

PUBLIC NOTICE

US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: July 11, 2017 Comment Period Ends: August 11, 2017

File Number: NAE-2006-2309

In Reply Refer To: Lindsey Lefebvre

Phone: (978) 318-8295

E-mail: Lindsey.E.Lefebvre@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Mashpee Neck Marina, Inc. (Timothy W. Leedham), 100 Falmouth Road, Mashpee, Massachusetts, 02649. This work is proposed in Shoestring Bay at 21 Frog Pond Close, Mashpee, Massachusetts. The site coordinates are: Latitude 41.6025 Longitude -70.465.

The work involves the replacement of the existing deteriorated timber/composite bulkheads, relocation of the existing boat ramp, installation of a new boat wash (with recycling power wash system), dredging with on-site and off-site re-use of sediments, reconfiguration and expansion of the existing float system (including authorization of a reconfiguration zone), relocation of the existing fuel dock and shed along with ancillary site amenities, including a new timber deck and walkway and additional on-site parking. The proposed work includes the following:

- The existing composite sheet pile bulkhead and failed timber bulkhead will be replaced with a new timber bulkhead. The new bulkhead will be approximately +/- 330 feet in length and include 12-inch diameter timber fender piles spaced 3 feet on-center along the seaward face.
- The existing boat ramp will be removed, and the area will be backfilled with approximately 1,584 square feet of dredged material. A new 18 foot by 88 foot reinforced, cast-in-place concrete boat ramp, which will include an 8 foot by 18 foot anti-scour pad will be constructed approximately 40 feet east of the existing ramp location.
- A new fuel dock will be installed adjacent to the boat ramp and consist of a 10 foot by 42 foot floating
 dock and a 4 foot by 25 foot aluminium gangway. An additional timber float will be installed on the
 opposite side of the boat ramp and consist of a 4 foot by 36 foot timber float and a 3 foot by 35 foot
 gangway.
- A new reconfiguration zone as shown on Sheet 10 of 15 of the attached plans. This allows the applicant to rearrange any permitted structures within that zone without applying for a permit; but does not allow an increase in the total number of slips, the square footage of the floats, or the extension of 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.
- The current docking facility at the marina is comprised of +/-6,433 square feet of seasonal, timber floats. The existing dock configuration will be modified and expanded to a total of +/-18,982 square feet, resulting in a net increase of +/-12,549 square feet. The new marina docking facility will provide slip

space for up to 154 vessels and will consist of 5 main dock areas, designated A through E as shown on Sheet 5 of 15 of the attached Plans. 6 foot wide wave attenuator floats will also be installed at the seaward most ends of C, D, and E docks. Floats will be pile-supported with a total of 113, 12-inch diameter timber piles. A total of 73 free-standing, 12 inch diameter timber fender piles will be installed at double-slip locations.

- The existing 40 foot by 25 foot timber picnic dock will be removed and replaced with a new 26 foot by 112 foot timber deck.
- The project proposes to conduct both maintenance and improvement dredging to provide adequate water depth for the expanded floating dock system and vessels throughout the tide cycles. The proposed dredging will be performed over an approximate total area +/- 4.3 acres and to a depth of -4.6 feet with a 1-foot allowable overdredge to a depth of -5.6 feet and approximate 3H:1V side slopes. An estimated +/- 19,240 cubic yards of sediment will be dredged from the total footprint area. Dredging is proposed to be conducted by mechanical or hydraulic methods, and sediments will be dewatered on-site within a designated containment area. Approximately 1,500 cubic yards of sediment dredged from the immediate vicinity of the bulkhead will be dewatered and reused as fill on site behind the bulkhead. The remaining materials will be disposed of at an upland facility.

The work is shown on the attached plans entitled "TO AUTHORIZE AND MAINTAIN REPLACEMENT BULKHEAD AND BOAT RAMP, FLOAT EXPANSION, DREDGING AND RECONFIGURATION ZONE AND SITE AMENITIES AT MASHPEE NECK MARINA, INC.," on 15 sheets, and dated "9/14/15."

The project has been designed and constructed to avoid and minimize adverse effects both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site. Best management practices will be implemented to avoid adverse effects including performing work within the time of year windows, coordination with the Shellfish Constable to located and identify existing shellfish, use of proper erosion control measures, and installing a temporary cofferdam to install the boat ramp in the dry. Compensatory mitigation has not been proposed at this time.

AUTHORITY

Perm	its are required pursuant to:
X	Section 10 of the Rivers and Harbors Act of 1899
X_	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.

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 4.3 acres of Essential Fish Habitat (*EFH*) for Pollock, Bluefish, Atlantic Butterfish, Atlantic Mackerel, Summer Flounder, and Scup. This habitat consists of a silty, coarse to fine sand. Loss of this habitat may adversely affect species listed above. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial because work outside of the time of year restrictions will avoid impacts to these species. 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:

- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) 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 Lindsey Lefebvre at (978) 318-8295, (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.

Barbara Newman

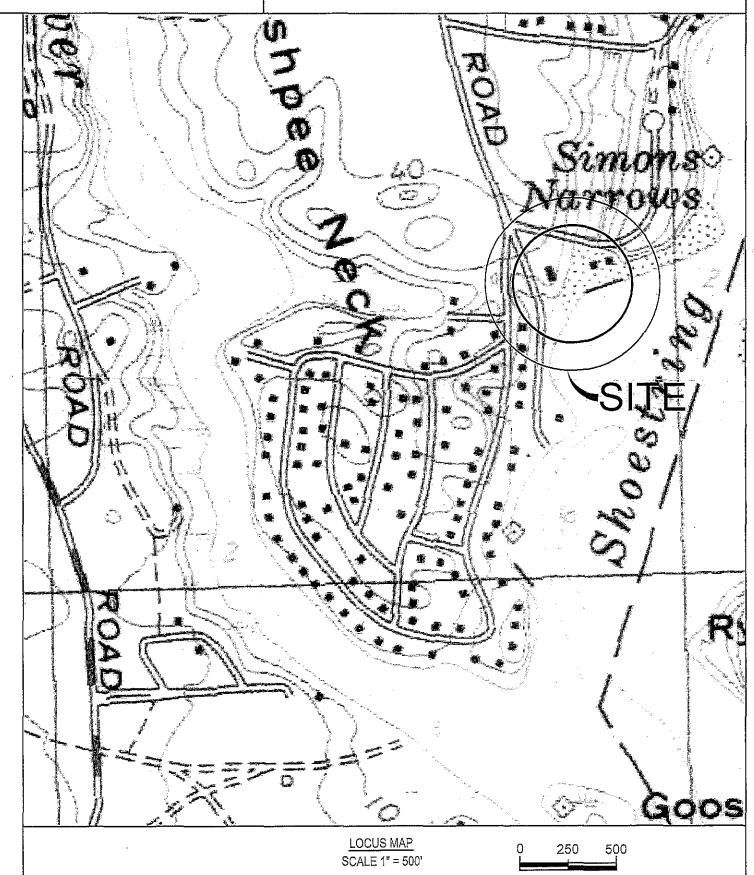
Chief, Permits and Enforcement Branch

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:	

GENERAL LAW 36 SECTION 13-A
I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



PLAN ACCOMPANYING PETITION OF: SHOESTRING BAY NOMINEE TRUST 100 FALMOUTH ROAD, MASHPEE MA, 02649

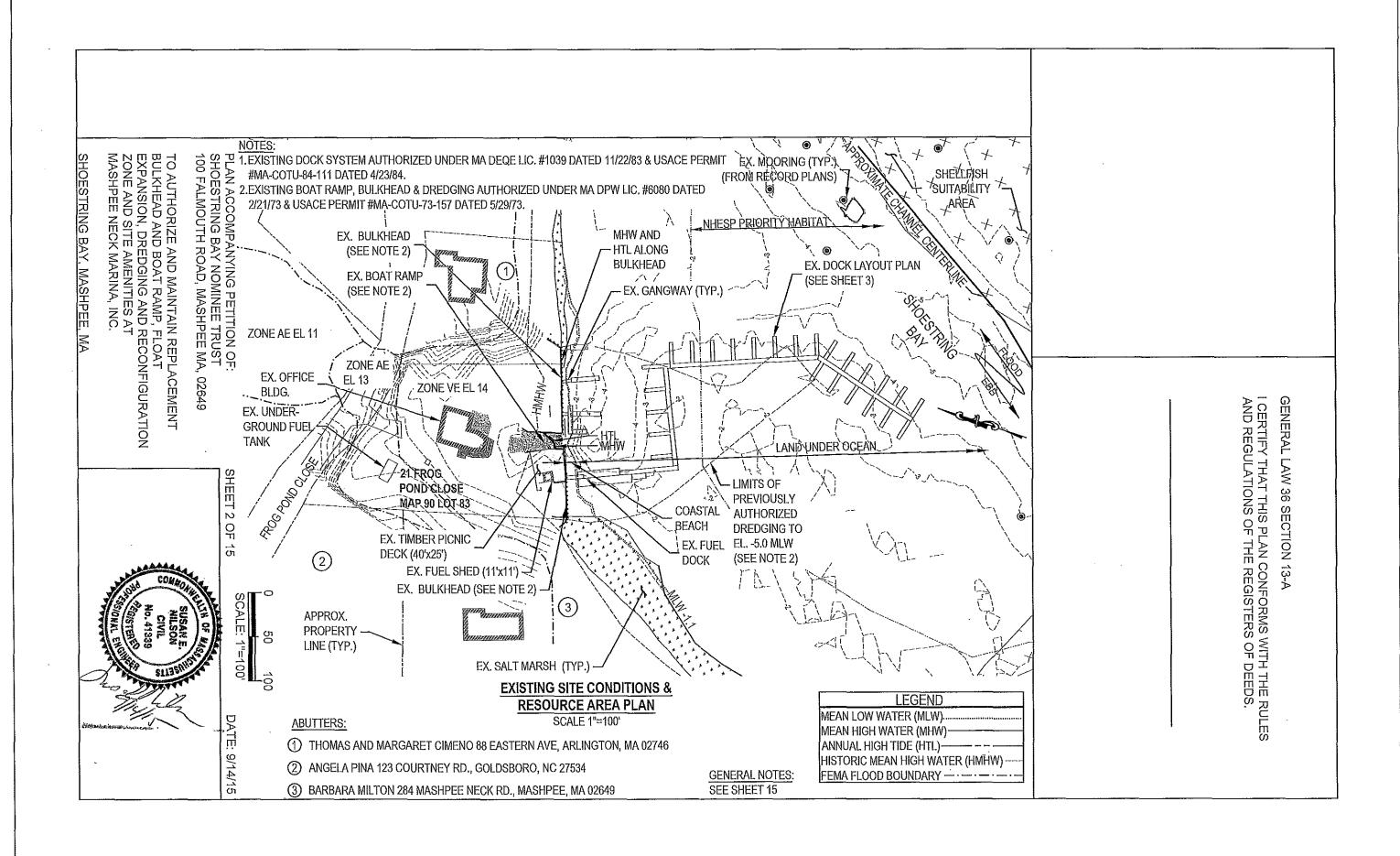
TO AUTHORIZE AND MAINTAIN REPLACEMENT BULKHEAD AND BOAT RAMP, FLOAT EXPANSION, DREDGING AND RECONFIGURATION ZONE AND SITE AMENITIES AT MASHPEE NECK MARINA, INC.

SHOESTRING BAY, MASHPEE, MA

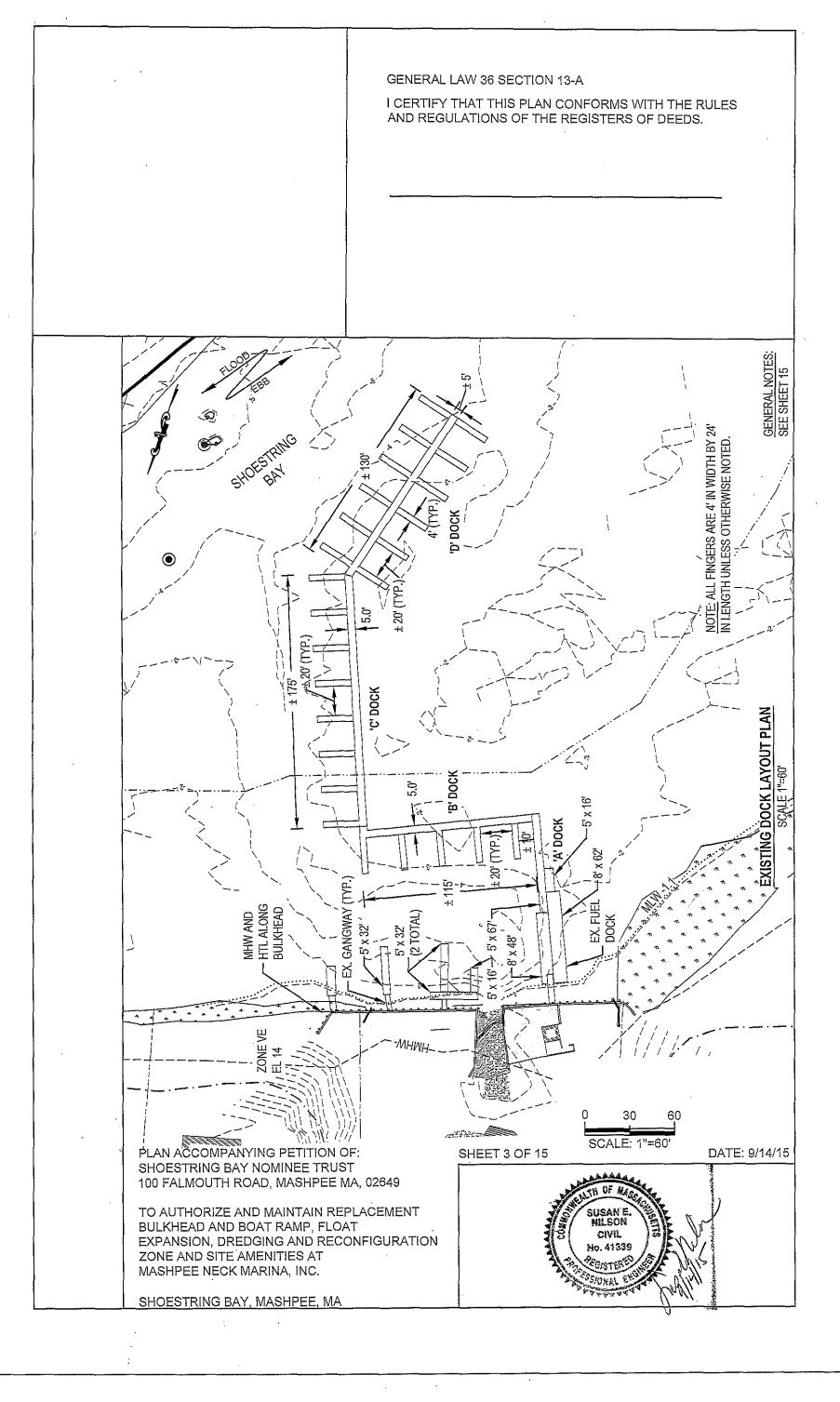
SHEET 1 OF 15

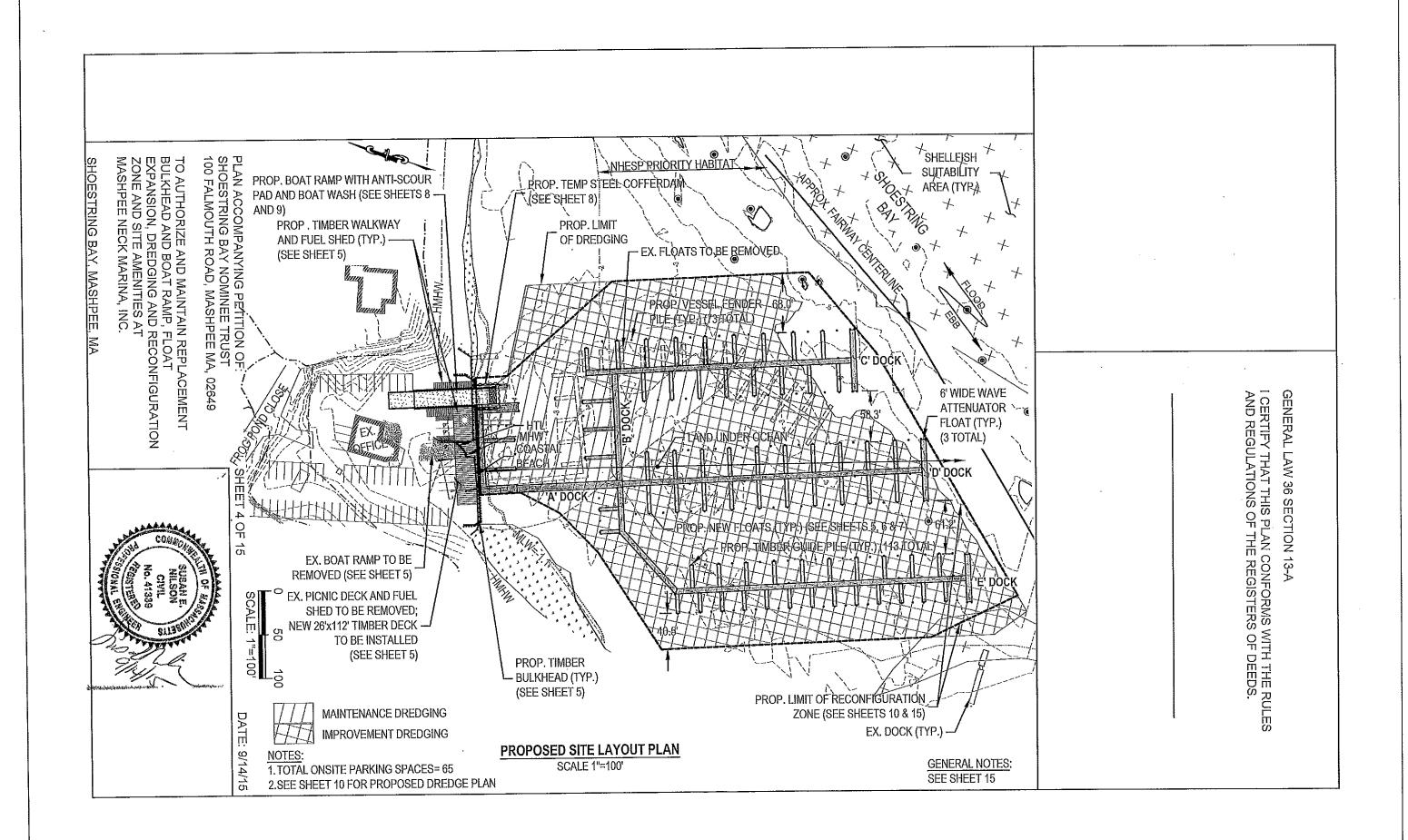
DATE: 9/14/15

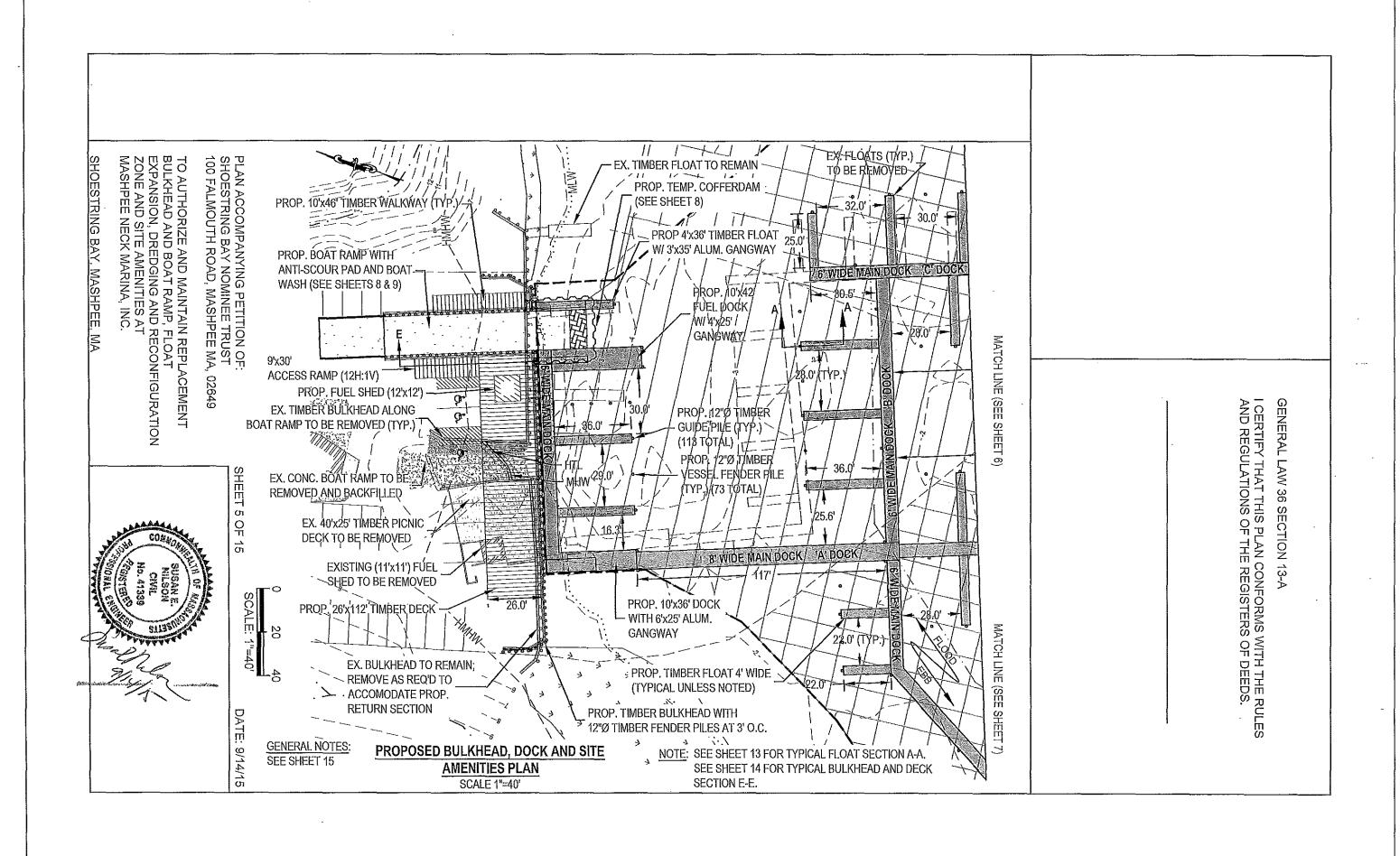


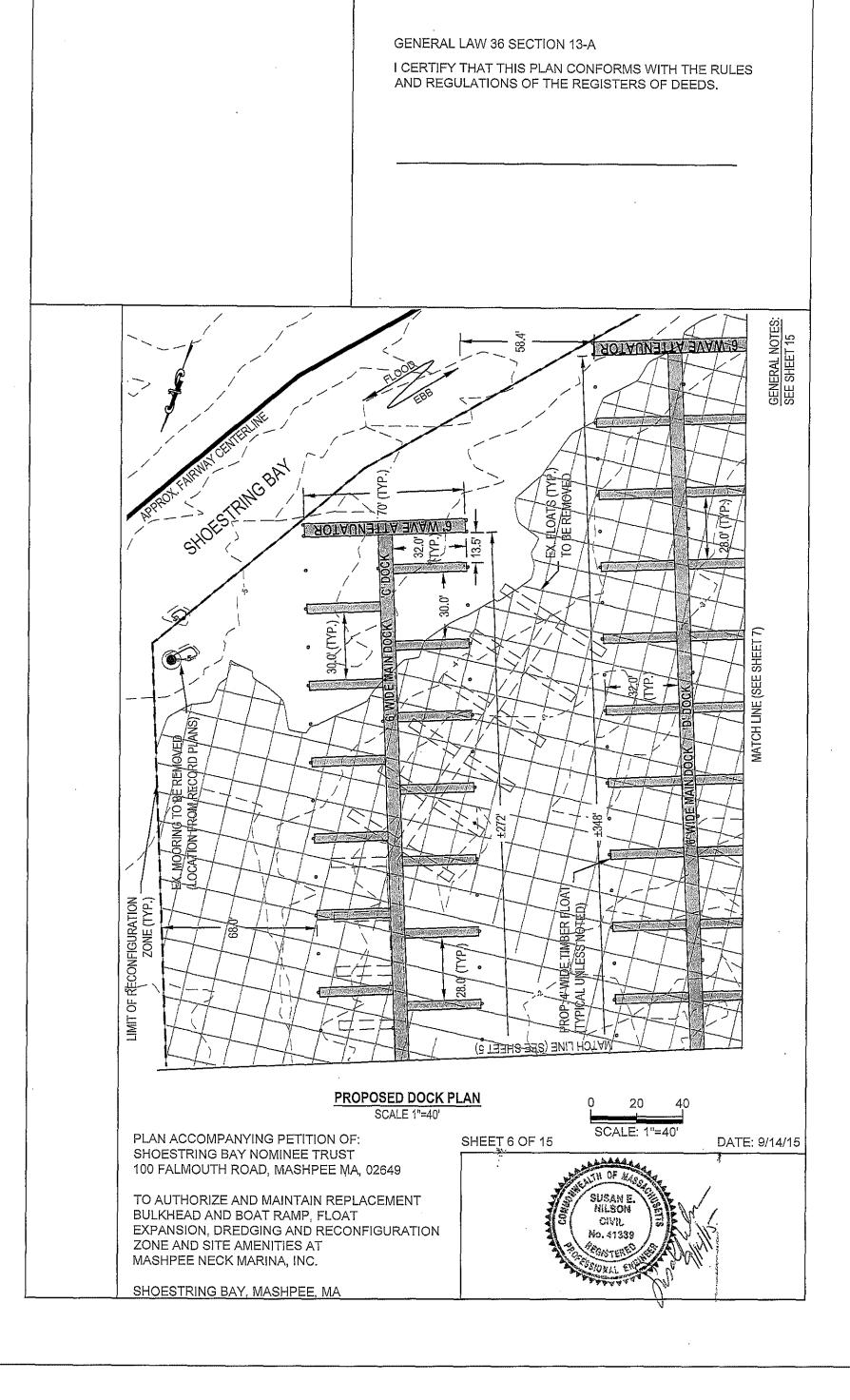


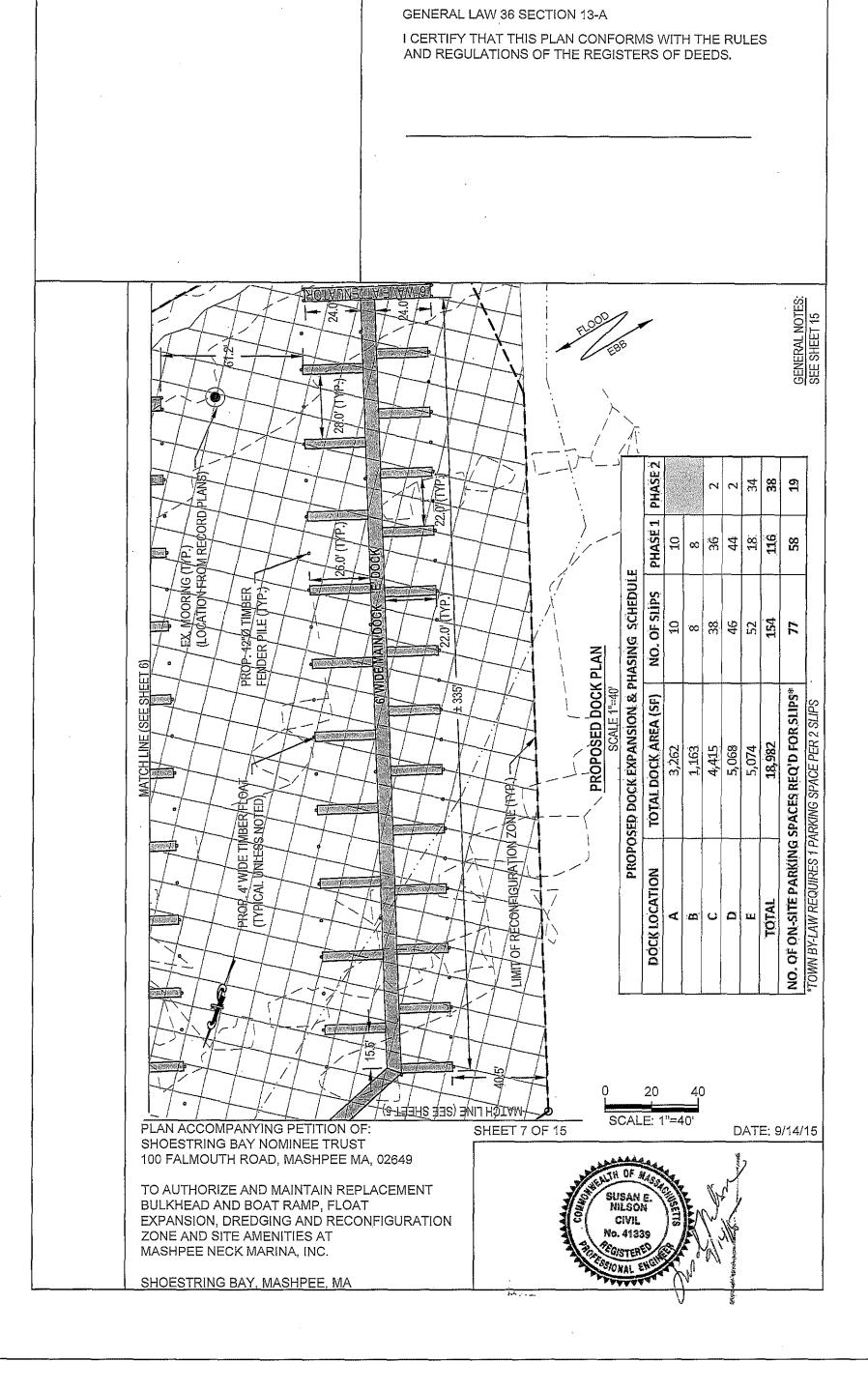
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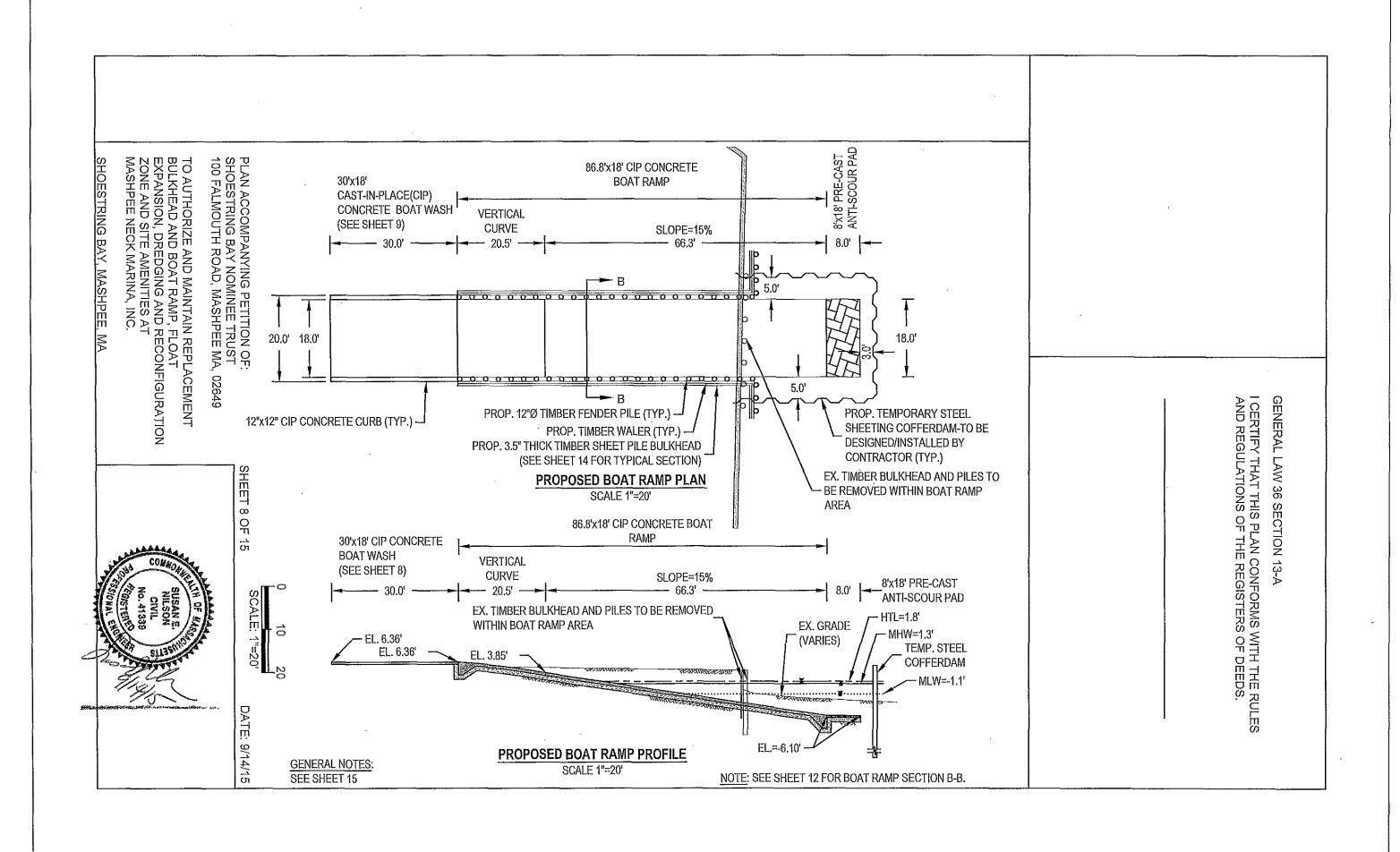


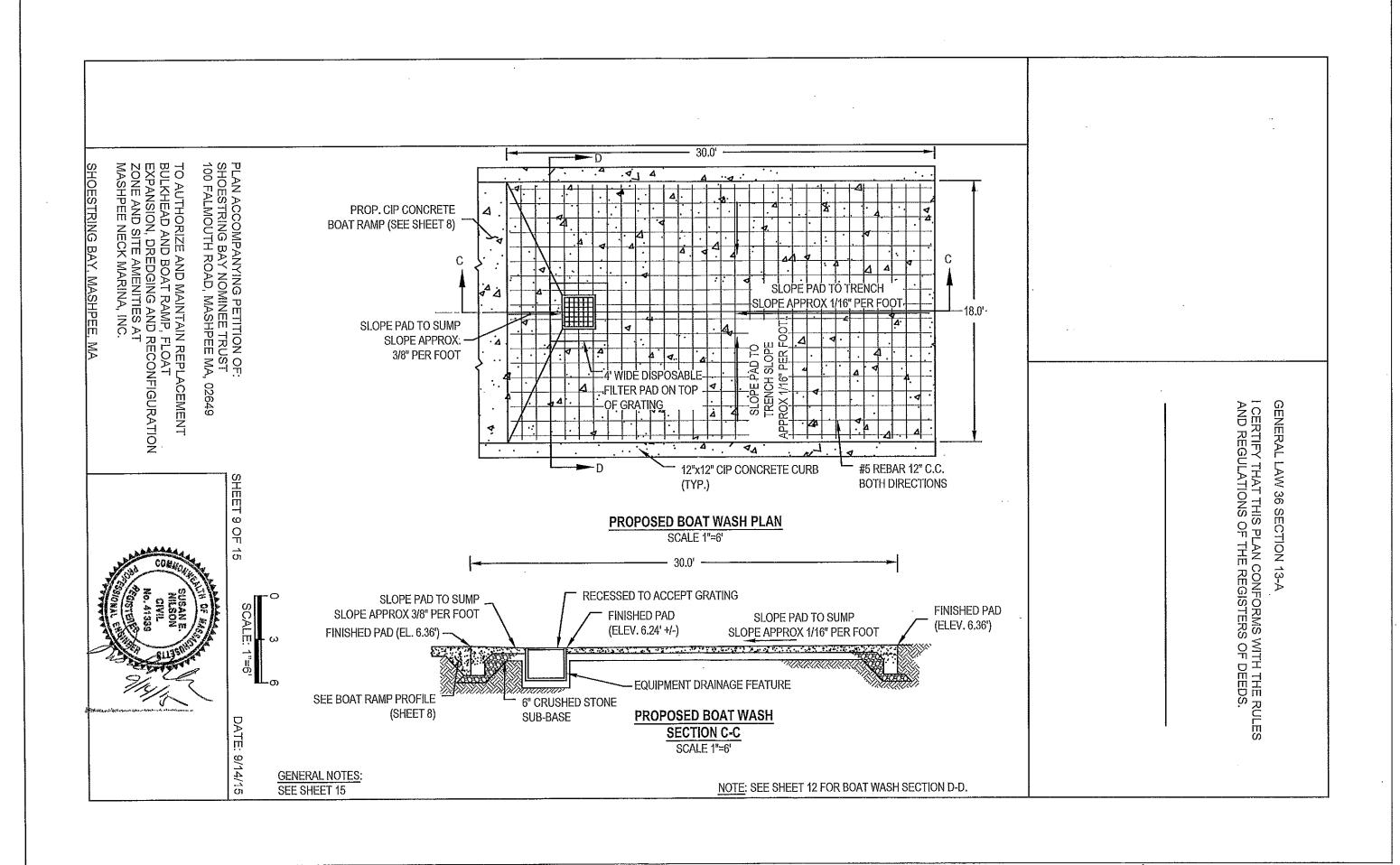


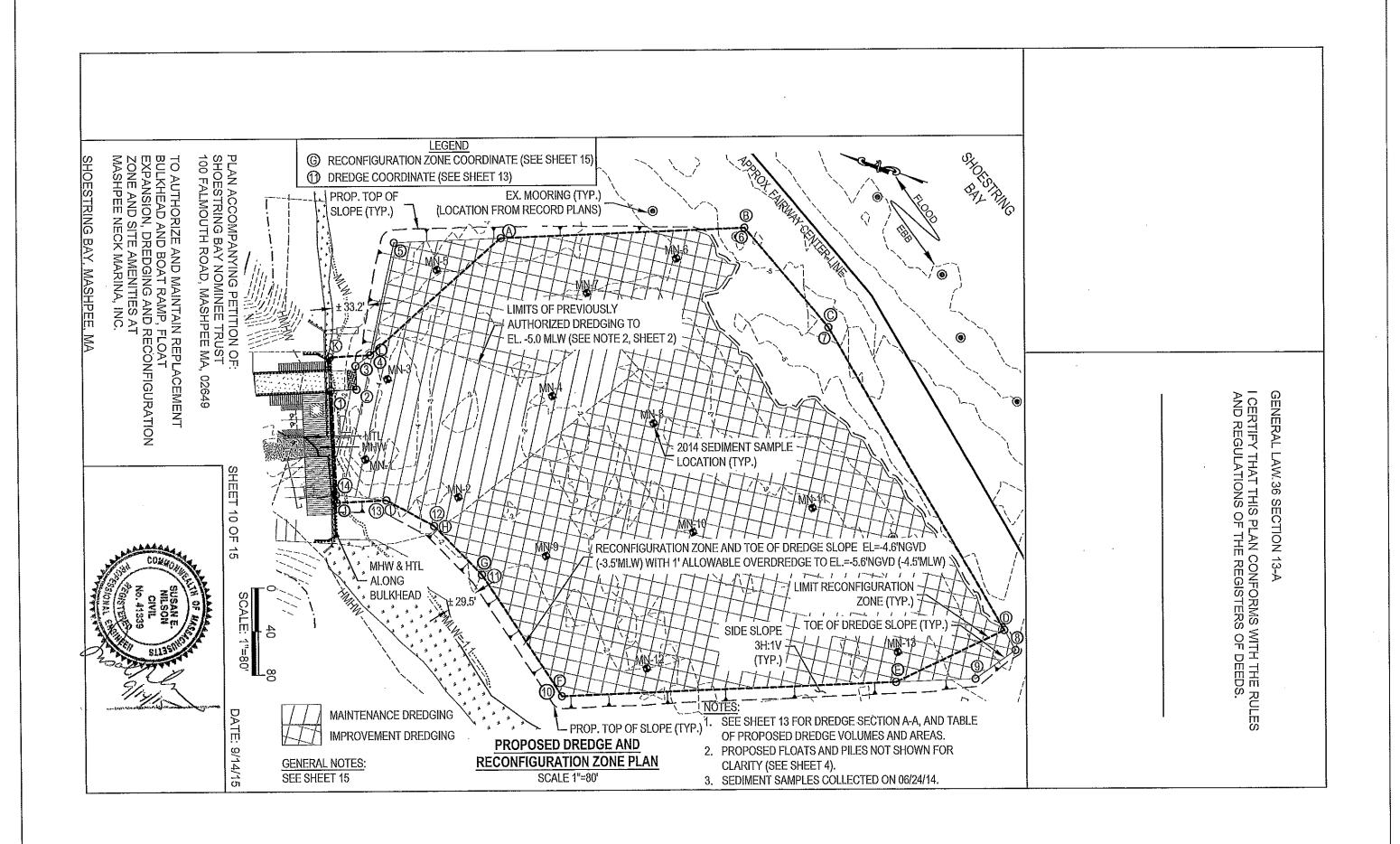






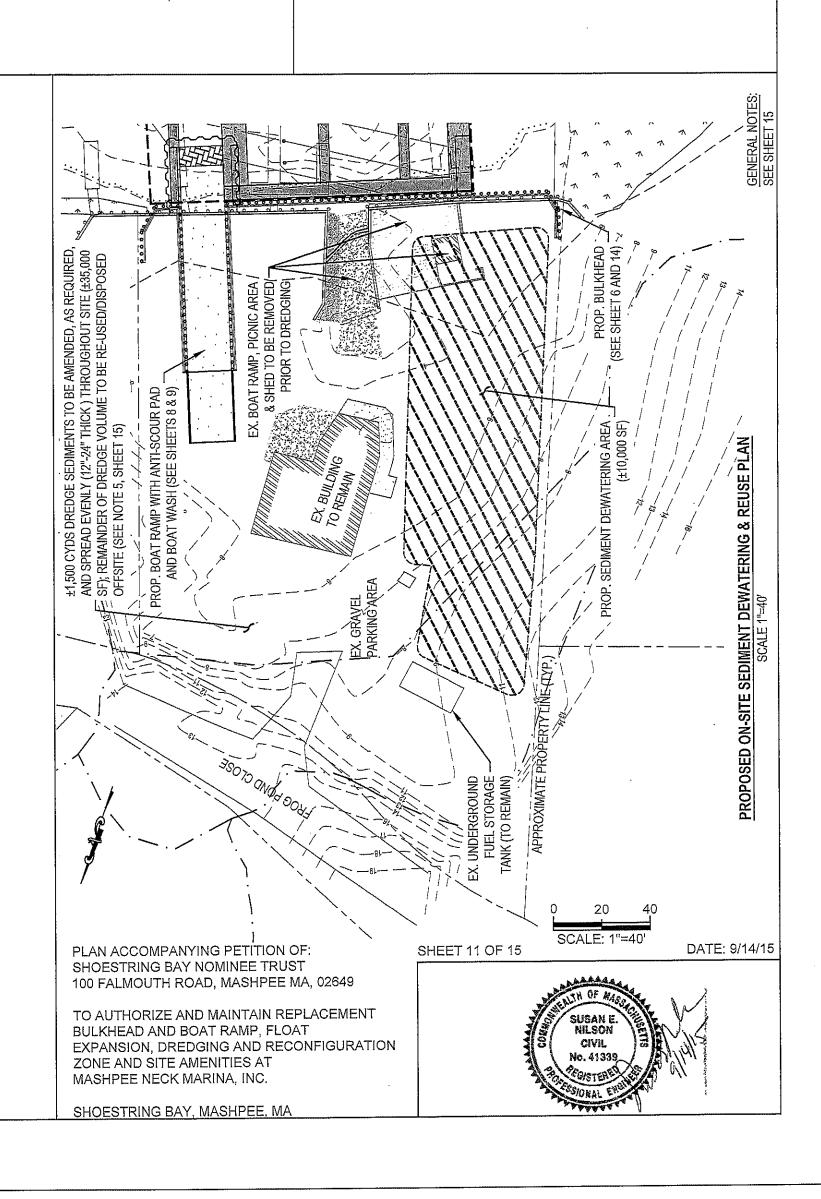






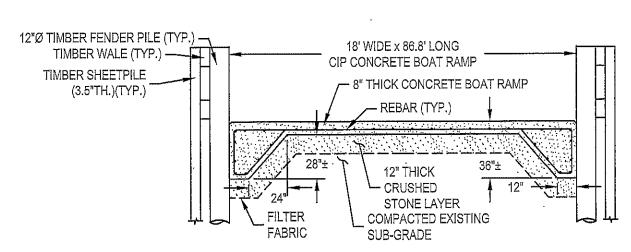
GENERAL LAW 36 SECTION 13-A

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

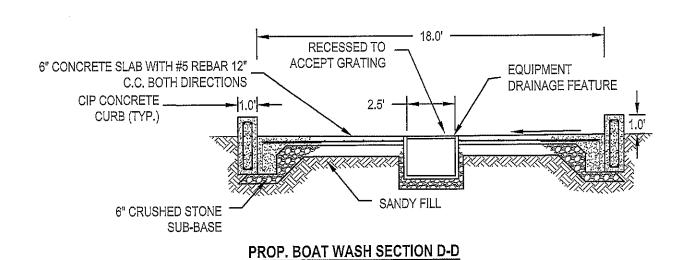


GENERAL LAW 36 SECTION 13-A

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PROP. BOAT RAMP SECTION B-B
SCALE 1"=5"

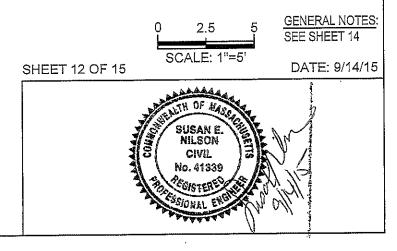


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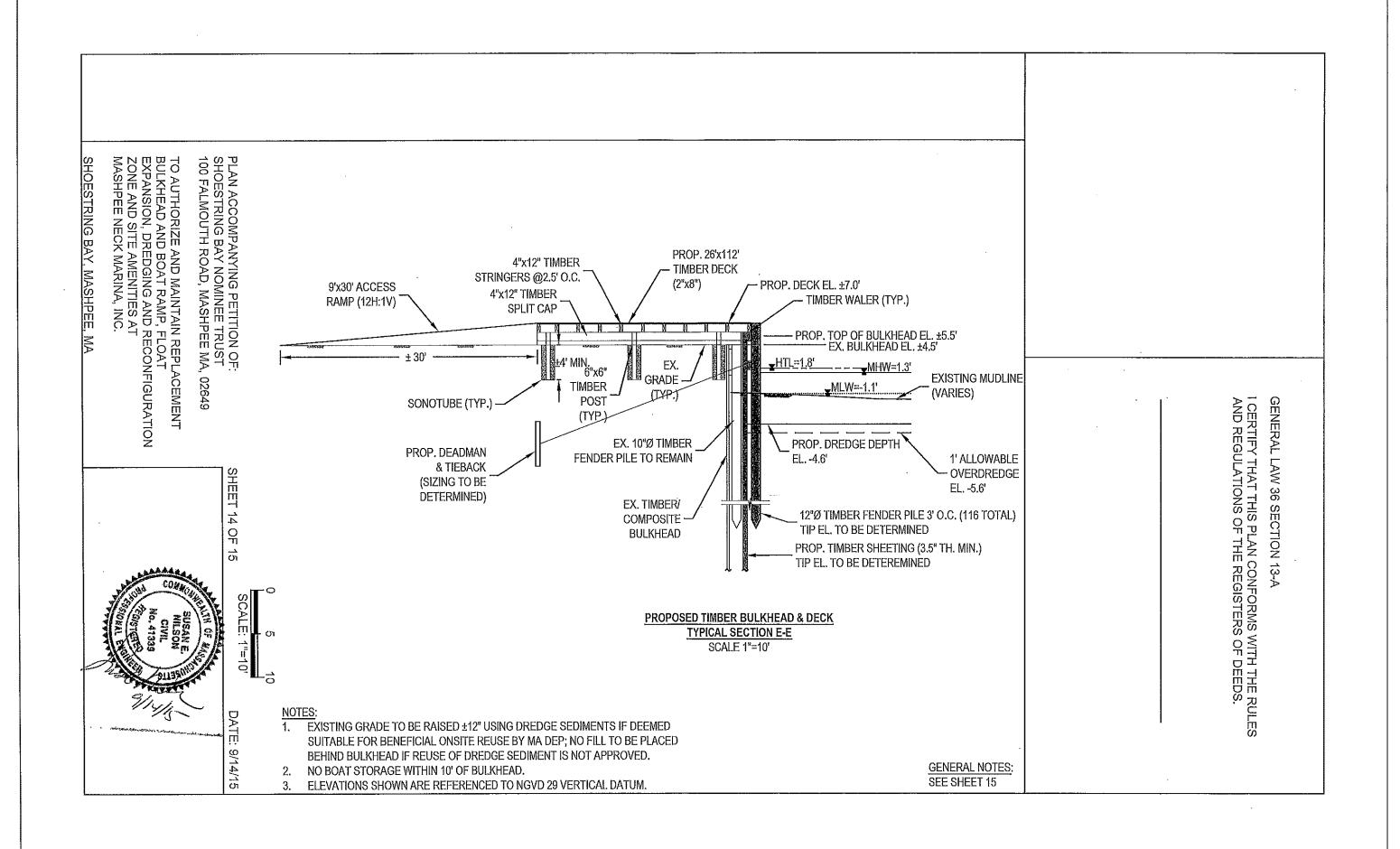
PLAN ACCOMPANYING PETITION OF: SHOESTRING BAY NOMINEE TRUST 100 FALMOUTH ROAD, MASHPEE MA, 02649

TO AUTHORIZE AND MAINTAIN REPLACEMENT BULKHEAD AND BOAT RAMP, FLOAT EXPANSION, DREDGING AND RECONFIGURATION ZONE AND SITE AMENITIES AT MASHPEE NECK MARINA, INC.

SHOESTRING BAY, MASHPEE, MA



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PANY BAY TE AN DRED DRED TE AN TE AN	DREDGE DEPTH TO EL4.6' NGVD29 (INCLUDING 1' ALLOWABLE OVERDREDGE)	± 4,960 CY ± 14,280 CY	± 30,759 SF	± 154,806 SF	2 2681902.75 939252.15 N41° 36′ 09.03" W70° 27′ 53.89° 3 2681910.38 939272.49 N41° 36′ 09.10" W70° 27′ 53.63° 4 2681900.48 939286.19 N41° 36′ 09.00" W70° 27′ 53.45° 5 2681911.47 939391.33 N41° 36′ 09.10" W70° 27′ 52.06° 6 2681605.01 939506.45 N41° 36′ 06.06" W70° 27′ 50.60°	
ETITIO VEE TR VSHPE VTAIN VTAI	PROP. 12' (PILE TIP EL. 1	ĀDE (VARIES)	PROP. LOW DRAFT TIMBER FLOAT 1.7' ± 3.0' MIN. CL	O.5' DREDG	6 2681605.01 939506.45 N41' 36' 06.06' W70' 27' 50.80' 7 2681501.93 939443.84 N41' 36' 05.04" W70' 27' 51.44" 8 2681243.68 939217.15 N41' 36' 02.52" W70' 27' 54.46" 9 2681271.43 939180.33 N41' 36' 02.80" W70' 27' 54.94" 10 2681633.84 939044.20 N41' 36' 06.40" W70' 27' 56.67" 11 2681738.66 939127.16 N41' 36' 07.42" W70' 27' 55.57" 12 2681795.10 939155.89 N41' 36' 07.98" W70' 27' 55.18" 13 2681845.09 939164.15 N41' 36' 08.47" W70' 27' 55.18" 14 2681891.41 939154.14 N41' 36' 08.93" W70' 27' 55.19" SE DEPTH=-4.6'NGVD (-3.5' MLW) RDREDGE DEPTH=-5.6'NGVD (-4.5' MLW) PREPEDGE DEPTH=-5.6'NGVD (-4.5' MLW) PREPEDGE DEPTH=-5.6'NGVD (-4.5' MLW) PREPEDGE DEPTH=-5.6'NGVD (-4.5' MLW)	GENERAL LAW 36 SECTION 13-A I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.
DATE: 9/14/15		PROPOSED TIMBER FLO TYPICAL SECTI SCALE 1"=	ON A-A		O'MLW (SEE NOTE 2, SHEET 2) GENERAL NOTES: SEE SHEET 15	CLES



GENERAL LAW 36 SECTION 13-A

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

	NFIGURATI MASS STATE P			
POINT	NORTHING	EASTING	LATITUDE	LONGITUDE
Α	2681812.50	939424.62	N41° 36' 08.17"	W70° 27' 51.61"
В	2681605.01	939506.45	N41° 36' 06.06"	W70° 27' 50.60"
С	2681501.93	939443.84	N41° 36' 05.04"	W70° 27' 51.44"
D	2681259.64	939231.16	N41° 36' 02.68"	W70° 27' 54.27"
E	2681340.40	939154.42	N41° 36' 03.48"	W70° 27' 55.27"
F	2681633.84	939044.20	N41° 36' 06.40"	W70° 27' 56.67"
G	2681738.66	939127.16	N41° 36' 07,42"	W70° 27' 55.57"
Н	2681795.10	939155.89	N41° 36′ 07.98″	W70° 27' 55.18"
]	2681845.09	939164.15	N41° 36' 08.47"	W70° 27' 55.06"
J	2681888.30	939147.65	N41° 36' 08.90"	W70° 27' 55.27"
K	2681935.33	939272.60	N41° 36' 09.35"	W70° 27' 53.62"
L	2681900.48	939286,19	N41° 36' 09.00"	W70° 27' 53.45"

PROPOSED FILL BELOW AHTL					
DESCRIPTION	MATERIAL	VOLUME (CY)	AREA (SF)		
REPLACEMENT BULKHEAD BACKFILL	GRANULAR FILL	42.0	282.0		
BACKFILL EX. GRANULAR BOAT RAMP FILL		16.0	220.0		
NEW BOAT	CONCRETE	18.4			
RAMP CONSTRUCTION	CRUSHED STONE	18.7	498.0		
	DESCRIPTION REPLACEMENT BULKHEAD BACKFILL BACKFILL EX. BOAT RAMP NEW BOAT RAMP	DESCRIPTION MATERIAL REPLACEMENT BULKHEAD BACKFILL BACKFILL EX. BOAT RAMP CONSTRUCTION RAMP CONSTRUCTION CRUSHED	DESCRIPTION MATERIAL VOLUME (CY) REPLACEMENT BULKHEAD BACKFILL BACKFILL EX. BOAT RAMP CONSTRUCTION CRUSHED MATERIAL VOLUME (CY) 42.0 42.0 ACCONSTRUCTION CRUSHED COLUMN CONSTRUCTION CRUSHED 18.7		

<u>MLW</u>		NGVD29
3.0'—	——HTL	
2.4'	—МНW—	 1.3'
1.1'	-0.0 NGVD-	···· 0.0°
0.0'	MLW	 -1.1'

GENERAL NOTES:

- 1. LOCATION OF PROPERTY LINES & SOUNDINGS COMPILED FROM EXISTING PLANS BY CAPE & ISLANDS ENGINEERING DATED 01/08/2003. HYDROGRAPHIC SOUNDINGS WERE BASED ON MLW AND HAVE BEEN CONVERTED TO NGVD29 BY CLE ENGINEERING, INC. (CLE). SURVEY PERFORMED BY CLE ON 11/6/2006. TOPOGRAPHY ELEVATIONS ARE BASED ON NGVD 29, SURVEY PERFORMED BY CLE ON 10/30/2006.
- 2. BENCHMARK IS FEMA REFERENCE MARK 5 ELEVATION 3.36' NGVD29. A CHISELED SQUARE IN THE SW CORNER OF CONCRETE LAUNCHING RAMP LOCATED AT THE SOUTH OF MASHPEE NECK ROAD.
- 3. ELEVATIONS SHOWN ON THIS PLAN ARE REFERENCED TO THE NGVD29 VERTICAL DATUM. HORIZONTAL COORDINATES ARE BASED ON ON NAD83 FEET MASS STATE PLANE.
- 4. SALT MARSH, SHELLFISH SUITABILITY, HISTORIC MEAN HIGH WATER (HMHW), AND NHESP PRIORITY HABITAT AREAS, AS SHOWN, FROM MAGIS DATABASE.
- 5. APPROXIMATELY +/- 1,500 CY OF DREDGE SEDIMENTS TO BE BENEFICIALLY REUSED ONSITE. REMAINING DREDGE VOLUME TO BE BENEFICALLY REUSED OFFSITE AS FILL OR AS DAILY COVER/DISPOSED AT MA LANDFILL FACILITY, PENDING MA DEP APPROVAL.
- 6. FEMA FLOOD ZONES, AS SHOWN, FROM FIRM MAP NUMBER 25001C0752J, EFFECTIVE DATE 07/16/2014.
- 7. THE INFORMATION DEPICTED ON THIS PLAN WAS COMPILED FROM THE PLANS NOTED. NO SURVEYS WERE CONDUCTED TO LOCATE PROPERTY LINES, EASEMENTS, UTILITIES, GEOTECHNICAL FEATURES, SHORELINES, STRUCTURES, HABITATS OR ANY OTHER PHYSICAL FEATURES RELATING TO THE PROJECT SITE, NOR DOES CLE WARRANT THE EXISTENCE OR LOCATION OF SAID PHYSICAL FEATURES.
- 8. POSSESSION AND USE OF THE MATERIAL CONTAINED ON THESE DRAWINGS IS GRANTED ONLY IN CONNECTION WITH ITS USE AS IT RELATES TO THE TITLED PROJECT, ANY OTHER USE, REPRODUCTION OR DISCLOSURE OF THE INFORMATION CONTAINED HEREON IS EXPRESSLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF CLE ENGINEERING INC.

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PLAN ACCOMPANYING PETITION OF: SHOESTRING BAY NOMINEE TRUST 100 FALMOUTH ROAD, MASHPEE MA, 02649

TO AUTHORIZE AND MAINTAIN REPLACEMENT BULKHEAD AND BOAT RAMP, FLOAT EXPANSION, DREDGING AND RECONFIGURATION ZONE AND SITE AMENITIES AT MASHPEE NECK MARINA, INC.

SHOESTRING BAY, MASHPEE, MA

SHEET 15 OF 15

DATE: 9/14/15

