



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

PUBLIC NOTICE

Comment Period Begins: July 1, 2014
Comment Period Ends: July 30, 2014
File Number: NAE-2004-1402
In Reply Refer To: Kevin R. Kotelly, P.E.
Phone: (978) 318-8703
E-mail: kevin.r.kotelly@usace.army.mil

The District Engineer has received an After-the-Fact permit application to conduct work in waters of the United States as described below.

APPLICANT

Atlantis Marina Docks, LLC

PROPOSED WORK AND PURPOSE

The work is to remove an existing float, lengthen three existing floats, add mooring finger floats, and establish a reconfiguration zone around the area. Portions of this facility have been previously permitted by the Corps of Engineers.

An existing 320 foot (ft) by 8 ft float has been removed and re-used in two, 140 ft by 8 ft sections and one, 155 ft by 8 ft section to extend in length the other three pre-existing floats. Two, 68 ft by 8 ft and one, 58 ft by 8 ft "T-docks" have been placed at the end of each extended float. Finger floats have been placed along the float extensions spaced accordingly to accommodate docked vessels. Facility improvements also included improved water and electric utility service adequate for winter season vessel use. There will be 15 vessels with year round occupants at the marina.

This float reconfiguration has resulted in a net increase of 4,072 SF of floating structures via 3,680 SF of floats removed and 7,752 SF of floats added. Approximately 40 new pilings have also been placed in order to support the new floats. All pilings were placed from a work barge and all other work was done from the water. No fill was discharged as part of the work.

The reconfiguration zone is shown on sheet 4 of the attached plans. The Marina will be authorized to reconfigure the existing floats within the reconfiguration zone. However, no structures or vessels shall extend beyond the seaward limits of the reconfiguration zone. The Marina cannot increase the total number of vessels docked at the marina, the square footage of the floats, or extend any structures or any vessels moored to any structures beyond the limits of the reconfiguration zone once it is established unless Corps authorization is received. There will be a maximum of 91 slips within the reconfiguration zone.

The work is described on the enclosed plans entitled, "Proposed Marina Plan In: Boston Harbor, At: 550 Pleasant Street, Winthrop, MA 02152, County of: Suffolk, MA, Application by: Atlantis Marina Docks," on seven sheets, and dated, September 24, 2013 and revised through November 25, 2013.

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WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed at Boston Harbor, Atlantis Marina Docks, 550 Pleasant Street, Winthrop, Massachusetts. The site coordinates are: Latitude 42°22'49.79", Longitude 70°59'35.88".

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 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.

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).

This project will impact approximately 2.6 acres of Essential Fish Habitat (EFH) for various life stages of Atlantic cod (*Gadus morhua*), haddock (*Melanogrammus aeglefinus*), pollock (*Pollachius virens*), whiting (*Merluccius bilinearis*), red hake (*Urophycis chuss*), white hake (*Urophycis tenuis*), winter flounder (*Pseudopleuronectes americanus*), yellowtail flounder (*Limanda ferruginea*), windowpane flounder (*Scophthalmus aquosus*), American plaice (*Hippoglossoides platessoides*), ocean pout (*Macrozoarces americanus*), Atlantic halibut (*Hippoglossus hippoglossus*), Atlantic sea scallop (*Placopecten magellanicus*), Atlantic sea herring (*Clupea harengus*), bluefish (*Pomatomus saltatrix*), long finned squid (*Loligo pealeii*), short finned squid (*Illex illecebrosus*), Atlantic butterflyfish (*Peprilus triacanthus*), Atlantic mackerel (*Scomber scombrus*), summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), black sea bass (*Centropristis striata*), surf clam (*Spisula solidissima*), and bluefin tuna (*Thunnus thynnus*). This habitat consists of subtidal open water. Loss of this habitat may adversely affect the species listed above. However, the District Engineer

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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 New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. 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 any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

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.
- () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Kevin Kotelly at (978) 318-8703, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

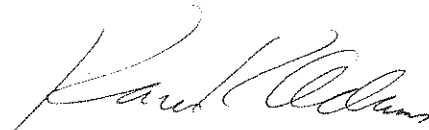
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a

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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.



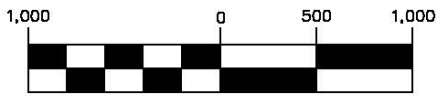
Karen K. Adams
Chief, Permits and Enforcement Branch
Regulatory Division

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: _____



GRAPHIC SCALE



(IN FEET)
1 inch = 1,000 ft.

**PURPOSE: ENLARGE MARINA
CREATING ADDITIONAL SLIPS**

**DATUM: MLW = 0.0
MHW = 9.5
HTL = 9.9**



Engineering Alliance, Inc.
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS
194 CENTRAL STREET
SAUGUS, MA 01906
PH. (781) 231-1349 FAX. (781) 417-0020
www.EAIncivl.com

**VICINITY
MAP**

**PROPOSED MARINA PLAN IN:
BOSTON HARBOR**

**AT: 550 PLEASANT STREET
WINTHROP, MA 02152**

COUNTY OF: SUFFOLK, MA

**APPLICATION BY:
ATLANTIS MARINA DOCKS**

DATE: September 24, 2013

REFERENCES:

DEED REFERENCE: BOOK 46750 PAGE 57

EXISTING MARINA, BOAT RAMP AND REVETMENT AUTHORIZED BY D.E.Q.E.
LICENSE NO. 1072, 1651, 10 AND D.P.W. LICENSE NO. 2486.

NOTES:

1. THE BOUNDARY LINES DEPICTED ON THIS PLAN ARE BASED ON A BOUNDARY SURVEY PERFORMED BY OTTE & DWYER, INC. IN JUNE, 2012.
2. ACCORDING TO THE F.E.M.A. MAP FOR THE TOWN OF WINTHROP, COMMUNITY NO. 250289 0038 G, DATED JULY 2, 1992 THE PARCEL FALLS IN AN AREA CLASSIFIED AS ZONES "X" (NOT IN FLOOD) AND ZONE "AE" ELEVATION 9 NAVD 1988.
3. ELEVATIONS SHOWN ON THE PLAN ARE BASED ON NGVD 1929.
4. LOCUS IS DEPICTED AS TAX MAP 47 LOT 10.
5. EXISTING CONDITIONS INFORMATION SHOWN WAS OBTAINED FROM A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY NORDE-EAST SURVEY, DATED JULY 12, 2005 AND REVISED APRIL 23, 2007 AND AN ACTUAL SURVEY PERFORMED BY OTTE & DWYER, INC. JUNE 22, 2012.
6. RECORD OWNER:
ATLANTIS MARINA DOCKS, LLC
550 PLEASANT STREET
WINTHROP, MA 02152



LEGEND:

—————10.58—————	CONTOUR ELEVATION
- - - - -	MEAN HIGH WATER LINE
—————	MEAN LOW WATER LINE

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GENERAL NOTES

PROPOSED MARINA PLAN IN:
BOSTON HARBOR

AT: 550 PLEASANT STREET
WINTHROP, MA 02152

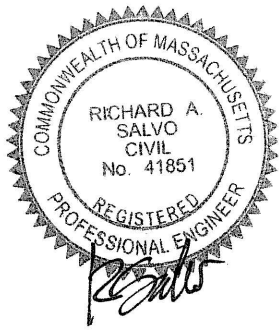
COUNTY OF: SUFFOLK, MA

APPLICATION BY:
ATLANTIS MARINA DOCKS

DATE: SEPTEMBER 24, 2013

EAI PROJECT# 12-28303

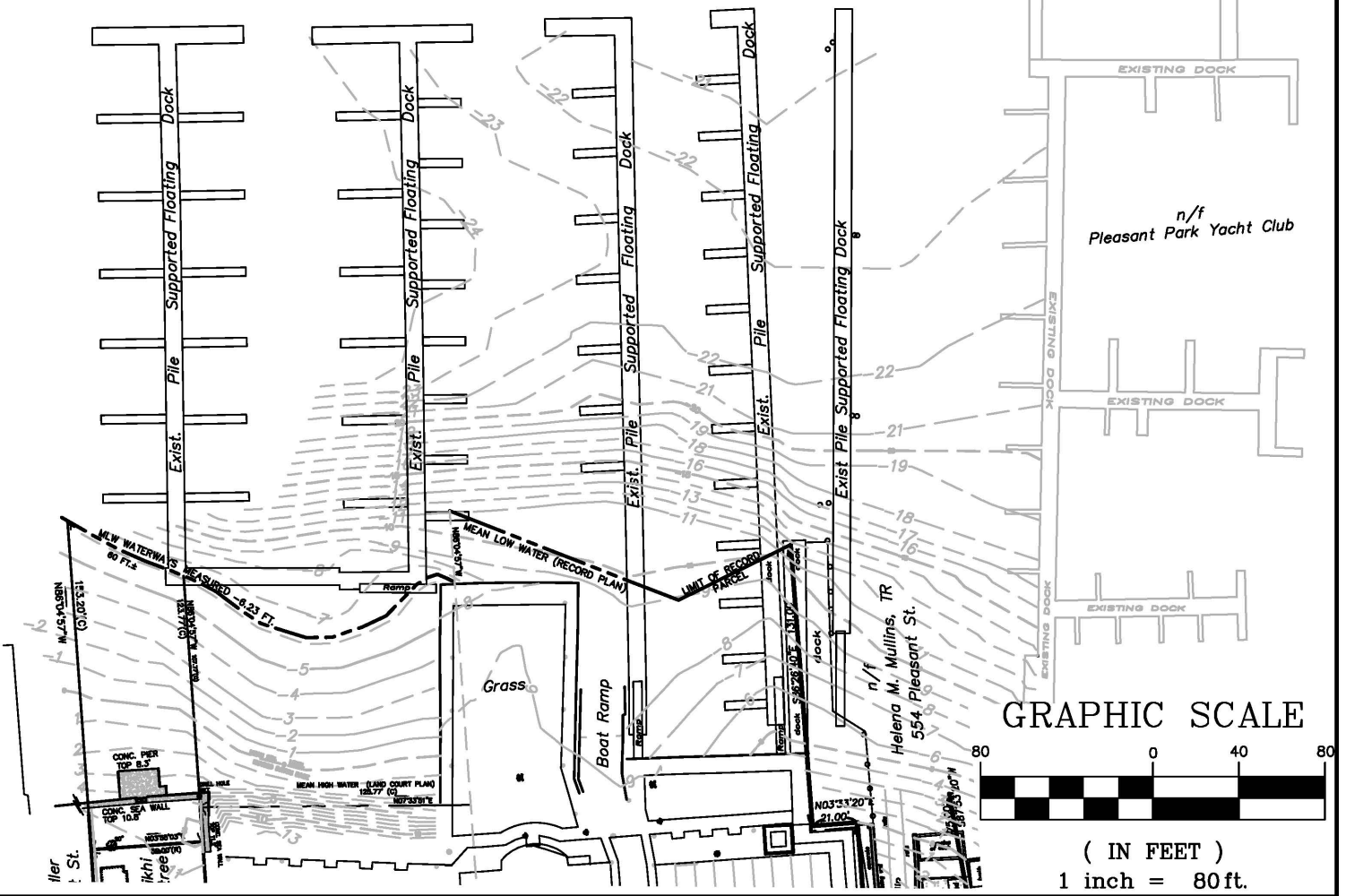
SHEET 2 OF 7



PLEASANT PARK
YACHT CLUB

MULLINS MARINA

ATLANTIS MARINA



**PURPOSE: ENLARGE MARINA
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EXISTING CONDITIONS PLAN

**PROPOSED MARINA PLAN IN:
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COUNTY OF: SUFFOLK, MA

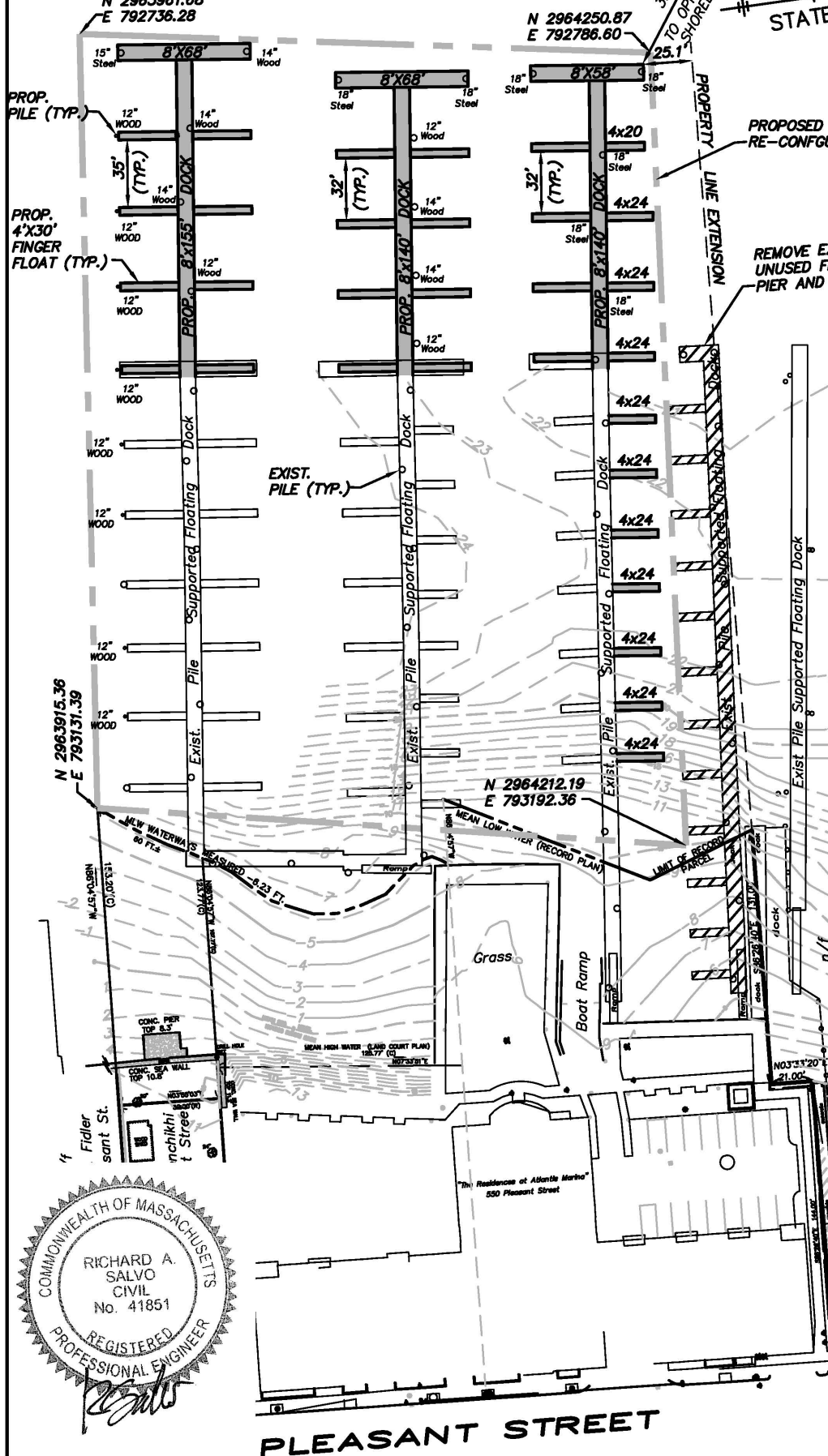
**APPLICATION BY:
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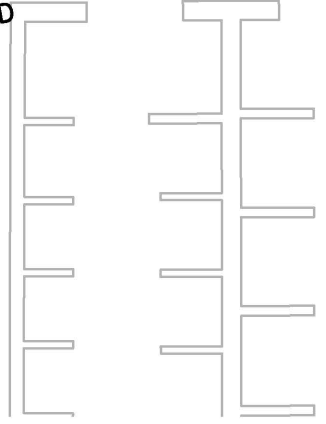
EAI PROJECT# 12-28303

SHEET 3 OF 7

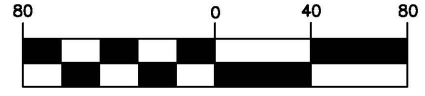
Boston Harbor



STATE PLANE GRID



GRAPHIC SCALE



(IN FEET)
1 inch = 80ft.

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DATUM: MLW = 0.0
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OVERALL MARINA PLAN

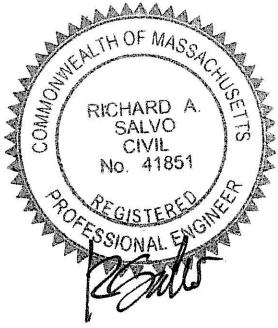
PROPOSED MARINA PLAN IN:
BOSTON HARBOR

AT: 550 PLEASANT STREET
WINTHROP, MA 02152

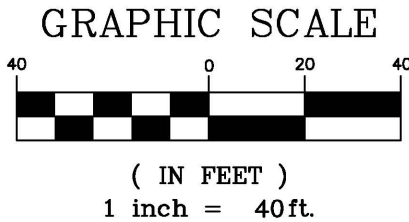
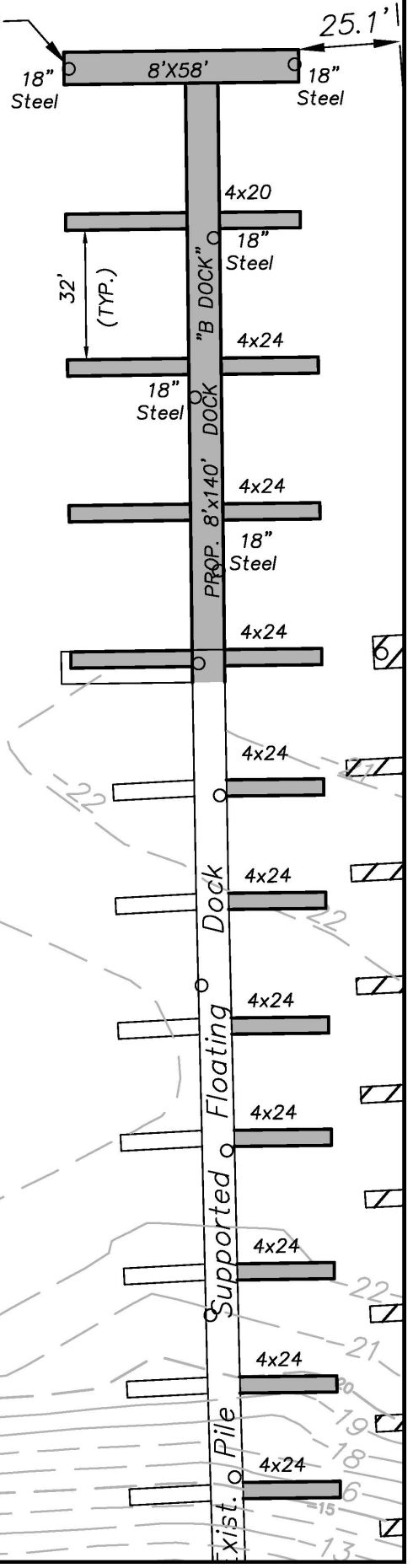
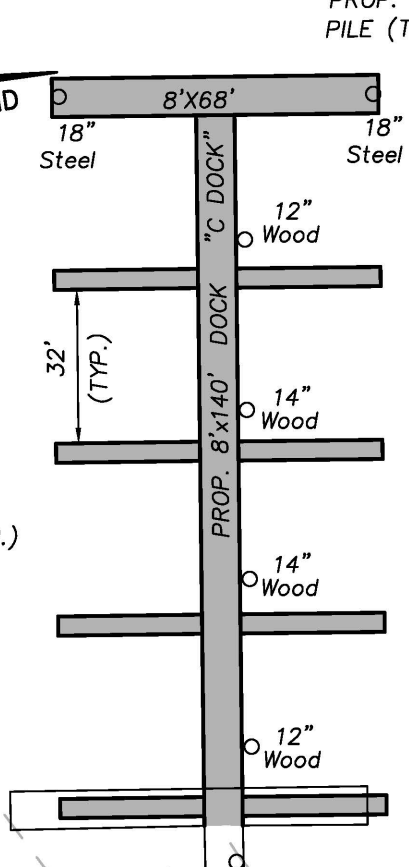
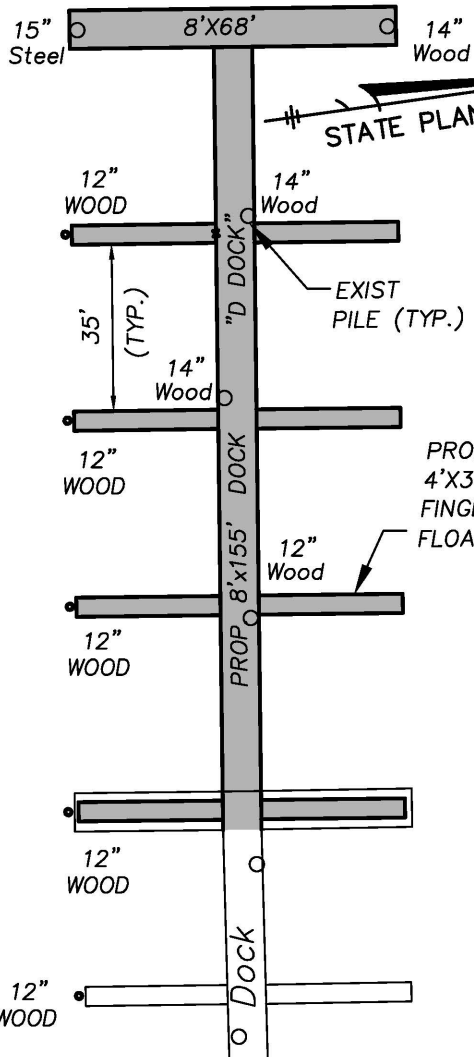
COUNTY OF: SUFFOLK, MA

APPLICATION BY:
ATLANTIS MARINA DOCKS

DATE: NOVEMBER 25, 2013



PLEASANT STREET



PROPOSED MARINA EXPANSION

PROPOSED MARINA PLAN IN:
BOSTON HARBOR
AT: 550 PLEASANT STREET
WINTHROP, MA 02152
COUNTY OF: SUFFOLK, MA
APPLICATION BY:
ATLANTIS MARINA DOCKS
DATE: NOVEMBER 25, 2013

PURPOSE: ENLARGE MARINA
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EXPANSION OF EXISTING MARINA

PROPOSED FLOATS:

2-140'x8' PILE SUPPORTED STRING FLOATS
1-155'x8' PILE SUPPORTED STRING FLOATS
2-68'x8' PILE SUPPORTED "T" DOCKS
1-58'x8' PILE SUPPORTED "T" DOCK
1-20'x4' PILE SUPPORTED FINGER FLOAT
10-24'x4' PILE SUPPORTED FINGER FLOATS
15-30'x4' PILE SUPPORTED FINGER FLOAT

EXISTING FLOATS TO BE REMOVED

16-20'x8' PILE SUPPORTED STRING FLOATS
1-20'x8' PILE SUPPORTED "T" FLOAT
12-4'x20' FINGER FLOATS



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PIER/FLOAT SCHEDULE

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**AT: 550 PLEASANT STREET
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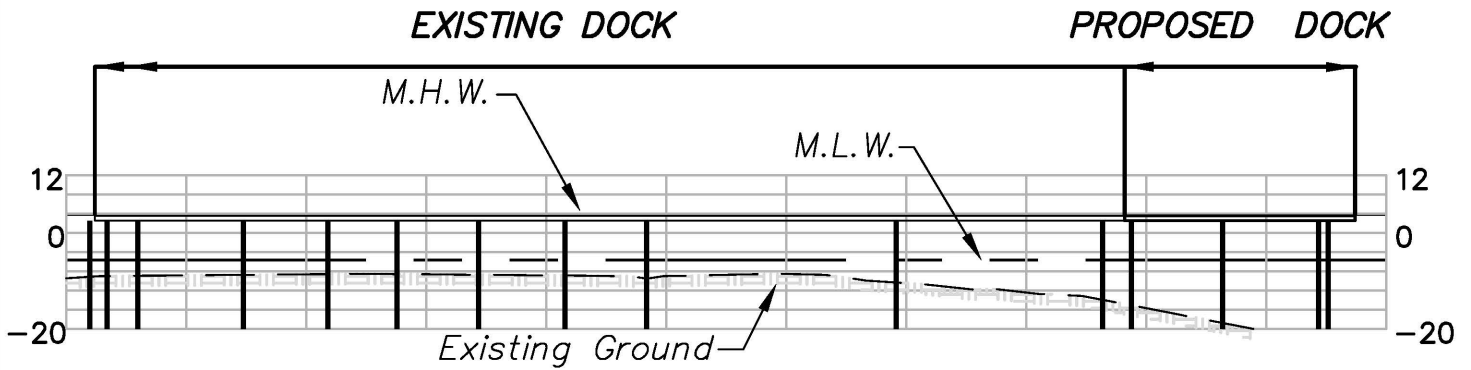
COUNTY OF: SUFFOLK, MA

**APPLICATION BY:
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DATE: NOVEMBER 25, 2013

EAI PROJECT# 12-28303

SHEET 6 OF 7



TYPICAL SECTION
N.T.S.



**PURPOSE: ENLARGE MARINA
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**TYPICAL
CROSS-SECTION**

**PROPOSED MARINA PLAN IN:
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**AT: 550 PLEASANT STREET
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COUNTY OF: SUFFOLK, MA

**APPLICATION BY:
ATLANTIS MARINA DOCKS**

DATE: SEPTEMBER 24, 2013

EAI PROJECT# 12-28303

SHEET 7 OF 7