



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

# PUBLIC NOTICE

**Comment Period Begins:** April 25, 2023

**Comment Period Ends:** May 25, 2023

**File Number:** NAE-2022-01702

**In Reply Refer To:** Charles Farris

**Phone:** (978) 318-8336

**E-mail:** Charles.n.farris@usace.army.mil

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The District Engineer has received a permit application to conduct work in waters of the United States from Crowley Wind Services, 225 Dyer Street, Providence, RI 02903. This work is proposed in Salem Harbor, MA at 67 Derby Street, Salem, MA 01970. The site coordinates are: Latitude 42.523611 °N, Longitude 70.877222 °W.

The work involves replacing a 705-foot by 40-foot pile supported pier with a reconstructed 659-foot by 78-foot pile supported loadout wharf in the same location. This wharf will be stabilized by applying fill landward of the steel sheet pilings to stabilize the structure. Two new piers will be constructed in the vicinity. One pier will be a 405-foot by 150-foot pile-supported delivery pier and the other will be a 280-foot by 65-foot trestle pier. Three new pile-supported dolphins will be constructed and one 160-foot by 9-foot pile-supported pier will be removed. The proposed reconstructed loadout wharf will stabilize the existing shoreline by repairing and replacing dilapidated pilings, installing combi-walls along the existing vertical walls and backfilling, and other wharf-related improvements to the Project Site. There will be approximately 17,900 square feet of material backfilled under the piers to stabilize the shoreline. The dilapidated vertical sheetpile wall along the proposed trestle pier will also be stabilized by removing a portion of the existing wall and installing new steel sheetpile and steel piles next to it. These site improvements will also help minimize shoreline erosion. The proposed new stormwater drainage system will include swales, landscape features, stormwater piping, tide gate manhole, and stormwater manholes and inlets.

Stormwater runoff from the Project Site will be managed via a proposed stormwater management system that is designed to provide water quality treatment while mimicking existing drainage patterns that discharge to Salem Harbor. The southern upland area of the Project Site will be pitched towards a vegetative swale and series of deep sump catch basins along the property line abutting the Salem Harbor Power Station. Stormwater will then be conveyed via proposed and existing piping towards an existing 48-inch diameter outfall along the discharge channel. Stormwater runoff from the south side of the site will be conveyed towards a proposed 24-inch diameter outfall at El. 3 feet to Salem Harbor along the southeast corner of the site. The northern upland area of the Project Site will be graded downslope towards the shoreline and stormwater will be captured by a trench drain through the middle of the laydown yard. The trench drain is then routed towards a proposed drainage manhole then piped towards a water quality structure and proposed 12-inch diameter outfall with a tide gate at El. 5 feet. The proposed piers along Salem Harbor will be drained via scuppers which will connect to the proposed stormwater infrastructure network. The Project will meet Massachusetts Stormwater Management Standards to the maximum extent practicable.

The work is shown on the enclosed plans entitled "Salem OSW Terminal," on 24 sheets (sheets labelled 1 of 28 to 22 of 28 and 26 of 28 to 28 of 28) and dated "December 23, 2022."

## **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.
- ☐ Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

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 U.S. Army Corps of Engineers, New England District (USACE), 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. The USACE will consider all comments received 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.

A permit pursuant to Section 10/404 shall not be granted until the Section 408 permission is issued. Through this public notice we are soliciting information necessary to inform the USACE evaluation and review.

## **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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project will have an adverse effect on 2,600 square feet of EFH, representing the cross-sectional area of square footage of all piers to be installed. In addition, 17,900 square feet of EFH will be adversely affected by fill placed to stabilize the shoreline landward of the sheet piles. Finally, 170 square feet of marine intertidal habitat will be impacted by the installation of 35 30"-diameter piles. This habitat consists of fine sand and silting habitats in both marine subtidal and marine intertidal habitat. Loss of this habitat may adversely affect species that use these waters and substrate. The District Engineer has made a preliminary determination that site-specific impacts may be substantial. Accordingly, the USACE will submit an expanded EFH assessment to

the National Marine Fisheries Service, who in turn will provide conservation recommendations to the USACE. The EFH consultation will be concluded prior to the final decision.

### **NATIONAL HISTORIC PRESERVATION ACT**

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. 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).

### **ENDANGERED SPECIES CONSULTATION**

The USACE has reviewed the application for the potential impact on Federally-listed, threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. 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 not likely to adversely affect a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

### **OTHER GOVERNMENT AUTHORIZATIONS**

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.

### **COMMENTS**

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 Charles Farris at (978) 318-8336, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

The Project will be conducted in two stages: 1) installation of pile-supported structures, stabilization of seawalls, and 2 new outfalls; and 2) dredging the Basin and adjacent areas. The first stage will not be contingent on getting the approval for the second stage, and therefore we are considering this as a separate permit action.

**CENAE-R**  
**FILE NO. NAE-2022-01702**

The dredging portion will be considered as a separate permit action contingent on the results of the ongoing sediment analysis. NO dredging or open water disposal is contemplated for the permit action that is the subject of this public notice.

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 USACE 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.

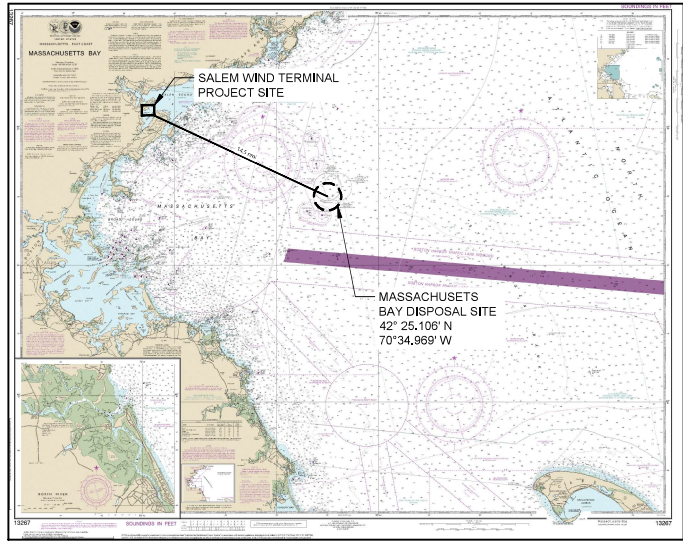
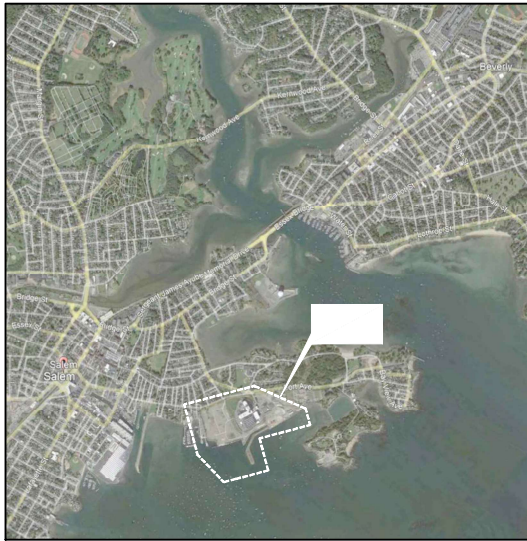
**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

*Ruthann Brien*  
for **Paul Maniccia**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

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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](mailto:bettina.m.chaisson@usace.army.mil).




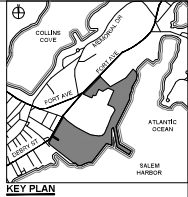


NOTE:

1. APPROXIMATE COORDINATES FOR SALEM PROJECT LOCATION:  
DEGREES LAT LONG: 42.522971, -70.878081  
DEGREES MINUS SECONDS: 42° 31' 22.695" N, 70° 52' 41.091" W
2. SALEM ADDRESS: 67 DERBY STREET, SALEM, MA 01970
3. THE SUBJECT PROPERTY IS DEPICTED AS LOT 339  
(ASSESSED AREA = 42.3 ACRES) ON CITY OF SALEM ASSESSOR'S MAP 41.

TITLE <b>COVER SHEET</b>		PROPOSED <b>SALEM OSW TERMINAL</b>	
GRAPHIC SCALE (S) <b>AS SHOWN</b>	DATE: <b>MLW</b>	IN: <b>SALEM HARBOR</b> <b>DISTRICT: NEW ENGLAND</b>	AT: <b>SALEM TERMINAL</b> <b>TERRITORY: SALEM, MASSACHUSETTS</b>
		APPLICATION BY: <b>CROWLEY WIND SERVICES, INC.</b>	
		<b>AECOM TECHNICAL SERVICES, INC.</b> 605 3rd Ave, 2nd Floor New York, NY 10004 T 212.377.8400 F 212.377.8410 <a href="http://www.aecom.com">www.aecom.com</a>	
		DATE: <b>12-23-2022</b>	REV: <b>-</b>
		SHEET NO. <b>1</b> OF <b>28</b>	

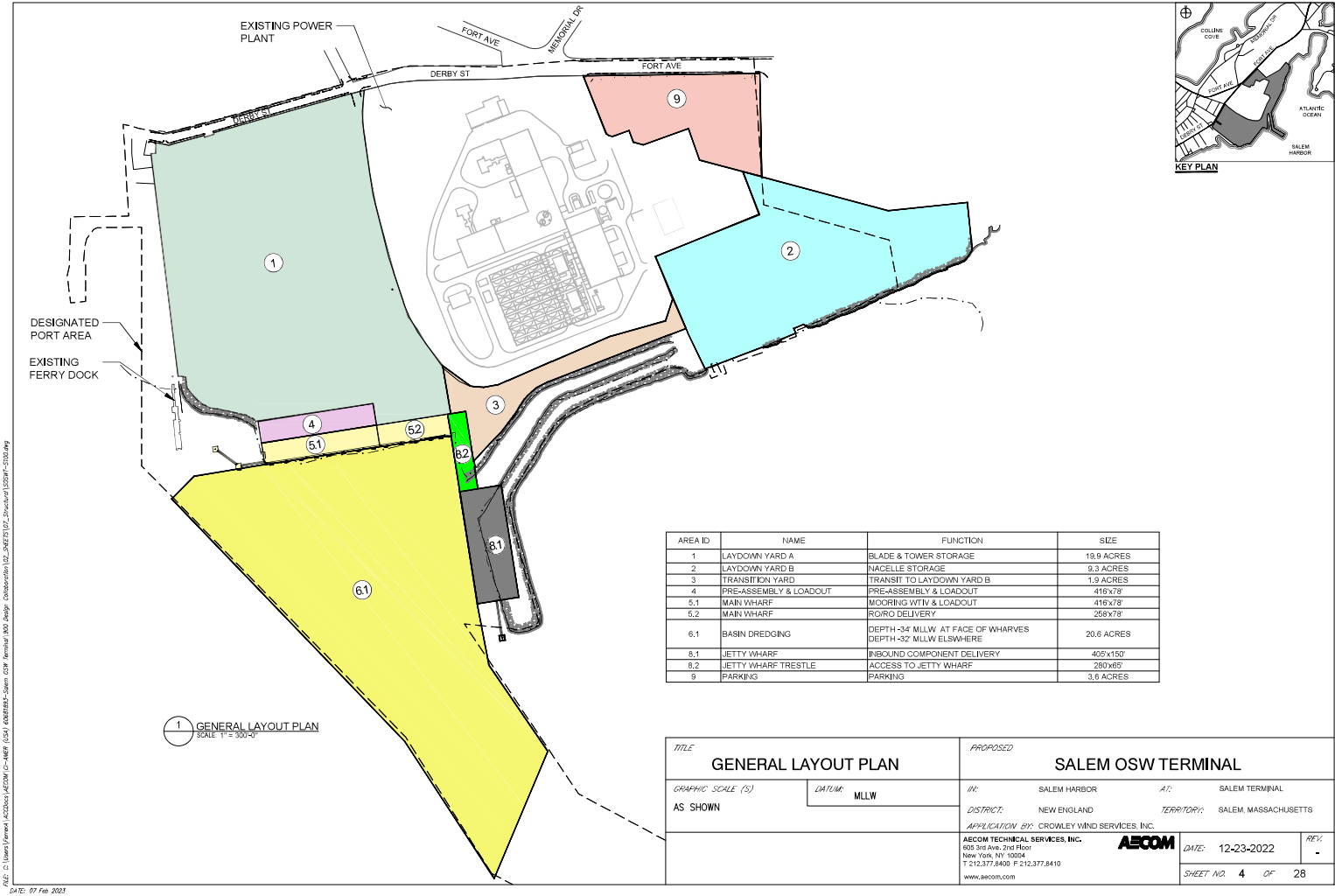
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PERMIT SHEET INDEX		SALEM OSW TERMINAL	
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AS SHOWN		DISTRICT: NEW ENGLAND	TERRITORY: SALEM, MASSACHUSETTS
		APPLICATION BY: CROWLEY MIND SERVICES, INC.	
		AECOM TECHNICAL SERVICES, INC. 603 3rd Ave, 2nd Floor New York, NY 10004 T 212.377.8400 F 212.377.8410 www.aecom.com	
		DATE: 12-23-2022	REV: -
		SHEET NO. 2 OF 28	



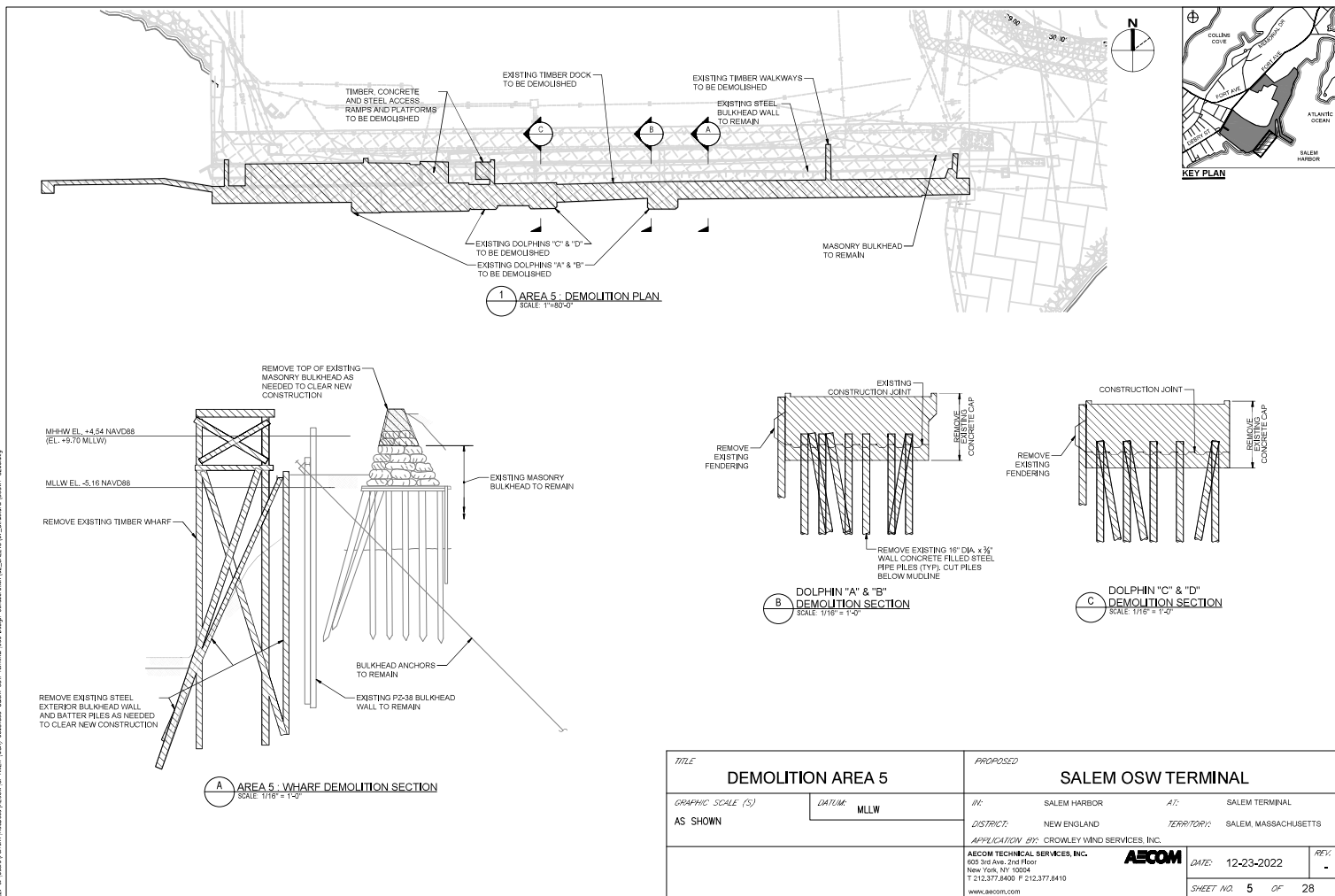
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DATE: 07 Feb 2023





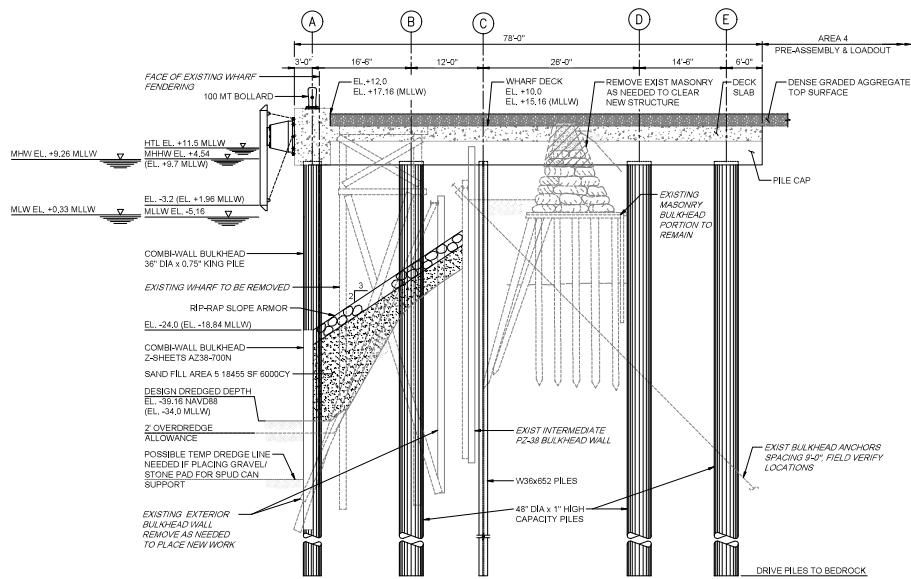
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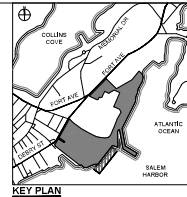




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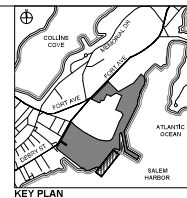


A  
7  
AREA 5.1 TYPICAL MAIN WHARF SECTION  
SCALE 1/8" = 1'-0"



TITLE		PROPOSED	
AREA 5.1 MAIN WHARF TYPICAL SECTION		SALEM OSW TERMINAL	
GRAPHIC SCALE (S)	DATUM: MLLW	IN: SALEM HARBOR	AT: SALEM TERMINAL
AS SHOWN		DISTRICT: NEW ENGLAND	TERRITORY: SALEM, MASSACHUSETTS
		APPLICATION BY: CROWLEY WIND SERVICES, INC.	
		AECOM TECHNICAL SERVICES, INC. 600 3rd Ave, 2nd Floor New York, NY 10014 T 212.377.8400 F 212.377.8410 www.aecom.com	
		DATE: 12-23-2022	REV: -
		SHEET NO. 8	OF 28

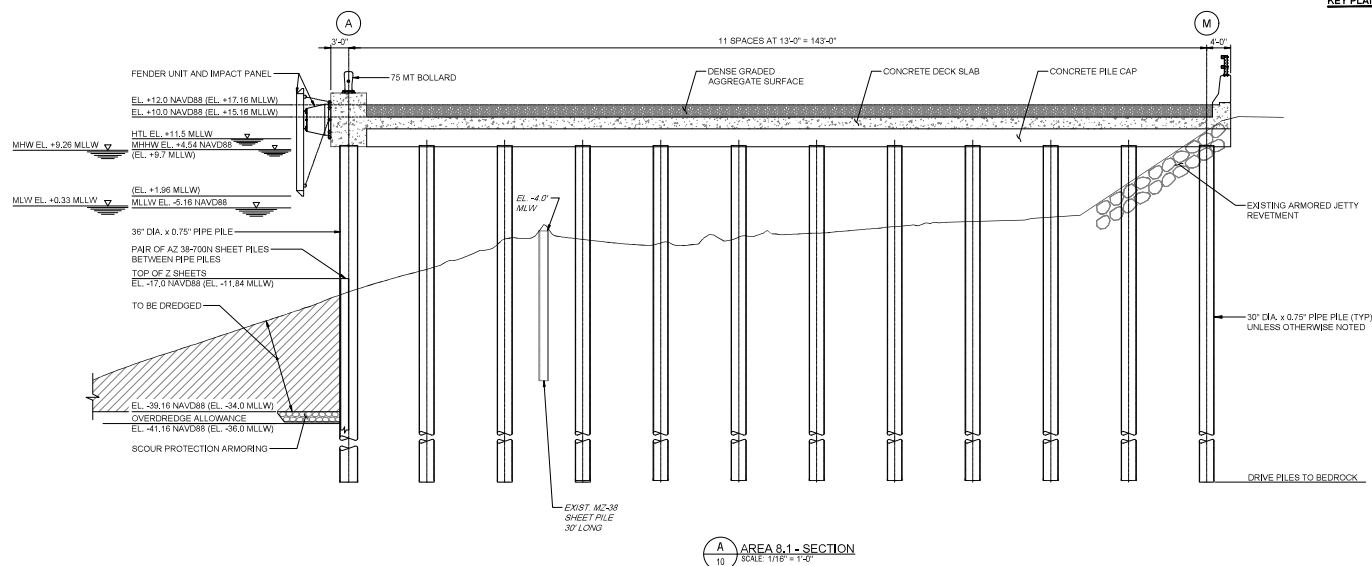
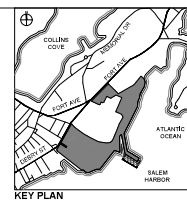




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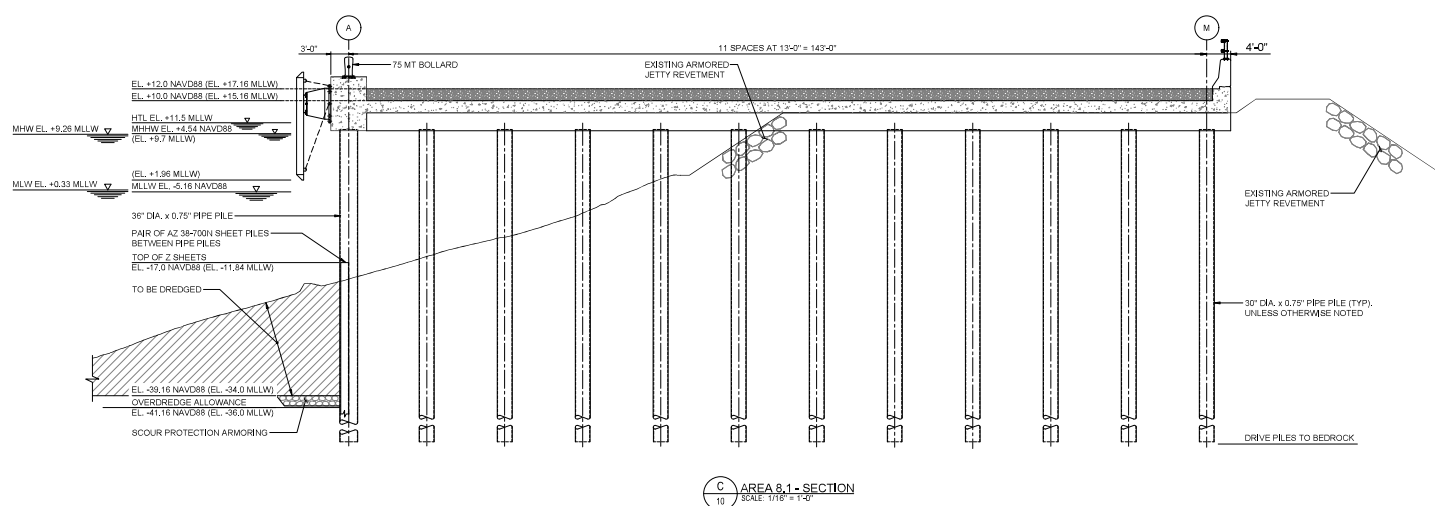
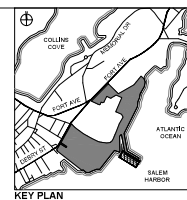
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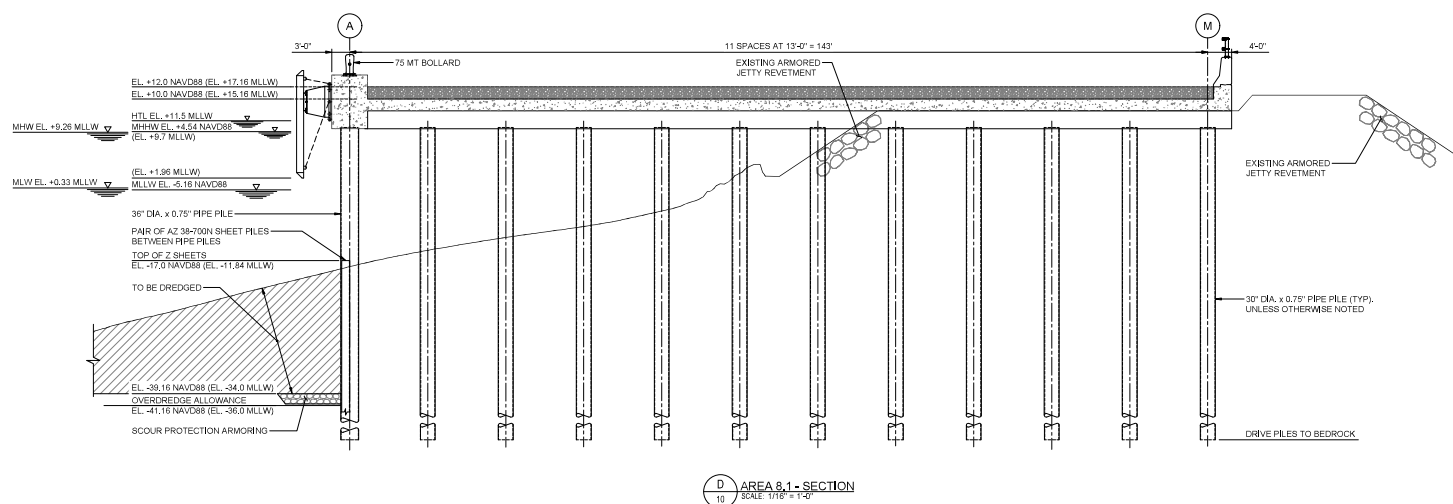
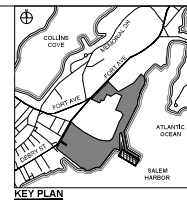



<b>TITLE</b> <b>AREA 8,1</b> <b>JETTY WHARF SECTIONS 1 OF 4</b>		<b>PROPOSED</b> <b>SALEM OSW TERMINAL</b>	
<b>GRAPHIC SCALE (S)</b> AS SHOWN	<b>DATE:</b> MLLW	<b>INC:</b> SALEM HARBOR <b>DISTRICT:</b> NEW ENGLAND <b>APPLICATION BY:</b> CROWLEY WIND SERVICES, INC.	<b>AT:</b> SALEM TERMINAL <b>TERRITORY:</b> SALEM, MASSACHUSETTS
		<b>AECOM TECHNICAL SERVICES, INC.</b> 605 1st Ave, 2nd Floor New York, NY 10004 T 212.377.8400 F 212.377.8410 <a href="http://www.aecom.com">www.aecom.com</a>	<div style="display: flex; align-items: center;"> <div> <b>DATE:</b> 12-23-2022  <b>SHEET NO.</b> 11 <i>OF</i> 28         </div> </div>
			<b>REV:</b> -



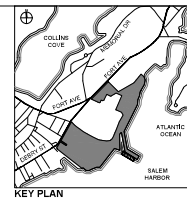



<b>TITLE</b> <b>AREA 8,1</b> <b>JETTY WHARF SECTIONS 3 OF 4</b>		<b>PROPOSED</b> <b>SALEM OSW TERMINAL</b>	
<b>GRAPHIC SCALE (S)</b> AS SHOWN	<b>DATE:</b> MLLW	<b>INC:</b> SALEM HARBOR <b>DISTRICT:</b> NEW ENGLAND <b>APPLICATION BY:</b> CROWLEY WIND SERVICES, INC.	<b>AT:</b> SALEM TERMINAL <b>TERRITORY:</b> SALEM, MASSACHUSETTS <div>  </div>
		<b>AECOM TECHNICAL SERVICES, INC.</b> 605 Mt. Ave., 2nd Floor New York, NY 10024 T 212.377.8400 F 212.377.8410 WWW.AECOM.COM	<b>DATE:</b> 12-23-2022 <b>SHEET NO.</b> 13 OF 28 <b>REV:</b> -



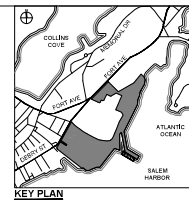
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<b>GRAPHIC SCALE (S)</b> AS SHOWN	<b>DATE:</b> MLLW	<b>INC:</b> SALEM HARBOR <b>DISTRICT:</b> NEW ENGLAND <b>APPLICATION BY:</b> CROWLEY WIND SERVICES, INC.	<b>AT:</b> SALEM TERMINAL <b>TERRITORY:</b> SALEM, MASSACHUSETTS
AECOM TECHNICAL SERVICES, INC. 605 Mt. Ave., 2nd Floor New York, NY 10024 T 212.377.8400 F 212.377.8410 WWW.AECOM.COM			<b>DATE:</b> 12-23-2022 <b>SHEET NO.</b> 14 OF 28 <b>REV.</b> -





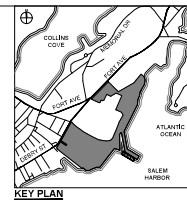
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<b>GRAPHIC SCALE (S)</b> AS SHOWN	<b>DATUM:</b> MLLW	<b>LOC:</b> SALEM HARBOR <b>DISTRICT:</b> NEW ENGLAND <b>APPLICATION BY:</b> CROWLEY WIND SERVICES, INC.	<b>AT:</b> SALEM TERMINAL <b>TERRITORY:</b> SALEM, MASSACHUSETTS
AECOM TECHNICAL SERVICES, INC. 605 Mt. Ave., 2nd Floor New York, NY 10024 T 212.377.8400 F 212.377.8410 WWW.AECOM.COM			<b>DATE:</b> 12-23-2022 <b>SHEET NO.</b> 16 <b>OF</b> 28 <b>REV.</b> -






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DATE: 07 Feb 2021



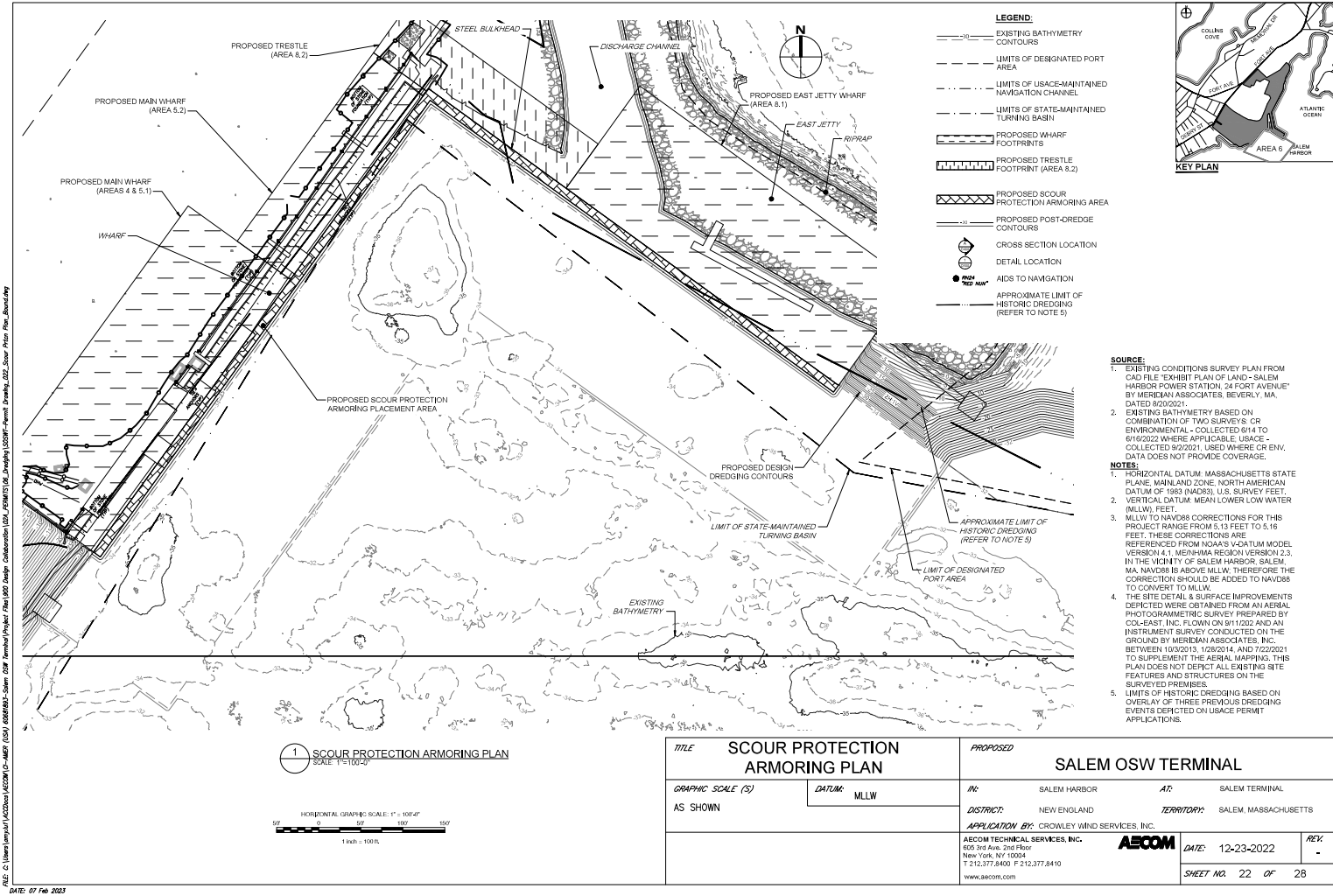
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<b>GRAPHIC SCALE (S)</b> AS SHOWN	<b>DATUM:</b> MLLW	<b>LOC:</b> SALEM HARBOR <b>DISTRICT:</b> NEW ENGLAND <b>APPLICATION BY:</b> CROWLEY WIND SERVICES, INC.	<b>AT:</b> SALEM TERMINAL <b>TERRITORY:</b> SALEM, MASSACHUSETTS
		<b>AECOM TECHNICAL SERVICES, INC.</b> 605 Mt. Ave., 2nd Floor New York, NY 10024 T 212.377.8400 F 212.377.8410 WWW.AECOM.COM	<div style="display: flex; align-items: center;">  <div> <b>DATE:</b> 12-23-2022  <b>SHEET NO.</b> 18 <b>OF</b> 28         </div> </div>
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**A SECTION**  
SCALE: 1/8" = 1'-0"



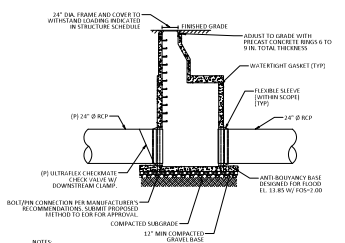




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PLOT: 07 Feb 2023

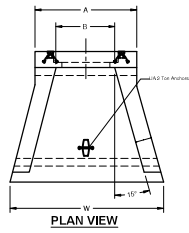




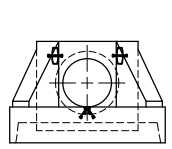


- NOTES**
1. STRUCTURE & APPURTENANCES SHALL CONFORM TO ASTM C-478 & BE DESIGNED TO WITHSTAND LOADING AS INDICATED ON THE STRUCTURE SCHEDULE. (TABLE BEHIND P.C. 5000).
  2. MANHOLES SHALL PREVENT LEAKAGE IN EXCESS OF ONE GALLON PER SQ. FOOT PER VERTICAL FOOT OF MAIN HOLE.
  3. SEE STRUCTURE SCHEDULE FOR FRAME AND COVER.
  4. STRUCTURE SHALL BE DESIGNED TO RESIST BUOYANCY WITH A FLOOD EL. OF 53.85 AND FOS=2.00.
  5. CONTRACTOR TO SUBMIT SHOP DRAWING PREPARED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MA TO EOR FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.

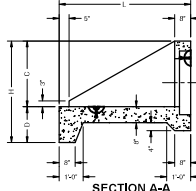
⊕ TIDE GATE MANHOLE  
SCALE N.T.S.



**PLAN VIEW**

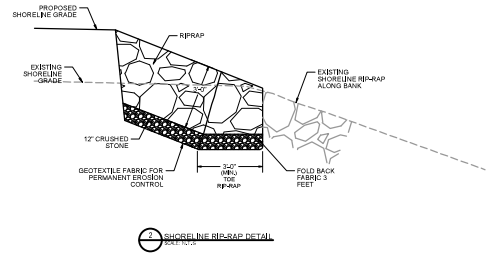
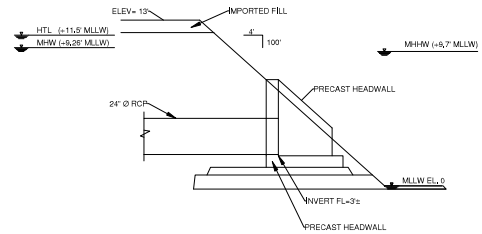
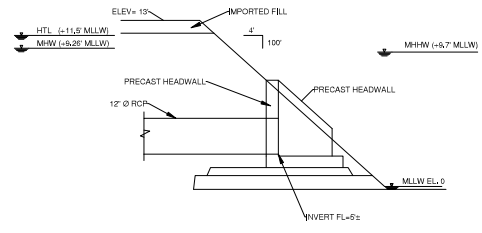


**FRONT VIEW**

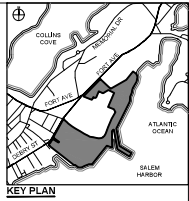


**SECTION A-A**

Pipe Size	Hole Size	W	L	H	A	B	C	D	E	F	G	Weight
12"	12"Ø	63"	54"	42"	42"	34"	27"	16"	8.5"	9.75"	3.5"	3605 lbs.
15"	15"Ø	63"	54"	42"	42"	34"	27"	16"	8.5"	9.75"	3.5"	3605 lbs.
18"	18"Ø	78"	66"	51"	51"	29"	33"	18"	9"	6.0"	4"	5468 lbs.
24"	24"Ø	78"	66"	51"	51"	29"	33"	18"	9"	6.0"	4"	5468 lbs.



⊕ SHORELINE RIPRAP DETAIL  
SCALE N.T.S.



TITLE		PROPOSED	
SITE DETAILS		SALEM OSW TERMINAL	
GRAPHIC SCALE (S)	DATE: MLLW	IN: SALEM HARBOR	AT: SALEM TERMINAL
AS SHOWN		DISTRICT: NEW ENGLAND	TERRITORY: SALEM, MASSACHUSETTS
		APPLICATION BY: CROWLEY WIND SERVICES, INC.	
		AECOM TECHNICAL SERVICES, INC. 600 3rd Ave., 2nd Floor New York, NY 10004 T 212.377.8400 F 212.377.8410 www.aecom.com	
		DATE: 12-23-2022	REV: -
		SHEET NO. 28	OF 28