



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

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: April 27, 2004

Comment Period Ends: May 27, 2004

File Number: NAE 2004-29

In Reply Refer To: Paul Sneeringer @ 978-318-8491

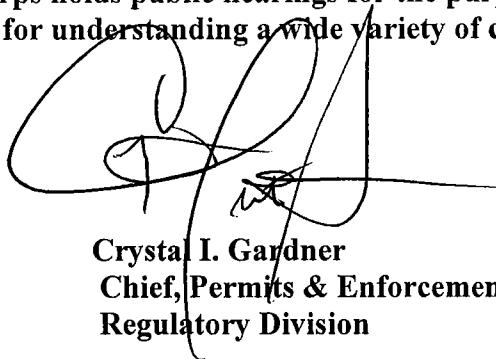
Or by e-mail: paul.j.sneeringer @ nae02.usace
.army.mil

Echo Hill South Association, Inc., c/o Bob Tuthill, P.O. Box 852, Amherst, Massachusetts 01004; has requested a Corps of Engineers permit under Section 404 of the Clean Water Act to discharge dredged and/or fill material within an unnamed tributary of the Fort River as part of the restoration of the three Echo Hill South Ponds. These project sites are located adjacent to Stony Hill Road in Amherst, Massachusetts. The purpose for this project is to restore pond depths in order to encourage fishing and passive recreational uses. The pond restoration projects will involve dewatering the ponds and then excavating and grading the pond bottoms using a backhoe. Dredged material will be stockpiled and partially dewatered within the ponds. Approximately 5,200 cubic yards of sandy gravel material will be deposited at approved upland disposal sites. All totaled approximately 83,000 square feet of waters of the United States, including jurisdictional wetlands will be impacted as part of these projects. The work is described on the enclosed plans entitled "THE ECHO HILL SOUTH ASSOCIATION," on 20 sheets, and dated "3/1/04."

This project is located on the USGS Belchertown quadrangle sheet at UTM coordinates 42°21'55.09 N and 72°28'40.89" E.

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.



Crystal I. Gardner
Chief, Permits & Enforcement Branch
Regulatory Division

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS

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.

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.

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 fulfill requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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.

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.

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: _____

