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New England District

## PUBLIC NOTICE

In Reply Refer to: Coral Siligato

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Phone: (978) 318-8012

Programs and Project Management Division

Date: January 2, 2025

Comment Period Closes: February 2, 2025

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### 30-DAY PUBLIC NOTICE MAINTENANCE DREDGING OF WAREHAM HARBOR FEDERAL NAVIGATION PROJECT WAREHAM, MASSACHUSETTS

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District plans to perform work in the navigable waters of this District, subject to the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217) and subject to the requirements of the National Environmental Policy Act (P.L. 91-190).

The work involves maintenance dredging of the Wareham Harbor Federal Navigation Project (FNP) in Wareham, Massachusetts, and is authorized in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. The FNP was authorized by the Rivers and Harbors Act of June 10, 1872. Initial construction was completed in 1876. The Commonwealth of Massachusetts completed the most recent dredging in 1916-1917 when they dredged the channel to 9,800 feet long, 90 feet wide, 12 feet deep Mean Low Water (MLW). Attachment 1 lists pertinent laws, regulations, and directives.

USACE is proposing to mechanically dredge approximately 58,000 cubic yards (cy) of predominately silty material with small amounts of sand (approximately 600 cy), from the federal channel. Dredging will take approximately three to four months to complete with 24/7 operations (working 24 hours per day and 7 days per week) and will be limited to a period between September 15 and January 15 of the year(s) in which funding becomes available.

**Project Description:** The Wareham Harbor FNP consists of a 2.4-mile-long channel between the mouth of the river and the Route 6 bridge. The channel is authorized to a depth of 9 feet Mean Lower Low Water (MLLW) plus 1-foot allowable over-depth and is and is comprised of several reaches of varying widths to include the 125-ft wide entrance channel through Cromeset Neck Reach, 125-ft wide Quahaug Bar Reach, 250-ft wide Parkwood Beach Reach, and the 100-ft wide Inner Harbor Reach adjacent to the Wareham waterfront.

**Purpose of Work:** The purpose of this work is to restore the Wareham Harbor FNP to its authorized dimensions and to provide safe navigation conditions to all vessels in the harbor. Recent surveys of the project area indicate that portions of the channel have been reduced to depths of as little as 3.4 feet MLLW. Given these conditions and

current vessel drafts, shoaling within the project is limiting navigation. Aside from safety concerns, the harbor serves as one of the town's major economic drivers and is a tourist hub. During the summer season the harbor will host as many as 3,000 vessels using the waterways at any given time.

**Alternatives:** The following proposals were considered to address the purpose and need for the project.

**No Action:** Under a no action alternative, USACE would not dredge the FNP in Wareham Harbor and any resulting environmental impacts would be avoided. However, this alternative would allow shoaling conditions in the channel to continue and likely worsen over time. Continued shoaling would cause vessels to run aground more frequently during low tides, hampering the efficient operations of commercial fishing vessels, and increasing dangerous situations for recreational boaters, especially transients, who are unfamiliar with local conditions. These restrictions to navigation would negatively affect the harbor's fishing and tourism trades and provide inadequate depths for its continued use.

**Maintenance Dredging to Authorized Depths:** The preferred alternative is maintenance dredging of the federal project to the authorized dimensions. Maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the FNP to its authorized dimensions. This alternative provides the greatest public benefits and results in no significant, long-term adverse impacts to the environment.

**Alternative Placement Sites:** The Cape Cod Bay Disposal Site (CCBDS) (Attachment 3) is a disposal area that can receive dredged material from federal, state, and private dredging projects deemed suitable for open water placement. CCBDS is located approximately 31 nautical miles from the project site and has an average water depth of 102 feet. The use of CCBDS is the most viable option for the placement of the fine-grained material from maintenance dredging of the Wareham Harbor FNP. CCBDS closes December 31 due to endangered species migrations. The small amount of sand (approx. 600 cy) will be placed at Church's Beach Nearshore Placement Site (CBNPS) (Attachment 4) off Cuttyhunk Island, Gosnold, Massachusetts. CBNPS may be used for the placement of sand through January 15.

**Alternative Dredging Methods:** The dredging methods considered were mechanical bucket, hydraulic cutterhead pipeline, and hopper dredging. Mechanical dredging was chosen because it is appropriate for the type of material to be dredged (predominately silt) and because of the haul distance (31 nautical miles (nm) to CCBDS and 28 nm CBNPS) requires the use of multiple scows.

**Additional Information:** Additional information may be obtained from Ms. Coral Siligato, Project Manager, Civil Works/IIS Project Management Branch, Programs and Project Management Division, at the return address shown, or by email at [nae-pn-nav@usace.army.mil](mailto:nae-pn-nav@usace.army.mil) or telephone at (978) 318-8012.

**Coordination:** The proposed work has been or will be coordinated with the following agencies:

Federal:

U.S. Environmental Protection Agency – Region 1  
U.S. Fish and Wildlife Service – New England Field Office  
National Marine Fisheries Service – Greater Atlantic Regional Fisheries Office

State:

Massachusetts Department of Environmental Protection  
Massachusetts Division of Marine Fisheries  
Massachusetts Office of Coastal Zone Management  
Massachusetts Historical Commission  
Massachusetts Board of Underwater Archaeological Resources  
Massachusetts Natural Heritage and Endangered Species Program

Recognized Tribes:

Mashpee Wampanoag Tribe  
Wampanoag Tribe of Gay Head (Aquinnah)  
Narragansett Tribe

Municipal Officials:

Town of Wareham  
Wareham Harbormaster  
Wareham Shellfish Commission

**Environmental Impacts:** An Environmental Assessment is in preparation, and I have made a preliminary determination that an Environmental Impact Statement for the proposed maintenance dredging effort is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed considering facts submitted in response to this notice.

**Other Information:**

- a. Local Sponsor: Town of Wareham, Massachusetts
- b. Endangered Species: It is our determination that the project may affect, but is not likely to adversely affect, threatened or endangered species. USACE is in consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to ensure that the proposed activity will not significantly affect any species or critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844).
- c. Cultural Resources: USACE has determined that the project will have no effect upon historic properties in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.

USACE is coordinating with the Massachusetts State Historic Preservation Office (SHPO), the Massachusetts Board of Underwater Archaeological Resources, the

Mashpee Wampanoag Tribe, the Narragansett Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah) in accordance with the National Historic Preservation Act (NHPA) of 1966, as amended, on the proposed project. Maintenance dredging of the Wareham Harbor FNP with disposal at the Cape Cod Bay Disposal Site and the Church's Beach nearshore disposal site is unlikely to impact historic properties as defined by the NHPA and 36 CFR 800. As the FNP has been previously dredged and disposal will occur at previously and continuously used disposal sites, no effects to historic properties are expected. We expect the MA SHPO, BUAR, and Tribes to concur with this determination.

d. Essential Fish Habitat Assessment: USACE has determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within areas designated as EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act as amended by the Sustainable Fisheries Act of 1996 for federally managed fish species. USACE assessed the effects that the project is likely to have on EFH and determined that they will be short-term and localized, and that there will be no significant impacts on the designated fisheries resources. USACE is in consultation with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.

e. Floodplain Management: In accordance with Executive Order 11988, USACE has determined that the proposed work will not contribute to negative impacts or damages caused by floods.

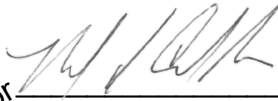
f. Additional Requirements: USACE will request a 401 Water Quality Certificate from the Massachusetts Department of Environmental Protection and Coastal Zone Management Consistency Determination Concurrence from the Massachusetts Office of Coastal Zone Management.

The decision whether to perform the proposed work will be based on an evaluation of the probable impact, including cumulative impacts, 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 that 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 including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest which may be affected by the 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: Coral Siligato; or emailed to [nae-pn-nav@usace.army.mil](mailto:nae-pn-nav@usace.army.mil) within 30 days of this notice.

\_\_\_\_ 2 January 2025 \_\_\_\_  
DATE

  
for \_\_\_\_\_  
Scott E. Acone  
Deputy District Engineer  
USACE, New England District

Attachments

## **Attachment 1**

### **PERTINENT LAWS, REGULATIONS, AND DIRECTIVES**

Clean Air Act, as amended (42 U.S.C. 7401 et seq.)

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

National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-677e)

Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et seq.)

Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451 et seq.)

Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq.

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

National Historic Preservation Act of 1966, as amended (54 U.S.C. 300101 et seq.)

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)

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

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

Land and Water Conservation Fund Act of 1965, as amended (54 U.S.C. 200301 et seq.)

Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1801 et seq.)

Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

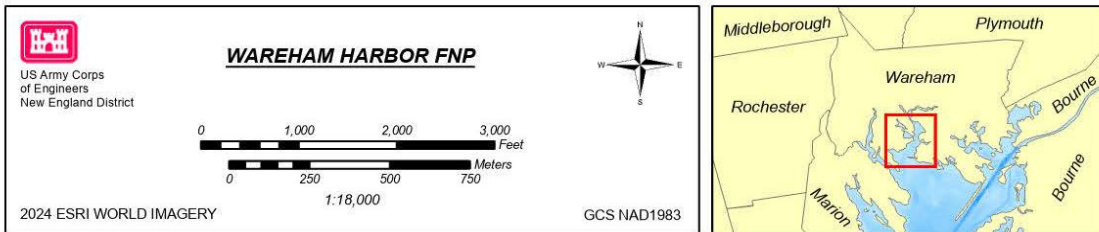
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997



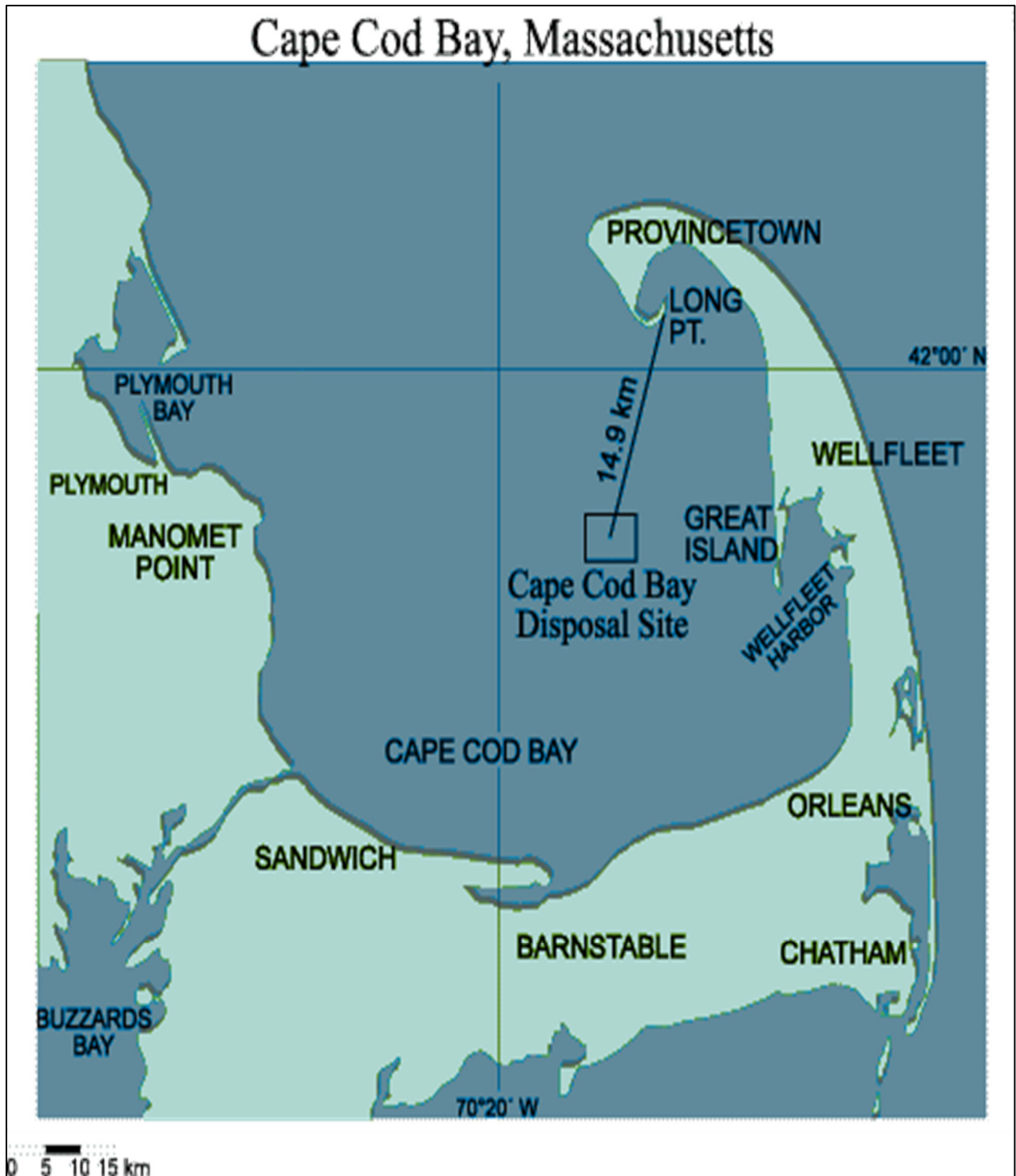
## Attachment 2

### Wareham Harbor Federal Navigation Project



Attachment 3

Cape Cod Bay Disposal Site





# Attachment 4

## Church's Beach Nearshore Placement Site.

