



U.S. ARMY



US Army Corps
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New England District

PUBLIC NOTICE

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Navigation Section
Date: 4/2/2024
Comment Period Closes: 4/9/2024

ALTERATION OF A U.S. ARMY CORPS OF ENGINEERS CIVIL WORKS PROJECT PURSUANT TO 33 USC 408: CONSTRUCTION OF A TIDAL DOCKING STRUCTURE COCHECO RIVER FEDERAL NAVIGATION PROJECT (FNP) DOVER, NEW HAMPSHIRE

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District (USACE) is evaluating plans under 33 U.S.C. 408 (Section 408) to allow construction of a tidal docking structure in the Cocheco River by the Saddle Trail Drive Homeowners Association. The proposed pier will partially sit within the 3:1 setback of the USACE maintained Cocheco River FNP. Setbacks are designated to ensure that no structures encroach beyond the top edge of the navigation channel, including appropriate side slopes, and that there is sufficient clearance for dredging the navigation channel to its full width and depth, including slide slopes. Setbacks are defined as the sum of the project depth times three (3). The new pier will consist of a 4' by 24' accessway, a 4' by 165' fixed wood pier, a 3' by 50' gangway, and 8' by 75' floating dock. The direct impact to the FNP buffer zone is the 8' by 75' floating dock and four (4) mooring piles.

This Notice is being issued pursuant to 33 U.S.C. 408, USACE Engineering Circular (EC) 1165-2-220, Executive Order 11988 – Floodplain Management, and Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] 1500-1508) for implementing the procedural provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et. seq.) and the USACE Procedures for Implementing NEPA (33 CFR 230). Section 408 allows USACE to grant permission for the alteration, occupation, or use of a USACE civil works project if it is determined that the activity will not be injurious to the public interest and will not impair the usefulness of the Federal project. A decision on a Section 408 request is a Federal action, and therefore subject to NEPA and other environmental compliance requirements. USACE has made the preliminary determination that the construction of the tidal docking structure will not adversely affect environmental resources on the affected area of the Cocheco River FNP entrance channel and will not have a significant impact on the human environment. The public is invited to provide comment associated with this Section 408 evaluation. To request more information contact: Christina Comeau, New England District, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742, (978) 318-8705, Christina.M.Comeau@usace.army.mil. The comment period will end on April 9, 2024. Letters should be postmarked by this date.