



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Mr. Craig Martin

nae-pn-nav@usace.army.mil

Programs/Project
Management Division

Date: March 5, 2014

Comment Period Closes: April 4, 2014

30 DAY PUBLIC NOTICE

MAINTENANCE DREDGING OF THE FEDERAL NAVIGATION PROJECT IN COHASSET HARBOR COHASSET AND SCITUATE, 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, under the provisions of NEPA (Title 33, Parts 335-338 of the Code of Federal Regulations) and Section 404 of the Clean Water Act of 1977 (P.L. 95-17). The work involves maintenance dredging of the Federal navigation project in Cohasset Harbor, Cohasset and Scituate, Massachusetts and is authorized in accordance with the River and Harbor Act of 1945. Attachment 1 lists pertinent laws, regulations, and directives.

Authorized Federal Project Description: The authorized Federal Navigation Project (FNP) provides for an anchorage area in the inner harbor, seven feet deep MLLW and about 16.25 acres in area; a channel eight feet deep MLLW and 90 feet wide from the outer harbor to the anchorage area; and 12.45 acres of anchorage area, six feet deep MLLW as follows: 3.8 acres in Cohasset Cove, 3.25 acres in the vicinity of Government Island Cove and 5.4 acres in Bailey Creek. The FNP is depicted on Attachment 2.

Character and Purpose of Work: The proposed work involves emergency dredging of an area affected by Hurricane Sandy approximately 11.25 acres in size including the Cohasset Harbor entrance channel, the northern corner of the 7-foot anchorage by the breakwater (9.19 acres), and the entrance to Bailey Creek where Bassings Beach is encroaching into the anchorage area (2.06 acres). The maintenance dredging event will produce a volume of approximately 60,000 cubic yards (cy) of sandy material and restore these areas to authorized dimensions. The material will be dredged with a hydraulic cutterhead pipeline dredge and pumped onto intertidal areas of Sandy Beach in Cohasset, Massachusetts. The project will be performed over a three month period from October 1 through January 31.

Disposal Areas: The material to be dredged has undergone physical testing. Based on this data and a review of historical data and a lack of potential sources of contaminants, it is our

preliminary determination that the material is acceptable for disposal at the proposed Sandy Beach placement area, Cohasset, Massachusetts.

Additional Information: Additional information may be obtained from Mr. Craig Martin, Civil Works and Interagency/International Project Management Branch, Programs/Project Management Division, at the return address shown, by email at nae-pn-nav@usace.army.mil or telephone number (978) 318-8638.

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

Federal:

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State of Massachusetts:

Massachusetts Office of Coastal Zone Management
Massachusetts Department of Environmental Protection
Massachusetts Historic Preservation Office
Massachusetts Board of Underwater Archaeological Resources

Tribal Nations:

Mashpee Wampanoag Tribe
Wampanoag Tribe of Gay Head (Aquinnah)

Local:

Town of Cohasset, Town Manager
Town of Cohasset, Harbormaster

Environmental Impacts: An Environmental Assessment (EA) for the maintenance dredging of the Cohasset Harbor entrance channel, sections of the 7-foot anchorage, and entrance to Bailey Creek of the Cohasset Harbor FNP in Cohasset Harbor with placement of the dredged material on Sandy Beach is being prepared and will be available for review upon request. I have made a preliminary determination that an Environmental Impact Statement for the proposed maintenance dredging is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Federal Consistency with the Massachusetts Coastal Zone Management Program: I find that maintenance dredging of the authorized navigation project in Cohasset Harbor is consistent, to the maximum extent practicable, with the applicable management programs established as a result of the Coastal Zone Management Act of 1972. The dredging and placement operations will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

Other Information:

- a. **Local Sponsor:** Town of Cohasset.

b. Non-Federal Dredging: No private or non-Federal dredging work is being proposed in conjunction with the proposed work.

c. Previous Dredging: The last time the harbor was dredged was in 1998-2000 (completed in two phases due to time of year restrictions) when the entire FNP was dredged and the material was placed at Massachusetts Bay Disposal Site.

d. Alternative Placement Areas/Methods: Alternative placement areas and methods have been considered as part of this proposal. Alternative placement options considered include open-ocean disposal, nearshore placement, and upland placement. USACE favors using the beach placement option because it is environmentally-sound, keeps clean sediments in the littoral system, and conveys sand to a beach that was significantly eroded during Hurricane Sandy and the unnamed nor'easter of November 2012.

e. Endangered Species: It is our preliminary determination that no threatened or endangered species will be impacted by the proposed project. The Town of Cohasset will monitor for piping plovers on Sandy Beach. If USACE determines that the project may adversely affect species listed or critical habitat designated pursuant to the Endangered Species Act (ESA), USACE will consult with the National Marine Fisheries Service and/or the United States Fish and Wildlife Service in accordance with the applicable procedures of Section 7 of the Endangered Species Act of 1973 (87 Stat. 844).

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

g. Cultural Resources: The proposed work consists of maintenance dredging of the FNP in previously dredged areas. This proposal, including use of the beach placement area is being coordinated with the Massachusetts Historic Preservation Office and tribes. In the past they have determined that the work will not adversely affect any cultural or archaeological features or resources.

h. Essential Fish Habitat Assessment: It has been 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 and amended by the Sustainable Fisheries Act of 1996 for Federally-managed fish species. The U.S. Army Corps of Engineers has assessed the effects that the project is likely to have on EFH and has determined that they will be short-term and localized and that there will be no significant impacts on the designated fisheries resources. USACE will consult with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.

Additional Requirements: A request will be sent to the Massachusetts Office of Coastal Zone Management for the State's concurrence with our determination of Federal consistency with the State's approved Coastal Zone Management Program. A request will also be sent to the

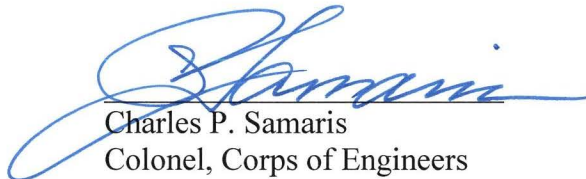
Massachusetts Department of Environmental Protection for a Water Quality Certification in accordance with Section 401 of the Clean Water Act, 33 U.S.C. § 1341, which requires that the work comply with applicable water quality standards of the Commonwealth of Massachusetts..

This Public Notice is intended to provide information about, and to seek comments on, future maintenance of the existing Federal navigation project. Future maintenance dredging will be performed when needed and in the years, that funding becomes available. Additional notices will be issued if the scope of work for future projects varies from that described herein. The decision whether to perform the work 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 benefits, which reasonably may be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

Any person who has an interest, which may be affected by the dredging and 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: Craig Martin; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

5 March 14
Date


Charles P. Samaris
Colonel, Corps of Engineers
District Engineer

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.)

Coastal Barrier Resources Act, as amended (16 U.S.C. 3501 et seq.)

Coastal Zone Management Act of 1972 (16 U.S.C. 1456)

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

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. 460L-12 et. seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-667e)

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

Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460L 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.)

Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g)

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)

National Historic Preservation Act of 1966 (16 U.S.C. 470 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

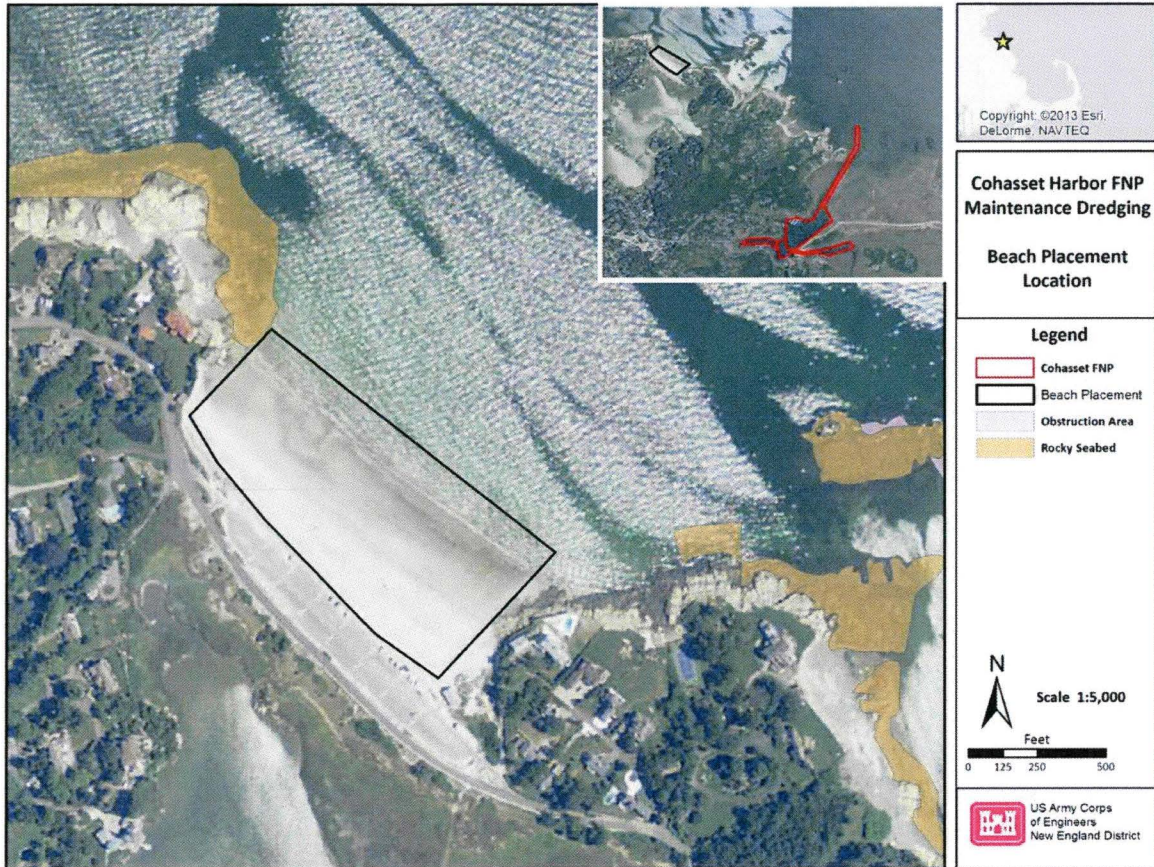
Executive Order 13045, Protection of Children from Environmental Health Risks and Safety
Risks, 21 April 1997

Attachment 2



Map of Cohasset Harbor Federal Navigation Project

Attachment 3



Map of Sandy Beach Placement Area