



**US Army Corps  
of Engineers**®  
New England District  
11 Lincoln Street, Suite 210  
Essex Junction, Vermont 05452

# PUBLIC NOTICE

**Comment Period Begins: August 13, 2013**  
**Comment Period Ends: September 11, 2013**  
**File Number: NAE-2013-1425**  
**In Reply Refer To: Angela C. Repella**  
**Phone: (802) 872-2893**  
**E-mail: Angela.C.Repella@usace.army.mil**

## 20-DAY PUBLIC NOTICE

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

**APPLICANT:** Vermont Fish and Wildlife Department  
Mr. Patrick Berry, Commissioner  
One National Life Drive,  
Montpelier, Vermont 05602

**ACTIVITY:** Place fill and perform dredging in Lake Champlain in conjunction with the upgrade of the existing Converse Bay State Fishing Access in Charlotte, Vermont. A detailed description and plans of the activity are attached.

### **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in Converse Bay of Lake Champlain off Fishing Access Road in Charlotte, Vermont. The site coordinates are: Latitude 44.295043 N, Longitude 73.291662 W.

### **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

**CENAE-R**  
**FILE NO. NAE-2013-1425**

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.

**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 following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State.
- 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 Angela C. Repella at (802) 872-2893 or (978) 318-8639.

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.**



**Michael C. Hicks**  
**Acting 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](mailto: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: \_\_\_\_\_

## **PROPOSED WORK AND PURPOSE**

The work involves the discharge of fill material into Lake Champlain in conjunction with dredging and ramp improvements at the existing Converse Bay State Fishing Access Area off Fishing Access Road in Charlotte, Vermont. The work is described as follows:

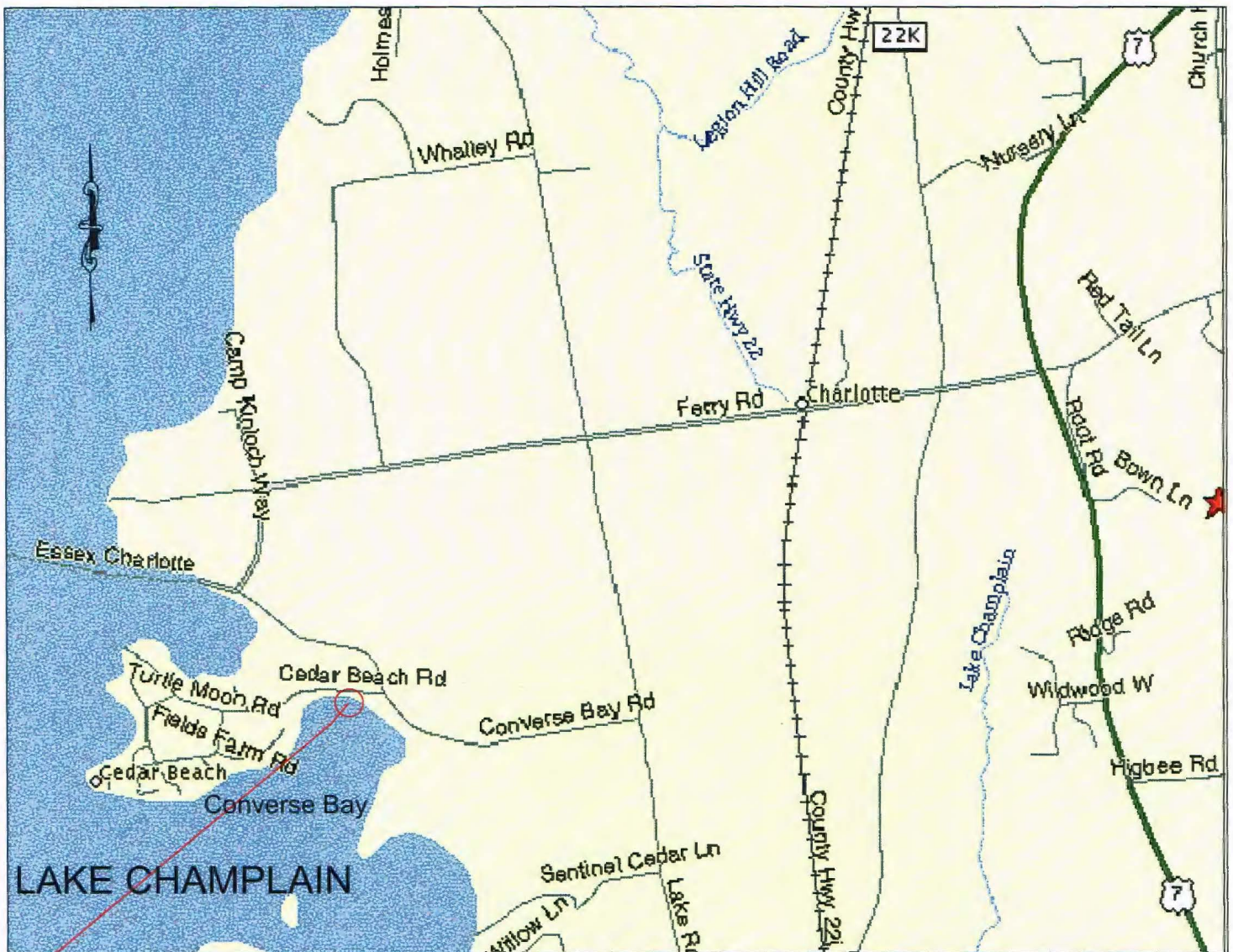
- 1.) Excavation of about 690 cy of silt and granular material from an irregularly-shaped 6,000 sq. ft. (0.14 acre) area extending a maximum of 120' beyond Ordinary High Water (OHW) to a depth of -5.0' (OLW). This work will be facilitated by the construction of a temporary haul road extending 105' beyond OHW. The haul road will involve the temporary placement of about 488 cubic yards of stone and gravel material below OHW, impacting about 5,372 square feet (0.12 acre) of lake bottom. This work will take place waterward of the existing launch ramp. A geo-textile filter curtain will be installed around the perimeter of the project area. The excavated material will be loaded into trucks, dewatered, and disposed of at an upland, non-wetland site.
- 2.) Installation of a 28' x 30' ramp extension using a cast-in-place concrete slab underlain by dense graded stone. An existing 5' protective stone apron will be repaired around the existing ramp and a new 5' wide stone apron will be constructed around the proposed ramp extension. The ramp will extend 70' beyond OHW. The temporary haul road will serve as a coffer dam to facilitate the cast-in-place concrete work. The ramp improvements will involve the placement of about 70 cy of stone and concrete below OHW and will impact about 1,921 sq. ft. (0.04 acre) of lake bottom below OHW.
- 3.) Removal of two existing steel rails located to the north of the boat ramp, extending 55' beyond OHW.

The purpose of the project is to provide improved public boating access and safety.

The work is described on the enclosed plans, on six sheets, entitled "CONVERSE BAY ACCESS" (dated "6/6/13") and "CONVERSE BAY ACCESS IMPROVEMENTS" (dated "6/17/13").

## **MITIGATION**

The only alternative to the dredging would be the "no-build" alternative, which would not allow the applicants to maintain safe and effective public access to the existing boat ramp. The "no build" would be the only alternative to the proposed ramp. The "no build" alternative does not allow the applicant to achieve the project purpose of improved boating access and safety. Impacts of the project have been minimized to the maximum extent practicable. The Corps has determined that compensatory mitigation is not necessary.



PROJECT LOCATION: FROM U.S. ROUTE 7 IN CHARLOTTE, VERMONT, TURN WEST ONTO FERRY ROAD FOR 1.4 MILES; TURN LEFT ONTO LAKE ROAD GOING APPROXIMATELY 1 MILE; TURN RIGHT ONTO CONVERSE BAY ROAD PROCEEDING 1.1 MILES; TURN LEFT ONTO CEDAR BEACH ROAD FOR 0.30 MILE TO FISHING ACCESS ROAD ON LEFT.

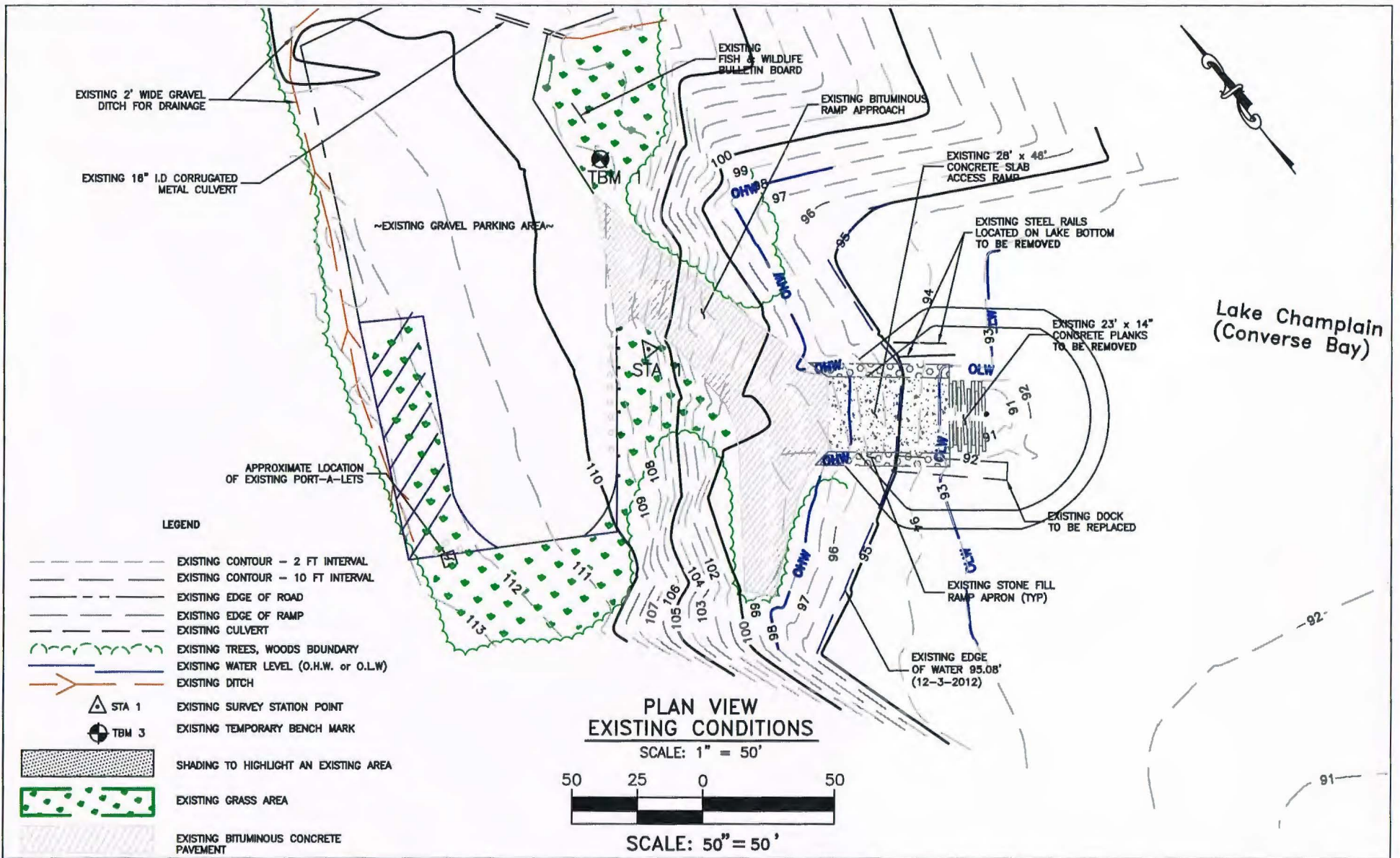
PROJECT DESCRIPTION: INSTALLATION OF A GEO TEXTILE FILTER CURTAIN WITHIN THE LAKE TO ENCLOSE THE WORK AREA TO PERFORM EXCAVATION TO REMOVE LAKE BOTTOM SEDIMENT BUILT UP ON THE EXISTING CONCRETE BOAT RAMP AND DREDGING OF THE LAKE BOTTOM AREA IMMEDIATELY BEYOND THE END OF THE RAMP.

EXTENSION OF THE EXISTING RAMP WITH A 28' x 30' CAST-IN-PLACE CONCRETE SLAB. A TEMPORARY COFFER DAM WILL BE CONSTRUCTED TO FACILITATE THE CONCRETE WORK AND TO AID IN DREDGING TO THE LIMITS SHOWN. PLACEMENT OF STONE ABOUT THE EXISTING BOAT RAMP AND EXTENSION, CONSTRUCTION OF AN ADA COMPLIANT PATHWAY LEADING TO A FUTURE DOCK SYSTEM, PARKING AREA GRADING AND OTHER MINOR ITEMS NECESSARY TO COMPLETE THE PROJECT.

DESIGNED: DHW  
 DRAWN: JCR  
 CHECKED: 6/17/13  
 REVISION 1: 4/9/13  
 REVISION 2: 6/6/13  
 REVISION 3: 6/17/13

STATE OF VERMONT  
 AGENCY OF NATURAL RESOURCES  
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 FACILITIES ENGINEERING DIVISION  
 MONTPELIER, VERMONT 05620-3510  
 DEPARTMENT  
 FISH & WILDLIFE DEPARTMENT  
 PROJECT  
 CONVERSE BAY ACCESS

TOWN: CHARLOTTE  
 STATE: VERMONT  
 DATE: 6/6/13  
 DATUM: N.A.  
 SHEET: 1 OF 6  
 SCALE: N.T.S.



DESIGNED: DHW  
 DRAWN: JCR  
 CHECKED: DHW  
 REVISION 1: 4/6/13  
 REVISION 2: 6/6/13  
 REVISION 3: 6/17/13

STATE OF VERMONT  
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 MONTPELIER, VERMONT 05620-3510

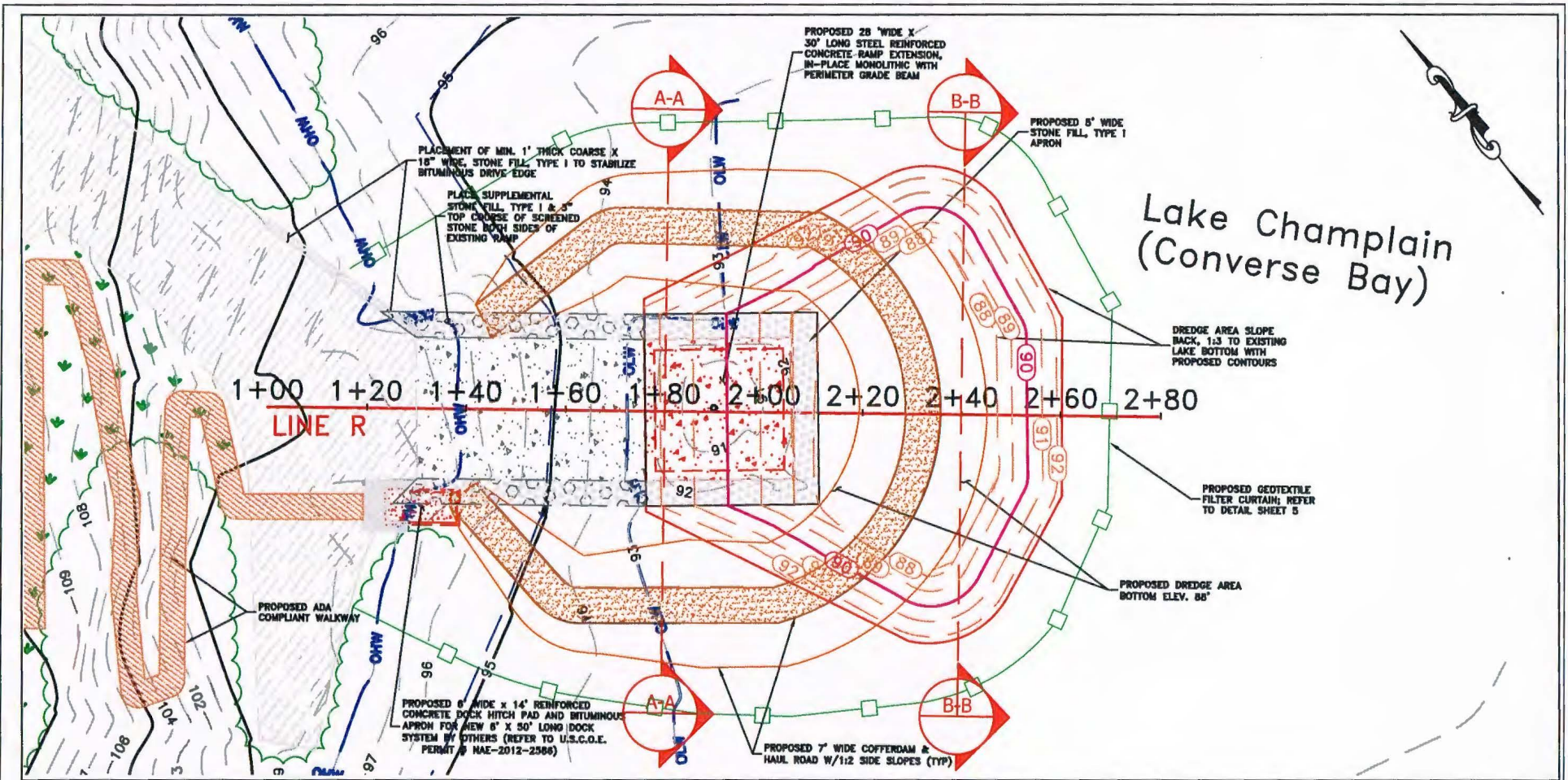
TOWN: CHARLOTTE  
 STATE: VERMONT  
 DATE: 6/17/13  
 DATUM: NAD 83  
 SHEET: 2 OF 6  
 SCALE: AS NOTED

DEPARTMENT

FISH & WILDLIFE DEPARTMENT

PROJECT

CONVERSE BAY ACCESS IMPROVEMENTS



PLAN VIEW  
PROPOSED CONDITIONS

SCALE: 1" = 30'



SCALE: 1" = 30'

DESIGNED: DHW  
DRAWN: JCR  
CHECKED: DHW  
REVISION 1: 4/6/13  
REVISION 2: 6/6/13  
REVISION 3: 6/17/13

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DEPT. OF ENVIRONMENTAL CONSERVATION  
FACILITIES ENGINEERING DIVISION  
MONTPELIER, VERMONT 05620-3510

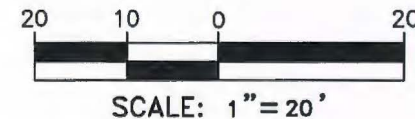
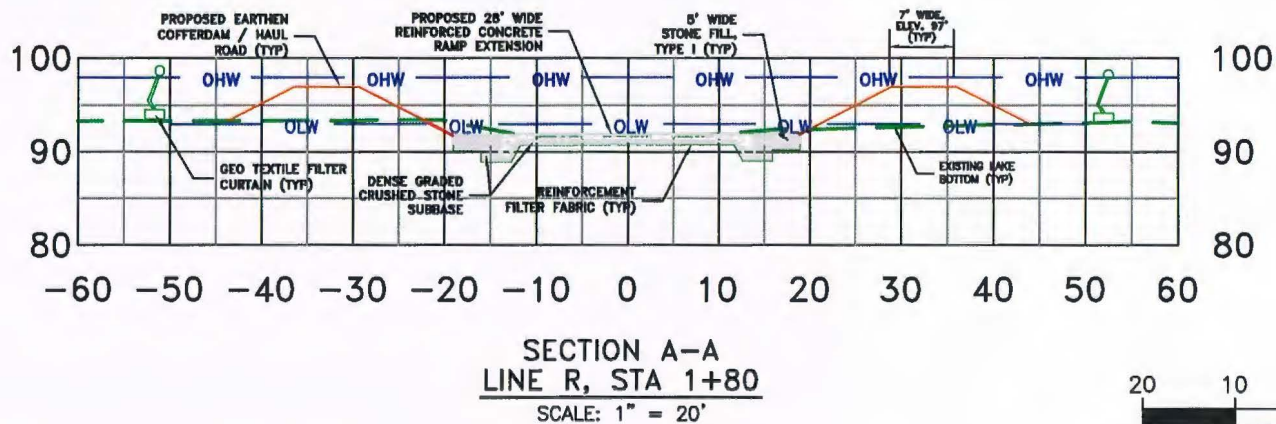
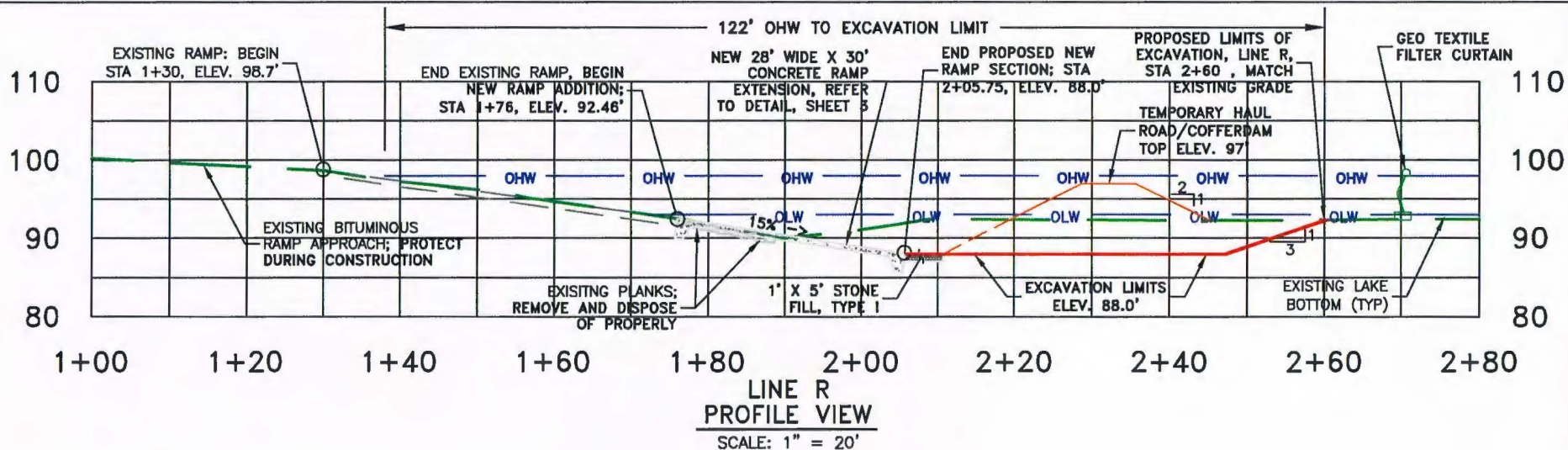
DEPARTMENT

FISH & WILDLIFE DEPARTMENT

PROJECT

CONVERSE BAY ACCESS IMPROVEMENTS

TOWN: CHARLOTTE  
STATE: VERMONT  
DATE: 6/17/13  
DATUM: NAD 83  
SHEET: 3 OF 6  
SCALE: AS NOTED



DESIGNED: DHW  
 DRAWN: JCR  
 CHECKED: DHW  
 REVISION 1: 4/6/13  
 REVISION 2: 6/6/13  
 REVISION 3: 6/17/13

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TOWN: CHARLOTTE  
 STATE: VERMONT  
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 DATUM: NAD 83  
 SHEET: 4 OF 6  
 SCALE: AS NOTED

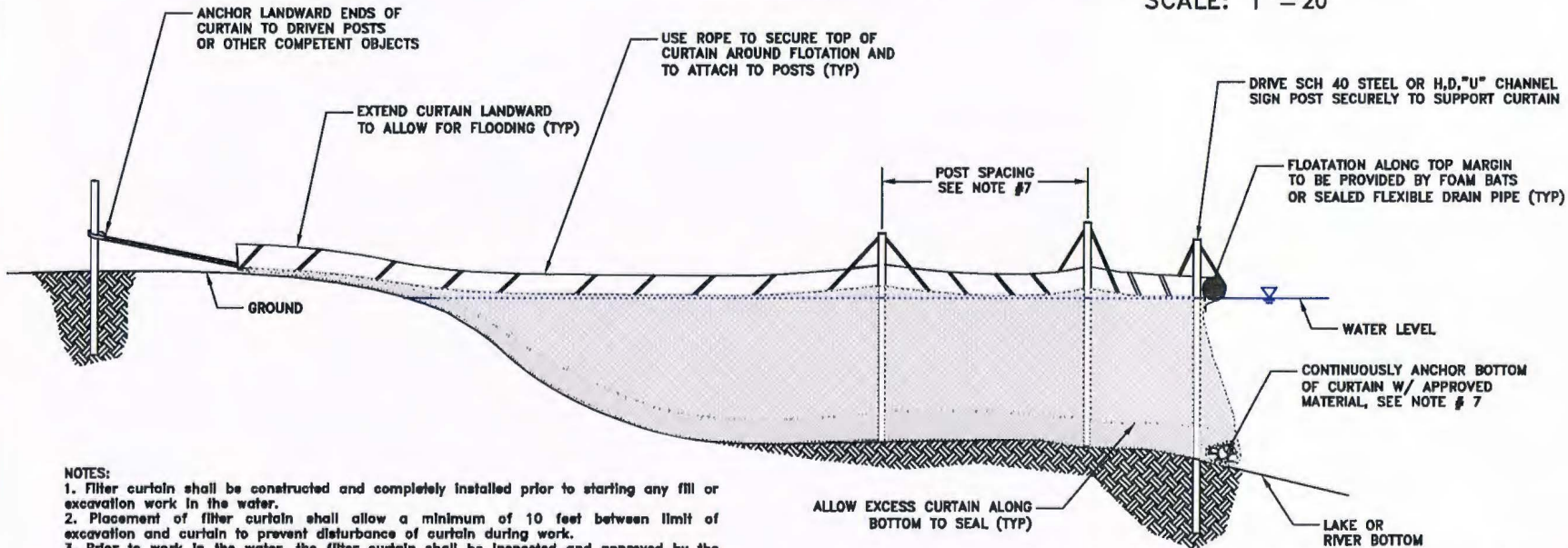
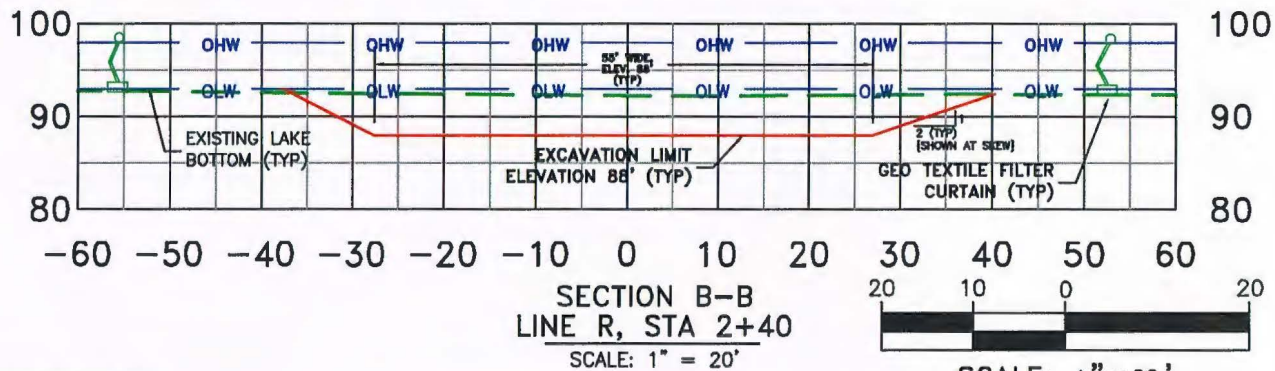
DEPARTMENT

FISH & WILDLIFE DEPARTMENT

PROJECT

CONVERSE BAY ACCESS IMPROVEMENTS





**NOTES:**

1. Filter curtain shall be constructed and completely installed prior to starting any fill or excavation work in the water.
2. Placement of filter curtain shall allow a minimum of 10 feet between limit of excavation and curtain to prevent disturbance of curtain during work.
3. Prior to work in the water, the filter curtain shall be inspected and approved by the Engineer. Filter fabric shall be Miraf 140 N or approved equal.
4. When joining two pieces of filter fabric, overlap shall be at least 6 feet. Method of splicing shall be hand stitching, double row, or approved equal.
5. Continuous flotation along the top margin shall be provided by closed cell foam bats or flexible corrugated drain pipe sealed airtight, sized to account for wave and or current action.

6. Continuous sealing along the bottom margin shall be achieved by leaving excess fabric to be anchored with chain, concrete blocks, bricks, steel rod, cable and native material, as shown in the drawing. All non-native materials used for anchoring shall be completely removed after completion of the work.
7. The spacing of steel posts shall provide additional vertical and horizontal support to the curtain to accommodate for the forces of wind, wave and current.
8. After completion of the work in the water, the filter curtain shall remain in place until turbidity inside the curtain is equal to that outside.

**GEO TEXTILE  
FILTER CURTAIN DETAIL**

N.T.S.

DESIGNED: DHW  
 DRAWN: JCR  
 CHECKED: DHW  
 REVISION 1: 4/6/13  
 REVISION 2: 6/6/13  
 REVISION 3: 6/17/13

STATE OF VERMONT  
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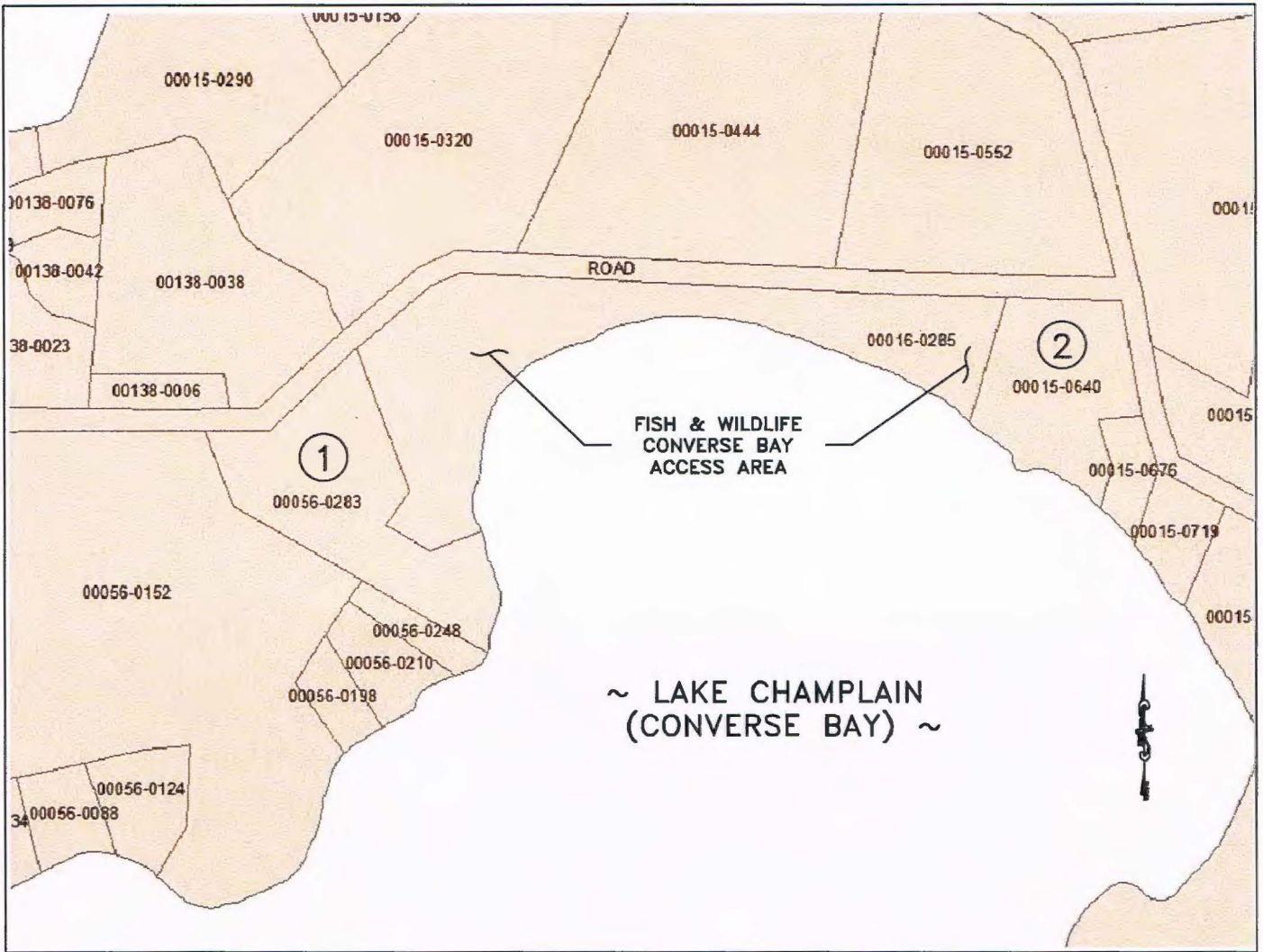
TOWN: CHARLOTTE  
 STATE: VERMONT  
 DATE: 6/17/13  
 DATUM: NAD 83  
 SHEET: 5 OF 6  
 SCALE: AS NOTED

DEPARTMENT

FISH & WILDLIFE DEPARTMENT

PROJECT

CONVERSE BAY ACCESS IMPROVEMENTS



**ABUTTERS LIST:**

1. PARCEL 56-0283: Emily Thurber, 283 Fields Farm, Charlotte, VT 05445
2. PARCEL 15-0640: Charles Wood Family Trust, 640 Converse Bay Rd., Charlotte, VT 05445

DESIGNED: DHW  
 DRAWN: JCR  
 CHECKED: 4/9/2013  
 REVISION 1: 4/9/13  
 REVISION 2: 6/6/13  
 REVISION 3:

STATE OF VERMONT  
 AGENCY OF NATURAL RESOURCES  
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DEPARTMENT  
 FISH & WILDLIFE DEPARTMENT

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PROJECT  
 CONVERSE BAY ACCESS

TOWN: CHARLOTTE  
 STATE: VERMONT  
 DATE: 6/17/13  
 DATUM: N.A.  
 SHEET: 6 OF 6  
 SCALE: N.T.S.

**IMPROVEMENTS**