



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

# PUBLIC NOTICE

696 Virginia Road  
Concord, MA 01742-2751

**Date: 24 July 2007**  
**Comment Period Ends: 24 August 2007**  
**File Number: NAE 2006 - 712**  
**In Reply Refer To: Mr. Brian E. Valiton**  
**Or by e-mail: brian.e.valiton@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: Boston Water and Sewer Commission – 980 Harrison Avenue, Boston, MA 02119**

## **ACTIVITY:**

**Morrissey Boulevard Drainage Conduit Project** - The project involves construction of a 12 foot by 12 foot stormwater drainage conduit in Morrissey Boulevard that will discharge to a riprap –lines outfall basin in Savin Hill Cove. A detailed description and plans of the applicant's activity are attached.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in Savin Hill Cove off of Boston Harbor at Morrissey Boulevard, Dorchester (Boston), Massachusetts. The proposed location on the USGS Boston South quadrangle sheet is at UTM Zone 19 coordinates 4686300.00 N and 0331320.00 E.

## **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.

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).

The dredging and filling portions of this project will impact approximately 9200 SF of Essential Fish Habitat (EFH) for American plaice (eggs, larvae, juveniles, adults), Atlantic butterfish (eggs, larvae), Atlantic cod (eggs, larvae, juveniles, adults), Atlantic halibut (eggs, larvae, juveniles, adults), Atlantic mackerel (eggs, larvae, juveniles, adults), Atlantic sea herring (larvae, juveniles, adults), bluefish (juveniles, adults), haddock (eggs, larvae), Ocean pout (juveniles, adults), Pollock (eggs, larvae, juveniles), red hake (larvae, juveniles, adults), White Hake (eggs, larvae, juveniles, adults), whiting (eggs, larvae, juveniles, adults), winter flounder (eggs, larvae, juveniles, adults), windowpane flounder (eggs, larvae, juveniles, adults), and yellowtail flounder (eggs, larvae, juveniles, adults). Habitat at this site can be described as intertidal mud flat (organic silts). Loss of this habitat may adversely affect the species that utilize these intertidal areas. 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. Scows used for construction may damage the mud flats. If that occurs the applicant will consult with the State Division of Marine Fisheries to mitigate for any adverse impacts to any affected shellfish resources in the area. The dredged material disposal is proposed for a suitable upland disposal site.

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)

**CENAE-R**  
**FILE NO. NAE-2006-712**

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 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.

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 K. 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](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: \_\_\_\_\_

**PROPOSED WORK AND PURPOSE**

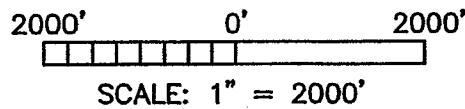
The work includes the excavation/dredging of approx. 3,050 cubic yards of intertidal mud flat (fine silt and sand) to a depth of approx. -5' m.l.w with disposal of the dredged material at a suitable upland site. Once the excavation is done new twin box conduits (each 9' by 8') will be installed and they will empty into a semi-circular armor stone lined drainage basin. The armor stone will be placed on underlayer stone as shown on the drawings. Quantities are 485 cu. yds. of primary armor stone, 1,684 cu. yds. of underlayer stone and 1,571 cu. yds. of dumped stone. There will be sheet pile wingwalls on either side of the conduit openings. As a part of this project the existing riprap and shoreline will be excavated and then rebuilt to allow for the installation of the new drainage conduit structures.

The work is described on the enclosed plans entitled "PROPOSED OUTFALL AND CULVERT IN: SAVIN HILL COVE AT: BOSTON, SUFFOLK CO., MASSACHUSETTS APPLICATION BY: BOSTON WATER AND SEWER COMMISSION 890 HARRISON AVENUE BOSTON, MA 02119," on 4 sheets, and dated "OCTOBER 2006."

S:\JB-163\03 Design\FD Final Design\FD08 Permits\FD08-04 Chapter 91\FD08-041 Structure D\RFD Drawings\ACOE\_VICINITY\_MAP\_SAVIN\_HILL\_COVE.dwg 10/16/06 11:03 [8.12] By conde\_1



Source: USGS - Boston South  
42071-C1-TM-025



PURPOSE:  
CONSTRUCT OUTFALL  
AND CULVERT

DATUM: HTL = 12.0 FT  
MLW = 0.8 FT  
MHW = 10.2 FT



FAY, SPOFFORD & THORNDIKE, INC.  
ENGINEERS PLANNERS SCIENTISTS  
BURLINGTON, MA

# VICINITY MAP

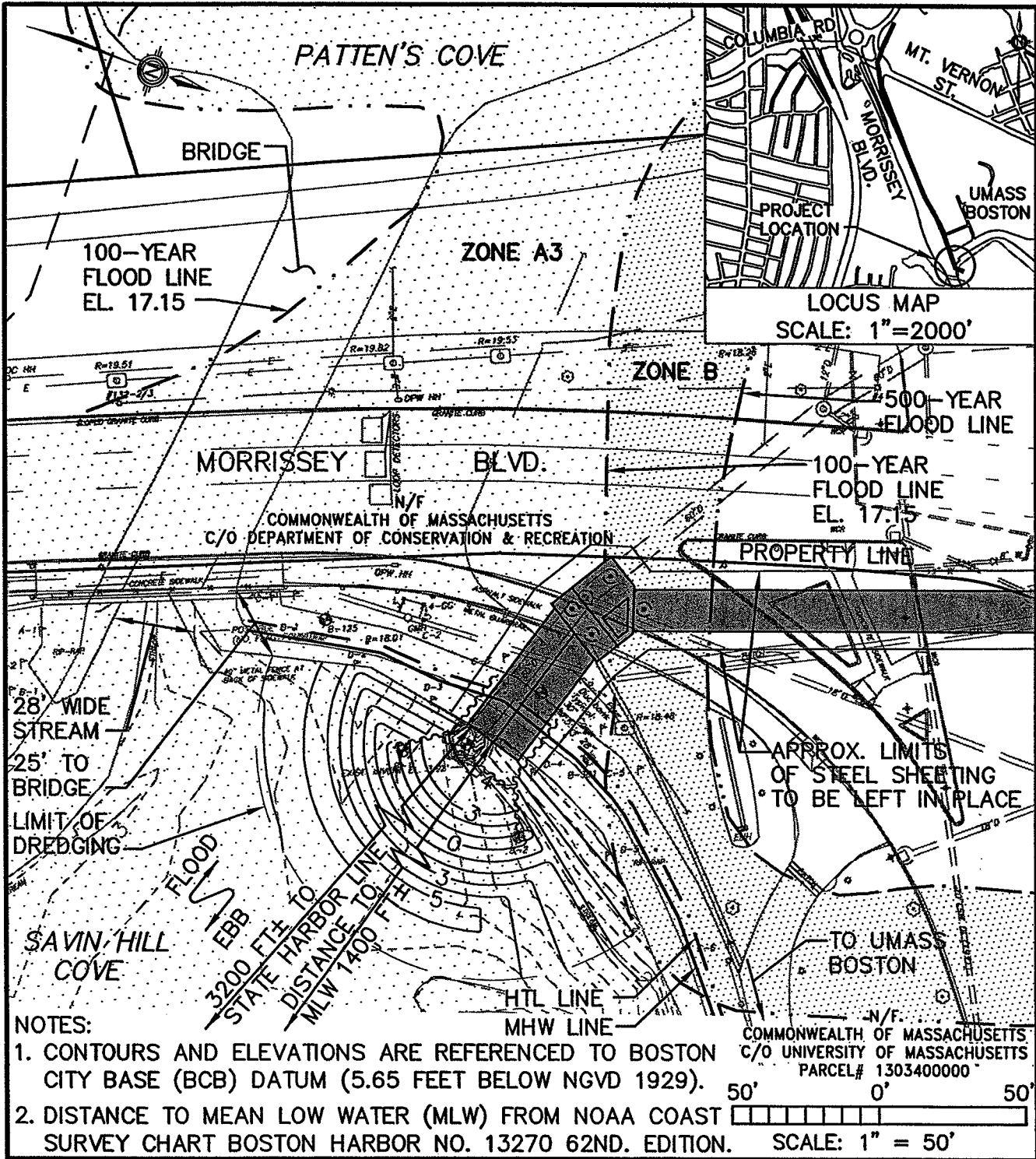
DATE: OCTOBER 2006  
SHEET: 1 OF 4

PROPOSED OUTFALL AND CULVERT  
IN: SAVIN HILL COVE

AT: BOSTON, SUFFOLK CO.,  
MASSACHUSETTS

APPLICATION BY:  
BOSTON WATER  
AND SEWER COMMISSION  
890 HARRISON AVENUE  
BOSTON, MA. 02119

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**NOTES:**

1. CONTOURS AND ELEVATIONS ARE REFERENCED TO BOSTON CITY BASE (BCB) DATUM (5.65 FEET BELOW NGVD 1929).
2. DISTANCE TO MEAN LOW WATER (MLW) FROM NOAA COAST SURVEY CHART BOSTON HARBOR NO. 13270 62ND. EDITION.

**PURPOSE:**  
 CONSTRUCT OUTFALL  
 AND CULVERT

**DATUM:** HTL = 12.0 FT  
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**PLAN**

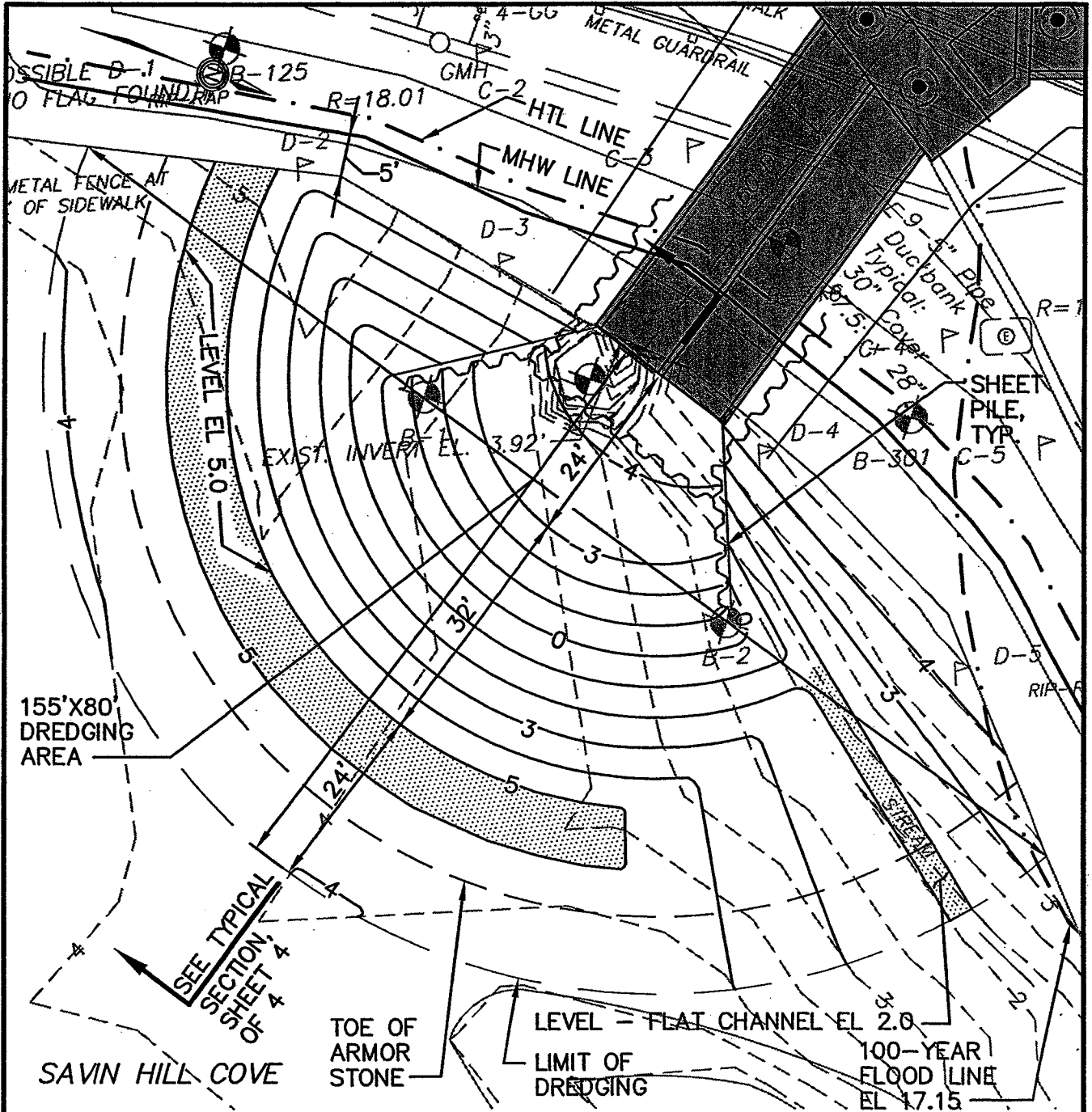
**PROPOSED OUTFALL AND CULVERT**  
 IN: SAVIN HILL COVE  
 AT: BOSTON, SUFFOLK CO.,  
 MASSACHUSETTS

**APPLICATION BY:**  
 BOSTON WATER  
 AND SEWER COMMISSION  
 890 HARRISON AVENUE  
 BOSTON, MA. 02119

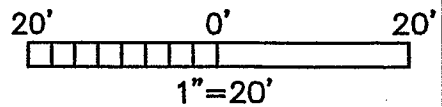
 **FAY, SPOFFORD & THORNDIKE, INC.**  
 ENGINEERS PLANNERS SCIENTISTS  
 BURLINGTON, MA

**DATE:** OCTOBER 2006  
**SHEET:** 2 OF 4

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NOTE:  
 CONTOURS AND ELEVATIONS ARE REFERENCED TO BOSTON CITY BASE (BCB) DATUM (5.65 FEET BELOW NGVD 1929).



**PURPOSE:**  
 CONSTRUCT OUTFALL AND CULVERT

**DATUM:** HTL = 12.0 FT  
 MLW = 0.8 FT  
 MHW = 10.2 FT

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 ENGINEERS PLANNERS SCIENTISTS  
 BURLINGTON, MA

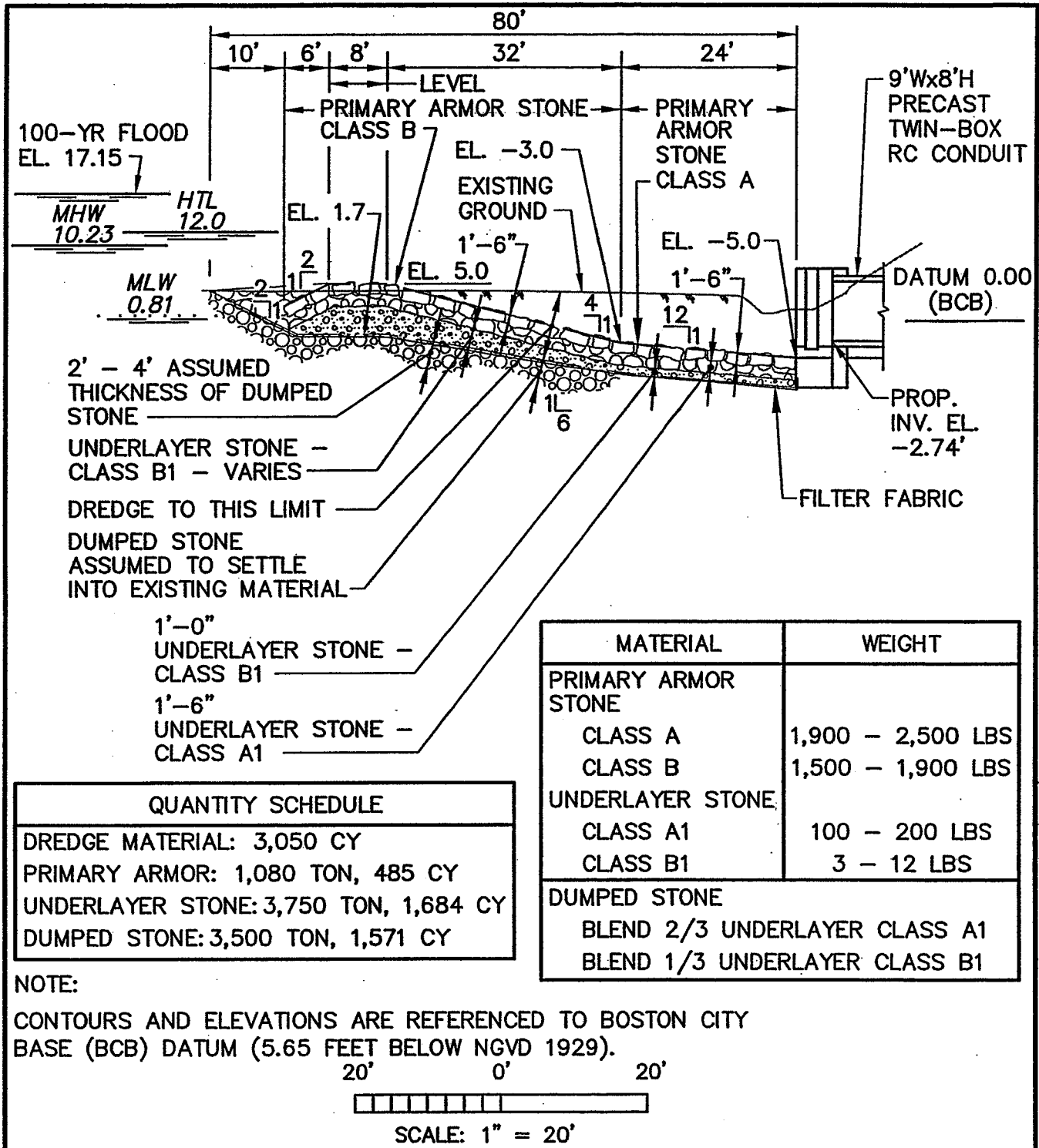
**DREDGE PLAN**

DATE: OCTOBER 2006  
 SHEET: 3 OF 4

**PROPOSED OUTFALL AND CULVERT**  
 IN: SAVIN HILL COVE  
 AT: BOSTON, SUFFOLK CO., MASSACHUSETTS

**APPLICATION BY:**  
 BOSTON WATER AND SEWER COMMISSION  
 890 HARRISON AVENUE  
 BOSTON, MA. 02119

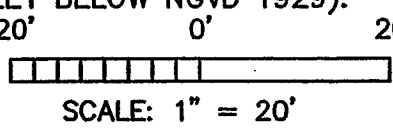
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QUANTITY SCHEDULE
DREDGE MATERIAL: 3,050 CY
PRIMARY ARMOR: 1,080 TON, 485 CY
UNDERLAYER STONE: 3,750 TON, 1,684 CY
DUMPED STONE: 3,500 TON, 1,571 CY

MATERIAL	WEIGHT
PRIMARY ARMOR STONE	
CLASS A	1,900 - 2,500 LBS
CLASS B	1,500 - 1,900 LBS
UNDERLAYER STONE	
CLASS A1	100 - 200 LBS
CLASS B1	3 - 12 LBS
DUMPED STONE	
BLEND 2/3 UNDERLAYER CLASS A1	
BLEND 1/3 UNDERLAYER CLASS B1	

NOTE:  
 CONTOURS AND ELEVATIONS ARE REFERENCED TO BOSTON CITY  
 BASE (BCB) DATUM (5.65 FEET BELOW NGVD 1929).



**PURPOSE:**  
 CONSTRUCT OUTFALL  
 AND CULVERT

**DATUM:** HTL = 12.0 FT  
 MLW = 0.8 FT  
 MHW = 10.2 FT

**FAY, SPOFFORD & THORNDIKE, INC.**  
 ENGINEERS PLANNERS SCIENTISTS  
 BURLINGTON, MA

**TYPICAL SECTION**

DATE: OCTOBER 2006  
 SHEET: 4 OF 4

**PROPOSED OUTFALL AND CULVERT**  
 IN: SAVIN HILL COVE  
 AT: BOSTON, SUFFOLK CO.,  
 MASSACHUSETTS

**APPLICATION BY:**  
 BOSTON WATER  
 AND SEWER COMMISSION  
 890 HARRISON AVENUE  
 BOSTON, MA. 02119