



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

PUBLIC NOTICE

Request ID: 408-NAE-2019-0017

REQUEST FOR PERMISSION TO OCCUPY A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: Construction Vessel Transit Through New Bedford Hurricane Barrier

PUBLIC NOTICE COMMENT PERIOD:

Begins: May 05, 2021

Ends: June 03, 2021

REQUESTERS: The Massachusetts Clean Energy Center, 63 Franklin St, Floor 3, Boston, MA 02110; Vineyard Wind, LLC, 700 Pleasant St, Suite 510, New Bedford, MA 02740; and New Bedford Port Authority, 123 MacArthur Dr, New Bedford, MA 02740.

LOCATION: This action is proposed at the New Bedford Hurricane Barrier in the New Bedford, MA and Fairhaven, MA. See attached Figures 1 - 2 for vicinity and location maps.

REQUESTER'S PROPOSED ACTION:

The proposed occupation involves frequent and regular vessels transits through the New Bedford Hurricane Barrier for the delivery of offshore wind components from the New Bedford Marine Commerce Terminal at the Port of New Bedford to the Vineyard Wind offshore wind project installation site. Proposed vessel transits include:

- i. Sixty seven (67) foreign-flagged Heavy Lift Vessels, up to five hundred fifty (550)-foot (ft) long and ninety (90)-ft beam, making a total of approximately one hundred thirty four (134) transits through the New Bedford Hurricane Barrier to deliver components to the New Bedford Commerce Marine Terminal at a frequency between five shipments per month (one vessel every six days) and up to ten shipments per month (one vessel every three days) over a seven-month period.
- ii. Two U.S.-flagged Deck Cargo Barges, four hundred (400)-ft long and up to one hundred five (105)-ft beam, under the control of two tugs, making a total of approximately one hundred twenty five (125) transits through the New Bedford Hurricane Barrier over an eight-month period.

The New Bedford and Fairhaven Harbor Federal Navigation Project channel extending from Buzzards Bay to a point above the New Bedford-Fairhaven Bridge is thirty (30) ft

deep and three hundred fifty (350) ft wide, narrowing to one hundred fifty (150) ft wide at the New Bedford Hurricane Barrier gate opening (see Figure 3).

AUTHORITY: The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 (“Section 408”). A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. Section 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413). In addition, an approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION FACTORS: The decision under Section 408 whether to grant the requested permission to temporarily occupy USACE civil works projects will be based on several factors:

- 1) Impair the Usefulness of the Project Determination. A technical review team will determine if the proposed occupation would limit the ability of the USACE project to function as authorized, or would compromise or change any authorized project conditions, purposes or outputs.
- 2) Injurious to the Public Interest Determination. The proposed occupation will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. This evaluation will consider information received from the interested parties, including tribes, agencies, and the public. The benefits that reasonably may be expected to accrue from the proposed occupation must be compared against its reasonably foreseeable detriments. The decision whether to approve the proposed occupation will be determined by the consideration of whether benefits are commensurate with risks and by the net impact of the occupation on the public interest.
- 3) Environmental Compliance. A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements.

PUBLIC INVOLVEMENT: The USACE 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 the proposed action. Comments received before the deadline listed above will be used in the evaluation of potential impacts of proposed action on important resources and in the evaluation of whether allowing the proposed action would be injurious to the public interest and/or would impair the usefulness of the authorized project. Please limit comments to the area of the proposed action.



SUBMITTING COMMENTS: Written comments should reference the U.S. Army Corps of Engineers Public Notice Request ID: 408-NAE-2019-0017. Comments must reach this office no later June 03, 2021 to become part of the record and be considered in the decision. Comments or requests for additional information should be mailed or emailed to the following address:

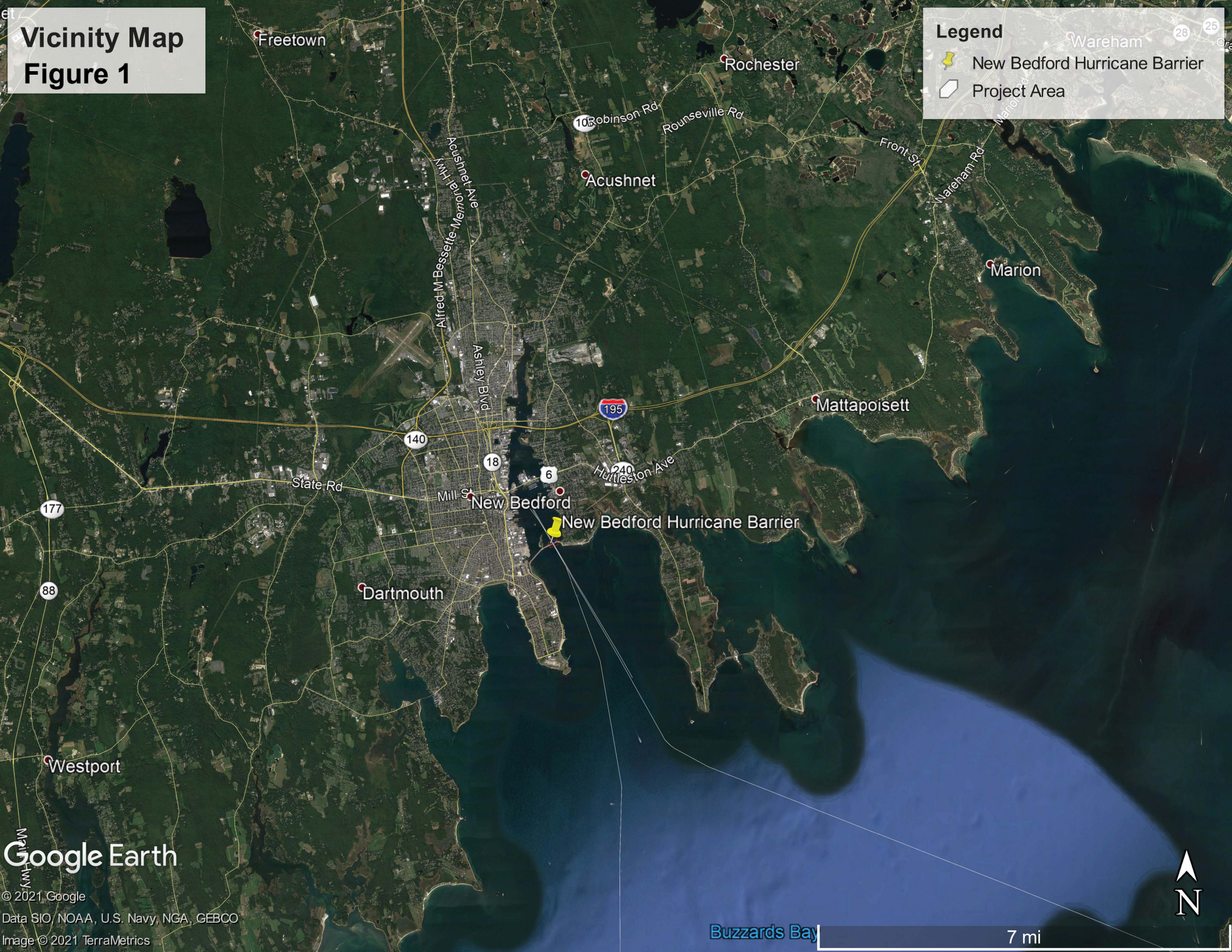
Email: Kimberly.A.Russell@usace.army.mil

Mailing Address: ATTN: Kimberly Russell, Natural Resource Specialist
U.S. Army Corps of Engineers, New England District
696 Virginia Rd,
Concord, MA 01473

Vicinity Map Figure 1

Legend

-  New Bedford Hurricane Barrier
-  Project Area



Google Earth

© 2021 Google
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image © 2021 TerraMetrics



Buzzards Bay

7 mi



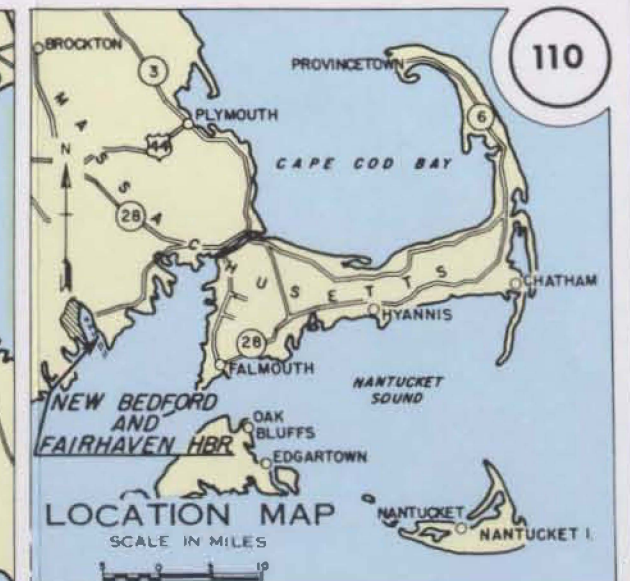
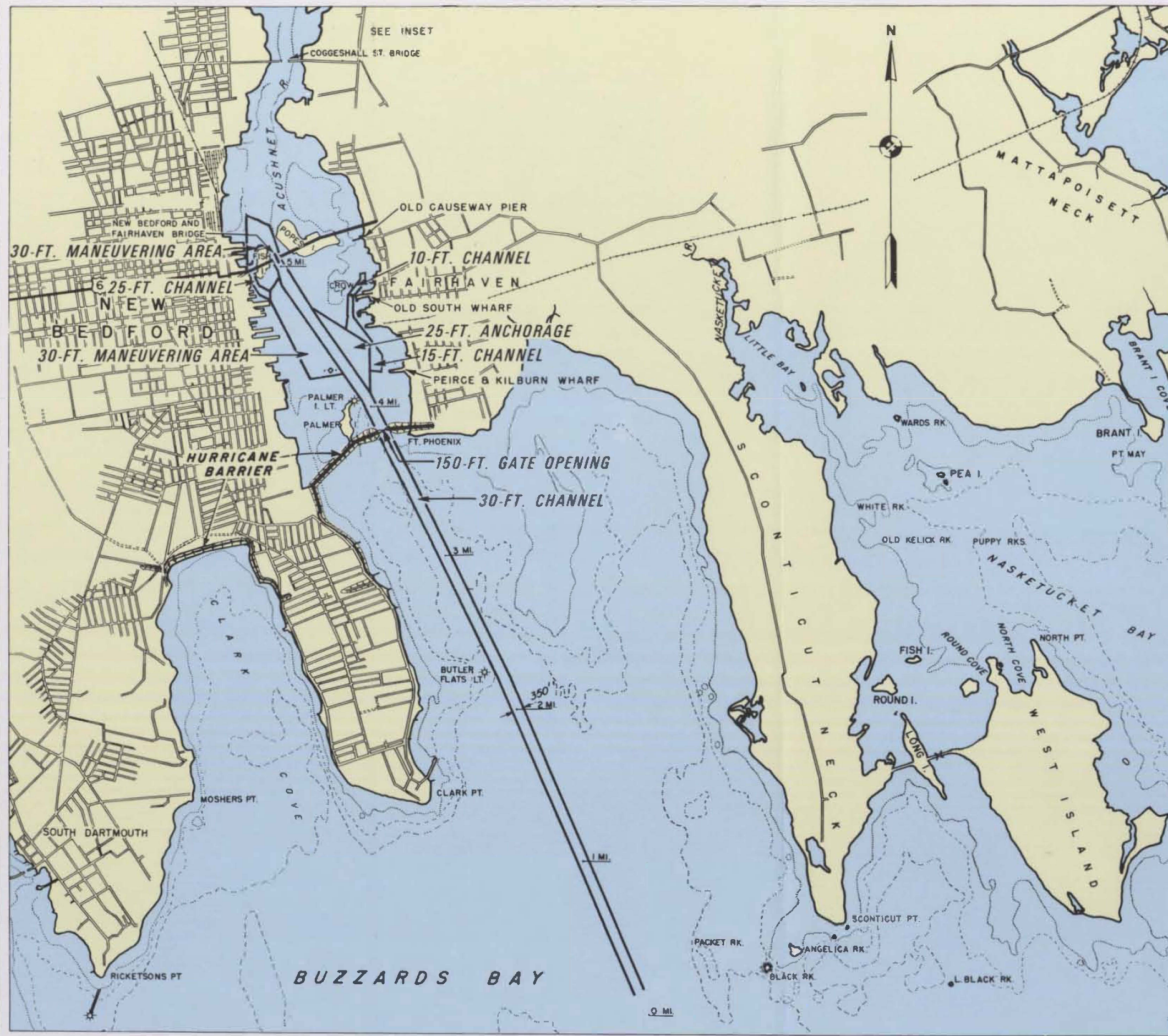
Location Map
Figure 2

Legend

-  New Bedford Hurricane Barrier
-  Project Area



New Bedford Hurricane Barrier



BRIDGE CLEARANCES

NEW BEDFORD & FAIRHAVEN BRIDGE (SWING)
Hor. 94 ft. left draw.
95.5 ft. right draw.
Vert. 6.3 ft. M.H.W.
COGGESHALL ST. BRIDGE (SWING)
Hor. 38.4 ft. left draw.
40.4 ft. right draw.
Vert. 4 ft. M.H.W.

FOR DETAILS OF HURRICANE BARRIER, SEE FLOOD CONTROL PROJECT MAP NO. M-24

Figure 3: New Bedford Fairhaven Federal Navigation Channel

NEW BEDFORD AND FAIRHAVEN HARBOR, MASS.

30 SEPTEMBER 1986

DEPARTMENT OF THE ARMY
NEW ENGLAND DIVISION, CORPS OF ENGINEERS
WALTHAM, MASS.