



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
ATTENTION OF

January 3, 2011

Regulatory Division
CENAE-R-2005-4039

Town of Chilmark, Board of Selectmen
Attn: Tim Carroll, Executive Secretary
PO Box 119
Chilmark, Massachusetts 02535

Dear Mr. Carroll:

We have reviewed your application to undertake emergency repairs to the West Dock marine facility in Menemsha Basin located off Boathouse Road in Chilmark, Massachusetts. The existing 495' x 13' timber pier/carway, pilings and wave wall recently damaged by fire will be replaced with a new 495' x 15' concrete deck supported by steel pilings, a fiberglass reinforced plastic wave attenuation wall, 14 green heart fender piles, and a platform with an attached gangway. The work is shown on the attached plans entitled "PROPOSED CONNECTOR PIER AND FLOATS IN MENEMSHA BASIN, CHILMARK, MASS.", on eight sheets dated October 19, 2010 and "PROPOSED CONNECTOR PIER IN MENEMSHA HARBOR" on 3 sheets dated November 16, 2010.

Based on the information you have provided, we have determined that the proposed activity will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. Therefore, this work is authorized as a Category 2 activity under the attached Federal permit known as the Massachusetts General Permit (GP). This work must be performed in accordance with the terms and conditions of the GP and also in compliance with the following special condition.

In water work shall not occur from April 1st to June 15th of any year in order to minimize adverse impacts to fish habitat.

The Corps of Engineers has consulted with the National Marine Fisheries Service (NMFS) regarding the effects of your project on Essential Fish Habitat (EFH) as designated under the Magnuson-Stevens Fishery Conservation and Management Act. The NMFS has not provided EFH conservation recommendations.

You are responsible for complying with all of the GP's requirements. Please review the attached GP carefully, in particular the GP conditions beginning on Page 5, to familiarize yourself with its contents. You should ensure that whoever does the work fully understands the requirements and that a copy of the permit document and this authorization letter are at the project site throughout the time the work is underway.

Your project is located within, or may affect resources within the coastal zone. The

Massachusetts Office of Coastal Zone Management (CZM) has already determined that no further Federal Consistency Review is required.

This GP expires on January 21, 2015. Activities authorized under this GP that have commenced (i.e., are under construction) or are under contact to commence before this GP expires will have until January 21, 2016 to complete the activity under the terms and general conditions of the current GP. For work within Corps jurisdiction that is not completed by January 21, 2016, you will need to reference any reissued GP to see if your project is still authorized under Category 1 (no application required), or Category 2 (application required). If it is no longer authorized you must submit an application and receive written authorization before you can continue work within our jurisdiction. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. This office must approve any changes before you undertake them.

This authorization requires you to complete and return the attached Work Start Notification Form to this office at least two weeks before the anticipated starting date. You must also complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).

This authorization presumes that the work as described above and as shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, submit a request for an approved jurisdictional determination in writing to this office.

This permit does not obviate the need to obtain other federal, state, or local authorizations required by law, as listed on Page 2 of the GP. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

Please contact Ted Lento, of my staff at 978-318-8863 if you have any questions.

Sincerely,


Philip T. Feir
Colonel, Corps of Engineers
District Engineer

Attachments

Copies Furnished:

Ed Reiner, U.S. EPA, Region 1, Boston, Massachusetts, reiner.ed@epa.gov

Elizabeth F. Kouloheras, DEP SERO, Wetlands and Waterways, Lakeville, Massachusetts,
c/o lisa.ramos@state.ma.us

Robert Boeri, Coastal Zone Management, Boston, Massachusetts, Robert.Boeri@state.ma.us



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

**GENERAL PERMIT
WORK-START NOTIFICATION FORM**
(Minimum Notice: Two weeks before work begins)

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Corps of Engineers Permit No. 2005-4039 was issued to the Town of Chilmark for maintenance and expansion of the West Dock marine facility in Menemsha Basin located off Boathouse Road in Chilmark, Massachusetts. The existing 495' x 13' timber pier/carway, pilings and wave wall recently damaged by fire will be replaced with a new 495' x 15' concrete deck supported by steel pilings, with a fiberglass reinforced plastic wave attenuation wall, 14 green heart fender piles, a platform & gangway.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Telephone Numbers: () _____ () _____

Proposed Work Dates: Start: _____ Finish: _____

Permittee/Agent Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Date Permit Issued: _____ **Date Permit Expires:** _____

FOR USE BY THE CORPS OF ENGINEERS

PM: Ted Lento **Submittals Required:** No

Inspection Recommendation: Inspect while work is ongoing.



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

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: 2005-4039

Project Manager Ted Lento

Name of Permittee: Town of Chilmark

Permit Issuance Date: December 2010

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

 * MAIL TO: U.S. Army Corps of Engineers, New England District *
 * Permits and Enforcement Branch A *
 * Regulatory Division *
 * 696 Virginia Road *
 * Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

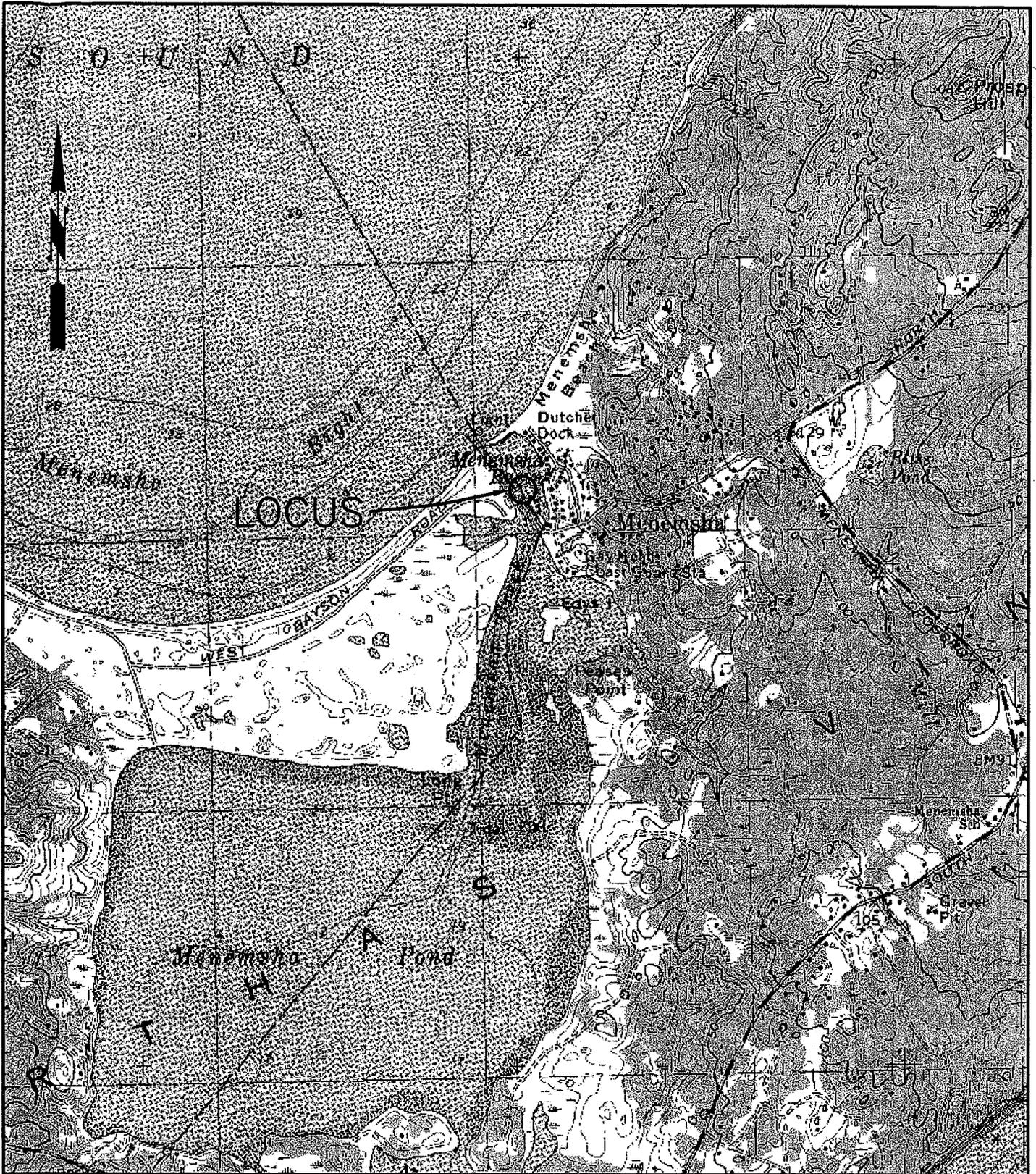
Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number



PURPOSE: To replace the access pier that was destroyed in a fire.

DATUM: MLW = 0.0'
MHW = 3.0'

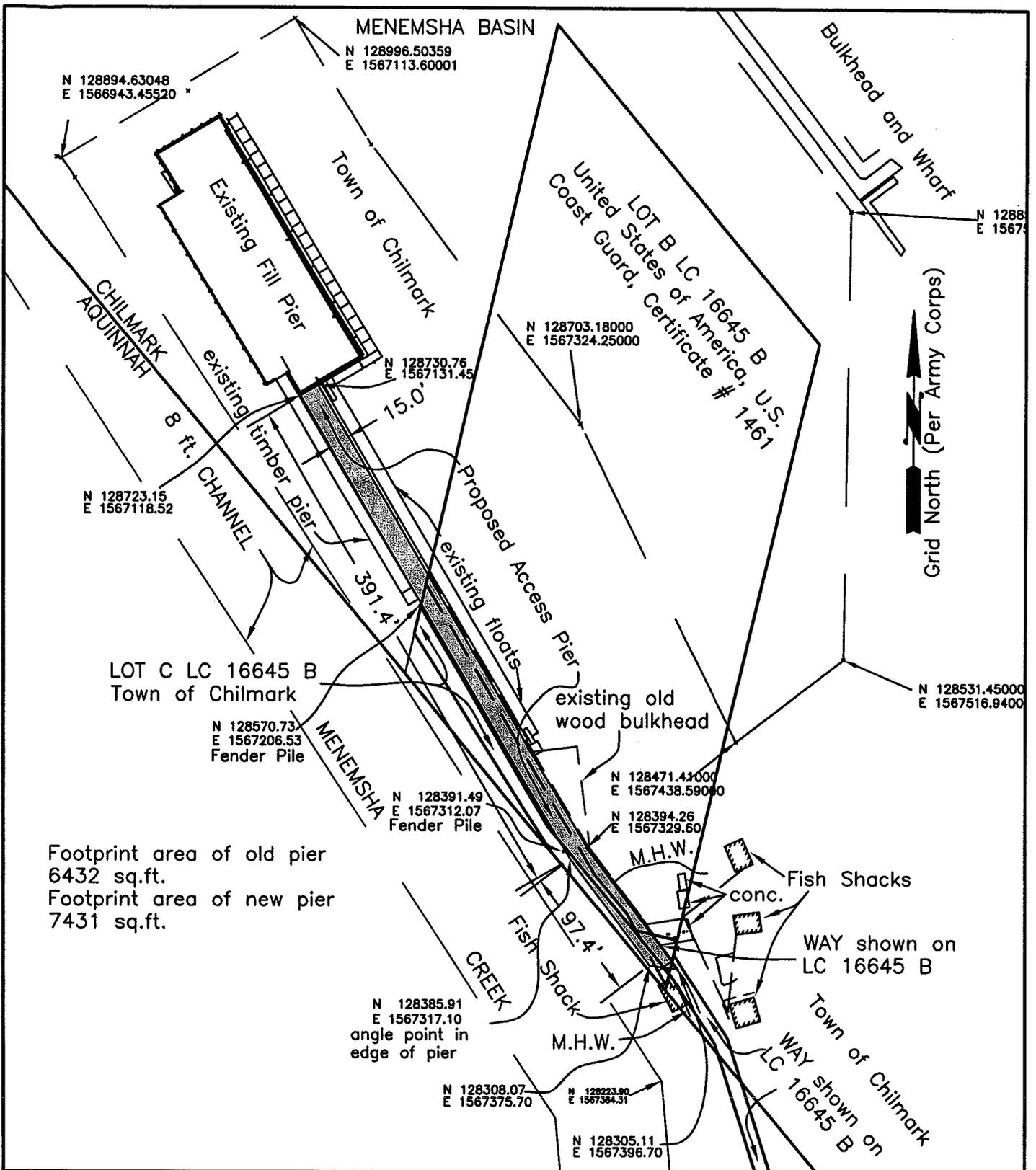
Vineyard Land Surveying & Engineering, P.O. Box 421
West Tisbury, MA 02575

1:25,000

VICINITY MAP

Sheet 1 of 3

Proposed Connector Pier in:
MENEMSHA HARBOR,
CHILMARK, MASS. for
THE TOWN OF CHILMARK
P.O. Box 119
Chilmark, MA 02535
November 16, 2010



PURPOSE: To replace the access pier that was destroyed in a fire.

DATUM: MLW = 0.0'
MHW = 3.0'

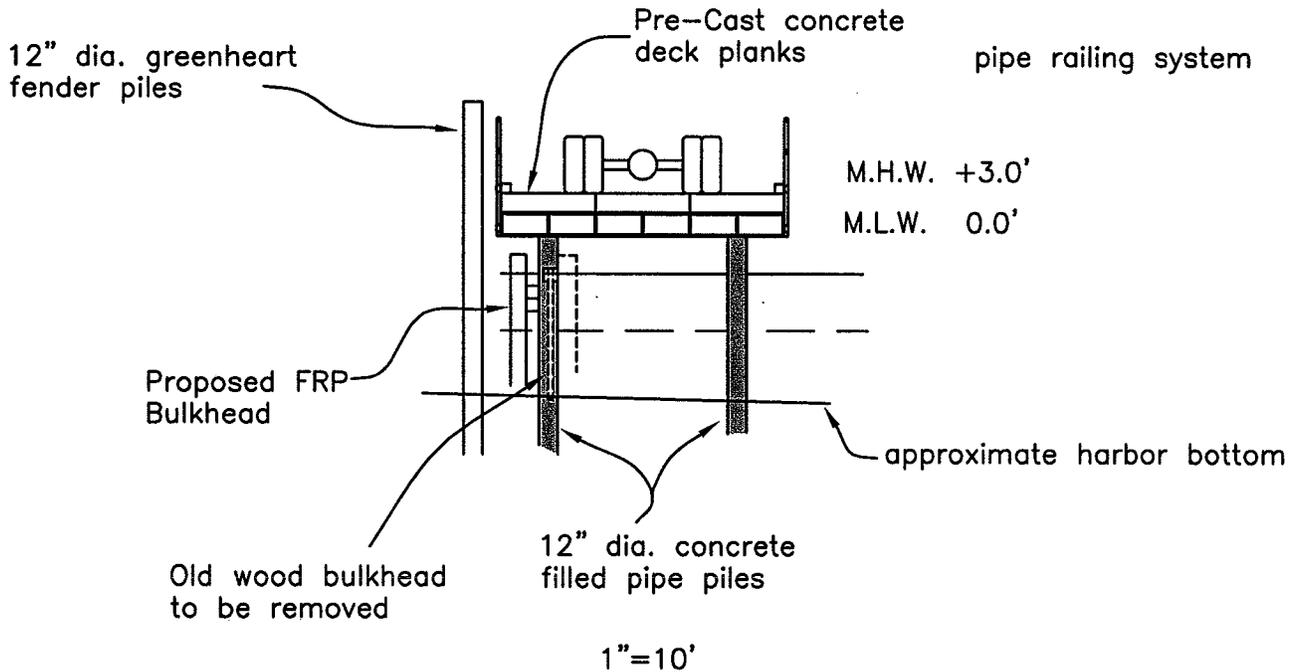
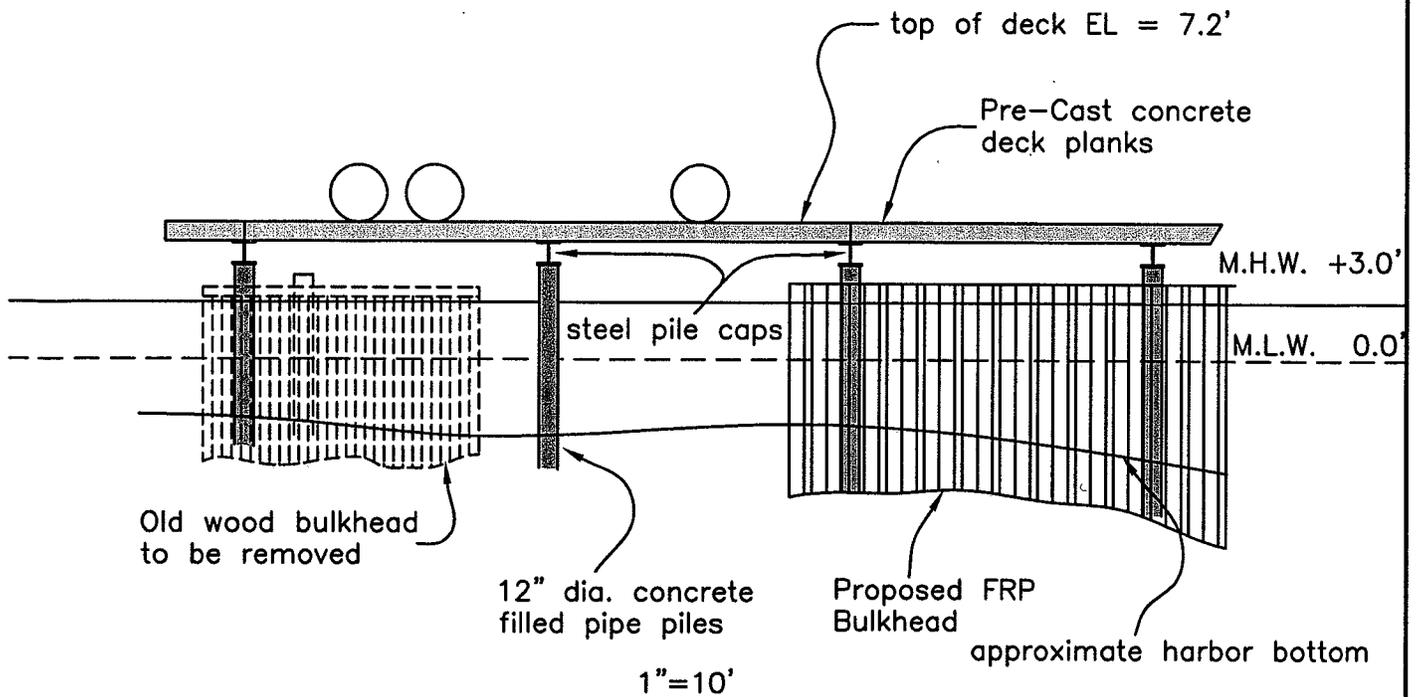
Vineyard Land Surveying & Engineering, P.O. Box 421
West Tisbury, MA 02575

1" = 100'

PLAN VIEW

Sheet 2 of 3

Proposed Connector Pier in:
MENEMSHA HARBOR,
CHILMARK, MASS. for
THE TOWN OF CHILMARK
P.O. Box 119
Chilmark, MA 02535
November 16, 2010



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Vineyard Land Surveying & Engineering, P.O. Box 421
West Tisbury, MA 02575

PROFILE AND CROSS SECTION

Proposed Connector Pier in:
MENEMSHA HARBOR,
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THE TOWN OF CHILMARK
P.O. Box 119
Chilmark, MA 02535
November 16, 2010

Sheet 3 of 3