



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: October 5, 2004
Comment Period Ends: November 5, 2004
File Number: NAE 2004-00413
In Reply Refer To: Richard Roach
Or by e-mail: Richard.A.Roach
@usace.army.mil

U.S. Coast Guard Station Portsmouth, New Castle, New Hampshire

has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 to dredge their 52,000 square foot boat basin to a depth of minus ten feet mean low water. Approximately 11,500 cubic yards of material would be dredged mechanically and disposed of at an upland site. This work is proposed in the basin of the CG Station at Fort Constitution in Portsmouth Harbor at Fort Point, New Castle, NH. The work is described on the enclosed plans entitled "Dredge Plan, USCG Station, Portsmouth Dredging," on 4 sheets, and dated "August 2004." The mitigation proposed would be the avoidance of dredging in the shallow western portion of the basin and the management of moorings in the area to reduce adverse impacts to submerged aquatic vegetation. The dredged material has undergone physical and chemical analysis. It is our preliminary determination that the material is acceptable for disposal at a contained upland disposal site.

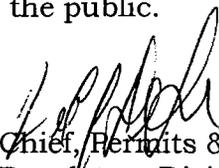
The dredging portion of this project will impact approximately 52,000 SF of Essential Fish Habitat (EFH) for (SEE ATTACHED SHEET FOR LIST OF SPECIES AND LIFE STAGES). Habitat at this site can be described as varying from coarse rock and cobble to fine sand and soft silt depending on the location within the basin. Loss of this habitat may adversely affect (SEE ATTACHED SHEET FOR LIST OF SPECIES AND LIFE STAGES) THE AREA WILL BE DREDGED AND THE SUBSTRATE ABOVE THE -10 MLW CONTOUR WILL BE REMOVED FROM THE BASIN AND DISPOSED OF IN AN UPLAND CONTAINMENT FACILITY. 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.

This project is located on the USGS Portsmouth quadrangle sheet at Latitude 43° 04.35' N, Longitude -70° 42.55' W.

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 Mr. Richard Roach at (978) 318-8211, (800) 343-4789 or at the above listed e-mail address.

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.

SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS


Chief, Permits & Enforcement Branch
Regulatory Division

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.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

(1) 106 REVIEW COMPLETE

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.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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.

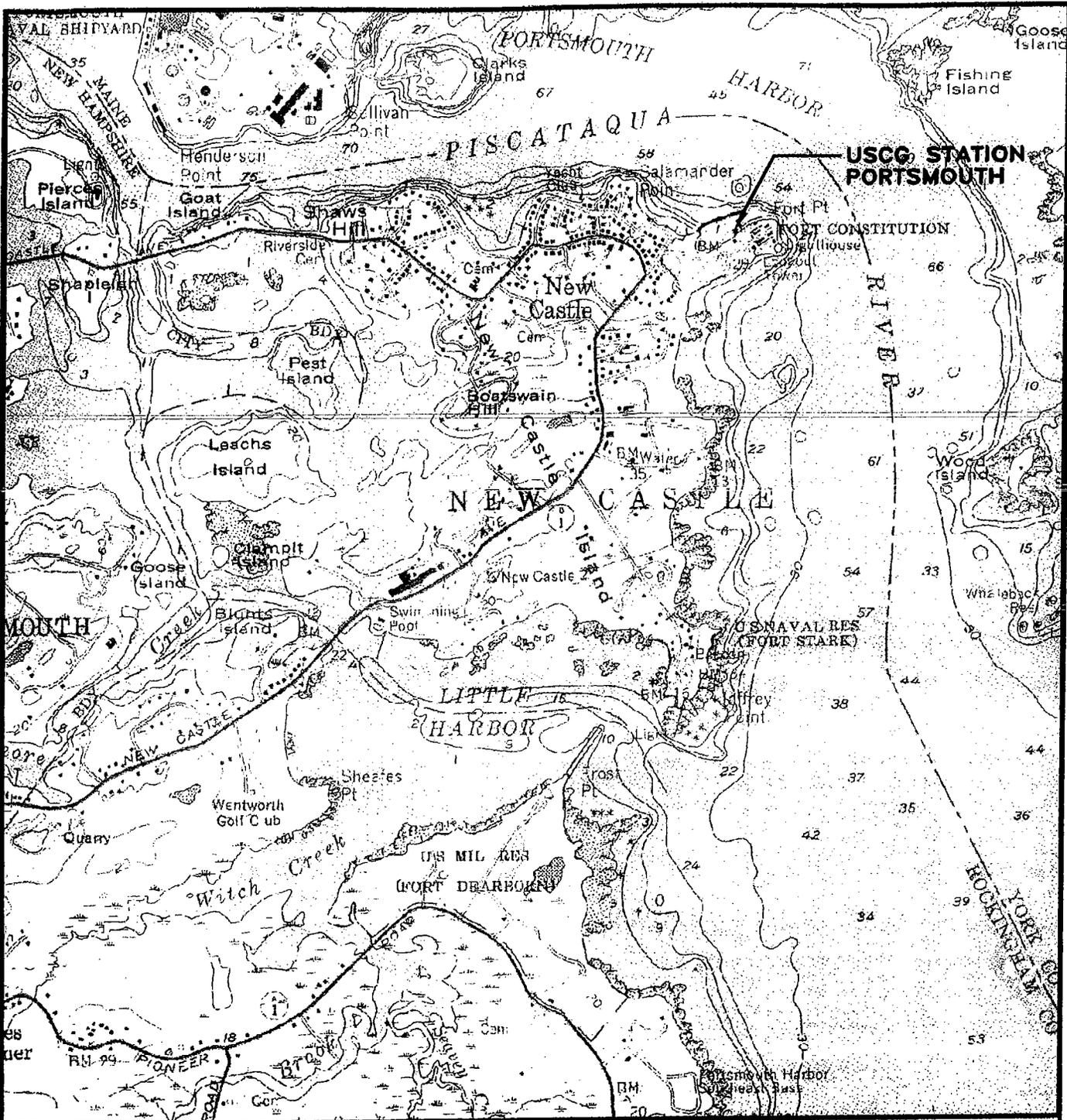
The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management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

The 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 NOT AN AUTHORIZATION TO DO ANY WORK.

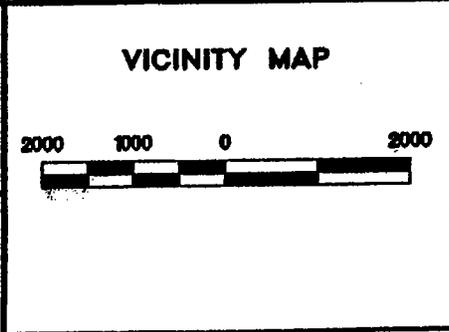
If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers,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

NAME: _____
ADDRESS: _____



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REFERENCE:
 USGS QUAD KITTERY, ME-NH
 1:24,000



USCG STATION PORTSMOUTH DREDGING

PISCATAQUA RIVER
 ROCKINGHAM COUNTY
 NEW CASTLE, NEW HAMPSHIRE

OWNER:
 UNITED STATES COAST GUARD
 MAP 19 LOT 2

FIGURE 1 AUGUST 2004 SHEET 1 OF 4



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**AERIAL
PHOTOGRAPH**

**USCG STATION
PORTSMOUTH DREDGING**

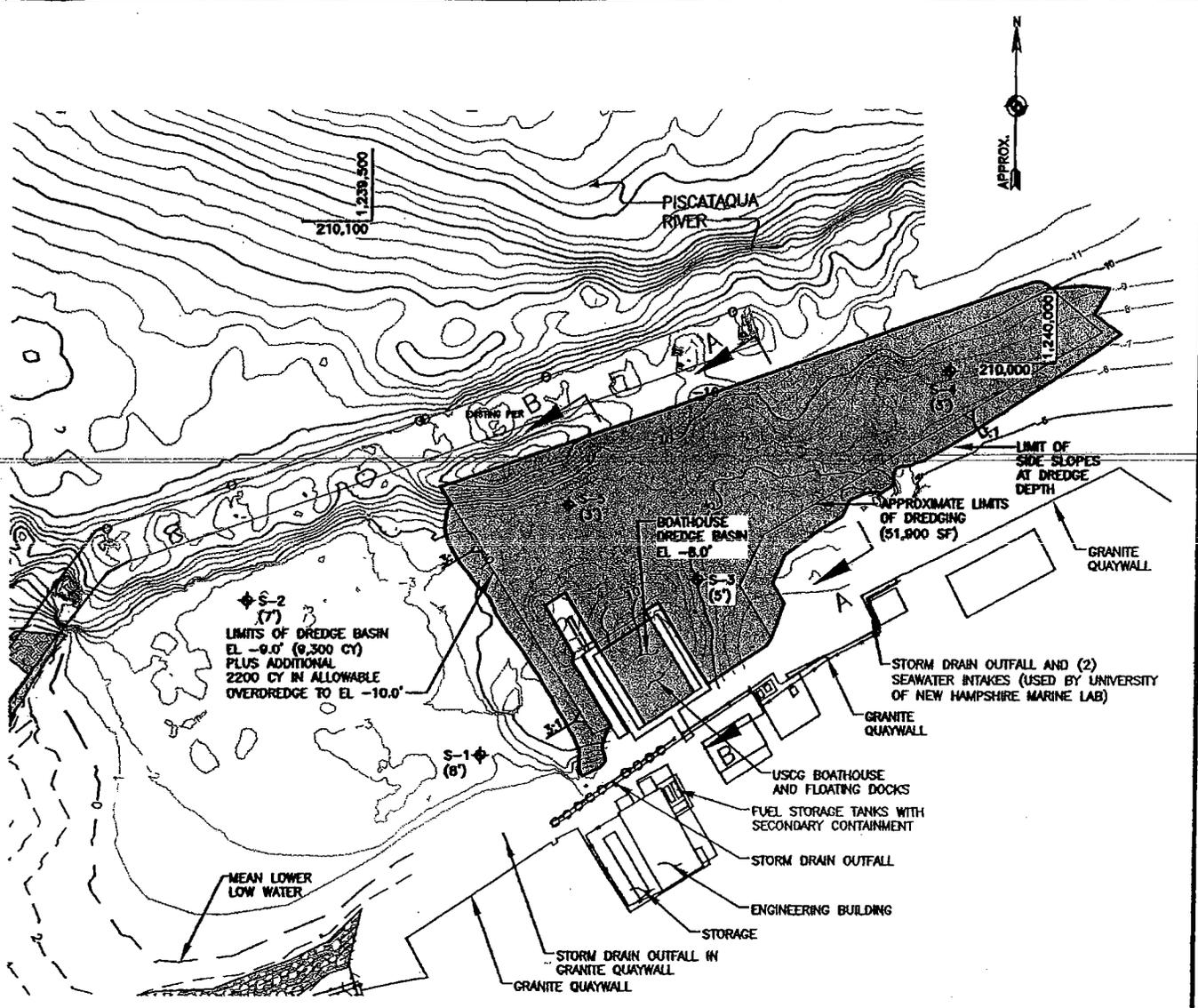
PISCATAQUA RIVER
ROCKINGHAM COUNTY
NEW CASTLE, NEW HAMPSHIRE

OWNER:
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COAST GUARD**
MAP 19 LOT 2

AUGUST 2004

SHEET 1 OF 4

REFERENCE:



NOTES:

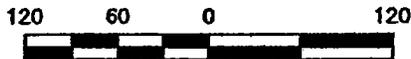
1. HORIZONTAL GRID IS BASED ON NAD83 (1996).
2. ELEVATIONS ARE IN FEET BASED ON MEAN LOWER LOW WATER (MLLW) DATUM FOR THE 1960-78 TIDAL EPOCH.
3. THE DREDGE SIDE SLOPES ARE SHOWN AT 3:1.

LEGEND:

- S-1 (14') DREDGING MATERIAL SAMPLE LOCATION (DEPTH)
- 3:1 DREDGING SIDE SLOPE
- DREDGE AREA

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DREDGE PLAN



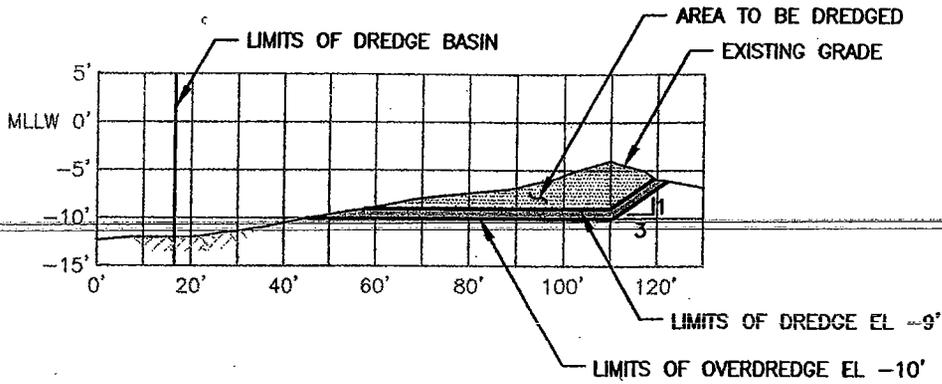
USCG STATION PORTSMOUTH DREDGING

PISCATAQUA RIVER
 ROCKINGHAM COUNTY
 NEW CASTLE, NEW HAMPSHIRE

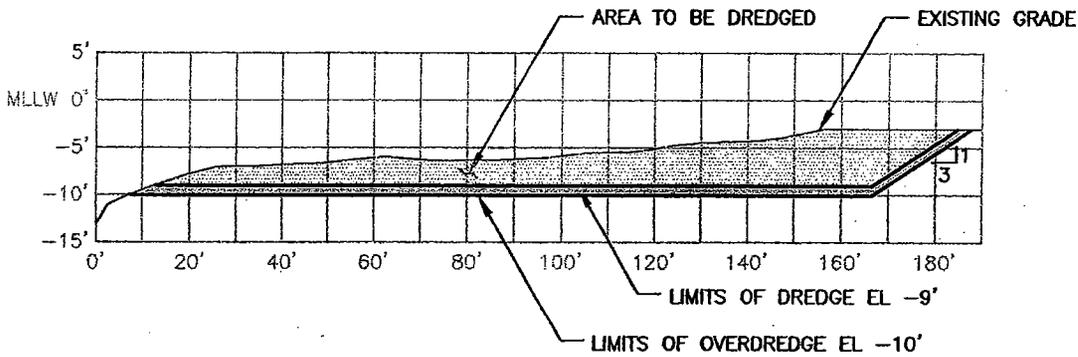
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FIGURE 2 AUGUST 2004

SHEET 2 OF 4



A-A



B-B

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DREDGE SECTIONS



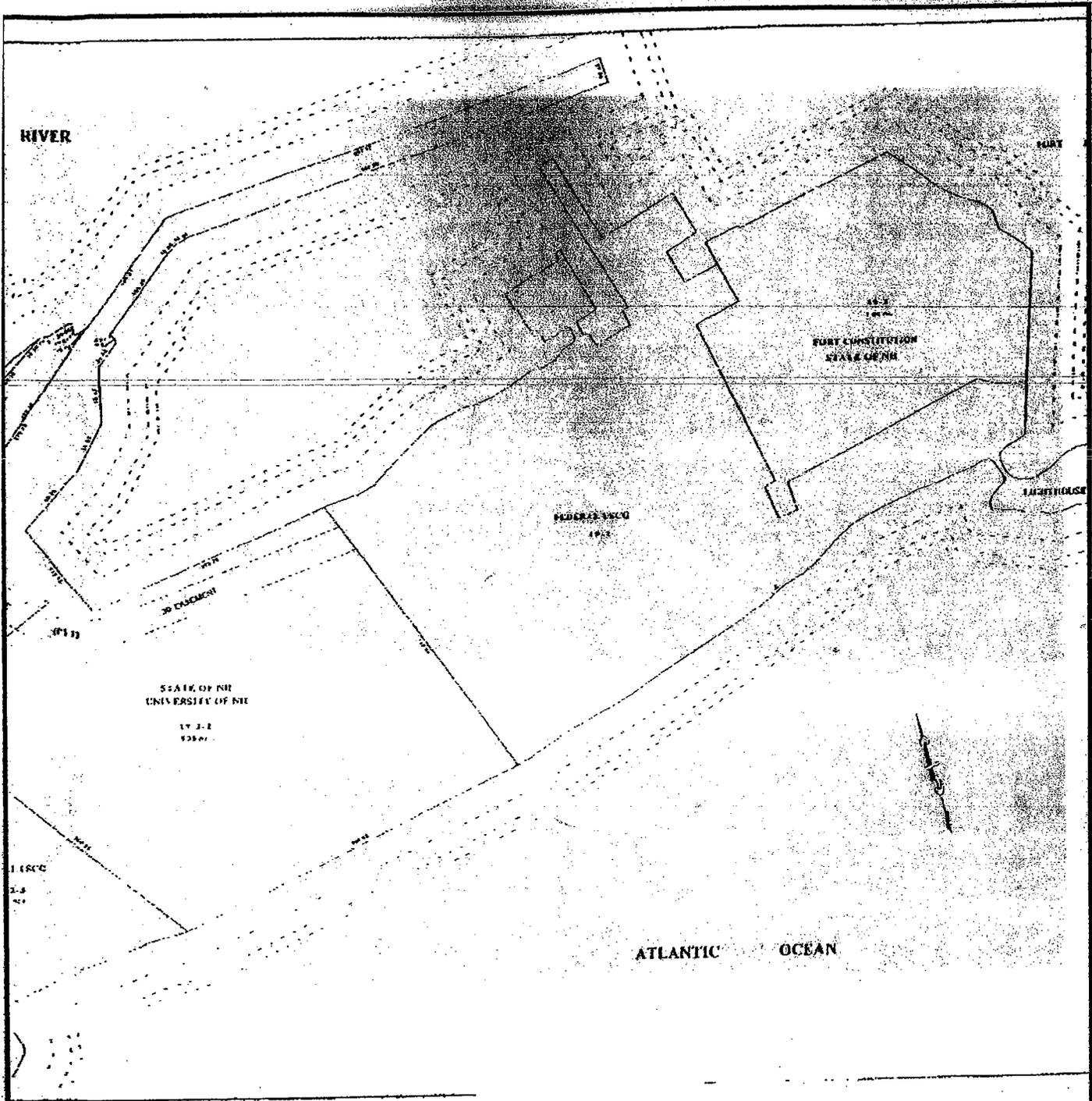
USCG STATION PORTSMOUTH DREDGING

PISCATAQUA RIVER
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FIGURE 3 AUGUST 2004

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TAX MAP

**USCG STATION
 PORTSMOUTH DREDGING**

PISCATAQUA RIVER
 ROCKINGHAM COUNTY
 NEW CASTLE, NEW HAMPSHIRE

OWNER:
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 MAP 19 LOT 2

FIGURE 4 AUGUST 2004 SHEET 4 OF 4

MER Assessment Corporation

Essential Fish Habitat (EFH) (Northeast Region link: <http://www.nero.noaa.gov/ro/doc/list.htm>)

Certain commercially important marine species found in waters of the Northeast Region, including the Portsmouth Harbor area (between Great Bay and Wells Harbor), are managed under the National Marine Fisheries Service (NMFS) New England Fisheries Management Council (NEFMC). Those managed species identified by NMFS/NEFMC as potentially found in the vicinity of Portsmouth Harbor at some stage of life are listed in Table 4 below; the life stage(s) most likely to be found in the area and the links to the Northeast Regional Office EFH Guidance document for each species are also listed.

Table 4
Essential Fish Habitat Description

Species	eggs	larvae	juvenile	adult	spawners	Web link
Atlantic plaice - <i>Hippoglossoides platessoides</i>	---	---	---	---	---	http://www.nero.noaa.gov/ro/doc/am-plaice.pdf
Atlantic cod - <i>Gadus morhua</i>	S	S	S	S	---	http://www.nero.noaa.gov/ro/doc/cod.pdf
Atlantic halibut - <i>Hippoglossus hippoglossus</i>	S	S	S	S	S	http://www.nero.noaa.gov/ro/doc/halibut.pdf
Atlantic herring - <i>Clupea harengus</i>	---	m,s	m,s	S	---	http://www.nero.noaa.gov/ro/doc/herring.pdf
Atlantic sea scallops - <i>Placopecten magellanicus</i>	---	---	S	S	S	http://www.nero.noaa.gov/ro/doc/scallops.pdf
Ocean pout - <i>Macrocaraeus americanus</i>	S	S	S	S	S	http://www.nero.noaa.gov/ro/doc/ocean-pout.pdf
Pollock - <i>Pollachius virens</i>	S	S	S	---	---	http://www.nero.noaa.gov/ro/doc/pollock.pdf
Red hake - <i>Urophycis chuss</i>	---	---	S	S	---	http://www.nero.noaa.gov/ro/doc/red-hake.pdf
White hake - <i>Urophycis tenuis</i>	S	---	S	S	---	http://www.nero.noaa.gov/ro/doc/white-hake.pdf
Whiting - <i>Merluccius bilinearis</i>	---	---	---	---	---	http://www.nero.noaa.gov/ro/doc/whiting.pdf
Windowpane flounder - <i>Scophthalmus aquosus</i>	m,s	m,s	m,s	m,s	m,s	http://www.nero.noaa.gov/ro/doc/windowpane.pdf
Winter flounder - <i>Pleuronectes americanus</i>	m,s	m,s	m,s	m,s	m,s	http://www.nero.noaa.gov/ro/doc/winter.pdf
Yellowtail flounder - <i>Pleuronectes ferruginea</i>	S	S	---	---	---	http://www.nero.noaa.gov/ro/doc/yellowtail.pdf

S = The EFH designation for this species includes the seawater salinity zone of this bay or estuary (salinity > 25.0‰).

M = The EFH designation for this species includes the mixing water / brackish salinity zone of this bay or estuary (0.5 < salinity < 25.0‰).

F = The EFH designation for this species includes the tidal freshwater salinity zone of this bay or estuary (0.0 < salinity < 0.5‰).

These EFH designations of estuaries and embayments are based on the NOAA Estuarine Living Marine Resources (ELMR) program (Jury *et al.* 1994; Stone *et al.* 1994). For a detailed view of the salinity zone boundaries, as described in the ELMR reports, please see Appendix B. The Council recognizes the spatial and temporal variability of estuarine and embayment environmental conditions generally associated with this species.