



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

# PUBLIC NOTICE

**Comment Period Begins: 12 April 2016**  
**Comment Period Ends: 13 May 2016**  
**File Number: NAE 2006-860**  
**In Reply Refer To: Mr. Brian Valiton**  
**Phone: (978) 318-8166**  
**E-mail: [brian.e.valiton@usace.army.mil](mailto:brian.e.valiton@usace.army.mil)**

The District Engineer has received a permit application to conduct work in waters of the United States from Insight Bridgeway, Inn, LLC, 1277 Ferry Street, Marshfield, Massachusetts. This work is proposed in the South River at the existing marina at this location just downstream of the Sea Street Bridge. The site coordinates are: Latitude 42° 08' 17.04" N; Longitude 70° 41' 39.39 W.

The work involves the retention of an existing fixed dock which was relocated downstream from its originally permitted location, the retention of approx. 4500 sq. ft. of pile-anchored floating docks which were relocated and reoriented from their previously permitted location, to extend the entire pile-anchored floating dock facility farther out into the waters of the South River as shown on sheet 3 of 5, and to create an existing reconfiguration perimeter around the facility with coordinates as also shown on sheet 3 of 5 of the attached drawings.

The work is shown on the attached plans entitled "Existing Marina Plan in: the South River, Marshfield at Bridgeway Marina County of Plymouth, MA Application by: Insight Bridgeway Inn, LLC", on 5 sheets, and dated "February 2016."

The proposed relocation of the marina farther into the waterway will allow the interior floating docks and the vessels moored to them to be in deeper water farther away from intertidal resource areas so the impacts to intertidal resource areas are minimized.

## **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 approx. 4500 sq. ft. of Essential Fish Habitat (*EFH*) for Atlantic cod (eggs, larvae, juveniles, adults), haddock (eggs, larvae), pollock (eggs, larvae, juveniles, adults), whiting (eggs, larvae, juveniles, adults), red hake (eggs, larvae, juveniles, adults), white hake (eggs, larvae, juveniles, adults), winter flounder (eggs, larvae, juveniles, adults), yellowtail flounder (eggs, larvae, juveniles, adults), windowpane flounder (eggs, larvae, juveniles, adults), American plaice (eggs, larvae, juveniles, adults), ocean pout (eggs, larvae, juveniles, adults), Atlantic halibut (eggs, larvae, juveniles, adults), Atlantic sea scallop (eggs, larvae, juveniles, adults), Atlantic sea herring (larvae, juveniles, adults), monkfish (eggs, larvae, adults), bluefish (juveniles, adults), long finned squid (juveniles, adults), short finned squid (juveniles, adults), Atlantic butterfish (egg, larvae, juveniles, adults), Atlantic mackerel (eggs, larvae, juveniles, adults), summer flounder (adults), scup (juveniles, adults), black sea bass (adults), surf clam (juveniles, adults), spiny dogfish (adults), and bluefin tuna (juveniles, adults). This habitat consists of sand and gravel. Loss of this habitat may adversely affect spawning habitat for various species including winter flounder. However, the District Engineer has made a preliminary determination that the site-specific adverse effect of the existing docks and vessel usage of them during the summer boating season 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.

### 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:

- 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 Mr. Brian Valiton at (978) 318-8166, (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.**

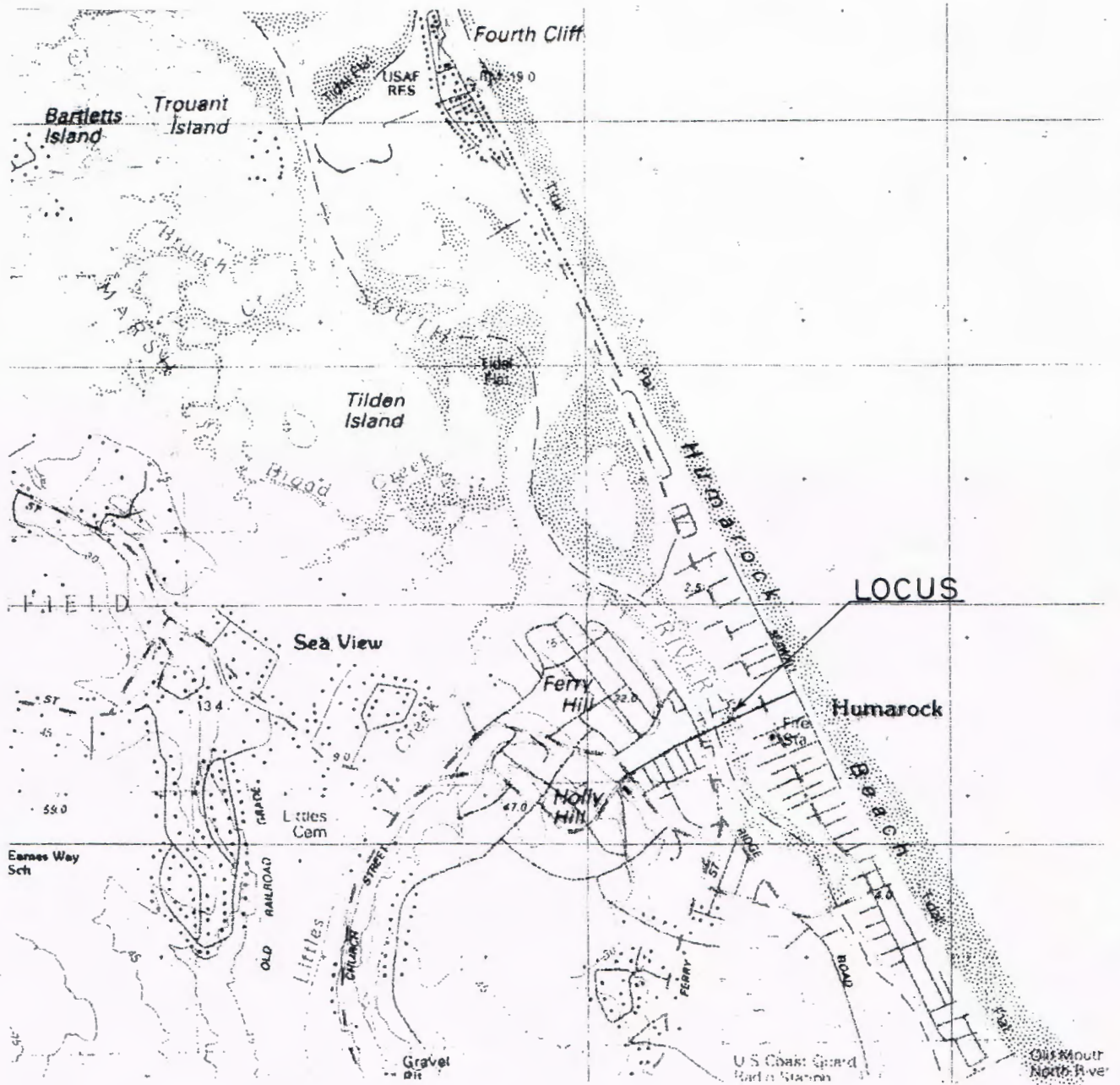


**Charles N. Farris**  
**Chief, Permits and Enforcement Branch A**  
**Regulatory Division**

**CENAE-R**  
**FILE NO. NAE-2006-00860**

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: \_\_\_\_\_



**Scituate, MA**

Source: 1"=2,000

**PURPOSE:** To permit the new pier location, proposed float layout and reconfiguration Zone

**Datum:** MLW = 0.0  
 MHW = 8.8  
 HTL = 10.8

John A. Capocéfalo, P.E.

Applicant  
 Insight Bridgeway Inn, LLC  
 1277 Ferry Street  
 Marshfield, MA 02050

Existing Marina Plan in the South River, Marshfield at the Bridgeway Marina County of Plymouth, MA  
 Application by:  
 Insight Bridgeway Inn, LLC  
 Date: February, 2016 Sheet 1 of 5

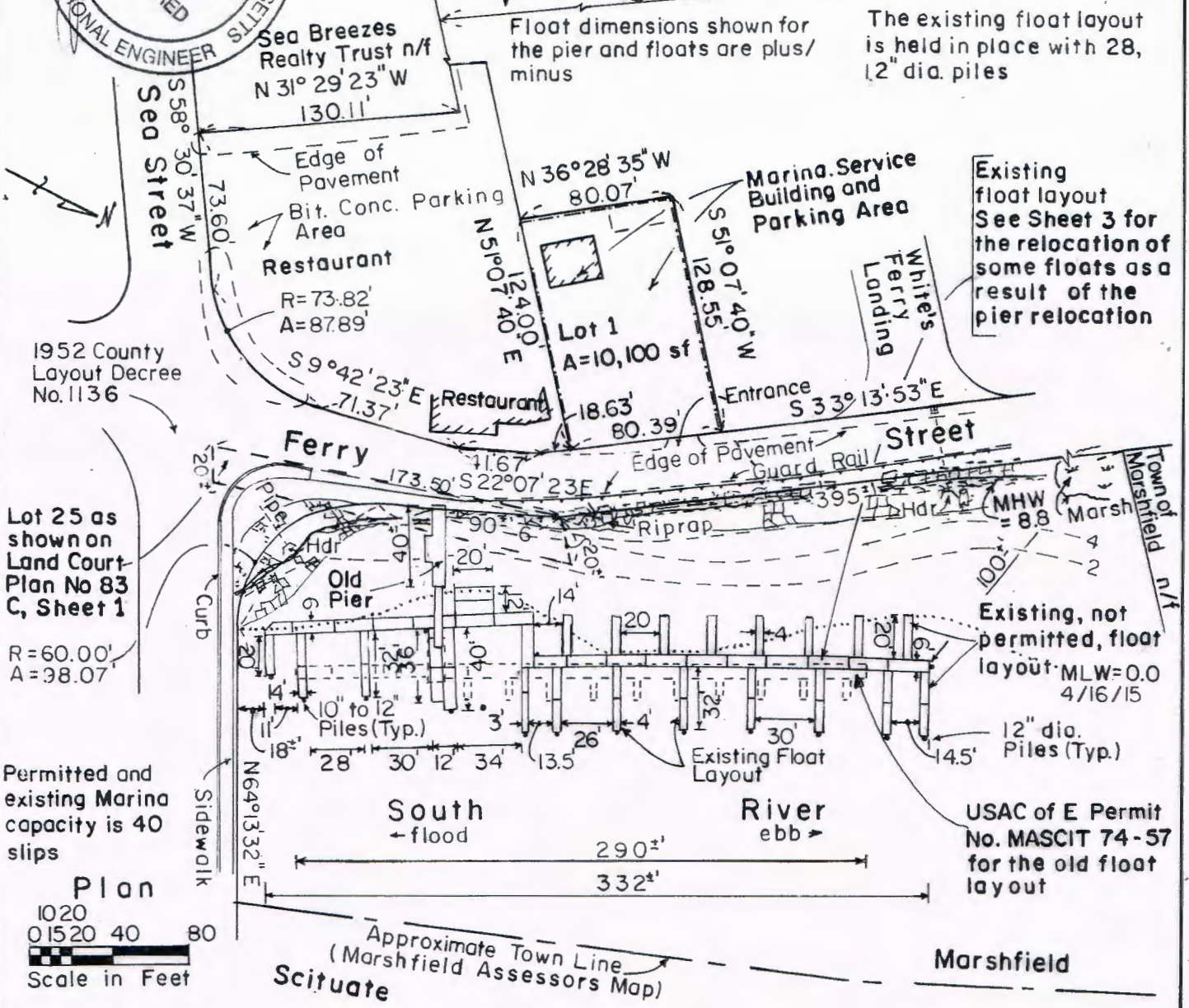


The property lines shown on these plans are not the results of an actual on the ground survey. The lines of ownership have been compiled from plans and deeds of records

These plans have been prepared for obtaining environmental permits for the new relocated pier, proposed float layout within the proposed zone of reconfiguration

Float dimensions shown for the pier and floats are plus/minus

The existing float layout is held in place with 28, 12" dia. piles



Existing float layout See Sheet 3 for the relocation of some floats as a result of the pier relocation

Existing, not permitted, float layout MLW=0.0 4/16/15

USAC of E Permit No. MASCIT 74-57 for the old float layout

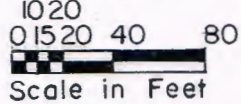
1952 County Layout Decree No. 1136

Lot 25 as shown on Land Court Plan No 83 C, Sheet 1

R=60.00' A=98.07'

Permitted and existing Marina capacity is 40 slips

Plan



**PURPOSE:** To permit the new pier location, proposed float layout and reconfiguration zone

**Datum:** MLW = 0.0  
MHW = 8.8  
HTL = 10.8

John A. Capocefalo, P.E.

**Old Pier Location, Existing Float Layout & Former Float Layout**

**Applicant:**  
Insight Bridgeway Inn, LLC  
1277 Ferry Street  
Marshfield, MA 02050

**Existing Marina Plan in:**  
the South River, Marshfield  
at: Bridgeway Marina  
County of Plymouth, MA

**Application by:**  
Insight Bridgeway Inn, LLC

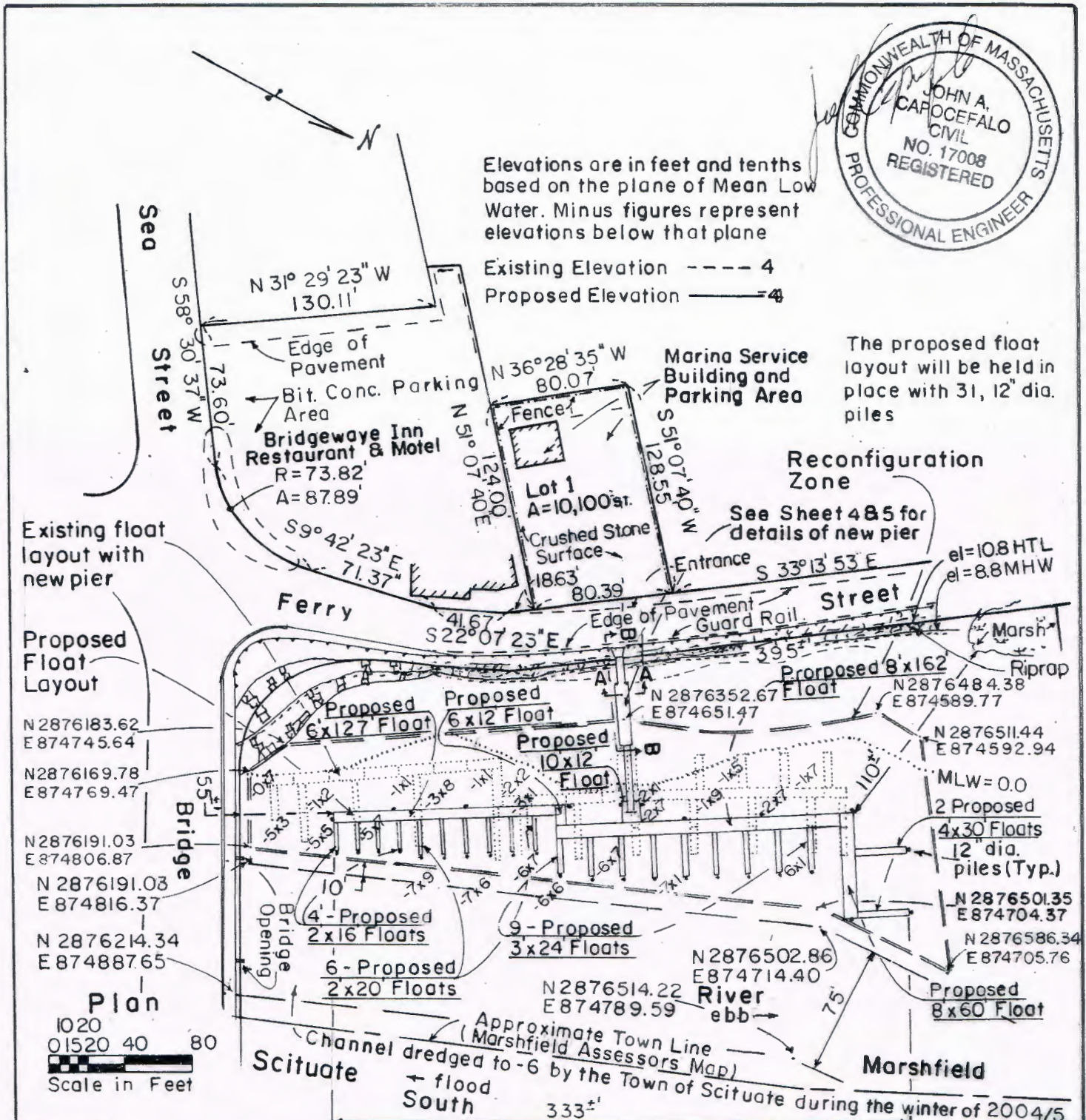
**Date:** February, 2016 Sheet 2 of 5



Elevations are in feet and tenths based on the plane of Mean Low Water. Minus figures represent elevations below that plane

Existing Elevation - - - - 4  
Proposed Elevation - - - - 4

The proposed float layout will be held in place with 31, 12" dia. piles



**PURPOSE:** To permit the new pier location, proposed float layout and reconfiguration zone

**Datum:** MLW = 0.0  
MHW = 8.8  
HTL = 10.8

John A. Capocéfalo, P. E.

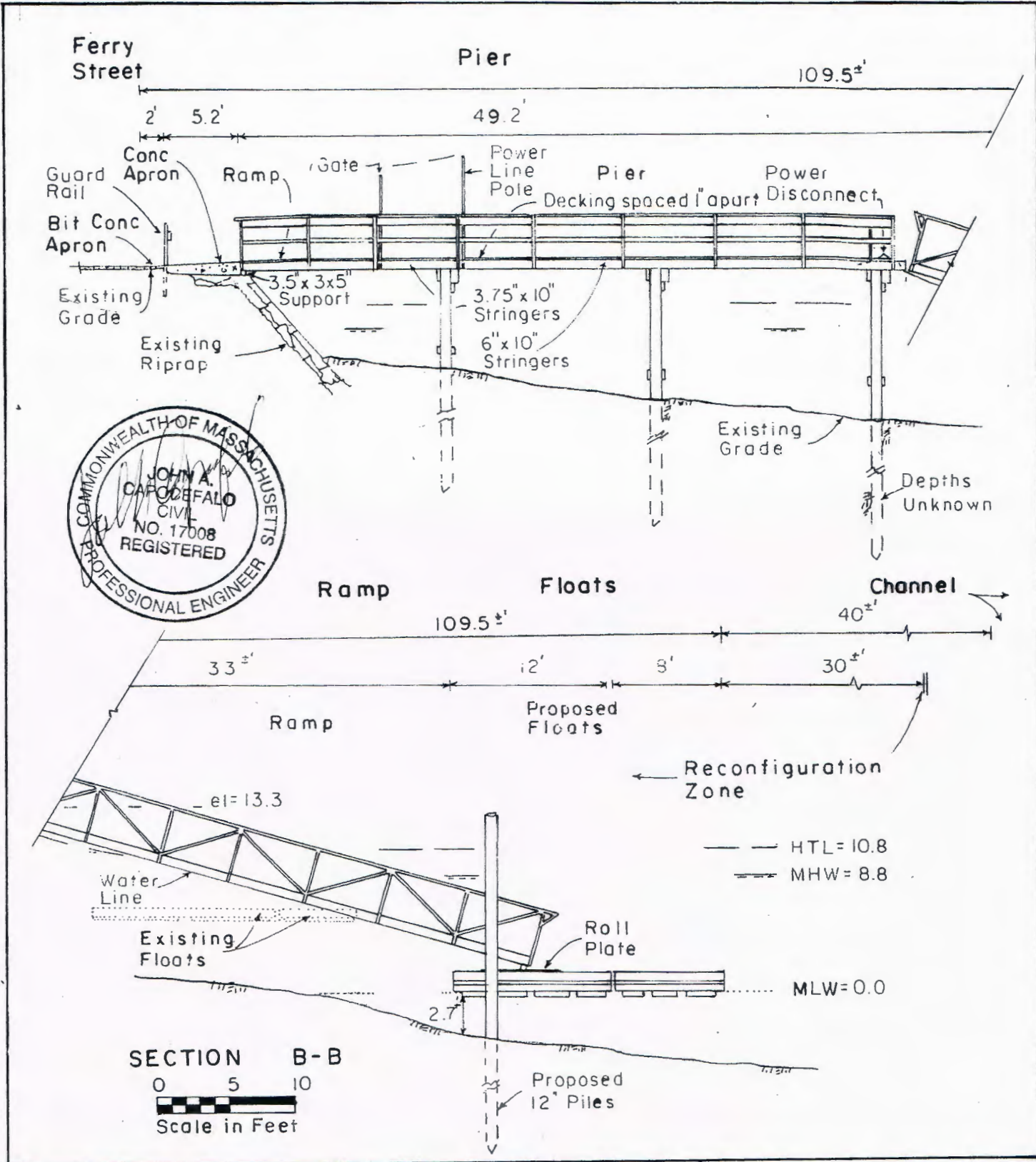
**Existing & Proposed Float Layouts & Reconfiguration Zone**

**Applicant:**  
Insight Bridgewater Inn, LLC  
1277 Ferry Street  
Marshfield, MA 02050

**Existing Marina Plan in:**  
the South River, Marshfield  
at: Bridgewater Marina  
County of Plymouth, MA

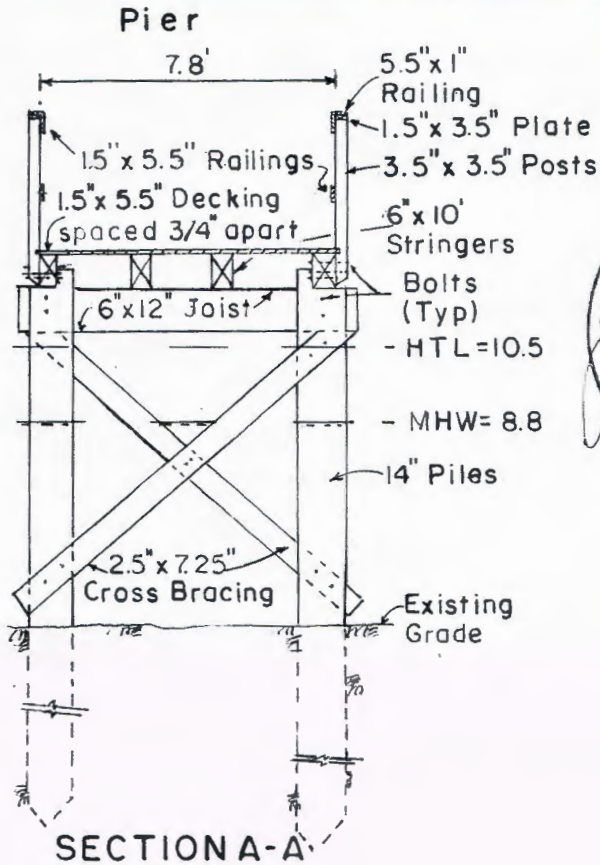
**Application by:**  
Insight Bridgewater Inn, LLC

**Date:** February, 2016 Sheet 3 of 5

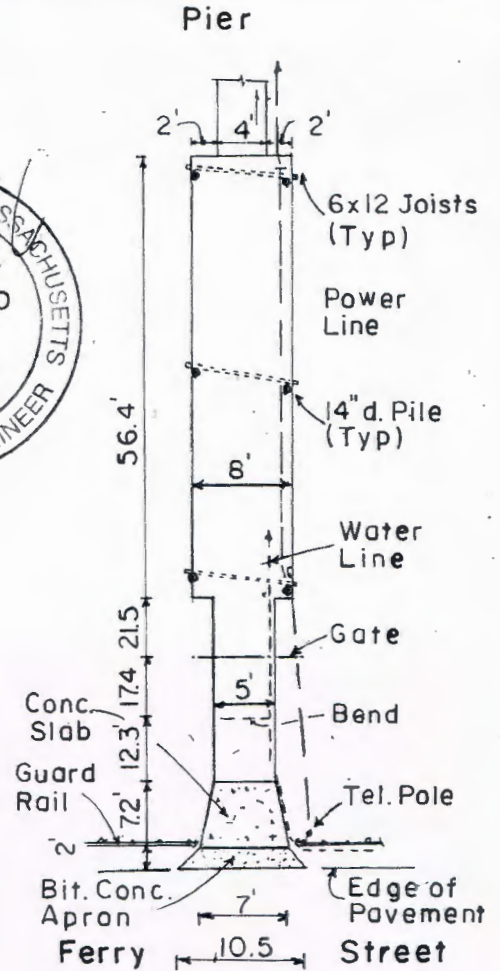
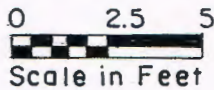


<p><b>PURPOSE:</b> To permit the new pier location, proposed float layout and reconfiguration Zone</p> <p><b>Datum:</b> MLW = 0.0 MHW = 8.8 HTL = 10.8</p> <p>John A. Capocéfalo, P.E.</p>	<p><b>Pier Profile</b></p> <p>Applicant Insight Bridgeway Inn, LLC 1277 Ferry Street Marshfield, MA 02050</p>	<p>Existing Marina Plan in the South River, Marshfield at the Bridgeway Marina County of Plymouth, MA</p> <p>Application by: Insight Bridgeway Inn, LLC</p> <p>Date: February, 2016 Sheet 4 of 5</p>
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SECTION A-A



PIER PLAN



This plan has been prepared for the purpose of obtaining authorization for the relocation of the floats and piles within the reconfiguration zone and for approval of the pier relocation

The property lines shown on this plan are not the results or an on the ground survey. The lines of ownership have been compiled from plans and deeds of record.

Existing Elevations --- - 2. There is no proposed change in grades

The soundings shown on this plan 3x2, are below the plane of Mean Low Water

Lot 1, Dockmaster's Building and parking area is shown as Lot 26 on Assessor's Map I-16, Block 15 Lot 25, the Marina is shown as Lot 1 on Assessor's Map I-16, Block 15

Lot 26, Dockmaster's Building and parking area is shown as Lot 1 on a subdivision plan recorded in Plan Book 52, Page III 3, and in deed recorded in Deed Book 32185, Page 22 at the Plymouth Registry of Deeds

<p><b>PURPOSE:</b> To permit the new pier location, proposed float layout and reconfiguration Zone</p> <p><b>Datum:</b> MLW = 0.0 MHW = 8.8 HTL = 10.8</p> <p>John A. Capocéfalo, P.E.</p>	<p><b>Pier Section, Pier Plan &amp; Notes</b></p> <p>Applicant Insight Bridgeway Inn, LLC 1277 Ferry Street Marshfield, MA 02050</p>	<p>Existing Marina Plan in the South River, Marshfield at the Bridgeway Marina County of Plymouth, MA</p> <p>Application by: Insight Bridgeway Inn, LLC</p> <p>Date: February, 2016 Sheet 5 of 5</p>
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