### PUBLIC NOTICE



US Army Corps of Engineers & New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: October 10, 2017 Comment Period Ends: November 10, 2017

File Number: NAE-2017-01801 In Reply Refer To: Alex Kostra

**Phone:** (978) 318-8651

E-mail: alexander.a.kostra@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Town of North Kingstown of 8166 Post Road, North Kingstown, Rhode Island, 02852. This work is proposed in the coastal waters of Town of North Kingstown. RI. This area is generally known as the West Passage of Narragansett Bay from Saunderstown, RI to the Potowomut River, including Allen Harbor and Wickford Harbor.

There are 18 existing mooring fields on the western shore of West Passage of Narragansett Bay. The locations of the mooring fields are shown in Exhibits B and C and further described in Exhibit D (see enclosed). It is noted that Mooring Area 6 is located within a Federal Navigation Project (FNP) and Mooring Area 7 is generally located along the FNP boundary. The Town of North Kingstown has requested authorization to retain all existing mooring fields in North Kingstown, RI. These mooring fields have existed since the early 1990's.

The purpose of the above work is to provide moorings in the coastal waters of North Kingstown, RI.

The work is shown on the attached plans, in Exhibit C, entitled "Mooring Perimeter Survey," on 13 sheets, and dated "February 1, 1996."

Avoidance and minimization of adverse effects to the aquatic environment must be demonstrated to the maximum extent practicable. Mitigation will be required, as appropriate, to offset unavoidable adverse effects.

#### **AUTHORITY**

Permits are required pursuant to:
X 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.

#### CENAE-R FILE NO. NAE-2017-01801

The U.S. Army Corps of Engineers, New England District (Corps), 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. The Corps will consider all comments received 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 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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

The 18 mooring fields will cumulatively impact approximately 447 acres of Essential Fish Habitat (*EFH*). This habitat consists of various substrate types. Loss of this habitat may adversely affect species that use these waters and substrate. 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.

#### NATIONAL HISTORIC PRESERVATION ACT

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).

#### ENDANGERED SPECIES CONSULTATION

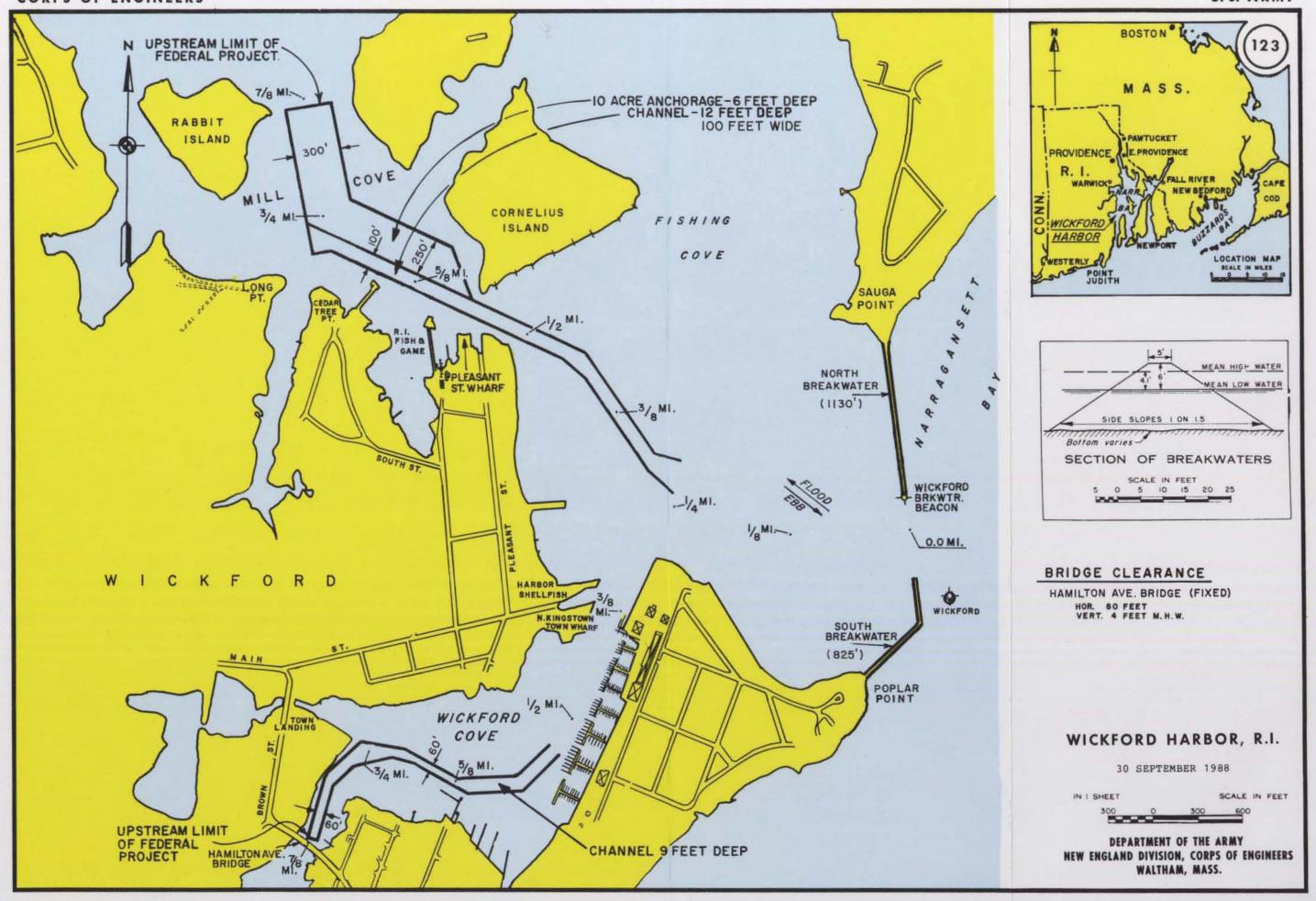
The Corps is reviewing the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. Our review will be concluded prior to the final decision.

#### CENAE-R FILE NO. NAE-2017-01801

#### OTHER GOVERNMENT AUTHORIZATIONS

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.

<ul> <li>The following authorizations have been applied for, or have been, or will be obtained: <ul> <li>(X) Permit, license or assent from State.</li> <li>() Permit from local wetland agency or conservation commission.</li> <li>() Water Quality Certification in accordance with Section 401 of the Clean Water Act.</li> </ul> </li> </ul>
COMMENTS
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 Alex Kostra at (978) 318-8651, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.
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.
THIS NOTICE IS <u>NOT</u> 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 by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at <a href="mailto:bettina.m.chaisson@usace.army.mil">bettina.m.chaisson@usace.army.mil</a> . 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:PHONE:





## NORTH KINGSTOWN, RHODE ISLAND

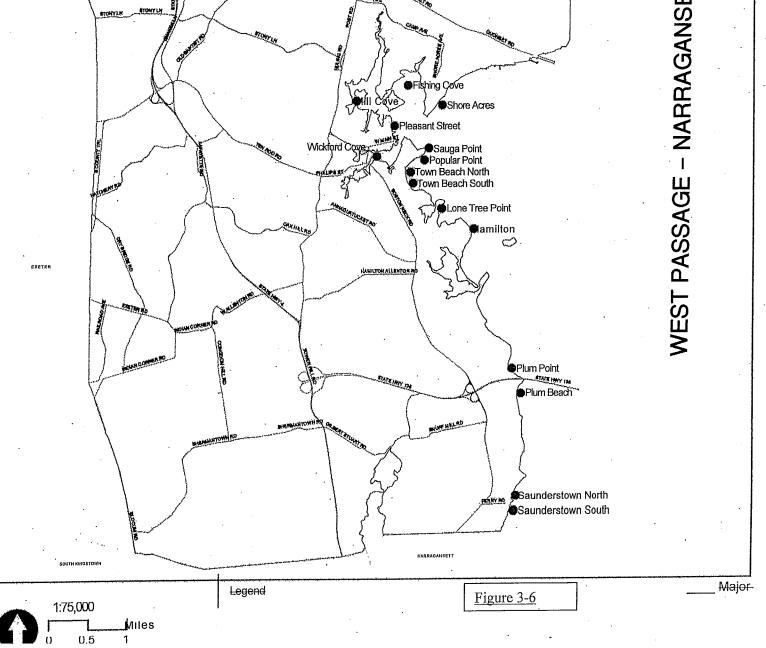
80 BOSTON NECK ROAD NORTH KINGSTOWN, R.I. 02852-5762 PHONE: (401) 294-3331 www.northkingstown.org

Town of North Kingstown

Mooring Field Permit Application

Exhibit "B"

**General Overview of Mooring Field Locations** 





## NORTH KINGSTOWN, RHODE ISLAND

80 BOSTON NECK ROAD.

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Mooring Field Permit Application

Exhibit "C"

Mooring Field Charts

LATITUDE and LONGITUDE

## MOORING PERIMETER SURVEY

Prepared For:

# THE TOWN OF NORTH KINGSTOWN

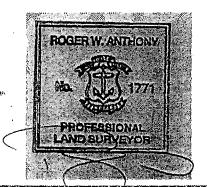
By:

#### Land Use Specialists, Inc. 865 Old Baptist Road North Kingstown, RI 02852-3651



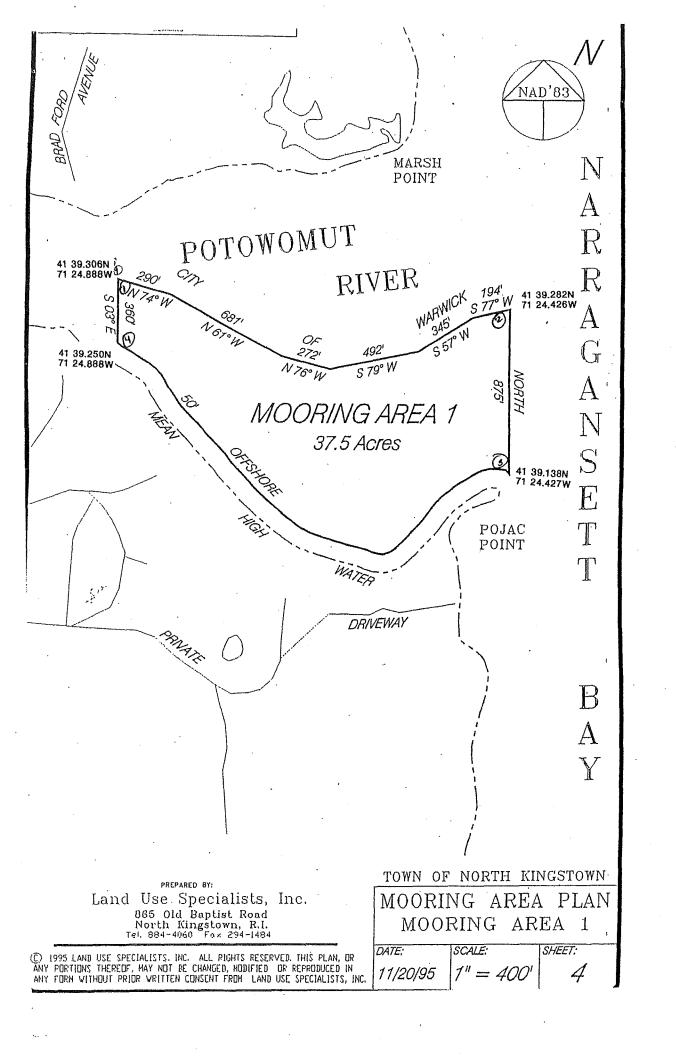
Tel. [401] 884-4060 Fax. [401] 294-1484

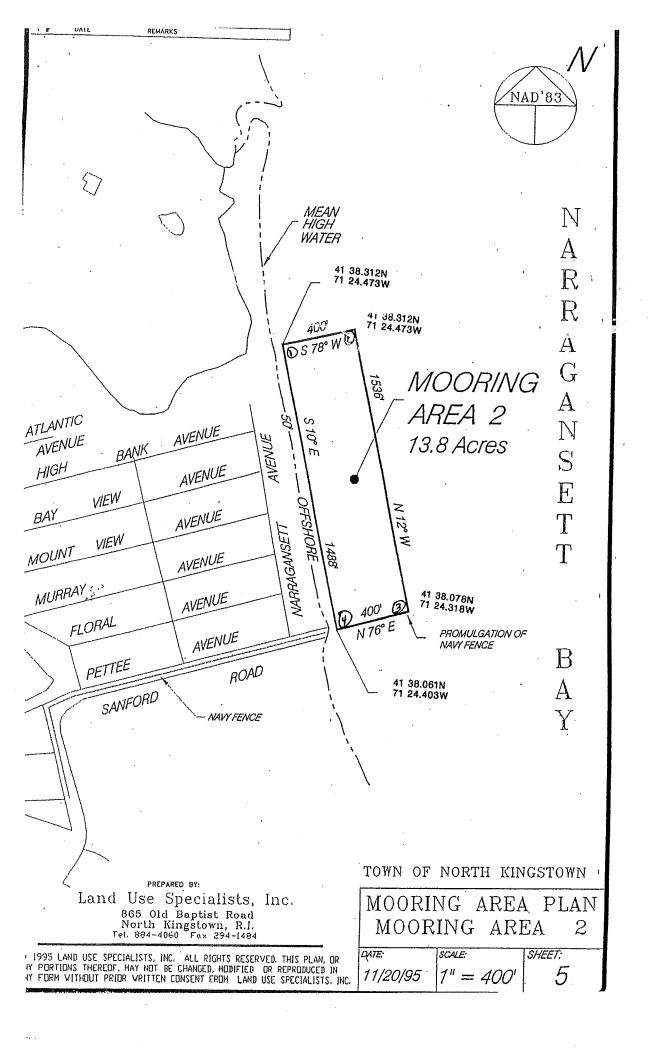
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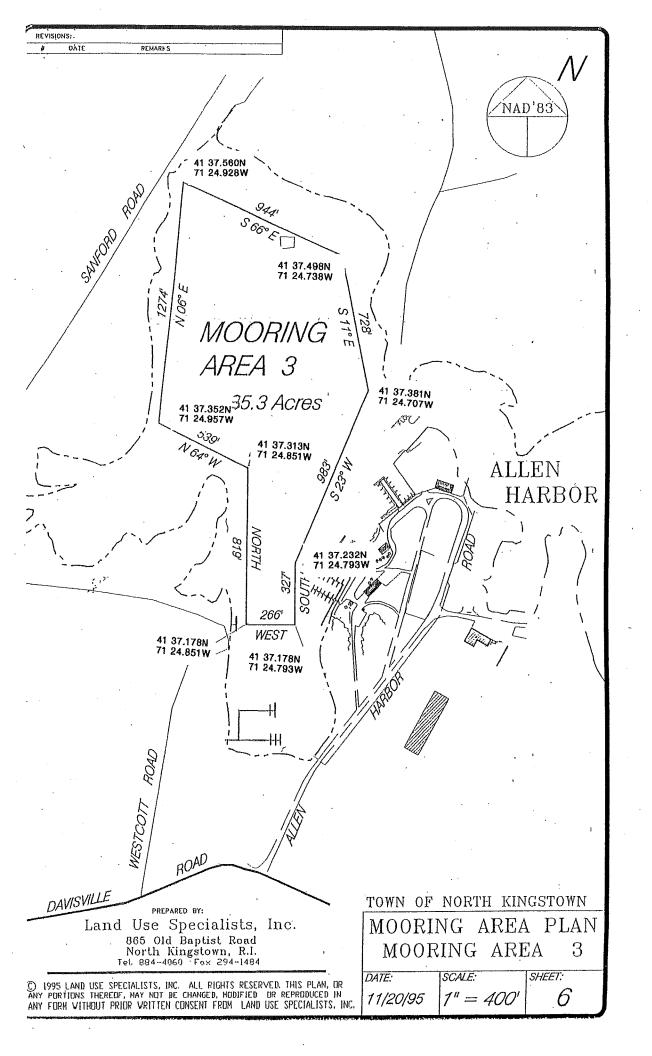


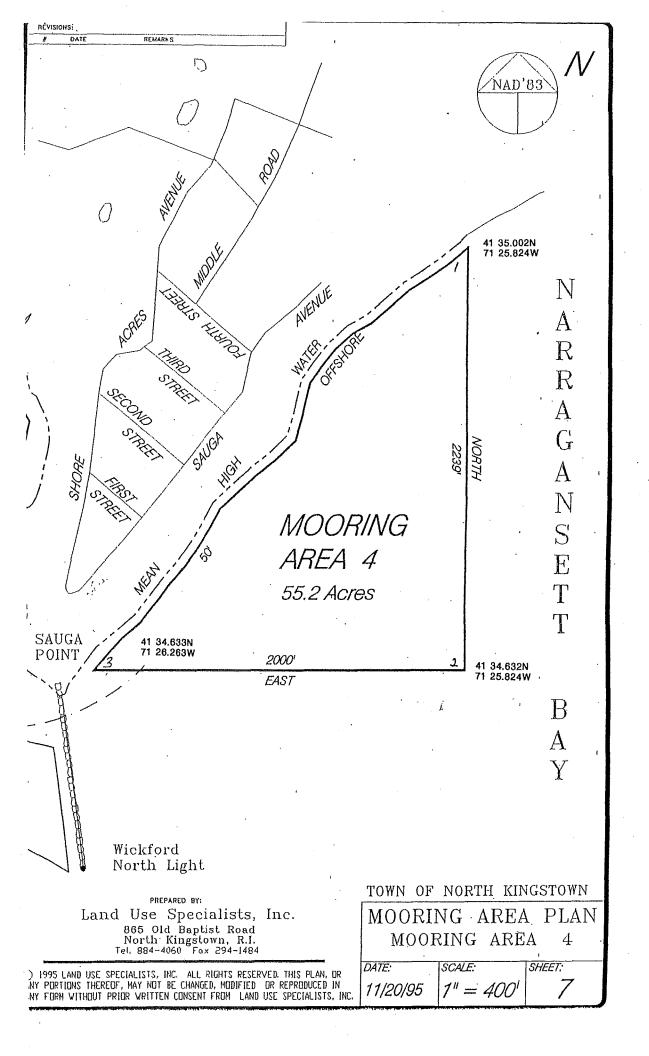
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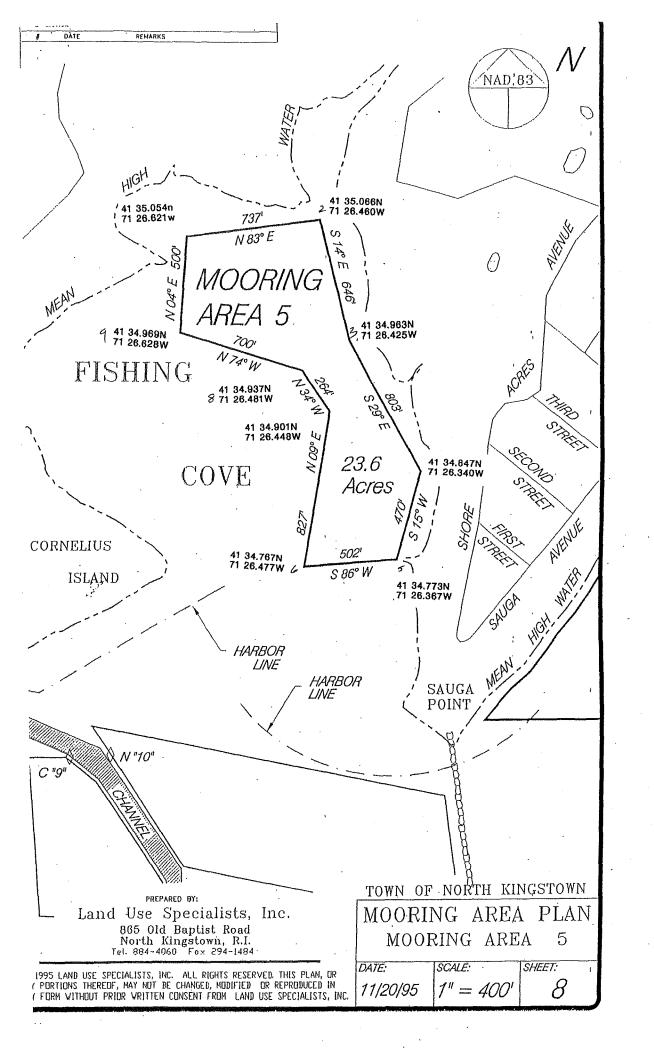
Last Revised: 2/1/96 - Sheet 13

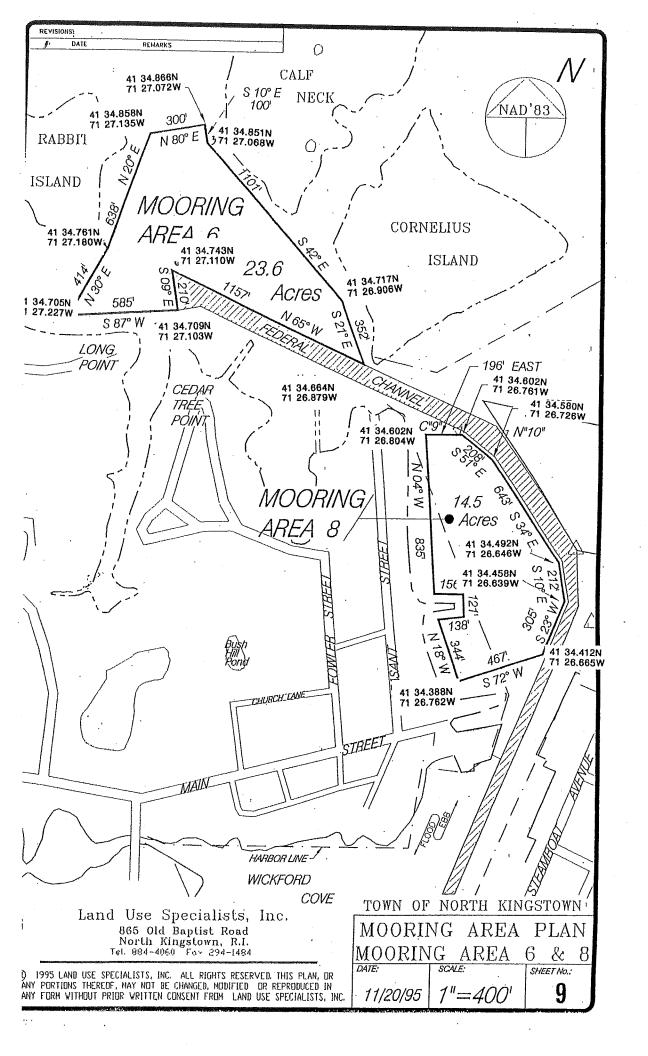


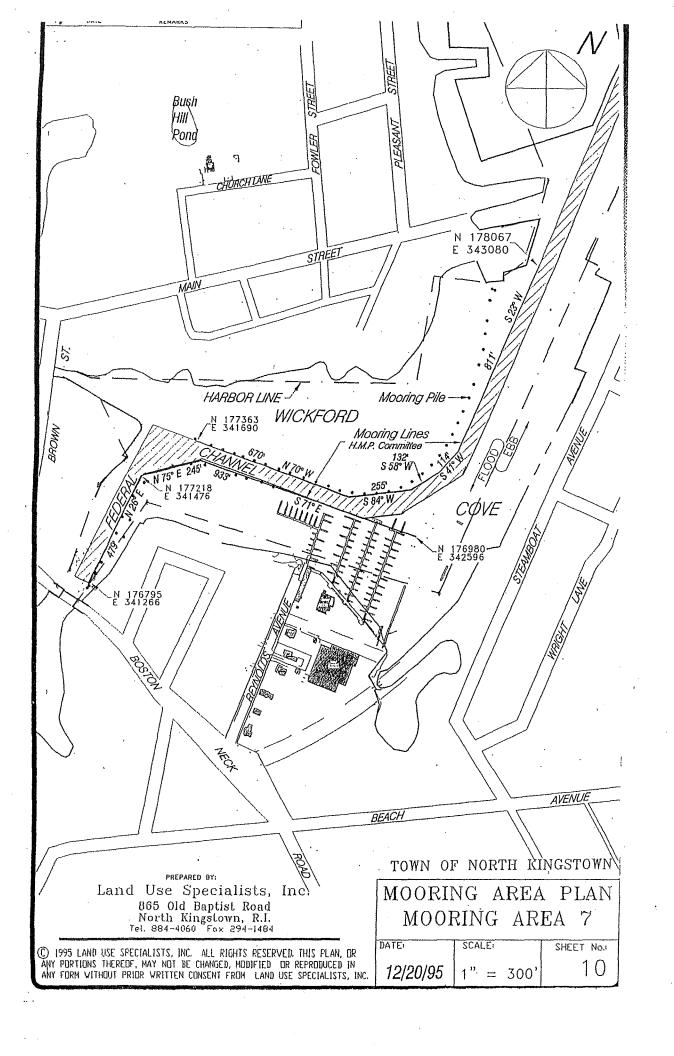


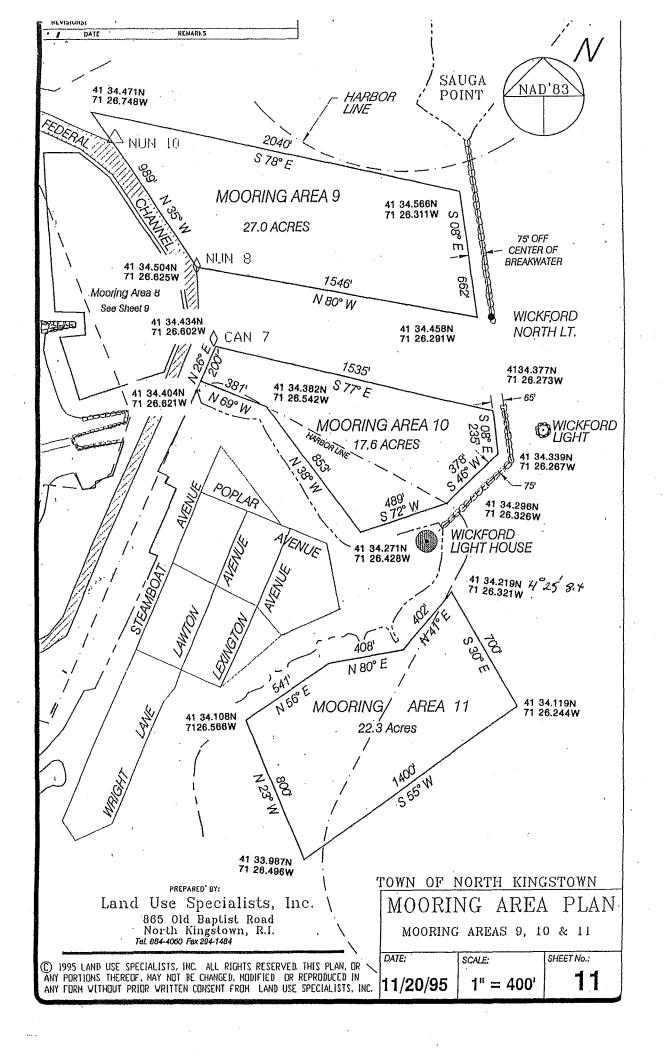


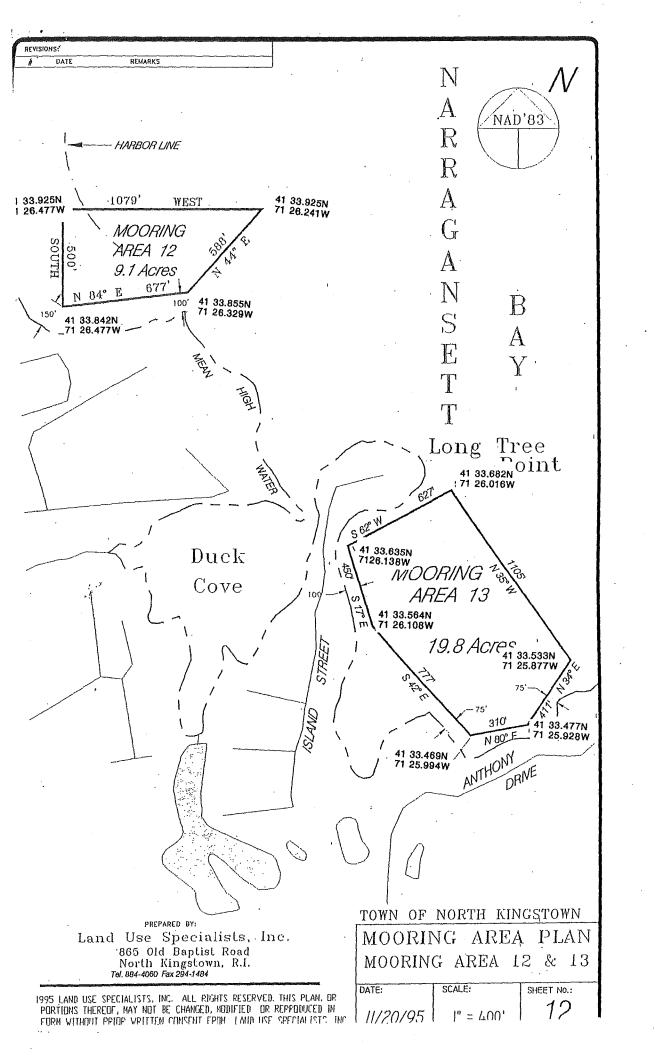


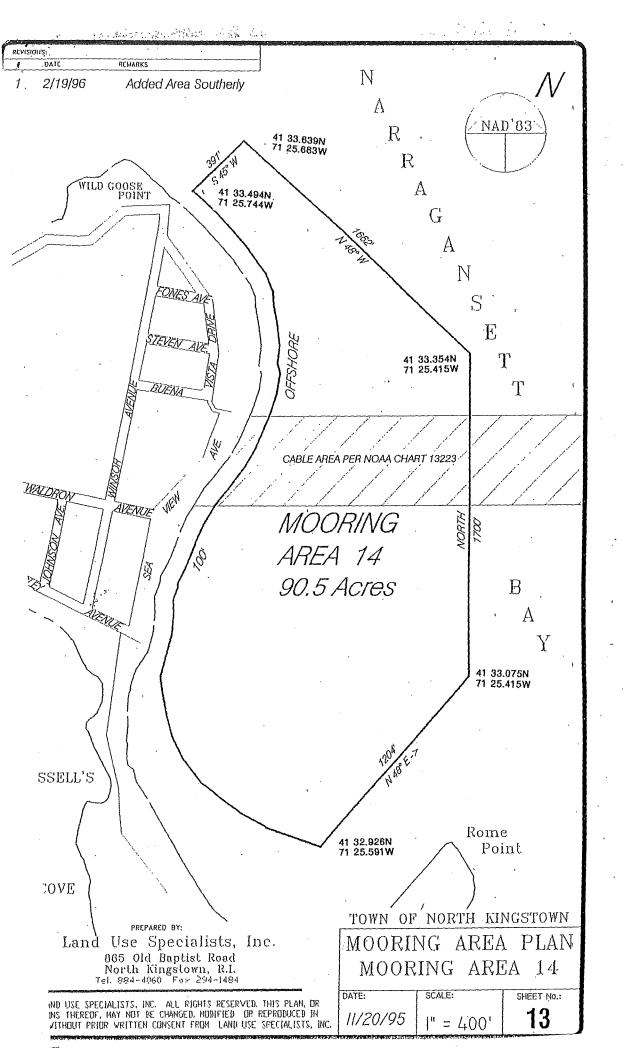


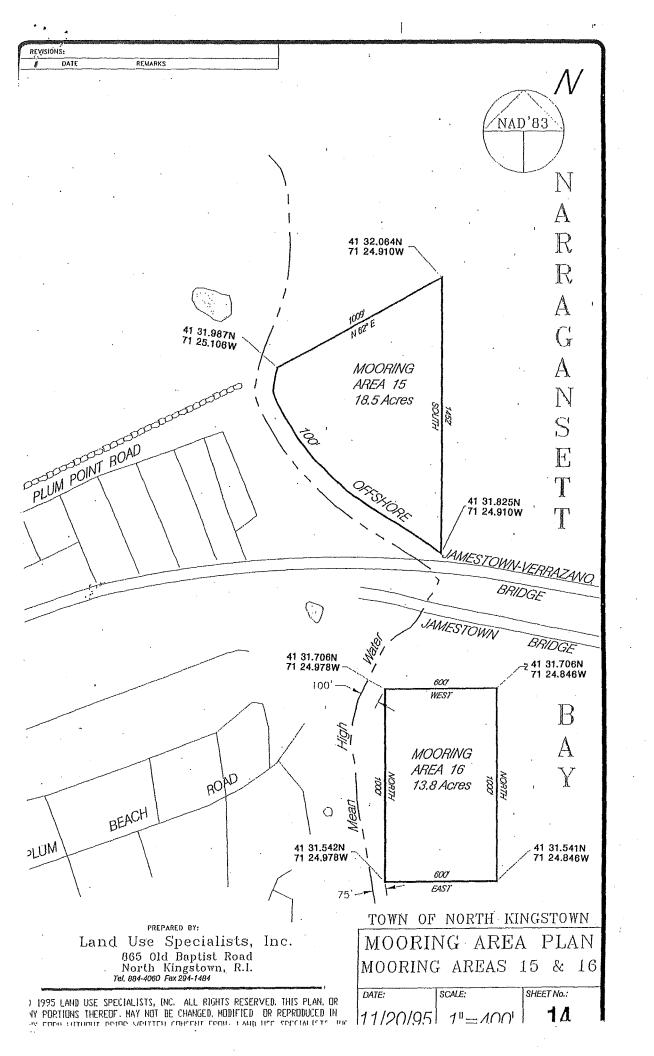


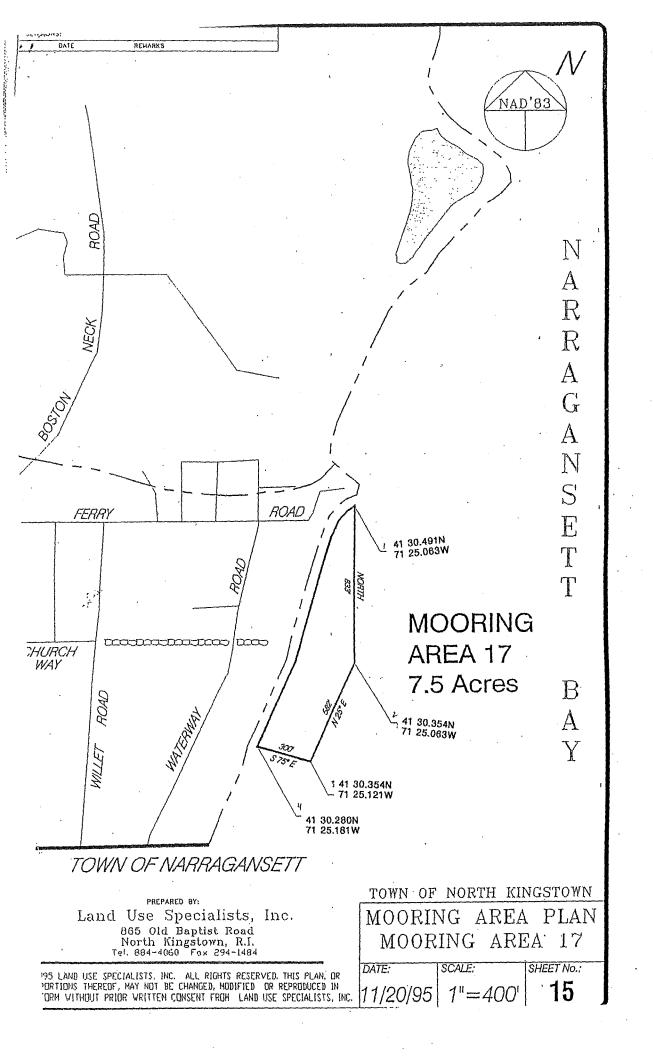


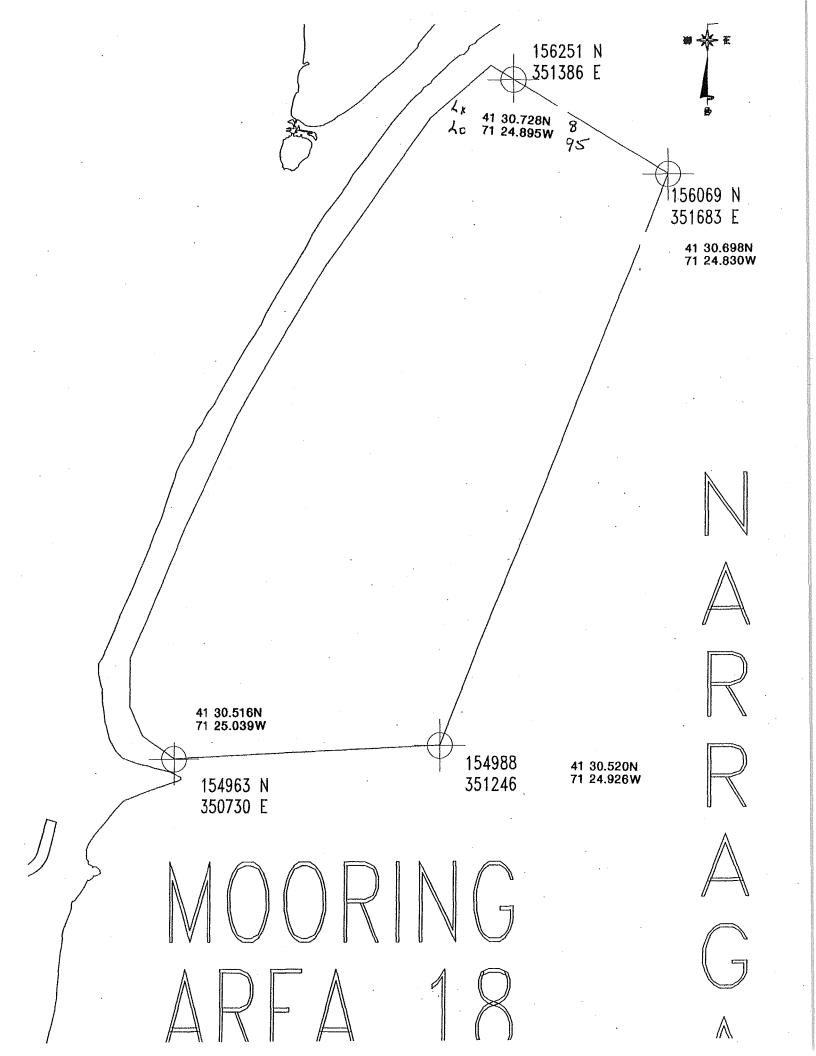














## NORTH KINGSTOWN, RHODE ISLAND

80 BOSTON NECK ROAD NORTH KINGSTOWN, R.I. 02852-5762 PHONE: (401) 294-3331 www.northkingstown.org

Town of North Kingstown

Mooring Field Permit Application

Exhibit "D" (9-18-17)

Detailed Description of Mooring Fields

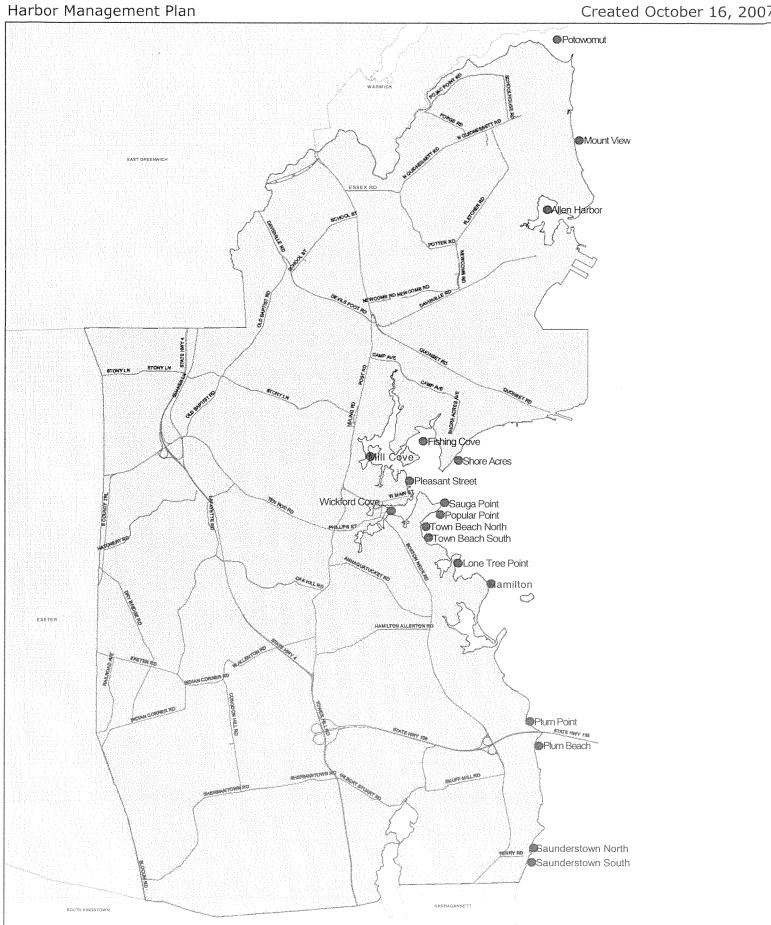
#### **CZM Consistency Statement**

The Town of North Kingstown, Rhode Island certifies that to the best of its knowledge and belief that the proposed project consisting of "Mooring Area1 through Mooring Area 18", located in waters of the jurisdiction of the Town, complies with Rhode Island Coastal Zone Management Program and all activities with this project will be conducted in a manner consistent with the program guidelines.

Date: 9/19//>

Applicant:

Harbormaster



Legend

#### Descriptions of Individual Existing Mooring Fields in North Kingstown, Rhode Island

#### Mooring Area 1 -

Location: Potowomut River

Local Name: Potowomut River Mooring Field

Coordinates: 41 39.306N/ -71 24.888W

41 39.282N/-71 24.426W

41 39.138N/-71 24.427W

41 39.250N/-71 24.888W

Northern boundary is the North Kingstown/Warwick Town line.

Southern Boundary is generally 50' from Mean High Water

Estimated moorings = 5-10 (varies)

Mooring are single point.

Boat size and draft = 6' to 40'; Draft 2" -6'

#### Mooring Area 2 -

Location: Mount View

Local Name: Mount View Mooring Field

Coordinates: 41 38.312N/-71 24.473W

41 38.325N/-71 24.387W

41 38.078N/-71 24.318W

41 38.061W/-71 24.403W

Estimated moorings = 5-10 (varies)

Mooring are single point.

Boat size and draft = 6' to 25'; Draft 2" -2"

#### Mooring Area 3-

Location: Allen Harbor

Local Name: Allen Harbor Mooring Field

Coordinates: 41 37.560N/-71 24.928W

41 37.498N/-71 24.738W

41 37.381N/-71 24.707W

41 37.232N/-71 24.793W

41 37.178N/-71 24.793W

41 37.178N/-71 24.851W

41 37.313N/-71 24.851W

41 37.352N/-71 24.957W

Estimated moorings = 84 (varies)

Mooring are single point.

Boat size and draft = 6' to 40'; Draft 2" -6'

#### Mooring Area 4-

Location: Shore Acres

Local Name: Shores Acres

Coordinates: 41 35.002N/-71 25.824W

41 34.632N/-71 25.824W

41 34.633N/-71 26.263W

Western boundary is generally 50' from Mean High Water

Estimated moorings = 20-45 (varies)

Mooring are single point.

Boat size and draft = 6' to 50'; Draft 2" -8'

#### Mooring Area 5 -

Location: Wickford Harbor

Local Name: Fishing Cove Mooring Field

Coordinates: 41 35.054N/-71 26.621W

41 35.066N/-71 26.460W

41 34.963N/-71 26.425W

41 34.847N/-71 26.340W

41 34.773N/-71 26.367W

41 34.767N/-71 26.477W

41 34.901N/-71 26.448W

41 34.937N/-71 26.481W

41 34.969N/-71 26.628W

Estimated moorings = 25-45 (varies)

Mooring are single point.

Boat size and draft = 6' to 25'; Draft 2" -2'

#### Mooring Area 6-

Location: Wickford Harbor

Local Name: Mill Cove Mooring Field

Coordinates: 41 34.858N/-71 27.135W

41 34.851N/-71 27.068W

41 34.717N/-71 26.906W

41 34.743N/-71 27.110W

41 34.709N/-71 27.103W

41 34.705N/-71 27.227W

41 34.761N/-71 27.180W

Estimated moorings = 80-96 (varies)

Mooring are single point.

Boat size and draft = 6' to 40'; Draft 2" -6'

#### Mooring Area 7 -

Location: Wickford Harbor

Local Name: Wickford Cove

Note: This is a large area that contains 44 pilings that are permitted by the Army Corps of Engineers (Brewers Wickford Cove Marina) and 6-8 riparian moorings. The area is generally identified by the Federal Channel and mostly, shallow, un-navigable water.

Estimated moorings = 60-64 (varies)

Mooring are single and fore and aft.

Boat size and draft = 6' to 45'; Draft 2" -7'

#### Mooring Area 8 -

Location: Wickford Harbor

Local Name: Pleasant Street Mooring Field

Coordinates: 41 34.602N/-71 26.804W

41 34.602N/-71 26.761W

41 34.580N/-71 26.726W

41 34.492N/-71 26.646W

41 34.458N/-71 26.639W

41 34.412N/-71 26.665W

41 34.388N/-71 26.762W

The western boundary is 50' from Mean High Tide.

Estimated moorings = 50-70 (varies)

Mooring are single point.

Boat size and draft = 6' to 40'; Draft 2'' - 7'

#### Mooring Area 9 -

Location: Wickford Harbor

Local Name: Sauga Point Mooring Field

Coordinates: 41 34.471N/-71 26.748W

41 34.566N/-71 26.311W

41 34.458N/-71 26.291W

41 34.504N/-71 26.625W

Estimated moorings = 50-61 (Varies)

Mooring are single point.

Boat size and draft = 6' to 40'; Draft 2" -7'

#### Mooring Area 10 -

Location: Wickford Harbor

Local Name: Poplar Point Mooring Field

Coordinates: 41 34.434N/-71 26.602W

41 34.377N/-71 26.273W

41 34.339N/-71 26.267W

41 34.296N/-71 26.326W

41 34.271N/-71 26.428W

41 34.382N/-71 26.542W

41 34.404N/-71 26.621W

Estimated moorings = 35-43 (Varies)

Mooring are single point.

Boat size and draft = 6' to 45'; Draft 2'' - 7'

#### Mooring Area 11 -

Location: Cold Spring Beach

Local Name: Town Beach Mooring Field

Coordinates: 41 34.108N/-71 26.566W

41 34.219N/-71 26.321W

41 34.119N/-71 26.244W

41 33.987n/-71 26.496W

Estimated moorings =30-32 (Varies)

Mooring are single point.

Boat size and draft = 6' to 50'; Draft 2" -8'

#### Mooring Area 12 -

Location: Cold Spring Beach

Local Name: Town Beach South Mooring Field

Coordinates: 41 33.925N/-71 26.477W

41 33.925N/-71 26.241W

41 33.855N\*/-71 26.329W

41 33.842N/-71 26.477W

Estimated moorings = 5-10 (varies)

Mooring are single point.

Boat size and draft = 6' to 50'; Draft 2" -8'

#### Mooring Area 13 -

Location: Long Tree Point

Local Name: Long Tree Point Mooring Field

Coordinates: 41 33.635N/-71 26.138W

41 33.682N/-71 26.016W

41 33.533N/-71 25.877W

41 33.477N/-71 25.928W

41 33.469N/-71 25.994W

41 33.564N/-71 26.108W

Estimated moorings = 20-30 (varies)

Mooring are single point.

Boat size and draft = 6' to 50'; Draft 2" -8'

#### Mooring Area 14 -

Location: Hummocks

Local Name: Hamilton Beach Mooring Field (Including Wild Goose Point)

Coordinates: 41 33.494N/-71 25.744W

41 33.639N/-71 25.683W

41 33.354N/-71 25.415W

41 33.075N/-71 25.415W

41 32.926N/-71 25.591W

The western boundary is 100' offshore.

Estimated moorings = 70-90 (varies)

Mooring are single point.

Boat size and draft = 6' to 50'; Draft 2" -8'

#### Mooring Area 15 -

Location: Plum Point

Local Name: Plum Beach Mooring Field

Coordinates: 41 31.987N/-71 25.106W

41 32.064N/-71 24.910W

41 31.825N/-71 24.910W

Western boundary is 100' offshore.

Estimated moorings = 10-15 (varies)

Mooring are single point.

Boat size and draft = 6' to 25'; Draft 2" -2'

#### Mooring Area 16 -

Location: Plum Beach

Local Name: Plum Beach Mooring Field

Coordinates: 41 31.706N/-71 24.978W

41 31.706N/-71 24.846W

41 031.541N/-71 24.846W

41 31.542N/-71 24.978W

The western boundary is 100' offshore.

Estimated moorings = 24-32 (varies)

Mooring are single point.

Boat size and draft = 6' to 35'; Draft 2" -7'

#### Mooring Area 17 -

Location: Saunderstown

Local Name: Saunderstown North Mooring Field

Coordinates: 41 30.491N/-71 25.063W

41 30.354N/-71 25.063W

41 30.354N/-71 25.121W

41 30.2890N/-71 25.181W

The western boundary is 50' offshore.

Estimated moorings = 50 (varies)

Mooring are single point.

Boat size and draft = 6' to 35'; Draft 2" -7'

#### Mooring Area 18 -

Location: Saunderstown

Local Name: Saunderstown South Mooring Field

Coordinates: 41 30.728N/-71 24.895W

41 30.698N/-71 -71 24.830W

41 30.520N/-71 24.926W

41 30.516N/-71 25.039W

The Western Boundary is 50' offshore.

Estimated moorings = 15-20 (varies)

Mooring are single point.

Boat size and draft = 6' to 25'; Draft 2" -7'