



**US Army Corps
of Engineers**
New England District

PUBLIC NOTICE

696 Virginia Road
Concord, MA 01742-2751

Date: April 3, 2007
Comment Period Ends: May 3, 2007
File Number: NAE-2006-4215
In Reply Refer To: Paul Sneeringer @978-318-8491
Or by e-mail: paul.j.sneeringer@nae02.usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT: Town of Sandwich Department of Natural Resources, 16 Jan Sebastian Drive, Sandwich, Massachusetts 02563

ACTIVITY

The Town of Sandwich has proposed to discharge dredged and/or fill material into approximately 5,700 square feet of waters of United States, including jurisdictional wetlands associated with the Lower and Upper Shawme Lakes as part of the complete rehabilitation of the Upper Shawme Lake Dam. This project includes the demolition of the existing dam and reconstruction of a new earthen dam with a new fish ladder. The Town proposes to temporarily drain approximately 1.90 acres of the Lower and Upper Shawme Lakes in order to dewater the construction area. This rehabilitation project is necessary to bring the Upper Shawme Dam up to modern Dam Safety specifications. The work is described on the enclosed plans entitled "UPPER SHAWME LAKE DAM," on ten sheets, and dated "Feb. 2007."

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Upper and Lower Shawme Lakes at Union Braiding Road in Sandwich, Massachusetts. The proposed location on the USGS Sagamore quadrangle sheet is at 41° 45' 3.4" N and 70° 30' 9.6" W.

AUTHORITY

Permits are required pursuant to:

 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).

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.

SECTION 106 COORDINATION

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 proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our 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 BA 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.

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.

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FILE NO. NAE-2006-4215

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.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

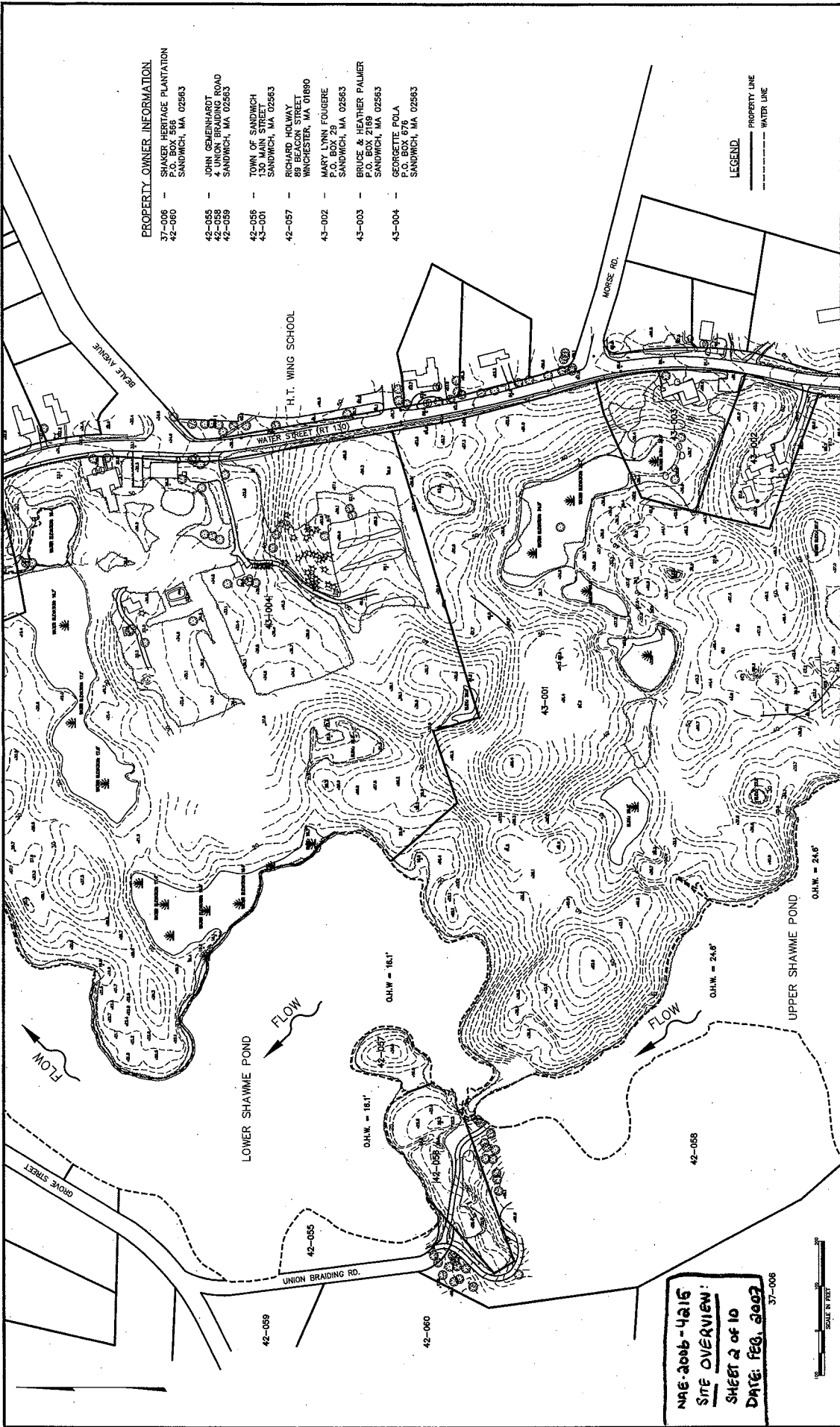
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Karen Kirk Adams
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, 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: _____



- PROPERTY OWNER INFORMATION**
- 37-006 - SHAWMERE HERITAGE PLANTATION
SANDWICH, MA 02563
 - 42-055 - JOHN SCHENKELBART
4 UNION BRAIDING ROAD
SANDWICH, MA 02563
 - 42-058 - TOWN OF SANDWICH
130 MAIN STREET
SANDWICH, MA 02563
 - 42-059 - RICHARD HOLWAY
88 BEACON STREET
WINCHESTER, MA 01890
 - 43-001 - MARY LYNN FOUGERE
P.O. BOX 29
SANDWICH, MA 02563
 - 43-002 - BRUCE & HEATHER PALMER
P.O. BOX 2189
SANDWICH, MA 02563
 - 43-003 - GEORGETTE POLA
P.O. BOX 676
SANDWICH, MA 02563
 - 43-004 - H.T. WING SCHOOL

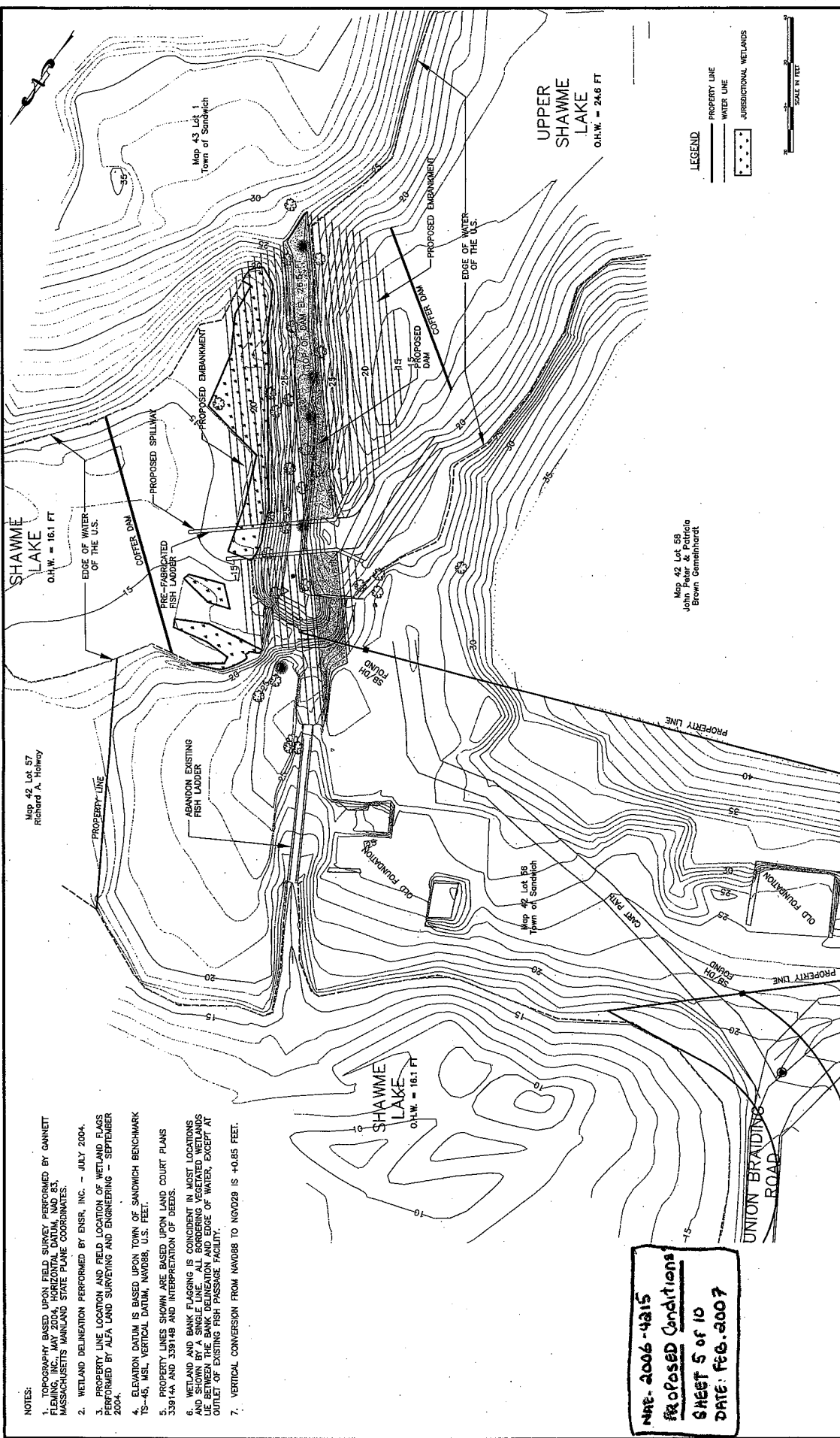
LEGEND

--- PROPERTY LINE
--- WATER LINE

NAE-2006-4216
SITE OVERVIEW
SHEET 2 of 10
DATE: FEB. 2007
 37-006



JOB NO. 908547		SHEET NO. 2 OF 9	
DATE Feb 2007		DRAWING NO. R-1	
TOWN OF SANDWICH MASSACHUSETTS		EXISTING SITE LOCATION	
UPPER SHAWME LAKE DAM		MCMAHON TRANSPORTATION ENGINEERS & PLANNERS	
DESIGNED K.A.S.	CHECKED K.A.S.	SCALE 1"=200'	APPROVED R.E.H.
DRAWN C.T.H.	DATE	REVISIONS	
NO.	BY	DESCRIPTION	



- NOTES:
1. TOPOGRAPHY BASED UPON FIELD SURVEY PERFORMED BY GANNETT 1998. ELEVATIONS ARE IN FEET AND ARE BASED UPON MASSACHUSETTS MAINLAND STATE PLANE COORDINATES.
 2. WETLAND DELINEATION PERFORMED BY ENSR, INC. - JULY 2004.
 3. PROPERTY LINE LOCATION AND FIELD LOCATION OF WETLAND FLAGS PERFORMED BY ALFA LAND SURVEYING AND ENGINEERING - SEPTEMBER 2004.
 4. ELEVATION DATUM IS BASED UPON TOWN OF SANDWICH BENCHMARK TS-45, MSL, VERTICAL DATUM, NAVD88, U.S. FEET.
 5. PROPERTY LINES SHOWN ARE BASED UPON LAND COURT PLANS 339144 AND 339188 AND INTERPRETATION OF DEEDS.
 6. WETLAND AND BANK FLAGGING IS COINCIDENT IN MOST LOCATIONS WITH THE PROPERTY LINES. THE LOCATION OF WETLANDS ARE SHOWN BETWEEN THE BANK DELINEATION AND THE EDGE OF WATER, EXCEPT AT THE OUTLET OF EXISTING FISH PASSAGE FACILITY.
 7. VERTICAL CONVERSION FROM NAVD88 TO NGVD29 IS +0.85 FEET.

MNE-2006-4415
for proposed Conditions
SHEET 5 of 10
DATE: FEB-2007

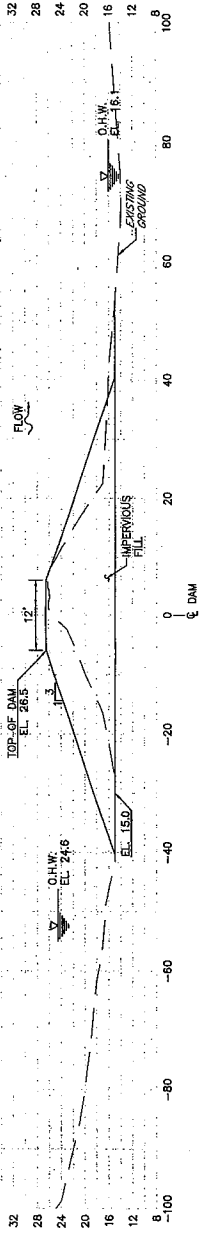
LEGEND

- PROPERTY LINE
- WATER LINE
- JURISDICTIONAL WETLANDS

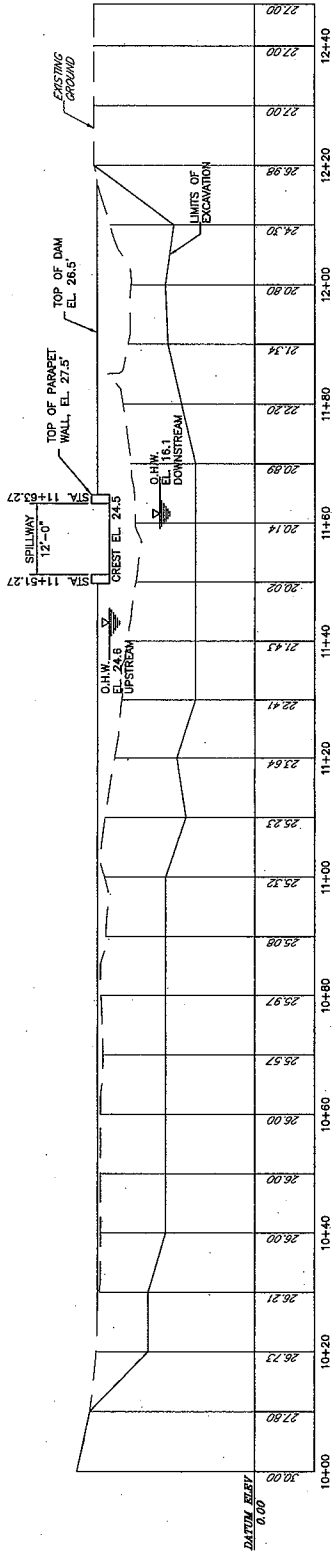
SCALE: 1" = 20' FT

TOWN OF SANDWICH MASSACHUSETTS		SHEET NO. 4 OF 9	
UPPER SHAWME LAKE DAM		DRAWING NO. XXX	
DATE Feb 2007		DRAWING NO. XXX	
MCMAHON TRANSPORTATION ENGINEERS & PLANNERS		DETAILED PLAN VIEW	
DESIGNED	K.A.S.	SCALE	AS SHOWN
DRAWN	J.E.F.	CAD	AUTOCAD
CHECKED		APPROVED	X
			X

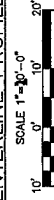
11+00



TYPICAL SECTION

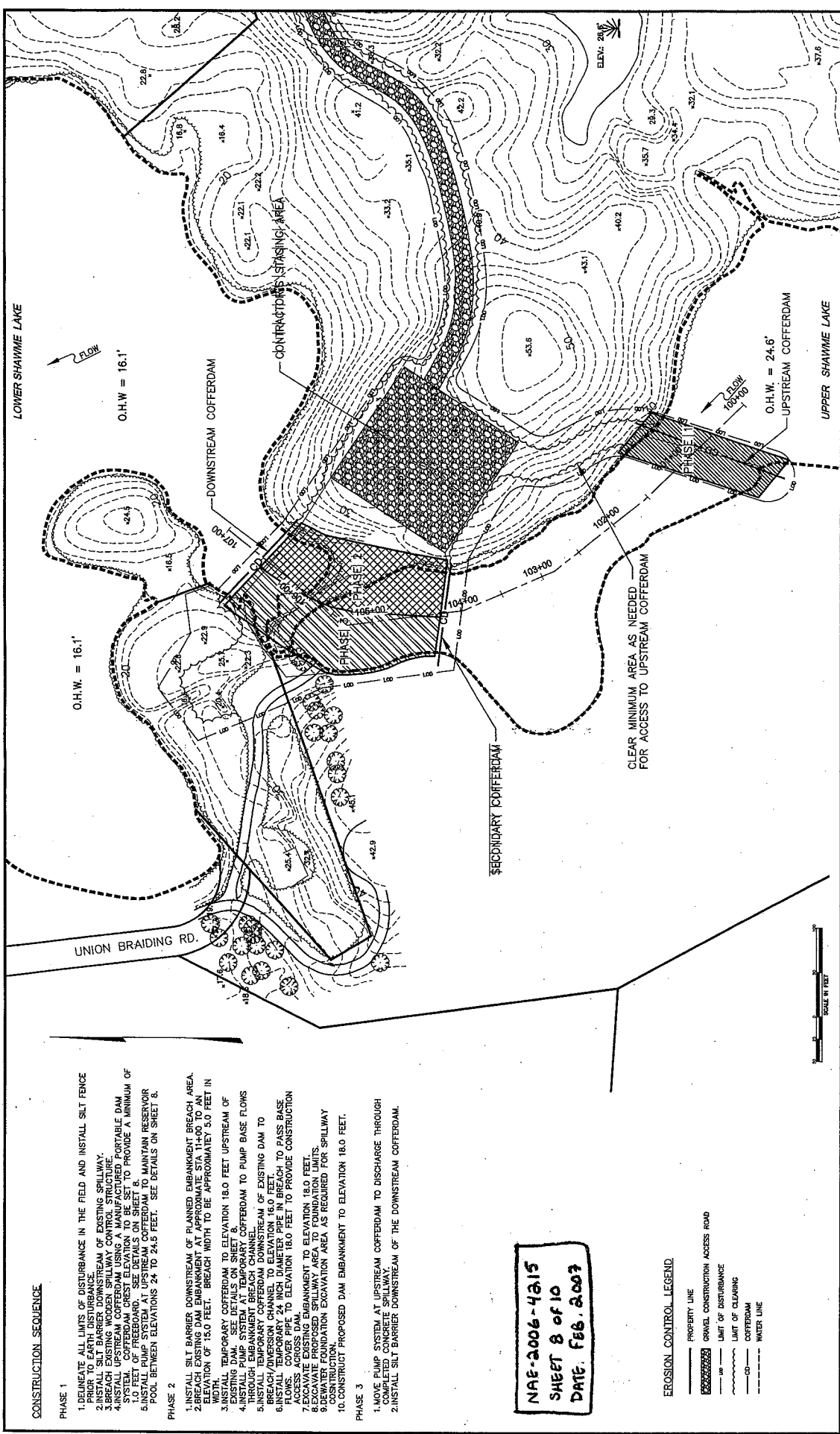


CENTERLINE PROFILE



NAE-2006-4415
 SHEET 6 OF 10
 DATE: FEB. 2007

JOB NO. 906547		SHEET NO. 5 OF 9	
DATE Feb. 2007		DRAWING NO. .XXX	
TOWN OF SANDWICH MASSACHUSETTS		DAM PROFILE & TYPICAL SECTION	
UPPER SHAWMEE LAKE DAM			
DESIGNED K.A.S.	CAD AutoCAD	SCALE APPROVED	
DRAWN J.E.F.	CHECKED X	APPROVED X	
NO.	DESCRIPTION	DATE	BY



JOB NO. 906547		SHEET NO. 7 OF 9	
DATE Feb 2007		DRAWING NO. XXX	
TOWN OF SANDWICH MASSACHUSETTS		DEWATERING SITE PLAN	
UPPER SHAWME LAKE DAM		UPPER SHAWME LAKE DAM	
DESIGNED BY K.A.S.		SCALE APPROVED X	
DRAWN BY J.E.F.		CHECKED BY X	
DATE		REVISIONS	

CONSTRUCTION SEQUENCE

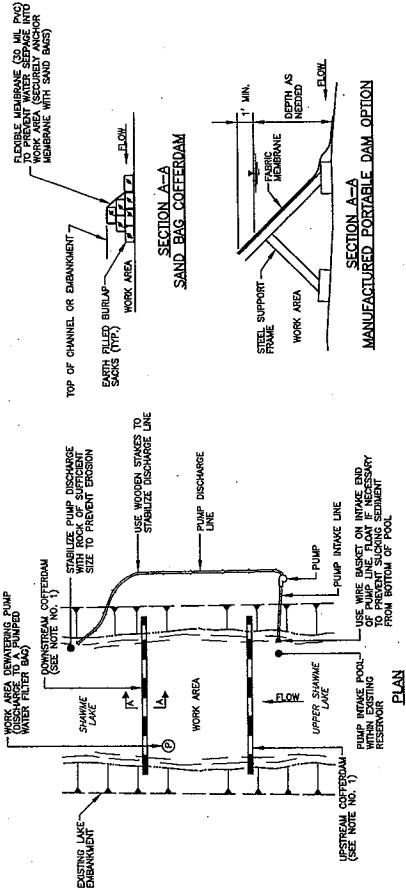
- PHASE 1**
1. DELINEATE ALL LIMITS OF DISTURBANCE IN THE FIELD AND INSTALL SILT FENCE THROUGHOUT.
 2. INSTALL SILT BARRIER DOWNSTREAM OF EXISTING SPILLWAY.
 3. BREACH EXISTING WOODEN SPILLWAY CONTROL STRUCTURE.
 4. INSTALL UPSTREAM COFFERDAM USING A MANUFACTURED PORTABLE DAM SYSTEM TO PROVIDE A MINIMUM OF 10 FEET OF FREEBOARD. SEE DETAILS ON SHEET 8.
 5. INSTALL PUMP SYSTEM AT UPSTREAM COFFERDAM TO MAINTAIN RESERVOIR POOL BETWEEN ELEVATIONS 24' TO 24.5 FEET. SEE DETAILS ON SHEET 8.
- PHASE 2**
1. INSTALL SILT BARRIER DOWNSTREAM OF PLANNED EMBANKMENT BREACH AREA.
 2. BREACH EXISTING EMBANKMENT AT STA 140+0 TO JAW AT ELEVATION OF 18.0 FEET. BREACH WIDTH TO BE APPROXIMATELY 50 FEET IN WIDTH.
 3. INSTALL TEMPORARY COFFERDAM TO ELEVATION 18.0 FEET UPSTREAM OF BREACH.
 4. INSTALL PUMP SYSTEM AT TEMPORARY COFFERDAM TO PUMP BASE FLOWS THROUGH EMBANKMENT BREACH CHANNEL.
 5. INSTALL TEMPORARY COFFERDAM DOWNSTREAM OF EXISTING DAM TO MAINTAIN RESERVOIR POOL BETWEEN ELEVATIONS 24' TO 24.5 FEET. SEE DETAILS ON SHEET 8.
 6. BREACH EXISTING CHANNEL TO ELEVATION 18.0 FEET TO PASS BASE FLOWS. COVER PIPE TO ELEVATION 18.0 FEET TO PROVIDE CONSTRUCTION ACCESS ACROSS DAM.
 7. ACCESS ACROSS DAM.
 8. EXCAVATE PROPOSED SPILLWAY AREA.
 9. DEWATER FOUNDATION EXCAVATION AREA AS REQUIRED FOR SPILLWAY CONSTRUCTION.
 10. CONSTRUCT PROPOSED DAM EMBANKMENT TO ELEVATION 18.0 FEET.
- PHASE 3**
1. MOVE PUMP SYSTEM AT UPSTREAM COFFERDAM TO DISCHARGE THROUGH COMPLETED CONCRETE SPILLWAY.
 2. INSTALL SILT BARRIER DOWNSTREAM OF THE DOWNSTREAM COFFERDAM.

NAE-2006-4215
SHEET 8 OF 10
DATE: FEB. 2007

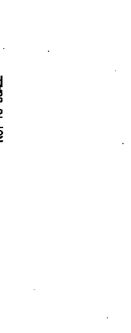
EROSION CONTROL LEGEND

- PROPERTY LINE
- GRAVEL CONSTRUCTION ACCESS ROAD
- LIMIT OF DISTURBANCE
- LIMIT OF CLEARING
- COFFERDAM
- WATER LINE





TEMPORARY STREAM DIVERSION AND COFFERDAM
NOT TO SCALE



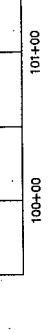
CONSTRUCTION SEQUENCE NOTES FOR TEMPORARY COFFERDAM FACILITY

1. CONTRACTOR TO PROVIDE EMISSIONS OF WATER PLAN TO THE ENGINEER FOR APPROVAL. PLAN SHALL PROVIDE DETAILS OF COFFERDAM MATERIAL, COFFERDAM LOCATIONS AND SEQUENCING. ALL DEVIATIONS FROM THE APPROVED PLAN SHALL BE APPROVED BY THE ENGINEER AND THE REASONING THEREOF TO BE SUBMITTED TO THE ENGINEER.
2. INSTALLATION OF SAND BAG COFFERDAMS BY HAND. BED AND BANKS DURING THE COFFERDAM.
3. Dewater the work area within the cofferdam by pumping into Shawnee Lake Reservoir. Ensure that the pumped outflow does not cause erosion at the discharge location. The discharge location shall be a well-vegetated, grassy area and shall be placed on slopes greater than five percent.
4. COLLECTORS WITHIN THE WORK AREA IS TO BE PUMPED TO A PUMPED WATER FILTER BAG BEFORE BEING DISCHARGED FROM THE SITE.
5. AFTER CONSTRUCTION IS COMPLETED, PERMANENTLY STABILIZE ALL DISTURBED AREAS, REMOVE ALL SEDIMENT DEPOSITS FROM THE DEWATERED WORK AREA AND REMOVE THE TEMPORARY COFFERDAMS.
6. CARE SHALL BE TAKEN TO MINIMIZE DISTURBANCE OF THE RESERVOIR BED AND BANKS DURING THE COFFERDAM REMOVAL OPERATIONS.

SECTION A-A SAND BAG COFFERDAM



SECTION A-A AQUA BARRIER COFFERDAM OPTION



SECTION A-A SHEET PILE COFFERDAM OPTION



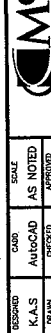
SECTION A-A MANUFACTURED PORTABLE DAM OPTION



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM

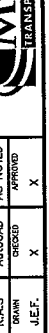


PROFILE ALONG DIVERSION



TEMPORARY STREAM DIVERSION AND COFFERDAM
NOT TO SCALE

SECTION A-A SAND BAG COFFERDAM



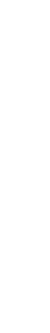
SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



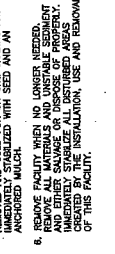
SECTION A-A SAND BAG COFFERDAM



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SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



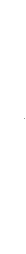
SECTION A-A SAND BAG COFFERDAM



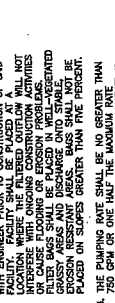
SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



TEMPORARY STREAM DIVERSION AND COFFERDAM
NOT TO SCALE



TEMPORARY STREAM DIVERSION AND COFFERDAM
NOT TO SCALE

SECTION A-A SAND BAG COFFERDAM



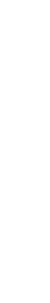
SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



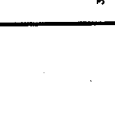
SECTION A-A SAND BAG COFFERDAM



SECTION A-A SAND BAG COFFERDAM



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SECTION A-A SAND BAG COFFERDAM

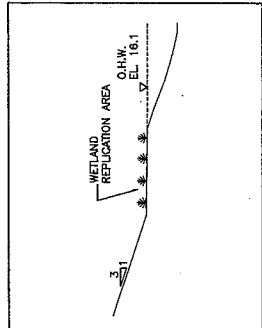
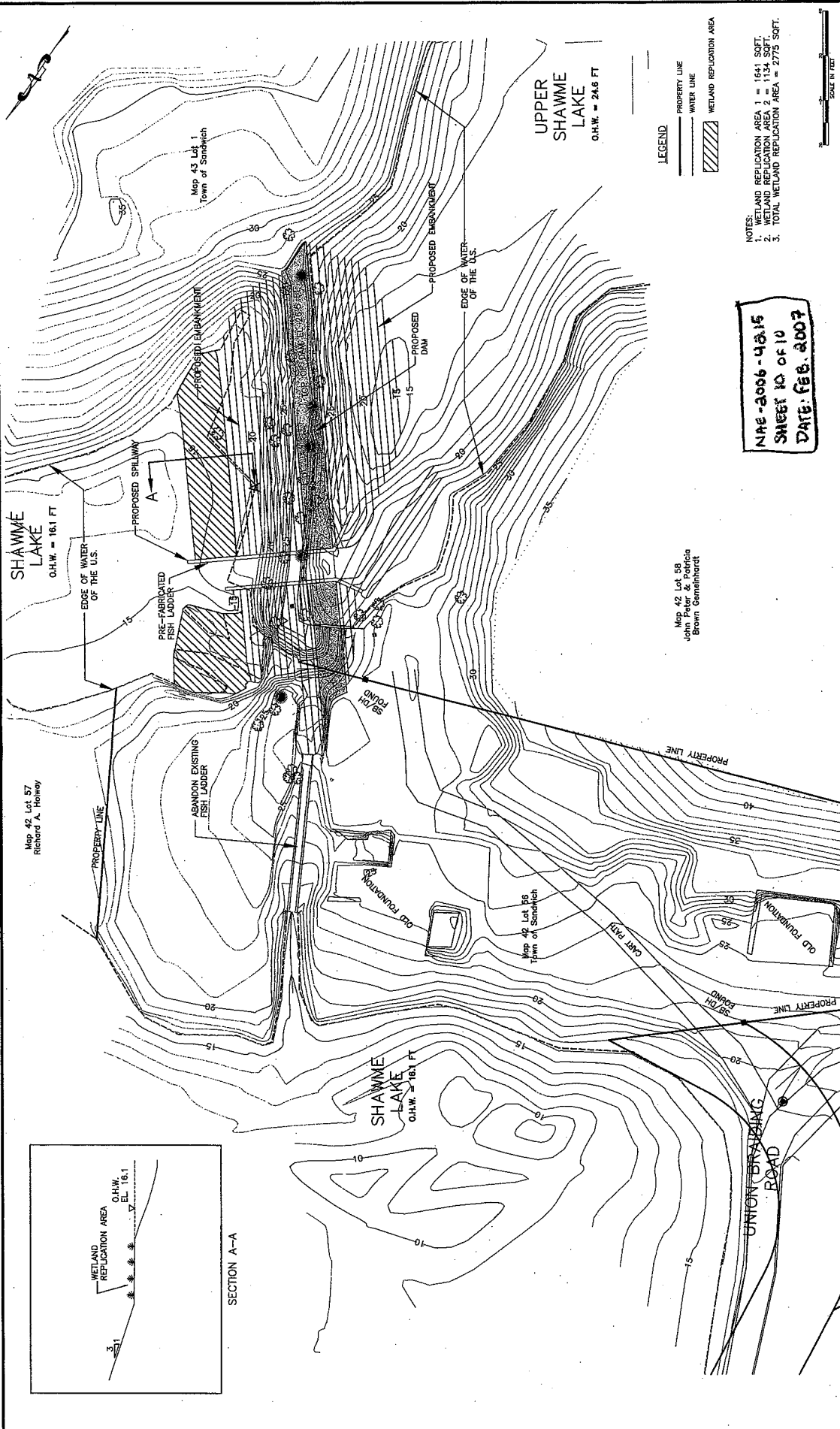
SECTION A-A SAND BAG COFFERDAM

SECTION A-A SAND BAG COFFERDAM

SECTION A-A SAND BAG COFFERDAM

SECTION A-A SAND BAG COFFERDAM

SECTION A-A SAND BAG COFFERDAM



LEGEND
 - - - PROPERTY LINE
 --- WATER LINE
 [Hatched Box] WETLAND REPLICATION AREA

NOTES:
 1. WETLAND REPLICATION AREA 1 = 1641 SQ.FT.
 2. WETLAND REPLICATION AREA 2 = 1134 SQ.FT.
 3. TOTAL WETLAND REPLICATION AREA = 2775 SQ.FT.

NAE-2006-4016
SHEET 10 OF 10
DATE: FEB. 2007

SCALE IN FEET
 0 10 20 30

McMAHON TRANSPORTATION ENGINEERS & PLANNERS		TOWN OF SANDWICH MASSACHUSETTS UPPER SHAWME LAKE DAM		WETLAND REPLICATION PLAN AND SECTION		SHEET NO. 9 OF 9 DRAWING NO. XXX	
DESIGNED	K.A.S.	CHECKED	X	SCALE	AS SHOWN	APPROVED	X
DRAWN	J.E.F.	DATE	BY	REVISIONS			