



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Programs and Project
Management Division

Date: **March 19, 2014**

Comment Period Closes: **April 17, 2014**

30 DAY PUBLIC NOTICE

MAINTENANCE DREDGING OF THE PAWCATUCK RIVER, LITTLE NARRAGANSETT BAY, AND WATCH HILL COVE FEDERAL NAVIGATION PROJECT STONINGTON, CONNECTICUT & WESTERLY, RHODE ISLAND

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District, plans to perform maintenance dredging of the Federal Navigation Project, involving work in the navigable waters of this District, under provisions of NEPA (Title 33, Parts 335-338 of the Code of Federal Regulations) and Section 404 of the Clean Water Act of 1977 (P.L. 95-217). The Pawcatuck River, Little Narragansett Bay, and Watch Hill Cove Federal Navigation Project is authorized in accordance with the River and Harbor Act of 1896. Attachment No. 1 lists pertinent laws, regulations, and directives.

Authorized Federal Project Description: The Congressionally authorized Federal Navigation Project (FNP) provides for a 10-foot-deep Mean Lower Low Water (MLLW) channel, 100-foot wide from Stonington Point through Little Narragansett Bay to Avondale, a length of about 3 miles, to the lower wharves in Westerly, a length of about 4 miles, and then 40-foot-wide between lower and upper wharves of Westerly to 7-foot-deep; a 10-foot-deep channel, 100 foot wide, from the mouth of the river into Watch Hill Cove; a 16-acre anchorage basin in the Cove, 10-foot deep; a 200-foot long riprap jetty near the southwest corner of basin. (See Attachment 2). The Pawcatuck River, Little Narragansett Bay, and Watch Hill Cove FNP was originally authorized by the River & Harbor Act of 1896, and further modified in 1905, 1945, and 1960.

Character and Purpose of Work: The proposed work involves maintenance dredging of approximately 60,000 cubic yards (cy) of sandy material from approximately 8-acres within the 10-foot-deep MLLW by 100-foot-wide entrance channel extending approximately 3 miles from Stonington Point, into Little Narragansett Bay to an area west of Wequetequock Cove (see Attachment 3). Hurricane Sandy impacted the project and shoaling in the channel around the tip of Sandy Point has reduced available depths, making navigation hazardous at lower stages of the tide. This project will restore the channel around the Island

to the authorized 10-foot depth (with 1 foot overdepth) below MLLW to accommodate the present navigational requirements and will limit the removal of shoal material to only sand. Dredging will be performed by a pipeline cutterhead dredge, and the dredged sand will be pumped onto Sandy Point Island as a beneficial use to mitigate for adverse impacts to piping plover habitat caused by the dredging (Attachment 3). Also, vegetation on the new tip of the Island will be removed to provide premium nesting habitat for piping plovers. The work will take place over a four month period in the year(s) in which approvals are obtained. Funding for this effort was included in the “Disaster Relief Appropriations Act of 2013.”

Disposal Area Options: Sandy Point has shoaled into the federal channel and removal of this material will adversely impact the federally threatened piping plover nesting habitat, therefore the dredged material will be placed elsewhere on the island to mitigate the impacts to the nesting habitat on the island. The material will be placed directly on the northern or leeward side of the island, to maximize the time before the material migrates back into the channel. Much of the shoal to be dredged is already part of the island, but the material to be dredged has undergone physical testing. Based on this data, a review of historical data and a lack of potential sources of contaminants, it is our determination that the dredged material is acceptable for placement on Sandy Point Island.

Additional Information: Additional information regarding this proposal may be obtained from Mr. Daniel Stenstream, Programs/Project Management Division; at the return address shown above, by e-mail at nae-pn-nav@usace.army.mil.

Coordination: The proposed work is being coordinated with the following Federal, State, and local agencies, and Tribes:

Federal

US Environmental Protection Agency
US Fish and Wildlife Service
NOAA Fisheries

State of Rhode Island

Coastal Resources Management Council
Department of Environmental Management
Historical Preservation & Heritage Commission

State of Connecticut

Department of Environmental Protection
Historic Preservation Office
Office of Long Island Sound Programs

Local Communities

Town of Westerly, RI
Town of Stonington, CT

Tribes
Narragansett Indian Tribe
Mashantucket Pequot
Mohegan Tribe

Environmental Impacts: An Environmental Assessment for this work is being prepared for the proposed action and, when completed, will be available for review upon request. I have made a preliminary determination that an Environmental Impact Statement is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Federal Consistency with Connecticut's and Rhode Island's Coastal Zone Management Programs: I find that maintenance dredging of the authorized navigation project is consistent, to the maximum extent practicable, with the States of Rhode Island and Connecticut's Coastal Program established as a result of the Coastal Zone Management Act of 1972. The dredging and placement operation will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

Other Information:

- a. Local Sponsor: The State of Rhode Island is the local sponsor for the proposed work.
- b. Previous Dredging: Dredging was last performed in 1996/97 when approximately 47,000 cy of material was dredged and placed on Sandy Point.
- c. Alternate Disposal Methods: Alternate disposal options that have been considered include open-water disposal, nearshore disposal, beach placement, and upland disposal. USACE favors the beach placement option because it keeps the sand within the littoral sediment transport system and compensates for impacts to piping plover nesting habitat on the tip of the island.
- d. Non-Federal Dredging: No private dredging is being proposed in conjunction with this project. Facility owners in proximity to the Little Narragansett Bay channel who may be interested in performing dredging concurrently with this project should be aware that any dredging work will require a permit from the Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and, depending on the location of the dredged material disposal, may also require a USACE permit under Section 404 of the Clean Water Act. In order to place dredged sand on the beach, private dredged material must be determined to be suitable for such placement.
- e. Endangered Species: It is our preliminary determination that no threatened or endangered species will be adversely impacted by the project due to the creation of new nesting habitat for piping plovers. The USACE will consult with NOAA

Fisheries and the United States Fish and Wildlife Service to ensure that the proposed activity will not jeopardize the continued existence of any species listed as endangered or threatened pursuant to the Endangered Species Act of 1973 or destroy or adversely modify designated critical habitat of such species.

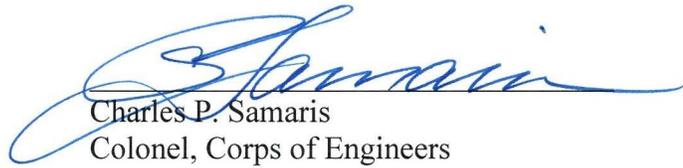
- f. Floodplain Management: In accordance with Executive Order 11988, the Corps of Engineers has determined that the proposed work will not contribute to negative impacts or damages caused by floods.
- g. Cultural Resources: The proposed work consists of maintenance, involving previously dredged areas, and will not affect any cultural or archaeological features or resources in the area of dredging. There are no structures on Sandy Point Island and any site of historic, architectural or archaeological significance as defined by the National Historic Preservation Act of 1966, as amended that may be present on the leeward side of the washover area will be buried and protected by the placement of the dredged sandy material.
- h. Essential Fish Habitat Assessment: It has been determined that dredging may have a temporary adverse effect on Essential Fish Habitat (EFH). The dredging and placement sites are contained within areas designated EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996 for federally managed fish species. The Army Corps of Engineers has assessed the effects the proposed dredging is likely to have on EFH and has determined that they will be short-term and localized and that there will be no significant impacts on the designated fisheries resources. The USACE will consult with NOAA Fisheries and the Rhode Island Division of Fish and Wildlife to ensure that all impacts will be minimized.
- i. Additional Requirements: A request was sent to the Rhode Island Department of Environmental Management (DEM) for Water Quality Certification in accordance with the Clean Water Act of 1977, which requires that the work comply with the applicable water quality standards of Rhode Island. Also requests were made to the states of Connecticut and Rhode Island for concurrence with our determination of federal consistency with the State's approved coastal zone management program.

The decision whether to perform the work 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 benefits, which reasonably may be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

Any person who has an interest, which may be affected by the dredging and disposal of this dredged material, may request a public hearing. The request must be submitted in writing to me within 30 days of the date of this notice and must clearly set forth the interest, which may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to: the U.S. Army Corps of Engineers, New England District, Programs/Project Mgmt Div, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Daniel Stenstream ; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

14 March 2014
Date


Charles P. Samaris
Colonel, Corps of Engineers
District Engineer

Attachments

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 1221 et. seq.)

Clean Water Act, as amended (33 U.S.C. 1251 et. seq.)

Code of Federal Regulations, Title 33, Parts 335 through 338

Coastal Barrier Resources Act of 1982, as amended (16 U.S.C. 3501 et seq.)

Coastal Zone Management Act of 1972 [16 U.S.C. 1456(c)(1) and (2)], Sections 307(c)(1) and (2)

Endangered Species Act of 1973 as amended (16 U.S.C. 668aa-668cc)

Estuary Protection Act (16 U.S.C. 1221 et. seq.)

Federal Water Project Recreation Act, as amended (16 U.S.C. 4601-12 et. seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)

Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et seq.)

Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996

Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g)

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)

National Historic Preservation Act of 1966 (16 U.S.C. 470)

Executive Order 11888, Floodplain Management, 24 May 1977

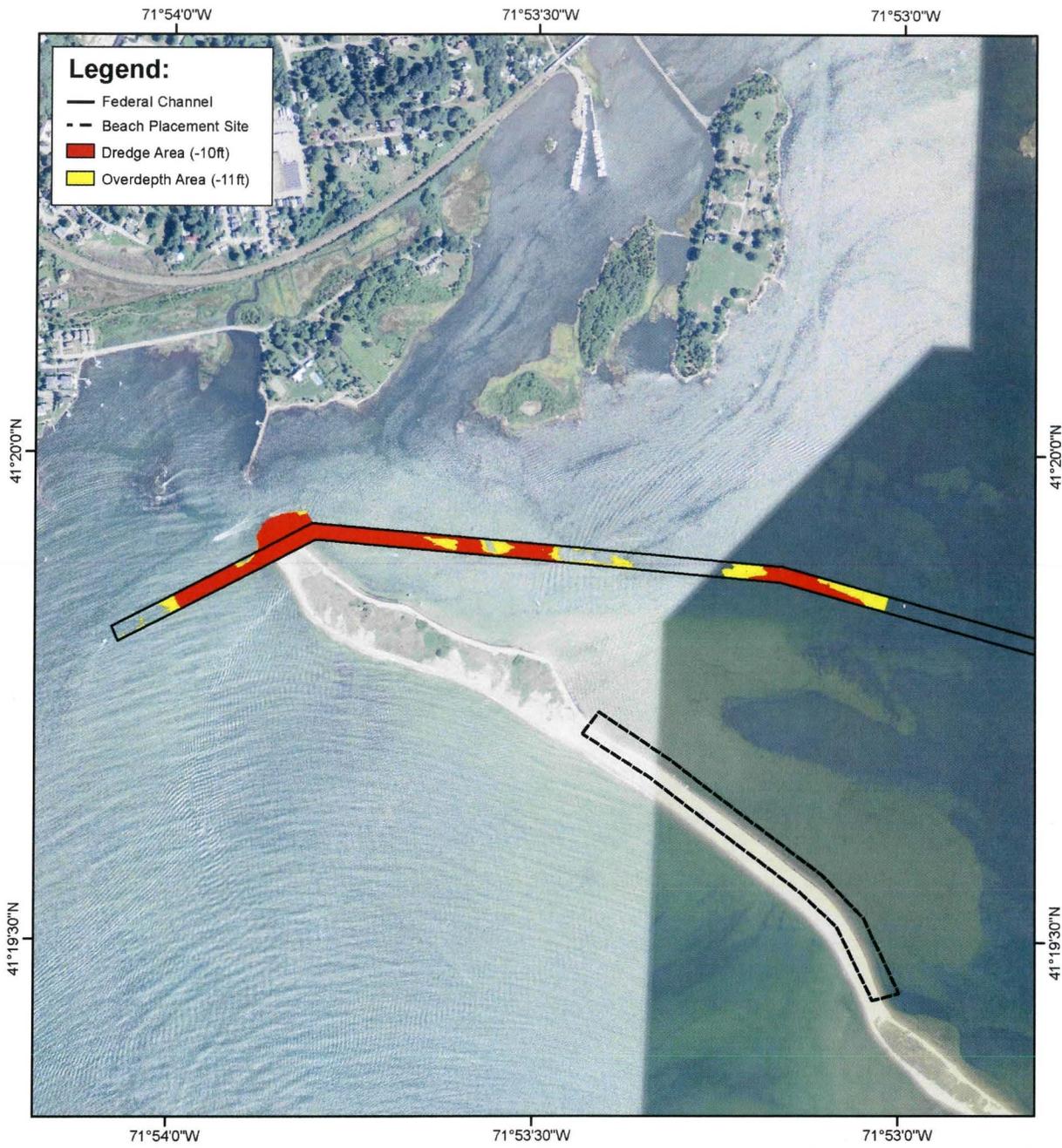
Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997

Attachment 1





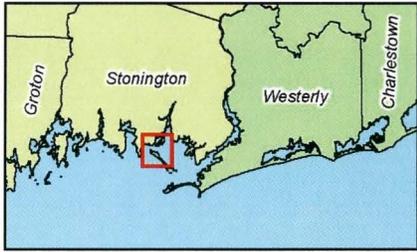
**LITTLE NARRAGANSETT BAY
PROPOSED DREDGE AREAS
AND BEACH PLACEMENT SITE**

US Army Corps of Engineers
New England District

2012 NAIP Aerial Imagery

Scale: 1:10,000

GCS NAD 1983



Attachment 3