# US Army Corps

US Army Corps of Engineers 

New England District 696 Virginia Road Concord, MA 01742-2751

# **PUBLIC NOTICE**

Comment Period Begins: January 27, 2015 Comment Period Ends: February 11, 2015

File Number: NAE-2014-2100 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 City of Boston Public Works Department, One City Hall Plaza, Room 710, Boston, Massachusetts, 02201. This work is proposed in Boston Harbor (Quincy Bay) at the Long Island Bridge, which connects Moon Island in Quincy and Long Island in Boston. The site coordinates are: Latitude N 42° 18' 37.76" Longitude W 70° 58' 35.94".

The City of Boston is seeking Corps authorization to retain the twelve bridge piers within Boston Harbor after the existing Long Island Bridge deck is demolished. There is an immediate need to remove the bridge deck however the in-water piers may be used later as part of the construction of a replacement bridge. A permit is required from the United States Coast Guard ("USCG") for bridges over navigable waters but once these in-water piers are no longer used as part of a bridge, the Corps needs to authorize this change in use. The City of Boston has proposed retaining the in-water piers for up to ten years, while they do the necessary investigations and bridge design for a possible replacement bridge. The City of Boston has proposed to maintain light at the individual in-water piers, as an aid to navigation. A bridge permit would be required from the USCG for the construction of a replacement bridge.

No mitigation is proposed at this time as there will be no new impacts due to this change in use. Removal and restoration of the substrate may be required if future bridge plans do not include use of these piers.

The work is shown on the attached plans entitled "CITY OF BOSTON PUBLIC WORKS DEPARTMENT BRIDGE SUPERSTRUCTURE DEMOLITION LONG ISLAND BRIDGE," on a total of 11 sheets, and dated "JANUARY 7, 2015."

#### **AUTHORITY**

Permits are required pursuant to:
X 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 Ac

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

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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.

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). No new impacts to EFH are anticipated.

#### 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)

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.

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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 Paul Sneeringer at (978) 318-8491, (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 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

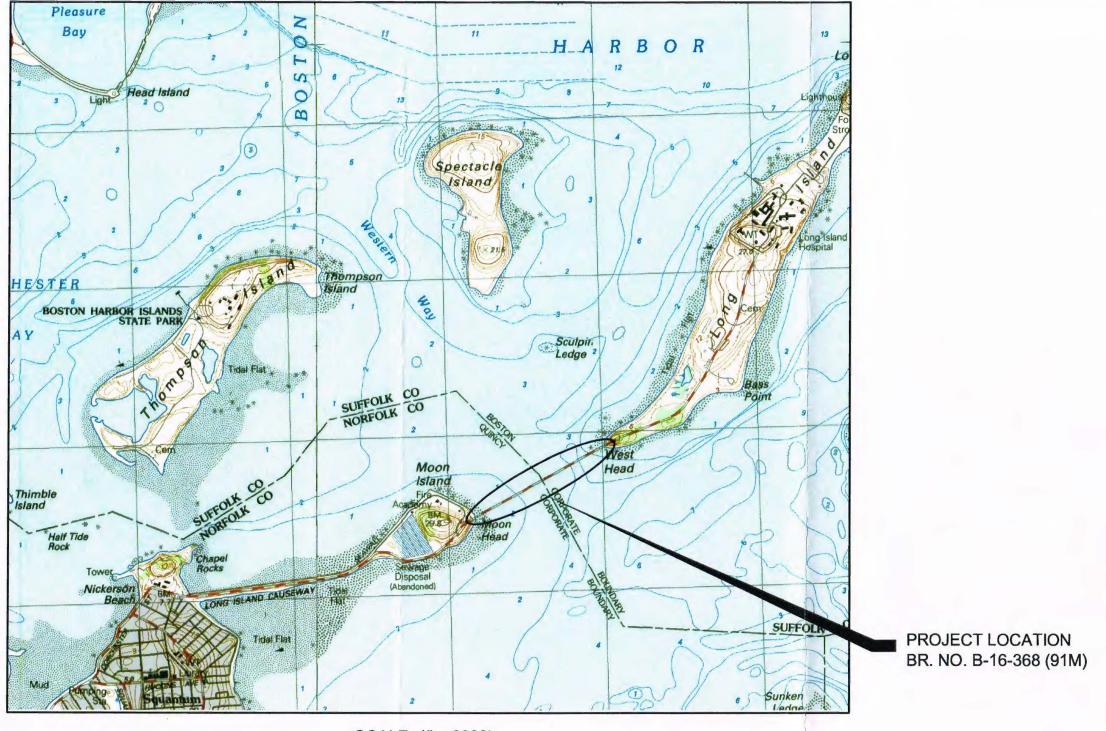
Chief, Permits and Enforcement Branch

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**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 <a href="mailto:bettina.m.chaisson@usace.army.mil">bettina.m.chaisson@usace.army.mil</a>. 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:	



SCALE: 1" = 2000'±



CITY OF BOSTON PUBLIC WORKS DEPARTMENT
BRIDGE SUPERSTRUCTURE DEMOLITION
LONG ISLAND BRIDGE
FIGURE 1: LOCUS MAP

DATE: JANUARY 7, 2014

