PORTSMOUTH HARBOR AND PISCATAQUA RIVER
NEW HAMPSHIRE AND MAINE
NAVIGATION IMPROVEMENT STUDY
FEASIBILITY REPORT

APPENDIX A
PUBLIC INVOLVEMENT AND
PERTINENT CORRESPONDENCE

PORTSMOUTH HARBOR AND PISCATAQUA RIVER
PORTSMOUTH, NEW CASTLE AND NEWINGTON, NEW HAMPSHIRE
& KITTERY AND ELLIOT, MAINE
NAVIGATION IMPROVEMENT STUDY

APPENDIX A
PUBLIC INVOLVEMENT AND PERTINENT CORRESPONDENCE

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This section will be added upon completion of the public review period

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This section will be added upon completion of the public review period

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This section will be added upon completion of the public review period

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National Marine Fisheries Service – Letter to NAE on ESA – 3 February 2014
Maine Historic Preservation Commission – 3 January 2014
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New England District – Letter to NMFS on Endangered Species Act – 9 December 2013
New Hampshire Natural Heritage Bureau – 4 Dec 2013 – memo to NAE on Listed Species
New England District –Memo to Headquarters USACE on AFB – 20 November 2013
Environmental Protection Agency, Region I – Letter to NAE – 18 November 2013
National Marine Fisheries Service – Letter to NAE on ESA – 15 November 2013
Massachusetts Division of Marine Fisheries – Letter to NAE – 14 November 2013
Massachusetts Historical Commission – Concurrence – 12 November 2013
New Hampshire DES Coastal Program – Email to NAE – 4 November 2013
National Marine Fisheries Service – Email to NAE on EFH and F&WCA – 1 November 2013
New England District – Letter to the New Hampshire Historical Preservation Officer – October 30, 2013 – Cultural Resource Coordination
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New England District – Letter to the Massachusetts Historical Commission – October 8, 2013 – Cultural Resource Coordination for Nearshore Sand Placement Sites
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Maine Geological Survey – Email to MEDEP and Town of Wells – October 2, 2013
Massachusetts Natural Heritage & Endangered Species Program (NHESP) of the MA Division of Fisheries & Wildlife – October 2, 2013 – Email to NAE
New England District – Letter to National Marine Fisheries Service on F&WCA and ESA Coordination – September 4, 2013
New England District – Letter to the US Fish and Wildlife Service on F&WCA and ESA Coordination – September 4, 2013
New England District – Letter to the US Fish and Wildlife Service, Maine Field Office on F&WCA and ESA Coordination – September 4, 2013
New England District – Letter to the New Hampshire Coastal Program – September 4, 2013
New England District – Letter to the New Hampshire Department of Environmental Services – September 4, 2013
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City of Newburyport – Letter to NAE Requesting Sandfill – 25 February 2013
Town of Kittery, Maine, Harbormaster – Letter to NAE – 21 September 2012 – Requesting Rock be Used to Build a Breakwater at Pepperell Cove
New Hampshire Department of Resources and Economic Development – Letter to NAE Requesting Sandfill – August 1, 2012
Town of Salisbury – Letter to NAE Requesting Sandfill – July 30, 2012
Town of Wells – Letter to NAE Requesting Sandfill – July 13, 2012
New England District – Letter to Town of Wells on Beneficial Use – July 5, 2012
New England District – Letter to the Massachusetts Department of Conservation and Recreation on Beneficial Use – July 3, 2012
New England District – Letter to Town of Winthrop on Beneficial Use – July 5, 2012

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New England District – Letter to Maine Coastal Program on Beneficial Use – July 5, 2012
New England District – Letter to the New Hampshire Department of Resources and Economic Development on Beneficial Use – July 5, 2012
New England District – Letter to Town of Kittery on Beneficial Use – July 3, 2012
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New England District – Letter to Town of Ogunquit on Beneficial Use – July 3, 2012
Town of Wells – Letter to NAE Requesting Sandfill – March 13, 2012
Environmental Protection Agency, Region I – Letter to NAE on IOSN – 7 September 2011
National Marine Fisheries Service – Letter to NAE on IOSN & ESA – 2 September 2011
New England District – Letter to National Marine Fisheries Service on IOSN – July 22, 2011
New England District – Letter to US EPA on IOSN – July 22, 2011
New England District – Letter to NH Division of Ports and Harbors – 27 April 2011
USACE Director of Civil Works – Memo to NAD on IEPR Waiver – February 8, 2011
New England District – Memo thru NAD to USACE CECW-P on IEPR Waiver – 25 August 2010
New England District –Email to Federal, State and Local Agencies on 3-State Meeting on Beneficial Use of Sand – May 6, 2010
US Environ Protection Agency – Email to NAE – 27 August 2009 – Suitability Concurrence
New England District Memorandum – Regulatory Division – Second Suitability Determination for Dredged Material Disposal – 19 August 2009
US Fish & Wildlife Service – Email to NAE – 18 August 2009 – Suitability Concurrence
New England District Memorandum – Regulatory Division – Suitability Determination for Dredged Material Disposal – 21 April 2009
US Environ Protection Agency – Email to NAE – 21 April 2009 – Suitability Concurrence
New Hampshire Coastal Program – Email to NAE – 9 April 2009 – Suitability Concurrence
US Fish & Wildlife Service – Email to NAE – 30 March 2009 – Suitability Concurrence
Maine DEP – Email to NAE – 30 March 2009 – Suitability Concurrence
National Marine Fisheries Service - Letter to NAE – May 27, 2008
New England District –Invitational Letters for Coordinated Site Visit – 22 April 2008
- Letter to US EPA, Region I, Water Quality Unit on CWA, NEPA, CAA & MPRSA
- Letter to National Marine Fisheries Service on F&WCA, EFH and ESA Coordination
- Letter to the US Fish and Wildlife Service on F&WCA and ESA Coordination
- Letter to the New Hampshire Coastal Program on CZM Coordination
- Letter to the New Hampshire Department of Environmental Services on F&WCA
- Letter to the New Hampshire DES, Water Division on F&WCA, CWA & CAA
- Letter to the New Hampshire Fish and Game Department on F&WCA
- Letter to the University of New Hampshire, Marine Program
- Letter to the Maine Department of Environmental Protection on F&WCA, CWA & CAA
- Letter to the Maine Department of Marine Resources on F&WCA
- Letter to the Maine Department of Inland Fisheries on F&WCA and ESA
- Letter to the Maine State Planning Office on CZM Coordination
- Letter to the Town of Newington, New Hampshire
- Two Letters to the Town of Eliot, Maine –Town Administrator and Harbormaster

Part 5. Correspondence During Preparation of the Reconnaissance Report and FCSA

Pease Development Authority – Letter to NAE returning signed FCSA – June 7, 2006
New Hampshire Legislative Budget Assistant – Letter to NH PDA – June 1, 2006
New England District – Letter to NH Division of Ports and Harbors – 26 May 2006
New Hampshire Pease Development Authority – Letter to NAE – 21 February 2006
USACE North Atlantic Division – 21 October 2004 – Approving Reconnaissance Report
Pease Development Authority – Letter to NAE – September 23, 2004 Concurring in Recon
New England District –Memo to NAD – 31 August 2004 – Transmitting Recon Report
New England District – Letter to Honorable Senator Judd Gregg – 22 May 2003
Honorable Judd Gregg, United State Senate – Letter to NAE – 18 April 2003
Pease Development Authority – Letter to Senate Gregg – 14 April 2003

APPENDIX A
PUBLIC INVOLVEMENT AND
PERTINENT CORRESPONDENCE

Public Involvement Plan for the Portsmouth Harbor and Piscataqua River Feasibility Study and Environmental Assessment

Public Information and Scoping Session

At the initiation of the Feasibility Study, the New Hampshire Coastal Program hosted an feasibility study scoping session for Federal and State agencies and local and harbor interests on May 13, 2008 at its Portsmouth offices. Advance notice to the meeting was provided by U.S. Army Corps of Engineers (USACE) and the Pease Development Authority (PDA) in letters of invitation to interested parties (see correspondence Part 4). The Corps and PDA provided an overview of prior and ongoing project efforts and a description of the reconnaissance recommendations, feasibility study scope and timeline, NEPA process, and proposed public involvement plan. PDA and the Portsmouth Pilots also discussed the importance of the turning basin widening improvements to the future of the Port of Portsmouth. A question and answer session and dialogue on study scope followed the presentations.

Public Review of Draft Feasibility Report and SEIS/EIR

A public notice will be issued inviting comment during a 30-day public comment period under the Federal National Environmental Policy Act (NEPA) on the Draft Feasibility Report and Draft Environmental Assessment following internal Corps and PDA reviews and approval for public release of the draft report. Comment under specific applicable Federal laws and regulations will be solicited by letter to Federal and State agencies. Affected municipalities and harbor interests will also receive notice by letter. Comment letters received will be annotated for significant comments and included in Correspondence Part 3. A Comment-Response table, cross-referenced to the annotated letters, will also be included at the end of this appendix immediately prior to the letters.

State Regulatory Process - Notice and Scoping

The State of New Hampshire will coordinate review of the Draft Feasibility Report and Draft Environmental Assessment, typically in accordance with its applicable delegated authorities under the Clean Water Act, Clean Air Act, Coastal Zone Management Act, Fish and Wildlife Coordination Act, Endangered Species Act, and other applicable Federal authorities. The Corps will request State concurrence and approval of the project under these authorities based on the analysis and recommendations in the Draft Feasibility Report and Draft Environmental Assessment. Both the State and Corps review processes provide for public meetings or

hearings should significant comments or concerns be raised during the public and State review. Once all significant issues have been resolved, the State would issue its Coastal Zone Management Consistency Concurrence for the project. These documents would be appended to the final report. Since the Federal base plan calls for placement of all dredged materials and rock in ocean waters outside the territorial sea, no Water Quality Certification is required.

It should be noted that beneficial use opportunities for the sand and rock to be generated by the Portsmouth Harbor project come from nearby areas of Maine and Massachusetts as well as New Hampshire. Beach nourishment proposals have been made for several communities. And rock use proposals include both Maine and New Hampshire interests. Accordingly, the Portsmouth project is regularly briefed and coordinated with agencies and interests in all three states. Should beneficial use ultimately be recommended or pursued by the Corps or other interests from outside New Hampshire, then State regulatory processes for either or both Maine and Massachusetts would be followed as applicable to those activities. Presently these proposals involve nearshore placement of sand off beaches in Maine and Massachusetts, and placement of rock in Maine waters in Kittery. All costs beyond the Federal base plan for these alternative uses will be borne by the proposing interests, including the responsibility for securing all necessary regulatory approvals.

New Hampshire State Dredging Task Force

New Hampshire's state dredging team is the State Dredging Task Force and meets four or more times a year at the NH Coastal Program offices in Portsmouth. The team is composed of Federal and State agencies, University of New Hampshire researchers, representatives of consulting firms working on marine projects in the state, port authorities for New Hampshire, New Hampshire Congressional delegation staff, and municipal officials from NH coastal towns and the border Towns of Maine. The Portsmouth feasibility study scope and progress has been briefed to the Task Force since the study began. Recent meetings of the NHDTF have occurred on the following dates:

4 November 2004
17 February 2005
7 April 2005
26 May 2005
21 July 2005
22 September 2005
2 November 2005
23 January 2006
16 February 2006
10 May 2006
16 August 2006
11 October 2006
29 November 2006
14 February 2007
20 March 2007
31 May 2007
12 September 2007
9 January 2008
26 March 2008
25 June 2008
10 September 2008
14 January 2009
8 April 2009
15 July 2009
21 October 2009
27 January 2010
21 April 2010
15 September 2010
17 November 2010
16 February 2011
4 May 2011
28 September 2011
7 December 2011
21 March 2012
5 September 2012
14 November 2012
23 January 2013
15 May 2013
18 September 2013
15 January 2014

Maine State Dredging Team

The Maine State Dredging Team generally meets at least twice a year at either the ME DOT offices in Augusta or at the ME DEP offices in Portland. The team is composed of Federal and State agencies, local port authorities, municipal officials and harbormasters, bay keepers, Congressional delegation staff, and representatives of consulting firms working on marine projects in the state. The Portsmouth feasibility study scope and progress has been briefed to the Maine Dredging Team since the study began. Recent meetings of the MEDT have occurred on the following dates:

17 November 2006 – ME DEP Portland
19 March 2007 – ME DOT Augusta
16 April 2008 – ME DEP Portland
9 October 2008 – ME DEP Portland
27 February 2009 – ME DOT Augusta
` 22 June 2010 – ME DEP Portland
18 February 2011 – ME DOT Augusta
17 January 2012 – ME DEP Portland
25 October 2012 – ME DEP Portland
25 January 2013 – ME DOT Augusta
1 November 2013 – ME DEP Portland

Massachusetts State Dredging Team

The Massachusetts State Dredging Team (MASDT) is chaired by the Massachusetts Office of Coastal Zone Management. The team has met quarterly since MA CZM took over hosting the meetings from USEPA in late 2006. At each dredging team meeting the USACE provides updates on the Portsmouth Harbor project and the beneficial use opportunities put forth by various parties for the sand and rock to be generated by the turning basin improvement, some of which are in Massachusetts communities. Massachusetts state dredging team meetings where developments in the Portsmouth feasibility study were briefed have been held as follows:

14 December 2005 – Black Falcon Terminal, South Boston
24 January 2006 – US EPA Region I, Boston
17 October 2006 – US EPA Region I, Boston
20 December 2006 – MACZM Offices, Boston
18 January 2007 – MACZM Offices, Boston
8 March 2007 – MACZM Offices, Boston
15 May 2007 – MACZM Offices, Boston
15 November 2007 – MACZM Offices, Boston
16 January 2008 – MACZM Offices, Boston
11 May 2010 – MACZM Offices, Boston
18 November 2010 – MACZM Offices, Boston
28 January 2011 – MACZM Offices, Boston
19 October 2012 – MACZM Offices, Boston
27 February 2014 – MACZM Offices, Boston

Annual Planning and Navigation Program Briefings

Annual planning and navigation program briefings are held in the second or third quarter of the Federal fiscal year as requested by the states of New Hampshire and Maine. State agencies, port authorities and Congressional staff are briefed on programs and project status in their states to assist in state outreach and coordination. Due to the importance of the Portsmouth project and its beneficial use opportunities to these states, the project is briefed to each. These meetings have been held as follows:

New Hampshire Annual Program Briefing – 14 February 2005 – NH DES Portsmouth
New Hampshire Annual Program Briefing – 7 February 2006 – NH DES Portsmouth
Maine Annual Program Briefing – 15 February 2006 – ME DOT Augusta
New Hampshire Annual Program Briefing – 23 February 2007 – NH DES Portsmouth
Maine Annual Program Briefing – 19 March 2007 – ME DOT Augusta
New Hampshire Annual Program Briefing – 13 February 2008 – NH DES Portsmouth
Maine Annual Program Briefing – 26 February 2008 – ME DOT Augusta
Maine Annual Program Briefing – 10 February 2009 – ME DOT Augusta
New Hampshire Annual Program Briefing – 13 February 2009 – NH DES Portsmouth
Maine Annual Program Briefing – 4 March 2010 – ME DOT Augusta
New Hampshire Annual Program Briefing – 12 March 2010 – NH DES Portsmouth
Maine Annual Program Briefing – 18 February 2011 – ME DOT Augusta
New Hampshire Annual Program Briefing – 22 February 2011 – NH DES Portsmouth
Maine Annual Program Briefing – 5 March 2012 – ME DOT Augusta
New Hampshire Annual Program Briefing – 19 March 2012 – NH DES Portsmouth
Maine Annual Program Briefing – 25 January 2013 – ME DOT Augusta
New Hampshire Annual Program Briefing – 6 March 2013 – NH DES Portsmouth
Maine Annual Program Briefing – 24 February 2014 – ME Public Safety Augusta

Annual Regional Federal Agency Coordination

The U.S. EPA, U.S. FWS, and NMFS with responsibility for New England and for Portsmouth Harbor in particular have held several sessions over the course of the feasibility study to update agency management on study progress and interim findings, and to foster improved interagency coordination. The Federal agencies meet annually, generally in the second quarter of the Federal fiscal year when project budget allocations typically become known to review last year's project activities and be briefed on the coming year's river and harbor work. No meetings were held in 2006, 2008, 2012 or 2013 due to the lateness of the budget allocations. A project by project presentation and discussion is used to surface and help resolve any outstanding issues and concerns. The status of the Portsmouth Harbor Feasibility Study and the work plan for the coming year's study activities is briefed and discussed by the agencies.

21 January 2004 – New England District, Concord, MA
20 January 2005 – New England District, Concord, MA
26 February 2007 – New England District, Concord, MA
10 March 2011 – New England District, Concord, MA
19 September 2011 – New England District, Concord, MA

New England Regional Dredging Team Coordination

New England's Regional Dredging Team (NERDT), known also as the Sudbury Group after its original meeting place at the Great Meadows National Wildlife Refuge in Sudbury, Massachusetts, meets twice annually to discuss issues of regional scope for the dredging and regulatory programs. Each meeting includes a briefing on the status and progress of the Portsmouth Harbor Feasibility Study.

17 May 2005 – Kittery, Maine, Town Council Room
16 November 2005 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
5 October 2006 – Kittery, Maine, Town Council Room
15 February 2007 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
10 May 2007 – Kittery, Maine, Town Council Room
20 November 2007 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
29 May 2008 – New Hampshire DES Offices, Portsmouth, NH
21 October 2008 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
26 February 2009 – New Hampshire DES Offices, Portsmouth, NH
23 June 2009 – Kittery, Maine, Town Council Room
19 November 2009 – Fort Trumbull, New London, Connecticut
16 April 2010 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
13 October 2010 – New Hampshire DES Offices, Portsmouth, NH
6 December 2011 – New Hampshire DES Offices, Portsmouth, NH
8 May 2012 – Great Meadows National Wildlife Refuge, Sudbury, Massachusetts
27 November 2012 – Save the Bay Offices, Providence, Rhode Island
3 April 2013 – New England District, Concord, Massachusetts and via Webinar
11 June 2013 – University of Connecticut, Groton, Avery Point, CT
7 November 2013 – EPA New England Laboratory, Chelmsford, MA

Other Agency Coordination

The New England regional offices of the Federal agencies also meet at least annually for a Mid-Level Managers Meeting (MLM), which typically involves staff one management level above those that attending the NERDT meetings. These managers meet to resolve policy and process issues referred up by the NERDT. The MLM is been briefed in detail on the Portsmouth Harbor Feasibility Study progress at each meeting.

30 September 2004 – MLM Meeting at New England District, Concord, MA
16 March 2005 – MLM Meeting at New England District, Concord, MA
26 October 2005 – MLM Meeting at New England District, Concord, MA
15 November 2006 – MLM Meeting – at New England District, Concord, MA
15 March 2007 – MLM Meeting at New England District, Concord, MA
13 September 2007 – MLM at New England District, Concord, MA
23 October 2008 – MLM at New England District, Concord, MA
7 May 2009 – MLM at New England District, Concord, MA
10 March 2011 – MLM Meeting at New England District, Concord, MA
19 September 2011 – MLM Meeting at New England District, Concord, MA

Portsmouth Specific Agency Coordination

The opportunities for beneficial of the dredged material from the Portsmouth Harbor Turning Basin project have led to several meetings with Federal and State agencies to work through issues with disposal and beneficial use of these materials. These meetings are expected to continue through the study review and project design phases as proponents of such use further develop their plans and begin the process of securing approvals for these uses. Meeting held to date are as follows:

5 January 2010 – Meeting with Town of York and York Lobstermen on nearshore placement of Sand at Long Sands beach
26 January 2010 – Conference call with Maine agencies on nearshore placement of sand
12 February 2010 – Meeting with Federal and State agencies at NH DES Portsmouth
21 May 2010 – NH DES Portsmouth – Meeting on Isles of Shoals North site
14 April 2010 – Meeting at NMFS Gloucester with NMFS and EPA on IOSN Site
12 January 2011 – NH DES Portsmouth – Meeting on Isles of Shoals North Site
19 March 2014 – USF&WS Falmouth Maine – Meeting on ESA Coordination

Public Notice, Meetings and Hearings

This section will be completed following public and agency review of the Draft Feasibility Report and Draft Environmental Assessment.

PUBLIC AND AGENCY REVIEW COMMENTS ON APRIL 2008 DRAFT FEASIBILITY REPORT AND SEIS/EIR AND RESPONSES

GENERAL RESPONSES

This section will be completed following public and agency review of the Draft Feasibility Report and Draft Environmental Assessment.

SPECIFIC RESPONSES TO CORRESPONDENCE RECEIVED

In addition to commonly raised issues and comments, agencies and individual commenters will likely raise specific comments and questions on a variety of topics and concerns. Specific responses to these comments will be completed following public and agency review of the Draft Feasibility Report and Draft Environmental Assessment.

PART 1

FINAL FEASIBILITY REPORT
AND FINAL ENVIRONMENTAL ASSESSMENT
TRANSMITTAL DOCUMENTS

This section will be completed upon transmittal of the Final Feasibility Report and Final Environmental Assessment to Corps Headquarters for approval with the Draft Chief of Engineers Report.

PART 2

CORRESPONDENCE RECEIVED DURING PUBLIC REVIEW OF THE DRAFT FEASIBILITY REPORT AND DSEIS/DEIR

This section will be completed upon conclusion of the Public Review period for the Draft Feasibility Report and the Draft Environmental Assessment and Finding of No Significant Impact.

PART 3

DRAFT FEASIBILITY REPORT
AND DRAFT ENVIRONMENTAL ASSESSMENT
TRANSMITTAL DOCUMENTS

This section will be completed after release of the Public Notice beginning the Public Review period for the Draft Feasibility Report and the Draft Environmental Assessment and Finding of No Significant Impact.

PART 4

CORRESPONDENCE RECEIVED DURING PREPARATION OF THE DRAFT FEASIBILITY REPORT AND DRAFT ENVIRONMENTAL ASSESSMENT

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

March 18, 2014

Engineering/Planning Division
Planning Branch

Mr. David R. Mullen
Executive Director
Pease Development Authority
55 International Drive
Portsmouth, New Hampshire 03801

Dear Mr. Mullen:

The purpose of this letter is to update you on the financial status of the Portsmouth Harbor and Piscataqua River, New Hampshire, and Maine, Navigation Improvement Project Feasibility Study and Environmental Assessment (FS/EA) and to request additional funding to complete the study and complete the required reviews and Federal and State regulatory approvals. The Pease Development Authority and the Corps of Engineers are conducting the study under a Feasibility Cost-Sharing Agreement executed June 12, 2006, and amended May 23, 2013. Recent Corps guidance allows us to update and modify the project management plan and project cost-sharing requirements without going through the process of formally amending the cost-sharing agreement.

Under the amended agreement, the total study cost was estimated at $930,000, to be shared equally by the Government and the PDA, or $465,000 each. There are a number of major tasks remaining to bring this study to conclusion. A revised study cost estimate is enclosed which lays out the several remaining steps and the estimated effort and cost to complete each.

In brief the remaining steps in the process are as follows:

Draft Report for Public Review (31 March 2014)	The Draft documents would be completed and published via Public Notice for a 30-day review period. Concurrently the Corps would apply for State approvals from NH & ME for the dredging.
Final Draft Report and Draft Chief of Engineers Report To CWRB (26 August 2014)	The reports would be revised to address public review and receipt of State approvals. A final draft and draft chief of Engineers report would be prepared, submitted for Corps HQ review and further revised before transmittal to the CWRB. The Corps and PDA staff would travel to DC to present the project to the Board.

Draft Chief's Report and Supporting Final Feasibility Report/EA to State (Governor) and Federal Agency Review (September 2014)	CWRB approval clears the release of the draft Chief's Report for transmittal to the Governor and Federal agency heads for review after final edits. The Chief's report and supporting documents may require updates based on comments received.
Assistant Secretary of the Army review and Office of Management and budget Review and Approval (December 2014)	The ASA reviews the documents and prepares its own summaries with Corps assistance. Document package is forwarded to OMB for that office's review and comment. Responses are developed before OMB prepares its own report returns the package to the ASA. ASA signs the FONSI and forwards the package to Congress for action. This concludes the Feasibility Phase.

The total study cost, prior to any Sponsor in-kind costs, is now estimated at $1,126,400, with Federal and Non-Federal shares at $563,200 each, leaving a remaining Non-Federal contribution of $98,200. Ultimately any Sponsor in-kind credits would be added to the total study cost and credited against the Sponsor's share. At this time, an additional cash contribution of $67,400 is requested from the Pease Development Authority to complete the public review process and then prepare a revised report and supporting documents for submittal to the Civil Works Review Board (CWRB) for a decision. The submittal date for documents for consideration at the August CWRB meeting is July 10, 2014. Please provide a check made payable to "FAO, USAED, New England District". The remaining $30,800 of the Non-Federal share may be provided after July 1, 2014.

We look forward to continuing to work with you to complete this important navigation study. If you have any questions or require additional information, please contact Mr. Mark Habel of my staff at (978) 318-8871.

Sincerely,

John R. Kennelly
Chief, Planning Branch

Enclosure

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Maine Field Office
17 Godfrey Drive, Suite 2
Orono, Maine 04473
207/866-3344 Fax: 207/866-3351

February 14, 2014

John R. Kennelly
Chief of Planning
U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Dear Mr. Kennelly:

This letter responds to your letter dated September 4, 2013 regarding a study proposal for the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project. Specifically, you requested review of the proposal and comments in accordance with the Fish and Wildlife Coordination Act (FWCA)(16 U.S.C. 662) and the Endangered Species Act (ESA) as amended (16 U.S.C. 1531-1543).

Project Name/Location: **Piscataqua River Federal Navigation Improvement**
Log Number: **05E1ME00-2013-TA-0282**

Our comments apply only to the Maine portions of this project. The U. S. Fish and Wildlife Service's (Service) New England Field Office commented on the New Hampshire and Massachusetts portions of this project in a letter dated December 11, 2013.

This letter provides technical assistance to the Army Corps of Engineers (Corps). This project may affect the federally threatened piping plover and red knot (proposed for threatened listing). In our future ESA section 7 consultation, the Corps will need to make a determination of effects based on a clear project description and an evaluation of effects on these species.

Project Description

The existing Piscataqua River Federal Navigation Project includes two turning basins and a 35 foot deep, 400 foot wide channel which extends from Portsmouth Harbor at river mile 2.6, upstream to river mile 8.8. The purpose of the project is to increase the width of the upper turning basin from 850 feet wide to 1,200 feet wide at the current depth of 35 feet to improve the efficiency and safety of vessels that utilize the basin. The widening would be accomplished by mechanical dredging and would generate approximately 720,000 cubic yards of sand and gravel. In addition, bedrock will be drilled and blasted. The bedrock will generate about 16,000 cubic

yards of material. Approximately half the dredge material would be placed in a nearshore disposal area off Wells Beach in Wells, Maine.

Endangered Species Act Comments

Based on information currently available to us, the federally threatened short-nosed sturgeon and Atlantic sturgeon occur in the Piscataqua River. We understand that the Corps is consulting with the National Oceanic and Atmospheric Administration concerning these fish. To our knowledge, there are no federally listed species under the jurisdiction of the Service in the Federal navigation project area on the Piscataqua River. The project area is outside of the Gulf of Maine Distinct Population Segment of the Atlantic salmon.

The federally threatened piping plover and red knot (proposed for listing as threatened) occur at Wells Beach, approximately 500 feet adjacent to the proposed nearshore disposal area. These birds are present on Wells Beach from March 15 to September 15. Plovers nest on Wells Beach and red knots frequent the beach during their southward migration in late summer.

Our offices recently consulted on the dredging of the Wells Harbor Federal Navigation Project and associated beach nourishment, which is currently underway. In our letter, we encouraged the Corps to look for opportunities to address the sand deficit in the Wells Beach littoral system. It would seem that a nearshore disposal of 360,000 cubic yards of sand that closely matches the color and grain size of sand currently on Wells Beach would help reduce this deficit and improve habitat for nesting piping plovers and migrating red knots. The Town of Wells has a current Beach Management Agreement with the Service and Maine Department of Inland Fisheries and Wildlife that meets the Service's piping plover guidelines. Recent correspondence indicates that Corps plans to deposit the sand at the nearshore disposal area during the winter months when piping plovers and red knots are not present.

From the Endangered Species Consultation Handbook (March 1998) section 3.4:

> "By regulation, a biological assessment is prepared for "major construction activities" considered to be Federal actions significantly affecting the quality of the human environment as referred to in the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*). A major construction activity is a construction project or other undertaking having similar physical impacts, which qualify under NEPA as a major federal action. Major construction activities include dams, buildings, pipelines, roads, water resource developments, channel improvements, and other such projects that modify the physical environment and that constitute major Federal actions. As a rule of thumb, if an Environmental Impact Statement is required for the proposed action and construction-type impacts are involved, it is considered a major construction activity"

and

> "The agency is not required to prepare a biological assessment for actions that are not major construction activities, but, if a listed species or critical habitat is likely to be affected, the agency must provide the Services with an account of the basis for evaluating the likely effects of the action. The Services use this documentation along with any other

available information to decide if concurrence with the agency's determination is warranted".

Because the project was not considered a major construction activity, preparation of a Biological Assessment is not required; however, when plans are complete we do need to see a "biological evaluation" which includes a full project description including conservation measures, and an evaluation of effects on red knots and piping plovers. We look forward to then completing consultation under section 7 of the ESA.

Fish and Wildlife Coordination Act Comments

Because of staffing constraints at this office, we are not able to provide detailed comments on project effects to other wildlife species pursuant to the FWCA. However, any effects on the listed species, evaluated in the Corps biological evaluation, will have similar effects on other fish and wildlife, including migratory and other shorebirds, and waterfowl; and on fish and wildlife habitat. This determination does not preclude future evaluation and recommendations by the Service should project plans or conditions change.

Thank you for your continued coordination. Please contact Mark McCollough at 207/866-3344 Extension 115 or by email at *Mark_McCollough@fws.gov* if we can be of further assistance.

Sincerely,

Laury Zicari

Laury Zicari
Field Supervisor
Maine Field Office

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
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FEB 3 - 2014

John R. Kennelly
Deputy Chief, Engineering/Planning Division
Department of the Army, Corps of Engineers
New England District
696 Virginia Road
Concord, MA

RE: Portsmouth Harbor and Piscataqua River Upper Turning Basin Expansion Navigation Improvement Project, in New Hampshire, and Maine

Dear Mr. Kennelly:

Your December 9, 2013 letter requests consultation pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended, regarding the U.S. Army Corps of Engineers (USACE) proposed Portsmouth Harbor and Piscataqua River Upper Turning Basin Expansion Navigation Improvement Project in New Hampshire and Maine. We concur with your determination that the proposed action is not likely to adversely affect any species listed by NOAA's National Marine Fisheries Service (NMFS) under the ESA. Our supporting analysis is provided below.

Proposed Project

The project will require the dredging of approximately 728,000 cubic yards (cy) of mostly coarse sand and gravel from the Piscataqua River in Maine and New Hampshire in order to widen the upper turning basin from 800 feet to approximately 1,200 feet and to a depth of 35 feet mean lower low water (MLLW). In addition to the gravel and sand to be removed with a dredge, approximately 25,200 cy of bedrock ledge will need to be removed. The widening of the turning basin will allow vessels up to 800 feet in length to make a 180- degree tug-assisted turn without the risk of grounding. According to the U.S. Coast Guard, approximately 75-125 deep draft vessels executed such a maneuver last year (personal communication, USCG, 2013).

The dredging will be accomplished using a mechanical dredge; the ledge removal will likely require explosive demolition (blasting). The dredged material (gravelly sand) will be used beneficially as nourishment at four near shore areas off beaches in Wells, Maine; and Salisbury, Newbury, and Newburyport, Massachusetts. The demolished ledge (rock) will be disposed of at an offshore site managed by you and located within the three nautical mile limit of the territorial sea, northeast of the Isle of Shoals. The offshore disposal site is in water that averages over 300 feet deep. In addition to the material removed during the improvement project, approximately 7,800 cy of material could be removed during maintenance dredging of the existing turning basin and channel which could occur concurrently if the spoil meets the suitability requirement for

placement at the near shore placement sites. Testing of the maintenance dredge material for suitability for placement in these near shore areas would occur prior to commencement of the dredging action. All other maintenance dredge material removed from the turning basin within the last several decades has been clean sandy material.

The USACE will incorporate all applicable best management practices (BMPs) to minimize negative effects of the proposed dredging and disposal. Further, the USACE will reduce the potential for adverse effects of blasting by developing and adhering to a blasting plan that includes detailed design information on each charge (e.g., type of explosive and detonation velocity, type of blasting technique used, borehole dimensions, spacing, charge weights, delay intervals, method of initiation, and noise/pressure reduction techniques). The blasting plan will be submitted to us no later than 30 days prior to the first detonation

Measures to minimize potential negative impacts of blasting will include:
1. Stemming and decking of individual charges;
2. Staggered (delayed) detonation of charges in a sequential blasting circuit;
3. Blasting during periods of slack tide;
4. Prohibiting blasting during the passage of large fish e. g., Atlantic sturgeon, schools of fish, or in the presence of marine mammals, unless human safety is a concern; and
5. Require the presence of fisheries and marine mammal observers.

In order to monitor and record the acoustic effects of your actions, as well as confirming the effectiveness of your blast pressure minimization measures, you will monitor sound pressure levels during blasting operations. USACE will develop an acoustic monitoring plan for recording blast effects that will be submitted to us for review, no later than 30 days prior to any planned detonation. The acoustic monitoring will consist of a series of hydrophones and a digital recorder capable of operating at a minimum of 3,000 samples per second for a minimum of one second, with an adjustable trigger level, and a range of at least 30 psi. Assuming the blast pressure will span the entire river, a minimum of two monitoring sites will be utilized: one upstream and one downstream with each hydrophone located approximately 1,500 feet from the sound source. During blasting, both stations would be required to simultaneously record the resulting sound pressure level. During blasting, you will provide us with daily acoustic monitoring reports via email or fax to verify that your blast pressure and ensonified area calculations are correct which will also reflect the effectiveness of your minimization techniques.

It is anticipated that all dredging, blasting, and disposal activities will take about six months to complete and is planned to be done during the period from mid-October to mid-April. The spoil material will be moved to the disposal sites and released throughout the projected time line as scows are adequately loaded. The precise ledge areas and demolition times will be further refined after subsurface explorations are completed. The final blasting and effects minimization plans must be submitted to us no later than 30 days prior to the first detonation. Blasting could commence in mid-Oct, but must be completed no later than March 31st of the following year.

In order to avoid vessel interactions with federally protected whales while enroute to, or returning from the Isles of Shoals disposal site, the spoil disposal vessels will have a dedicated whale lookout, and may not approach North Atlantic right whales within 500 yards. The

approach distance to all other whales is no closer than 100 yards (50 CFR Parts 217 and 222). Any whale should be treated as a right whale unless the whale is positively identified as another whale species. Further, vessels will use courses and speeds as appropriate, yet navigationally prudent, to avoid a collision with a whale, and, if necessary, reduce speed to the minimum at which the vessel can be kept on course, or come to a complete stop. For detailed guidance, see http://www.nero.noaa.gov/Protected/mmp/viewing/approaching/

NMFS Listed Species in the Action Area

The action area is defined as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action" (50 CFR§402.02). For this project, the action area includes the project footprint as well as the underwater area where effects of dredging (*i.e.*, the expected increase in suspended sediment levels which may persist for nearly 5,000-feet downstream) and blasting (*i.e.,* the anticipated blast radius that will likely extend across the river to both banks, as well as upstream and downstream for nearly 1500 feet) will be experienced. The action area also includes the approximately 20-30 mile tug and scow transit route from the dredge site to the disposal sites, as well as the five individual disposal sites where the elevated levels of turbidity may extend 1,900 feet from each disposal site.

Shortnose Sturgeon

Federally endangered shortnose sturgeon *(Acipenser brevirostrum)* occur along the U.S. Atlantic coast. It is thought that shortnose sturgeon were once historically abundant in the Piscataqua River; however, the river does not currently support a known spawning population of shortnose sturgeon. Available information indicates that shortnose sturgeon making coastal migrations within the Gulf of Maine *(i.e.,* between the Merrimack and Kennebec Rivers) make at least occasional short visits to Great Bay. Species presence in Great Bay was recently confirmed through the detection of four tagged shortnose sturgeon by acoustic receivers placed in Great Bay (Micah Kieffer, USGS, personal communication, 2013). Habitat within the area to be dredged appears to be consistent with shortnose sturgeon foraging habitat; given that, combined with the detection of sturgeon in the Bay, it is reasonable to expect that at least some individual shortnose sturgeon will be present in the river from the spring through the fall and may be engaged in foraging. Detections in the Bay indicate that individual sturgeon may be spending several hours to a few weeks in the area during this time period; however, the limited number of receivers and their arrangement in the Bay makes any assessment of sturgeon presence in the main stem river or proximity to the dredging and blasting difficult.

Based upon the best available information, including the detection of tagged shortnose sturgeon in Great Bay and the type of habitat available in the turning basin, we expect occasional transient shortnose sturgeon will be present in the area where dredging and blasting will occur. Based on seasonal migration and behavior patterns, the presence of shortnose sturgeon in the action area is expected to be limited to the time of year when water temperatures are above 50°F (10°C) (*i.e.*, outside of the usual overwinter period). However, on November 7, 2010, a shortnose sturgeon was detected in Great Bay approximately 4 miles for the dredge site where the water temperature was 47.7°F (08.7°C). Therefore, we expect shortnose sturgeon to be present in the dredging/blasting area between early May and early November (water temperature data obtained at: (http://neracoos.org/datatools/realtime/quick_history?platform=GREAT_BAY). Based on

these data, the potential for exposure of shortnose sturgeon to effects of dredging and blasting exists from the onset of dredging activities in mid October through early November.

Atlantic Sturgeon

Five DPSs of Atlantic sturgeon are listed under the ESA: the Gulf of Maine DPS is listed as threatened and the New York Bight, Chesapeake Bay, South Atlantic and Carolina DPSs are listed as endangered. The marine range of all five DPSs extends along the Atlantic coast from Canada to Cape Canaveral, Florida. The action area is within the range of all five DPSs.

One Atlantic sturgeon, originally tagged in New York Harbor, was detected on acoustic receivers in Great Bay (June 2012). The best available information indicates that suitable habitat for Atlantic sturgeon spawning and rearing does not occur in the lower Piscataqua River because of relatively high salinities. Therefore, no spawning adults or early life stages are likely to occur in the action area. With suitable forage present in the turning basin, we would expect that occasional subadult Atlantic sturgeon could be present in the River while foraging between the spring and fall. The action area has not been identified as an overwintering area for Atlantic sturgeon; however, because subadult Atlantic sturgeon are known to overwinter outside of their natal rivers, it is possible that a limited number of subadult Atlantic sturgeon will be present in the river during the winter months. We expect the presence of Atlantic sturgeon in the Piscataqua River to be limited to times of the year when water temperatures are higher than 10°C *(i.e.*, May – Nov., as noted above).

Adult Atlantic sturgeon do not overwinter exclusively in riverine habitats; they are often found foraging during the winter in near shore marine water at depths less than 250 ft (Colette and Klein-MacPhee 2002). Therefore, Atlantic sturgeon may be found foraging at depths similar to those found at the near shore disposal sites and along the tug-scow transit route. Atlantic sturgeon presence at the Isles of Shoal Disposal Site where water depths exceed 300 ft is unlikely.

Sea Turtles

Three species of listed sea turtle species occur in New England waters during the warmer months, generally when water temperatures are greater than 11°C. The sea turtles in these waters are typically small juveniles with the most abundant being the federally endangered leatherback *(Dermochelys coriacea),* federally threatened loggerhead *(Caretta caretta)* and federally endangered Kemp's ridley *(Lepidochelys kempi)* sea turtles. Kemp's ridleys are rare in waters north of Massachusetts and only leatherback or loggerhead sea turtles are likely to occur in coastal New Hampshire and Maine waters. Sea turtles move into waters of the Gulf of Maine from their southern wintering grounds in late June/July and most sea turtles move south from these waters by the first week in November. The highest numbers of sea turtles are present in these waters between July and October each year.

As marine reptiles, listed sea turtles are not likely to occur at the riverine dredge/blast site. All project activities will occur between mid-October and early May. During the time period when the proposed turning basin improvement activities will likely occur (Oct-Mar), the ocean water temperature will likely preclude loggerhead and Kemp's ridley sea turtle's presence in the action area. However, since leatherback sea turtles can tolerate colder water than other similar species

they may occur near the marine disposal sites, but their presence is discountable due to their pelagic nature. Therefore, we conclude that no sea turtles will be exposed to the effects of the proposed action.

Whales

Federally endangered North Atlantic right (*Eubalaena glacialis*), humpback (*Megaptera novaeangliae*), and fin (*Balaenoptera physalus*) whales are found seasonally off the coast of Maine and New Hampshire and are known to occur near the Isle of Shoals. North Atlantic right whales are likely to occur in these waters between November and April, while humpback and fin whales are likely to occur between March and November. While other species of whales, such as sei (*Balaenoptera borealis*) and sperm (*Physter macrocephalus*) whales are also seasonally present in New England waters, these species are not known to occur in the action area; thus, sei and sperm whales will not be exposed to any effects of the proposed action.

Decades of migration data collected on Atlantic right whales indicates that the species occurs in the action area during the proposed work period from mid-October to mid-April, but none have been spotted within three miles of the Isle of Shoals disposal site in over 30 years (data accessed from http://www.nefsc.noaa.gov/psb/surveys/).

Although tracking data for fin and humpback whales is lacking, individuals have been reported in the Gulf of Maine during the proposed work period. Because of these sightings and the highly migratory nature of the species, we conclude that fin and humpback whales may also occur in the action area.

Effects of the Action

Below, we consider the effects of dredging, disposal of dredged material, blasting, and disposal of demolished rock on listed species. This analysis relies on the adherence to the conditions and full implementation of the effect minimization measures listed above, as we consider these to be part of the proposed action

Dredging

A mechanical bucket dredge will be used to remove sediments and to remove loose rock after blasting. If dredging occurs in October, a small number of shortnose and/ or Atlantic sturgeon may be occasionally present in the action area. Therefore, we are considering the potential for a small number of shortnose and/or Atlantic sturgeon to be exposed to effects of dredging in the mid October – early November time period. We consider the potential for individuals from both sturgeon species to be captured in the dredge bucket, the effects of increased turbidity and suspended sediment from dredging, and the effects of dredging on potential sturgeon prey items. Beyond early November, shortnose sturgeon presence in the action area is extremely unlikely due to water temperature as explained above.

Capture in the Dredge Bucket

Bucket dredging entails lowering the open bucket through the water column, closing the bucket after impact on the bottom (whereby dredging up the material to be removed), lifting the bucket up through the water column, and emptying the contents of the bucket into a barge. Aquatic species can however be captured in dredge buckets, and may be injured or killed from

entrapment in the bucket or from burial in sediment during dredging and/or when sediment and the trapped organism are deposited into the dredge scow.

In rare occurrences, sturgeon have been captured in dredge buckets and placed in scows. The USACE has reported four incidences of sturgeon captured in dredge buckets along the U.S. East Coast since 1990. One of these incidents occurred in the Cape Fear River, North Carolina and the other three were at the Bath Iron Works facility in the Kennebec River, Maine. No sturgeon have ever been observed during dredging operations in the Piscataqua River action area. Based on all available evidence, the risk of capture in a mechanical dredge is low due to the slow speed at which the bucket moves and the relatively small area of the bottom it interacts with at any one time. Atlantic and shortnose sturgeon are highly mobile and it is anticipated that they will be able to avoid the dredge bucket in nearly all instances. The potential for capture is further reduced by the transient use of the area by Atlantic and shortnose sturgeon and the presumably small number of these fish in the action area at any given time. The action area is not a known overwintering site for shortnose sturgeon. Considering the relatively low probability that either sturgeon species will be present when and where dredging will occur and the equally low likelihood that an individual sturgeon would be captured in a slow moving dredge bucket, it is extremely unlikely that any Atlantic or shortnose sturgeon will be captured, injured or killed during dredging activities.

Turbidity Associated with Mechanical Dredging

The proposed dredging will cause a temporary increase in the amount of turbidity in the action area; however, the suspended sediment is expected to settle out of the water column within a few hours and any increase in turbidity will be short term. Turbidity levels associated with these sediment plumes typically range from 26-350 mg/L with the highest levels detected immediately adjacent to the dredge bucket and concentrations decreasing with greater distance from the dredge (USACE 2007; Anchor Environmental 2003). The size of a sediment plume is influenced by many local factors such as the composition of the dredged material (gravel vs. silt) and the velocity of any moving water. The maximum distance reported in literature for a sediment plume resulting from dredging operations is 4,921 feet (1,500 meters), which occurred in an area with very strong tidal currents (USACE 2007). The direction of the sediment plume and its extent will also be affected by the ebb and flow of the tide.

Studies of the effects of turbid waters on fish suggest that concentrations of suspended solids can reach thousands of milligrams per liter before an acute toxic reaction is expected (Burton 1993). The studies reviewed by Burton demonstrated lethal effects to fish at concentrations of 580.0 mg/L to 700,000.0 mg/L depending on species. Studies with striped bass adults showed that pre-spawners did not avoid concentrations of 954.0 to 1,920.0 mg/L to reach spawning sites (Summerfelt and Mosier 1976; Combs 1979 *in* Burton 1993). While there have been no directed studies on the effects of total suspended solids (TSS) on Atlantic sturgeon, subadults and adult sturgeon are often documented in turbid water and Dadswell (1984) reports that sturgeon are more active under lowered light conditions, such as those in turbid waters. As such, Atlantic sturgeon are assumed to be as least as tolerant to suspended sediment as other estuarine fish such as striped bass.

Fish eggs and larvae can be buried or smothered as suspended solids settle out of the water column. Because no early life stages of Atlantic or shortnose sturgeon occur in the action area, none will be exposed to any increase in total suspended solids (TSS). TSS is most likely to affect subadult or adult Atlantic or shortnose sturgeon if a plume causes a barrier to normal behaviors or if sediment settles on the bottom affecting their benthic prey. As Atlantic and shortnose sturgeon are highly mobile they are likely to be able to avoid any sediment plume and any effect on their movements or behavior is likely to be insignificant. Additionally, the TSS levels expected (26-350 mg/L depending on site specific conditions during dredging) are below those shown to have an adverse effect on fish (580.0 mg/L for the most sensitive species, with 1,000.0 mg/L more typical; see summary of scientific literature in Burton 1993) and benthic communities (390.0 mg/L (EPA 1986)); therefore, adverse effects to sturgeon are unlikely. Based on this information, it is likely that the effects of the re-suspension of sediment and an increase in turbidity resulting from dredging operations will be insignificant.

Effects on Prey

As noted above, Atlantic and shortnose sturgeon occur infrequently in the action area; however, they are most likely to occur where suitable forage (benthic invertebrates or submerged aquatic vegetation (SAV) is present.

Images of mapped eelgrass beds available from the Maine Office of GIS, and the New Hampshire Department of Environmental Services from 2006, 2010, and 2012 all indicate that eelgrass beds have been or are currently present within 1,500 feet up and/or downstream of the existing turning basin. Research conducted by the University of New Hampshire (UNH) suggests that new eelgrass beds are returning to the Piscataqua River in the vicinity of the turning basin. A new eelgrass bed of approximately 1.6 acres appeared in the Piscataqua River turning basin during 2012, near Adlington Creek on the Maine side of the river (Short 2013). Additionally, a New Hampshire Estuaries Survey conducted by the UNH Zoology Department and Jackson Estuarine Laboratory in 2006 evaluated the habitat on the Maine side of the turning basin near Mast Cove. The study concluded that the shallow water coupled with silty sand and eel grass beds provided "optimal habitat" for soft shell clams (*Mya arenaria*) (Grizzle 2006). Based on this information, we expect that suitable forage for sturgeon is present in the area where dredging and blasting will occur.

Dredging can affect sturgeon by reducing prey species through the alteration of the existing biotic assemblages. Some reduction in the amount of prey items upon which shortnose and Atlantic sturgeon forage is expected because of the superficial removal of accumulated sediment, but the dredging action will not result in the permanent removal of forage items as the area will continue to accrete sediment and prey species will re-colonize the area following the disturbance.

The blasting and rock removal required for the turning basin expansion will, by design, alter the habitat and lower approximately 20 acres of river bottom to a depth of 35 feet mean lower low water (MLLW) whereby making the new habitat unsuitable for some prey items, such as soft shell clams.

Because the area affected by dredging and blasting does not currently support significant amounts of benthic resources upon which shortnose and Atlantic sturgeon forage, we have

determined that any effects of the turning basin expansion to the sturgeon prey base will be insignificant.

Blasting

The use of explosive demolitions underwater produces a pressure wave that radiates outward from the detonation site. The typical pressure wave from an explosion consists of an instantaneous increase to the peak pressure, followed by a slower (but still very fast) logarithmic decay to below ambient hydrostatic pressure (Wright and Hopky 1998). The strength of the wave depends on the type and amount of explosives, the manner and depth at which the charges are placed, and the proximity of the detonation to the rock/water interface. As burn rates (detonation velocity) differ for explosive types, so too does the corresponding pressure wave. A slower burning explosive, such as trinitrotoluene, (TNT) "pushes" the substrate and generates a reduced pressure wave compared to a faster burning explosive such as C-4 or a water- gel emulsion that "shatters" the substrate and produces a much stronger pressure wave (personal conversation, US Army, EOD 2012). High explosives have an abrupt rise time, short duration, and a much greater negative pressure than do slower burning explosives. The rapid pressure changes and resulting damage to the swim bladder may be the causative factor of mortality in fish exposed to high explosive pressure waveforms (Keeven and Hempen 1997).

As sound waves propagate from a source, such as explosions, transmission loss occurs resulting in the attenuation of pressure waves as the distance from the sound source increases. Transmission loss and attenuation for a specific site depends on water depth, temperature, salinity, tidal exchange, substrate composition, bathymetric profile, and scattering due to air bubbles or suspended sediment (Transit Link Consultants, 2008). However, when explosives are surrounded by a specific media, *i.e.* rock, at detonation, the shock wave propagates and is attenuated at a specific rate. As the pressure wave passes through the rock/water interface, the propagation and attenuation rates change due to the different impedance created by the change in media, namely water. As a result, the land/water boundary should be considered the "source", and future calculations should be based on those levels- not on a continuation of the original shock wave (Oriard 2002). When the pressure wave travels into a new medium with different impedance, a fraction of the energy will be reflected and another fraction will be transmitted (Persson *et al.* 1994).

Effects of Blasting on Listed Species

As explained above, the only listed species that has the potential to be exposed to blasting effects are the occasional Atlantic or shortnose sturgeon. There have been numerous studies that have assessed the direct impact of underwater blasting on fish (e.g., Teleki and Chamberlain 1978; Wiley *et al.* 1981; Burton 1994; Moser 1999). While none of the studies have focused on Atlantic sturgeon, the results demonstrate that blasting can have an adverse impact on fish. Teleki and Chamberlain (1978) found that several physical and biological variables were the principal components in determining the magnitude of the blasting effect on fish. The primary physical components in determining blast effects include detonation velocity, density of material to be blasted, and charge weight; while the biological variables include fish shape, size, weight, and swim bladder development, as well as location of fish in the water column (depth).

It is the extreme pressure oscillations created by the detonation that causes a rapid contraction and over-extension of the swim bladder as pressure gradients change; this results in internal damage and/or mortality to species of fish (Wiley *et al.* 1981). Most blast injuries to fish involve damage to air or gas containing organs, such as swim bladders. Fish with swim bladders, such as sturgeon, are more susceptible to barotrauma. During exposure to explosive shock waves, the swim bladder oscillates and may rupture, in turn causing hemorrhage in surrounding organs resulting in death (Wiley *et al.* 1981). If blasting detonations are undertaken at one time (*i.e.*, not set up to be delayed), fish cannot recover from these large pressure oscillations, resulting in internal injuries (e.g., swim bladder ruptures) that may result in death.

Lethal threshold peak pressure levels for a variety of marine fish species exposed to open water (unconfined) dynamite blasts have been suggested by Hubbs and Rechnitzer (1952). These thresholds varied from 40 pounds per square inch (psi) to 70 psi, the former being the more conservative in estimating mortality in fishes (Hempen *et al.* 2007; Keevin 1995; USACE 2004). The waveform of mortality for this value was established from an open-water testing program and not from confined shots, which are known to reduce the pressure waves of detonations[1]. Keevin (1995) found no mortality or internal damage to bluegill exposed to a high explosive at pressures at or below 60 psi. Similarly, Yelverton *et al.* (1975) measured the impulse pressures resulting in 1%, 50%, and 99% mortality in large carp. The result of this study showed 1%, 50%, and 99% mortality at 35.1 pounds per square inch-milliseconds (psi-ms), 49.5 psi-ms, and 69.7 psi-ms, respectively. Although this criteria is generally conservative for many non-listed species under the ESA, based on these studies, we believe that the 40 psi threshold may not avoid mortality or serious injury for small size classes of listed fish species, especially eggs, fry, and juveniles that are vulnerable at much lower thresholds of injury than adults, but may overestimate ranges for larger individuals. As noted above, the only sturgeon in the action area would be subadults or adults, which are at least 76 cm in length. Therefore, we expect the 40 psi threshold would overestimate the potential for injury or mortality to listed sturgeon in the action area (that is, we would not expect injury or mortality to result from exposure to blast pressures of 40 psi).

Effects of blasting on shortnose sturgeon have been examined and will serve as the best available information on potential effects of blasting on Atlantic sturgeon. Test blasting was conducted in Wilmington Harbor, North Carolina, in December 1998 and January 1999 in order to adequately assess the impacts of blasting on shortnose sturgeon and the size of the LDI area (the lethal distance from the blast where 1% of the fish died). As explained by Moser (1999), the test blasting consisted of 32-33 blasts (3 rows of 10 to 11 blast holes per row with each hole and row 10 feet apart), about 53-62 lbs (24 to 28 kg) of explosives per hole, stemming each hole with angular rock, and an approximate 25 msec delay after each blast. Total explosives detonated during the test equaled nearly 2000 lbs (900 kg). During test blasting, 50 hatchery reared juvenile striped bass and shortnose sturgeon were placed in 0.25" plastic mesh cylinder cages (2 feet in diameter by 3 feet long) 3 feet from the bottom (worst case scenario for blast pressure as confirmed by test blast pressure results) at 35, 70, 140, 280, and 560 feet upstream and downstream of the blast location.

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[1] The 40 psi criterion suggested by Hubbs and Rechnitzer (1952) is an estimate of 50 % mortality, rather than the onset of mortality (i.e., 1 % mortality) or threshold where no mortality is observed (Baker 2008).

Results of the study indicated that there was a low survival rate for both species of fish located 35 feet from the detonation site; however, at distances of 70 feet, caged fish showed no sign of hemorrhage or swim bladder damage, although two fish exhibited extended intestines, which may have been caused by the blast. At distances at, and beyond 140 feet, there was no difference in survival or impulse pressure. In addition, necropsy results indicated that shortnose sturgeon juveniles were less seriously impacted by test blasting than were the juvenile striped bass. It is believed, therefore, that survival rates for shortnose sturgeon would have been higher than striped bass following blasting treatments, even within the 35-foot distance of the blast area (*i.e.*, 88% of shortnose sturgeon would have survived versus 34% of the striped bass; Moser 1999)[2]. Moser (1999) stipulated that shortnose sturgeon may be less susceptible and less sensitive to blasting effects due to the fact that the swim bladder in shortnose sturgeon is connected to the esophagus, allowing gas to be expelled rapidly without damage to the swimbladder (*i.e.*, physostomus).

As established above, only occasional Atlantic or shortnose sturgeon are likely to be present in the Piscataqua River during the time of year when blasting will occur. However, because of the blasting techniques described above, *i.e.,* decking, stemming, and delayed detonation, the increase in underwater noise and pressure will be reduced. By applying the same calculations that were used in the recent Boston Harbor demolitions project, you determined that at distances of more than 1,500 feet from the blast site, peak pressures will be below 23 psi and underwater noise levels will be less than 111 dB re μPa (Mark Habel, Program Manager, USACE, personal communication, January 2014). Based on the Moser (1999) studies, peak pressure levels at, or below, 75.6 psi, and peak impulse levels at or below 18.4 psi-msec will cause no injury or mortality to sturgeon.

The use of sonar to scan the area prior to blasting will ensure that no blasting occurs when large fish, *i.e.,* sturgeon, would be close enough to the detonation to be exposed to potentially injurious pressure levels (< 1,500 feet). Any sturgeon would be far enough away from the blast such that effects would be limited to a startle or swimming away from the blast site. As such, we do not anticipate any Atlantic or shortnose sturgeon to be exposed to pressure levels which could result in injury or mortality. Further, the sonar that will be used to scan the area operates at a frequency outside the hearing threshold of sturgeon, so there will be no effects to Atlantic or shortnose sturgeon from the use of sonar.

The blast pressure will likely span the entire river, and impede Atlantic sturgeon from normal foraging or migratory behavior. However, due to the very short duration of the blast (less than 7 seconds), we expect this behavioral disturbance to be brief and that pre-disturbance behaviors would quickly resume (Mark Habel, Program Manager, USACE, personal communication, January 2014).

Disposal of Dredged Material and Demolished Rock

The disposal of the coarse grained sand and gravel dredged from the Piscataqua River will occur at four (4) near shore disposal sites, including: Wells, Maine, and in Massachusetts at Salisbury

[2] After 24 hrs of the blast treatments, fish were necropsied.

Beach, Newbury, and Newburyport. All of the near shore disposal sites are located approximately 30 miles from the Piscataqua River Turning Basin. In addition, the Isle of Shoals-N site which will be used for the rock disposal is located approximately 20 miles offshore, east-southeast of the dredging area. Since all of these disposal areas are located between the Kennebec River and the Merrimack River, any sturgeon or whales migrating between these two general areas could be exposed to effects of disposal activities.

Nearshore Beach Nourishment

Near shore spoil disposal is often referred to as "beach nourishment". During beach nourishment operations, the dredged substrate is re-suspended in the water column as it is released and settles to the sea floor. This generally results in a sediment plume in the water, typically radiating from the disposal site and decreasing in concentration as sediment falls out of the water column and as distance increases from the disposal site. During the discharge of sediment at a near shore disposal site, suspended sediment levels have been reported as high as 500 mg/L within 75 meters of the disposal vessel and decreasing to background levels (*i.e.*, 15.0-100.0 mg/L depending on location) within 300-2,000 meters (USACE 1983). For this project, any associated sediment plume will be localized because of the lentic nature of the receiving waterbody, and will be temporary because the dredged material is mostly clean sand and gravel which will settle quickly.

The effects of coarse grained sand and gravel disposal on listed species also includes burial by and/or direct contact with spoil material when the material is released and it descends through the water column. Studies conducted on sub-adult white sturgeon *(Acipenser transmontanus)* at spoil disposal areas in the lower Columbia River of Washington concluded that movement rates, depths occupied, and diel movement patterns changed little during disposal activities (Parsley *et al.* 2011). The lack of change suggests that natural behaviors were not significantly altered during and immediately after hopper dredge disposal operations. It is assumed that Atlantic sturgeon would be similarly unaffected, being similar species. Based on this and the best available information, the effects of beach nourishment to Atlantic sturgeon will be insignificant. Furthermore, whales are not anticipated at the near shore disposal sites due to the restrictive water depth; therefore, the effects of beach nourishment to whales in the action area are discountable.

Demolished Rock Disposal

Blasted rock from the turning basin is to be disposed of offshore at the Isle of Shoals- North (IOS-N) disposal area where the water depth often exceeds 250 feet. The effects of demolished rock disposal on listed species include direct contact with spoil material as well as an increase in turbidity.

The TSS levels expected for debris (rock) disposal (10.0 to 120.0 mg/L) are below those shown to have an adverse effect on fish (580.0 mg/L for the most sensitive species, with 1,000.0 mg/L more typical; see summary of scientific literature in Burton 1993) and benthic communities (390.0 mg/L (EPA 1986)).

Atlantic sturgeon have been detected by acoustic receivers (GoMOOS buoy B01) in the vicinity of the Isle of Shoals. Since deployment of this buoy in 2005, only nine individual Atlantic

sturgeon have been detected in its vicinity. The most detections occurred in the spring (March 2010) with one detection in mid June 2009. Considering these were single detections and that adult Atlantic sturgeon rarely forage in water deeper than 240 feet (75 m) (Colette and Klein-MacPhee 2002), the detections suggests individuals migrating through the area. No other tagged fish have been detected at the GoMOOS buoy deployed in the vicinity of IOS-N.
Tracking data indicates that Atlantic right, fin, and humpback whales may occur in the action year-round; however , the time of year when the disposal action will occur and corresponding ocean temperature suggests that it is extremely unlikely that whales will be present in the action area.

Based on the conditions emplaced to protect whales identified above, the unlikely event that any whales would be in the action area because of water temperature, and the solely migratory use of the IOS-N by Atlantic sturgeon, we conclude that any effects to Atlantic sturgeon or listed whales from the disposal of blasted ledge from the Piscataqua River turning basin are discountable.

Habitat Alteration
Marine growth at the four nearshore disposal sites and the one offshore site at the Isles of Shoals-North (IOS-N) will likely consist of benthic and epi-benthic organisms; primarily polychaete worms, clams, and crustaceans in low density. Due to depths at the IOS site (>200 ft) no SAV is known to grow, but may occur at the nearshore locations.

The nearshore sites were selected for spoil deposition because of existing beach erosion and the beneficial effects of beach nourishment. Nearshore disposal of gravel and sand will result in temporary disturbance or suffocation of benthic organisms that may serve as sturgeon prey. However, the native faunae of a sandy beach are primarily burrowing species that are well adapted to the constantly changing and relatively stressful environment (NRC 1995). Based on this and the best available information, we conclude that any effects on Atlantic sturgeon from habitat alteration, *i.e.*, beach nourishment at the four nearshore sites are discountable.

The offshore disposal site at Isles of Shoals-North (IOS-N) is situated in over 250 feet of water and has been used intermittently as a Regional Disposal Site for over 35 years. The habitat in the offshore disposal area consists of rocky outcrops but is penetrated by several valleys containing soft sediment. We have concluded that any effects to Atlantic sturgeon from habitat alteration due to rock disposal will be insignificant because the IOS-N disposal area is not heavily relied upon as a foraging site.

Turbidity
During the discharge of sediment at an in-water disposal site, suspended sediment levels have been reported as high as 500 mg/L within 75 meters of the disposal vessel and decreasing to background levels *(i.e.*, 15.0-100.0 mg/L depending on location) within 300-2,000 meters (USACE 1983). Turbidity levels associated with rock disposal is expected to be only slightly elevated above background levels (USACE 2007; Anchor Environmental 2003).

While the increase in suspended sediments may cause Atlantic sturgeon or listed whales to slightly alter their normal movements, any change in behavior is likely to be insignificant as it will only involve minor movements to alter their course out of the sediment plume.

Based on this and the research discussed above, any increase in suspended sediment resulting from spoil disposal is not likely to induce significant behavioral changes, or otherwise adversely affect Atlantic sturgeon or protected whales.

Vessel Interactions

The factors relevant to determining the risk to Atlantic sturgeon from vessel strikes are currently unknown, but they may be related to size and speed of the vessels, navigational clearance (*i.e.,* depth of water and draft of the vessel) in the area where the vessel is operating, and the behavior of Atlantic sturgeon in the area (e.g., foraging, migrating, etc.). It is important to note that vessel strikes have only been identified as a significant concern in the Delaware and James Rivers and current thinking suggests that there may be unique submerged topographic features in these riverine areas (e.g., potentially narrow migration corridors combined with shallow/narrow river channels) that increase the risk of interactions between vessels and Atlantic sturgeon. These types of restrictive submerged topographic features are not present in the Piscataqua River, thus the risk of vessel strikes are not considered to be a significant threat to Atlantic sturgeon.

Finback whales are the most often reported species hit by ocean going vessels, followed by humpback, then North Atlantic right whales (Jensen and Silber 2003). However, based on the low density of whales anticipated near the Isles of Shoals and the precautionary measures required of the disposal vessels, we conclude that an interaction between a scow or tug and listed species is discountable.

Conclusion

Based on the analysis that all effects of the proposed project will be insignificant or discountable, we concur with your determination that the proposed Portsmouth Harbor and Piscataqua River Upper Turning Basin Expansion Navigation Improvement Project is not likely to adversely affect any listed species under our jurisdiction. Therefore, no further consultation pursuant to section 7 of the ESA is required.

Reinitiation of consultation is required and shall be requested by the Federal agency or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law and: (a) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the consultation; or (c) If a new species is listed or critical habitat designated that may be affected by the identified action. No take is anticipated or exempted. If there is any incidental take of a listed species, reinitiation would be required. Should you have any questions about this correspondence please contact Max Tritt at (207) 866-3756 or by e-mail (max.tritt@noaa.gov).

Coordination between NMFS' Habitat Conservation Division and your office regarding effects of the action on Essential Fish Habitat (EFH) and NOAA Trust Resources considered under the

Fish and Wildlife Coordination Act is still ongoing. Please contact Mike Johnson at (978) 281-9130 or mike.r.johnson@noaa.gov for further information on the status of the EFH consultation.

I look forward to continuing to work with you and your staff as this action moves forward.

Sincerely,

for John K. Bullard
Regional Administrator

EC: Murray-Brown, Madley, Tritt - F/NER3
Boelke, Johnson – F/NER4
Rogers, Habel – USACE NE

File Code: H:\Section 7 Team\Section 7\Non-Fisheries\ACOE\Informal\2014\New England District\Portsmouth Harbor and Piscataqua River Upper Turning Basin Expansion Navigation Improvement Project, Portsmouth, NH.

PCTS NER-2013-10570

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MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
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AUGUSTA, MAINE
04333

PAUL R. LEPAGE
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

January 3, 2014

Ms. Kate Atwood
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742

Project: MHPC# 1630-13 – Portsmouth Harbor; proposed navigation improvement project

Town: Eliot, ME

Dear Ms. Atwood:

In response to your recent request, I have reviewed the information received December 12, 2013 to continue consultation on the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Based on the information submitted, I have concluded that there will be **no historic properties affected** by the proposed undertaking, as defined by Section 106.

Please contact Robin Reed of our staff if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney

Kirk F. Mohney
Deputy State Historic Preservation Officer

PHONE: (207) 287-2132

FAX: (207) 287-2335

United States Department of the Interior

FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
http://www.fws.gov/newengland

Re: Portsmouth Harbor and Piscataqua River Navigation Improvement Project, NH

December 11, 2013

Mr. John R. Kennelly
Chief of Planning
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Kennelly:

This letter responds to your correspondence, dated September 4, 2013, regarding a study proposal for the Portsmouth Harbor and Piscataqua River federal navigation improvement project. Specifically, you requested review of the proposal in accordance with the Fish and Wildlife Coordination Act and section 7 of the Endangered Species Act. Our comments are provided pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 662, *et seq.*) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531, *et seq.*).

Our comments apply only to the New Hampshire and Massachusetts portions of the project. We understand that you are coordinating with the Fish and Wildlife Service's Maine Field Office regarding the proposed nearshore placement site located in Wells, Maine.

The existing federal navigation project includes two turning basins and a 35-foot-deep, 400-foot-wide channel which extends from Portsmouth Harbor at river mile 2.6, upstream to river mile 8.8. The purpose of the project is to increase the width of the upper turning basin from 850 feet wide to 1,200 feet wide at the current depth of 35 feet in order to improve the efficiency and safety of vessels that utilize the basin. The widening would be accomplished by mechanical dredging and would generate approximately 720,000 cubic yards of sand and gravel. In addition, there is bedrock that may need to be drilled and blasted. The bedrock will generate about 16,000 cubic yards of material. The dredge material would be placed nearshore in the communities of Newbury, Newburyport and Salisbury, Massachusetts.

Endangered Species Act Comments

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area. Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Fish and Wildlife Coordination Act Comments

Based on our review of the information provided, we have determined that placement of the dredge material in the proposed nearshore sites will have only minimal effects on fish and wildlife resources in the project area. This determination does not preclude future evaluation and recommendations by the U.S. Fish and Wildlife Service should project conditions change.

Thank you for your continued coordination. Please contact Maria Tur of this office at (603) 223-2541, extension 12, if we can be of further assistance.

Sincerely yours,

Thomas R. Chapman
Supervisor
New England Field Office

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

December 9, 2013

Engineering/Planning Division
Evaluation Branch

John Bullard
Northeast Regional Administrator
NOAA Fisheries
Northeast Regional Office
55 Great Republic Drive
Gloucester, Massachusetts 01930-2276

Dear Mr. Bullard:

This letter is to conclude informal consultation under Section 7 of the Endangered Species Act (ESA) concerning the potential effects to listed species that could occur from the proposed Portsmouth Harbor and Piscataqua River Upper Turning Basin Expansion Navigation Improvement Project, in New Hampshire, and Maine. The project will require the dredging of approximately 728,000 cubic yards (cy) of mostly coarse sand and gravel in the Piscataqua River in Maine, and New Hampshire, in order to widen the upper turning basin from 800 feet to approximately 1,200 feet at a depth of 35 feet mean lower low water (MLLW). In addition, approximately 25,200 cy of bedrock ledge will need to be removed. The dredging will be accomplished using a mechanical dredge, with the ledge removal likely requiring blasting. The dredged material will be beneficially used as nourishment by placement at four nearshore areas off beaches in Wells, Maine; and Salisbury, Newbury and Newburyport, Massachusetts. The ledge rock removed will be placed at an ocean site located seaward of the three nautical mile limit of the territorial sea in Federal waters, just northeast of the Isle of Shoals (IOS-N, see Figure 1). This site is in water approximately 250 to 310 feet deep. The widening of the turning basin will allow vessels up to 800 feet in length to turn without the risk of grounding.

In addition to the material described that would be removed as part of the improvement project, approximately 7,800 cy of maintenance material within the existing turning basin limits and channel upstream of Frankfort Island could be removed concurrently if it meets the suitability requirement for placement at the nearshore placement sites. Testing of the maintenance material for suitability for placement in these nearshore areas would occur in the next project phase (Design Phase). All other maintenance material removed from the river over the several decades since the 35-foot deepening has been clean sandy material. It is anticipated that construction will take about six months to complete and is planned to be done during the months of mid-October to mid-April with all blasting completed no later than March 31 in the year that funding becomes available.

Please recall your letter of November 15, 2013 as well as letters from Peter Colosi (September 2, 2011) and from Louis Chariella (May 27, 2008) from your agency, concerning this project and its potential effects to listed species. As noted in your letters, several species protected under the ESA may be present in the proposed dredging and disposal areas at some time during the year and could be affected by the proposed project. These include the Federally endangered shortnose sturgeon (*Acipenser brevirostrum*), as well as the possibility of four Distinct Population Segments (DPS) of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) which are listed as endangered (New York Bight, Chesapeake Bay, Carolina, and South Atlantic) and one DPS of Atlantic sturgeon listed as threatened (Gulf of Maine). Also, as stated in your letter of September 2, 2011, seaward migrating juvenile Gulf of Maine (GOM) DPS Atlantic salmon (*Salmo salar*) (listed as Federally endangered) have been recorded by acoustic telemetry moving southward toward the vicinity of the proposed Isles of Shoals Disposal area (IOS-N). In your letter of November 15, 2013, you state that consultation under Section 7 of the ESA would be required for this project, and that we should submit an effects assessment on listed species and mitigation strategies with our request for consultation.

The information presented in the following pages constitutes our assessment of effects which we believe will sufficiently show that the proposed navigation improvement project may affect, but not likely adversely affect the Federally endangered shortnose sturgeon; the Federally endangered Atlantic Bight DPS, Chesapeake Bay DPS, Carolina DPS, South Atlantic DPS, and the Federally threatened Gulf of Maine DPS of Atlantic sturgeon; the Federally endangered GOM DPS of Atlantic salmon; as well as listed whales or sea turtles that may occur in the vicinities of the proposed dredging and disposal areas. If you need any further information you may contact Ms. Catherine Rogers at catherine.j.rogers@usace.army.mil or phone (978) 318-8231.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Memo

NH Natural Heritage Bureau
NHB Datacheck Results Letter

To: Catherine Rogers, Army Corps of Engineers, New England District
696 Virgina Road
Concord, MA 01742

From: Melissa Coppola, NH Natural Heritage Bureau
Date: 12/4/2013 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB13-3615 Town: Newington Location: Piscataqua River
Description: The Federally preferred project would widen the exiting 800-wide turning basin located at the upstream end of the Piscataqua river federal navigation channel to 1200 feet and a depth of 35 ft MLLW plus two feet of overdepth. Approximately 728,000 cy of coarse grained and gravelly material and approximately 25,200 cy of rock would be removed. All material would be removed by a mechanical dredge and take between five to eight months to complete Material would be removed between the months of approximately November through March to protect biological resources. Material would be disposed at aquatic sites outside of NH state borders.
cc: Kim Tuttle

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Natural Community	State[1]	Federal	Notes
Sparsely vegetated intertidal system	--	--	Threats to these communities are primarily alterations to the hydrology of the wetland (such as alterations that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff.
Subtidal system	--	--	

Plant species	State[1]	Federal	Notes
prolific yellow-flowered knotweed (*Polygonum ramosissimum ssp. prolificum*)*	E	--	Threats to estuarine plants are primarily alterations to the hydrology of the wetland, such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat, activities that eliminate plants, and increased input of nutrients and pollutants in storm runoff.

Vertebrate species	State[1]	Federal	Notes
Henslow's Sparrow (*Ammodramus henslowii*)*	--	--	Contact the NH Fish & Game Dept (see below).

[1]Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

Department of Resources and Economic Development
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DRED/NHB
PO Box 1856
Concord NH 03302-1856

Memo

NH Natural Heritage Bureau
NHB Datacheck Results Letter

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

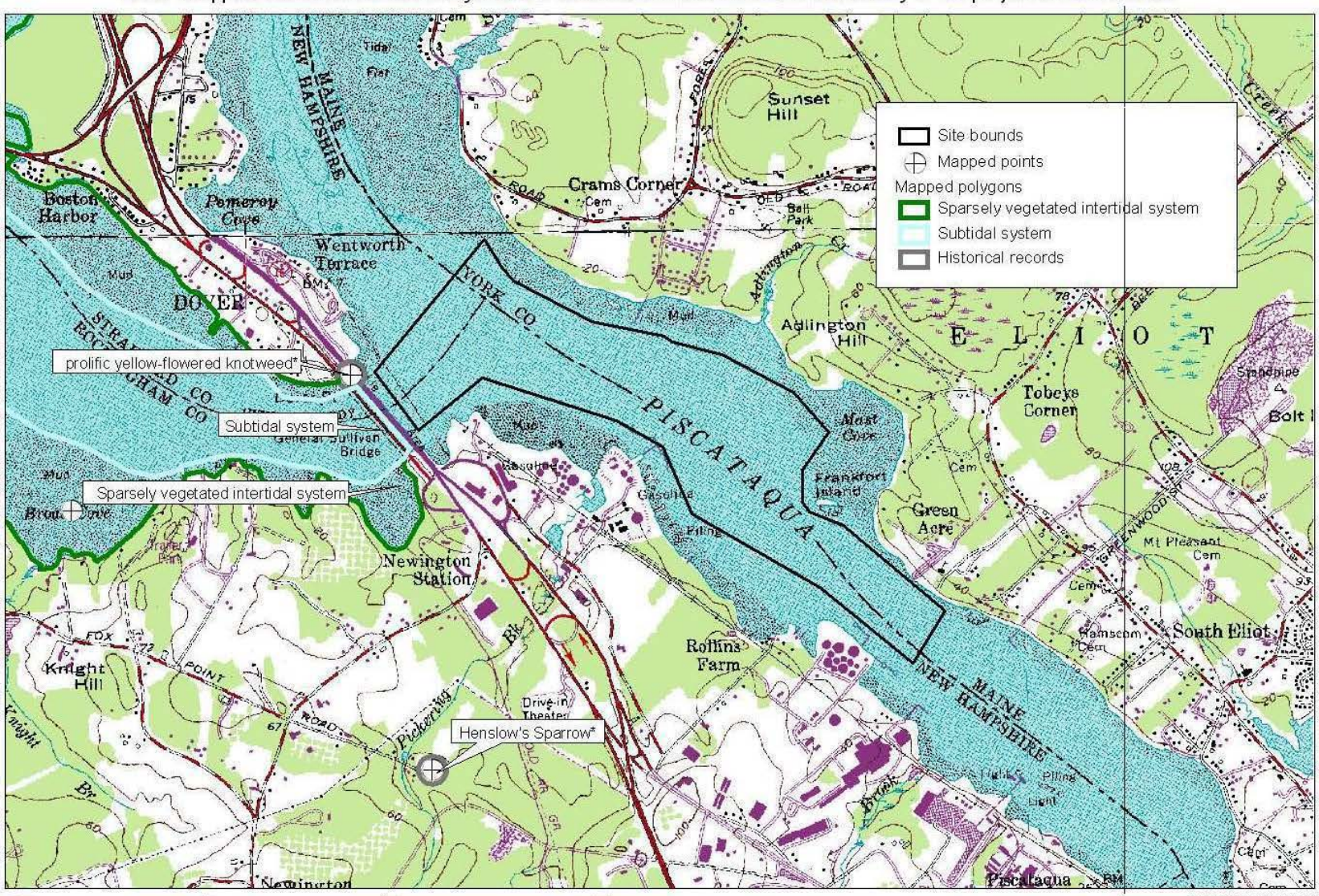
Department of Resources and Economic Development
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DRED/NHB
PO Box 1856
Concord NH 03302-1856

NH NATURAL HERITAGE BUREAU

Known locations of rare species and exemplary natural communities

Note: Mapped locations are not always exact. Occurrences that are not in the vicinity of the project are not shown.



0.5 0 0.5 1 Miles

*Historical record

1:24000

Valid for one year from this date: 04 Dec 2013

New Hampshire Natural Heritage Bureau - System Record

Sparsely vegetated intertidal system

Legal Status		Conservation Status	
Federal:	Not listed	Global:	Not ranked (need more information)
State:	Not listed	State:	Rare or uncommon

Description at this Location

Conservation Rank: Not ranked
Comments on Rank:

Detailed Description: Extensive ***intertidal flats*** that are exposed daily at low tide, bordered in places by ***intertidal rocky shore*** and ***coastal shoreline strand/swale*** communities.
General Area: 2010: Borders **salt marsh system** landward and **subtidal system** seaward.
General Comments:
Management Comments:

Location

Survey Site Name: Great Bay
Managed By: Moody Point Open Space

County:	Rockingham	USGS quad(s):	Newmarket (4307018)
Town(s):	Newington	Lat, Long:	430651N, 0705032W
Size:	3589.5 acres	Elevation:	

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: Occurs throughout Great Bay from the mouths of its tributaries, through Little Bay, to the confluence with the Piscataqua River.

Dates documented

First reported:	1997-06-23	Last reported:	2010-10-13

New Hampshire Natural Heritage Bureau - System Record

Subtidal system

Legal Status		Conservation Status	
Federal:	Not listed	Global:	Not ranked (need more information)
State:	Not listed	State:	Rare or uncommon

Description at this Location

Conservation Rank: Not ranked
Comments on Rank:

Detailed Description: Channels and bay bottoms that vary in width from a few feet to almost a mile across, covered by water even at low tide. Patches of subtidal ***eelgrass bed*** occur at the edge of the adjacent **sparsely vegetated intertidal system**.
General Area: 2010: Borders a **sparsely vegetated intertidal system**.
General Comments:
Management Comments:

Location

Survey Site Name: Great Bay
Managed By: Portsmouth Country Club

County:	Rockingham	USGS quad(s):	Portsmouth (4307017)
Town(s):	Newington	Lat, Long:	430431N, 0705256W
Size:	3207.7 acres	Elevation:	

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: Occurs throughout the Great Bay estuary, from the upper todal reaches of tributary streams to the confluence of the bay with the Piscataqua River.

Dates documented

First reported:	1997-06-17	Last reported:	2010-10-13

New Hampshire Natural Heritage Bureau - Plant Record

prolific yellow-flowered knotweed (*Polygonum ramosissimum ssp. prolificum*)

Legal Status		**Conservation Status**	
Federal:	Not listed	Global:	Apparently secure but with cause for concern
State:	Listed Endangered	State:	Critically imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Historical records only - current condition unknown.
Comments on Rank:

Detailed Description: 1955: No details.
General Area:
General Comments:
Management Comments:

Location

Survey Site Name: Hilton State Park
Managed By:

County:	Strafford	USGS quad(s):	Portsmouth (4307017)
Town(s):	Dover	Lat, Long:	430710N, 0704938W
Size:	2.8 acres	Elevation:	5 feet

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: Dover. Hilton State Park.

Dates documented

First reported: Last reported: 1955

New Hampshire Natural Heritage Bureau - Animal Record

Henslow's Sparrow (*Ammodramus henslowii*)

Legal Status		**Conservation Status**	
Federal:	Not listed	Global:	Apparently secure but with cause for concern
State:	Not listed	State:	Not ranked (need more information)

Description at this Location

Conservation Rank: Historical records only - current condition unknown.
Comments on Rank: Destroyed.

Detailed Description: 1983: Singing male observed on suitable habitat beginning in May by Tom Butler. Recorded and photographed (on 1 June 1983) by L. Master, Tom Butler, Connie Casas and others. BIRD PRESENT 5/24 TO 6/5.
General Area: 1983: Old field, wet along edges, with timothy, orchard grass, curly dock, asters, goldenrods, dandelions, cow vetch, common buttercup, yarrow, ragged-robin, bluegrass, Daucus.
General Comments:
Management Comments:

Location

Survey Site Name: Fox Point Road
Managed By:

County:	Rockingham	USGS quad(s):	Portsmouth (4307017)
Town(s):	Newington	Lat, Long:	430614N, 0704923W
Size:	2.8 acres	Elevation:	50 feet

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: From Rte. 4/16 at Newington Station, take Nimble Hill Road ca. 0.75 miles south to Fox Point Road. Field just east northeast of cul-de-sac at east end of Fox Point Road, 0.4 mile east of blinking light.

Dates documented

First reported:	1983	Last reported:	1983-06-01

The New Hampshire Fish & Game Department has jurisdiction over rare wildlife in New Hampshire. Please contact them at 11 Hazen Drive, Concord, NH 03301 or at (603) 271-2461.

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

CENAE-EP-PN 20 November 2013

MEMORANDUM FOR RIT, North Atlantic Division, U.S. Army Corps of Engineers, (CECW-NAD, Ms. Michele Gomez), 441 G Street NW, Washington, DC 20314-1000

SUBJECT: Request an AFB Conference be Scheduled for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine, Navigation Improvement Feasibility Study

1. The purpose of this memo is to request that an AFB conference be scheduled for mid February 2014 for the subject study. This P2 milestone is currently scheduled for 21 February 2014. The draft Feasibility Report, Environmental Assessment (EA) and supporting appendices are complete and under District QC review. NAE has initiated coordination with the Deep Draft Navigation PCX for ATR and economic model certification. Completion of the ATR and submission of documentation for AFB review are scheduled for late December 2013. Pending successful completion of the AFB documentation (PGM), we will be requesting concurrent approval to release the draft Feasibility Report and EA for public review.

2. Enclosed for your information are the current fact sheet for the study, and the draft Executive Summary from the Feasibility Report.

3. If there are any questions, please contact the Project Manager, Richard Heidebrecht, at 978- 318-8513, or John Kennelly, Planning Branch Chief, at 978-318-8513.

Sincerely,

SCOTT E. ACONE, P.E.
Chief, Engineering/Planning Division

Enclosures

Copy Furnished:
Paul Sabalis, CENAD-PD-CS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

November 18, 2013

John Kennelly, Chief of Planning
U.S. Army Corps of Engineers
New England District
Engineering/Planning Division
696 Virginia Road
Concord, Massachusetts 01742-2751

Dear Mr. Kennelly:

Thank you for your letter dated October 15, 2013, requesting the U.S. Environmental Protection Agency (EPA) to review and comment on the amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine, navigation improvement project, pursuant to its responsibilities under the Clean Water Act, Marine Protection, Research, and Sanctuaries Act, Clean Air Act, and National Environmental Policy Act.

EPA has reviewed the various NEPA documents and other information on this project and strongly supports your efforts to beneficially use the sand and gravel to nourish beaches in Maine and Massachusetts, and the rock for upland public works projects in New Hampshire.

Please contact Ms. Olga A Guza of my staff at (603) 818-9788 if you have any questions or require additional information.

Sincerely,

Melville P. Coté, Jr., Manager
Ocean and Coastal Protection Unit

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

NOV 15 2013

Mr. John R. Kennelly
Chief of Planning
Engineering/Planning Division, Evaluation Branch
New England District, US Army Corp of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: Technical Assistance for Portsmouth Harbor and Piscataqua River Navigation Project Improvement, New Hampshire and Maine.

Dear Mr. Kennelly:

We have reviewed your September 4, 2013 request for comments regarding the proposed improvements to the Portsmouth Harbor and Piscataqua River Navigation Channel and Turning Basin. As proposed, the project would include the widening of the upper turning basin from 850 feet to approximately 1,200 feet at the current depth of -35 feet mean lower low water (MLLW). The project would require dredging up to 720,000 cubic yards (cy) of mostly coarse sand and gravel, and the removal of nearly 16,00 cy of bedrock (ledge). While the dredging would be accomplished by using a mechanical dredge, the ledge removal would likely require blasting. The dredging operations are expected to take 4-6 months with the blasting to take another 1-2 months for completion. As proposed, the dredge material would be used for beach nourishment and to combat shoreline erosion at two different locations in Maine and in Massachusetts. The demolished ledge would be moved to the New Hampshire State Terminal in Portsmouth and stored until used for future public projects.

NMFS Listed Species and Critical Habitat in the Action Area

The action area is defined as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action" (50 CFR §402.02). For this project, the action area includes the in-river project footprint, the disposal transit routes, and the coastal disposal sites, as well as the underwater areas where effects of the action (e.g., increase in suspended sediment, underwater noise/vibration levels) will be experienced.

Shortnose Sturgeon

Federally endangered shortnose sturgeon *(Acipenser brevirostrum)* occur along the U.S. Atlantic coast. It is thought that shortnose sturgeon were once historically abundant in the Piscataqua River; however, the river does not currently support a known spawning population of shortnose sturgeon. Available information indicates that shortnose sturgeon making coastal migrations within the Gulf of Maine (*i.e.*, between the Merrimack and Kennebec Rivers) make at least occasional short visits to Great Bay. Species presence was recently confirmed through the detection of four tagged shortnose sturgeon by acoustic receivers placed in Great Bay (Micah Kieffer, personal conversation, 2013). Based on the pattern of detections, it is thought that shortnose sturgeon visit Great Bay at least during the spring and fall. Detections in the Bay

indicate that individual sturgeon may be spending several hours to a few weeks in the area; however, the limited number of receivers and their arrangement in the Bay makes any assessment of sturgeon presence in the river or in proximity to the dredging and blasting area difficult. Habitat within the area to be dredged appears to be consistent with shortnose sturgeon foraging habitat; given that, combined with the detection of sturgeon in the Bay, it is reasonable to expect that at least some individual shortnose sturgeon will be present in the river from the spring through the fall and may be engaged in foraging. There is no recent targeted study investigating shortnose sturgeon habitat use and behavior in the Piscataqua River. Based upon the life history characteristics of shortnose sturgeon, the Piscataqua River could serve as an overwintering area. However, current detections in Great Bay have not indicated shortnose sturgeon overwintering behavior. It is our understanding that the U.S. Navy may be pursuing the placement of additional receivers in the river which may provide more information on the presence of shortnose sturgeon in the river in the future.

Atlantic Sturgeon

Four Distinct Population Segments (DPS) of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) are listed as endangered (New York Bight, Chesapeake Bay, Carolina, and South Atlantic) and one DPS is listed as threatened (Gulf of Maine) under the ESA (77 FR 5880 and 77 FR 5914). The marine range for all five DPSs includes all marine waters, plus coastal bays and estuaries, from Labrador Inlet, Labrador, Canada to Cape Canaveral, FL. The action area is within the range of all five DPSs; however, individuals in this area are most likely to originate from the GOM or NYB DPS.

Like shortnose sturgeon, the available information on the presence of Atlantic sturgeon in the Piscataqua River is extremely limited and is based only on the detection of Atlantic sturgeon by acoustic receivers in Great Bay. An Atlantic sturgeon tagged and released in the Merrimack River was detected by telemetry receivers in the Great Bay as recently as June 2012. The best available information indicates that suitable habitat for Atlantic sturgeon spawning and rearing does not occur in the lower Piscataqua River because of relatively high salinities. If suitable forage was present, we expect that occasional subadult Atlantic sturgeon could be present in the River while foraging between the spring and fall. Because of the lack of spawning and rearing habitat, the action area should only be considered a migratory corridor for both sturgeon species; but, since Atlantic sturgeon do not overwinter in their natal streams they may occur in the action area regardless of season or time of year.

Sea Turtles

Four species of listed sea turtles occur off the New England coast in warmer months, generally when water temperatures are greater than 15°C. The sea turtles in these waters include the threatened Northwest Atlantic (NWA) Distinct Population Segment (DPS) of loggerhead sea turtles (*Caretta caretta*), endangered Kemp's ridley (*Lepidochelys kempi*) green (*Chelonia mydas*) and leatherback (*Dermochelys coriacea)* sea turtles). Sea turtles move into these waters from their southern wintering grounds in June; most sea turtles head south by the first week in November. The highest numbers of sea turtles are present in these waters between June and October each year. While sea turtles do not occur in the area where dredging and blasting will occur, individuals may be present at the offshore disposal sites or along the transit routes.

While listed whales occur in the offshore waters of New Hampshire and Maine, due to the riverine nature of the dredging and demolition sites, the inshore location of the fill sites, and the water depth of the likely transit routes in between, no listed whales are expected to occur in the action area.

Preliminary Comments on the Proposed Project

As noted above, several species as threatened or endangered have the potential to be present in the action area and could be exposed to effects of the proposed action. Below, we offer comments on issues that should be considered in the NEPA documentation you are developing for this project. It appears that the proposed action may affect listed species; as such, section 7 consultation will be necessary. The issues addressed below should be considered in your effects assessment and mitigation strategies that you will submit along with your request for consultation.

Dredging

You will need to consider the potential for shortnose and Atlantic sturgeon to be captured in the bucket dredge. Factors to be assessed include the duration of dredging and the likelihood of individual sturgeon to be in the area being dredging during dredging activities. Projects such as dredging, blasting, spoils redistribution, and beach nourishment all disturb the substrate which can lead to a variety of impacts on fishery resources, including:

a) displacing benthic organisms during dredging and after disposal;
b) interference with respiration;
c) decreased feeding in finfish and invertebrates;
d) temporary dispersal of benthic prey;
e) burial of habitat that serves as foraging and shelter sites;
f) potential burial of demersal and benthic species;
g) interrupted or delayed migration; and
h) mortality of species at vulnerable life stages, such as eggs, larvae, and juveniles.

TSS are most likely to affect sturgeon if a plume causes a barrier to normal behaviors or if a thick sediment layer settles on the bottom affecting their prey. Your NEPA documentation and assessment of effects to listed species should consider all of the issues above. Additionally, while the proposed dredging is expected to take several months to complete, the suspended sediment is likely to persist throughout each working day. While the river is nearly 3,000 feet wide at the upper turning basin, two miles downstream it narrows to under 700 feet at Atlantic Heights near the I-95 Bridge; the impact assessment must consider how far downstream the sediment plume will extend, how persistent it will be and what impact it may have on individuals present in this narrower region of the river.

Transport of Dredged Material

As described above, dredged material will likely be transported from dredge site in the Piscataqua River to inshore disposal sites in Maine and Massachusetts. Both disposal sites are approximately 25-30 miles from the dredge location. The spoil transport will result in some additional vessel traffic within the action area. Your NEPA and section 7 consultation documentation should include an estimate of the number of vessels to be used and the approximate number of trips between the dredge site and the disposal site as well as the duration and frequency of those trips. You should also include information on the speed of vessels traveling to and from the disposal site. We recommend during the summer months that a lookout be posted to alert the

captain of any marine mammals or sea turtles visible on the surface so that appropriate measures *(i.e.*, avoidance, reducing speeds) can be taken to minimize the risk of interactions with these animals.

Demolition Noise

The use of explosives has the potential to result in injury or mortality of fish. Shortnose and Atlantic sturgeon within 500 feet of a detonation resulting in peak pressures of 120 psi and average pressure of 70 psi, would be exposed to noise and pressure levels that could cause adverse effects (see Moser 1999; Teleki and Chamberlain 1978; and Wiley *et al.* 1981). Based on studies completed by Moser (1999), peak pressure levels at, or below, 75.6 psi, and peak impulse levels at or below 18.4 psi-msec, will cause no injury or mortality to species of sturgeon, including Atlantic and shortnose sturgeon. We recommend that you design the blasting project to observe the above mentioned thresholds.

Additionally, we suggest the following mitigation techniques be used to facilitate the reduction of sound pressure:

1. Stemming and decking of individual charges;
2. Staggered detonation of charges in a sequential blasting circuit; and
3. Blasting during periods of slack tide and within a confined bubble curtain

In 2012, we completed consultation with you on the effects of dredging and blasting in Boston Harbor. The Biological Assessment you prepared for that project and our letter concluding section 7 consultation for that project provide extensive background information on the effects of dredging, blasting and in-water disposal on NMFS listed species and should serve as good references as you prepare the environmental documentation for the Piscataqua River project.

At this time, we do not have adequate information on the seasonal use of the Piscataqua River by listed species to provide a time of year restriction or recommend a time of year when project effects to listed species could be minimized.

Conclusion

Based on the preliminary information that you provided us, we believe that the Portsmouth Harbor and Piscataqua River Navigation Project Improvement may affect listed species under our jurisdiction, specifically Atlantic and/or shortnose sturgeon. We look forward to working with you as the project moves forward. My staff is available to meet with you to discuss impacts of the project on listed species. It is my understanding that NMFS Habitat Conservation Division has discussed this project with you and will continue coordination once an Essential Fish Habitat assessment is provided. As project plans develop and new information becomes available that could influence the basis for this assessment, or if you have any questions or concerns about these comments, please contact Max Tritt in our Maine Field Office at (207) 866-3756 or max.tritt@noaa.gov.

Sincerely,

Mary A. Colligan
Assistance Regional Administrator

File Code: Sec. 7 ACOE; Technical Assistance for Portsmouth Harbor and Piscataqua River Navigation Project Improvement, New Hampshire and Maine.

References

Kieffer, M., USGS, personal communication, 2011; 2013.

Moser, M. 1999. Cape Fear River Blast Mitigation Tests: Results of Caged Fish Necropsies. CZR, Inc.

Teleki, G., and A. Chamberlain. 1978. Acute effects of underwater construction blasting on fishes in Long Point Bay, Lake Erie. Journal of the Fisheries Research Board of Canada 35:1191-1198.

Wiley, M. L., J. B. Gaspin, and J. F. Goertner. 1981. Effects of underwater explosions on fish with a dynamical model to predict fish kill. Ocean Science and Engineering 6:223-284.

Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400
Boston, Massachusetts 02114
(617)626-1520
fax (617)626-1509

Paul J. Diodati
Director

Deval Patrick
Governor
Richard K. Sullivan, Jr.
Secretary
Mary B. Griffin
Commissioner

November 14, 2013

Ms. Catherine J. Rogers
US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742

Dear Ms. Rogers:

The Division of Marine Fisheries (*MarineFisheries*) has reviewed the request for comments by the U.S. Army Corps of Engineers (USACE) for the Portsmouth Harbor and Piscataqua River Navigation improvement project and dredge material disposal. The proposed project includes near-shore dredged material disposal in Massachusetts to contribute to beach nourishment in Newbury, Newburyport and Salisbury. The material is course to medium sand and the proposed Massachusetts receiving sites are currently medium to fine sands. It is expected that 360,000 yd^3 of material would be divided between the three Massachusetts communities.

The nearshore disposal sites are mapped habitat for surf clams (*Spisula solidissima*). Surf clams routinely burry themselves to ½ inch below the sediment surface. Within the temperature range from 45 degrees to 72 degrees the clams are active and would be able to dig themselves out if burial exceeds the preferred ½ inch above the top of the shell (Ropes 1980). A layer of ½ to 2 inches +/- of sediment over a large area would have minimal impact. However, if material is dumped quickly in deep piles, if temperatures are outside of the range stated above, or if sediments are significantly courser grain size than the existing conditions, there would be a greater impact from burial and clams may not recover. We recommend that the disposal design take into consideration the above parameters, to minimize impacts to fisheries. We request more information as to the method of disposal and the expected depth of sediment when it is available and would like to review this with the Corps.

Thank you for considering our comments. Please contact Tay Evans of my staff at 978-282-0308 x. 168 if you have any questions about our review.

Sincerely,

Paul J Diodati

Paul J. Diodati

cc
K. Ford DMF
T. Evans, DMF
K. Ostrikis, DMF
B. Boeri
K. Chin

PD/te/sd

Reference:
Ropes, J. W.1980. Biological and Fisheries Data on Surf Clam. NOAA Tech. Ser. Rep. No 24.

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

RECEIVED
OCT 17 2013
MASS. HIST. COMM
RC.54954

October 8, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Brona Simon, Executive Director
State Historic Preservation Officer
Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

CONCURRENCE. Brona Simon
11/12/13 BRONA SIMON
STATE HISTORIC
PRESERVATION OFFICER
MASSACHUSETTS
HISTORICAL COMMISSION

Dear Ms. Simon:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing an Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River in Eliot, Maine (Attachments 1 and 2). As a result of the formulation of alternatives for this project, NAE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion. The communities in Massachusetts are Newbury, Newburyport, and Salisbury, where shoreline erosion is currently occurring. We would like your comments on the placement of sand at these three nearshore sites.

NAE coordinated with communities along the coastlines of Maine, Massachusetts, and New Hampshire, regarding beneficial use opportunities for the dredged material from the navigation improvement project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. Three of these communities are in Massachusetts. Grain size analysis showed that the dredged material is coarse to medium sands, while the Massachusetts nearshore sites were medium to fine sands. Approximately 360,000 cubic yards will be divided between the three Massachusetts communities. The proposed locations are shown on Attachment 3.

NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the nearshore areas. These areas are in a highly active environment within the littoral zone. It is anticipated that sand placed at these three locations will eventually wash landward to nourish the adjacent beaches. Any historic properties within these areas would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Attachments

Similar Letter Sent (with attachments):

Ms. Bettina Washington
Tribal Historic Preservation Officer
Wampanoag Tribe of Gay Head (Aquinnah)
20 Black Brook Road
Aquinnah, Massachusetts 02535

Mr. Victor Mastone, Director
Massachusetts Board of Underwater Archaeological Resources
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2199

From:	Rogers, Catherine J NAE
To:	Heidebrecht, Richard W NAE; Habel, Mark L NAE
Subject:	FW: NH CZM Response - Updated Coordination - Piscataqua River/Portsmouth Harbor Turning Basin Improvement Project (UNCLASSIFIED)
Date:	Thursday, November 07, 2013 6:19:19 PM

Classification: UNCLASSIFIED
Caveats: NONE

FYI

Thanks.

Catherine J. Rogers, Ecologist
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, MA 01742
Phone: (978) 318-8231
Fax: (978)318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Williams, Chris [mailto:Christian.Williams@des.nh.gov]
Sent: Monday, November 04, 2013 8:42 AM
To: Rogers, Catherine J NAE
Subject: NH CZM Response - Updated Coordination - Piscataqua River/Portsmouth Harbor Turning Basin Improvement Project (UNCLASSIFIED)

Hi Cathy,

As Chair of the NH Dredge Management Task Force, I've been able to follow this project closely for the past seven years. On behalf of the NH Coastal Program, I don't have any comments in response to the September 4th letter referenced in your email below.

Please let me know if you have any further questions.

Chris

Christian Williams
Acting Manager
New Hampshire Coastal Program
Pease Field Office
222 International Drive, Suite 175
Portsmouth, NH 03801
Phone: (603) 559-0025
Fax: (603) 559-1510
Email: Christian.Williams@des.nh.gov

-----Original Message-----
From: Rogers, Catherine J NAE [mailto:Catherine.J.Rogers@usace.army.mil]

Sent: Monday, October 28, 2013 6:09 PM
To: Mike R Johnson - NOAA Federal; tom_chapman@fws.gov; Zicari, Laury; Williams, Chris; Stewart, Harry; douglas.grout@wildlife.nh.gov; Boeri, Robert (ENV); (Kathryn.Ford@state.ma.us); Todd Burrowes (todd.burrowes@maine.gov); mick.kuhns@maine.gov;

patrick.keliher@maine.gov; Dickson, Stephen M.
Cc: Rogers, Catherine J NAE; Heidebrecht, Richard W NAE
Subject: Updated Coordination - Piscataqua River/Portsmouth Harbor Turning Basin Improvement Project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Hi all,

Sorry to make this a mass email, but I wanted to catch up with everyone to see if we will be getting a response to our request for comments on the above project very soon. We had sent a letter out requesting comments on September 4, 2013. We would like to finalize our Feasibility Report/EA so we can send it out for agency technical review as soon as possible, but need agency input.

Can you send a letter with comments as soon as possible?

If you have any questions or comments please let me or the study manager Dick Heidebrecht (in cc: line) know.

(If I have the wrong person for your agency, please pass onto the right person).

Thanks.

Catherine J. Rogers, Ecologist
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, MA 01742
Phone: (978) 318-8231
Fax: (978)318-8560
catherine.j.rogers@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From:	Rogers, Catherine J NAE
To:	Heidebrecht, Richard W NAE; Habel, Mark L NAE
Subject:	FW: NMFS Response - Updated Coordination - Piscataqua River/Portsmouth Harbor Turning Basin Improvement Project (UNCLASSIFIED)
Date:	Thursday, November 07, 2013 6:19:42 PM

Classification: UNCLASSIFIED
Caveats: NONE

FYI

Thanks.

Catherine J. Rogers, Ecologist
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, MA 01742
Phone: (978) 318-8231
Fax: (978)318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Mike R Johnson - NOAA Federal [mailto:mike.r.johnson@noaa.gov]
Sent: Friday, November 01, 2013 2:33 PM
To: Rogers, Catherine J NAE
Cc: tom_chapman@fws.gov; Zicari, Laury; Williams, Chris; harry.stewart@des.nh.gov; douglas.grout@wildlife.nh.gov; Boeri, Robert (ENV); (Kathryn.Ford@state.ma.us); Todd Burrowes (todd.burrowes@maine.gov); mick.kuhns@maine.gov; patrick.keliher@maine.gov; Dickson, Stephen M.; Heidebrecht, Richard W NAE; Christopher Boelke - NOAA Federal
Subject: NMFS Response - Updated Coordination - Piscataqua River/Portsmouth Harbor Turning Basin Improvement Project (UNCLASSIFIED)

Cathy,

I have looked over the information from your September 4, 2013 letter, regarding the amendments for the Portsmouth Harbor and Piscataqua River Navigation Improvement project. The amendments include alternatives for disposing of the dredged material in the nearshore areas off beaches in Wells, Maine, and Newbury, Newburyport, and Salisbury, Massachusetts. Regarding these alternatives, Attachments 5 and 6 with your letter indicates that surveys of the nearshore were conducted, and those surveys included video and sidescan sonar, SAV and depth. Although Attachment 4 provides summaries of the grain size of sediment collected in these areas, I did not see information regarding the other surveys. We recommend that the draft EA include a discussion of the results of these other surveys, including a description of the benthic habitats, and the fish and invertebrates identified within the disposal areas. Upon review of this information in the draft EA, will will provide comments and conservation recommendations, as appropriate, regarding the disposal alternatives.

Regarding other aspects of the proposed improvement project, we will review the draft EA and EFH assessment and provide comments and conservation recommendations upon receipt of those reports.

Thanks,

Mike

On Mon, Oct 28, 2013 at 6:09 PM, Rogers, Catherine J NAE <Catherine.J.Rogers@usace.army.mil> wrote:

Classification: UNCLASSIFIED
Caveats: NONE

Hi all,

Sorry to make this a mass email, but I wanted to catch up with everyone to see if we will be getting a response to our request for comments on the above project very soon. We had sent a letter out requesting comments on September 4, 2013. We would like to finalize our Feasibility Report/EA so we can send it out for agency technical review as soon as possible, but need agency input.

Can you send a letter with comments as soon as possible?

If you have any questions or comments please let me or the study manager Dick Heidebrecht (in cc: line) know.

(If I have the wrong person for your agency, please pass onto the right person).

Thanks.

Catherine J. Rogers, Ecologist
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, MA 01742
Phone: (978) 318-8231 <tel:%28978%29%20318-8231>
Fax: (978)318-8560 <tel:%28978%29318-8560>
catherine.j.rogers@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

--

Michael R. Johnson

Habitat Conservation Division

NOAA Fisheries

U.S. Department of Commerce

Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930
978-281-9130
mike.r.johnson@noaa.gov

<https://lh6.googleusercontent.com/pRYs5-pllxGWFD8vB_uenU70kEWF09TSzG92lCN9jhth_T2gUvODn1-QsEK_KOO8bD2q8mXkreCdMsdEyb89wAg3B_PKC39aAbTRcfOF6kITVALlwSw>

Web

www.nmfs.noaa.gov <http://www.nmfs.noaa.gov>

Facebook

www.facebook.com/usnoaafisheriesgov <http://www.facebook.com/usnoaafisheriesgov>

Twitter

www.twitter.com/noaafisheries <http://www.twitter.com/noaafisheries>

YouTube

www.youtube.com/usnoaafisheriesgov <http://www.youtube.com/usnoaafisheriesgov>

Classification: UNCLASSIFIED
Caveats: NONE

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

October 30, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Elizabeth H. Muzzey
Director and State Historic Preservation Officer
New Hampshire Division of Historic Resources
State Historic Preservation Office
19 Pillsbury Street
Concord, New Hampshire 03301-3570

Dear Ms. Muzzey:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing a Feasibility Report and Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River mainly in Eliot, Maine (Attachment 1). This ongoing study was initiated in 2008, but has proceeded slowly due to the need to address numerous disposal alternatives.

Approximately 960 square feet of the proposed navigation improvement project, which consists of widening the existing turning basin, is actually in New Hampshire state waters. We believe that there will be no impacts to historic resources in New Hampshire. This letter is being sent as a courtesy as well as to provide you with a copy of the marine archaeological survey for the proposed project that was completed in 2009. No targets with the potential to be post-contact or pre-contact period archaeological deposits were identified, and no additional archaeological investigations were required.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Attachment

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

October 29, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Earle G. Shettleworth, Jr.
Director and State Historic Preservation Officer
55 Capitol Street
65 State House Station
Augusta, Maine 04333-0065

Dear Mr. Shettleworth:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing a Feasibility Study and Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River mainly in Eliot, Maine (Attachment 1). We would like your comments on the proposed navigation improvement project and the placement of sand at a nearshore site off Wells, Maine.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet (ft) wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot Mean Lower Low Water (MLLW) turning basins; a 950-foot wide turning basin located upstream of Boiling Rock and a 800-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

The purpose of the subject study is to determine the feasibility of improving the existing Portsmouth Harbor Federal navigation project by increasing the width of the upper turning basin. To improve the efficiency and safety of vessels utilizing the upper turning basin, several alternative widths were evaluated. Studies included engineering feasibility, economic justification, design optimization, environmental acceptability and cultural resource impact. Based on these studies, it was determined that the best plan for improving safety and efficiency was widening the upper turning basin from about 800 feet to a width of 1,200 feet at the current 35-foot depth.

Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 22,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy, glacial till with some gravel. A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take

four to six months with an additional one to two months for removal of the bedrock to design depth.

In 2008, the USACE contractor, PAL, completed a remote sensing archaeological survey of the proposed navigation improvement project, i.e., basin widening. The archaeological work was conducted to identify and document any remote sensing target areas with potential to be significant archaeological deposits (i.e., shipwrecks) or intact paleosols with archaeological sensitivity for containing pre-contact sites within the project area. The remote sensing survey consisted of archival research and field investigation using differential GPS, high frequency side-scan sonar, a cesium-vapor marine magnetometer, and a seismic sub-bottom profiler to acquire 100 percent coverage within the proposed navigation improvement area along a series of parallel surveyed track lines spaced 50 feet apart.

Systematic, multidisciplinary archival research, remote sensing archaeological field survey, and geotechnical data analysis of the Piscataqua River navigation improvement project area documented no targets with potential to be National Register-eligible post-contact archaeological deposits. No areas of buried paleosols with archaeological sensitivity for potentially containing pre-contact period archaeological deposits were identified. No additional archaeological investigations were recommended within the navigation improvement project area. The report was completed in January 2009 (enclosed). NAE concurs with the report's negative conclusions.

NAE coordinated with communities along the coastlines of Maine, Massachusetts, and New Hampshire, regarding beneficial use opportunities for the dredged material from the navigation improvement project. Since the dredged material is predominantly sand, four communities expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. One community, Wells is in Maine (Attachment 1). Grain size analysis showed that the dredged material is coarse to medium sands, while the Maine nearshore site is predominantly fine sands. Approximately 360,000 cubic yards will be placed at the Wells, Maine nearshore site (Attachment 3).

NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the Wells nearshore area. This area is a highly active environment within the littoral zone. It is anticipated that sand placed at this location will eventually wash landward to nourish the adjacent beach. Any historic properties within this area would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Similar Letter Sent (with enclosure):
Chris Sockalexis, THPO
Cultural and Historic Preservation Program
Penobscot Nation
6 River Road
Indian Island Reservation
Old Town, Maine 04468

Donald Soctomah, THPO
Passamaquoddy Tribe of Indians
Pleasant Point Reservation
P.O. Box 301
Princeton, Maine 04668

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

October 29, 2013

Engineering/Planning Division
Evaluation Branch

Chris Sockalexis, THPO
Cultural and Historic Preservation Program
Penobscot Nation
6 River Road
Indian Island Reservation
Old Town, Maine 04468

Dear Mr. Sockalexis:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing a Feasibility Study and Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River mainly in Eliot, Maine (Attachment 1). We would like your comments on the proposed navigation improvement project and the placement of sand at a nearshore site off Wells, Maine.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet (ft) wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot Mean Lower Low Water (MLLW) turning basins; a 950-foot wide turning basin located upstream of Boiling Rock and a 800-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

The purpose of the subject study is to determine the feasibility of improving the existing Portsmouth Harbor Federal navigation project by increasing the width of the upper turning basin. To improve the efficiency and safety of vessels utilizing the upper turning basin, several alternative widths were evaluated. Studies included engineering feasibility, economic justification, design optimization, environmental acceptability and cultural resource impact. Based on these studies, it was determined that the best plan for improving safety and efficiency was widening the upper turning basin from about 800 feet to a width of 1,200 feet at the current 35-foot depth.

Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 22,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy, glacial till with some gravel. A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and

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NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the Wells nearshore area. This area is a highly active environment within the littoral zone. It is anticipated that sand placed at this location will eventually wash landward to nourish the adjacent beach. Any historic properties within this area would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Similar Letter Sent (with enclosure):
Mr. Earle G. Shettleworth, Jr.
Director and State Historic Preservation Officer
55 Capitol Street
65 State House Station
Augusta, Maine 04333-0065

Donald Soctomah, THPO
Passamaquoddy Tribe of Indians
Pleasant Point Reservation
P.O. Box 301
Princeton, Maine 04668

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

October 29, 2013

Engineering/Planning Division
Evaluation Branch

Donald Soctomah, Tribal Historic Preservation Officer
Passamaquoddy Tribe of Indians
Pleasant Point Reservation
P.O. Box 301
Princeton, Maine 04668

Dear Mr. Soctomah:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing a Feasibility Study and Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River mainly in Eliot, Maine (Attachment 1). We would like your comments on the proposed navigation improvement project and the placement of sand at a nearshore site off Wells, Maine.

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Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 22,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy, glacial till with some gravel. A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take

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NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the Wells nearshore area. This area is a highly active environment within the littoral zone. It is anticipated that sand placed at this location will eventually wash landward to nourish the adjacent beach. Any historic properties within this area would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Similar Letter Sent (with enclosure):
Mr. Earle G. Shettleworth, Jr.
Director and State Historic Preservation Officer
55 Capitol Street
65 State House Station
Augusta, Maine 04333-0065

Chris Sockalexis, THPO
Cultural and Historic Preservation Program
Penobscot Nation
6 River Road
Indian Island Reservation
Old Town, Maine 04468

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

October 24, 2013

Mr. Louis A. Chiarella
United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Region
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Mr. Chiarella:

Thank you for your October 21, 2013 letter to Colonel Samaris in which you requested a 30-day extension of the comment period for all actions provided to your agency for review under the Magnuson-Stevens Act and Section 404 of the Clean Water Act during the lapse in appropriation.

My staff will continue to work diligently with your staff to fulfill the requirements of the Magnuson-Stevens Act and Section 404 of the Clean Water Act. Among the Regulatory Division pending Public Notices, the South Essex Sewerage District project is highly time sensitive as there is potential for the existing pipe to fail and cause unacceptable harm to the aquatic environment. The original comment period was fifteen days and it expires on October 25, 2013. NOAA staff has been coordinating expeditiously by email so we anticipate receiving final comments by that date. My staff will continue to work with NOAA staff to develop appropriate permit conditions to minimize and mitigate impacts to the aquatic resources.

Regulatory staff will also coordinate all other project schedules with you on a case-by-case basis. There are only a few individual permit applications that were out on public notice during the lapse in appropriation and we request that you let us know whether additional review time is needed for any of those individual activities. If necessary, we may be able to provide additional time up to the length of the lapse (16 days).

In addition, Civil Works projects, especially Sandy related activities, still need to maintain their schedules. Please coordinate with the applicable project team to define any delays.

We look forward to working with you on these projects. Please contact me at 978-318-8330 for questions related to Regulatory activities and William Hubbard at 978-318-8552 for questions related to Civil Works project reviews.

Sincerely,

JMcCarthy

Jennifer McCarthy
Chief, Regulatory Division

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

October 15, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Melvin P. Cote, Manager
Water Quality Unit
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Dear Mr. Cote:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot deep MLLW turning basins; a 950-foot wide turning basin located upstream of Boiling Rock, and a 850-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

The purpose of the subject study is to determine the feasibility of improving the existing Portsmouth Harbor Federal navigation project by increasing the width of the upper turning basin. To improve the efficiency and safety of vessels utilizing the upper turning basin, several alternative widths were evaluated. Studies included engineering feasibility, economic justification, design optimization, environmental acceptability and cultural resource impact.

Based on these studies, it was determined that the best plan for improving safety and efficiency was widening the upper turning basin from about 850 feet to a width of 1,200 feet at the current 35-foot depth.

Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 16,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy glacial till with some gravel (Attachment 3). A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take four to six months with an additional one to two months for removal of the bedrock to design depth.

The USACE coordinated with communities along the coastlines of Maine, Massachusetts and New Hampshire regarding beneficial use opportunities for the dredged material from the project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. These communities are Wells, Maine and Newbury, Newburyport and Salisbury in Massachusetts where shoreline erosion is currently occurring. Grain size analysis showed that the dredged material is course to medium sands, while the Massachusetts nearshore sites were medium to fine sands and the Maine nearshore site is predominantly fine sands (Attachment 4). Based on coordination with these communities, it is anticipated that the 720,000 cubic yards of dredged material would be divided between the states of Maine and Massachusetts, with 360,000 cubic yards going to Wells, Maine and the remaining 360,000 cubic yards being divided between the three Massachusetts communities. The proposed locations of nearshore placement areas are shown on Attachments 5 and 6. Excavated rock will be off loaded at the New Hampshire State Terminal along the Piscataqua River and used for upland public works projects.

It is requested that written comments under the authority for the Clean Water Act, Marine Protection, Research, and Sanctuaries Act, the Clean Air Act, and the National Environmental Policy Act be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

for Mark Hacad

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

October 8, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Brona Simon, Executive Director
State Historic Preservation Officer
Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

Dear Ms. Simon:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing an Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River in Eliot, Maine (Attachments 1 and 2). As a result of the formulation of alternatives for this project, NAE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion. The communities in Massachusetts are Newbury, Newburyport, and Salisbury, where shoreline erosion is currently occurring. We would like your comments on the placement of sand at these three nearshore sites.

NAE coordinated with communities along the coastlines of Maine, Massachusetts, and New Hampshire, regarding beneficial use opportunities for the dredged material from the navigation improvement project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. Three of these communities are in Massachusetts. Grain size analysis showed that the dredged material is coarse to medium sands, while the Massachusetts nearshore sites were medium to fine sands. Approximately 360,000 cubic yards will be divided between the three Massachusetts communities. The proposed locations are shown on Attachment 3.

NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the nearshore areas. These areas are in a highly active environment within the littoral zone. It is anticipated that sand placed at these three locations will eventually wash landward to nourish the adjacent beaches. Any historic properties within these areas would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

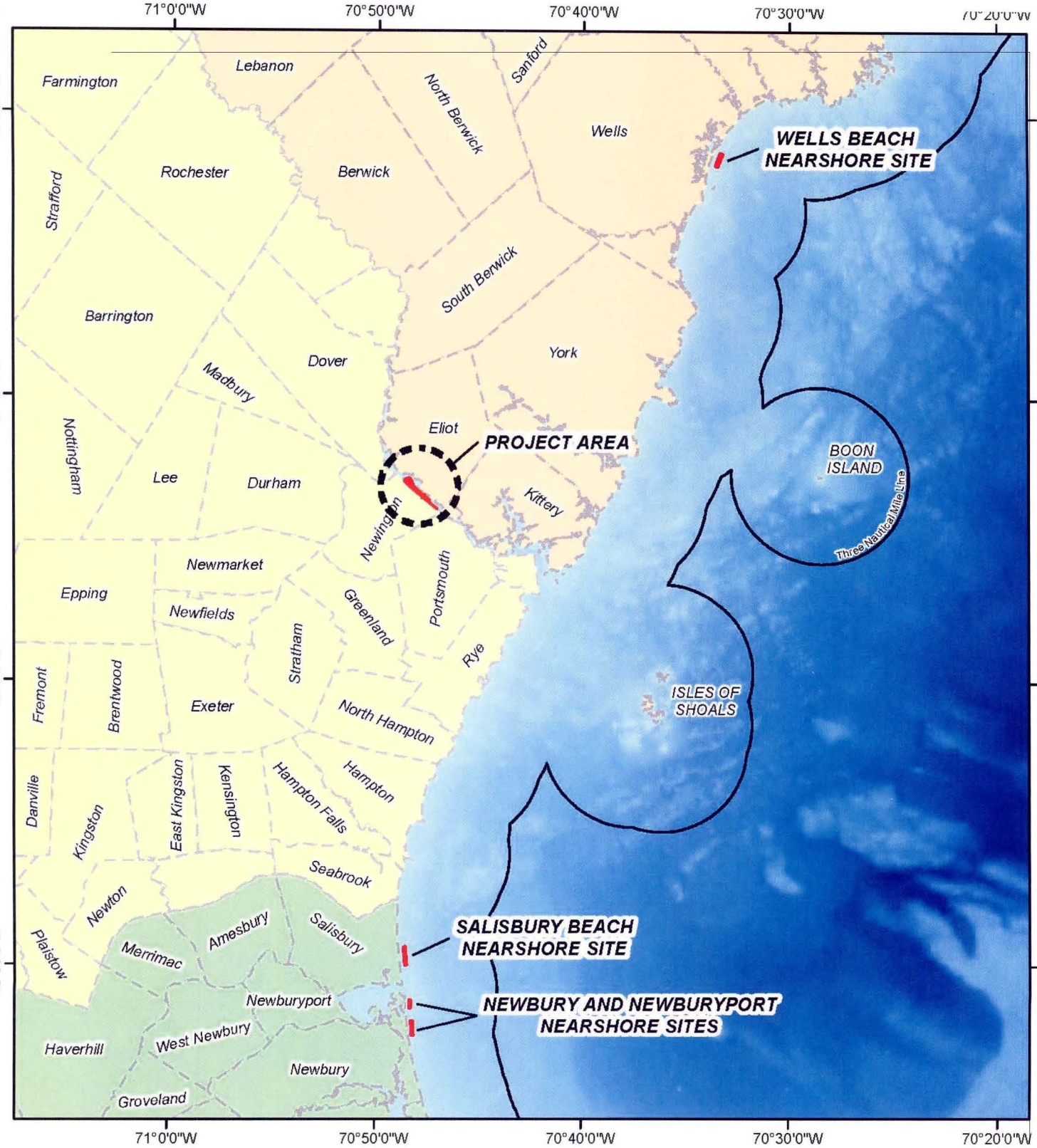
John R. Kennelly
Chief of Planning

Attachments

Similar Letter Sent (with attachments):

Ms. Bettina Washington
Tribal Historic Preservation Officer
Wampanoag Tribe of Gay Head (Aquinnah)
20 Black Brook Road
Aquinnah, Massachusetts 02535

Mr. Victor Mastone, Director
Massachusetts Board of Underwater Archaeological Resources
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2199



US Army Corps of Engineers
New England District

PISCATAQUA RIVER IMPROVEMENT DREDGING PROJECT NEARSHORE PLACEMENT ALTERNATIVES

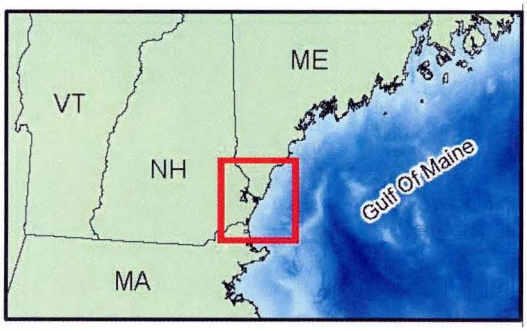
0 5 10 Nautical Miles

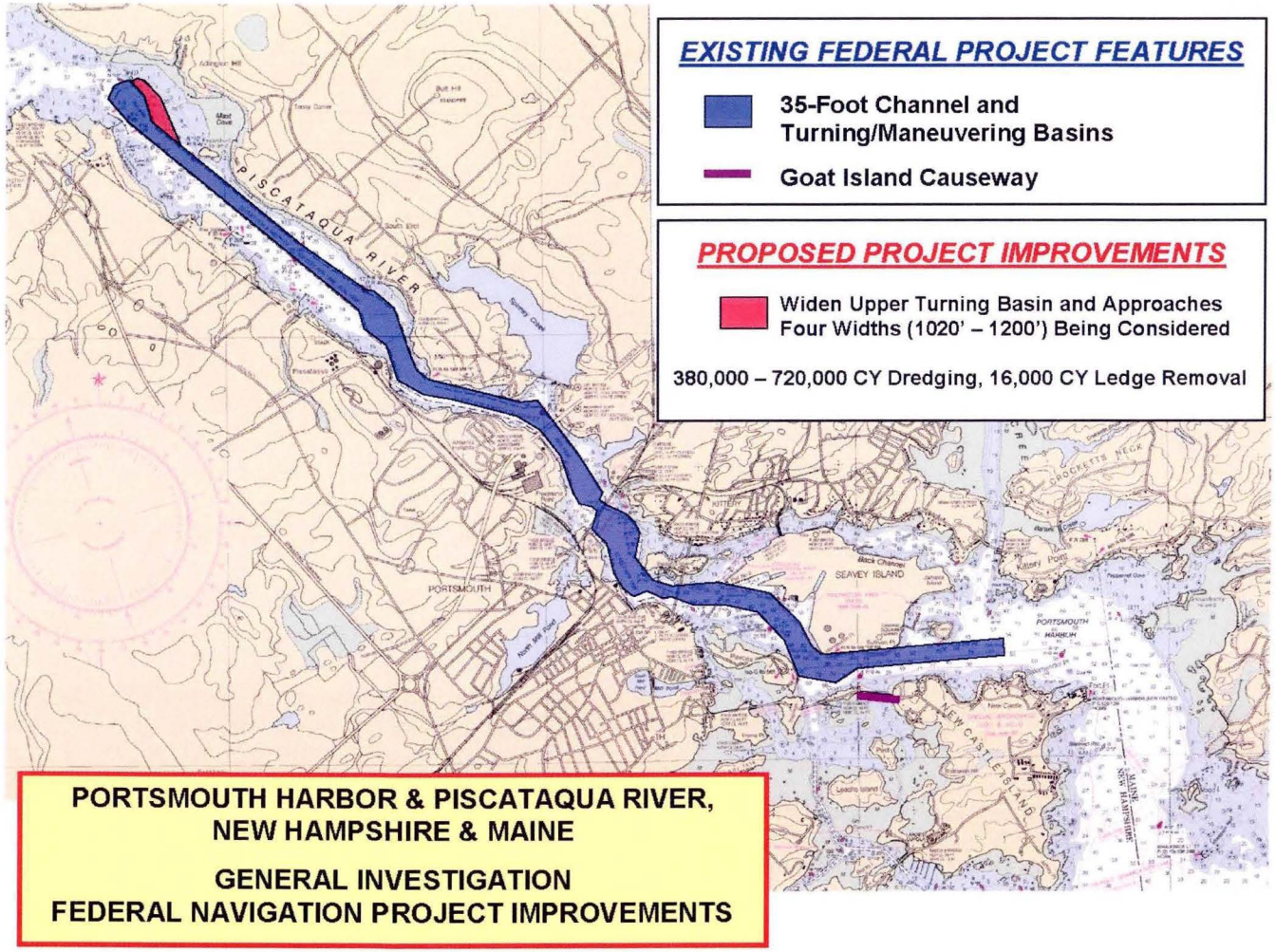
0 5 10 Miles

1:350,000

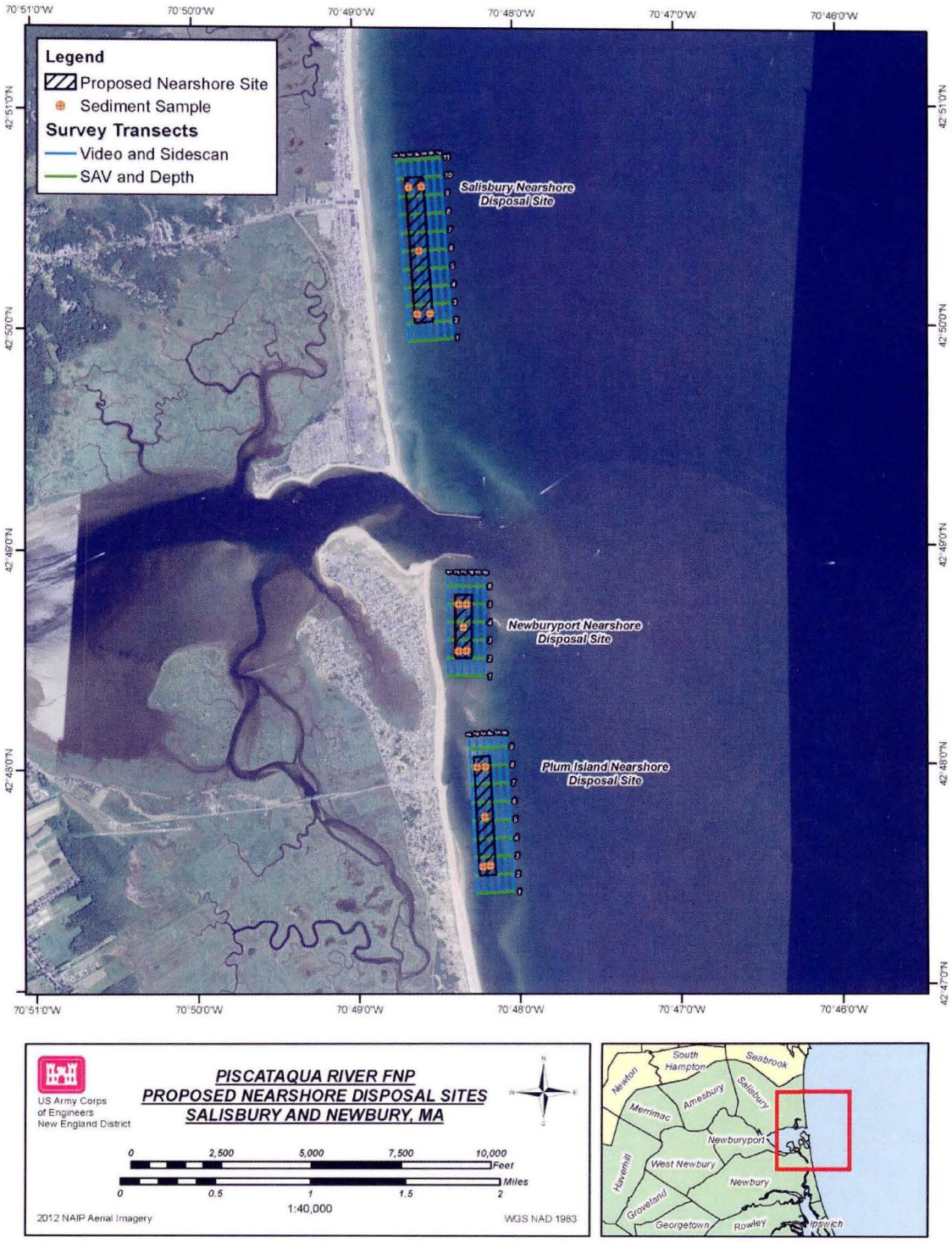
NOS NE ATLANTIC DEM

GCS NAD 1983





Attachment 2 – Location of Federal channel and turning basin



Attachment 3: Proposed nearshore placement sites in Massachusetts

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

October 8, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Victor Mastone, Director
Massachusetts Board of Underwater Archaeological Resources
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2199

Dear Mr. Mastone:

The U.S. Army Corps of Engineers, New England District (NAE), is preparing an Environmental Assessment for a proposed navigation improvement project for the Portsmouth Harbor and Piscataqua River in Eliot, Maine (Attachments 1 and 2). As a result of the formulation of alternatives for this project, NAE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion. The communities in Massachusetts are Newbury, Newburyport, and Salisbury, where shoreline erosion is currently occurring. We would like your comments on the placement of sand at these three nearshore sites.

NAE coordinated with communities along the coastlines of Maine, Massachusetts, and New Hampshire, regarding beneficial use opportunities for the dredged material from the navigation improvement project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. Three of these communities are in Massachusetts. Grain size analysis showed that the dredged material is coarse to medium sands, while the Massachusetts nearshore sites were medium to fine sands. Approximately 360,000 cubic yards will be divided between the three Massachusetts communities. The proposed locations are shown on Attachment 3.

NAE believes that there will be no historic properties affected during the proposed placement of dredged material at the nearshore areas. These areas are in a highly active environment within the littoral zone. It is anticipated that sand placed at these three locations will eventually wash landward to nourish the adjacent beaches. Any historic properties within these areas would have already been damaged or destroyed due to water and wave action. We would appreciate your concurrence.

If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Attachments

Similar Letter Sent (with attachments):

Ms. Bettina Washington
Tribal Historic Preservation Officer
Wampanoag Tribe of Gay Head (Aquinnah)
20 Black Brook Road
Aquinnah, Massachusetts 02535

Ms. Brona Simon, Executive Director
State Historic Preservation Officer
Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

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

October 8, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Bettina Washington
Tribal Historic Preservation Officer
Wampanoag Tribe of Gay Head (Aquinnah)
20 Black Brook Road
Aquinnah, Massachusetts 02535

Dear Ms. Washington:

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If you have any questions, please contact Ms. Kate Atwood, NAE staff archaeologist at (978) 318-8537.

Sincerely,

John R. Kennelly
Chief of Planning

Attachments

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Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

Mr. Victor Mastone, Director
Massachusetts Board of Underwater Archaeological Resources
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2199

Jon Carter

From: Dickson, Stephen M. <Stephen.M.Dickson@maine.gov>
Sent: Wednesday, October 02, 2013 12:29 PM
To: Green, Robert
Cc: Burrowes, Todd; Slovinsky, Peter A; Jon Carter
Subject: RE: Wells- Nearshore Sand Placement of Sand from the Piscataqua River Navigation Improvement Project

Hi Bob,

These are the three topics I am currently focused on and likely to be in the US Army Corps of Engineers' Environmental Assessment (EA). To me, the last topic has the largest unknown factors and might be valuable to have it presented thoroughly in the EA.

Location
Based on the Corps' bathymetry and disposal site map, the location looks just right. I have no adjustments to it and am glad that it can come that close to shore. Town Manager Jon Carter said people asked for sand south of Casino Point at Crescent Beach. I believe Crescent Beach will receive some sand from this nourishment because some sand from a previous harbor dredge with disposal on Wells Beach moved south and was visible in the form of two onshore-migrating sand bars in that beach segment afterwards. The gain in Crescent Beach, based on my visual observation at the time, was about a foot. I expect both nearshore and intertidal sand can move south from the disposal area and bypass Casino Point to benefit more length of beach than just what is immediately ashore of the disposal site. As we all know too well, some of the sand will also move in the direction of the jetty and the harbor entrance.

Grain Size
Wells Beach has a mix of grain sizes from fine sand to pebbles and cobbles so, in my opinion, the sand and gravel components of sediment dredged from the Piscataqua River are suitable. I think the coarser sand grain size is okay in that location if it adds to the intertidal beach. A slightly coarser sand on the beach would help it stay in place longer and erode more slowly – a benefit to the volume of sand on the beach profile – providing more wave energy dissipation farther away from seawalls and houses.

The exact match of grain sizes at the disposal location is not a concern to me because it is a dispersal site and the ocean will redistribute the various grain sizes to locations that match. For example, gravel may move to the upper beach profile and add to that which already exists there.

There is some sediment in the Piscataqua River that is muddy (e.g. boring B-5) and probably too muddy for disposal near the beach. I hope the EA describes how the material will be handled to avoid turbidity in the nearshore water column. Perhaps the Isle of Shoals North site or an upland location can be used for disposal of the muddy sediment and minimize water quality impacts.

Wave Shoaling and Sand Dispersal
I suspect there will be some temporary changes in wave action offshore of the beach and possibly coming ashore; however, I am not in a position to quantify them. Wave modeling may not be necessary if the relief of the disposal mound is low or any altered wave action is offshore and does not result in a significant increase at the frontal dune and seawalls.

The topics I am still wondering about are related to the disposal mound thickness: (a) how it may affect wave action and (b) how long it might remain raised affecting shoaling waves. The Corps estimates the full Piscataqua River project could take four to six months. It would be helpful to know over what months and what duration disposal offshore in Wells would happen since dispersal may begin immediately after placement. The rate of sand volume coming from the Piscataqua River versus the rate of sand volume dispersed will determine the size and impacts the mound has.

Measuring the Wells nearshore disposal site off Figure 6 provided by the Corps, it appears that the disposal site is 600' x 3,000' or 200,000 yd^2 in area. Disposal of 360,000 yd^3 of sediment would result in a nominal 5.4' of thickness if evenly placed over that footprint and it did not disperse. This would be on top of the bottom that is between the 10' and 18' deep on Figure 6 (although the datum is not in the legend it is probably MLLW). The shoal might produce a new, but temporary, surf break also. Delineating the disposal site for mariners as a shoal until it is no longer shallow would be important from a practical standpoint more than from an environmental one.

Shoaling waves have the ability to move sand and gravel ashore. So if the mound focuses waves in and around itself for a brief period of time, that is expected and would be fine. I do not expect any long-term alteration of wave shoaling along Wells Beach since dispersal will result in more even bathymetric contours. If the mound is predicted to result in surf concentrated in certain stretches of the shoreline, I wonder if there could be a second disposal site used off of Drakes Island Beach. Erosion there has been chronic and that beach could benefit from a nearshore site as well. Was there a reason that a site near Drakes Island is not being used (or perhaps I overlooked a map)?

By my simple estimate, if all the new sediment left the disposal site and moved shoreward of the 10' contour, then the beach profile would rise by about 1' along Wells Beach and the crescent beach to the south. If some of the new sand remained at the disposal site or moved offshore, then the overall beach aggradation would be (conceptually) less than a foot.

Wave action is likely to concentrate a disproportionate amount of the sand in the upper beach profile in the location geologists call the berm (at and above the mean high water line) so the thickness there would possibly be higher than a foot. The larger the gain in the upper profile, the larger the dry beach width will be, and the larger the recreational space there will be. The seasonal berm absorbs a lot of winter storm wave energy so berm growth helps protect frontal dune homes.

The sand and gravel that infilled the Piscataqua River during or at the end of the last Ice Age has the potential to have a very beneficial use at Wells Beach today. I look forward to working with all interested parties on this effort.

Steve

Stephen M. Dickson, Ph.D.
Marine Geologist, Maine Geological Survey
Division of Geology, Natural Areas and Coastal Resources
Maine Department of Agriculture, Conservation and Forestry
93 State House Station, Augusta, ME 04333-0093
www.maine.gov/doc/nrimc/mgs/mgs.htm
207-287-7174
Physical Address: Williams Pavillion,
17 Elkins La., Augusta ME 04330

From: Green, Robert
Sent: Wednesday, October 02, 2013 9:12 AM
To: Dickson, Stephen M.
Subject: RE: Wells- Nearshore Sand Placement

I meant to ask, is there any particular issue you have with the proposal that needs to be examined in their environmental assessment?

Bob.

From:	Rogers, Catherine J NAE
To:	Habel, Mark L NAE
Subject:	FW: MA State Listed Species - Portsmouth Harbor and Piscataqua River Navigation Project (NH & ME) (UNCLASSIFIED)
Date:	Thursday, October 31, 2013 11:12:31 AM

Classification: UNCLASSIFIED
Caveats: NONE

Thanks.

Catherine J. Rogers, Ecologist
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, MA 01742
Phone: (978) 318-8231
Fax: (978)318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Coman, Amy (MISC) [mailto:amy.coman@state.ma.us]
Sent: Wednesday, October 02, 2013 3:58 PM
To: Rogers, Catherine J NAE
Cc: Glorioso, Lauren (FWE)
Subject: MA State Listed Species - Portsmouth Harbor and Piscataqua River Navigation Project (NH & ME)

Dear Ms. Catherine Rogers,

The Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife has reviewed the September 4, 2013 letter from John R. Kennelly, Chief of Planning, concerning the amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project and would like to provide the following comments.

The proposed nearshore disposal of 360,000 cubic yards of dredged material in the vicinity of Newbury, Newburyport and Salisbury will occur within the foraging habitat of the Least Tern (Sternula antillarum) and Common Tern (Sterna hirundo), and is in close proximity to breeding habitat for Piping Plover (Charadrius melodus). Both tern species are state-listed as “Special Concern” and the Piping Plover is state-listed as “Threatened”. Please note that the Piping Plover is also federally protected as “Threatened” pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11).

Based on the information provided, the NHESP does not anticipate impacts to state-listed species associated with the nearshore disposal of the 360,000 cy of dredged material. Please note, however, if alternative disposal sites are considered (e.g. on-shore), they must be reviewed and may be subject to certain restrictions (e.g. timing restrictions, etc.).

We appreciate the opportunity to comment on this project at this time and if you have any questions

regarding this letter please feel free to contact me.

Sincerely,

Amy Coman-Hoenig

Endangered Species Review Biologist ¦Natural Heritage & Endangered Species Program¦MA Division of Fisheries & Wildlife ¦ADDRESS - 100 Hartwell Street, Suite 230 West Boylston, MA 01583¦tel: 508.389.6364 ¦fax: 508.389.7890 ¦www.mass.gov/nhesp

NOTE – I expect to start maternity leave in early October. Emily Holt (508-389-6385) or Lauren Glorioso (508-389-6361), Endangered Species Review Assistants, are the best NHESP contacts for inquiries at this time.

Classification: UNCLASSIFIED
Caveats: NONE

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. John K. Bullard
NOAA Fisheries Service
Northeast Regional Office
55 Great Republic Drive
Gloucester, Massachusetts 01930-2276

Dear Mr. Bullard:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot deep MLLW turning basins; a 950-foot wide turning basin located upstream of Boiling Rock, and a 850-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

The purpose of the subject study is to determine the feasibility of improving the existing Portsmouth Harbor Federal navigation project by increasing the width of the upper turning basin. To improve the efficiency and safety of vessels utilizing the upper turning basin, several alternative widths were evaluated. Studies included engineering feasibility, economic

justification, design optimization, environmental acceptability and cultural resource impact. Based on these studies, it was determined that the best plan for improving safety and efficiency was widening the upper turning basin from about 850 feet to a width of 1,200 feet at the current 35-foot depth.

Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 16,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy glacial till with some gravel (Attachment 3). A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take four to six months with an additional one to two months for removal of the bedrock to design depth.

The USACE coordinated with communities along the coastlines of Maine, Massachusetts and New Hampshire regarding beneficial use opportunities for the dredged material from the project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. These communities are Wells, Maine and Newbury, Newburyport and Salisbury in Massachusetts where shoreline erosion is currently occurring. Grain size analysis showed that the dredged material is course to medium sands, while the Massachusetts nearshore sites were medium to fine sands and the Maine nearshore site is predominantly fine sands (Attachment 4). Based on coordination with these communities, it is anticipated that the 720,000 cubic yards of dredged material would be divided between the states of Maine and Massachusetts, with 360,000 cubic yards going to Wells, Maine and the remaining 360,000 cubic yards being divided between the three Massachusetts communities. The proposed locations of nearshore placement areas are shown on Attachments 5 and 6. Excavated rock will be off loaded at the New Hampshire State Terminal along the Piscataqua River and used for upland public works projects.

It is requested that written comments under the Fish and Wildlife Coordination Act, and initial consultation under the Endangered Species Act be provided no later than 30 days from the date this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Tom Chapman
US Fish and Wildlife Service
70 Commercial St., Suite 300
Concord, New Hampshire 03301

Dear Mr. Chapman:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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The purpose of the subject study is to determine the feasibility of improving the existing Portsmouth Harbor Federal navigation project by increasing the width of the upper turning basin. To improve the efficiency and safety of vessels utilizing the upper turning basin, several alternative widths were evaluated. Studies included engineering feasibility, economic justification, design optimization, environmental acceptability and cultural resource impact. Based on these studies, it was determined that the best plan for improving safety and efficiency

was widening the upper turning basin from about 850 feet to a width of 1,200 feet at the current 35-foot depth.

Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 16,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy glacial till with some gravel (Attachment 3). A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take four to six months with an additional one to two months for removal of the bedrock to design depth.

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I am requesting that you review the enclosed information and provide the Corps with comments as required under the Fish and Wildlife Coordination Act and the Endangered Species Act. I would appreciate your comments within 30 days of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Laury Zicari
U.S. Fish and Wildlife Service
Ecological Services
Maine Field Office
17 Godfrey Drive, Suite 2
Orono, Maine 04473

Dear Ms. Zicari:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Chris Williams, Federal Consistency Coordinator
New Hampshire Coastal Program
Department of Environmental Services
Pease Field Office
222 International Drive, Suite 175
Portsmouth, New Hampshire 03801

Dear Mr. Williams:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 16,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy glacial till with some gravel (Attachment 3). A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take four to six months with an additional one to two months for removal of the bedrock to design depth.

The USACE coordinated with communities along the coastlines of Maine, Massachusetts and New Hampshire regarding beneficial use opportunities for the dredged material from the project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. These communities are Wells, Maine and Newbury, Newburyport and Salisbury in Massachusetts where shoreline erosion is currently occurring. Grain size analysis showed that the dredged material is course to medium sands, while the Massachusetts nearshore sites were medium to fine sands and the Maine nearshore site is predominantly fine sands (Attachment 4). Based on coordination with these communities, it is anticipated that the 720,000 cubic yards of dredged material would be divided between the states of Maine and Massachusetts, with 360,000 cubic yards going to Wells, Maine and the remaining 360,000 cubic yards being divided between the three Massachusetts communities. The proposed locations of nearshore placement areas are shown on Attachments 5 and 6. Excavated rock will be off loaded at the New Hampshire State Terminal along the Piscataqua River and used for upland public works projects.

It is requested that written comments under the Coastal Zone Management Act and other pertinent authorities or policies be provided within 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Harry T. Stewart, Director
Water Division
New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

Dear Mr. Stewart:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot deep MLLW turning basins; a 950-foot wide turning basin located upstream of Boiling Rock, and a 850-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

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Pease Development Authority
Division of Ports and Harbors
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Portsmouth, New Hampshire 03802

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CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Douglas Grout
Chief, Marine Division
NH Fish & Game Department
225 Main Street
Durham, New Hampshire 03824

Dear Mr. Grout:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

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Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Robert Boeri
Project Review Coordinator
Massachusetts Office of Coastal Zone Management
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2138

Dear Mr. Boeri:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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NEW ENGLAND DISTRICT
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CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Rachel Freed
Wetlands and Waterways Program
MassDEP – Northeast Region Office
205B Lowell Street
Wilmington, Massachusetts 01887

Dear Ms. Freed:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Paul J. Diodati, Director
Massachusetts Energy & Environmental Affairs
Division of Marine Fisheries
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Mr. Diodati:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

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Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Eileen Feeney
Massachusetts Division of Marine Fisheries
1213 Purchase Street, 3rd Floor
New Bedford, Massachusetts 02740

Dear Ms. Feeney:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

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Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Tom French
Assistant Director
Massachusetts Division of Fisheries & Wildlife
100 Hartwell St, Suite 230
West Boylston, Massachusetts 01583

Dear Mr. French:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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Widening the turning basin to 1,200 feet would involve the dredging of about 720,000 cubic yards of mostly sand and gravel, and removal of about 16,000 cubic yards of bedrock. Subsurface investigations of the area determined that the material is hard packed sandy glacial till with some gravel (Attachment 3). A boring into the bedrock indicates that it is likely that the rock will need to be drilled and blasted. Dredging of sand and gravel will be accomplished using a mechanical dredge. Dredging is expected to take four to six months with an additional one to two months for removal of the bedrock to design depth.

The USACE coordinated with communities along the coastlines of Maine, Massachusetts and New Hampshire regarding beneficial use opportunities for the dredged material from the project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. These communities are Wells, Maine and Newbury, Newburyport and Salisbury in Massachusetts where shoreline erosion is currently occurring. Grain size analysis showed that the dredged material is course to medium sands, while the Massachusetts nearshore sites were medium to fine sands and the Maine nearshore site is predominantly fine sands (Attachment 4). Based on coordination with these communities, it is anticipated that the 720,000 cubic yards of dredged material would be divided between the states of Maine and Massachusetts, with 360,000 cubic yards going to Wells, Maine and the remaining 360,000 cubic yards being divided between the three Massachusetts communities. The proposed locations of nearshore placement areas are shown on Attachments 5 and 6. Excavated rock will be off loaded at the New Hampshire State Terminal along the Piscataqua River and used for upland public works projects.

It is requested that written comments be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Martha Freeman, Director
Maine State Planning Office
184 State Street
Augusta, Maine 04333

Dear Ms. Freeman:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

The existing Federal navigation project includes a 35-foot deep channel, generally 400 feet wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project includes two 35-foot deep MLLW turning basins; a 950-foot wide turning basin located upstream of Boiling Rock, and a 850-foot wide turning basin located at the upstream end of the Federal channel (Attachment 2). The current width of the upper turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. As the two upper terminals rely on this turning basin to turn larger vessels, these safety concerns limit the existing and future uses of these terminals.

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was widening the upper turning basin from about 850 feet to a width of 1,200 feet at the current 35-foot depth.

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The USACE coordinated with communities along the coastlines of Maine, Massachusetts and New Hampshire regarding beneficial use opportunities for the dredged material from the project. Since the dredged material is predominantly sand, four communities have expressed an interest in having this material placed in their nearshore areas where it will act as a feeder berm for adjacent beaches. These communities are Wells, Maine and Newbury, Newburyport and Salisbury in Massachusetts where shoreline erosion is currently occurring. Grain size analysis showed that the dredged material is course to medium sands, while the Massachusetts nearshore sites were medium to fine sands and the Maine nearshore site is predominantly fine sands (Attachment 4). Based on coordination with these communities, it is anticipated that the 720,000 cubic yards of dredged material would be divided between the states of Maine and Massachusetts, with 360,000 cubic yards going to Wells, Maine and the remaining 360,000 cubic yards being divided between the three Massachusetts communities. The proposed locations of nearshore placement areas are shown on Attachments 5 and 6. Excavated rock will be off loaded at the New Hampshire State Terminal along the Piscataqua River and used for upland public works projects.

It is requested that written comments under the Coastal Zone Management Act and other pertinent authorities or policies be provided within 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Mr. Todd Burrowes
Maine Coastal Program
State Planning Office
38 State House Station
Augusta, Maine 04333-0038

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Ms. Patricia Aho, Commissioner
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Dear Ms. Aho:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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It is requested that written comments be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Mr. George Lapointe, Commissioner
Department of Marine Resources
21 State House Station
Augusta, Maine 04333-0021

Dear Mr. Lapointe:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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It is requested that written comments be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 4, 2013

Engineering/Planning Division
Evaluation Branch

Stephen Dickson
Maine Geological Survey
93 State House Station
Augusta, Maine 04333

Dear Mr. Dickson:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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It is requested that written comments be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

September 3, 2013

Engineering/Planning Division
Evaluation Branch

Mr. Melvin P. Cote, Manager
Water Quality Unit
U.S. Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Dear Mr. Cote:

The purpose of this letter is to solicit your comments on an amended proposal for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement project. In a letter dated April 22, 2008, the U.S. Army Corps of Engineers (USACE) requested comments on the original feasibility study proposal which included the widening of the existing Federal navigation channel and several options for dredged material disposal, including, beneficial use. Alternatives considered included the Cape Arundel disposal site located off of Cape Arundel, Maine; the Isle of Shoals disposal site outside Portsmouth Harbor; beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches; riverine disposal and upland disposal. As a result of the continued formulation of alternatives for this project, the USACE has evaluated requests by a number of local communities to have the material placed in nearshore areas to stabilize adjacent beaches experiencing erosion (Attachment 1). We are requesting your comments on these additional alternatives to assist in our evaluation as part of the draft Environmental Assessment for this project.

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It is requested that written comments under the authority for the Clean Water Act, Marine Protection, Research, and Sanctuaries Act, the Clean Air Act, and the National Environmental Policy Act be provided no later than 30 days from the date of this letter. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

DONNA D. HOLADAY
MAYOR

February 25, 2013

Mark L. Habel
Chief of Navigation, Northeast Region
USACE, New England District
696 Virginia Road
Concord, MA 01742

Dear Mr. Habel,

We have been in contact with Mr. Heidebrecht at ACOE regarding the project to improve the Piscataqua River by dredging and removing 720,000 CY of sand that the ACOE believes is clean and compatible with our beaches. The sand is slated to be disposed of in the ocean north of the Isles of Shoals, but is available for beneficial near shore placement if the approximately $2 per CY extra cost of transport is borne by a non-Federal sponsor. Based on the suitability of the sand, cost of transportation and Newburyport's dire need for a source of sand to nourish Plum Island's eroding beach and dune system, we believe this is an opportunity that we cannot afford to miss.

As you know the ocean beaches in Newbury, Newburyport and Salisbury, Massachusetts are suffering severe and damaging erosion. In recent years two houses have been lost on Plum Island; several have undergone significant damage in the past few months; and many more are threatened. Public infrastructure, including the recently installed water and sewer lines, is also at risk from continued beach and dune erosion.

As a member of the Merrimack River Beach Alliance (MRBA), The City of Newburyport has been working cooperatively with representatives from Newbury, Salisbury and relevant state and federal agencies on appropriate methods to protect our sensitive coastal beaches. We cooperated fully with the USACE on the recent Merrimack River dredging and beach replenishment project that placed sand on the beaches north of Plum Island Center and near the south end of Salisbury Beach. The project was highly beneficial, but much more sand is needed to help protect the homes, businesses and infrastructure on our beaches.

This is to inform you that the City of Newburyport is requesting that the ACOE make available all of the sand that is dredged in the Portsmouth Harbor improvement project for near shore placement off Plum Island and Salisbury Beach. The City of Newburyport already has a Beach Management Plan in place, approved by the Massachusetts DEP and Newburyport Conservation Commission, which allows the nourishment of our beach with compatible sand, when necessary. In addition, we are confident that the necessary funds for transport of the sand will be available from a non-federal sponsor. Near shore disposal sites have already been identified and permitted off both beaches, so there should be no problem getting any additional necessary permits.

Please keep us informed of progress on the Piscataqua River project.

Sincerely,

Donna D. Holaday

Donna D. Holaday
Mayor

Cc: Representative Michael A. Costello
Senator Kathleen O'Connor Ives
Senator Bruce Tarr
Tracy Blais, Newbury Town Administrator
Neil Harrington, Salisbury Town Manager

Received in envelope that was post marked on 21 September 2012

Mr. John R. Kennelly
Chief of Planning
Engineering and Planning Division
Evaluation Branch

Dear Mr. Kennelly:

First of all may I apologize for the late submission of this letter regarding the dredged material hopefully coming from the Piscataqua River turn basin project. My job here in Kittery as Harbormaster began in early April. The Kittery Town Manager had not been hired much before me and as a result I had heard of this application for material interest at a dredge meeting a couple of weeks ago. The proposed breakwater improvement at Pepperrell Cove in Kittery Maine would be an excellent place to dispose of the ledge material. The benefits of this placement are threefold; one, it provides the Cove with much needed surge protection which will protect not only water craft but the federally funded pier improvements already underway. Two, it provides a nearby location for the barges to dump and keeps them from having to go offshore and three; we would be able to accept all of the ledge material excavated from the project.

The enclosed application is sponsored and submitted by The Town of Kittery Port Authority. The purpose is to construct a breakwater across the Southerly side of Kittery's Pepperrell Cove to protect the Harbor from Southerly storms and tidal surges.
This will facilitate appropriate development of the harbor's maritime infrastructure and extend its operating season.

Kittery's Pepperrell Cove provides moorage and dock facilities for commercial and recreational vessels. The Town and Port Authority are currently involved in studies to upgrade the Cove's maritime infrastructure (piers, floats, mooring system and wharf) to facilitate increased utilization of the Cove as a harbor for fishing, commercial, and recreational vessels and as a harbor of refuge. This is expected to provide increased employment, business, and municipal revenues for the area. The studies are funded by Grants from the State of Maine and matching Town funds.

Pepperrell Cove has limited natural protection against tidal surges, wave action and storms from the South and South East. This limits the use of the Cove at times of severe weather, particularly in early spring, late fall and winter. Vessels and floats have to be moved from the Cove to safer anchorages or even hauled when heavy weather is forecast. The cost to fishermen (in terms of lost income and cost of alternative berthing) and to the Town is considerable. Other commercial and recreational vessels incur similar costs.

In winter, the winds and tidal surges render the Cove largely unusable for docking and moorage. Mooring floats and pier floats are removed and maritime activity comes to a standstill. Fishermen that operate through the winter must move to other harbors.

Storms (including hurricanes) often cause damage to the shoreline and the maritime infrastructure causing the Town to incur maintenance and replacement costs. .

The Cove currently provides a total of 254 moorings. 30 of these are used by fishing vessels and 11 by other types of commercial vessels. 213 moorings are used by recreational vessels or are available as transient moorings. It is expected that the envisioned breakwater would enable the mooring field to be reconfigured with an increase of 30% in the number of moorings. Pepperrell Cove is the most convenient and readily accessible (from the sea) harbor in the Piscataquis water shed. The protection, increased length of operating season, improved shoreline facilities and increased mooring capacity afforded by the proposed breakwater is expected to increase maritime activity in the area.

We very much look forward to hearing from the Corps of Engineers as to the next step in the process and any other documentation you may need to help us achieve a very important safety measure for our community

Sincerely,

Michael Blake
Kittery Maine Harbormaster
200 Rogers Rd
Kittery Maine
03904

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
OFFICE of the COMMISSIONER
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

GEORGE M. BALD
Commissioner

603-271-2411
FAX: 603-271-2629
george.bald@dred.state.nh.us

August 1, 2012

John R. Kennelly, Chief of Planning
Richard Heidebrecht, Study Manager
Department of Army
New England District, Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire and Maine.

Dear Sirs:

This letter shall serve to indicate that the State of New Hampshire, Department of Resources and Economic Development (NH DRED) has an interest in receiving dredged material from the above referenced project.

We have three proposed locations for near shore disposal of the dredged material:

1. Wallis Sands State Beach, Rye, NH
2. Jenness State Beach, Rye, NH
3. North Hampton State Beach, North Hampton, NH

Based on your Table 2, "Cost Comparison of Aquatic Dredged Material Disposal Alternatives," we do not believe any of these sites would incur delivery costs for near shore disposal. We are aware, however, that NH DRED may have to separately contract for ancillary dredging to move dredged material from the near shore disposal sites to our beaches and we accept that those costs would be borne entirely by NH DRED. However DRED is not obligating itself to move the material from the near shore disposal sites.

Our initial estimate is that we could accept between 50,000 and 100,000 cubic yards of dredged materials at each of the three proposed sites. These estimates can be refined when the feasibility of the project is established.

We are obliged to make the point that NH DRED will not make the final decision to receive dredged materials from the Portsmouth Harbor and Piscataqua River project before holding a public hearing or hearings to receive input from concerned citizens on

the project. NH DRED will also be looking for testing of a sufficient sampling of dredged material to conclude that there is no significant danger of polluted materials or toxins being included in the dredged materials to be delivered to our sites.

We are hopeful that this project may provide NH DRED with an opportunity to replenish sand beaches at three of our seacoast state parks. We look forward to working with the Corps of Engineers in the coming months to make the project become reality.

Sincerely,

George M. Bald
Commissioner

GMB:TM:lc

Town of Salisbury

5 Beach Road
Salisbury, Massachusetts 01952

Neil J. Harrington
Town Manager

July 30, 2012

Mr. John R. Kennelly
Dept. of the Army
New England District, Corps of Engineers
696 Virginia Road
Concord, Massachusetts 01742

Dear Mr. Kennelly,

The Town of Salisbury appreciates being afforded the opportunity to evaluate the possibility of receiving dredged material from the proposed Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project.

Salisbury Beach, which is owned by the Commonwealth of Massachusetts and maintained by the Department of Conservation and Recreation, is one of the most popular state parks in the State, with a thriving year-round population and a large influx of tourists and visitors during the summer months. When contemplating importing of material to nourish the beach, it is very important for the Town to take into consideration the health of the beach for environmental and recreational interests. In Section VI of DCR's Salisbury Beach State Park Barrier Beach Management Plan (Resource Area Management and Protection), accepted by the Town in 2008, compatible grain size for dune nourishment is discussed and includes a gradation specification for offsite sourcing of material. The Town uses this specification when considering a proposal for importation of sand to the beach.

The Town's Conservation Agent has reviewed the soil boring logs which you provided to us and also has attended a meeting at Pease Tradeport in Portsmouth, New Hampshire, hosted by the Army Corps, where a sample of the dredge material was presented. From the samples that were shown at the meeting in Portsmouth and the information contained in the boring logs, it appears that the material is not compatible with Salisbury Beach sand. The dredged material contains greater amounts of large gravel and fine silty material than would be compatible with

(978) 465-2310 Fax: (978) 462-4176 e-mail: nharrington@salisburyma.gov

Salisbury Beach, which consists mainly of coarse to medium sand with small percentages of gravel and fine sand. In an emergency situation, we would accept material with slightly more amounts of large gravel to staunch an erosion problem, but the fine silty sand would exacerbate erosion and never would be acceptable. Thus, the dredged material from Portsmouth Harbor in the Piscataqua River does not appear to meet the Town's standards for Salisbury Beach.

Thank you for the opportunity to investigate the possibility of receiving dredged material from the proposed Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project. We look forward to working with the Corps on future similar opportunities if and when they arise. If you would like to discuss the Town's decision, please feel free to contact me at (978) 462-8232, ext. 101.

Sincerely,

Neil J. Harrington
Town Manager

cc: Board of Selectmen
Conservation Agent

Office of the Town Manager

P.O. Box 398
Wells, Maine 04090

Voice: 207-646-5113
Fax: 207-646-2935
TDD: 207-646-7892
E-mail: jcarter@wellstown.org

July 13, 2012

Mr. John R. Kennelly
Chief of Planning
Department of the Army
New England District, Corps of Engineers
896 Virginia Road
Concord, MA 01742-2751

Re; Dredge Materials from Piscatiqua River- Turning Basin Project

Dear Mr. Kennelly:

I am in receipt of your recent letter referencing a commitment by the Town of Wells to receive the dredge materials from the Portsmouth, NH Turning Basin Project. The Town is extremely interested in the sand and know when placed near shore it will assist in the community's beach replenishment efforts. We are concerned that the stated price for Wells of $4 a CY has increased from the $2 a CY that we understood would be the price. In speaking with Richard Heidebrecht, Study Manager, on July 11, 2012, he indicated a review of the cost and dumping site(s) will be undertaken in the near future with the possibility of the price lowering.

The Town has requested Dr. Stephen Dixon of the Maine Geologic Survey to review the amount of materials the Wells system might be able to reasonably handle. He is presently offshore on the EPA Vessel mapping the ocean bottom along the Maine Coast. He has agreed to undertake this analysis as soon as his schedule allows.

The Town would respond to you that if the materials were available to Wells at approximately $2 per CY vs. $4 per CY, we would be extremely interested and continue to raise the funds necessary to acquire the dredge materials for placement near shore along the Wells Coastline. Depending on the results of Dr. Dixon's analysis, we would request at this time up to the 700,000 CYs at $2 CY.

If we should receive Dr. Dixon's report prior to August 3, 2012, I will update our letter to you accordingly.

Regards,

Jonathan L. Carter
Town Manager

cc: Mr. Heidebrecht
Board of Selectmen
Maine Delegation

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Jonathan L. Carter, Town Manager
Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

Dear Mr. Carter:

The U.S. Army Corps of Engineers, New England District has received your letter dated March 13, 2012 indicating extreme interest in obtaining the entire quantity of material dredged from the Portsmouth Harbor and Piscataqua River, New Hampshire, and Maine navigation improvement study. Your letter also indicated that you are working with Maine Geological Survey to determine the area necessary to accommodate the approximate amount of 720,000 cy of material at a nearshore disposal site.

For our planning purposes, we are requesting a written response no later than August 3, 2012 that you are capable of meeting the financial responsibilities associated with the increased cost to deliver dredged material to a nearshore site of your choice, the proposed location(s) for nearshore disposal, and any physical and biological information that is available to describe current conditions at the proposed nearshore disposal site(s) for the Environmental Assessment. Please note that since Congressional authorization will be required to construct the project, it could be several years before the material would be available for nearshore disposal.

A request has also been sent recently to the State of Massachusetts and to towns in Maine and New Hampshire that have previously expressed an interest in this dredged material for beach nourishment. If multiple parties express an interest, the Corps will schedule a meeting with all interested parties to determine an equitable distribution of this material.

Any questions or comments can be addressed to Mr. Richard Heidebrecht, study manager, at (978) 318-8513 or richard.w.heidebrecht@usace.army.mil, and/or Ms. Catherine Rogers, ecologist, at (978) 318-8231 or catherine.j.rogers@usace.army.mil.

Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

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Similar Letters Sent to:

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

Mr. Fred A. Mayo III, Harbormaster
Town of Ogunquit
23 School Street
P.O. Box 875
Ogunquit, Maine 03907

Mr. Michael Magnant, Town Administrator
Town of Rye
10 Central Road
Rye, New Hampshire 03870

Mr. Neil Harrington, Town Manager
Town of Salisbury
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Tracy Blais, Town Administrator
Newbury Town Hall
25 High Road
Newbury, Massachusetts 01951

Honorable Donna D. Holaday
Mayor of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950

James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Copy Furnished:

Kathleen Leyden, Director
Maine Coastal Program
19 Union Street
38 State House Station
Augusta, Maine 04333

Todd Burrowes, Policy Development Specialist
Maine Coastal Program
19 Union Street
38 State House Station
Augusta, Maine 04333

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Edward M. Lambert Jr., Commissioner
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

Dear Mr. Lambert:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

The Corps' policy is to recommend the least costly, environmentally acceptable method of construction, including the disposal of dredged material. The Corps has determined that ocean disposal would be the least costly dredged material disposal method. A likely suitable ocean disposal site has been identified which is located about ten miles east of the Portsmouth Harbor entrance and north of the Isles of Shoals in Federal waters about 300 feet deep. However, under Corps policy it is preferable to use dredged material in a beneficial manner whenever possible. Due to the large amount of material to be removed, and its suitability for beneficial uses, we are making efforts to identify parties that may have an interest in using this material for beach nourishment. However, the difference in cost between ocean disposal north of the Isle of Shoals and potential nearshore disposal sites would need to be borne by the interested party (non-Federal participant). A table prepared for an interagency meeting conducted in May 2010 which compared the costs between disposal at the ocean site and nearshore disposal sites located in Maine, New Hampshire, and Massachusetts is enclosed for your information. Please note that these costs are estimates to be used for planning purposes only and will be updated as the project is further refined.

Printed on Recycled Paper

We are requesting a written response no later than August 3, 2012 if you have a strong interest in the nearshore disposal of material dredged from the widening of the Portsmouth Harbor turning basin in the Piscataqua River. If no response is received by this date, then we will conclude that there is no interest. If interested, your letter should state that you are capable of meeting the financial responsibilities associated with any increased cost to deliver dredged material to a nearshore site of your choice. We also request that the following information be provided in your letter: the amount of material you would be willing to accept, the proposed location(s) for nearshore disposal, and all physical and biological information that is available to describe current conditions at the proposed nearshore disposal site(s) for the Environmental Assessment. Please note that since Congressional authorization will be required to construct the project, it could be several years before the material would be available for nearshore disposal.

If multiple parties express an interest, the Corps will schedule a meeting with all interested parties to determine an equitable distribution of this material.

Any questions or comments can be addressed to Mr. Richard Heidebrecht, study manager, at (978) 318-8513 or richard.w.heidebrecht@usace.army.mil, and/or Ms. Catherine Rogers, ecologist, at (978) 318-8231 or catherine.j.rogers@usace.army.mil.

Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

Similar Letters Sent to:

Mr. Jonathan L. Carter, Town Manager
Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

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Mayor of Newburyport
60 Pleasant Street
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James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Copy Furnished:

Mr. Joseph R. Orfant, Bureau Chief
Planning and Resource Protection
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

Robert Boeri, Dredging Coordinator
Massachusetts Coastal Zone Management
Executive Office of Energy and Environmental Affairs
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2104

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Dear Mr. McKenna:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire, and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

The Corps' policy is to recommend the least costly, environmentally acceptable method of construction, including the disposal of dredged material. The Corps has determined that ocean disposal would be the least costly dredged material disposal method. A likely suitable ocean disposal site has been identified which is located about ten miles east of the Portsmouth Harbor entrance and north of the Isles of Shoals in Federal waters about 300 feet deep. However, under Corps policy it is preferable to use dredged material in a beneficial manner whenever possible. Due to the large amount of material to be removed, and its suitability for beneficial uses, we are making efforts to identify parties that may have an interest in using this material for beach nourishment. However, the difference in cost between ocean disposal north of the Isle of Shoals and potential nearshore disposal sites would need to be borne by the interested party (non-Federal participant). A table prepared for an interagency meeting conducted in May 2010 which compared the costs between disposal at the ocean site and nearshore disposal sites located in Maine, New Hampshire and Massachusetts is enclosed for your information. Please note that these costs are estimates to be used for planning purposes only and will be updated as the project is further refined.

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Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

Similar Letters Sent to:

Mr. Jonathan L. Carter, Town Manager
Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

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60 Pleasant Street
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Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

Honorable Donna D. Holaday
Mayor of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950

Dear Mayor Holaday:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire, and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

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If multiple parties express an interest, the Corps will schedule a meeting with all interested parties to determine an equitable distribution of this material.

Any questions or comments can be addressed to Mr. Richard Heidebrecht, study manager, at (978) 318-8513 or richard.w.heidebrecht@usace.army.mil, and/or Ms. Catherine Rogers, ecologist, at (978) 318-8231 or catherine.j.rogers@usace.army.mil.

Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

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Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

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200 Rogers Road Extension
Kittery, Maine 03904

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James M. McKenna, Town Manager
Winthrop Town Hall
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Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

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Mr. Joseph R. Orfant, Bureau Chief
Planning and Resource Protection
Department of Conservation and Recreation
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Robert Boeri, Dredging Coordinator
Massachusetts Coastal Zone Management
Executive Office of Energy and Environmental Affairs
251 Causeway Street, Suite 800
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Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

Tracy Blais, Town Administrator
Newbury Town Hall
25 High Road
Newbury, Massachusetts 01951

Dear Mr. Blais:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire, and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1,020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

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Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

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Boston, Massachusetts 02114-2104

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

Kathleen Leyden, Director
Maine Coastal Program
19 Union Street
38 State House Station
Augusta, Maine 04333

Dear Ms. Leyden:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire, and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

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If multiple parties express an interest, the Corps will schedule a meeting with all interested parties to determine an equitable distribution of this material.

Any questions or comments can be addressed to Mr. Richard Heidebrecht, study manager, at (978) 318-8513 or richard.w.heidebrecht@usace.army.mil, and/or Ms. Catherine Rogers, ecologist, at (978) 318-8231 or catherine.j.rogers@usace.army.mil.

Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

Similar Letters Sent to:

Mr. Jonathan L. Carter, Town Manager
Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

Mr. Fred A. Mayo III, Harbormaster
Town of Ogunquit
23 School Street
P.O. Box 875
Ogunquit, Maine 03907

Mr. Michael Magnant, Town Administrator
Town of Rye
10 Central Road
Rye, New Hampshire 03870

Mr. Neil Harrington, Town Manager
Town of Salisbury
Town Hall
5 Beach Road
Salisbury, Massachusetts 01952

Tracy Blais, Town Administrator
Newbury Town Hall
25 High Road
Newbury, Massachusetts 01951

Honorable Donna D. Holaday
Mayor of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950

James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Copy Furnished:

Todd Burrowes, Policy Development Specialist
Maine Coastal Program
19 Union Street
38 State House Station
Augusta, Maine 04333

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 5, 2012

Engineering/Planning Division
Evaluation Branch

George Bald, Commissioner
New Hampshire Department of Resources and Economic Development
172 Pembroke Road
P.O. Box 1856
Concord, New Hampshire 03302-1856

Dear Mr. Bald:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in receiving dredged material for beach nourishment from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire, and Maine. The Corps, in partnership with the New Hampshire Pease Development Authority, is conducting a feasibility study to determine the extent of Federal interest in widening the upper turning basin along the Piscataqua River. As shown on the enclosed map, several widths are being considered as part of the feasibility study. Widening the upper turning basin from its current 800 foot width to widths ranging from 1020 feet to a maximum of about 1200 feet would require the removal of between 370,000 and 720,000 cubic yards (cy) of material and approximately 16,000 cy of rock. Subsurface explorations have shown that the unconsolidated material is hard packed sandy glacial till mixed with some gravel (see the enclosed grain size table and boring logs for grain size results; boring log locations are located on the enclosed map). Following design optimization of the turning basin dimensions, we will refine the quantity of dredged material that would require removal.

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Sincerely,

Richard Heidebrecht
for John R. Kennelly
Chief of Planning

Enclosures

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P.O. Box 398
Wells, Maine 04090

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200 Rogers Road Extension
Kittery, Maine 03904

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Town of Ogunquit
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60 Pleasant Street
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James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Copy Furnished:

Thomas Mansfield, Department Architect
Division of Parks and Recreation
172 Pembroke Road
P.O. Box 1856
Concord, New Hampshire 03302-1856

Christian Williams, Federal Consistency Coordinator
New Hampshire Coastal Program
Department of Environmental Services
222 International Drive, Suite 175
Pease Tradeport
Portsmouth, New Hampshire 03801

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 3, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

Dear Mr. Markel:

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosures

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23 School Street
P.O. Box 875
Ogunquit, Maine 03907

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Town of Rye
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Todd Burrowes, Policy Development Specialist
Maine Coastal Program
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CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
ATTENTION OF

July 3, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Neil Harrington, Town Manager
Town of Salisbury
Town Hall
5 Beach Road
Salisbury, Massachusetts 01952

Dear Mr. Harrington:

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Sincerely,

John R. Kennelly
Chief of Planning

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Office of the Town Manager
P.O. Box 398
Wells, Maine 04090

Mr. Robert Markel, Town Manager
Town of Kittery
200 Rogers Road Extension
Kittery, Maine 03904

Mr. Fred A. Mayo III, Harbormaster
Town of Ogunquit
23 School Street
P.O. Box 875
Ogunquit, Maine 03907

Mr. Michael Magnant, Town Administrator
Town of Rye
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Rye, New Hampshire 03870

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James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Mr. Edward M. Lambert Jr., Commissioner
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

Copy Furnished:

Mr. Edward M. Lambert Jr., Commissioner
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

Mr. Joseph R. Orfant, Bureau Chief
Planning and Resource Protection
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, Massachusetts 02114-2104

Robert Boeri, Dredging Coordinator
Massachusetts Coastal Zone Management
Executive Office of Energy and Environmental Affairs
251 Causeway Street, Suite 800
Boston, Massachusetts 02114-2104

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 3, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Michael Magnant, Town Administrator
Town of Rye
10 Central Road
Rye, New Hampshire 03870

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

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Thomas Mansfield, Department Architect
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REPLY TO
ATTENTION OF

July 3, 2012

Engineering/Planning Division
Evaluation Branch

Mr. Fred A. Mayo III, Harbormaster
Town of Ogunquit
23 School Street
P.O. Box 875
Ogunquit, Maine 03907

Dear Mr. Mayo:

The U.S. Army Corps of Engineers, New England District (Corps) is writing this letter to determine your interest in the receipt of dredged material from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, New Hampshire and Maine for beach nourishment. This past March you had expressed in interest in whether or not the Town could receive any of the sand made available from this project for beaches in Ogunquit.

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Chief of Planning

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60 Pleasant Street
Newburyport, Massachusetts 01950

James M. McKenna, Town Manager
Winthrop Town Hall
1 Metcalf Square
Winthrop, Massachusetts 02152

Copy Furnished:

Kathleen Leyden, Director
Maine Coastal Program
19 Union Street
38 State House Station
Augusta, Maine 04333

Todd Burrowes, Policy Development Specialist
Maine Coastal Program
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Geno Marconi, Director
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Office of the Town Manager

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March 13, 2012

Colonel Charles P. Samaris
District Commander
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742

Re: Wells Harbor and Requests

Dear Colonel Samaris:

I am writing on behalf of the Wells Board of Selectmen on several issues which involve Wells Harbor and its Beaches. First and foremost we have had a long and rewarding relationship with the New England District and its Navigation Division, Ed O'Donnell and Mark Habel, along with their staffs. The Town wishes to thank them and you for the quick and successful work in achieving the FY'12 funding authorization for the *USS Currituck* availability this spring to undertake an emergency safety dredge in our Federal Channel.

The Town of Wells would like to go on record with the Army Corps that it is extremely interested in obtaining the dredge sand from the proposed Portsmouth Harbor & Piscatiqua River Turning Basin Widening Project. Wells is presently working with Maine Geologic to determine quantity maximization, but at this time would request the Town as a placeholder in receiving the higher volume potential of 700,000 CYs for delivery and disposal near shore to Wells Beach for beach nourishment purposes. Necessary local funding will be arranged and appropriated to compensate for the sand as needed.

Finally, the Town of Wells has worked for decades to achieve two full dredges of the Federal Channel with the return of the sand to our beaches. It has been

successful in 2000 and now State of Maine permits have been granted for another full dredge with our local funding match appropriated and pending Congressional Budget authorization. Unfortunately, we did not receive FY'13 funding recommendation in the Budget and would like to request that if any FY'13 projects fail to move forward, Wells is shovel ready and waiting! However, we would greatly appreciate consideration for FY'14 funding.

On behalf of the Board of Selectmen, we would extend an invitation to visit our community and the project sight at your convenience.

Thank you and the District employees for all you do in Maine and New England and for the Country.

Sincerely,

Jonathan L. Carter
Town Manager

cc: BOS
Federal Delegation
Harbor Master
Mark Habel
Ed O'Donnell

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

September 7, 2011

Cathy Rodgers
Evaluation Branch
Engineering/Planning Division
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Ms. Rogers:

This letter is in response to a letter from John Kennelly dated July 22, 2011, requesting that EPA review information provided by the U.S. Army Corps of Engineers (Corps) on potential disposal sites for dredged material from the Piscataqua River Federal Navigation Project. Specifically, the Corps is seeking EPA's concurrence with its determination that the "Isle of Shoals-North" (IOS-N) site is "likely selectable" as an alternative disposal site for the Piscataqua River FNP on a "one-time use" basis.

Based on our review of the available information and data from the IOS-N site, some of which was collected during surveys aboard EPA's *OSV Bold* in 2010, EPA concurs that this site is "likely selectable" for one-time use for disposal of dredged material from the Piscataqua River FNP turning basin. Please feel free to contact me at (617) 918-1553 or Olga Guza of my staff at (603) 818-9788 if you have any questions.

Sincerely,

Melville P. Coté, Jr., Manager
Ocean and Coastal Protection Unit

Toll Free • 1-888-372-7341
Internet Address (URL) • http://www.epa.gov/region1
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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

SEP 2 2011

John R. Kennelly
Chief of Planning
New England District
Army Corps of Engineers
696 Virginia Rd.
Concord, MA 01742-2751

Dear Mr. Kennelly:

This responds to your July 22, 2011, letter regarding the identification of a potential alternative ocean disposal site for dredged material generated from the turning basin at the upper end of the Piscataqua River Federal Navigation Project in New Hampshire and Maine. An alternative ocean disposal site is being sought by the Army Corps of Engineers (ACOE) since the historic Isle of Shoals (IOS-H) site, which was last used around 1980, has been shown to currently be a very productive fishing ground.

The alternative site being considered is about five miles north of the IOS-H site and about 10 miles east of the Portsmouth Harbor entrance which you have identified as IOS-N. This new site is within Federal waters approximately 300 feet deep. Results from side scan data show that the substrate at the IOS-N site is smooth, uniform and composed of fine grained material. The ACOE's benthic survey has concluded that the study area is physically homogeneous and inhabited by a limited benthic invertebrate community. Species richness and density are also low relative to other areas. Grain size data have confirmed that the site is approximately 95% to 79% fine material.

Based upon the surveys conducted you have requested that we concur that the IOS-N site is "likely selectable" as a dredge material disposal site under the Marine Protection, Research, and Sanctuaries Act (MPRSA) regulatory criteria for minimizing fisheries impacts under 40 CFR 228.5(a) and (b) and 228.6 (2) and (8). In addition you note that any actual site selection would require additional studies and a formal selection document and process with additional agency coordination.

We have reviewed the information supplied with your request and have preliminarily determined that that proposed alternative dredge material disposal site (IOS-N) may be a more favorable selection for minimizing impacts to living marine resources than the historic IOS-H site. However, we will not be able to provide more definitive recommendations or advice until we complete our consultation requirements under the Magnuson-Stevens Fisheries Conservation and Management Act (MSA), and the Endangered Species Act (ESA).

Essential Fish Habitat:
In order to initiate an Essential Fish Habitat (EFH) consultation under the MSA you must provide us with an EFH Assessment as required pursuant to 50 CFR 600.920.

The required contents of an EFH Assessment includes: 1) a description of the action; 2) an analysis of the potential adverse effects of the action on EFH and the managed species; 3) the ACOE's conclusions regarding the effects of the action on EFH; and 4) proposed mitigation, if applicable. Other information that should be contained in the EFH Assessment, if appropriate, includes: 1) the results of on-site inspections to evaluate the habitat and site-specific effects; 2) the views of recognized experts on the habitat or the species that may be affected; 3) a review of pertinent literature and related information; and 4) an analysis of alternatives to the action that could avoid or minimize the adverse effects on EFH.

Protected Resources
Federally listed shortnose sturgeon (*Acipenser brevirostrum*), Atlantic salmon (*Salmo salar*), and several species of listed whales and sea turtles may occur in the vicinity of the potential disposal site during the time proposed for disposal of the dredged material generated from the turning basin. Marine mammals such as seals and porpoises may also be seasonally present in the project area during the time proposed for disposal of the dredged material generated from the turning basin.

Shortnose sturgeon occur along the U.S. Atlantic coast within several large river systems in the vicinity of the Piscataqua River that support reproduction of shortnose sturgeon populations (e.g., below the first dam in the Merrimack, Kennebec and Androscoggin Rivers). Shortnose sturgeon distribution in waters off the coast of New Hampshire is not well understood or documented. Historically, it is thought that shortnose sturgeon were once abundant in the Piscataqua River, though there are few records of sturgeon captures, none of which distinguish between Atlantic and shortnose sturgeon. More recently, telemetry data has indicated that there is a potential for migrating individual shortnose sturgeon to be present in the nearshore areas of the Gulf of Maine, and occasional shortnose sturgeon may be present in the lower Piscataqua River.

Since 2005, information on the distribution and movements from a variety of acoustically tagged fish (e.g., shortnose sturgeon, Atlantic salmon and Atlantic sturgeon), are available from acoustic receivers which have been deployed throughout the Gulf of Maine as part of the Gulf of Maine Ocean Observing System/ GoMOOS system (Figure 1). For example, hundreds of juvenile Atlantic salmon smolts are tagged annually from the Penobscot River and the Bay of Fundy, Canada. Additionally, starting in 2006, approximately 20-30 adult shortnose sturgeon captured annually in the Penobscot River have been fitted with acoustic tags. Furthermore, Atlantic sturgeon are also being fitted with acoustic transmitters when captured in the Penobscot, Kennebec and Saco rivers. Since 2005, the GoMOOS acoustic receivers, with a detection range of approximately 0.6 mile, have made over 10,000 detections of acoustic tags. These detections were from over 100 different individual acoustic tags from many species of marine fish. The majority of detections from implanted salmon smolts occurred at buoy F01 located in Penobscot Bay, the watershed where most smolt tagging occurs (UMaine 2011). Twenty of the tags detected were implanted in salmon smolts; three from the Bay of Fundy and 17 from smolts

stocked in the Penobscot River (UMaine 2011). This data also shows some tagged Atlantic salmon may disperse in a southerly direction when leaving Penobscot Bay prior to heading offshore to northern waters off Greenland. Acoustically tagged Atlantic salmon smolts from the Penobscot River were detected by GoMOOS buoys as far south as E01. The closest buoy to the potential project disposal site is B01 (lat: 43° 10.84′N – lon: 070° 25.66′W) just north of Isle of Shoals off Portsmouth harbor (Figure 1). Since deployment of this buoy in 2005, only nine individual Atlantic sturgeon where detected in the vicinity. Most detections occurred in the spring (March 2010) with one detection in mid June 2009; these were single detections possibly indicating individuals migrating through the area. No tagged shortnose sturgeon or Atlantic salmon have been detected at the GoMOOS buoy B01 deployed in the vicinity of the potential project disposal site IOS-N.

It is clear from recent telemetry data that both Atlantic salmon and shortnose sturgeon tagged in the Merrimack, Kennebec, and Penobscot rivers undertake significant coastal migrations moving between freshwater systems and marine waters. Telemetry data also indicate that shortnose sturgeon utilize smaller coastal river systems during these migrations. Based on this data, combined with what is known generally about Atlantic salmon and shortnose sturgeon behavior. Atlantic salmon and shortnose sturgeon may be migrating near the project disposal area and therefore any effects on these species from disposal activities occurring at the disposal site would need to be examined.

Three species of listed sea turtle species occur in New England waters during the warmer months, generally when water temperatures are greater than 15°C. The sea turtles in these waters are typically small juveniles with the most abundant being the federally endangered leatherback (*Dermochelys coriacea*), federally threatened loggerhead (*Caretta caretta*) and federally endangered Kemp's ridley (*Lepidochelys kempi*) sea turtles; however, Kemp's ridleys are rare in waters north of Massachusetts and only leatherback or loggerhead sea turtles are likely to occur in coastal New Hampshire and Maine waters. Sea turtles move into waters of the Gulf of Maine from their southern wintering grounds in late June/July and most sea turtles move south from these waters by the first week in November. The highest numbers of sea turtles are present in these waters between July and October each year.

Depths at the disposal site are approximately 300 feet. While this depth does not preclude sea turtles from occurring at the site, sea turtles are unlikely to be foraging at these depths and are likely to be using the area for resting during periods of migration and any use of the disposal area by sea turtles is likely to be transient. Sea turtles may also occur seasonally along the vessel transit route while migrating, resting or foraging.

Listed whales also occur in the waters off the coast of Maine. In the disposal area, North Atlantic right whales (*Eubalaena glacialis*) as well as occasional humpback whales (*Megaptera novaeangliae*) and fin whales (*Balaenoptera physalus*) could be present.

Since listed sea turtles and whales may be present in the active area, effects of the proposed action on these species should be examined.

On October 6, 2010, NMFS proposed to list four distinct population segments (DPS) of Atlantic

sturgeon (*Acipenser oxyrinchus oxyrinchus)* as endangered and one DPS, the Gulf of Maine (GOM) DPS, as threatened (75 FR 61872; 75 FR 61890). The GOM DPS of Atlantic sturgeon includes the following: all anadromous Atlantic sturgeon whose range occurs in watersheds from the Maine/Canadian border and extending southward to include all associated watersheds draining into the Gulf of Maine as far south as Chatham, MA, as well as wherever these fish occur in coastal bays and estuaries and the marine environment. Within this range, Atlantic sturgeon have been documented in the following rivers: Penobscot, Kennebec, Androscoggin, Sheepscot, Saco, Piscataqua, and Merrimack. The marine range of Atlantic sturgeon from all five DPSs extends from the Bay of Fundy, Canada to the Saint Johns River, FL. The proposed action falls within the geographic range of the 5 DPSs of Atlantic sturgeon that have been proposed for listing.

Once a species is proposed for listing the conference provisions of the ESA may apply. If Atlantic sturgeon were in the project area when disposal operations were occurring they would be exposed to increases in suspended sediment. As Atlantic sturgeon are benthic foragers, disposal operations may also affect foraging; however, given the depth of the site foraging in the area is likely to be uncommon.

We encourage you to continue to work with our Protected Resources Division as project plans are developed to determine if a consultation pursuant to Section 7 of the ESA is necessary regarding potential effects to any of the listed species noted above. Any questions regarding impacts of the proposed action on NMFS listed species should be directed to Dave Bean at (207) 866-4172. Any questions regarding effects to marine mammals that are not ESA listed (e.g., seals and porpoises), should be directed to NMFS Office of Protected Resources, Permits, Conservation and Education Division at (301) 427-8400. All other questions or concerns should be directed to Lou Chiarella in the Habitat Conservation Division at (978) 281-9277.

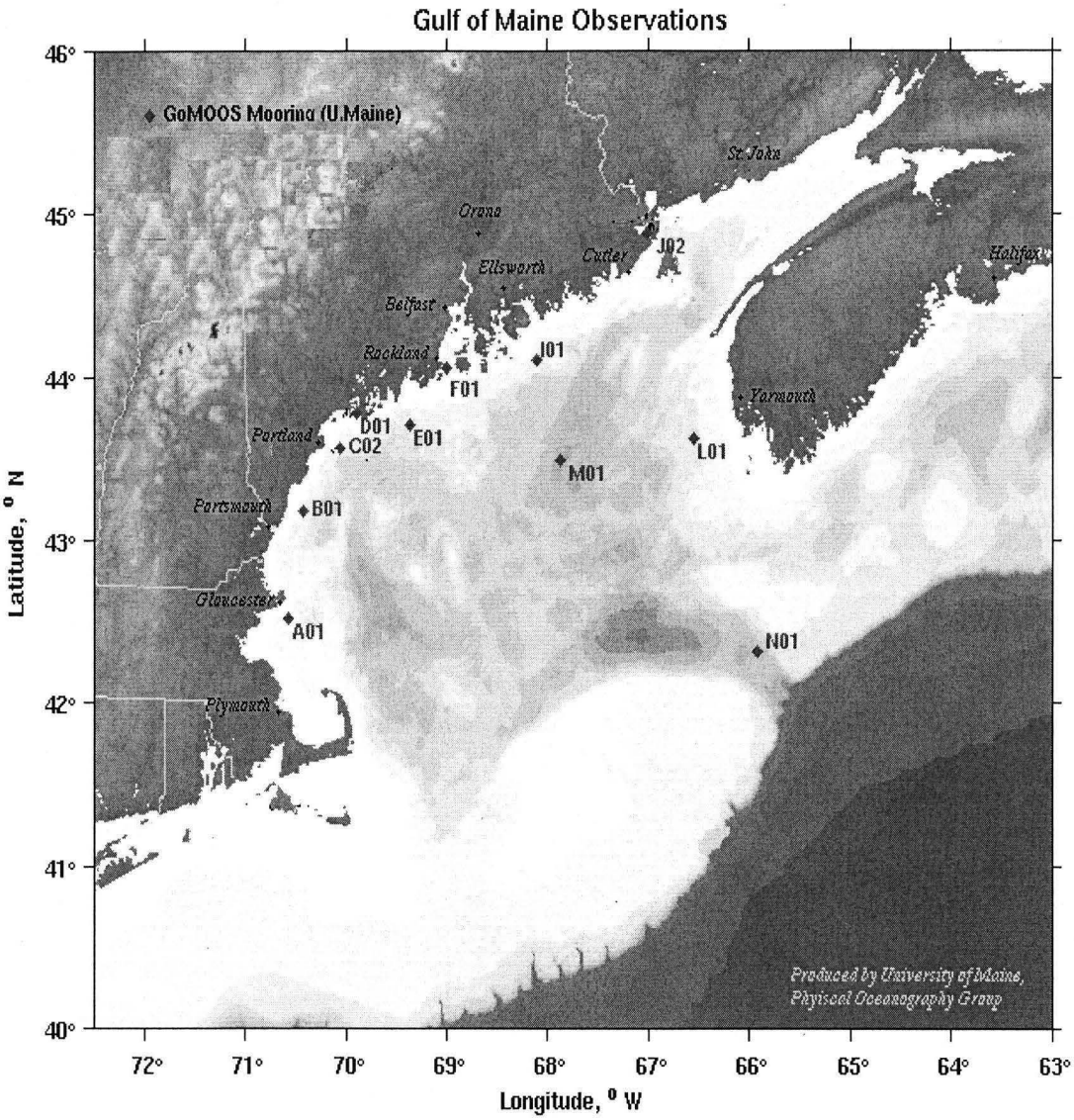
Sincerely,

Peter D. Colosi

Peter D. Colosi
Assistant Regional Administrator
For Habitat Conservation

cc: Colligan, PRD
Mel Cote, EPA Region 1

Figure 1 Location of Gulf of Maine Observation Buoys (GoMOOS)



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

REPLY TO
ATTENTION OF

July 22, 2011

Engineering/Planning Division
Evaluation Branch

Mr. Lou Chiarella
NOAA Fisheries
One Blackburn Drive
Gloucester, Massachusetts 01930-2298

Dear Mr. Chiarella:

Staff from the U.S. Army Corps of Engineers, New England District (Corps) and the U.S. Environmental Protection Agency (EPA), Region 1, met with staff from the National Marine Fisheries Service (NMFS) in Gloucester, Massachusetts on April 14, 2010 to discuss the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. In particular, the purpose of the meeting was to discuss potential alternative ocean disposal sites for the sandy material to be dredged from the proposed widening of the turning basin at the upper end of the Piscataqua River Federal Navigation Project. Previous attempts by the Corps to identify suitable nearshore disposal areas to nourish nearby beaches in Rye, New Hampshire and York, Maine, were met with local opposition. Consequently, there is a need to look for alternative dredged material disposal site(s) for this material.

Dredged material from the Portsmouth Harbor and other New Hampshire harbors was disposed at the historic Isle of Shoals (IOS-H) site until about 1980. The IOS-H site sits astride the three-mile territorial sea limit with majority of the site located within New Hampshire State waters. Since this site has been previously disturbed, the Corps examined the use of the IOS-H site for disposal of the Portsmouth Harbor Navigation Improvement Project material. However, your office believed that this site may now be a productive fisheries site and did not advocate its continued use. You offered to contact your commercial fisheries source(s) to confirm that this was the case, and a subsequent email from you dated May 13, 2010 confirmed from your commercial industry source that "the historic IOS site has a bottom that is very complex. The predominant substrate is mud but there are numerous rock outcroppings, both ledge and boulder fields that rise 30 to 50 feet above the prevailing bottom. The site is a prime area for different species including lobsters, cod, greysole, dabs and blackbacks. The area is also frequented in the warmer months by all the pelagic species. It is an important fishing ground for lobstermen and the recreational fleet." Based upon this characterization, NMFS would not consider the feasibility of the IOS-H site as a disposal site.

NMFS proposed at the meeting, instead, to locate a disposal site north of the historic IOS site (IOS-H) since your office believed this new area would be less biologically productive. During our meeting, EPA encouraged locating a new proposed disposal site outside State waters

and entirely within Federal waters. As a result of this discussion, an alternative dredged material disposal site was identified in an area about five miles north of the IOS-H site, and about 10 miles east of the Portsmouth Harbor entrance (see the enclosed Figure). The new site, identified as IOS-N, is located outside the territorial sea limit (within Federal waters) in water 300 feet deep.

Data was collected from the IOS-N (and the IOS-H for comparison) to determine if the IOS-N site would be "likely selectable" under the Marine Protection, Research and Sanctuaries Act (MPRSA) criteria for dredged material disposal site selection. Side-scan data was collected in July 2010 from the U.S. EPA OSV "BOLD" for both the IOS-H site and the IOS-N site. Benthic and grain size data were collected separately by the Corps from the IOS-N site only in November 2010.

Results from the side scan data show that the substrate at the IOS-N site is smooth, uniform and composed of fine-grained material, while the IOS-H site contains ridges and other deposits of hard material (rocks, ledge and/or boulders). In addition, the side scan data indicated that fish trawl marks noted at the IOS-N during the survey are historic (oxidized), indicating that the site is not currently actively fished. The IOS-H site was being actively fished for lobster, with numerous trap lines visible, while only a few trap lines were evident at IOS-N. The IOS-N benthic report summarizes that "the study area is physically homogeneous and inhabited by a limited benthic invertebrate community. Richness, at the species and higher taxonomic levels, and density are low relative to both more inshore and more offshore habitats." Grain size data confirmed that the site is fine-grained as seven of the nine samples collected contained more than 95% fines and the remaining two samples contained more than 79% fines. The results of this data collection are enclosed for your information.

The above results support NMFS initial appraisal that the area north of the historic IOS disposal site, marked as IOS-N, is less productive and "likely selectable" as a one-time use for disposal of dredged material from the Piscataqua River turning basin. The addition of a mound(s) of sandy material at the site, may, actually increase the biological diversity by increasing the diversity of the bottom substrate and topography. Based on the enclosed information, the Corps would like to request NMFS concurrence that the IOS-N site is "likely selectable" as a dredged material disposal site under MPRSA regulatory criteria for minimizing fisheries impacts under 40 CFR 228.5 (a) and (b), and 228.6 (2) and (8).

Any actual site selection would require additional studies and a formal selection document and process with additional agency coordination. There are a number of communities and agencies in Maine and Massachusetts that have expressed a willingness to accept and fund the difference in transportation cost to acquire the Portsmouth material for beach nourishment projects. Identification of the IOS-N site as "likely selectable" will provide a baseline for measuring the difference in haul costs for these beneficial use projects to receive the dredged material.

Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil, or to Mr. Richard Heidebrecht, the project manager, at (978) 318-8513 or the following email address: richard.w.heidebrecht@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Mr. Mel Cote, Supervisor
Ocean and Coastal Protection Unit
U.S. Environmental Protection Agency
Mail Code: OEP06-1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

EMAILED TO:
Olga Guza, U.S. EPA, Region 1 (guza-pabst.olga@epa.gov)

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO
ATTENTION OF

July 22, 2011

Engineering/Planning Division
Evaluation Branch

Mr. Mel Cote, Supervisor
Ocean and Coastal Protection Unit
U.S. Environmental Protection Agency
Mail Code: OEP06-1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Dear Mr. Cote:

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NMFS proposed at the meeting, instead, to locate a disposal site north of the historic IOS site (IOS-H) since staff from NMFS believed this new area would be less biologically productive. During our meeting staff from your office encouraged locating a new proposed disposal site outside State waters and entirely within Federal waters. As a result of this discussion, an alternative dredged material disposal site was identified in an area about five miles north of the IOS-H site, and about 10 miles east of the Portsmouth Harbor entrance (see the enclosed Figure). The new site, identified as IOS-N, is located in 300 feet of water outside the territorial sea limit (within Federal waters).

Data was collected from the IOS-N (and the IOS-H for comparison) to determine if the IOS-N site would be "likely selectable" under the Marine Protection, Research and Sanctuaries Act (MPRSA) criteria for dredged material disposal site selection. Side-scan data was collected in July 2010 from the U.S. EPA OSV "BOLD" for both the IOS-H site and the IOS-N site. Benthic and grain size data were collected separately by the Corps from the IOS-N site only in November 2010.

Results from the side scan data show that the substrate from the IOS-N site is smooth, uniform and composed of fine-grained material, while the IOS-H site contains ridges and other deposits of hard material (rocks, ledge and/or boulders). In addition, the side scan data indicated that fish trawl marks noted at the IOS-N during the survey are historic (oxidized), indicating that the site is not currently actively fished. The IOS-H site was being actively fished for lobster, with numerous trap lines visible, while only a few trap lines were evident at IOS-N. The benthic report for the IOS-N summarizes the site as "the study area is physically homogeneous and inhabited by a limited benthic invertebrate community. Richness, at the species and higher taxonomic levels, and density are low relative to both more inshore and more offshore habitats." Grain size data confirmed that the site is fine-grained as seven of the nine samples collected contained more than 95% fines and the remaining two samples contained more than 79% fines. The results of this data collection are enclosed for your information.

The above results support NMFS initial appraisal that the area north of the historic IOS disposal site, marked as IOS-N, is less productive and "likely selectable" as a one-time use for disposal of dredged material from the Piscataqua River turning basin. The addition of a mound(s) of sandy material at the site, may, actually increase the biological diversity by increasing the diversity of the bottom substrate and topography. We have requested NMFS concurrence that the IOS-N site is "likely selectable" as a dredged material disposal site under MPRSA regulatory criteria for minimizing fisheries impacts under 40 CFR 228.5 (a) and (b), and 228.6 (2) and (8). We are also requesting that your office concur that the IOS-N would be "likely selectable" under the general and specific criteria for selection of sites in 40 CFR 228.5 and 228.6 respectively. See the enclosed appendix for additional information under each MPRSA criteria.

Any actual site selection would require additional studies and a formal selection document and process with additional agency coordination. There are a number of communities

and agencies in Maine and Massachusetts that have expressed a willingness to accept and fund the difference in transportation cost to acquire the Portsmouth material for beach nourishment projects. Identification of the IOS-N site as "likely selectable" will provide a baseline for measuring the difference in haul costs for these beneficial use projects to receive the dredged material.

Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil, or to Mr. Richard Heidebrecht, the project manager, at (978) 318-8513 or the following email address: richard.w.heidebrecht@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

EMAILED TO: Olga Guza, U.S. EPA, Region 1 (guza-pabst.olga@epa.gov)

5981

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

RECEIVED 5/5/11

April 27, 2011

REPLY TO
ATTENTION OF

Engineering/Planning Division
Planning Branch

ZZ940FY2011 / 7035B-940
Approved $4,000
Harbor Dredge Pier Maint Fund
5/10/11
5-10-11

Mr. Geno Marconi
Director, Division of Ports and Harbors
Pease Development Authority
Post Office Box 369
Portsmouth, New Hampshire 03802

Dear Mr. Marconi:

The purpose of this letter is to request the final non-Federal cost sharing payment under our existing Feasibility Cost Sharing Agreement (FCSA) for feasibility study efforts for the Portsmouth Harbor and Piscataqua River Navigation Improvement Project. Under this agreement, dated June 12, 2006, study efforts are cost shared on a 50/50 basis. This final payment is in the amount of $4,000. The following table outlines PDA's previous payments and this payment under this FCSA.

NH PDA Payments	Payment Due Date	Amount ($)
1st Payment provided to Corps	Received August 28, 2006	25,000
2nd Payment provided to Corps	Received May 22, 2007	120,000
3rd Payment provided to Corps	Received March 18, 2008	148,000
4th Payment provided to the Corps	Received July 8, 2009	78,000
Remaining Payment	May 15, 2011	4,000
Total Estimated Non-Federal Share (PDA)		375,000

As you are aware, we have encountered significant opposition to near shore placement of dredged material within a reasonable haul distance from the mouth of the Piscataqua River, and are evaluating alternate disposal options that include the potential use of a new ocean disposal site northeast of the Isles of Shoals. As discussed, the additional costs associated with these studies, and expanded internal Corps review requirements mandated by Congress in the Water Resources Development Act of 2007 and implemented in recent Corps guidance, will require an amendment to the existing FCSA. The estimated total cost for these additional tasks is $180,000 to be cost shared on a 50/50 basis. An amendment to the FCSA to cover this increase in scope and study cost will be provided shortly.

The final check under the existing agreement should be made payable to "FAO, USAED, New England District" and sent to the attention of the program manager,

Mr. Mark Habel, at the above address. If you have any questions regarding the study or require additional information, please call me at (978) 318-8505 or Mr. Richard Heidebrecht of my staff at (978) 318-8513.

Sincerely,

John R. Kennelly
Chief of Planning

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF

CEMP-NAD

FEB 8 2011

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, North Atlantic Division (ATTN: CENAD-DE)

SUBJECT: Request for Independent External Peer Review (IEPR) Exclusion for Portsmouth Harbor & Piscataqua River, NH.

1. HQUSACE has reviewed the IEPR exclusion request for the Portsmouth Harbor & Piscataqua River, NH Project. Based on applicable laws and policy, this project study is not subject to peer review as it does not meet any of the mandatory requirements. The project has a cost estimate of less than $45 million; does not represent a threat to health and safety; is not controversial; and has not had a request for IEPR from the Governor of an affected State or the head of a Federal or state agency.

2. Approval of the exclusion request was based on the following information. The existing project consists of a 35-foot deep and 400-foot wide channel for a distance of about six miles, with two turning basins. The proposed project consists of expanding the upper-most turning basin from 800 feet to between 1000 and 1200 feet. The formulation of this project is not based on novel methods and does not present complex challenges for interpretation or conclusions that are likely to change prevailing practices. Precedent-setting methods or models were not used in the evaluation. The total cost ranges from $10-14 million. No significant adverse environment impacts are expected from the dredging and disposal and an Environmental Impact Statement (EIS) is not required.

3. Questions or concerns should be directed to Mr. Peter Luisa, Deputy Chief, North Atlantic Division Regional Integration Team, at 202-761-5782.

FOR THE COMMANDER:

STEVEN L. STOCKTON, P.E.
Director of Civil Works

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

REPLY TO
ATTENTION OF

CENAE-EP-P

25 August 2010

MEMORANDUM THRU Commander, U.S. Army Engineer Division, North Atlantic, ATTN: CENAD-PD-CID-S (Joseph Forcina), 302 General Lee Avenue, Fort Hamilton Military Community, Brooklyn, New York 11252

FOR HQUSACE (CECW-P/Tab Brown), 441G Street NW, Washington DC 20314

SUBJECT: Request for exclusion from Type I IEPR for Portsmouth Harbor and Piscataqua River, New Hampshire, Navigation Improvement Feasibility Study and Environmental Assessment.

1. The Water Resources Development Act of 2007 Section 2034, requires independent external peer review (IEPR) of studies under conditions as specified in the Act and as described in EC 1165-2-209. The purpose of this memorandum is to request exclusion from Type I IEPR for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine, Navigation Improvement Feasibility Study and Environmental Assessment (Study). See Attachment A for a description of the project. The Review Plan approved by North Atlantic Division on 11 January 2008 and coordinated with the Deep Draft Navigation PCX did not include IEPR due to the limited scope, size, and routine nature of the improvement project. The approved Review Plan is in accordance with EC 1165-2-209 dated 31 January 2010, but a specific exclusion from IEPR by HQUSACE is now required.

2. EC 1165-2-209, Paragraph 11.d. (1) states that TYPE 1 IEPR is mandatory if any of the factors (a) to (d) are true. These factors are evaluated below and do not trigger a mandatory IEPR.

a. Significant threat to human life: The Portsmouth Harbor and Piscataqua River Navigation Improvement Project does not present a significant threat to human life.

b. Where the estimated total project cost including mitigation costs is greater than $45M: The estimated Portsmouth Harbor and Piscataqua River Navigation Improvement Project Cost is less than $15 million.

c. Where there is a request for IEPR by a Governor of an affected State: The Governors of New Hampshire and Maine have not requested a peer review by independent experts. The State of New Hampshire is the project Sponsor and agencies of both States are represented on the Project Delivery Team.

d. Where the DCW or the Chief of Engineers determined that the project is controversial due to significant public dispute over either the size, nature or effects of the project or the economic or environmental costs or benefits of the project: The Portsmouth Harbor and Piscataqua River Navigation Improvement Feasibility project is a routine dredging project to expand a single existing turning basin that is part of the existing Federal project, from 800 feet to 1200 feet wide, at the existing 35-foot MLLW depth. Expanding the turning basin will ease navigation operations for ships calling at the existing terminals, resulting in benefits in transportation cost savings. The improvement project involves removal of up to 720,000 cubic yards of clean sandy dredged material which will be beneficially used. The project does not require an EIS.

3. EC 1165-2-209, Paragraph 11.d. (3) states that WRDA 2007 Section 2034 permits project studies to be excluded from IEPR under certain circumstances where none of the mandatory triggers noted above are met and (b) is for an activity for which there is ample experience within the USACE and industry to treat the activity as routine and has minimal life safety risk. The Portsmouth project is a routine dredging project and will not include any novel or precedent setting assessments. The improvement project involves widening a single existing turning basin feature of the existing Federal navigation project. The economic benefits methodology and calculations are routine and straightforward. Life safety is not a significant issue either during construction or as a result of a recommendation to improve navigation through the Harbor.

4. Recommendation: New England District recommends that the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine, Navigation Improvement Feasibility Study and Environmental Assessment be excluded from Independent External Peer Review.

5. New England District requests review and endorsement of this recommendation by the North Atlantic Division and transmittal to HQUSACE for final decision.

6. If further information is needed, please contact Mr. John Kennelly, Chief, Planning Branch at (978) 318-8505 or Mr. Richard Heidebrecht, Study Manager, at (978) 318-8513.

FOR THE COMMANDER:

Encl

ANTHONY T. MACKOS, P.E.
Acting Chief, Engineering/Planning Division

Attachment A
Portsmouth Harbor and Piscataqua River
New Hampshire and Maine
Feasibility Study/ Environmental Assessment for Navigation Improvement

1. Project: The purpose of this study is to determine the feasibility of modifying the existing Federal navigation project on the Piscataqua River to increase the width of the upper Turning Basin. This study was directed by Section 437 of the Water Resources Development Act of 2000.

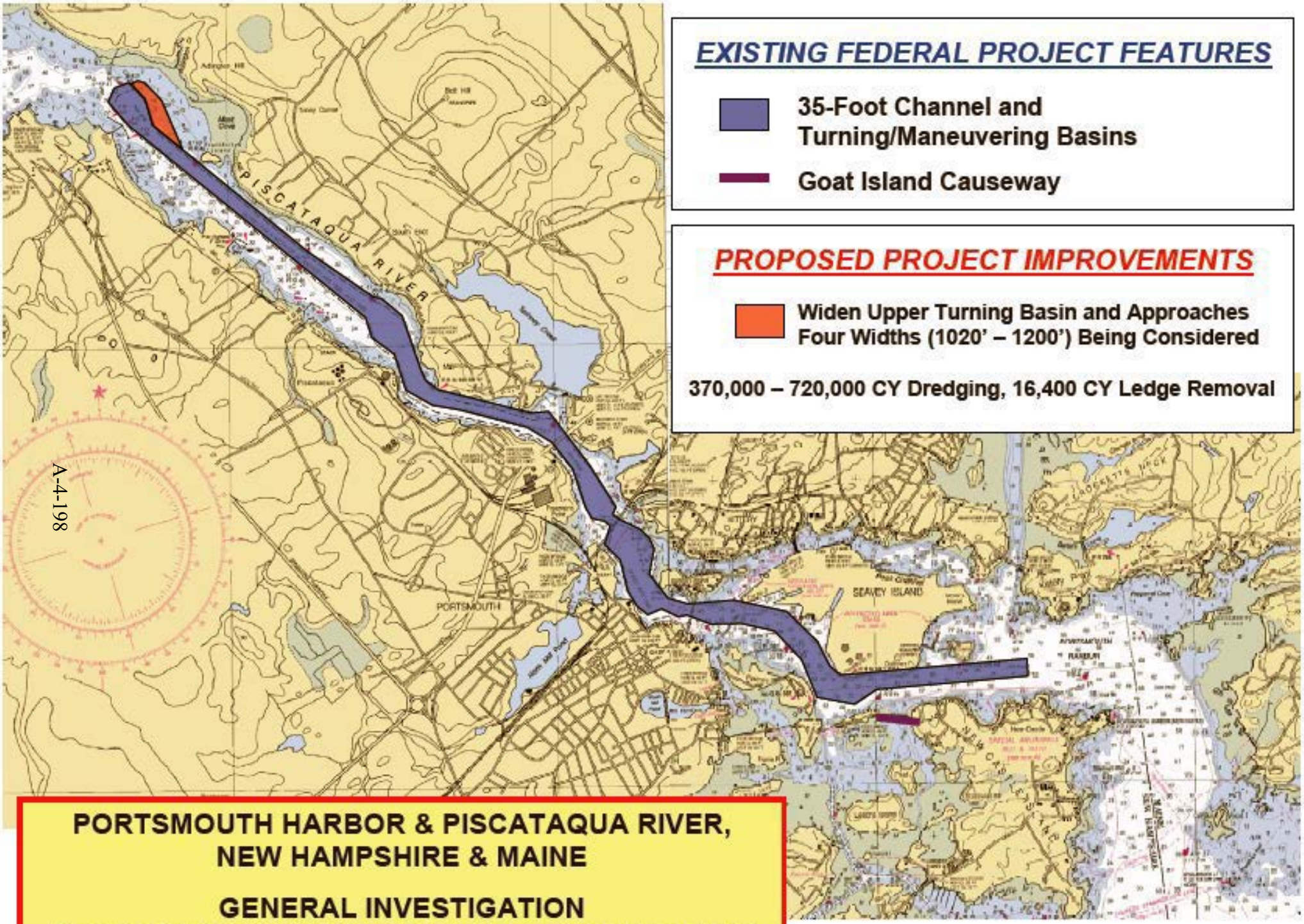
2. Location of Project: The Piscataqua River forms a portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the river, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal project includes a 35-foot deep channel, 400 feet wide, extending from deep water in Portsmouth Harbor (river mile 2.6) upstream to river mile 8.8. The project also included widening the bends at Henderson Point, Gangway Rock, Badgers Island, the Maine-New Hampshire Interstate Bridge and Boiling Rock, a 950-foot wide turning basin upstream of Boiling Rock, and an 800-foot wide turning basin at the upstream end of the Federal channel.

3. Project Description: This study will investigate widening the existing 800-foot turning basin to a width of between 1000 and 1200 feet. The existing width of the turning basin causes major safety concerns for bulk shippers, limits tidal navigation of the river, and limits the existing and future use of the terminals. All aspects of Federal interest, including engineering feasibility, economic justification, design optimization, environmental acceptability and cultural resource impact, are being analyzed in detail during the feasibility study.

4. Sponsor: The New Hampshire Pease Development Authority, Division of Ports and Harbors (NHPDA) is the study sponsor.

5. Schedule: The Corps will continue the feasibility-level study into Fiscal Year 2010 with completion in FY 2011. Current efforts include: coordination with New Hampshire and Maine officials to identify sites for placement of dredged material for beneficial use; final evaluation of alternatives and selection of a recommended plan; and preparation of a final report and environmental assessment.

6. Costs: The Feasibility Study is cost shared 50/50 with the NHPDA and is estimated to cost about $750,000. A Feasibility Cost Sharing Agreement was executed with NHPDA in June 2006, and study funds have been provided as required to conduct feasibility scope investigations. Design and construction is estimated to cost between $10 and $14 Million dollars.



PORTSMOUTH HARBOR & PISCATAQUA RIVER, NEW HAMPSHIRE & MAINE

GENERAL INVESTIGATION
FEDERAL NAVIGATION PROJECT IMPROVEMENTS

Heidebrecht, Richard W NAE

From: Heidebrecht, Richard W NAE
Sent: Thursday, May 06, 2010 1:44 PM
To: 'charles.gilboy@mail.house.gov'; 'Guza-Pabst.Olga@epa.gov'; 'carol.henderson@wildlife.nh.gov'; 'sarah_holmes@shaheen.senate.gov'; 'mjuliano@dot.state.nh.us'; 'matt_leahy@gregg.senate.gov'; 'g.marconi@peasedev.org'; 'mary.power@des.nh.gov'; 'tom_prasol@gregg.senate.gov'; 'frank.richardson@des.nh.gov'; 't.shattuck@peasedev.org'; 'brian.warburton@dred.state.nh.us'; 'christian.williams@des.nh.gov'; 'Jonathan Carter (jcarter@kitteryme.org)'; 'Lou.Chiarella@noaa.gov'; 'Cote.Mel@epamail.epa.gov'; 'Dickson, Stephen M.'; 'tdiers@des.state.nh.us'; 'Robert Foley (rfoley@coleharrison.com)'; 'kathryn.glenn@state.ma.us'; 'kathleen.leyden@maine.gov'; 'Lucey, Frederick (HOU)'; 'George McCabe (george.mccabe@mail.house.gov)'; 'conscom@townofnewbury.org'; 'mreilly@cityofnewburyport.com'; 'Russo, Vincent'; 'Silva, Raul (DCR)'; 'Peter_Morin@snowe.senate.gov'; 'Bobby_Reynolds@collins.senate.gov'; 'jackie.potter@mail.house.gov'; 'Todd Burrowes (todd.burrowes@maine.gov)'; 'robert.green@maine.gov'; 'Brian.Swan@maine.gov'; 'Orfant, Joe (DCR)'; 'conservation@salisburyma.gov'; 'jack_richard@scottbrown.senate.gov'; 'Gary.Davis@state.ma.us'; 'Deerin.Babb-Brott@state.ma.us'; 'nharrington@salisburyma.gov'; 'Bruce.Tarr@state.ma.us'; 'Cynthia.Lewis@state.ma.us'; 'Steven.Baddour@state.ma.us'; 'Rep.MichaelCostello@hou.State.MA.US'; 'robert.boeri@state.ma.us'; 'joe@storyfarms.com'; 'Gary Barrett (gary.barrett@mail.house.gov)'; Rogers, Catherine J NAE; 'jenna.flynn@noaa.gov'; Habel, Mark L NAE
Cc: Mackay, Joseph B NAE; Kennelly, John R NAE
Subject: Portsmouth Harbor, Coordination Meeting to Discuss Dredged Material (sand and rock)

Good afternoon,

The purpose of the e-mail is to invite you or your representative(s) to attend a meeting to discuss the Portsmouth Harbor Navigation Improvement Study and options for beneficial reuse of the material that will be excavated to widen the upper turning basin.

As most of you are aware, the Corps is evaluating the feasibility of widening the upper turning basin at Portsmouth Harbor. The New Hampshire Division of Ports and Harbors is the project Sponsor, but all the improvement dredging is on the Maine side of the channel. The project will generate between 370,000 and 720,000 cubic yards of sandy material, depending on the final basin width chosen. The earliest construction would be in Fiscal Year 2013 and is dependent on project authorization by Congress through a Water Resources Development Act.

The material to be dredged is a glacial outwash/moraine deposit of clean sand, with some gravel mixed in. Attempts to find beaches within an economical haul distance (10 miles from the harbor entrance) have been stymied by public misperception in York and Rye that any material from Portsmouth is contaminated. The Corps and the other Federal agencies would still like to avoid just placing the material in the ocean off NH, and are looking to see if other Agencies and Towns in MA and ME would be interested in having the material placed in the feeder bars off their beaches or made available for other projects, and if they would be willing to pay the extra cost to haul the material beyond the 10-mile distance.

To provide an opportunity for the Corps to present project information, NHDES has agreed to host a meeting at their office in Portsmouth, NH. Available dates for the meeting are May 20 (afternoon only), and May 21, 24, 25 and 26. Please indicate which date(s) work best for you as soon as possible, so that I can lock in a date/time for the meeting. The date that best fits the majority of respondents will be selected.

At the meeting we will present project information, a timeline, cost estimates for transport to various sites, the grain size data, and have samples of the material available for examination. The Corps needs to forward a report on this project to our Washington

Headquarters this summer, and wants to have any State agency or municipality interested and willing to pay for the sand on record in that report. As we have had requests from legislative officials to find an equitable distribution of the sand, this will also be discussed at the meeting.

If you have any questions regarding this meeting, please don't hesitate to contact me by e-mail or at the telephone number listed below.

Thank you,
Dick H.

Richard W. Heidebrecht, P.E.
Project Manager
New England District
Corps of Engineers
696 Virginia Road
Concord, MA 01742
tel: 978-318-8513
fax: 978-318-8080

From: Guza-Pabst.Olga@epamail.epa.gov
To: Heidebrecht, Richard W NAE
Cc: Rogers, Catherine J NAE; cwilliams@des.state.nh.us; Geno Marconi; Nimeskern, Phillip W NAE; robert.green@maine.gov
Subject: Re: Portsmouth Harbor 2nd Suitability Determination (SD)
Date: Thursday, August 27, 2009 10:57:47 AM

I concur with the 2nd SD as written.

Olga Guza
Environmental Scientist
USEPA Region 1
Boston, MA
Telephone - 617-918-1542
Fax 617-918-0542

"Heidebrecht, Richard W NAE" <Richard.W.Heidebrecht@usace.army.mil>
08/26/2009 05:27 PM

To
<robert.green@maine.gov>, Olga Guza-Pabst/R1/USEPA/US@EPA, "Geno Marconi" <g.marconi@peasedev.org>, <cwilliams@des.state.nh.us>

cc
"Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>, "Nimeskern, Phillip W NAE" <Phillip.W.Nimeskern@usace.army.mil>

Subject
Portsmouth Harbor 2nd Suitability Determination (SD)

All,

Attached is the final SD for your information.

Thanks,
Dick H.

Richard W. Heidebrecht, P.E.
Project Manager
New England District
Corps of Engineers
696 Virginia Road
Concord, MA 01742

CENAE–R-PT 19 August 2009

MEMORANDUM THRU:

Ruth M. Ladd, Chief, Policy Analysis and Technical Support Branch

FOR: Richard Heidebrecht, Project Manager, CENAE-EP-PP

SUBJECT: Second Suitability Determination for the Piscataqua River Federal Navigation Improvement Project (General Investigations), Newington, New Hampshire and Eliot, Maine.

1. **Project Description:**

The CENAE is proposing to dredge an area of **between 7 and 16 acres** in the **Piscataqua River** to enlarge the existing 35' deep MLLW turning basin at the upstream end of the Federal Navigation Project (FNP), near the Sprague Energy River Road Terminal. This will produce a volume in the range of approximately **270,000 to 630,000 cu. yds**. of material, depending on the navigation improvement alternative selected. Rock ledge was encountered at one boring location, B6, at a depth of -33' deep MLLW. Based on boring and seismic data, a small amount of rock (<10,000 cy) will need to be excavated and disposed of. This material is proposed to be mechanically dredged and disposed of at the Cape Arundel Disposal Site (**CADS**), the Wallis Sands Beach Disposal Site (**WSBDS**) or the Isles of Shoals Disposal Site (**ISDS**).

2. **Summary:**

This memorandum addresses compliance with the regulatory evaluation and testing requirements of 40 CFR 227.13 for unconfined open water disposal at an open ocean disposal site. This evaluation confirms that sufficient information was obtained to properly evaluate the suitability of this material for open water disposal under the guidelines and finds the sediments in the vicinity of samples 1 through 22 suitable for disposal at CADS, WSBDS or ISDS. When these conclusions are combined with the conclusions of the first Suitability Determination, dated 21 April 2009, I find that all material proposed for dredging described above is suitable for open ocean disposal.

You should note that the CADS will be closed on 10 January 2010 and will not be available for disposal of dredged material after that date. In addition, disposal at ISDS may require a Site Selection Process, which may be time consuming. The EPA favors beneficial reuse disposal at WSBDS.

3. **Sampling and Analysis:**

A sampling plan for this project was prepared on 16 August 2007. The

plan called for nine cores to be taken from the project area. However, this sampling plan was not implemented because test borings were made throughout the project area as a part of the geotechnical survey. Sediment samples were taken from the borings and analyzed for sediment grain size.

A suitability determination was prepared based on this data on 21 April 2009. It found the northern section of the proposed project unsuitable for unconfined disposal as proposed based upon the grain size of the single sample in this area. That sample, B-5, is predominately silt/clay, unlike the rest of the samples, and did not meet the exclusion from further testing at 227.13 (b)(1). You opted to extensively sample the northern section and analyze the samples for grain size to delineate the area of fine grained sediment.

You, Cathy Rogers, Ben Loyd and I prepared a sampling and analysis plan for the northern part of the project. I later discussed this plan with Olga Guza, U.S. EPA, who had no objections. A grid of 22 locations around the stations B-5 and B-6 from the previous testing effort was developed.

A crew from CENAE did the sampling using a Van Veen grab. They were unable to obtain any samples from 6 of the 22 locations, despite taking 5 attempts per location. These stations appeared to the sampling crew to be rocky sediment or rock outcrops. The remaining samples were analyzed for grain size by GeoTesting Express. The results are tabulated on the attached table. Sample 16 was located close to core B-5.

4. **Ocean Dumping Act Regulatory Requirements:**

The disposal of sediments below mean low water in the Bigelow Bight is regulated according to both Section 103 of the Ocean Disposal Act and Section 404 of the Clean Water Act.

§227.13 Dredged Materials.

(a) This paragraph defines dredged materials and does not give any criteria for the evaluation of sediments.

(b) This paragraph states that proposed dredged material which meets the criteria in one of the following three paragraphs is environmentally acceptable for ocean disposal without further testing.

(b)(1) Dredged material that is predominately sand, gravel, rock, or any other naturally occurring bottom material with particle size greater than silt and is found in areas of high current or wave energy can be disposed of in a 103 site without further testing. This portion of the Piscataqua River is well known for its fast tidal currents. The NOAA-predicted tidal currents for this portion of the Piscataqua River from 15 July to 11 August 2009 varied from 2.0

knots (103 cm/second) to 4.1 knots (211 cm/second). As the material from the samples is predominately sand and gravel (0% to 31.3% fines), it does meet this exclusion and can be disposed of as proposed. See the attached table for sediment details.

(b)(2) Dredged material that is proposed for beach nourishment and is predominantly sand, gravel, or shell with grain sizes similar to the receiving beaches can be disposed of without further testing. As the material from the sample is predominately sand and is proposed for subtidal beach disposal at Wallis Sands Beach, it does meet this exclusion if disposed of at WSBDS.

(b)(3) When the dredged material is substantially the same as that at the disposal site and the dredged material is taken from a site far removed from known sources of pollution, it can be disposed of without further testing. This project's material does not meet this exclusion.

(c) This paragraph states that if the dredged material does not meet the criteria of paragraph b above, it must undergo further testing of the liquid, suspended particulate and solid phases before it can be considered acceptable for ocean disposal. This section does not apply to this portion of this project, as the material meets the criteria in paragraph b (1) above.

(d) This subsection discusses the choice of the liquid phase analytes and does not give any criteria for the evaluation of sediments.

5. Copies of the above mentioned data and of the draft suitability determination were sent to the Maine and New Hampshire DEPs, US EPA, and US F&WS for their review. The US F&WS responded to say that they had no comment on the determination. The EPA discussed the SD with me and gave their concurrence with the recommendation that this SD include current velocities.

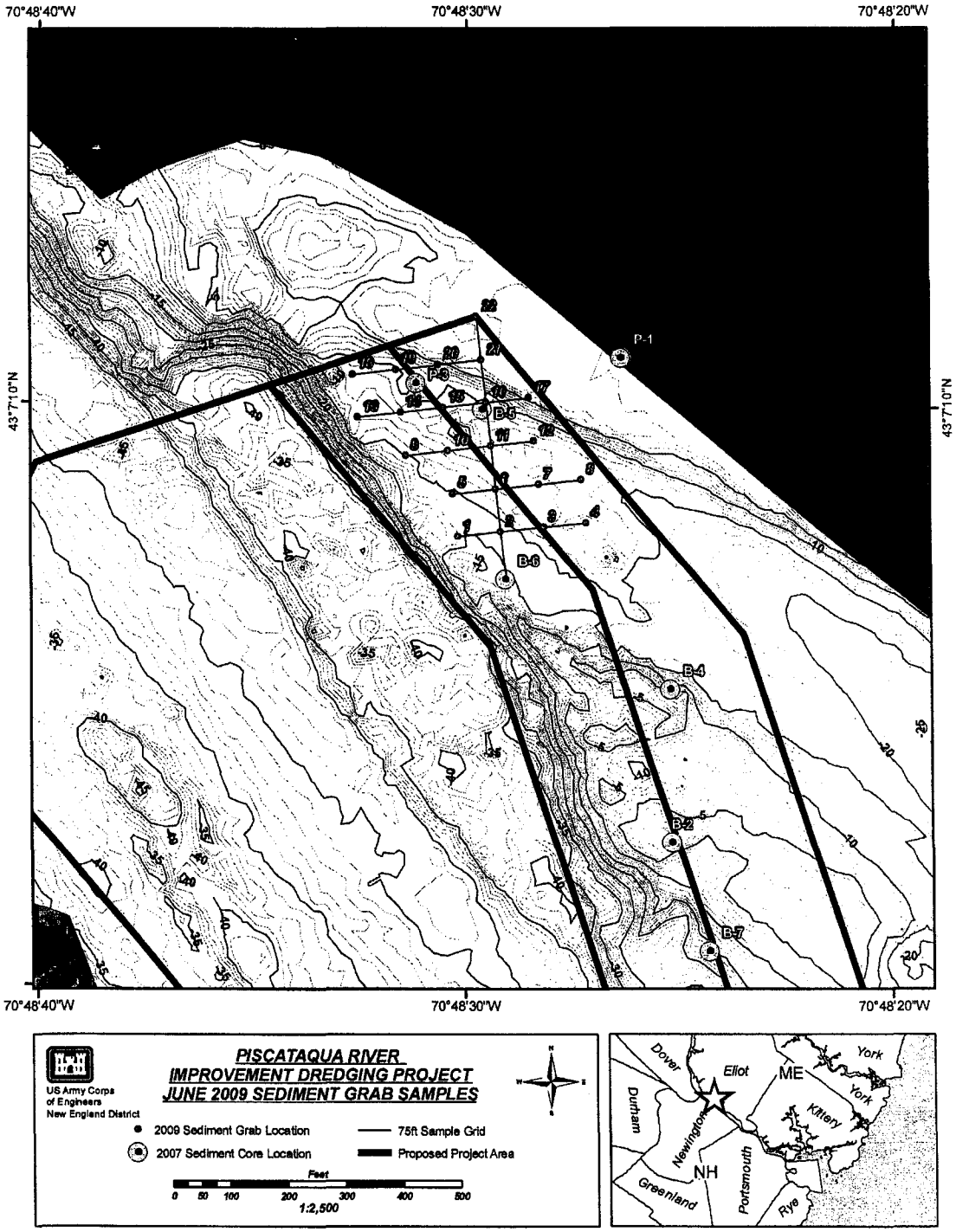
6. If you have any questions, please contact me at (978) 318-8660.

Phillip Nimeskern

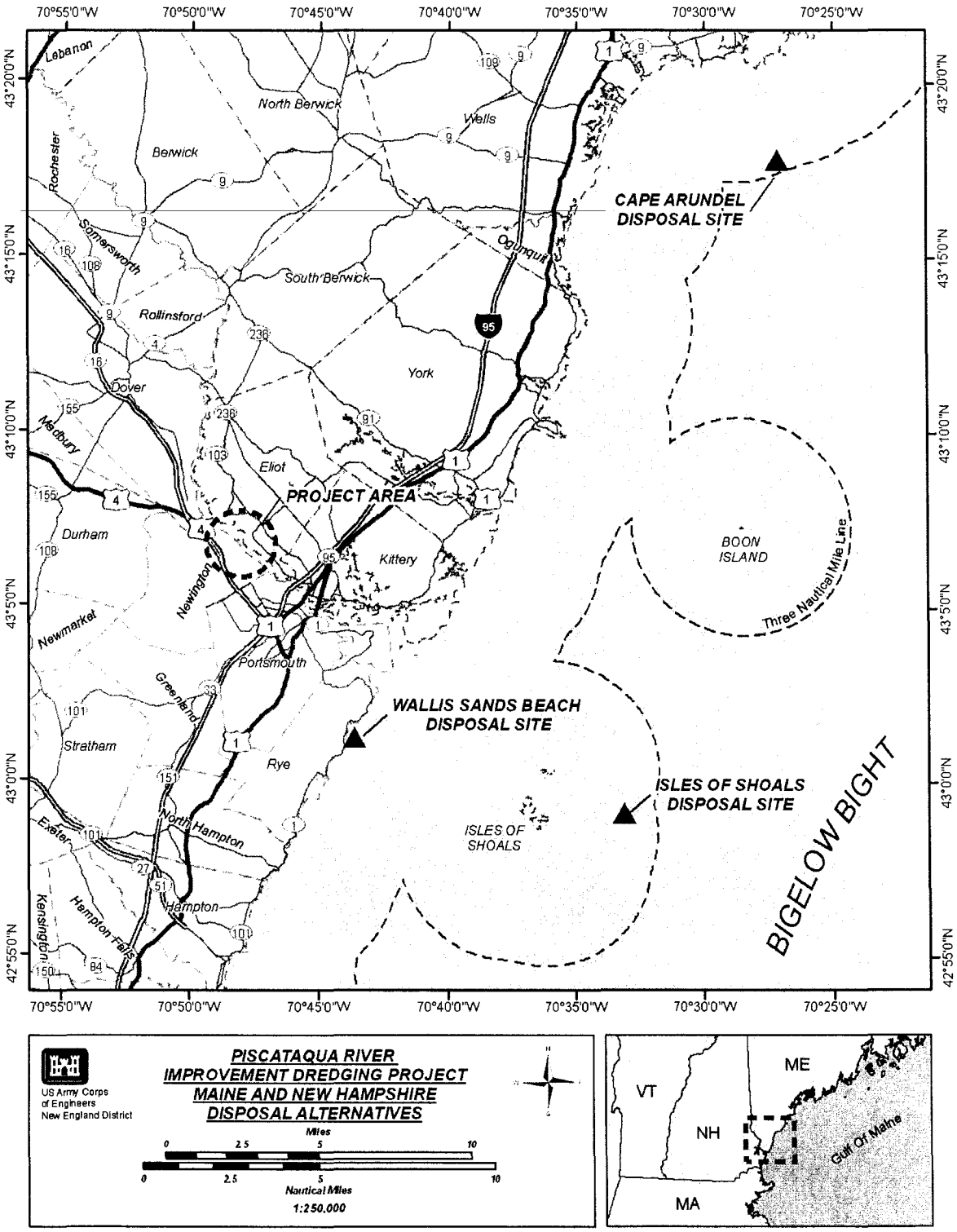
PHILLIP NIMESKERN
Project Manager,
Marine Analysis Section

SUBJECT: Second Suitability Determination for Piscataqua River Federal Navigation Project, Newington, New Hampshire and Eliot, Maine.

Grab Location	Water Depth	% Gravel	% Sand	% Silt & Clay
1	20	No sample		
2	18.5	No sample		
3	17.7	78.0	20.7	1.3
4	10	No sample		
5	19	45.9	53.3	0.8
6	19	1.1	67.6	31.3
7	17.4	14.4	76.9	8.7
8	18.9	No sample		
9	20.1	57.0	42.1	0.9
10	15.7	41.0	58.1	0.9
11	16.4	-	92.9	7.1
12	18.5	67.0	31.0	2.0
13	16.3	No sample		
14	14.6	11.8	85.4	2.8
15	16.6	82.1	16.9	1.0
16	17.9	0.8	90.2	9.0
17	12.5	5.7	83.4	10.9
18	15	36.8	61.5	1.7
19	7	60.9	33.5	5.6
20	10	No sample		
21	6.4	3.1	78.4	18.5
22	8	5.5	87.0	7.5


70°48'40"W
70°48'30"W
70°48'20"W
43°7'10"N
P-1
P-3
B-5
B-6
B-4
B-2
B-7
US Army Corps of Engineers New England District
PISCATAQUA RIVER
IMPROVEMENT DREDGING PROJECT
JUNE 2009 SEDIMENT GRAB SAMPLES
2009 Sediment Grab Location
2007 Sediment Core Location
75ft Sample Grid
Proposed Project Area
Feet
0 50 100 200 300 400 500
1:2,500
Dover
Eliot
ME
York
York
Durham
Newington
Kittery
NH
Portsmouth
Greenland
Rye

SUBJECT: Second Suitability Determination for Piscataqua River Federal Navigation Project, Newington, New Hampshire and Eliot, Maine.



From: Rogers, Catherine J NAE
To: Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE
Subject: FW: FW: Portsmouth, draft 2nd SD coordination
Date: Tuesday, August 18, 2009 11:26:10 AM

FYI.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Wende_Mahaney@fws.gov [mailto:Wende_Mahaney@fws.gov]
Sent: Wednesday, August 12, 2009 1:50 PM
To: Rogers, Catherine J NAE
Cc: Maria_Tur@fws.gov
Subject: Re: FW: Portsmouth, draft 2nd SD coordination

Catherine: The Maine Field Office has no comments on this suitability determination due to other workload priorities at this time. Not sure if you are also coordinating with our New England Field Office, since part of this project is in New Hampshire.

Thanks, Wende

>>
Wende S. Mahaney, Fish and Wildlife Biologist U.S. Fish and Wildlife Service
1168 Main Street
Old Town, ME 04468
Phone: (207) 827-5938, Ext. 20
Fax: (207) 827-6099
Cellular: (207) 944-2991
Inactive hide details for "Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>"Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>

"Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>

08/05/2009 02:15 PM

To

<wende_mahaney@fws.gov>

cc

Subject

FW: Portsmouth, draft 2nd SD coordination

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560 catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Rogers, Catherine J NAE
Sent: Wednesday, August 05, 2009 12:31 PM
To: 'Olga Guza (guza-pabst.olga@epa.gov)'; 'wende_mahaney@mail.fws.gov'; 'cwilliams@des.state.nh.us'; 'robert.green@maine.gov'
Cc: Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE; Rogers, Catherine J NAE
Subject: FW: Portsmouth, draft 2nd SD coordination

All,

Please find attached the draft Suitability Determination for the Piscataqua River Navigation Improvement Project. Please provide comments/concurrence within the next 10 days. Please contact Phil at x660 or Dick at x513.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560 catherine.j.rogers@usace.army.mil [attachment "Portsmouth - Draft 2nd SD Coordination Memo.pdf" deleted by Wende Mahaney/R5/FWS/DOI] [attachment "Piscataqua FNP 2nd SD (2).doc" deleted by Wende Mahaney/R5/FWS/DOI]

CENAE–R-PT 21 April 2009

MEMORANDUM THRU:

Ruth M. Ladd, Chief, Policy Analysis and Technical Support Branch

FOR: Richard Heidebrecht, Project Manager, CENAE-EP-PP

SUBJECT: Suitability Determination for the Piscataqua River Federal Navigation Improvement Project (General Investigations), Newington, New Hampshire and Eliot, Maine.

1. **Project Description:**

The CENAE is proposing to dredge an area of **between 7 and 16 acres** in the **Piscataqua River** to enlarge the existing 35' deep MLLW turning basin at the upstream end of the Federal Navigation Project (FNP), near the Sprague Energy River Road Terminal. This will produce a volume in the range of approximately **270,000 to 630,000 cu. yds**. of material, depending on the navigation improvement alternative selected. Rock ledge was encountered at one boring location, B6, at a depth of -33' deep MLLW. Based on boring and seismic data, a small amount of rock (<10,000 cy) would need to be excavated and disposed of. This material is proposed to be mechanically dredged and disposed of at the Cape Arundel Disposal Site (**CADS**), the Wallis Sands Beach Disposal Site (**WSBDS**) or the Isles of Shoals Disposal Site (**ISDS**).

A sampling plan for this project was prepared on 16 August 2007. The plan called for nine cores to be taken from the project area. However, this sampling plan was not implemented because test borings were made throughout the project area as a part of the geotechnical survey. Sediment samples were taken from the borings and analyzed for sediment grain size. This suitability determination is based on this data.

2. **Summary:**

This memorandum addresses compliance with the regulatory evaluation and testing requirements of 40 CFR 227.13 for unconfined open water disposal at an open ocean disposal site. This evaluation confirms that sufficient information was obtained to properly evaluate the suitability of this material for open water disposal under the guidelines and finds the sandy sediments in the vicinity of cores B-1, B-2, B-3, B-4, B-6, B-7, and B-8 suitable for disposal at CADS, WSBDS or ISDS. The sediment in the vicinity of core B-5 is predominantly silt/clay and I cannot find it suitable for open ocean disposal at CADS, WSBDS or ISDS at this tier.

SUBJECT: Suitability Determination for Piscataqua River Federal Navigation Project, Newington, New Hampshire.

You should note that the CADS will be closed on 10 January 2010 and will not be available for disposal of dredged material after that date. In addition, disposal at ISDS may require a Site Selection Process, which may be time consuming. The EPA favors beneficial reuse disposal at WSBDS.

3. **Ocean Dumping Act Regulatory Requirements:**

The disposal of sediments below mean low water in the Bigelow Bight is regulated according to both Section 103 of the Ocean Disposal Act and Section 404 of the Clean Water Act.

§227.13 Dredged Materials.

(a) This paragraph defines dredged materials and does not give any criteria for the evaluation of sediments.

(b) This paragraph states that proposed dredged material which meets the criteria in one of the following three paragraphs is environmentally acceptable for ocean disposal without further testing.

(b)(1) Dredged material that is predominately sand, gravel, rock, or any other naturally occurring bottom material with particle size greater than silt and is found in areas of high current or wave energy can be disposed of in a 103 site without further testing. This portion of the Piscataqua River is well known for its fast tidal currents. As the material from Cores B-1, B-2, B-3, B-4, B-6, B-7, and B-8 is predominately sand and gravel (5.7% to 14.5% fines), it does meet this exclusion and can be disposed of as proposed. See the attached table for details.

Test borings were taken in September and November 2007. These borings parallel those of the 2007 SAP. Samples from these borings were analyzed for sediment grain size in May 2008. There were not enough sample recovered from all layers in all cores or for all cores (i.e. B3 and B6), for grain size analysis. However, the boring logs show that the cores B-1, B-2, B-3, B-4, B-6, B-7, and B-8 have surficial and underlying layers of sand and gravel. The grain size analyses support these observations. The sole exception is core B-5, which is predominately silt/clay to a depth of 10 feet below the sediment surface.

(b)(2) Dredged material that is proposed for beach nourishment and is predominantly sand gravel or shell with grain sizes similar to the receiving beaches can be disposed of without further testing. As the material from cores B-1, B-2, B-3, B-4, B-6, B-7, and B-8 is predominately sand and is proposed for subtidal beach disposal at Wallis Sands Beach, it does meet this exclusion if disposed of at WSBDS.

SUBJECT: Suitability Determination for Piscataqua River Federal Navigation Project, Newington, New Hampshire.

(b)(3) When the dredged material is substantially the same as that at the disposal site and the dredged material is taken from a site far removed from known sources of pollution, it can be disposed of without further testing. This project's material does not meet this exclusion.

(c) This paragraph states that if the dredged material does not meet the criteria of paragraph b above, it must undergo further testing of the liquid, suspended particulate and solid phases before it can be considered acceptable for ocean disposal. This section applies in part to this project, as the material from core B-5 doesn't meet any of the criteria in paragraph b above. Further analysis or alternate disposal should be considered for the material in the vicinity of core B-5. This section does not apply to the rest of this project, as the material meets the criteria in paragraph b (1) above.

(d) This subsection discusses the choice of the liquid phase analytes and does not give any criteria for the evaluation of sediments.

4. Copies of the above mentioned data and of the draft suitability determination were sent to the Maine and New Hampshire DEP, US EPA, and US F&WS for their review. The EPA responded to say that they concur with the determination but thought the CADS and ISDS should be removed from the SD and the WSBDS should be a favored disposal site. No response was received from the F&WS within the 10-day response period so their concurrence may be assumed.

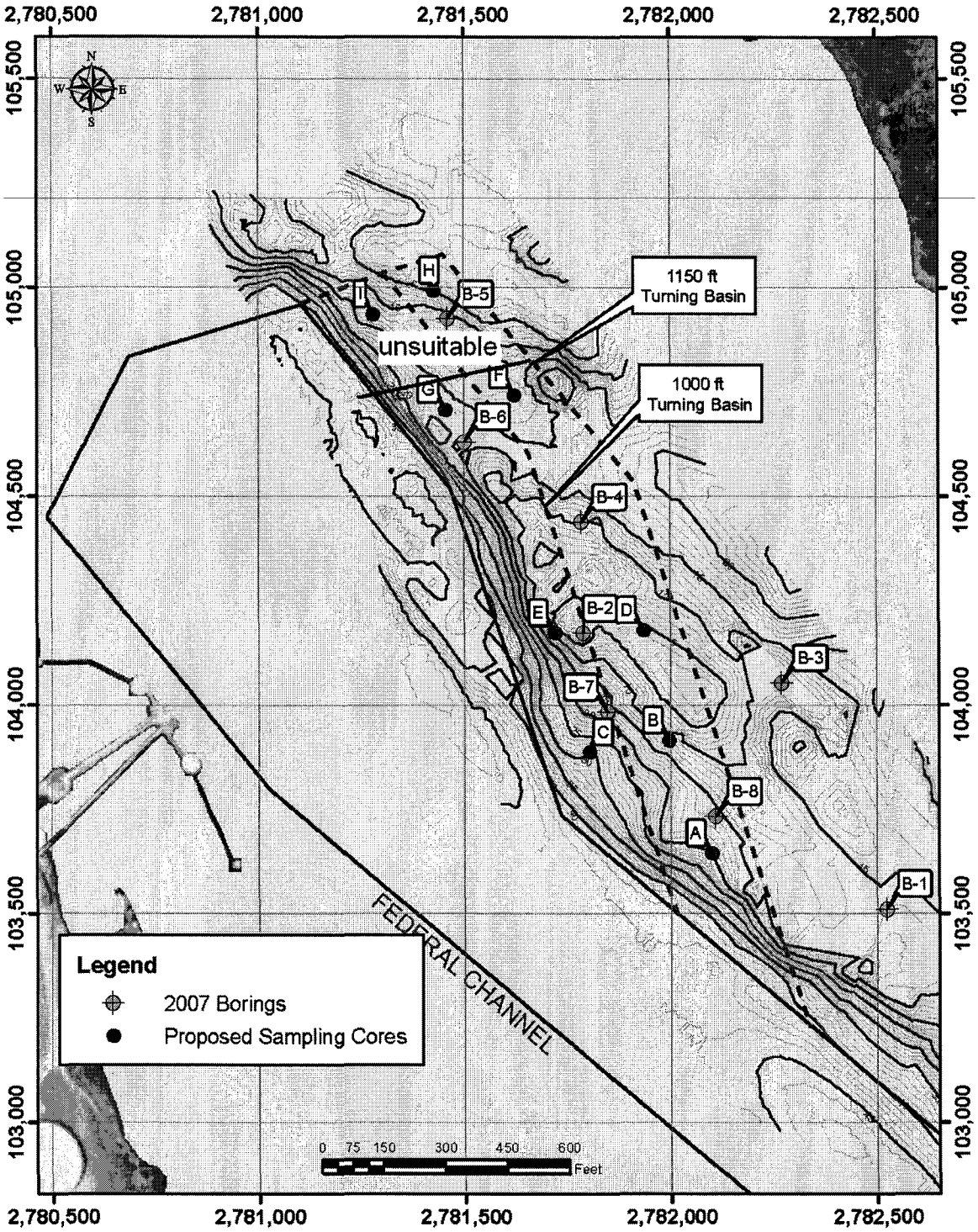
5. If you have any questions, please contact me at (978) 318-8660.

Phillip Nimeskern

PHILLIP NIMESKERN
Project Manager,
Marine Analysis Section

Boring location/ Depth below riverbed	Elevation below MLLW in feet	% gravel	% sand	% silt & clay
B-1 (20-22')	33.0 – 35.0	1.5	89.9	8.6
B-2 (10-12')	13.0 – 15.0	1.0	90.4	8.6
B-4 (15-17')	18.0 – 20.0	1.7	83.8	14.5
B-5 (0-2')	14.5 – 16.5	0.0	5.7	94.3
B-5 (10-11.8')	24.5 – 26.3	13.4	45.1	41.5
B-7 (0-2')	19.0 – 21.0	0.03	89.1	10.6
B-7 (5-7')	24.0 – 26.0	2.5	84.2	13.3
B-7 (10-12')	29.0 – 31.0	16.2	76.5	7.3
B-8 (0-2')	18.0 – 20.0	13.5	76.5	10.0
B-8 (5-7')	23.0 – 25.0	19.4	74.9	5.7

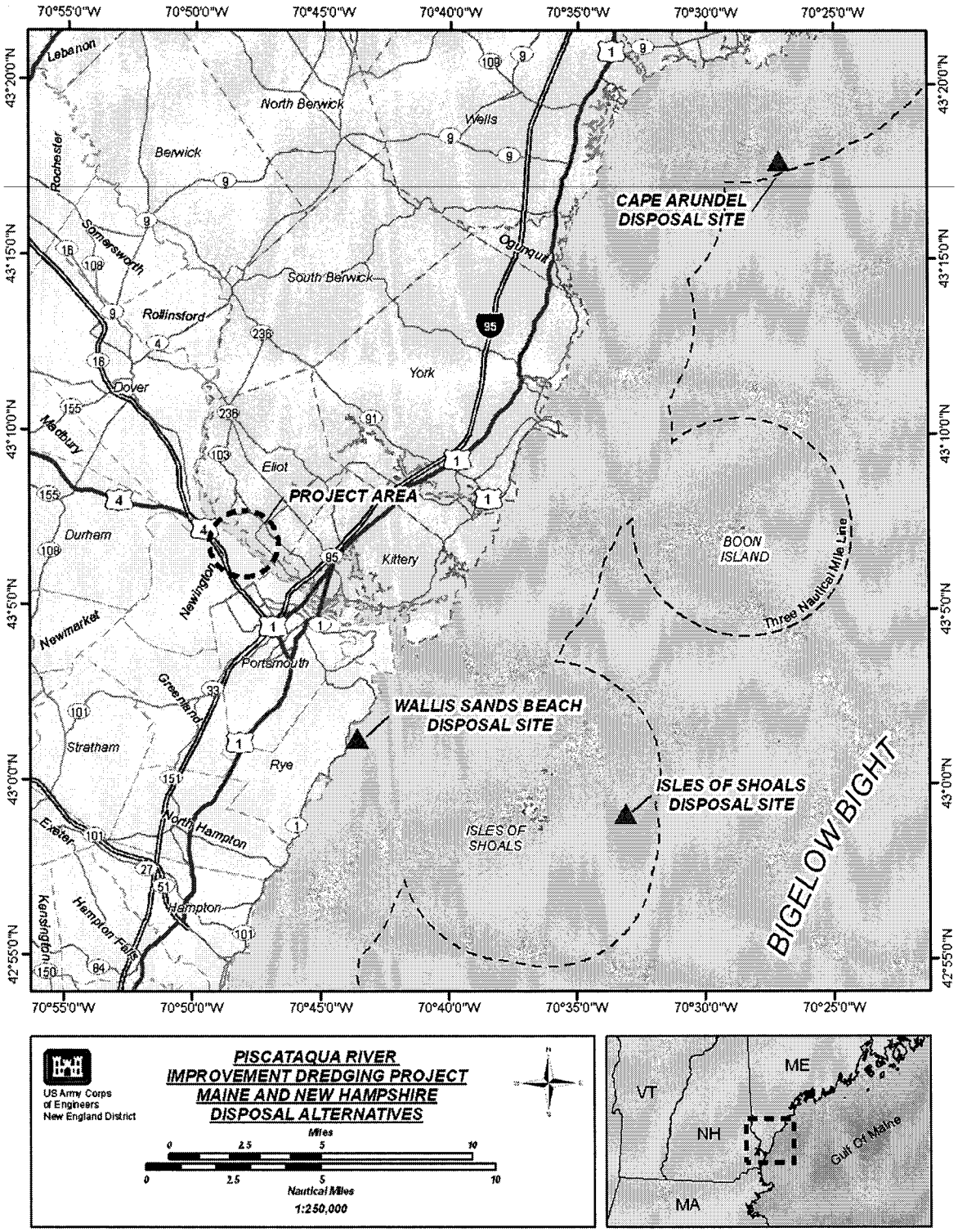
Note: Not enough material was recovered from borings B3 and B6 to perform grain size analysis.



Portsmouth Harbor, Piscataqua River
Portsmouth, NH
Locations of 2007 Borings
River Bottom Contours shown in ft, MLLW

Revised 03/24/2009
piscataqua_2400.mxd

SUBJECT: Suitability Determination for Piscataqua River Federal Navigation Project, Newington, New Hampshire.



From: Guza-Pabst.Olga@epamail.epa.gov
To: Rogers, Catherine J NAE
Cc: Rogers, Catherine J NAE; Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE
Subject: RE: Piscataqua River FNP
Date: Tuesday, April 21, 2009 11:41:20 AM

You stated it correctly.

Olga Guza
Environmental Scientist
USEPA Region 1
Boston, MA
Telephone - 617-918-1542
Fax 617-918-0542

"Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>
04/21/2009 11:39 AM

To
"Nimeskern, Phillip W NAE" <Phillip.W.Nimeskern@usace.army.mil>

cc
"Heidebrecht, Richard W NAE" <Richard.W.Heidebrecht@usace.army.mil>, Olga Guza-Pabst/R1/USEPA/US@EPA, "Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>

Subject
RE: Piscataqua River FNP

Phil,

I just spoke with Olga and she has the following comments on above subject
(Olga correct me if I misstate anything):

1) CADS is closing January 2010, so it is not a viable option and should not
be included in the memo. I suggest putting that statement in the SD as a
reference why it is not discussed.
2) Any disposal at the Isle of Shoals Site will require a Site Selection Process, which can be quite lengthy.
3) Placement of the sandy material on Wallis Sands Beach as beneficial reuse

is favored.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Rogers, Catherine J NAE
Sent: Friday, April 17, 2009 4:37 PM
To: 'Guza-Pabst.Olga@epamail.epa.gov'
Cc: Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE
Subject: FW: Piscataqua River FNP
Importance: High

Hi Olga,

Just wanted to make sure you didn't have any comments before Phil finalizes
his suitability determination.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Rogers, Catherine J NAE
Sent: Friday, March 27, 2009 1:59 PM
To: 'Wende_Mahaney@mail.fwa.gov'; 'Guza-Pabst.Olga@epamail.epa.gov';
'cwilliams@des.state.nh.us'; 'Robert.Green@maine.gov'
Cc: Rogers, Catherine J NAE; Heidebrecht, Richard W NAE; Nimeskern,
Phillip W
NAE
Subject: FW: Piscataqua River FNP

All,

Please find attached the draft suitability determination for the
Piscataqua
River Federal Navigation Improvement Project. Questions can be
addressed to
Phill, the PM-Dick Heidebrecht, or myself.

Please provide any comments by COB April 10th.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers

From:	Habel, Mark L NAE
To:	Habel, Mark L NAE
Subject:	FW: Response to Piscataqua River Navigation Improvement Project Draft Suitability Determination (UNCLASSIFIED)
Date:	Friday, October 25, 2013 7:58:19 AM

Classification: UNCLASSIFIED
Caveats: NONE

From: Williams, Chris [mailto:Christian.Williams@des.nh.gov]
Sent: Thursday, April 09, 2009 2:00 PM
To: Heidebrecht, Richard W NAE
Cc: Rogers, Catherine J NAE; guza-pabst.olga@epa.gov; t.shattuck@peasedev.org; douglas.grout@wildlife.nh.gov; todd.burrowes@maine.gov; Diers, Ted
Subject: Response to Piscataqua River Navigation Improvement Project Draft Suitability Determination

Hello Dick,

The New Hampshire Coastal Program (NHCP) has received the U.S. Army Corps of Engineers' (ACOE's) Memorandum ("Memorandum") regarding the draft Suitability Determination for the Piscataqua River Federal Navigation Improvement Project (FNIP) in Newington, New Hampshire and Eliot, Maine. The Memorandum describes the approximate volume and nature of the material that will be dredged to enlarge the existing uppermost turning basin in the Piscataqua River. It also lists three potential sites for the disposal of the majority of the dredged material: 1) Cape Arundel Disposal Site (CADS); 2) Isles of Shoals Disposal Site (ISDS); and 3) Wallis Sands Beach Disposal Site.

The NHCP has concerns with proposed use of CADS for the placement of the material for the Piscataqua River FNIP. As you know, use of CADS is scheduled to end in January 2010, even though construction of the Piscataqua River FNIP is not likely to begin until 2012, at the earliest. Furthermore, even if CADS were to remain open after January 2010, the estimated minimum volume of material produced by the project, 270,000 yd^3, exceeds the ACOE's estimated remaining capacity at CADS of 200,000 yd^3. For these reasons, the NHCP finds that CADS does not appear to be a practicable alternative for disposal of the material from the project. Moreover, neither does the ISDS. It is the understanding of the NHCP that the ISDS, which has not been used since 1971, is closed. Evidence to support this can be found in the 1994 report prepared for the ACOE entitled A Dredged Material Management Study for Coastal Maine and New Hampshire, which states "Currently, disposal of dredged materials is not allowed at the Isles of Shoals." Further evidence can be found in the 1999 document entitled Dredging in New Hampshire, prepared by the NHCP, which states that the Isles of Shoals Disposal Site is "...no longer active..." This is likely the reason why the ISDS is not listed in ACOE's Ocean Disposal Database nor identified as part of the ACOE's Disposal Area Monitoring System program.

Based on the information above, the NHCP recommends that the ACOE address the feasibility of utilizing alternative disposal locations to CADS and the ISDS. Grain size information provided in the Memorandum indicates that the majority of the material found at the project site is sand. While subtidal disposal off the beach at Wallis Sands State Park may be a practicable alternative for this material, are there other beaches in the region that could benefit from the addition of sand from the project? There are a number of beaches here in New Hampshire, as well as in York, Ogunquit and Wells, Maine, located closer to the project site than CADS, for which beach nourishment may be a practicable alternative. Similarly, it appears that practicable alternatives may exist to hauling the estimated amount of rock (< 10,000 yd^3) produced by the project to CADS or the ISDS. One such alternative involves the beneficial use of the rock to create an artificial reef to add structure to existing sandy/silty areas outside the federal navigation channel of the Piscataqua River or offshore. The NHCP has discussed this alternative with the New Hampshire Fish & Game Department (NHF&G) and recommends further consultation with NHF&G regarding this issue. With regard to the predominantly silt and clay material found in the vicinity of core B-5, the NHCP recommends reviewing potential upland disposal options. For example, there may be a need for this type of material from one or more of the municipalities (in New Hampshire and/or Maine) located along the Piscataqua River. The NHCP recognizes that the practicability of a particular upland disposal location will likely depend, in part, on the amount of

material available. Once the ACOE determines the estimated amount of silt and clay material to be produced by the project, the NHCP would be glad to assist with efforts to identify potential users of this material.

Finally, as you are probably aware, the NHCP and the Pease Development Authority Division of Ports and Harbors have developed a Regional Dredged Material Management Plan (DMMP) aimed at addressing the future dredged material disposal needs of New Hampshire and southern Maine. The DMMP is comprised of an Ocean Disposal Site Designation Study and a Comprehensive Upland Dredge Material Disposal Study. The DMMP is a priority for the state of New Hampshire, and we have requested a Congressional appropriation for it in the ACOE's FY 2010 budget. Should monies be made available for the DMMP in FY2010, the ACOE could begin the scoping process for the environmental impact statement needed to formally designate CADS and consider alternative offshore disposal sites. This exercise, along with efforts to initiate the feasibility phase of the New Hampshire Comprehensive Upland Dredge Material Disposal Study, would help inform the decision-making process for identifying practicable disposal sites for the dredge material from the Piscataqua River FNIP.

The NHCP appreciates the opportunity to comment on the above-referenced memorandum. Please feel free to contact me should you have any questions.

Chris

Christian Williams

Federal Consistency Coordinator

NH Coastal Program

Pease Field Office

50 International Drive, Suite 200

Portsmouth, NH 03801

Phone: (603) 559-0025

Fax: (603) 559-1510

Classification: UNCLASSIFIED
Caveats: NONE

From: Rogers, Catherine J NAE
To: Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE
Subject: FW: FW: Piscataqua River FNP
Date: Monday, March 30, 2009 9:26:27 AM

Another one.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Wende_Mahaney@fws.gov [mailto:Wende_Mahaney@fws.gov]
Sent: Monday, March 30, 2009 8:19 AM
To: Rogers, Catherine J NAE
Cc: Maria_Tur@fws.gov
Subject: Re: FW: Piscataqua River FNP

Catherine: The Maine Field Office has no comments on the draft suitability determination in terms of resource impacts in Maine waters.

Thanks, Wende

>>
Wende S. Mahaney, Fish and Wildlife Biologist U.S. Fish and Wildlife Service
1168 Main Street
Old Town, ME 04468
Phone: (207) 827-5938, Ext. 20
Fax: (207) 827-6099
Cellular: (207) 944-2991
Inactive hide details for Maria Tur/R5/FWS/DOIMaria Tur/R5/FWS/DOI

Maria Tur/R5/FWS/DOI

03/27/2009 03:47 PM

To

"Rogers, Catherine J NAE" <Catherine.J.Rogers@usace.army.mil>

cc

Wende Mahaney/R5/FWS/DOI@FWS

Subject

Re: FW: Piscataqua River FNPWende Mahaney

From: Rogers, Catherine J NAE
To: Nimeskern, Phillip W NAE; Heidebrecht, Richard W NAE
Subject: FW: Piscataqua River FNP
Date: Monday, March 30, 2009 9:24:18 AM

Good to go for Maine.

Thanks,
Catherine J. Rogers
Environmental Resources Section
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742
Phone - (978) 318-8231; Fax - (978) 318-8560
catherine.j.rogers@usace.army.mil

-----Original Message-----
From: Green, Robert [mailto:Robert.Green@maine.gov]
Sent: Monday, March 30, 2009 8:59 AM
To: Rogers, Catherine J NAE
Subject: RE: Piscataqua River FNP

Good morning,

The DEP has no comment on the draft suitability determination.

Bob.

Robert L. Green, Jr., Project Manager
Division of Land Resource Regulation
Bureau of Land and Water Quality
tel: 207-822-6350
fax: 207-822-6303

-----Original Message-----
From: Rogers, Catherine J NAE [mailto:Catherine.J.Rogers@usace.army.mil]

Sent: Friday, March 27, 2009 1:59 PM
To: Wende_Mahaney@mail.fwa.gov; Guza-Pabst.Olga@epamail.epa.gov; cwilliams@des.state.nh.us; Green, Robert
Cc: Rogers, Catherine J NAE; Heidebrecht, Richard W NAE; Nimeskern, Phillip W NAE
Subject: FW: Piscataqua River FNP

All,

Please find attached the draft suitability determination for the Piscataqua River Federal Navigation Improvement Project. Questions can be addressed to Phill, the PM-Dick Heidebrecht, or myself.

Please provide any comments by COB April 10th.

Thanks,
Catherine J. Rogers
Environmental Resources Section

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930

MAY 27 2008

John R. Kennelly
Chief, Planning Division
US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Re: Portsmouth Harbor and Piscataqua River, New Hampshire and Maine Navigation Improvement Study

Dear Mr. Kennelly:

The National Marine Fisheries Service (NMFS) has received your letter dated April 22, 2008 regarding the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine Navigation Improvement Study. According to your letter, the proposed study involves the feasibility of modifying the existing federal navigation channel for Portsmouth Harbor by increasing the width of the upper turning basin from about 850 feet up to 1,250 feet. The proposed widening of the upper turning basin is to address safety concerns for liquid petroleum gas cryotankers and other large bulk cargo vessels, as well as limitations for the existing and future use of the terminals.

Your letter provided notification to NMFS of an initial meeting scheduled for May 13, 2008 at the New Hampshire Coastal Program Office in Portsmouth, NH to discuss the proposed project and various alternatives under consideration. NMFS staff attended that meeting and provided some preliminary comments to assist the Army Corps of Engineers (ACOE) in developing the necessary environmental reviews for the project, including an essential fish habitat (EFH) assessment. In addition, your letter requested NMFS provide written comments under the Fish and Wildlife Coordination Act (FWCA) and Magnuson-Stevens Fishery Conservation and Management Act (MSA), and initial consultation under the Endangered Species Act (ESA) no later than 15 days after the initial site meeting on May 13, 2008. Please be advised that the preparation of an EFH assessment by the ACOE is required prior to initiation of consultation with NMFS under the MSA. Further information pertaining to consultations under the MSA, FWCA, and ESA is provided below.

Essential Fish Habitat and Fish and Wildlife Coordination Act

The MSA and the FWCA require federal agencies to consult with one another on projects such as this. Insofar as a project involves EFH, as this project does, this process is guided by the requirements of our EFH regulation at 50 CFR 600.905, which mandates the preparation of EFH assessments and generally outlines each agency's obligations in this consultation procedure. NMFS believes that this project may result in adverse impacts on EFH and other NMFS trust resources, but, unfortunately, our ability to assess potential impacts on EFH and associated marine resources is being complicated by a lack of

information. Specifically, NMFS has not received an EFH assessment as is required pursuant to 50 CFR 600.920.

The required contents of an EFH assessment include: 1) a description of the action; 2) an analysis of the potential adverse effects of the action on EFH and the managed species; 3) the ACOE's conclusions regarding the effects of the action on EFH; and 4) proposed mitigation, if applicable. Other information that should be contained in the EFH assessment, if appropriate, includes: 1) the results of on-site inspections to evaluate the habitat and site-specific effects; 2) the views of recognized experts on the habitat or the species that may be affected; 3) a review of pertinent literature and related information; and 4) an analysis of alternatives to the action that could avoid or minimize the adverse effects on EFH.

Fishery Resources

The Piscataqua River and Portsmouth Harbor serve as habitat for a variety of federally managed fishery resources managed under federal fishery management plans (FMP's) by the New England Fishery Management Council (NEFMC) and the Mid-Atlantic Fishery Management Council (MAFMC). This area has been identified as EFH for several species managed by the NEFMC and MAFMC, including all life history stages of Atlantic cod, pollock, red hake, white hake, winter and windowpane flounder, Atlantic halibut, Atlantic sea scallop, juvenile and adult Atlantic salmon and bluefish and larvae, juvenile and adult Atlantic sea herring. This area also serves as habitat for a number of anadromous fishery resources, including blueback herring, alewife, American shad, rainbow smelt, striped bass, and American eel. These diadromous species are present in the Piscataqua River and in the vicinity of the Portsmouth Harbor during spawning migrations. A number of recreationally and commercially important invertebrates are also found in the Piscataqua River and Portsmouth Harbor, including American lobster, American oyster, eastern oyster, softshell clam, and blue mussel. These species are also important forage base for a number of federally managed species, and, in the case of shellfish, provide important benthic habitats for these species.

Eelgrass

In addition to the marine and estuarine resources discussed above, eelgrass beds have been identified in the area of the proposed turning basin widening. Compared to historic distribution and biomass, eelgrass in the Piscataqua River has been declining steadily, with significant losses over the past decade (Short 2007). Causes for the declines in eelgrass beds in the Great Bay Estuary and the Piscataqua River have been attributed to reduced water clarity, which is believed to be a result of increased sediment and nutrient loading, siltation from dredging, and cumulative impacts in the watershed. Geographic Information System (GIS) data indicated the presence of eelgrass beds in shallow areas along the entire northern extent of the turning basin in 1996, with much reduced coverage in recent years. These data suggest eelgrass may currently exist within, or adjacent to, the proposed footprint of the project. Eelgrass beds have also been mapped down-river of the turning basin, and measures should be taken to avoid direct and indirect impacts on beds within the Piscataqua River caused by dredging, anchoring, and suspended sediments from the proposed project. A current and thorough eelgrass survey is needed

to determine the extent of eelgrass that presently exists in the area. In addition, while some of the shallow portions of the river in the turning basin may not currently contain eelgrass beds, these areas represent historic eelgrass beds that may return or may be restored if water clarity in the watershed improves. Consequently, new dredging in shallow areas of the river should be avoided to the extent possible.

Removal of Rock Ledge

According to your letter, the material to be removed in the proposed project includes hard sandy till and rock ledge. According to the discussions at the May 13, 2008 meeting, the characterization of the rock ledge and how the material will be removed has not been determined at this time. Characterization of the rock ledge and methods for removal should be completed prior to the EFH assessment in order for NMFS to provide appropriate conservation recommendations. The removal of rock ledge by blasting during the Boston Harbor Maintenance Dredging Project in 2007 resulted in thousands of fish, including blueback herring, alewife, menhaden, and cunner being killed. These mortalities occurred despite the use of a number of best management practices during blasting operations. We understand the ACOE is planning to convene an interagency underwater blasting technical workgroup in order to develop a blasting plan for future Boston Harbor dredging projects. The results of this technical workgroup will be critical in establishing blasting protocols and environmental protection measures for the proposed Portsmouth Harbor and Piscataqua River Navigation Improvement Study, should blasting be required.

Because the Piscataqua River and Portsmouth Harbor support a number of federally managed species and diadromous species, dredging and blasting (if required) should be restricted to the winter work window. The Piscataqua River serves as winter flounder spawning habitat, as well as a migratory corridor for individuals spawning in the Great Bay and other areas of the estuary. Diadromous species, such as blueback herring and alewife, utilize the Piscataqua River as a migratory corridor to reach spawning habitats in the upper reaches of the watershed. As such, a no-dredge work window from March 15 to November 15 will likely be necessary to protect the spawning and egg development habitat of these species.

Disposal Alternatives

According to your letter, the alternatives for dredged material disposal include Cape Arundel Disposal Site near Cape Arundel, Maine, the Isle of Shoals located outside Portsmouth Harbor, beach nourishment at Wallis Sands Beach, Rye Beach, and/or other suitable beaches, riverine disposal, and upland disposal. As you may know, the Cape Arundel Disposal Site is very near its maximum capacity and is planned for closure around 2010. Consequently, this disposal site may not be available for this proposed project. In addition, the in-river disposal alternative may not be the least damaging practicable alternative. In-river disposal elevates the suspended sediment loads within the river compared to dredging alone, and can increase the detrimental effects to aquatic organisms. In particular, elevated suspended sediment loads over the winter months may adversely affect eelgrass beds during a time when the plants have limited energy reserves and reduced levels of energy production through photosynthesis (F. Short, personal

communication). Furthermore, there is some evidence that in-river disposal for past dredging activities conducted down-river of the proposed project has exacerbated the shoaling in that section of the river, resulting in more frequent need to dredge (Bilgili et al. 1996).

Endangered Species Act

No species listed by NMFS under the Endangered Species Act (ESA) of 1973, as amended, are known to occur in the Piscataqua River. While listed whales and sea turtles occur seasonally off the coast of New Hampshire, the occurrence of any of these species in Portsmouth Harbor is extremely unlikely. As such, no consultation pursuant to Section 7 of the ESA is necessary for the proposed project. Reinitiation of consultation is required and shall be requested by the Federal agency or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law, and: (a) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the consultation; or (c) If a new species is listed or critical habitat designated that may be affected by the identified action. Should you have any questions regarding Section 7 consultation, please contact Julie Crocker in NMFS' Protected Resources Division (PRD) at (978)281-9300 x6530.

Technical Assistance for Candidate Species

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) are distributed along the entire East Coast of the United States and have been designated a Candidate Species by NMFS. The best available scientific information indicates that historically the Piscataqua River may have supported a spawning population of Atlantic sturgeon. In 1990, a large gravid female Atlantic sturgeon was captured in a small mesh gill-net at the head of tide in the Salmon Falls River, which is a tributary to the Piscataqua (Atlantic Sturgeon Status Review Team, 2007). The Great Bay estuary system continues to serve as a foraging area for subadults, and evidence suggests that adults may make forays up the Piscataqua River. As a candidate species, Atlantic sturgeon receive no substantive or procedural protection under the ESA; however, NMFS recommends that project proponents consider implementing conservation actions to limit the potential for adverse effects on Atlantic sturgeon from any proposed project. In 2006, NMFS initiated a status review for this species to determine if listing as threatened or endangered under the ESA is warranted. NMFS is currently considering the information presented in the new Status Review to determine if any listing action pursuant to the ESA is warranted at this time. If it is determined that listing is warranted, a final rule listing the species could be published within a year from the date of publication of the listing determination or proposed rule. The Status Review report is available at: *http://www.nero.noaa.gov/prot_res/CandidateSpeciesProgram/AtlSturgeonStatusReviewReport.pdf*. Should you have any questions regarding Atlantic sturgeon, please contact Kim Damon-Randall in NMFS' PRD at (978)281-9300 x6535.

Conclusions

We appreciate the opportunity to provide these preliminary comments, and we look forward to receiving your EFH assessment for the proposed project. If you have any questions regarding EFH or FWCA consultation, please contact Michael Johnson at 978-281-9130. For questions regarding ESA consultation, please contact Julie Crocker or Kim Damon-Randall.

Sincerely,

Louis A. Chiarella

Louis A. Chiarella
New England Field Office Supervisor
for Habitat Conservation

cc: Olga Guza, US EPA
Catherine Rogers, ACOE
Mary Colligan, PRD
Bruce Smith, NHFGD
Ted Diers, NH DES Coastal Program

References

Atlantic Sturgeon Status Review Team. 2007. Status Review of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*). Report to National Marine Fisheries Service, Northeast Regional Office. February 23, 2007. 174 pp.

Bilgili A, Swift MR, Celikkol B. 1996. Shoal formation in the Piscataqua River, New Hampshire. Estuaries 19(3): 518-525.

Short F. 2007. Eelgrass distribution in the Great Bay Estuary, 2005. Final Report to the New Hampshire Estuaries Project. 6 pp.

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Melvin P. Cote, Manager
Water Quality Unit
U.S. Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Dear Mr. Cote:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

The purpose of this study is to determine the feasibility of modifying the existing Federal navigation project for Portsmouth Harbor by increasing the width of the upper turning basin from about 850 feet up to a width of 1,250 feet at the same current turning basin depth. The existing width of the turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. The current turning basin also limits the existing and future use of the terminals. Two alternate locations for a turning basin have been examined, they include:

a. a turning basin upstream of the current Federal navigation project, at the confluence of Great/Little Bay with the Piscataqua River and,

b. a location downstream and southwest of the current turning basin.

See the enclosed figure for these turning basin locations. These turning basin areas are not preferred due to the more difficult vessel turning and maneuvering required for their use, and the greater amounts of ledge removal.

Preliminary quantity estimates indicate that widening the existing turning basin from a minimum of 1,000 feet to a maximum of 1,250 feet would require the removal of between 270,000 cubic yards to over 800,000 cubic yards of mostly sand and gravel, with a small amount of rock ledge. Studies are underway to determine the likely design vessels, vessel turning requirements, and the impacts of wind and currents on the turning basin design. Following design optimization of basin dimensions, we plan to refine the quantity of ordinary dredged material and ledge that would require removal. Borings and sediment sampling indicate the non-rock material is composed primarily of hard sandy till. Beneficial use opportunities for this material and the rock will be examined with Maine and New Hampshire. Alternatives considered for disposal of the sandy dredged material include the Cape Arundel disposal site located off of Cape Arundel, Maine, the Isle of Shoals disposal site outside Portsmouth Harbor, beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches, riverine disposal and upland disposal. Beneficial reuse of the rock ledge will also be considered.

The initial coordinated site visit will begin at 10:00 am in the New Hampshire Coastal Program Pease Field Office, 50 International Drive in Portsmouth, New Hampshire, on May 13, 2008. Directions are enclosed. The proposed project and alternatives under consideration will be discussed.

It is requested that written comments under the authority for the Clean Water Act, Marine Protection, Research, and Sanctuaries Act, the Clean Air Act, and the National Environmental Policy Act be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Ms. Patricia Kurkul
NOAA Fisheries
One Blackburn Drive
Gloucester, Massachusetts 01930-2298

Dear Ms. Kurkul:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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It is requested that written comments under the Fish and Wildlife Coordination Act, Essential Fish Habitat consultation under the Magnuson-Stevens Fishery Conservation and Management Act, and initial consultation under the Endangered Species Act be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. William Neidermyer, Federal Activities Coordinator
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301-5087

Dear Mr. Neidermyer:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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It is requested that a Planning Aid letter under the Fish and Wildlife Coordination Act, and initial consultation under the Endangered Species Act be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Chris Williams, Federal Consistency Coordinator
New Hampshire Coastal Program
Department of Environmental Services
50 International Drive, Suite 200
Pease Tradeport
Portsmouth, New Hampshire 03801

Dear Mr. Williams:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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It is requested that written comments under the Coastal Zone Management Act and other pertinent authorities or policies be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Thomas S. Burack, Commissioner
Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

Dear Mr. Burack:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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It is requested that written comments under the Fish and Wildlife Coordination Act be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Harry T. Stewart, Director
Water Division
New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

Dear Mr. Stewart:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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It is requested that written comments under the Clean Water Act, Clean Air Act, Fish and Wildlife Coordination Act or other pertinent authorities be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Donald S. Clarke, Acting Executive Director
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

Dear Mr. Clarke:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Dr. Frederick Short, Research Professor
Marine Program
University of New Hampshire
24 Colovos Road
Durham, New Hampshire 03824

Dear Dr. Short:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

Glenn D. Normandeau, Coastal Commissioner
New Hampshire Fish and Game Department
10 Pickering Avenue
Portsmouth, New Hampshire 03801

Stephen J. Nottonson, Rockingham County Commissioner
New Hampshire Fish and Game Department
24 Worthley Road
Derry, New Hampshire 03038

Douglas Grout, Acting Marine Division Chief
Marine Fisheries Division
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

Steve Perry, Inland Fisheries Division Chief
Inland Fisheries Division
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

John Kanter, Coordinator
Nongame and Endangered Wildlife Program
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

Ralph Johnston, Executive Secretary
Region 3 (Southeast New Hampshire/Seacoast)
New Hampshire Fish and Game Department
225 Main Street,
Durham, New Hampshire 03824

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. David P. Littell, Commissioner
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Dear Mr. Littell:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

The purpose of this study is to determine the feasibility of modifying the existing Federal navigation project for Portsmouth Harbor by increasing the width of the upper turning basin from about 850 feet up to a width of 1,250 feet at the same current turning basin depth. The existing width of the turning basin causes major safety concerns for liquid petroleum gas (LPG) cryo-tankers and other large bulk cargo vessels. The current turning basin also limits the existing and future use of the terminals. Two alternate locations for a turning basin have been examined, they include:

a. a turning basin upstream of the current Federal navigation project, at the confluence of Great/Little Bay with the Piscataqua River and,

b. a location downstream and southwest of the current turning basin.

See the enclosed figure for these turning basin locations. These turning basin areas are not preferred due to the more difficult vessel turning and maneuvering required for their use, and the greater amounts of ledge removal.

Preliminary quantity estimates indicate that widening the existing turning basin from a minimum of 1,000 feet to a maximum of 1,250 feet would require the removal of between 270,000 cubic yards to over 800,000 cubic yards of mostly sand and gravel, with a small amount of rock ledge. Studies are underway to determine the likely design vessels, vessel turning requirements, and the impacts of wind and currents on the turning basin design. Following design optimization of basin dimensions, we plan to refine the quantity of ordinary dredged material and ledge that would require removal. Borings and sediment sampling indicate the non-rock material is composed primarily of hard sandy till. Beneficial use opportunities for this material and the rock will be examined with Maine and New Hampshire. Alternatives considered for disposal of the sandy dredged material include the Cape Arundel disposal site located off of Cape Arundel, Maine, the Isle of Shoals disposal site outside Portsmouth Harbor, beach nourishment at Wallis Sands Beach, Rye Beach and/or other suitable beaches, riverine disposal and upland disposal. Beneficial reuse of the rock ledge will also be considered.

The initial coordinated site visit will begin at 10:00 am in the New Hampshire Coastal Program Pease Field Office, 50 International Drive in Portsmouth, New Hampshire, on May 13, 2008. Directions are enclosed. The proposed project and alternatives under consideration will be discussed.

It is requested that written comments under the Clean Water Act, Clean Air Act, Fish and Wildlife Coordination Act or other pertinent authorities be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. George Lapointe, Commissioner
Department of Marine Resources
21 State House Station
Augusta, Maine 04333-0021

Dear Mr. Lapointe:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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The initial coordinated site visit will begin at 10:00 am in the New Hampshire Coastal Program Pease Field Office, 50 International Drive in Portsmouth, New Hampshire, on May 13, 2008. Directions are enclosed. The proposed project and alternatives under consideration will be discussed.

It is requested that written comments under the Fish and Wildlife Coordination Act be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Roland Martin, Commissioner
Maine Department of Inland Fisheries and Wildlife
284 State Street
41 State House Station
Augusta, Maine 04333-0041

Dear Mr. Martin:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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The initial coordinated site visit will begin at 10:00 am in the New Hampshire Coastal Program Pease Field Office, 50 International Drive in Portsmouth, New Hampshire, on May 13, 2008. Directions are enclosed. The proposed project and alternatives under consideration will be discussed.

It is requested that written comments under the Fish and Wildlife Coordination Act and a list of State listed species be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Ms. Martha Freeman, Director
Maine State Planning Office
184 State Street
Augusta, Maine 04333

Dear Ms. Freeman:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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The initial coordinated site visit will begin at 10:00 am in the New Hampshire Coastal Program Pease Field Office, 50 International Drive in Portsmouth, New Hampshire, on May 13, 2008. Directions are enclosed. The proposed project and alternatives under consideration will be discussed.

It is requested that written comments under the Coastal Zone Management Act and other pertinent authorities or policies be provided no later than 15 days after the initial site visit. Any questions or comments can be addressed to Ms. Catherine Rogers at (978) 318-8231 or the following email address: catherine.j.rogers@usace.army.mil.

Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Mr. Todd Burrowes
Maine Coastal Program
State Planning Office
38 State House Station
Augusta, Maine 04333-0038

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Thomas Morgan, Town Planner
Town of Newington
205 Nimble Hill Road
Newington, New Hampshire 03801

Dear Mr. Morgan:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Daniel J. Blanchette, Administrative Assistant
Town of Eliot
1333 State Road
Eliot, Maine 03903

Dear Mr. Blanchette:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 mles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

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

REPLY TO:
ATTENTION OF:

April 22, 2008

Engineering/Planning Division
Evaluation Branch

Mr. Harold Place, Harbormaster
Town of Eliot
182 Pleasant Street
Eliot, Maine 03903

Dear Mr. Place:

The U.S. Army Corps of Engineers, New England District would like to invite you and/or a member(s) of your staff to participate in a coordinated site visit for the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine navigation improvement study. The Piscataqua River forms the lower portion of the state boundary between Maine and New Hampshire. Portsmouth Harbor, located at the mouth of the Piscataqua River, is about 45 miles northeast of Boston Harbor, Massachusetts, and 37 miles southwest of Portland Harbor, Maine. The existing Federal navigation project includes a 400-foot wide, 35-foot deep mean lower low water (MLLW) navigation channel. This channel extends from deep water in Portsmouth Harbor, from river mile 2.6, upstream to river mile 8.8. The project also includes two 35-foot deep MLLW turning basins; one turning basin 950-foot wide located upstream of Boiling Rock, and a second turning basin 850-foot wide located at the upstream end of the Federal channel. See the enclosed figure for the current authorized navigation project.

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Sincerely,

John R. Kennelly
Chief of Planning

Enclosure

Copy Furnished:

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
Post Office Box 369
Portsmouth, New Hampshire 03802

PART 5

CORRESPONDENCE RECEIVED DURING PREPARATION AND APPROVAL OF THE RECONNAISSANCE REPORT AND FEASIBILITY COST-SHARING AGREEMENT

PEASE DEVELOPMENT AUTHORITY

360 Corporate Drive, Pease International Tradeport, Portsmouth, NH 03801
(603) 433-6088 Fax: (603) 427-0433 TDD: Relay NH 1-800-735-2964

June 7, 2006

Curtis L. Thalken
Colonel, Corps of Engineers
New England District, Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: Agreement between The Department of Army and the PDA

Dear Mr. Thalken:

Enclosed please find four (4) original of the Feasibility Cost Sharing Agreement (FCSA) for the Portsmouth Harbor and Piscataque River Navigation for signature. Please sign and return one (1) fully executed original to the Pease Development Authority.

Thank you for your attention to this matter.

Sincerely,

Jessica L Patterson

Jessica L. Patterson
Legal Secretary

:jlp

Enclosures

cc: Mark H. Gardner, Staff Attorney
Geno J. Marconi, Director, Division of Ports & Harbors

CAP 06-015

MICHAEL L. BUCKLEY, CPA
Legislative Budget Assistant
(603) 271-3161

JEFFRY A. PATTISON
Deputy Legislative Budget Assistant
(603) 271-3161

State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

CATHERINE A. PROVENCHER, CPA
Director, Audit Division
(603) 271-2785

06-05-06 AM8:37 IN

June 1, 2006

Geno Marconi, Director
Pease Development Authority
Division of Ports and Harbors
P. O. Box 369
Portsmouth, NH 03802-0369

Dear Director Marconi,

The Capital Budget Overview Committee, pursuant to the provisions of RSA 12-G:46, on May 31, 2006 approved the request of the Pease Development Authority, Division of Ports and Harbors to expend up to $375,000 from the Harbor Dredging and Pier Maintenance Fund for the PDA's share of the expense for a project feasibility study for engineering and design associated with expanding the Piscataqua River Turning Basin, as specified in your letter dated May 2, 2006.

Sincerely,

Michael L. Buckley

Michael L. Buckley, CPA
Legislative Budget Assistant

MLB/car
Attachment

FAXED 6-5-06
Mark
John

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

REPLY TO
ATTENTION OF

May 26, 2006

Engineering/Planning Division
Planning Branch

Mr. Geno Marconi
Director, Pease Development Authority
Division of Ports and Harbors
P.O. Box 369
Portsmouth, New Hampshire 03802

Dear Mr. Marconi:

Enclosed for your signature are four original copies of the Feasibility Cost Sharing Agreement (FCSA) for the Portsmouth Harbor and Piscataqua River Navigation Improvement Project. Each FCSA includes a copy of the Project Management Plan for the feasibility study. We request you sign but not date the four agreements and return them to this office for my signature. We will return one fully executed copy to you.

We look forward to working with you on this effort. If you have any questions regarding the study or require additional information, please call me at (978) 318-8220 or Ms. Barbara Blumeris of my staff at (978) 318-8737.

Sincerely,

Curtis L. Thalken
Colonel, Corps of Engineers
District Commander

Enclosures

PEASE DEVELOPMENT AUTHORITY

360 Corporate Drive, Pease International Tradeport, Portsmouth, NH 03801
(603) 433-6088 Fax: (603) 427-0433 TDD: Relay NH 1-800-735-2964

February 21, 2006

Ms. Barbara Blumeris,
Project Manager / Planning Branch
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Re: Piscataqua River Navigation Improvement Project Study

Dear Ms. Blumeris:

I have had the opportunity to review the draft agreement in connection with the Piscataqua River Navigation Improvement Project Study which you sent to Geno Marconi. This agreement tracks a nearly identical agreement which Pease Development Authority (PDA)entered into with the US Army Corp of Engineers for Hampton Harbor. However, in the latter agreement PDA and the US Army Corp of Engineers agreed to the inclusion of an additional section which addressed the provision of New Hampshire State law which prohibits agencies of the State from entering into contracts without a corresponding appropriation or continuing appropriation of funds. See Article XI of the Hampton Harbor agreement which I have enclosed for your review.

PDA requests that this language be included in the Piscataqua River Study Project. Kindly give me a call at your convenience so that we my discuss this matter further.

Thank you for your attention to this matter.

Sincerely,

Mark H. Gardner
Staff Attorney

Enclosures

cc w/o enclosures: George M. Bald
Geno Marconi
Leon Kenison

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DEPARTMENT OF THE ARMY
NORTH ATLANTIC DIVISION, CORPS OF ENGINEERS
FORT HAMILTON MILITARY COMMUNITY
GENERAL LEE AVENUE
BROOKLYN, NY 11252-6700

IN REPLY REFER TO

CENAD-NAE/NAU DST (1105-2-10b) 21 October 2004

MEMORANDUM FOR Commander, U.S. Army Engineer District, New England, ATTN: CENAE-EP-P (Attn: Mr. Dulong)

SUBJECT: Portsmouth Harbor and Piscataqua River, New Hampshire and Maine – Navigation Improvement Project – Expedited Reconnaissance Investigation

1. Reference CENAE-EP-P memorandum dated August 31, 2004, subject as above.

2. Based upon staff review of the Section 905 (b) analysis for Portsmouth and Piscataqua River, NAD concurs that a Federal interest in further investigations has been established for the project purpose of navigation. The Section 905 (b) phase of the subject reconnaissance study is therefore approved. The district should prepare a project management plan (PMP) and initiate negotiations with the local Non-Federal sponsor regarding a feasibility cost-sharing aggreement (FCSA) for the cost-shared feasibility phase.

3. For further information, please contact Mr. Peter Doukas of the NAE/NAU DST at 718.765.7068.

Peter Blum

for Joseph R. Vietri
Planning and Policy Community of Practice
Chief, Program Support Division
Programs Directorate

PEASE DEVELOPMENT AUTHORITY

Division of Ports and Harbors
PO Box 369, Portsmouth NH 03802-0369
(603) 436-8500 Fax: (603) 436-2780

September 23, 2004

Mr. John Kennelly
US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Kennelly:

The Pease Development Authority Division of Ports and Harbors (PDA-DPH) has received and reviewed the Navigation Improvement Study, Expedited Reconnaissance Report, Section 905 (b) (WRDA86) Analysis, Army Corps of Engineers (ACOE), August, 2004.

PDA-DPH has reviewed the report with the PDA engineering staff and we concur with its findings. At this time, PDA-DPH is expressing its intent to act as the non-federal sponsor for the Navigation Improvement Study. Please send to us the requisite Memorandum of Understanding (MOU) for our review. Execution of the Memorandum of Understanding will require an approval by the PDA Board of Directors.

In the event that PDA-DPH enters into an MOU with ACOE, we are aware that the Division will be responsible for 50% of costs for the Feasibility Study, 35% of the project implementation costs including any necessary dredged material disposal facilities and 100% of the any cost to acquire land, easements, rights of way and/or relocations. The Division is also aware that it will be responsible for obtaining any local or state permits or approvals necessary to construct the project, other than Water Quality Certifications and Coastal Zone Management Consistency Concurrence which are the ACOE's responsibility.

If you require any additional information from us regarding this matter, please feel free to contact me directly.

Sincerely,

Geno J. Marconi
Director, PDA-DPH

Cc: George M. Bald
Leon Kenison
Lynn Marie Hinchee

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

REPLY TO
ATTENTION OF

CENAE-EP-P

31 August 2004

MEMORANDUM FOR Commander, U.S. Army Engineer Division, North Atlantic, ATTN: CENAD-ET-P (Mr. Cocchieri), Fort Hamilton Military Community, Bldg 301, Brooklyn, NY 11252

SUBJECT: Portsmouth Harbor and Piscataqua River, New Hampshire and Maine - Navigation Improvement Project - Expedited Reconnaissance Investigation

1. Enclosed for your use are eight (8) copies of the 905(b) Analysis, and Quality Control Report and Certification. A copy of the letter of intent from the non-Federal sponsor, the State of New Hampshire, Pease Development Authority, Division of Ports and Harbors, will be forthcoming. This submittal is in keeping with the current guidance for expedited reconnaissance studies.

2. If you have any questions or require additional information, please contact Mr. Richard Heidebrecht, the study manager, at (978) 318- 8513.

FOR THE COMMANDER:

Encls

DAVID L. DULONG, P.E.
Chief, Engineering/Planning Division

CF: CEMP-NAD (Jeff Groska)

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

May 22, 2003

REPLY TO:
ATTENTION OF:
Engineering/Planning Division
Planning Branch

Honorable Judd Gregg
United States Senate
393 Russell Senate Office Building
Washington, DC 20510-2904

Dear Senator Gregg:

This is in response to your April 18, 2003 letter forwarding a copy of a letter from the Pease Development Authority (PDA), Division of Ports and Harbors describing three dredging related initiatives in New Hampshire including the Portsmouth Harbor and Piscataqua River Federal Navigation Project (FNP). The three State initiatives are a study to expand the turning basin at the head of the deep-draft channel at Portsmouth, a study of in-river dredged material disposal practices at Portsmouth Harbor, and a study of dredged material disposal needs and alternatives for New Hampshire harbors.

Concerning potential improvements to Portsmouth Harbor, the authorized FNP provides for a 35-foot deep channel, 400 feet wide extending from deep water in Portsmouth Harbor, and three 35-foot turning basins. The Water Resources Development Act of 1986, authorized the enlargement of the two lower turning basins and channel reaches to accommodate larger tank ships and bulk cargo carriers. These improvements were completed in 1990. That project did not address widening the upper turning basin and approach channel because of a lack of upstream traffic.

The New Hampshire Division of Ports and Harbors now asserts that upstream traffic has increased, both in terms of numbers of transits, users, and vessels sizes, to warrant another look at widening the turning basin and approaches to the upper portion of the project. The narrowness of the channel and turning basin together with swift and rapidly changing tidal currents limits the times of operation for larger craft. Navigation improvements to the upper reach of Portsmouth Harbor would increase safety and efficiency of harbor operations for larger craft.

Section 437 of the Water Resources Development Act of 2000 (WRDA 2000) authorized a study to determine the feasibility of expanding the turning basin at the head of the 35-foot channel. Funds to initiate a reconnaissance study have not been appropriated. Should funds become available in the future, we would initiate a 12-month expedited section 905(b) reconnaissance study, at full Federal expense, in cooperation with the PDA to evaluate widening the upper reach of the Portsmouth Harbor channel and upper turning basin and approaches at the current depth of 35 feet.

Concerning in-river disposal practices in the Piscataqua River, Mr. Marconi's letter states that disposal of dredged material has been an issue for many years. Historically, maintenance dredging of the 35-foot channel has been required about every 7 years, and typically involves removal of a small quantity of clean sand and cobbles from the upper channel in the vicinity of the Simplex Wire and Cable Company. The last maintenance dredging was performed in 2000 when 7,900 cubic yards of material were removed and placed in a deep spot in the channel about 3,000 feet downstream of the dredging area. Maintenance dredging operations were performed in a similar manner in 1984 and 1991.

New Hampshire state regulatory agencies have, in the past expressed concern with placing material at either of the two previously used riverine disposal sites. Their concern is that material placed at these sites migrates back to the dredging area and contributes to the shoaling in the channel thereby increasing the frequency that dredging is required. We are also familiar with a sand transport study of this area conducted by the University of New Hampshire. We agree that material in a tidally influenced estuarine environment can potentially move upstream from a downstream location. However, during two maintenance-dredging operations prior to 1984 when the dredged material was taken completely out of the river system, the shoaling returned at about the very same frequency. The Corps has found in-river disposal to be the least cost, environmentally suitable dredged material management alternative for future maintenance dredging. We understand the State's concerns and are willing to work with the State to identify other potential cost-effective solutions while continuing to work with them to keep the river maintained.

The Corps has discussed with the State their request for a statewide study of dredged material disposal alternatives and management options for navigation projects. WRDA 2000 also authorized the Corps to undertake this study at a cost of $500,000. However, as with the turning basin study, the authorized funds have not been appropriated to begin this effort. Should funds become available in the future, we would initiate a regional dredged material management study, in cooperation with the PDA, the State Planning Office, and other agencies.

Should you have any additional questions on any of these initiatives, please feel free to contact me at (978) 318-8220, or Mr. John Kennelly of the District's Planning Branch may be reached at (978) 318-8505.

Sincerely,

William T. Kennelly Deputy District Engineer
for Thomas L. Koning
Colonel, Corps of Engineers
District Engineer

JUDD GREGG
NEW HAMPSHIRE

COMMITTEES:
HEALTH, EDUCATION, LABOR AND PENSIONS, *Chairman*
APPROPRIATIONS
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United States Senate

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60 PLEASANT STREET
BERLIN, NH 03570
(603) 752-2604

16 PEASE BOULEVARD
PORTSMOUTH, NH 03801
(603) 431-2171

Reply to:
Portsmouth Office

April 18, 2003

Colonel Thomas L. Koning
District Engineer
U. S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Colonel:

I am writing to forward the enclosed letter I received from the Pease Development Authority Division of Ports and Harbors describing three dredging related initiatives important for the continued prosperity of the State of New Hampshire. Any information you can provide at the present time describing the status of these three projects and funding availability would be greatly appreciated.

Thank you for your time and assistance. I look forward to your response.

Sincerely,

Judd Gregg
U. S. Senator

JG/jc

Enclosure

PRINTED ON RECYCLED PAPER

PEASE DEVELOPMENT AUTHORITY

Division of Ports and Harbors
PO Box 369, Portsmouth NH 03802-0369
(603) 436-8500 Fax: (603) 436-2780

RECEIVED
APR 1 8 2003

April 14, 2003

Senator Judd Gregg
16 Pease Boulevard
Pease International Tradeport
Portsmouth, NH 03801

Dear Senator Gregg:

As you know, dredging has been and continues to be a subject of great importance to the Division of Ports and Harbors. The need for dredging projects is essential for the prosperity of the State of New Hampshire.

Presently, the Army Corps of Engineers is looking to conduct three projects in the Portsmouth Harbor/Piscataqua River that address dredging issues. The first project involves a condition survey and study of the feasibility to expand the Upper River Turning Basin from 800 feet to 1,000 feet. Ships using this turning basin are up to 739 feet in length and pilots report the Turn Basin has diminished in size to 770 feet.

Disposal of dredge material has been an issue for years which brings me to the second project of conducting a study in estuarine of the disposal of dredge materials. The Corps has been dropping dredge material from the "Simplex Shoal" in a hole 6000 feet down river from the dredge site. This practice has been one of controversy and the Corps and Division would like to put closure to the controversy.

The third project involves an investigation of upland disposal of all dredge material from the state of New Hampshire for which the Water Resource Act of 2000 has allotted $500,000.00.

The Pease Development Authority, Division of Ports and Harbors fully supports the aforementioned projects.

Respectfully,

Gerio J. Marconi, Director
PDA-DPH