



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Mr. Mark Habel
nae-pd-pn@usace.army.mil

Planning Division

Date: September 19, 2018

Comment Period Closes: October 19, 2018

30 DAY PUBLIC NOTICE

IMPROVEMENT DREDGING OF THE POINT JUDITH HARBOR FEDERAL NAVIGATION PROJECT NARRAGANSETT, RHODE ISLAND

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), New England District (NAE), plans to perform improvement dredging of the Federal navigation project at Point Judith Harbor, RI, involving work in the navigable waters of this District, under the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217) and to authorize such work in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. Attachment No. 1 lists pertinent laws, regulations, and directives.

Project Description: The proposed project will make improvements to the Point Judith Harbor Federal Navigation Project (FNP) in Narragansett, RI. The proposed project includes the widening of the existing 15-foot deep Mean Lower Low Water (MLLW) West Bulkhead channel by 50 feet for a distance of approximately 700 feet and extending this same channel approximately 1,200 feet into the North Basin area at a width of 150 feet and a depth of 11 feet (See Attachment No. 2). Approximately 23,700 cubic yards (CY) of sandy material will be removed from the improvement sections using a mechanical dredge with supporting split-hull scows. The sandy dredged material will be placed in nearshore waters off of the Matunuck shoreline in South Kingstown, RI, approximately three miles west of the harbor (See Attachment No. 3). The dredged material will be placed in approximately 15 to 18 feet (MLLW) of water to allow the beneficial use of dredge material for beach nourishment. Construction will occur between October 1 and January 31 of any given year in which funding becomes available and is expected to take two to three weeks to complete. The Federally authorized project at Point Judith Harbor of Refuge and Pont Judith Pond was adopted by the River & Harbor Act of 1890, and further modified in 1892, 1902, 1905, 1907, 1910, 1919, 1948, 1961, 1962, and 1976. This improvement project is authorized under the continuing authority of Section 107 of the River and Harbor Act of 1960, as amended.

Character and Purpose of Work: The existing commercial and recreational vessels that use the Point Judith Harbor FNP have increased in number over the years. New berthing areas over the past several years were constructed to meet increasing demand for use of the Port. The result has been that navigation delays and inefficiencies exist at the western and northern sides of the bulkhead. The western side of the bulkhead is the primary work area and offloading area for fish haul, and contains major fish buyers and fish processors. The heavy use of this area by many of

the vessels in the harbor and the narrow federal channel width result in frequent and significant congestion delays. Additional delays occur while vessels wait to offload catch. The waiting vessels make it difficult for other vessels to pass safely in the channel to reach their berths, causing additional congestion delays.

The improvement dredging of Point Judith Harbor would increase the FNP's ability to accommodate safe and efficient vessel movement to the western and northern sides of the State Pier at the Port of Galilee. This measure would alleviate crowded conditions for the commercial fishing fleet at the berthing and offloading areas, and provide access to northern berthing areas built to accommodate increased demands for use of the facility. It would also improve transit efficiency and improve safe passage for the commercial fishing fleet that use the western and northern areas of the port.

Approximately 24,000 cubic yards (CY) of sandy material will be removed from the improvement sections (See Attachment No. 2) using a mechanical dredge with supporting split-hull scows. The sandy dredged material will be placed in nearshore waters off of the Matunuck shoreline in South Kingstown, RI, approximately three miles west of the harbor (See Attachment no. 3).

Alternatives Considered: Several alternatives were evaluated for the proposed project. Alternatives included no action, fleet relocation to another harbor, improvement dredging to existing channels, and relocating the port facilities within the harbor. With the exception of the improvement dredging alternative, all alternatives were deemed not practicable. Therefore, the recommended alternative is the improvement of the existing channels in the Point Judith Harbor FNP.

Placement Area: The material to be dredged has undergone physical and chemical analyses. Based on these data, the sandy material has been found suitable for placement at the nearshore site off of Matunuck Beach in South Kingstown, RI.

Additional Information: Additional information may be obtained from Mr. Mark Habel, Planning Division, at the address shown above, telephone number (978) 318-8871.

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

Federal

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State

Rhode Island Department of Environmental Management
Rhode Island Coastal Resources Management Council
State Historic Preservation Office
Rhode Island Department of Administration, Office of Strategic Planning
Rhode Island National Heritage Program

Federally Recognized Tribes

Narragansett Tribe

Local

Town of Narragansett

Town of South Kingstown

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

Federal Consistency with Rhode Island's Coastal Zone Management Program: I find that the improvement dredging of the Point Judith Harbor navigation project is consistent to the maximum extent practicable with the Rhode Island's approved coastal zone management plan established as a result of the Coastal Zone Management Act of 1972.

Other Information:

- a. Local Sponsor: The Rhode Island Coastal Resources Management Council is the local sponsor for the proposed work.
- b. Previous Dredging: The areas proposed to be dredged for navigation improvement have never been dredged before.
- c. Alternate Placement Methods: Alternate placement options that have been considered include open-ocean placement, beach and nearshore placement, and upland placement. The Corps favors nearshore placement of the sandy material because of the benefit in retaining the sand in the littoral system and providing indirect nourishment to adjacent beaches over time. A suitable upland disposal site was not identified.
- d. Non-Federal Dredging: To date there are no non-Federal dredging projects proposed in connection with the proposed Federal improvement dredging. Facility owners within the harbor who may be interested in performing non-Federal dredging concurrently with this project should be aware that work will require a permit from the Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and, depending on the location of the non-Federal dredged material disposal, may also require a Corps permit under Section 404 of the Clean Water Act. In order to be disposed of in ocean waters, private dredged material must be determined to be suitable for such disposal.
- e. Endangered Species: Coordination with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service indicated that the proposed project is not likely to adversely affect any endangered or threatened species or critical habitat designated as endangered or threatened.
- f. Floodplain Management: In accordance with Executive Order 11988, the Corps of Engineers has determined that the proposed work will not contribute to negative impacts or damages caused by floods.
- g. Cultural Resources: The proposed work will not affect any cultural or archaeological features or resources in the area of dredging or disposal. USACE has coordinated with the State

Historic Preservation Officer and the Narragansett Tribal Nation in accordance with Section 106 of the National Historic Preservation Act and implementing regulations (36 CFR 800).

- h. Essential Fish Habitat Assessment: It has been determined that dredging and placement activities may have a temporary adverse effect on Essential Fish Habitat (EFH). The dredging and disposal sites are contained within areas designated EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996 for federally managed fish species. The Corps has assessed the effects the project is likely to have on EFH and has determined that they will be short-term and localized and that there will be no significant impacts on the designated fisheries resources. The National Marine Fisheries Service has concurred with our EFH assessment.
- i. Additional Requirements: A 401 Water Quality Certificate will be requested from the State of Rhode Island. The Clean Water Act of 1977 requires that the work comply with State or interstate requirements to control the discharge of dredged or fill material.

The decision whether to perform the proposed work will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

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

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Mark Habel, or to email address nae-pd-pn@usace.army.mil within 30 days of this notice.



William M. Conde
Colonel, Corps of Engineers
Engineer

Attachments

Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

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

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

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

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

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

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

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

Fish and Wildlife Act of 1956 (16 U.S.C. 472a, et. seq.)

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

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

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

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

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

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

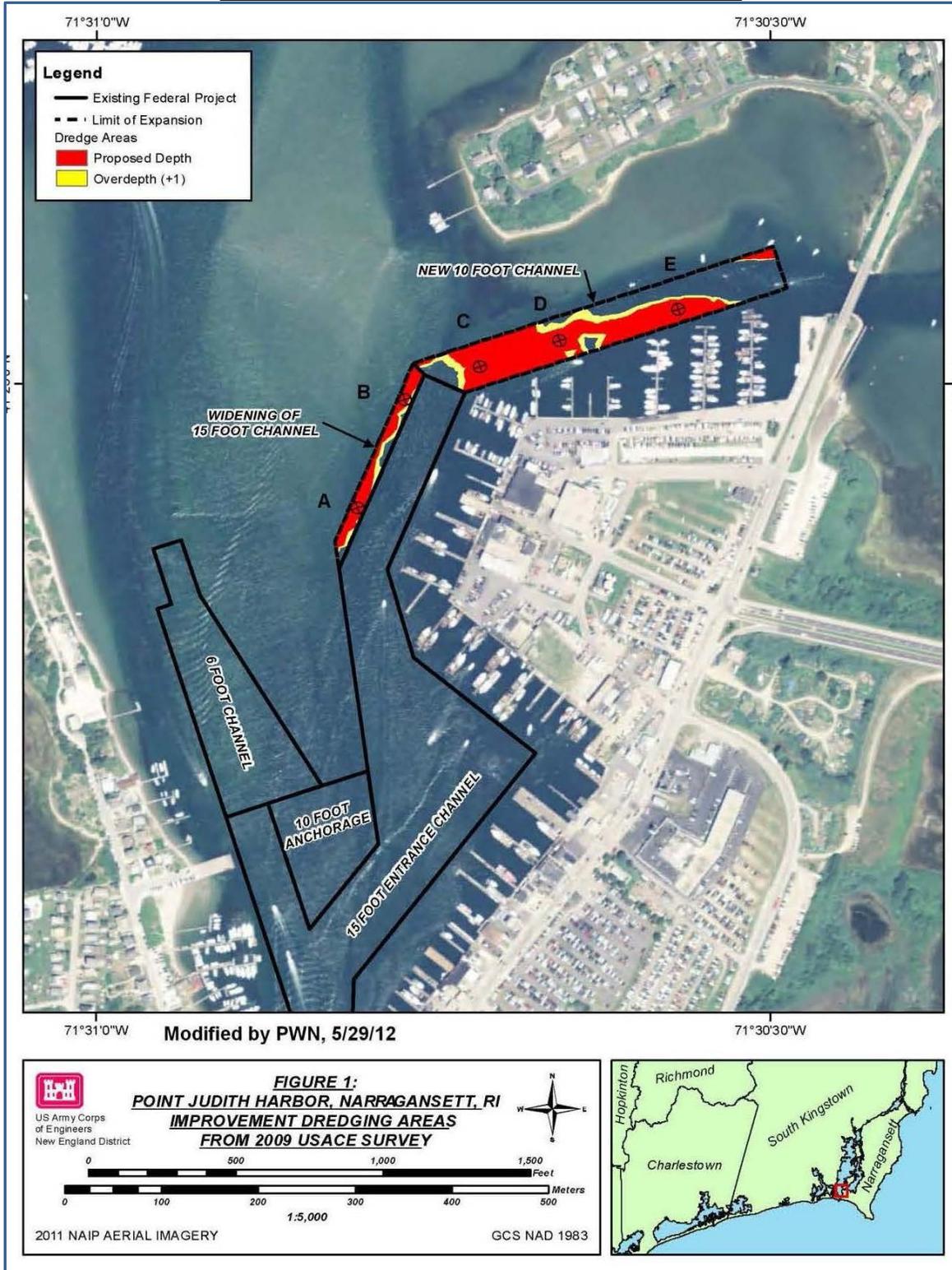
Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

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

Attachment 2

Point Judith FNP – Improvement Areas



Attachment 3 Matunuck Beach Nearshore Placement Site

