
PUBLIC NOTICE



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

Comment Period Begins: May 16, 2017
Comment Period Ends: June 15, 2017
File Number: NAE-2011-00212
In Reply Refer To: Joshua Helms
Phone: (978) 318-8211
E-mail: Joshua.M.Helms@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Jay M. Cashman of Quincy Shipyard, LLC., 549 South Street, Quincy, Massachusetts. This work is proposed in the Fore River at 549 South Street, Quincy, Massachusetts. The site coordinates are: Latitude 42.243226° N and Longitude 70.970758° W.

The work involves the expansion and modification to the authorized dredging footprint at and adjacent to Pier 1 in the Quincy Shipyard in order to create a turning basin to accommodate the turning radius of larger vessels. From 2016 to 2017, the Quincy Shipyard dredged an estimated 23,000 cubic yards of dredged material from the 2.5 acre berth adjacent to the proposed turning basin at Pier 1 to a depth of -38 mean low water in order to accommodate larger vessels at the Designated Port Area site, which is reserved for marine industrial uses. Due to concerns about the current depths expressed by pilots and captains of the larger vessels, the proponent proposes to expand the dredge footprint in order to create a turning basin to allow these large vessels to more easily manoeuvre into the newly dredged berth.

The work includes dredging of approximately 4,500 cubic yards of silty material from approximately 1.50 acres of subtidal habitat in the Fore River to a depth of -31 mean low water from existing depths ranging from -27 MLW to -31 MLW. The area will be dredged to depths ranging from -31 MLW to -32 MLW in order to allow for vessels to reach the federal navigation channel, which is currently authorized to be maintained to a depth of -35 MLLW. Dredging will be completed by mechanical means using a Clamshell Bucket Dredge with a 27 cable arm environmental bucket. The dredged material will be loaded onto scows. The loaded scows will be moored within the dredging site where the material within the scows will be allowed to settle for a minimum of 24 hours to allow for the fine material to drop out of suspension. Once the material has settled, the excess standing water will be decanted and returned to the project waters. The dredged material will be offloaded from the scows and placed at a stockpile within the Quincy Shipyard before being transported to the Peabody Landfill to be used as cover.

The work is shown on the attached plans entitled "PLAN ACCOMPANYING THE PETITION OF QUINCY SHIPYARD LLC, TO CONDUCT DREDGING FOR A TURNING BASIN AT: PIER 1, WEYMOUTH FORE RIVER, QUINCY, MASSACHUSETTS, NORFOLK COUNTY," on three sheets, and dated "February 24, 2017.

Activities must be 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. Mitigation in all of its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) is required to the extent necessary to ensure that the adverse effect to the aquatic environment are no more than minimal.

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The applicant has proposed to minimize impacts to the Fore River and fisheries resources within the area by employing the following measures and best management practices:

- Dredging will be conducted with an environmental bucket in order to reduce the amount spill back of sediment into the Fore River.
- Deploying a turbidity curtain to minimize the migration of suspended particles
- Maintaining a slow dredge speed to minimize suspension of sediment.
- Employing a trained Endangered Species Observer

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.

Dredged Material Disposal Mitigation Discussion:

The alternatives considered in the dredged material disposal analysis fall into four general categories: beneficial use, upland disposal, confined disposal, and open-water disposal. The feasibility of disposal alternatives was analysed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal. When applicable, the biological quality of the disposal of the material at the disposal site was also used to evaluate the feasibility of the open-water disposal alternative.

Based on the characteristics of the dredged material, the lack of suitable alternate disposal or beneficial use sites and costs, the most feasible, practical, cost-effective and environmentally acceptable alternative for the disposal of dredged materials from the proposed dredging is disposal at the requested disposal site.

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).

Dredging will impact approximately 1.50 acres of Essential Fish Habitat (EFH) for: American Plaice, Atlantic Butterfish, Atlantic Cod, Atlantic Halibut, Atlantic Herring, Atlantic Mackerel, Atlantic Wolffish, Black Sea Bass, Bluefin Tuna, Bluefish, Haddock, Little Skate, Longfin Inshore Squid, Ocean Pout, Pollock, Red Hake, Sea Scallop, Silver Hake, White Hake, White Shark, Windowpane Flounder, Winter Flounder, Winter Skate, and Yellowtail Flounder. Habitat at this site can be described as subtidal silt. Loss of this habitat may adversely affect the species listed above. 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.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

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

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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:

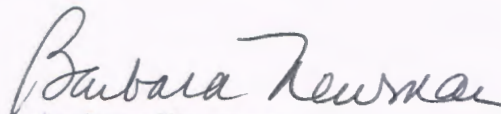
- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Josh Helms at (978) 318-8211, (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.

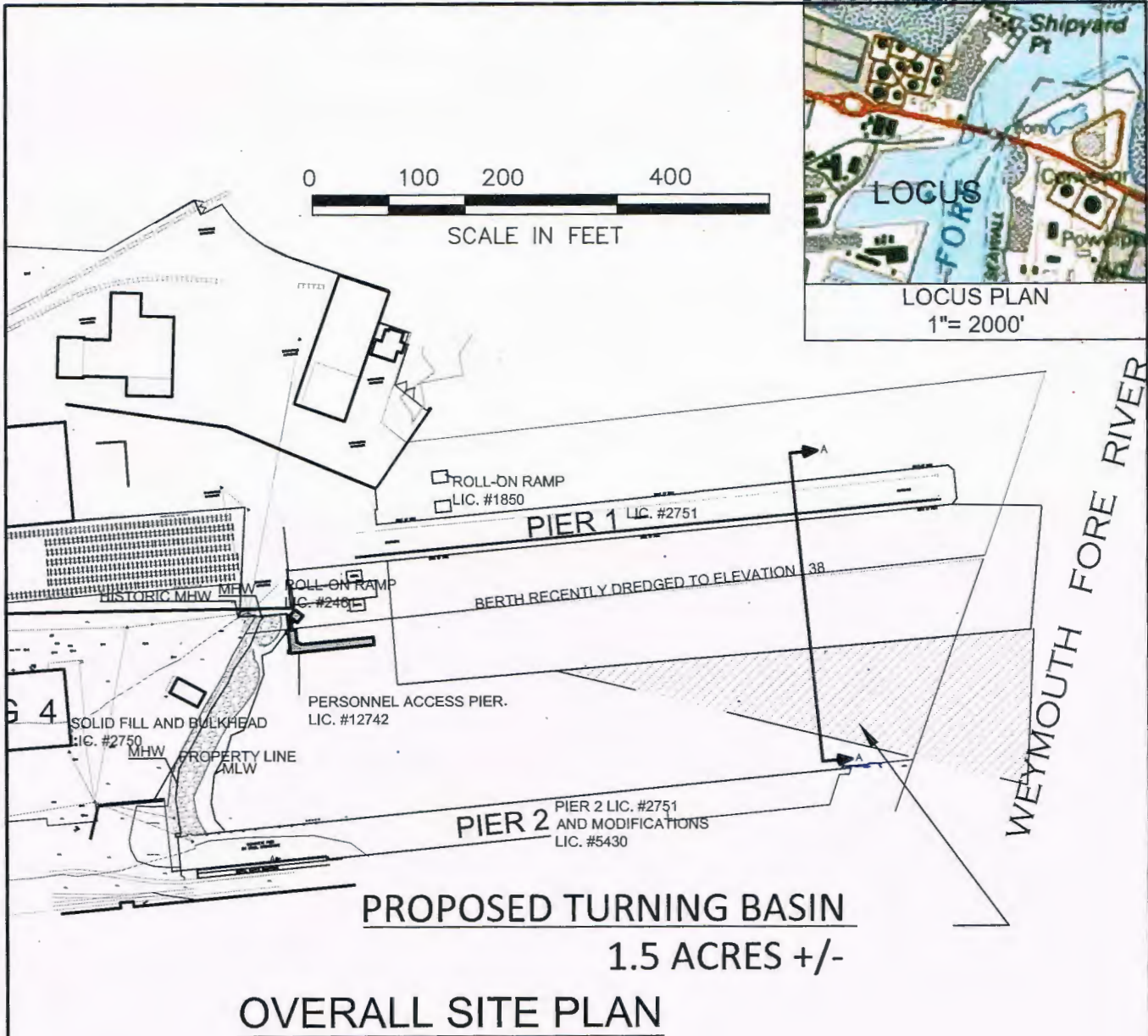
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Barbara Newman
Chief, Permits and Enforcement Branch
Regulatory Division

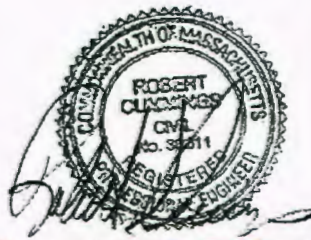
If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____



SHEET 1 OF 3
February 24, 2017

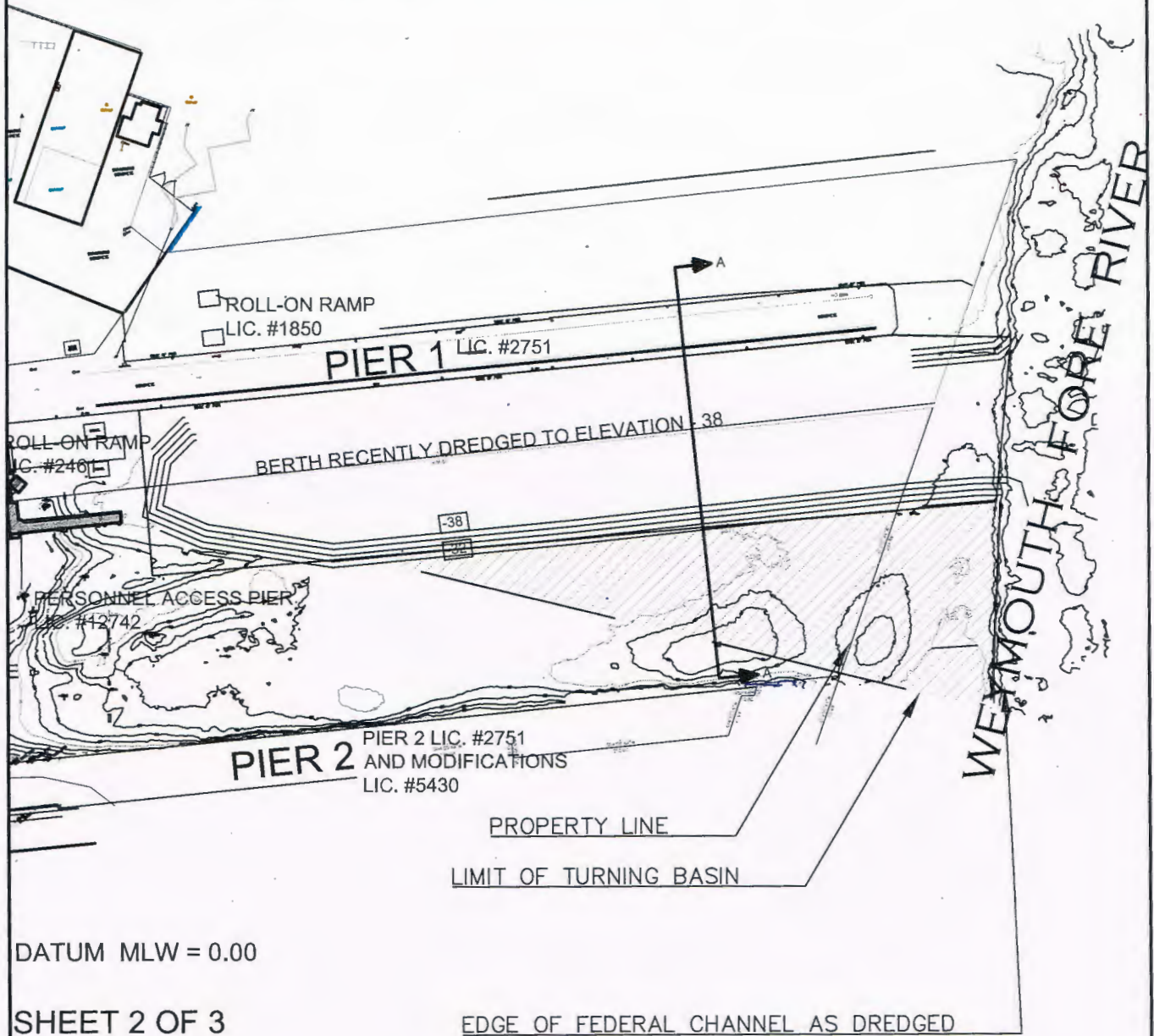
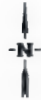
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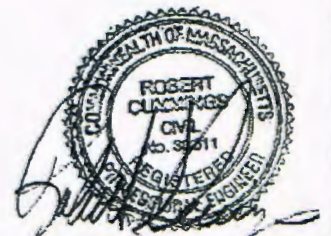
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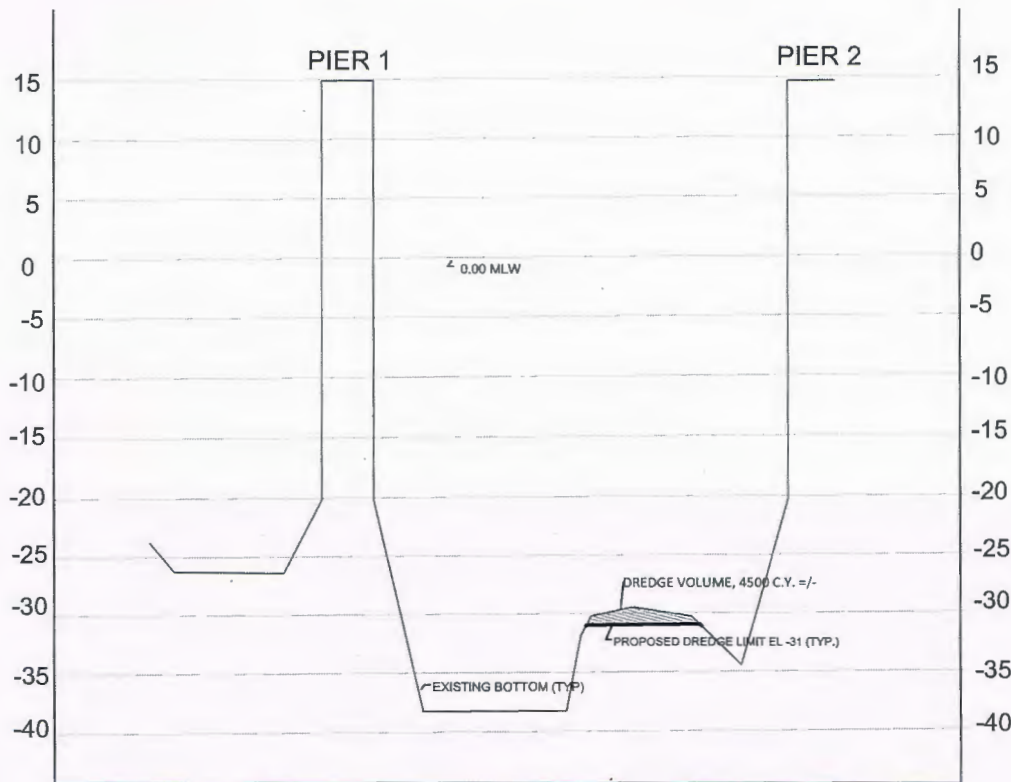


SCALE IN FEET



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SECTION A-A



DATUM MLW = 0.00

SHEET 3 OF 3

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