



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

# PUBLIC NOTICE

696 Virginia Road  
Concord, MA 01742-2751

**Date: 11 March 2008**

**Comment Period Ends: 11 April 2008**

**File Number: NAE 2007 - 2144**

**In Reply Refer To: Mr. Brian E. Valiton**

**Or by e-mail: [brian.e.valiton@usace.army.mil](mailto: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: National Park Service, Boston National Historic Park, Charlestown Navy Yard, Boston, MA 02129**

## **ACTIVITY:**

**Passenger Ferry Landing, Pier 1, Charlestown Navy Yard** - The project involves installation of a new pile-anchored floating steel barge 70' by 30', an access pier 26' by 10' and a new gangway system. The facility is on the south side of Pier 1 at the west end of the Navy Yard between the USS Constitution and the USS Cassin Young and will replace an existing landing facility at this location.

The work is described on the enclosed plans entitled "PURPOSE: PASSENGER FERRY LANDING APPLICATION BY: BOSTON NATIONAL HISTORICAL PARK IN: BOSTON AT: CHARLESTOWN COUNTY: SUFFOLK STATE: MA," on 6 sheets, and dated "2/21/08."

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

This work is proposed in Boston Harbor at the Charlestown Navy Yard, Charlestown (Boston), Massachusetts. The proposed location is on the USGS Boston South quadrangle sheet at UTM Zone 19 coordinates 4692870.00 N and 0330800.00 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.

### 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 structures and pile-driving will impact approximately 2,100 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). 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.

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.

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.
- ( ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

**CENAE-R**  
**FILE NO. NAE-2007-2144**

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.**

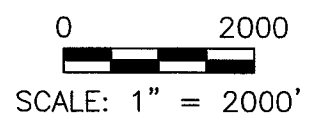
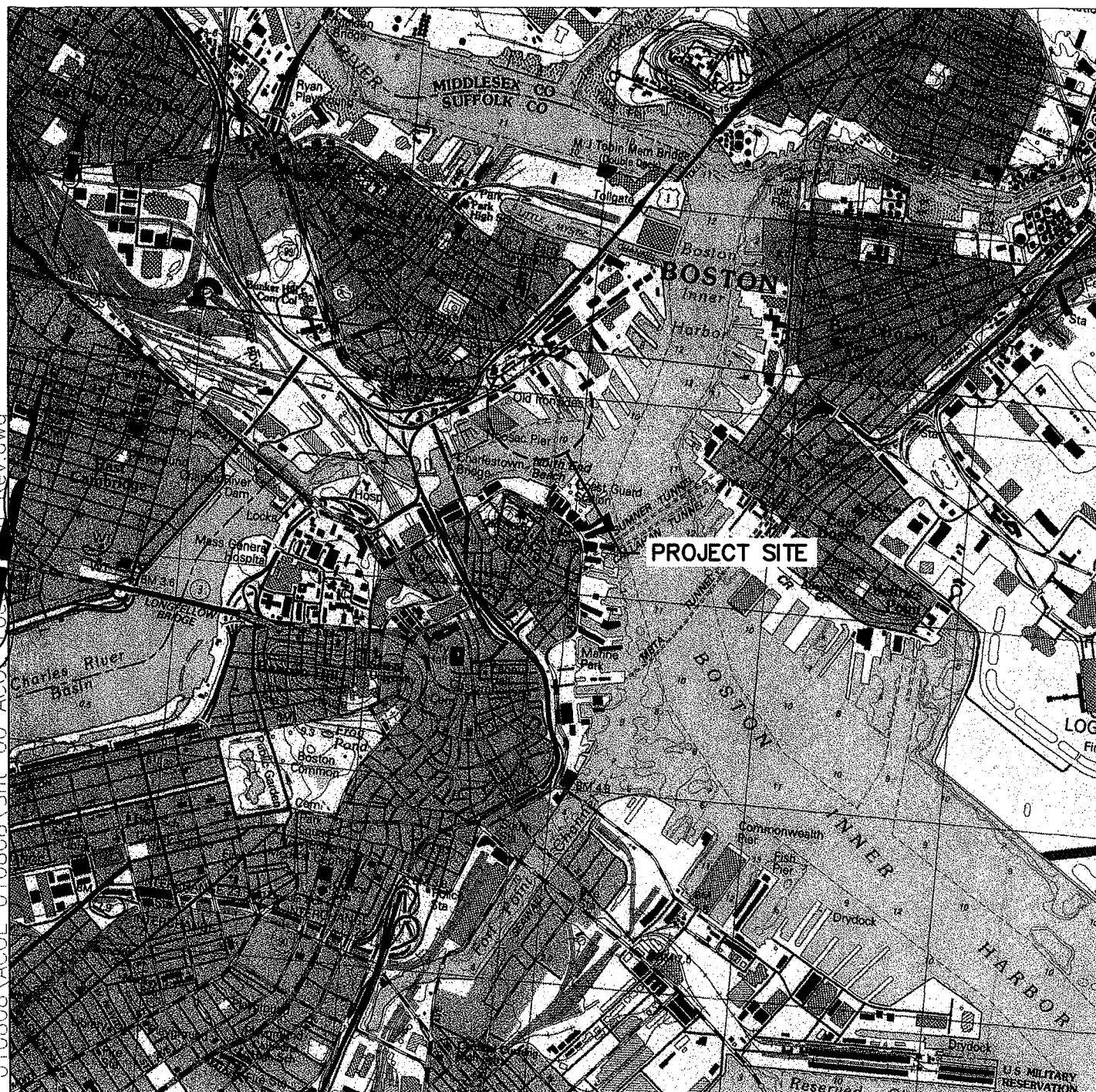



**Karen K. Adams**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

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.

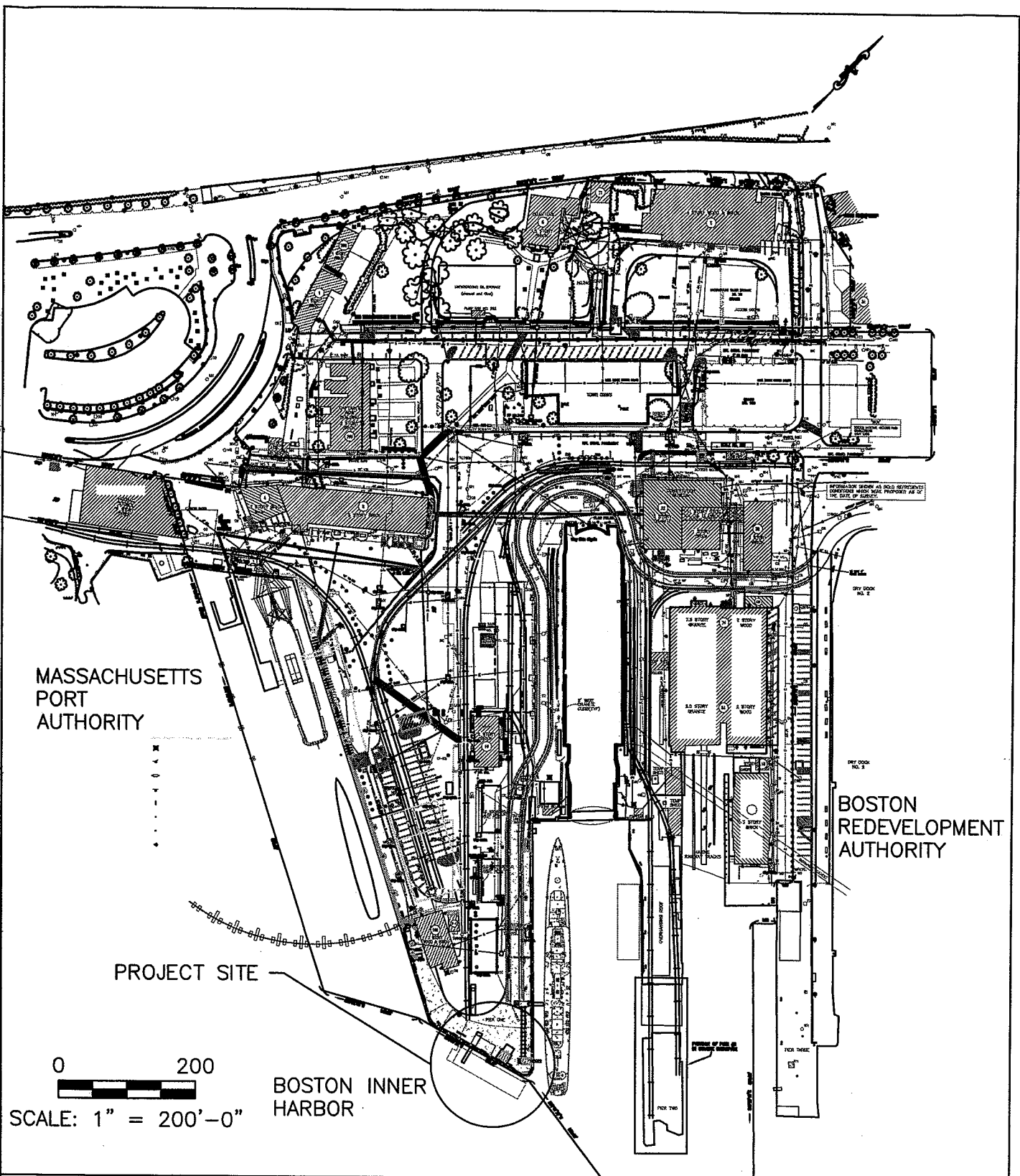
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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PURPOSE: <b>PASSENGER          FERRY LANDING</b>	TITLE: <b>LOCUS          PLAN</b>	APPLICATION BY: <b>BOSTON NATIONAL          HISTORICAL PARK</b>
100 YR FLOOD    +14.1 HTL                +12.1 MHW                +9.6 NGVD               +4.5 MLW                0.0	 <b>Bourne Consulting Engineering</b> <small>3 Bond Street          Franklin, MA 01830          TEL. (508) 533-0000 FAX (508) 533-0000</small>	IN: <b>BOSTON</b> AT: <b>CHARLESTOWN</b> COUNTY: <b>SUFFOLK</b> STATE: <b>MA</b> SHEET <b>1</b> OF <b>6</b> DATE: <b>02/21/08</b>

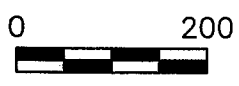
File: X:\27652-27685\Permits\_010808\ACOE\_010808\Sht-01 ACOE Site Plan Rev.dwg



MASSACHUSETTS  
PORT  
AUTHORITY


BOSTON  
REDEVELOPMENT  
AUTHORITY

PROJECT SITE

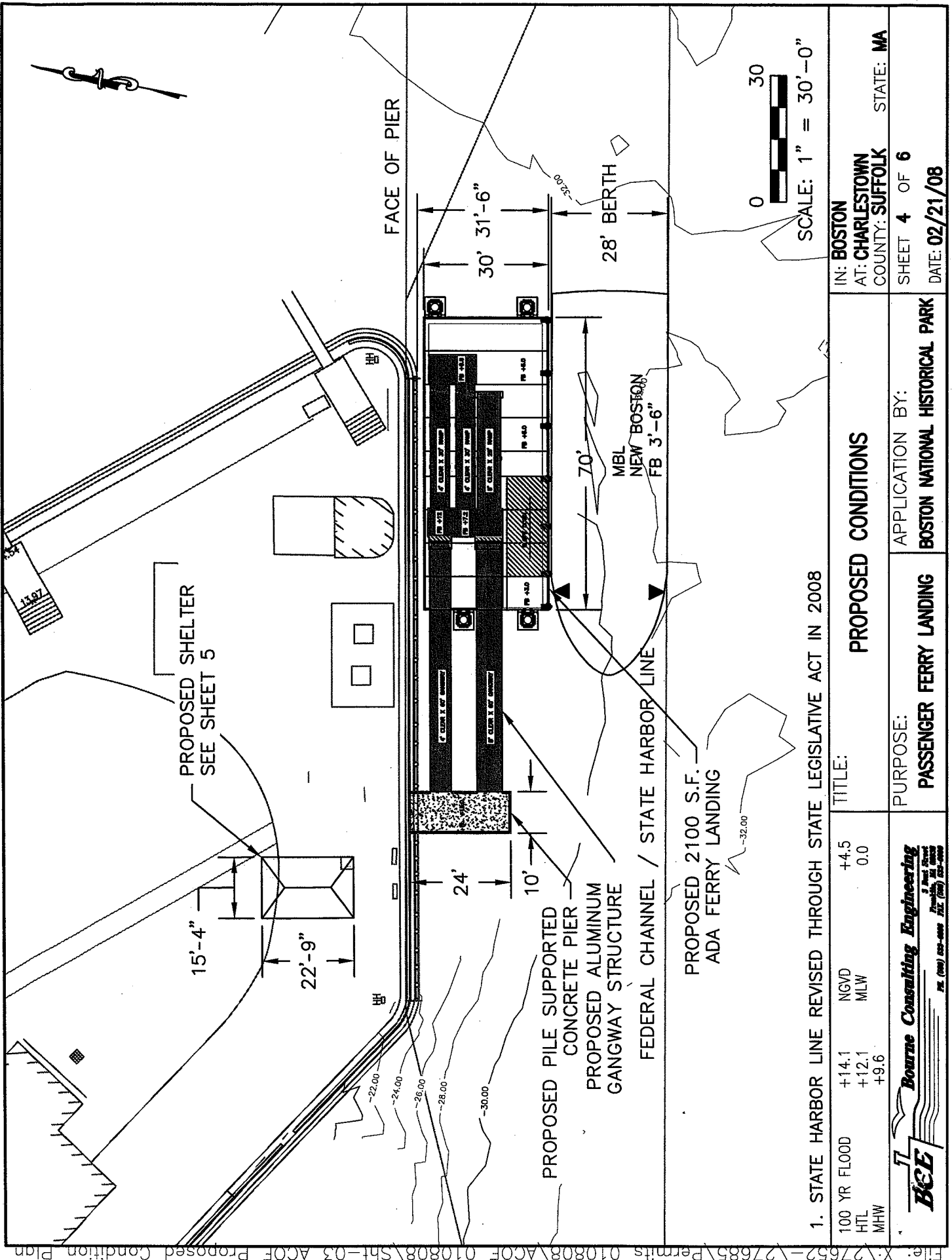


SCALE: 1" = 200'-0"

BOSTON INNER  
HARBOR

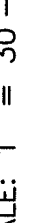
<p>PURPOSE: <b>PASSENGER FERRY LANDING</b></p>	<p>TITLE: <b>SITE PLAN</b></p>	<p>APPLICATION BY: <b>BOSTON NATIONAL HISTORICAL PARK</b></p>
<p>100 YR FLOOD +14.1 HTL +12.1 MHW +9.6 NGVD +4.5 MLW 0.0</p>	 <p><b>BCE</b> Bourne Consulting Engineering 3 Reed Street Franklin, MA 01832 TEL: (508) 553-0000 FAX: (508) 553-0000</p>	<p>IN: <b>BOSTON</b> AT: <b>CHARLESTOWN</b> COUNTY: <b>SUFFOLK</b> STATE: <b>MA</b> SHEET <b>2 OF 6</b> DATE: <b>02/21/08</b></p>





PROPOSED 2100 S.F.  
ADA FERRY LANDING

SCALE: 1" = 30'-0"



IN: BOSTON  
AT: CHARLESTOWN  
COUNTY: SUFFOLK STATE: MA  
SHEET 4 OF 6  
DATE: 02/21/08

TITLE:  
1. STATE HARBOR LINE REVISED THROUGH STATE LEGISLATIVE ACT IN 2008

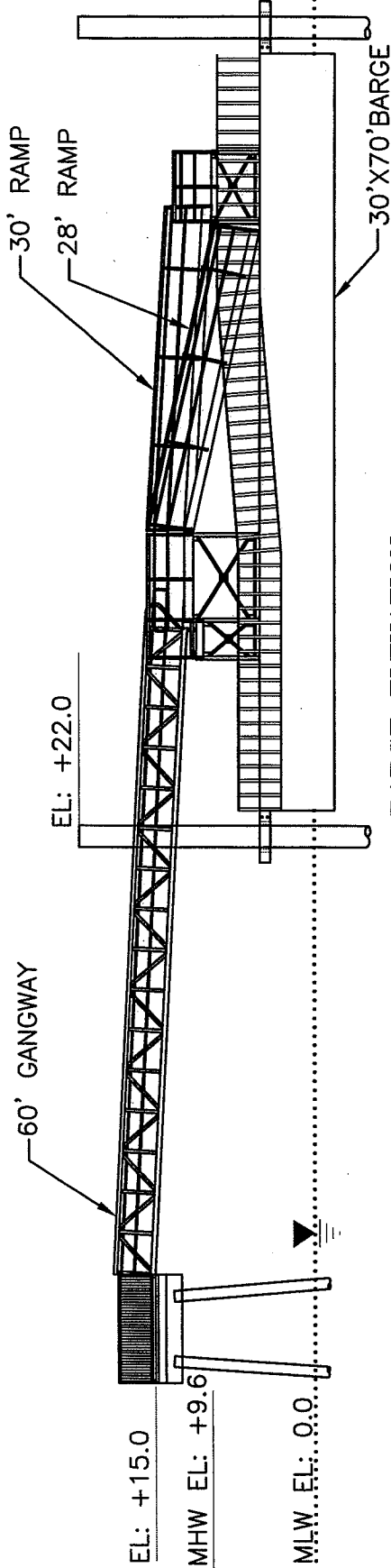
PURPOSE:  
PASSENGER FERRY LANDING

APPLICATION BY:  
BOSTON NATIONAL HISTORICAL PARK

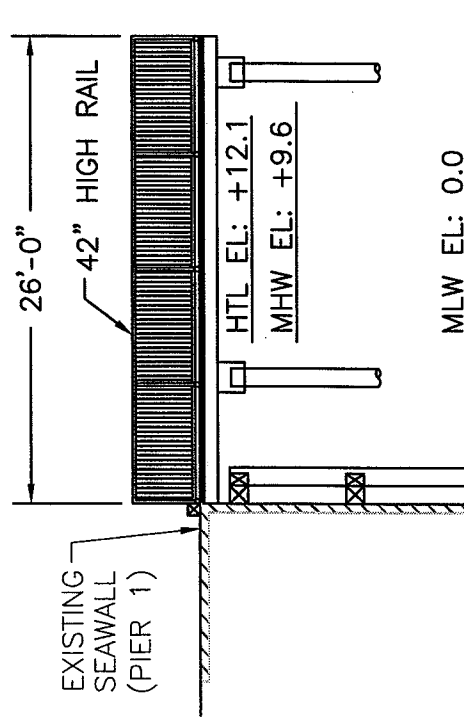
PROPOSED CONDITIONS

100 YR FLOOD	+14.1	NGVD	+4.5
HTL	+12.1	MLW	0.0
MHW	+9.6		

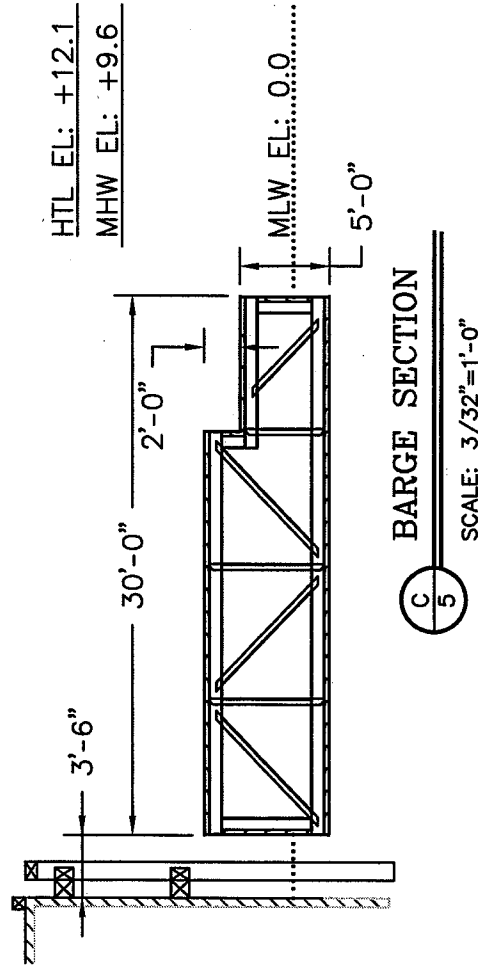
**BCE** Bourne Consulting Engineering  
 3 Pond Street  
 Bourne, MA 01949  
 Tel: (508) 835-0000 Fax: (508) 835-0000



**A**  
5



**B**  
5



**C**  
5

TITLE:

100 YR FLOOD	14.5	NGVD	4.5
HTL	12.1	MLW	0.0
MHW	9.6		

**SECTIONS**

PURPOSE:

**BCE** Bourne Consulting Engineering  
INC. 100 West Commercial Street  
Bourne, MA 01909  
TEL: (508) 838-4100 FAX: (508) 838-0771

PASSENGER FERRY LANDING

APPLICATION BY:

BOSTON NATIONAL HISTORICAL PARK

IN: BOSTON

AT: CHARLESTOWN

COUNTY: SUFFOLK

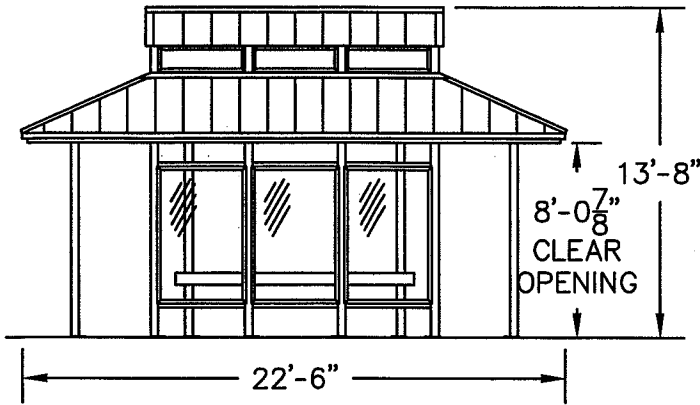
STATE: MA

SHEET 5 OF 6

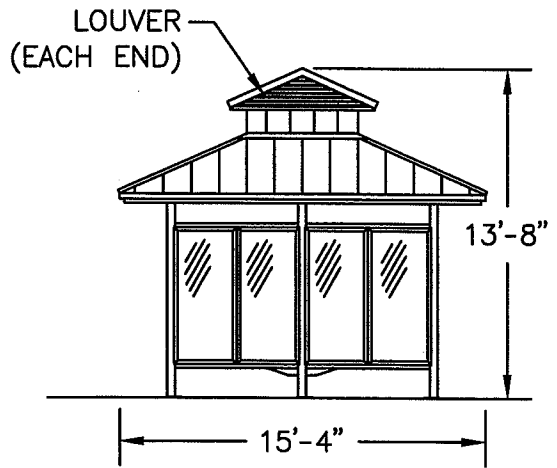
DATE: 02/21/08



PROPOSED SHELTER



FRONT ELEVATION




SIDE ELEVATION

FERRY LANDING SHELTER

SCALE: 1/8"=1'-0"

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PURPOSE: <b>PASSENGER                  FERRY LANDING</b>	TITLE: <b>SHELTER</b>	APPLICATION BY: <b>BOSTON NATIONAL                  HISTORICAL PARK</b>
100 YR FLOOD      +14.1 HTL                    +12.1 MHW                   +9.6 NGVD                 +4.5 MLW                   0.0		IN: <b>BOSTON</b> AT: <b>CHARLESTOWN</b> COUNTY: <b>SUFFOLK</b> STATE: <b>MA</b> SHEET <b>6</b> OF <b>6</b> DATE: <b>02/21/08</b>