CY of sandy material will be dredged from an approximately 2.65 acre area with varying depths; -7 ft. NAVD88 Sta. 6+50 to 20+50 and to -8 ft. NAVD88 from Sta. 21+00 to 31+00 with a 1 foot overdredge allowance (2722985 N, 731359 E → 2724712 N, 731206 E).
2. Dredging of the eastern shoal adjacent to the boat ramp within the Cole River in order to provide safe navigational access to the Cole River Channel from the boat ramp. Approximately 2,700 CY of sandy material will be dredged from an approximately 0.79 acre area to a depth of -10.2' ft. NAVD88 from 2725672 N, 731662 E → 2725629 N, 731804.

Finally, the dredged material will be used for beach nourishment and dune creation and restoration at the adjacent Town Beach. Approximately 18,260 CY of sandy material will be placed on 4.2 acres of the Town Beach as beach nourishment and approximately 100 CY of material will be placed over a 3,000 SF area in order to complete the dune restoration (2724931.7 N, 733071.3 E → 2724702.7 N, 733779 E). Additional annual nourishment (2,000 cubic yards) from an off-site source is also proposed. The Corps of Engineers has determined that the grain size of the dredged material is compatible with the grain size of the existing sand at the nourishment site.

The work is shown on the attached plans entitled "Swansea Waterfront Revitalization" on two sheets, and dated "Revised to 04/10/2018."

The alternatives considered in the dredged material disposal analysis fall into four general categories: beneficial use, upland disposal, confined disposal, and open-water disposal. The feasibility of disposal alternatives was analyzed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal. When applicable, the biological quality of the disposal of the material at the disposal site was also used to evaluate the feasibility of the open-water disposal alternative.

Based on the characteristics of the dredged material, the material will be placed for beneficial use. The dredged material has undergone grain size analysis. It is our preliminary determination that the material is acceptable for disposal at this disposal site. Based in part on a review of historical data and a lack of potential sources of contaminants, it is our preliminary determination that the material is acceptable for disposal at this disposal site.

The proponent worked with resource agencies in order to minimize and mitigate impacts to sensitive fisheries habitats including cobble. As a result, the proponent modified their proposal to avoid some of these sensitive areas. This included:

- Reducing the proposed footprint within the channel that needed to be dredged.
 - This revised dredging footprint has an approximate difference of 10,121 sq. ft. and 4,590 CY from the original proposal of 407,556 sq. ft. and 22,850 cu. yds.
- Eliminating dredging from the northernmost section of the channel.
- Eliminating the proposed deepening of the channel from -7 ft. to -11 ft.
- Eliminating the easternmost approximately 150' of the beach nourishment .
- Reducing the nourishment footprint to the extent practicable.
- Designing the dredging to avoid possible to impacts to the adjacent salt marsh habitat.

Additional avoidance, minimization, and mitigation measures that were incorporated into the project design by the proponent include:

- Planting native plants within the newly created dune in order to stabilize the shoreline and ensure long term success of the project.
- Construction of boardwalks over of the dune in order to limit damage to the newly constructed dune features.
- The removal and transplanting of any shellfish from the proposed dredge footprint prior to conducting the work.
- The incorporation of the following conditions in to the permit :
 - In-order to protect spawning, larval and juvenile development of winter flounder, diadromous fish passage, no dredging shall occur between January 15th and November 15th. Avoidance of such work during this period will minimize impacts to diadromous fish passage as well as winter flounder and shellfish spawning and larval settlement.
 - In order to minimize impacts to horseshoe crab eggs, larvae, and newly settled juvenile, a time-of-year (TOY) restriction on beach nourishment from May 1 to July 31.

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.

The dredging portion of this project will impact approximately 9.12 acres of EFH. Habitat at this site can be described as sandy and mixed cobble. 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.

The dredged material disposal is proposed for 183,000 SF at Swansea Town Beach above and below the high tide line (HTL). Areas impacted below the HTL provides EFH. Habitat at this site can be described as complex and includes sand and cobble 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 little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s).

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 NMFS 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

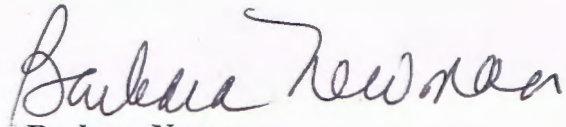
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Josh Helms at (978) 318-8211, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

CENAE-R
FILE NO. NAE-1995-00955

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.



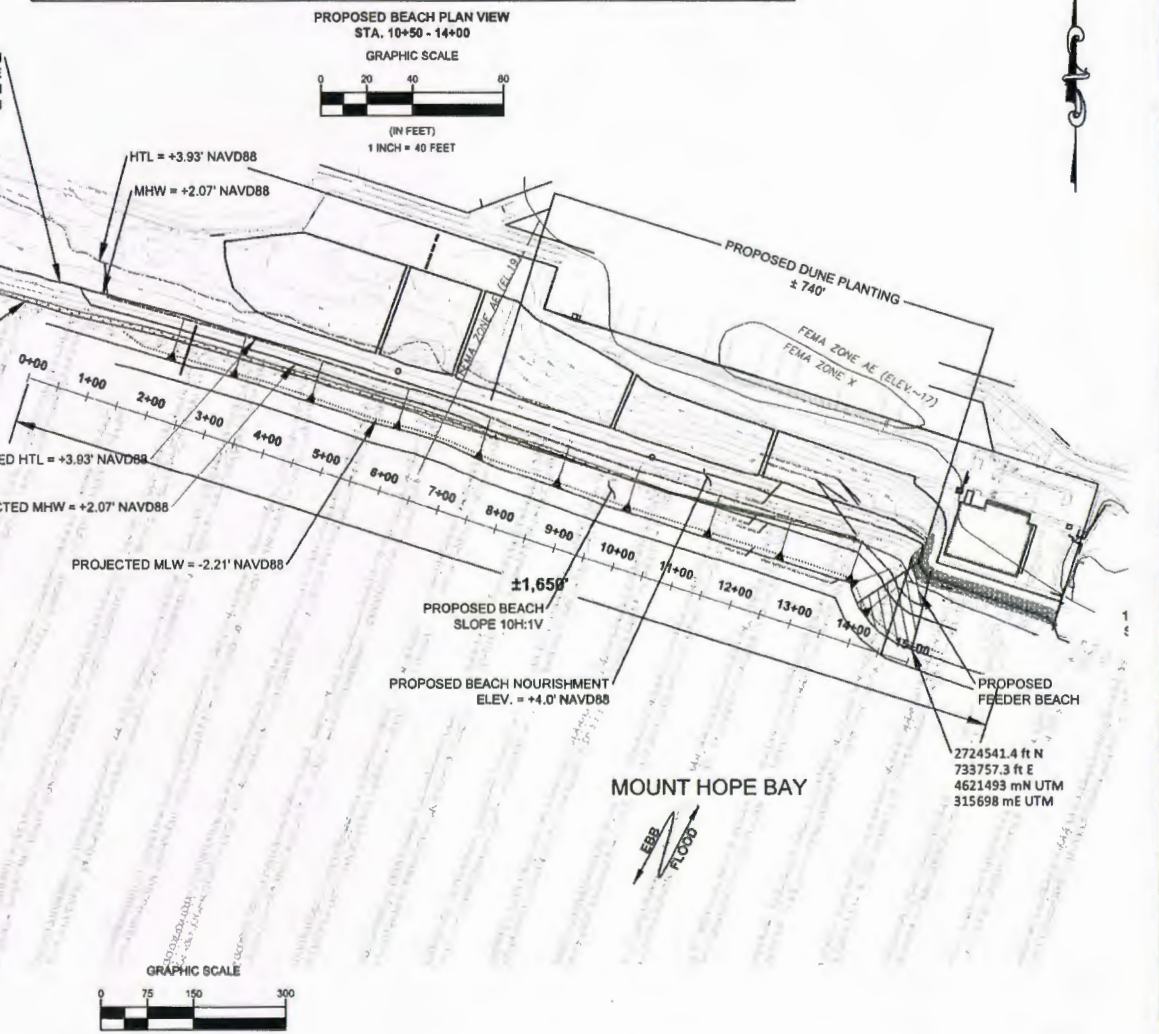
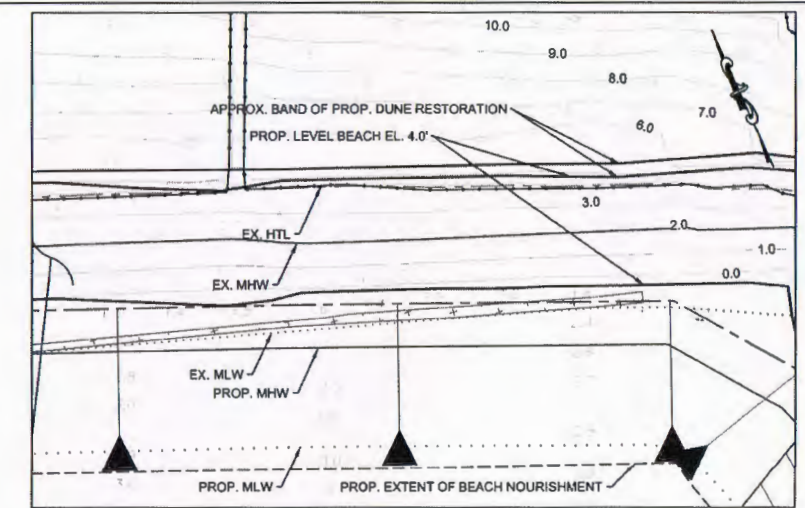
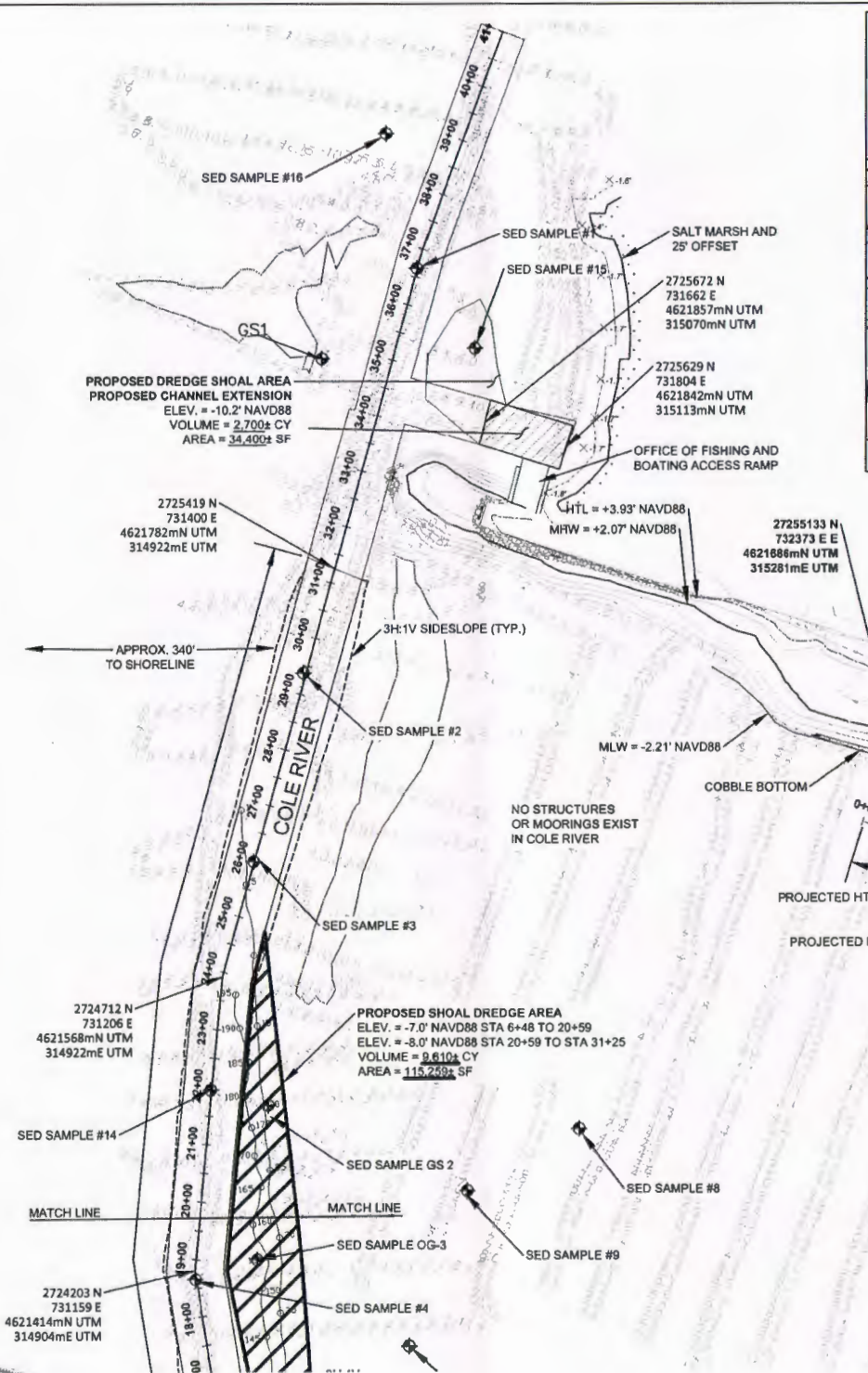
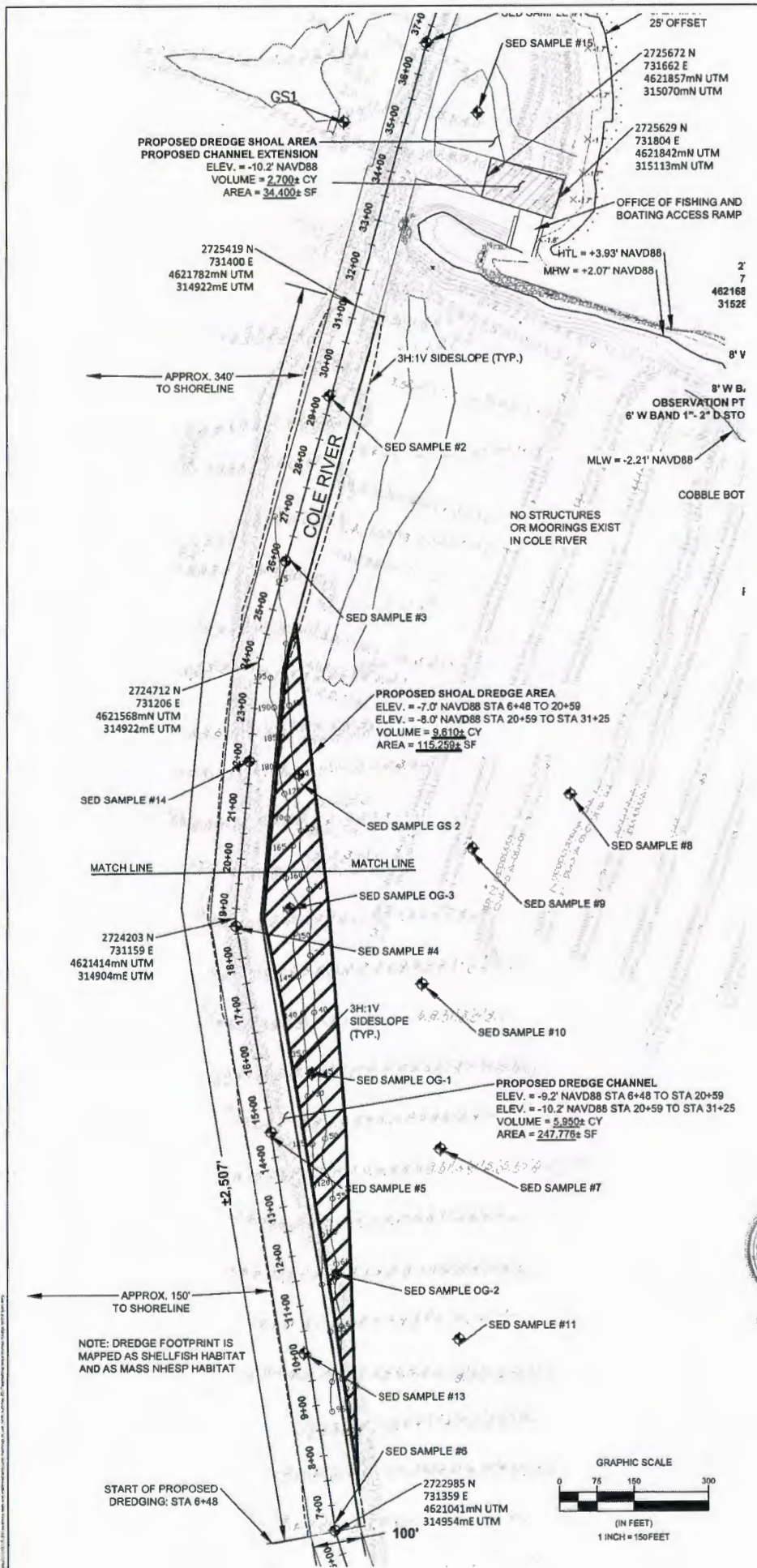
Barbara Newman
Chief, Permits and Enforcement Branch
Regulatory Division

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: _____



NOTES:

- RESULTS OF HYDROGRAPHY FROM SURVEY DATED 04-02-15 & 04-06-2015.
- SOUNDINGS ARE IN FEET AND TENTHS, AND REFER TO DEPTHS BELOW NAVD88.
- TOPOGRAPHY OF THE BEACH AND UPLAND AREA PROVIDED BY GEOD CONSULTING BASED ON A FIELD SURVEY PERFORMED IN NOVEMBER 2014 THROUGH JANUARY 2015.
- COORDINATES ARE BASED ON THE LAMBERT GRID SYSTEM FOR THE COMMONWEALTH OF MASS. AND WERE TAKEN FROM CONTROL FURNISHED BY THE OWNER AND WAS NOT INDEPENDENTLY VERIFIED.
- MA DMF SHELLFISH SURVEY DREDGE TRACK LOCATIONS WERE APPROXIMATED FROM REPORT BY MA DMF DATED SEPTEMBER 19, 2017. THE 5' WIDE DREDGE TRACK IMPACT WIDTH ASSUMES A 1.7' BLADE EXCAVATING 6" BELOW THE MUDLINE RESULTING IN SLOUGHING AT A 3H:1V SIDE SLOPE.
- THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF HYDROGRAPHIC SURVEYS PERFORMED ON THE DATES SHOWN, AND CAN ONLY BE CONSIDERED AS INDICATING THE SEASIDED CONDITIONS AT THAT TIME. INTERPOLATED INFORMATION FROM BETWEEN SOUNDING RUNS IS NOT GUARANTEED. SHOALS, OBSTRUCTIONS OR OTHER DIFFERING CONDITIONS MAY EXIST BETWEEN THESE RUNS. NO SURVEYS WERE CONDUCTED TO LOCATE PROPERTY LINES, CHANNEL LIMITS, EASEMENTS, UTILITIES, GEOTECHNICAL FEATURES, SHORELINES, STRUCTURES, HABITATS OR ANY OTHER PHYSICAL FEATURES RELATING TO THE PROJECT SITE, NOR DOES CLE WARRANT THE EXISTENCE OR LOCATION OF SAID PHYSICAL FEATURES.
- 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 CLE ENGINEERING INC.

DATUM CONVERSIONS

MLW	HTL	MHW	HTL	MLW	HTL	NGVD29
8.3'	-1.3'	-2.0'	-1.4'	-2.9'	-4.8'	
4.4'	-2.0'	-2.0'	-4.2'	-2.9'	-4.8'	
2.3'	-0.0'	-0.0'	-0.2'	-0.2'	-0.2'	
0.1'	-2.2'	-2.2'	0.0'	0.0'	-1.2'	
0.0'	-2.3'	-2.3'	-0.1'	-1.8'	-1.8'	

HYDROGRAPHIC SURVEY NOTES:

- PROJECT NAME: SWANSEA TOWN BEACH MASTER PLAN
- PROJECT NUMBER: 13135.200
- PLOT SCALE: 1"=150'
- SURVEY DATE: APRIL 2, 2015 & APRIL 6, 2015
- SURVEYOR: M. CAMP, J. BARANELLO
- VESSEL: CLE LOWE
- TRANS./PATH: 200 KHZ, NARROW BEAM, ODOM CVM
- WEATHER COND: SUNNY, WIND SW 0-10, SEAS CALM 0-1'
- PROJECT DATUM: NAVD88
- COORD. SYSTEM: NAD-83, MA-2001 MASS. MAINLAND DATA SORTED W/PAK SORT, 12' RADIUS MINIMUM VALUE
- DATA REDUCTION: PROJECT SITE BENCHMARK IS MAG NAIL FOUND, FROM GEOD CONSULTING, REV. 1 03/09/15. ELEVATION = 5.50' NAVD-88
- BENCHMARKS:

LEGEND

5.3	DEPTH BELOW NAVD88
[Pattern]	PROPOSED DREDGING & BEACH NOURISHMENT
[Pattern]	LIMITS OF PROPOSED BEACH SIDESLOPES
[Pattern]	LIMITS OF PROPOSED DREDGE SIDESLOPES
[Pattern]	EXISTING VEGETATION ON DUNE
[Pattern]	EXISTING VEGETATION AFFECTED BY NOURISHMENT
[Pattern]	PROPOSED DUNE PLANTING (18" SPACING)
MLW = -2.21 (NAVD88)	
HTL = +3.93 (NAVD88)	
MHW = +2.07 (NAVD88)	
MA DMF SHELLFISH DRAG LINE	

PROJECT: SWANSEA WATERFRONT REVITALIZATION

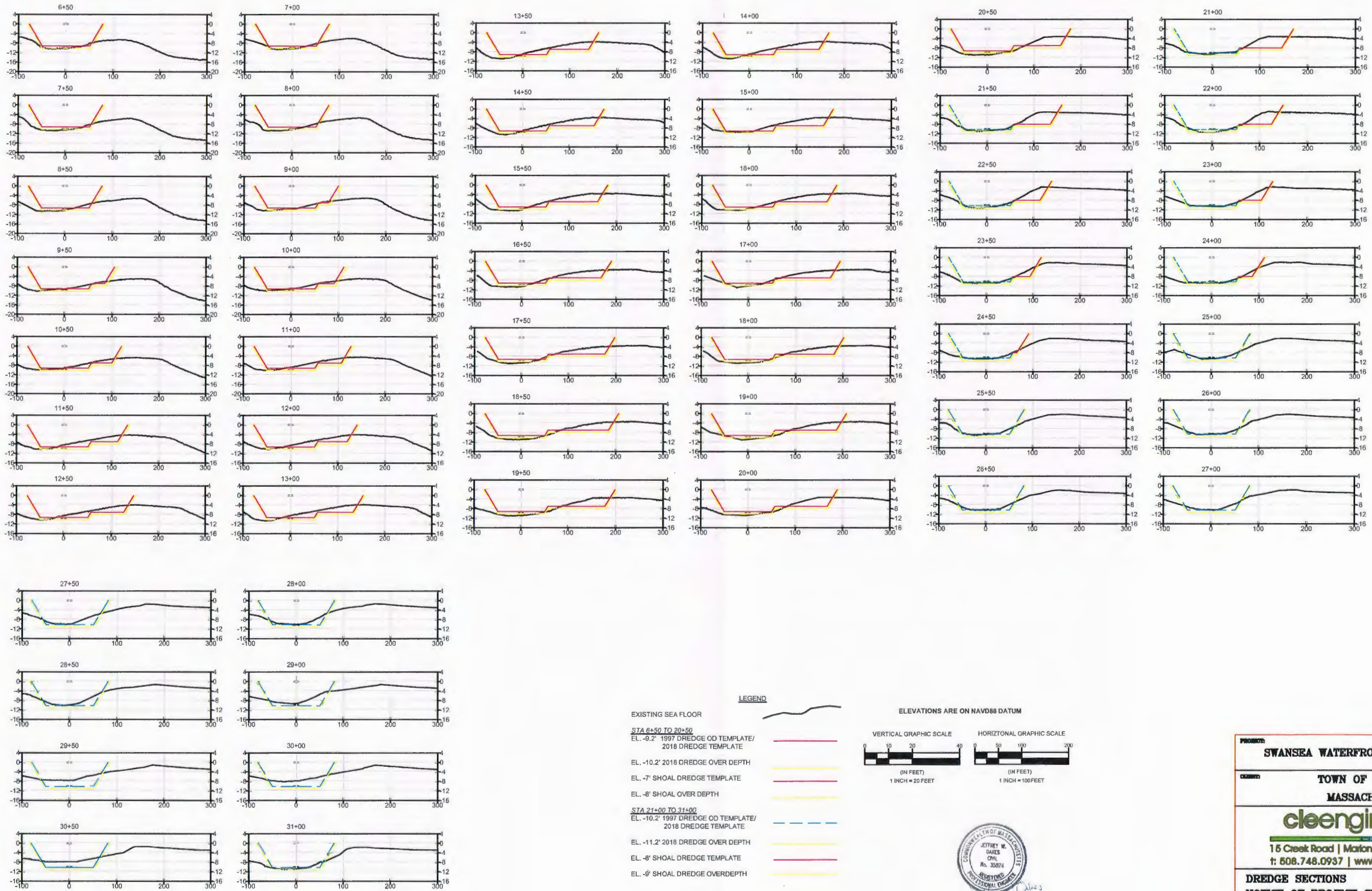
CLIENT: TOWN OF SWANSEA, MASSACHUSETTS

cleengineering

15 Creek Road | Marlon, Massachusetts 02738
t: 508.748.0937 | www.cleengineering.com

DREDGE & BEACH NOURISHMENT PLAN SHEET 1 OF 2
NOTICE OF PROJECT CHANGE

SCALE: 1" = 150' CHECKED: [] DATE: 04/24/17 JOB NO. 13135.200
DRAWN BY: VARIOUS BY: JWO
REVISION No. DATE DATE COMMENT
3 04/16/16 ADDITIONAL DREDGE AREA



LEGEND

- EXISTING SEA FLOOR (black line)
- STA 6+50 TO 20+50
EL. -9.2' 1997 DREDGE OD TEMPLATE/
2018 DREDGE TEMPLATE (red line)
- EL. -10.2' 2018 DREDGE OVER DEPTH (yellow line)
- EL. -7' SHOAL DREDGE TEMPLATE (magenta line)
- EL. -8' SHOAL OVER DEPTH (orange line)
- STA 21+00 TO 31+00
EL. -10.2' 1997 DREDGE OD TEMPLATE/
2018 DREDGE TEMPLATE (blue dashed line)
- EL. -11.2' 2018 DREDGE OVER DEPTH (yellow line)
- EL. -8' SHOAL DREDGE TEMPLATE (magenta line)
- EL. -9' SHOAL DREDGE OVERDEPTH (orange line)

ELEVATIONS ARE ON NAVD88 DATUM

VERTICAL GRAPHIC SCALE: 1 INCH = 20 FEET
 HORIZONTAL GRAPHIC SCALE: 1 INCH = 100 FEET



PROJECT: SWANSEA WATERFRONT REVITALIZATION

CITY: TOWN OF SWANSEA, MASSACHUSETTS

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 15 Creek Road | Marion, Massachusetts 02738
 t: 508.748.0937 | www.cleengineering.com

DREDGE SECTIONS SHEET 2 OF 2
NOTICE OF PROJECT CHANGE

NO.	DATE	DESCRIPTION