



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

PUBLIC NOTICE

Comment Period Begins: May 24, 2011
Comment Period Ends: June 24, 2011
File Number: NAE-2010-1747
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: Save the Bay Center

ACTIVITY: Enlarge the existing marina at the Save the Bay Center by constructing a fixed pier with a covered area for public access, a floating wave attenuator and kayak docks. 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 at 100 Save the Bay Drive in Providence, Rhode Island 02905. The proposed location on the USGS Providence quadrangle sheet is at Lat/Long 41d 47' 08"N; 71d 22' 59"W.

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

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

ESSENTIAL FISH HABITAT

This project will impact 0.19 acres of Essential Fish Habitat (EFH) for haddock (larvae), red hake (larvae, juveniles, adults), winter flounder (eggs, larvae, juveniles, adults), windowpane flounder (eggs, larvae, juveniles, adults), American plaice (larvae, juveniles, adults), Atlantic sea herring (larvae, juveniles, adults), bluefish (juveniles, adults), Atlantic mackerel (eggs, larvae, juveniles, adults), summer flounder (larvae, juveniles, adults), scup (eggs, larvae, juveniles, adults), black sea bass (juveniles, adults), king mackerel (eggs, larvae, juveniles, adults), Spanish mackerel (eggs, larvae, juveniles, adults) and cobia (eggs, larvae, juveniles, adults). This habitat consists of sands and silts. Loss of this habitat 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.

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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
Chief, 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 work includes work in navigable waters for expanding an existing marina located at the Save The Bay Center. The site is just west of Fields Point in the Providence River. The existing marina docks boats belonging to Save The Bay (STB). Local colleges including Johnson & Wales University also currently use the facility for crewing. The proposal is to enhance the marina by installing a public access pier, a floating wave attenuator, and kayak docks.

New work includes constructing an 8' x 212' public access pier running parallel to and slightly east of the existing marina. The pier terminus is a 27' x 27' covered viewing area. The covering is a seasonal fabric canopy designed to keep people dry during storms and will be removed during the off-season. The covered deck will help provide a protected instructional and viewing space for classroom trips to the STB facility and Explore The Bay education programs.

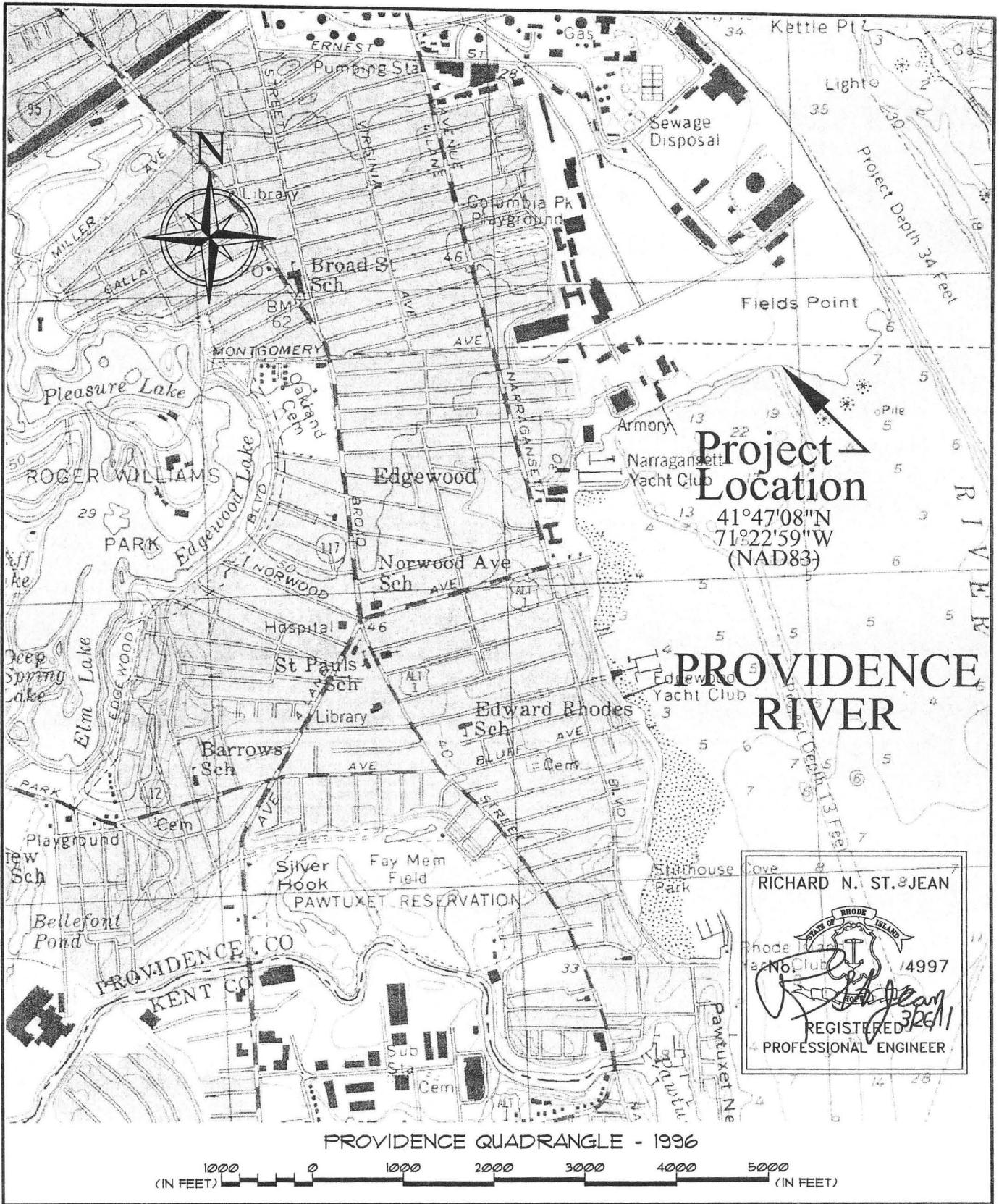
A ramp will reach from the end of the new pier to a kayak dock and the floating wave attenuator. There is a small wave fence under the ramp which is a minimized impact from the original proposal for a large wave fence under the pier. A kayak dock with two launch ramps will be installed on the inside (north) of the floating wave attenuator.

A new 14' x 240' floating wave attenuator will be installed outside (south) of the existing marina and provide protection for the existing marine facilities. It will help dampen waves, protect the existing docks inside the marina and facilitate calmer boarding conditions for STB education cruises. The floating wave attenuator will serve as a public dock for transient vessels visiting the STB Center complex and provide crewing opportunities for local colleges. The large attenuator float will not be pile-secured; it will be bottom-anchored using 2" chains attached to six 20-ton concrete mooring blocks on the outside and six helical anchors on the inside or landward side.

A suspended shellfish upweller to grow mussels, hard clams and oysters will be located under the floating wave attenuator for educational and shellfish restoration purposes.

There will be a revised marina perimeter limit to encompass the expanded marina.

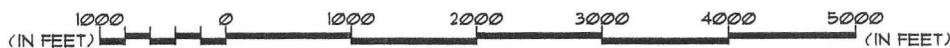
The work is described on the enclosed plans entitled "PROPOSED FIXED PIER AND WAVE ATTENUATOR" dated "MARCH 26, 2011."



RICHARD N. ST. JEAN

 REGISTERED PROFESSIONAL ENGINEER

PROVIDENCE QUADRANGLE - 1996



St. Jean Engineering LLC
 Civil and Structural Engineering
 1145 Middle Rd., East Greenwich, RI 02818
 Tel/Fax: (401)398-0999

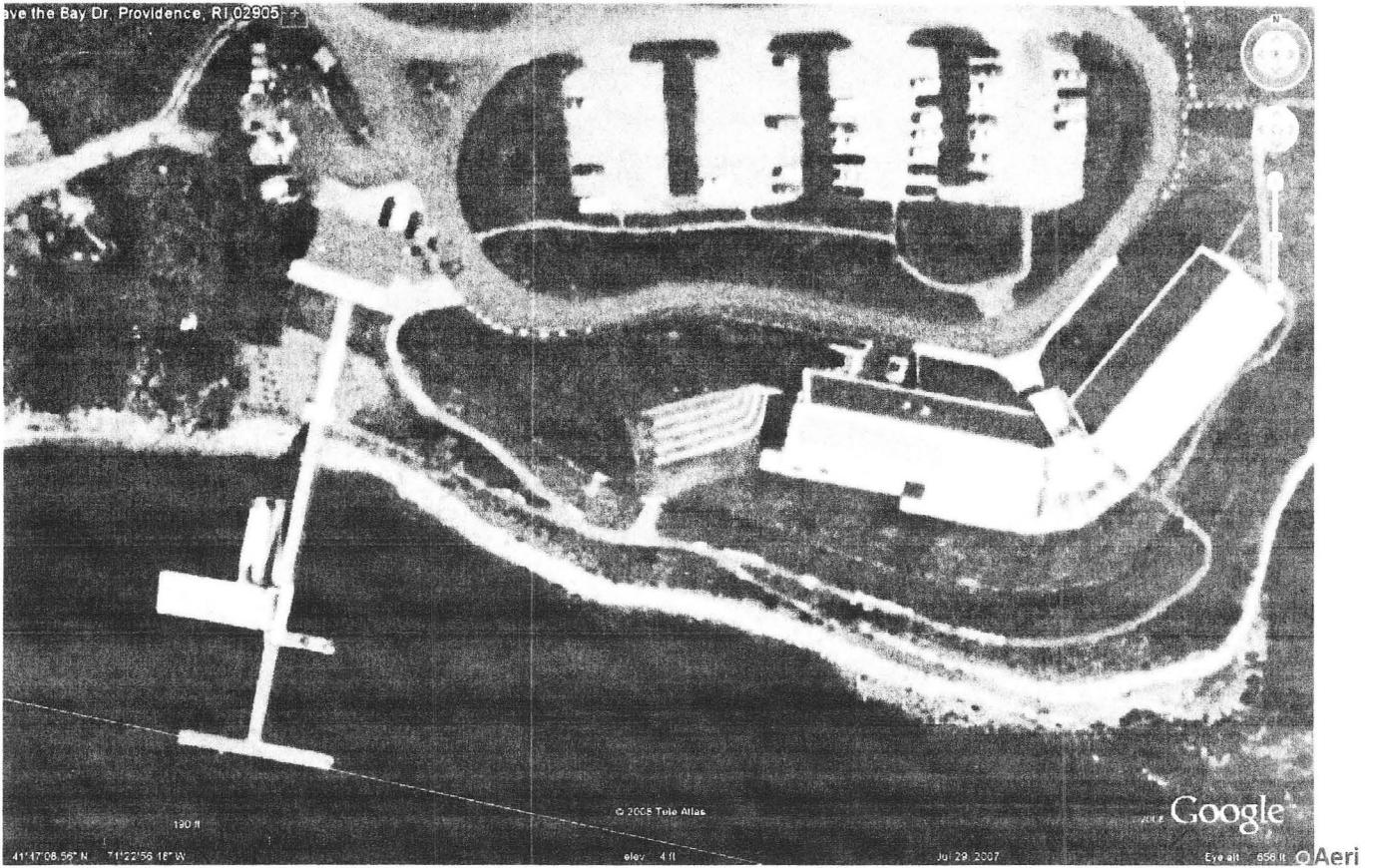
PROPOSED FIXED PIER AND WAVE ATTENUATOR SURROUNDING AREA FROM USGS MAP

DATE
 MARCH 26, 2011

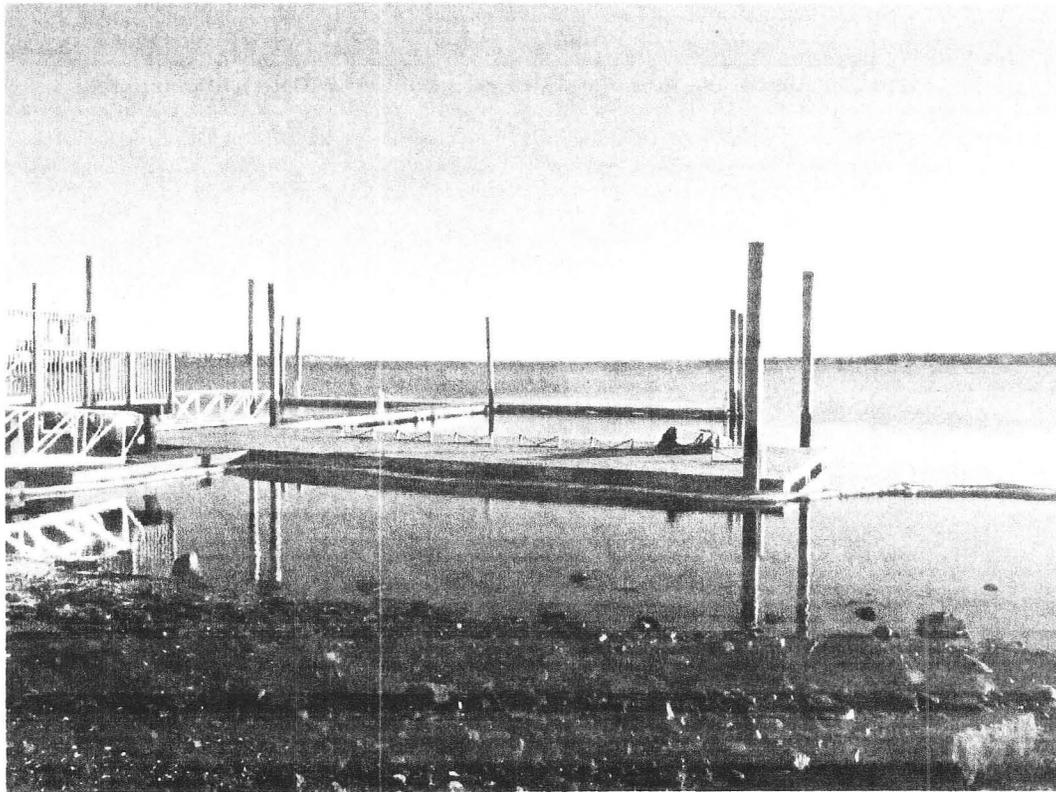
LOCATION: PROV. RIVER
 AP 56, LOT 251
 SAVE THE BAY DRIVE
 PROVIDENCE, RI 02905

APPLICATION BY:
 SAVE THE BAY CENTER
 100 SAVE THE BAY DRIVE
 PROVIDENCE, RHODE ISLAND 02905

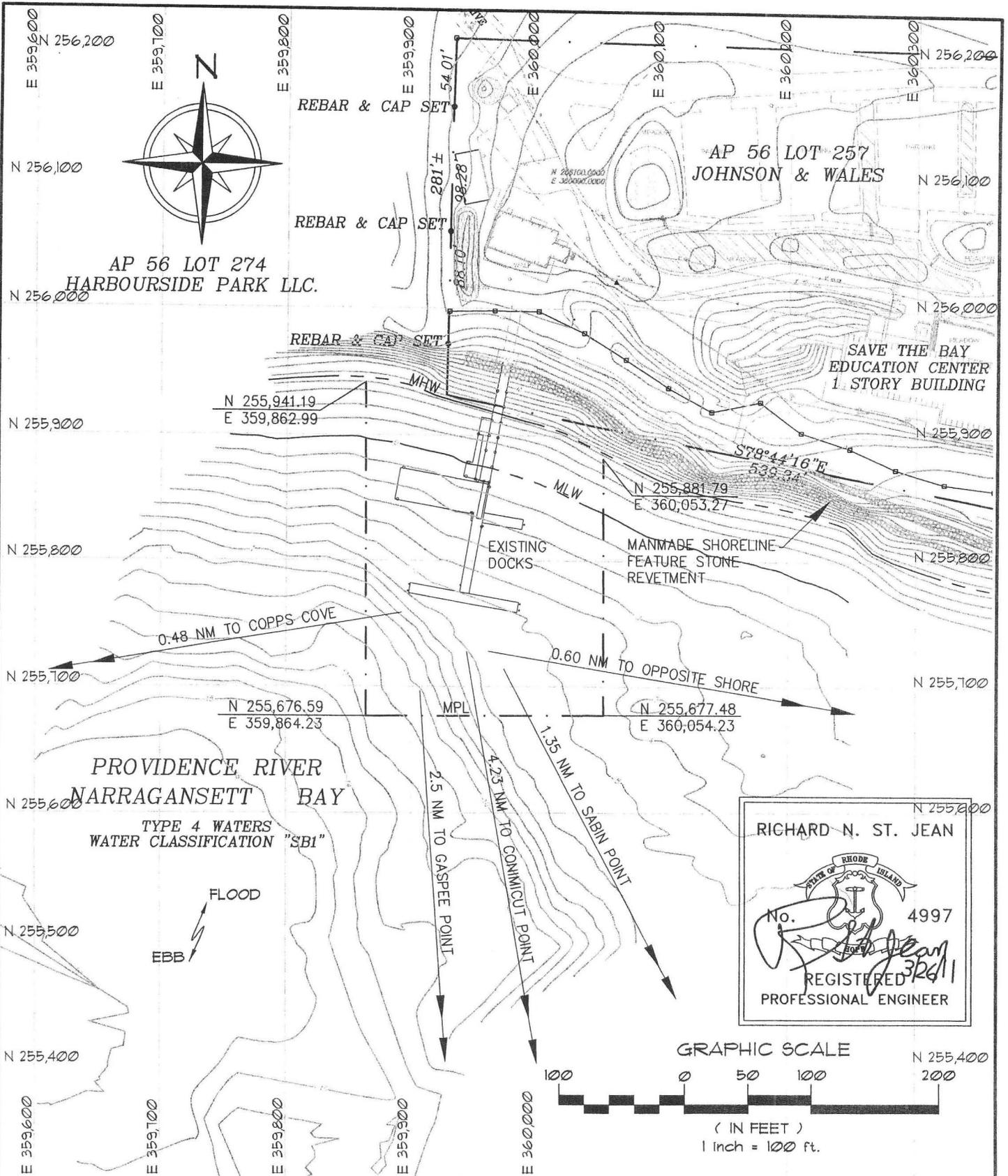
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Aerial View of Facility Showing Existing Docks



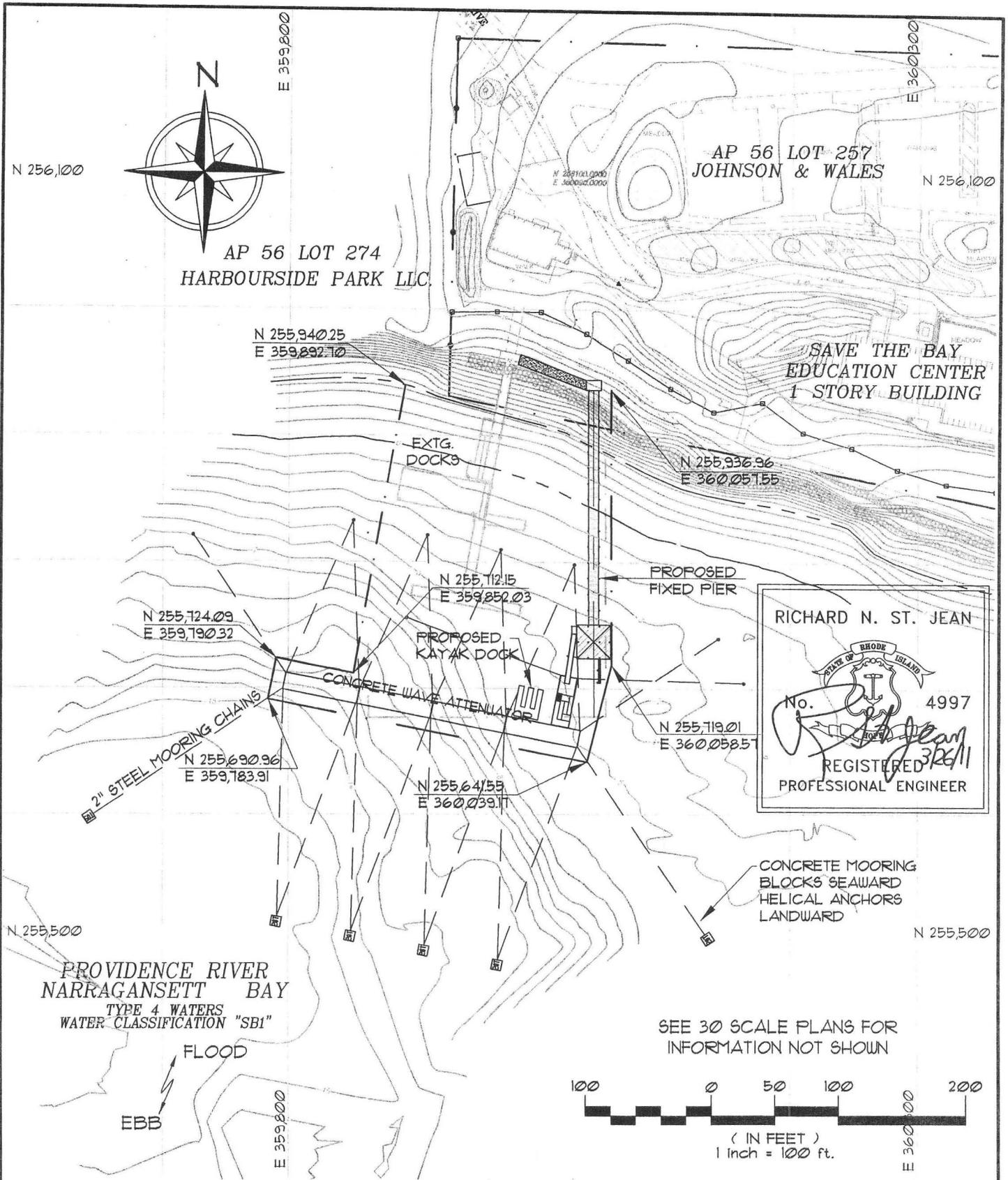
Existing Marine Facilities – Looking South from West Side of Docks



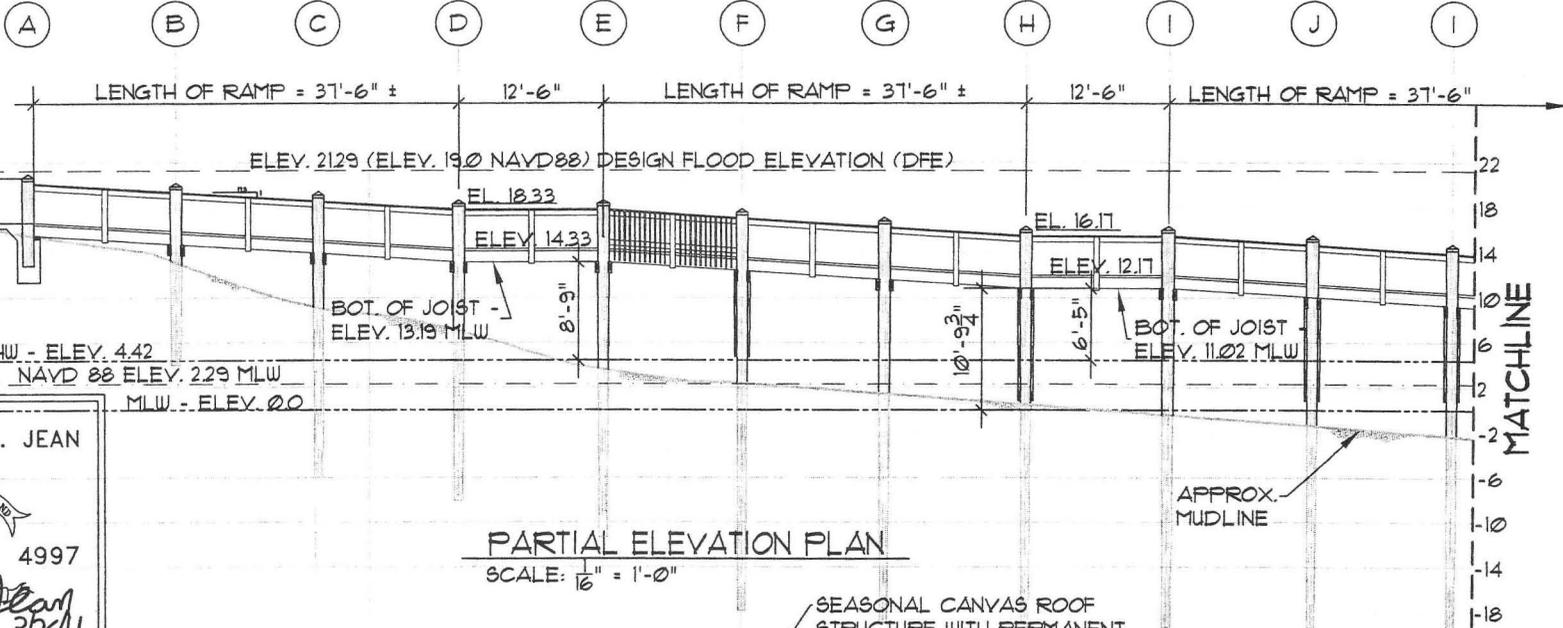
RICHARD N. ST. JEAN

No. 4997
 REGISTERED PROFESSIONAL ENGINEER
 32611

St. Jean Engineering LLC Civil and Structural Engineering 1145 Middle Rd., East Greenwich, RI 02818 Tel/Fax: (401)398-0999	PROPOSED FIXED PIER AND WAVE ATTENUATOR EXISTING IN WATER FACILITY		DATE MARCH 26, 2011
	LOCATION: PROV. RIVER AP 56, LOT 257 SAVE THE BAY DRIVE PROVIDENCE, RI 02905	APPLICATION BY: SAVE THE BAY CENTER 100 SAVE THE BAY DRIVE PROVIDENCE, RHODE ISLAND 02905	SHEET OF 4 6



St. Jean Engineering LLC Civil and Structural Engineering 1145 Middle Rd., East Greenwich, RI 02818 Tel/Fax: (401)398-0999	PROPOSED FIXED PIER AND WAVE ATTENUATOR SURROUNDING AREA FROM USGS MAP LOCATION: PROV. RIVER AP 56, LOT 257 SAVE THE BAY DRIVE PROVIDENCE, RI 02905 APPLICATION BY: SAVE THE BAY CENTER 100 SAVE THE BAY DRIVE PROVIDENCE, RHODE ISLAND 02905	DATE MARCH 26, 2011 SHEET OF 5 6
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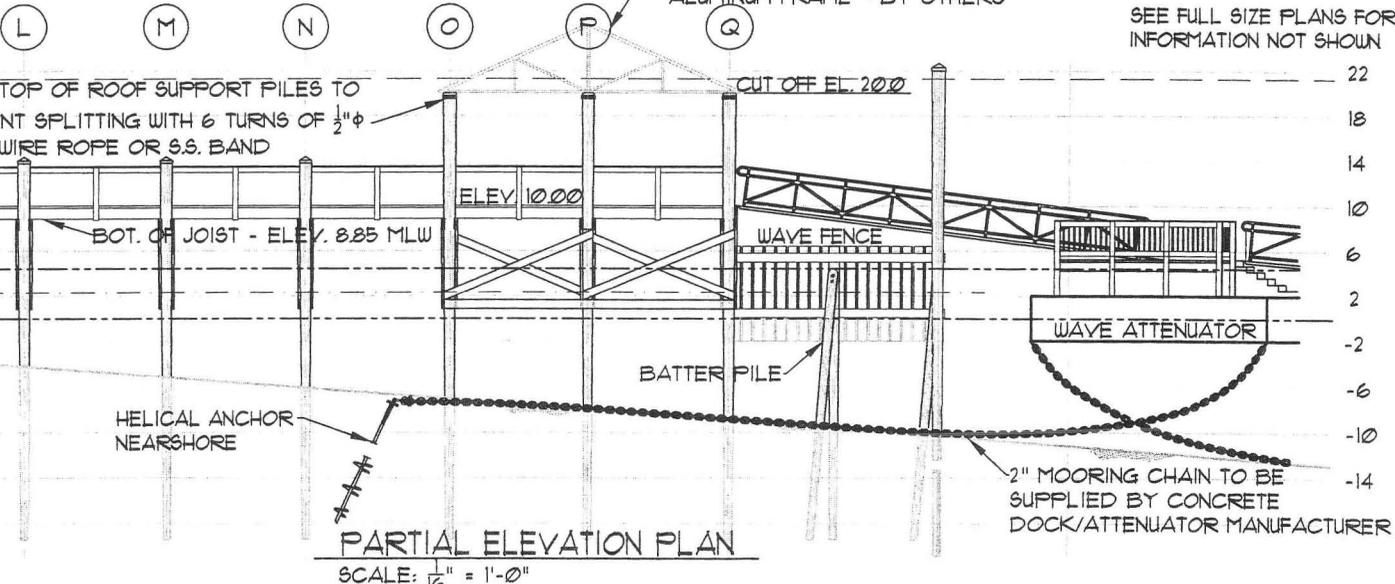


PARTIAL ELEVATION PLAN

SCALE: 1/16" = 1'-0"

RICHARD N.-ST. JEAN

No. 4997
REGISTERED PROFESSIONAL ENGINEER
32611



PARTIAL ELEVATION PLAN

SCALE: 1/16" = 1'-0"

SEE FULL SIZE PLANS FOR INFORMATION NOT SHOWN

<p>ST. JEAN ENGINEERING, LLC</p>	<p>PROPOSED FIX PIER & WAVE ATTENUATOR</p>		<p>DATE MARCH 26, 2011</p>
<p>Civil and Structural Engineering 1145 Middle Rd., East Greenwich, RI 02818 Tel/Fax: (401)398-0999</p>	<p>LOCATION: PROV. RIVER AP 56, LOT 251 SAVE THE BAY DRIVE PROVIDENCE, RI 02905</p>	<p>APPLICATION BY: SAVE THE BAY CENTER 100 SAVE THE BAY DRIVE PROVIDENCE, RHODE ISLAND 02905</p>	<p>REVISIONS: SHEET OF 6 OF 6</p>