



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

PUBLIC NOTICE

Comment Period Begins: September 24, 2013
Comment Period Ends: October 25, 2013
File Number: NAE-2010-928
In Reply Refer To: Michael J. Elliott
Phone: (978) 318-8131
E-mail: michael.j.elliott@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below.

APPLICANT: One Goat Island, LLC; Hyatt Regency Newport Marina; 1 Goat Island; Newport, Rhode Island 02840

ACTIVITY: Construct and maintain a new marina by installing a timber access pier with a ramp to a float system. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Providence River off Shaw Avenue in Cranston, Rhode Island. The proposed location on the USGS Providence, Rhode Island quadrangle sheet is at Lat/Long N 41d-46'-35.30"; W 71d-23'-21.60" (NAD 83).

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are

CENAE-R
FILE NO. NAE-2013-1629

also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The pier and float portion of this project will impact approximately 0.6 acres of Essential Fish Habitat (EFH) for those species listed on the attached list and their life stages. Habitat at this site can be described as sands and silts. Loss of this habitat from shading effects may adversely affect some of the above mentioned species. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

SECTION 106 COORDINATION

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Michael J. Elliott at (978) 318-8131, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

CENAE-R
FILE NO. NAE-2013-1629

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

In accordance with 33 CFR 325.2(a)(8), we publish monthly a list of permits issued or denied during the previous month at www.nae.usace.army.mil/reg, under the heading "Monthly General and Individual Permit Authorizations." Relevant environmental documents and the SOFs or RODs are available upon written request and, where applicable, upon the payment of administrative fees. Also visit www.nae.usace.army.mil for more information on the New England District Corps of Engineers programs.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Robert J. Desista
Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____

PROPOSED WORK AND PURPOSE

The project is to construct and maintain a new marina with no more than 25 slips at the Hyatt Regency Newport.

A 5' x 94' access pier will extend off the bulkhead with a 4' x 25' aluminium ramp to access the proposed float system. The floats will be secured with epoxy-coated steel pipe pilings. The ramp will access a 10' x 161' main float with a 20' x 50' water sports float to the north and a 5' x 30' finger float extending south. At the seaward (eastern) end of the main float is a 13' x 230' main wave attenuator float extending in a north-south direction. A 13' x 95' wave attenuator float will extend northwest from the end of that float. There are three 5' x 50' finger floats extending northwest from the main attenuator float.

The 127' of the south side of the main float from the end of the ramp to the 5' x 30' finger float is for touch and go dockage for transitory use. The water sports float will support various smaller recreational vessels including stand-up paddleboards, and kayaks for hotel guests or members of the public to rent.

No float or docked vessel will extend over the existing eelgrass bed at the site. The 5' x 94' access pier will be over the eelgrass.

The work is described on the enclosed plans titled "ONE GOAT ISLAND, LLC HYATT REGENCY NEWPORT 1 GOAT ISLAND NEWPORT, RI 02840" dated "7/20/2013."

Summary of Essential Fish Habitat (EFH) Designation

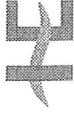
10E x 10E Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 30.0e N	71° 20.0e W	41° 20.0e N	71° 30.0e W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within Narragansett Bay within the square affecting the following: from Point Judith Harbor, Rhode Island to the west half of Newport Neck, along with the southern half of Conanicut Island, along with the inlets to the East and West Passage. These waters also affect the following: The Dumplings, Rose I., Brenton Pt., Fort Adams, Jamestown, R.I., Mackerel Cove, Beavertail Pt., Beaverhead, The Bonnet, Bonnet Pt., Watson Pier, Old Antonio Rock, Jones Ledge, Haycock Ledge, Brenton Reef, Seal Ledge, Whale Rock, River Ledge, Narragansett Pier, Point Judith, RI., Little Neck, Point Judith Neck, Black Pt., along with the precautionary area to the shipping traffic lanes to and from Narragansett Bay.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod (<i>Gadus morhua</i>)				X
haddock (<i>Melanogrammus aeglefinus</i>)		X		
pollock (<i>Pollachius virens</i>)				
whiting (<i>Merluccius bilinearis</i>)	X	X	X	
red hake (<i>Urophycis chuss</i>)	X	X	X	X
white hake (<i>Urophycis tenuis</i>)				
witch flounder (<i>Glyptocephalus cynoglossus</i>)				
winter flounder (<i>Pseudopleuronectes americanus</i>)	X	X	X	X
yellowtail flounder (<i>Limanda ferruginea</i>)				
windowpane flounder (<i>Scophthalmus aquosus</i>)	X	X	X	X
American plaice (<i>Hippoglossoides platessoides</i>)		X	X	X
ocean pout (<i>Macrozoarces americanus</i>)	X	X	X	X
Atlantic sea scallop (<i>Placopecten magellanicus</i>)				
Atlantic sea herring (<i>Clupea harengus</i>)		X	X	X
monkfish (<i>Lophius americanus</i>)	X	X		
bluefish (<i>Pomatomus saltatrix</i>)			X	X
long finned squid (<i>Loligo pealeii</i>)	n/a	n/a	X	X

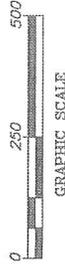
short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		
Atlantic butterfish (<i>Peprilus triacanthus</i>)			X	
Atlantic mackerel (<i>Scomber scombrus</i>)	X	X	X	X
summer flounder (<i>Paralichthys dentatus</i>)		X	X	X
scup (<i>Stenotomus chrysops</i>)	X	X	X	X
black sea bass (<i>Centropristis striata</i>)	n/a		X	X
surf clam (<i>Spisula solidissima</i>)	n/a	n/a	X	X
ocean quahog (<i>Artica islandica</i>)	n/a	n/a		
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a	X	X
tilefish (<i>Lopholatilus chamaeleonticeps</i>)				
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Carcharias taurus</i>)		X		
blue shark (<i>Prionace glauca</i>)		X		X
dusky shark (<i>Carcharhinus obscurus</i>)			X	
shortfin mako shark (<i>Isurus oxyrinchus</i>)			X	
sandbar shark (<i>Carcharhinus plumbeus</i>)			X	X
bluefin tuna (<i>Thunnus thynnus</i>)				X



HARBOR ENGINEERING, LLC

26 BOSWORTH STREET
BARRINGTON, RI 02806
(401) 829-4870
harboereng.com

No.	Revision	Date	App.



Client/Owner:
ONE GOAT ISLAND, LLC
HYATT REGENCY NEWPORT
1 GOAT ISLAND
NEWPORT, RI 02840

Issued for:
REGULATORY REVIEW

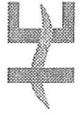
Drawing Title:
VICINITY MAP
GOAT ISLAND - NORTH
CURRENT MOORING FIELD (POINT)

Date:	7/20/2013
Scale:	1"=250FT
Drawn by:	AJK
Checked by:	AJK
Project Number:	2010-01
Sheet	1 of 5
Drawing Number:	V-1



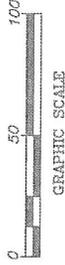
NOTES:

1. AERIAL PHOTOGRAPH SHOWN OBTAINED FROM GOOGLE EARTH (2011).
2. LIMITS OF FEDERAL PROJECT DELINEATED AS OF 12/23/2011. MOORING BOUNDARY SHOWN REFERENCED TO MOORING FIELD DESIGNATIONS FOUND IN CITY OF NEWPORT HARBOR MANAGEMENT PLAN, PG. 212 (POINT MOORING)
3. THE LOCATIONS AND DIMENSIONS OF EXISTING STRUCTURES SHOWN HEREIN WERE THE RESULT OF FIELD MEASUREMENTS CONDUCTED BY HARBOR ENGINEERING, LLC, ON 1/12/2010 AND 12/7/2010.
4. BATHYMETRIC CONTOURS SHOWN REFER TO FEET BELOW MEAN LOW WATER (MLW) DATUM BASED ON SOUNDINGS IN THE NEARSHORE REGION PERFORMED BY HARBOR ENGINEERING LLC, ON 5-3-10. SOUNDINGS IN THE VICINITY OF THE FEDERAL CHANNEL WERE OBTAINED FROM THE PLAN TITLED "NEWPORT HARBOR, NEWPORT RHODE ISLAND, CONDITIONS SURVEY" BY THE US ARMY CORPS OF ENGINEERS, DATED 1-12-10 AND CONVERTED TO MLW.
5. RESULTS OF SUBMERGED AQUATIC VEGETATION SURVEY PROVIDED BY NATURAL RESOURCE SERVICES, INC. COMPLETED ON 8/6/2010.
6. RI STATE PLANE COORDINATES (NAD83) SHOWN HEREIN ARE GEO-REFERENCED TO GOOGLE EARTH SOFTWARE AND SHOULD BE CONSIDERED APPROXIMATE.



HARBOR ENGINEERING, LLC
 26 BOSWORTH STREET
 BARRINGTON, RI 02806
 (401) 829-4870
 harboreng.com

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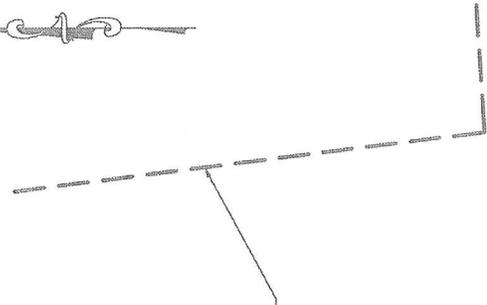


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 1 GOAT ISLAND
 NEWPORT, RI 02840

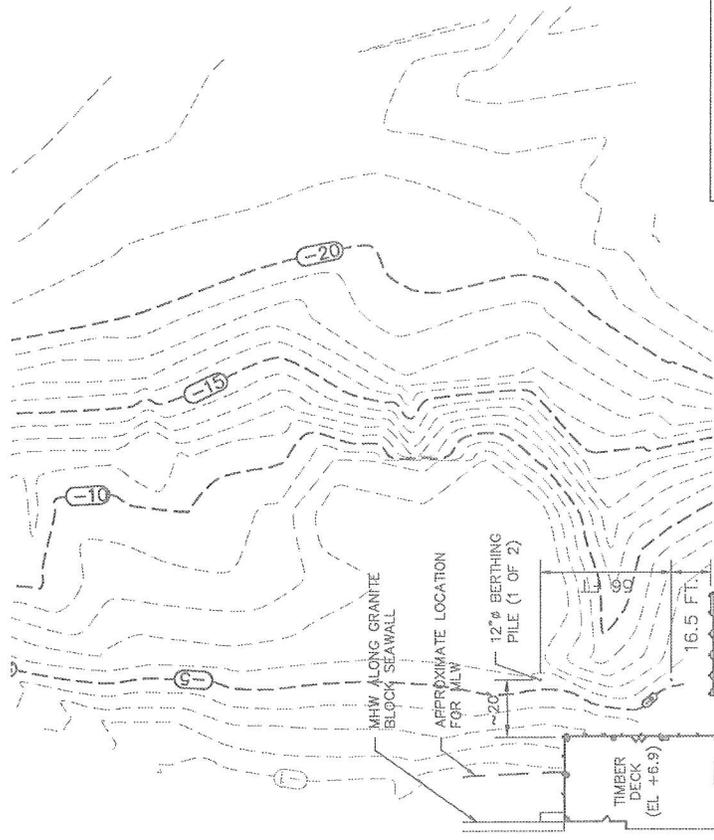
Issued for:
 REGULATORY REVIEW

Drawing Title:
SITE PLAN
 EXISTING CONDITIONS
 EXISTING BATHYMETRY (MLWD)

Date: 7/20/2013
 Scale: 1" = 50'
 Designed by: AJK
 Drawn by:
 Checked by:
 Project Number: 2010-01
 Sheet 2 of 5
 Drawing Number: EX-1



APPROXIMATE LOCATION
 OF NEWPORT MOORING
 FIELD (SEE DRAWING
 #V-1 FOR DETAILS)

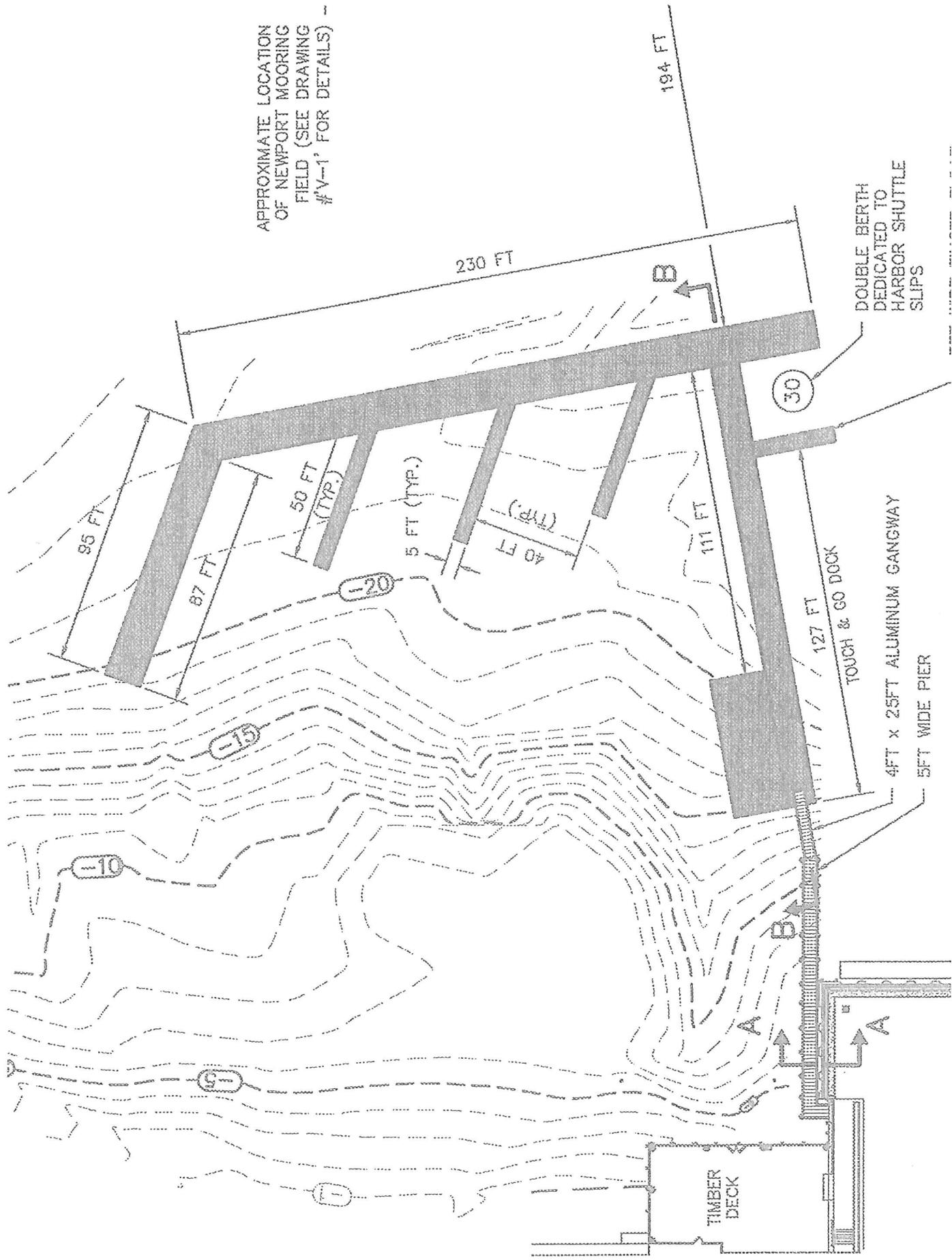


This plan is a reduced reproduction and not plotted to the specified scale. For accurate measurement of dimensions and distances, please refer to the original full size plan.

NEWPORT HARBOR
 CRMC TYPE 4 WATERS

- NOTES:
 1. REFER TO NOTES PROVIDED ON DRAWING NUMBER V-1

APPROXIMATE LOCATION
OF NEWPORT MOORING
FIELD (SEE DRAWING
#V-1, FOR DETAILS)



DOUBLE BERTH
DEDICATED TO
HARBOR SHUTTLE
SLIPS

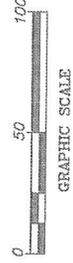
TOUCH & GO DOCK
4 FT x 25 FT ALUMINUM GANGWAY
5 FT WIDE PIER

TIMBER DECK



HARBOR ENGINEERING, LLC
 26 BOSWORTH STREET
 BARRINGTON, RI 02806
 (401) 829-4870
 harboreng.com

No.	Revision	Date	App.

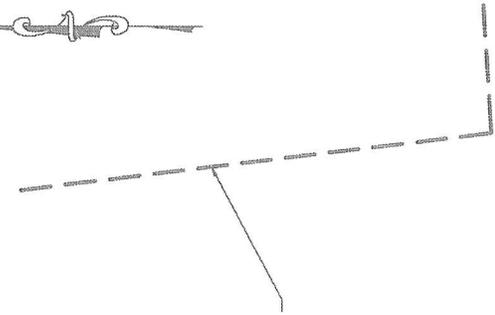


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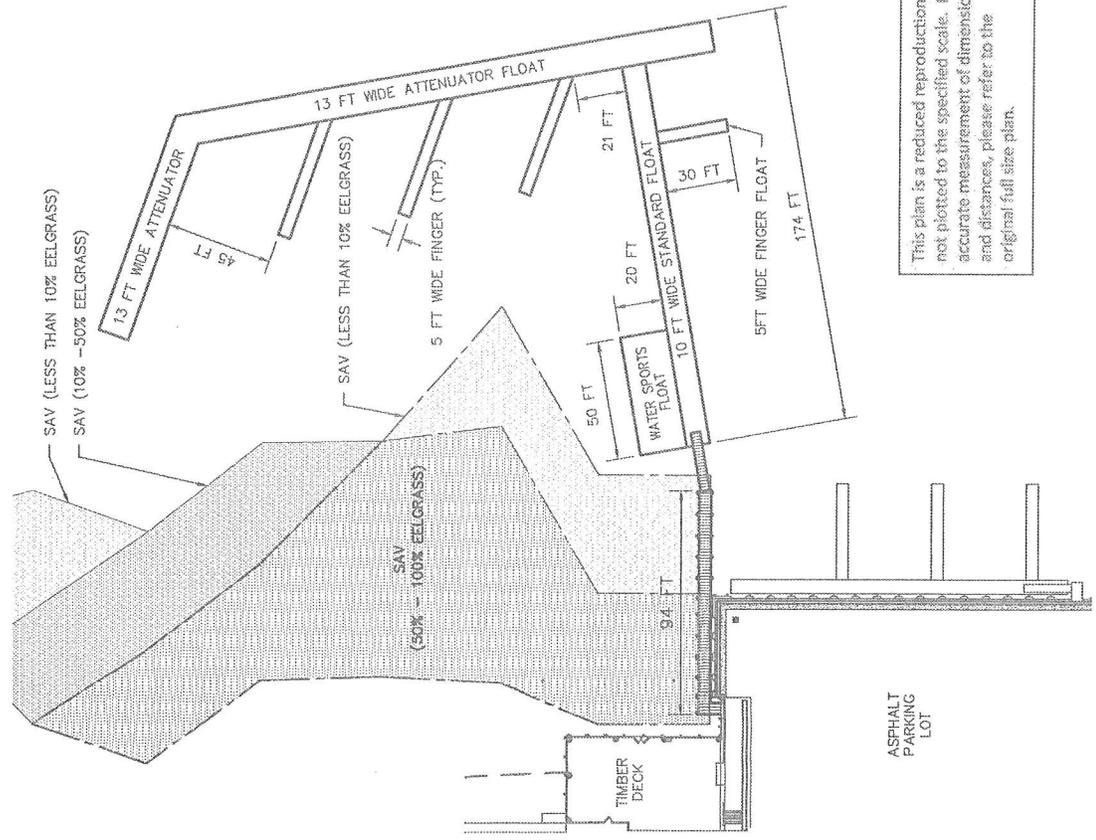
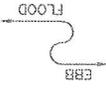
Drawing Title:
SITE PLAN
 PROPOSED LIMITED MARINA
 WITH SAV RESULTS

Date: 7/20/2013
 Scale: 1" = 50'
 Designed By: AJK
 Drawn by: AJK
 Checked by: AJK
 Project Number: 2010-01
 Sheet 4 of 5
 Drawing Number: PR-2



APPROXIMATE LOCATION
 OF NEWPORT MOORING
 FIELD (SEE DRAWING
 #V-1' FOR DETAILS)

NEWPORT HARBOR
 CRMC TYPE 4 WATERS

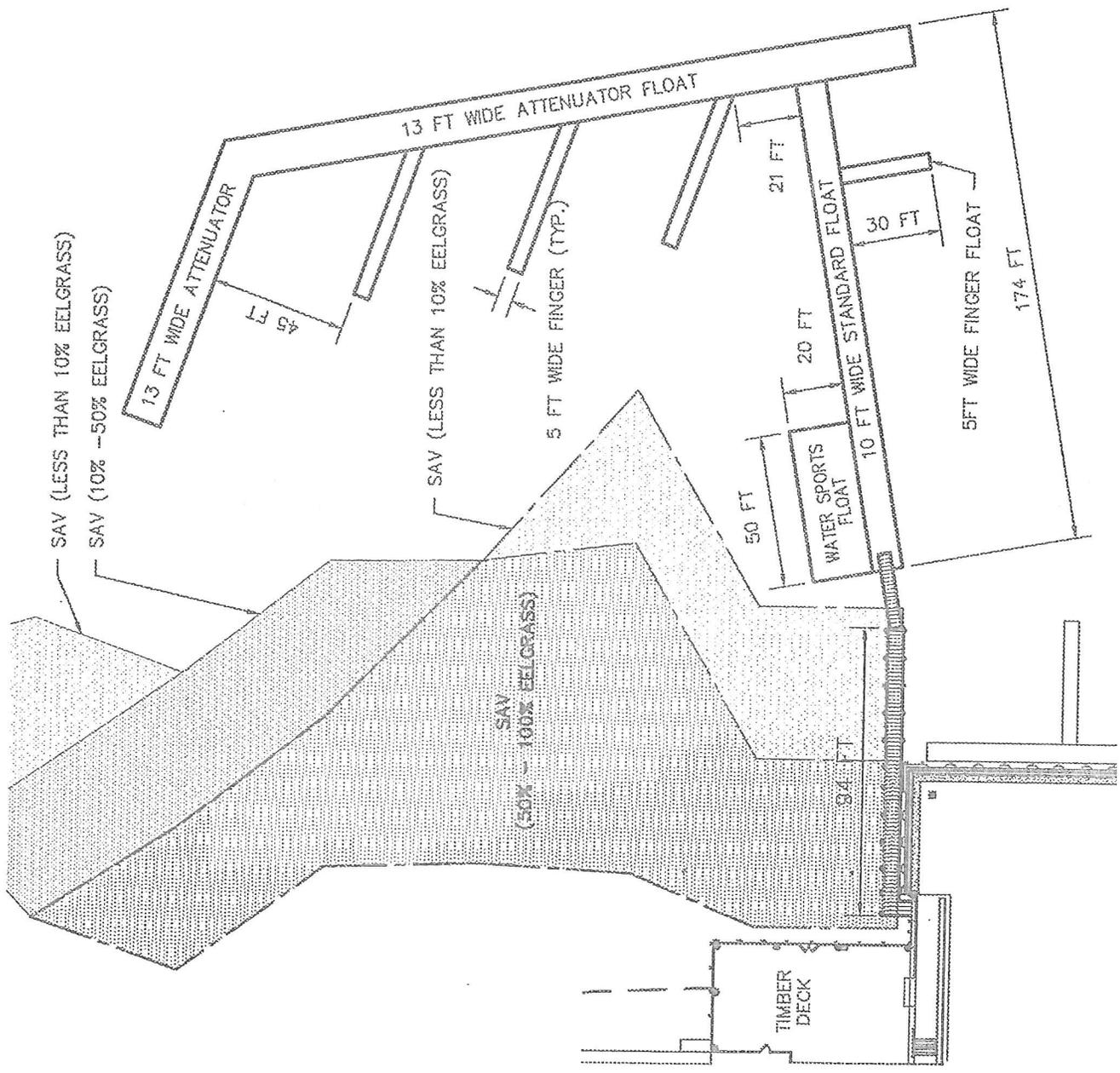


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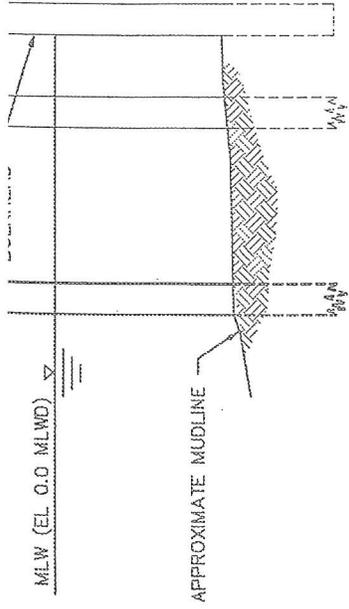
NOTES:

1. REFER TO NOTES PROVIDED ON DRAWING NUMBER V-1

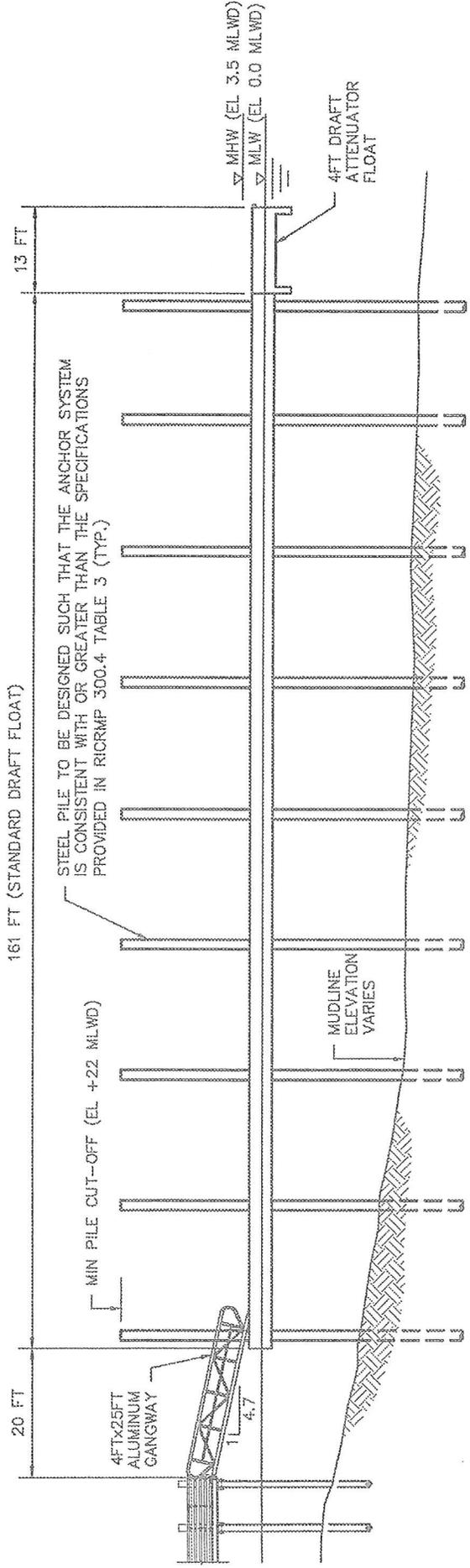
APPROXIMATE LOCATION
OF NEWPORT MOORING
FIELD (SEE DRAWING
#V-1' FOR DETAILS)



This plan is a reduced reproduction and not plotted to the specified scale. For accurate measurement of dimensions and distances, please refer to the original full size plan.



SECTION A-A
SCALE: 1"=5FT



SECTION B-B
SCALE: 1"=20FT

- NOTES:
1. REFER TO NOTES PROVIDED ON DRAWING NUMBER V-1.

No.	
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Client/Owner: ONE

Issued for:

Drawing Title:

PF

