US Army Corps of Engineers ®

PUBLIC NOTICE

US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: March 17, 2015
Comment Period Ends: April 1, 2015
File Number: NAE-2014-2100 – Utility
In Reply Refer To: Paul Sneeringer

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The District Engineer has received a permit application to conduct work in waters of the United States from the City of Boston Public Works Department, One City Hall Plaza, Room 710, Boston, Massachusetts, 02201. This work is proposed in Boston Harbor (Quincy Bay) adjacent to the alignment of the pre-existing Long Island Bridge. This utility crossing will run from Moon Island in Quincy to Long Island in Boston. The site coordinates are: Latitude N42° 18' 37.76", Longitude W 70° 58' 35.94".

The City of Boston is seeking Corps authorization to conduct work within and to discharge dredged and/or fill material into up to 9.23 acres of waters of the United States within Boston Harbor, as part of the installation of utility crossings (a 16-inch HDPE water main, an electrical submarine cable, and a telecom submarine cable) from Moon Island to Long Island. These utilities previously hung off the pre-existing Long Island Bridge, but they needed to be relocated when the bridge was scheduled for demolition. The City of Boston plans to trench in these utilities or to install them using a horizontal directional dredge technique. Approximately 29,330 cubic yards of sediment will be excavated by a barge mounted excavators as part of the trenching operations. This project will be phased so that only small segments of the crossing will be open at any time. Sediments will be temporarily stockpiled within in-water areas adjacent to the trench. The City of Boston proposes to install turbidity curtains around the construction area, in order to minimize turbidity impacts to adjacent areas. Suitable sediments will be used to backfill the utility trench. Unsuitable sediments will be disposed of at an approved upland disposal area.

The City of Boston has prepared a restoration plan, detailing how open water areas within the construction area will be restored, so that these impacts are only temporary. Portions of the impact areas that cannot be restored will considered permanent impacts and will need to be mitigated (e.g. In-Lieu Fee Program).

This work is described on the enclosed plans entitled "CITY OF BOSTON PUBLIC WORKS DEPARTMENT – UTILITY RELOCATIONS LONG ISLAND BRIDGE," on a total of 14 sheets, and dated "JANUARY 29, 2015" and revised "FEBRUARY 12, 2015."

AUTHORITY

Permits are required pursuant to:

XX Section 10 of the Rivers and Harbors Act of 1899

XX Section 404 of the Clean Water Act

_ Section 103 of the Marine Protection, Research and Sanctuaries Act.

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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.

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).

This project will impact approximately 9.23 acres of Essential Fish Habitat (EFH) for Atlantic Cod (Gadus morhua) [adults and juveniles], Red Hake (Urophysis chuss) [juveniles], White Hake (Urophysis tenuis) [adults and juveniles]; Windowpane Flounder (Scopthalmus aquosus) [all life stages]; Winter Flounder (Pleuronectes americanus) [all life stages]; Little Skate (Leucoraja erinacea) [adults and juveniles]; and Winter Skate (Leucoraja ocellata) [juveniles]. This habitat consists of a mixture of coarse and fine grained habitat types. Temporary loss of these habitats may adversely affect the above mentioned EFH species. 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.

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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.

COASTAL ZONE MANAGEMENT

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:

- (XX) Permit, License or Assent from State.
- (XX) Permit from Local Wetland Agency or Conservation Commission.
- (XX) 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 Paul Sneeringer at (978) 318-8491, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

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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.

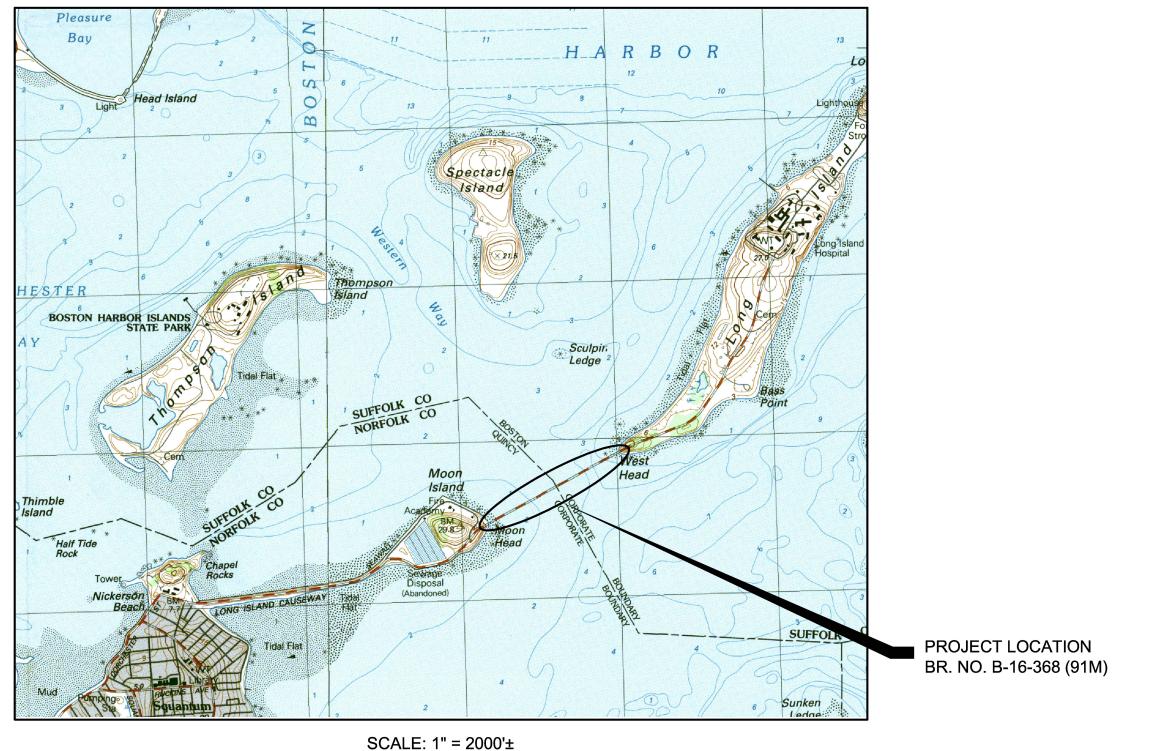
Karen K. Adams

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:	





CITY OF BOSTON PUBLIC WORKS DEPARTMENT UTILITY RELOCATIONS LONG ISLAND BRIDGE

FIGURE 1: LOCUS MAP

DATE: JANUARY 29, 2015 REVISED: FEBRUARY 12, 2015

