



# United States Department of the Interior



**FISH AND WILDLIFE SERVICE**  
New England Field Office  
70 Commercial Street, Suite 300  
Concord, New Hampshire 03301-5087

April 1, 2003

John R. Kennelly  
Deputy Chief, Engineering/Planning  
New England District, Corps of Engineers  
696 Virginia Road  
Concord, Massachusetts 01742-2751

Dear Mr. Kennelly:

This responds to your March 6, 2003 letter requesting our comments regarding the presence of federally-listed and proposed endangered or threatened species, as well as our review pursuant to the Fish and Wildlife Coordination Act, in relation to the Corps' General Investigation of the Ten Mile River in East Providence, Rhode Island. The following comments represent the position of the Department of the Interior and are provided in accordance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Based on information currently available to us, no federally-listed or proposed threatened and endangered species under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area, with the exception of occasional transient bald eagles (*Haliaeetus leucocephalus*). However, we suggest that you contact Rick Enser of the Rhode Island Natural Heritage Program, 235 Promenade Avenue, Rhode Island 02903, at 401-277-2776, for information on state-listed species that may be present.

Preparation of a Biological Assessment or further consultation with us under Section 7 of the Endangered Species Act is not required. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A list of federally-designated endangered species in Rhode Island is enclosed for your information.

We are unable to provide detailed comments on the potential effects of the proposed action on fish and wildlife resources due to the preliminary stage of the study. However, we support the efforts of the Corps and its partners to restore anadromous fish passage to the Ten Mile River. The Corps' General Investigation should include a full range of alternatives at each dam including full dam removal, partial dam removal and fish ladders. This will allow interested parties to better understand

the economic and environmental costs/benefits of implementing the different alternatives. We look forward to evaluating all restoration opportunities identified in this aquatic ecosystem restoration project.

Please contact Greg Mannesto of our Rhode Island office at 401-364-9124 if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "William J. Neidermyer".

William J. Neidermyer  
Assistant Supervisor, Federal Activities  
New England Field Office

Enclosure

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES**  
**IN RHODE ISLAND**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Distribution</u>
<b>FISHES:</b>			
Sturgeon, shortnose*	<u>Acipenser brevirostrum</u>	E	Atlantic coastal waters and rivers
<b>REPTILES:</b>			
Turtle, green*	<u>Chelonia mydas</u>	T	Oceanic straggler in southern New England
Turtle, hawksbill*	<u>Eretmochelys imbricata</u>	E	Oceanic straggler in southern New England
Turtle, leatherback*	<u>Dermochelys coriacea</u>	E	Oceanic summer resident
Turtle, loggerhead*	<u>Caretta caretta</u>	T	Oceanic summer resident
Turtle, Atlantic ridley*	<u>Lepidochelys kempii</u>	E	Oceanic summer resident
<b>BIRDS:</b>			
Eagle, bald	<u>Haliaeetus leucocephalus</u>	T	Entire state, occasional
Plover, piping	<u>Charadrius melodus</u>	T	Atlantic coast, Washington and Newport Counties
Tern, roseate	<u>Sterna dougallii dougallii</u>	E	Atlantic coast
<b>MAMMALS:</b>			
Whale, blue*	<u>Balaenoptera musculus</u>	E	Oceanic
Whale, finback*	<u>Balaenoptera physalus</u>	E	Oceanic
Whale, humpback*	<u>Megaptera novaeangliae</u>	E	Oceanic
Whale, right*	<u>Eubalaena spp. (all species)</u>	E	Oceanic
Whale, sei*	<u>Balaenoptera borealis</u>	E	Oceanic
Whale, sperm*	<u>Physeter catodon</u>	E	Oceanic
<b>MOLLUSKS:</b>			
NONE			
<b>INSECTS:</b>			
Beetle, American burying	<u>Nicrophorus americanus</u>	E	Washington
Beetle, Northeastern beach tiger	<u>Cicindela dorsalis dorsalis</u>	T	Washington, extirpated
<b>PLANTS:</b>			
Small whorled pogonia	<u>Isotria medeoloides</u>	T	Providence, Kent Counties
Sandplain gerardia	<u>Agalinus acuta</u>	E	Washington

\* Except for sea turtle nesting habitat, principal responsibility for these species is vested with the National Marine Fisheries Service

Rev. 1/8/02





RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

April 22, 2003

Mr. Richard Heidebrechet, Project Manager  
Environmental Resources Section  
New England Division -Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

SUBJECT: General Investigation of the Ten Mile River in East Providence, RI

Dear Mr. Heidebrechet,

Thank you for the opportunity, pursuant to the Fish and Wildlife Coordination Act, to comment on the Army Corps of Engineers proposal to undertake a General Investigation of the Ten Mile River in East Providence, Rhode Island. It is our understanding that your intention is to investigate the river with the purpose of identifying alternative measures for anadromous fish passage beyond three dams along the lower four-mile section of the River in East Providence.

The Rhode Island Department of Environmental Management (RIDEM) is fully supportive of this undertaking and of the investigation plan as it stands. This project is being undertaken as a partnership between the Army Corps of Engineers, the RIDEM Division of Fish & Wildlife and the Narragansett Bay Estuary Program. We are prepared to assist you in any way possible as you conduct this investigation and prepare the environmental documentation for this project.

Thank you for assisting us in restoring historical fish runs to the upper portions of the river, reopening spawning and nursery habitat for several anadromous species and the catadromous American eel.

Please feel free to call upon me if I can be of assistance in this exciting endeavor. I can be reached at (401) 222-4700, x-7500.

Sincerely,

Ronald Gagnon, Chief  
Technical and Customer Assistance

Cc: J. Reitsma  
M. Grant





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930-2298

APR 23 2003

John R. Kennelly  
Deputy Chief, Engineering/Planning  
Department of the Army  
U.S. Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Dear Mr. Kennelly:

This letter is in response to your request for information regarding the alternative measures for anadromous fish passage beyond three dams along the lower four-mile section of the Ten Mile River in East Providence, RI. We appreciate the advance notice of this General Investigation and welcome the opportunity to work with you in the planning process. The following comments are preliminary and the National Marine Fisheries Service (NOAA Fisheries) will provide more detailed comments based upon receipt of the completed Environmental Assessment. NOAA Fisheries offers the following information on marine resources located within the study site.

#### Importance of anadromous fish species

Due to the location of the proposed site on the Ten Mile River, there may not be marine species of fish located in the area due to salinity constraints. The major interest of NOAA Fisheries in this project is related to improved anadromous and catadromous fish passage. As stated in your March 6, 2003 letter, anadromous fish species that are believed to have inhabited the Ten Mile River include alewife, blueback herring, and American Shad, as well as the catadromous American eel. These species may serve as prey for federally managed fish species, and prey species are considered part of Essential Fish Habitat due to their function as feeding habitat.

Federally managed species that inhabit the waters located downstream of the proposed project area at either the juvenile or adult life stage include Winter flounder (*Pseudopleuronectes americanus*), Summer flounder (*Paralichthys dentatus*), Windowpane flounder (*Scophthalmus aquosus*), Bluefish (*Pomatomus saltatrix*), Scup (*Stenotomus chrysops*), Atlantic mackerel (*Scomber scombrus*), Black sea bass (*Centropristus striata*), King mackerel (*Scomberomorus cavalla*), and Spanish mackerel (*Scomberomorus maculatus*).

Although the improvement of fish passage is important for anadromous species as well as federally managed species, the following issues should be considered in the planning process:



### Water quality impacts on fishery resources

As noted in your March 6, 2003 letter, there may be issues relating to contaminated sediments located behind the dams. The removal of dams and release of contaminants has the potential to degrade water quality and have an adverse effect on EFH of the species located downstream of the project. In such cases, it may be necessary to utilize fish ladders for fish passage as opposed to dam removal in order to minimize the release of contaminants.

### Sufficient water temperatures for fishery resources

Water temperatures are important to many anadromous fish species that are located within the project area. The egg life stage of both Blueback herring and Alewife is demersal and requires water temperatures above 10 degrees Celsius for hatching. Maximum hatching success for these species occurs at 20.8 degrees Celsius. As temperature generally decreases with depth, studies should be performed to ensure that average water temperatures at the bottom of Turner's Reservoir will be sufficient for survival of eggs. If temperatures are unsuitable for egg survival, the Army Corps of Engineers (ACOE) should consider the lowering of the water level of the reservoir.

### Endangered Species

Based on the information currently available to us, there are no federally listed endangered or threatened species under the jurisdiction of NOAA Fisheries known to occur in the project area.

Again, we appreciate your request for information on the potential impacts this project may have on marine resources and look forward to working with the ACOE on projects to improve fish passage and restore habitat. If you have any further questions or comments about this information, please contact Chris Boelke, Marine Habitat Resource Specialist, at 978-281-9131.

Sincerely,



 Peter D. Colosi  
Assistant Regional Administrator  
for Habitat Conservation





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HISTORICAL PRESERVATION & HERITAGE COMMISSION

Old State House • 150 Benefit Street • Providence, R.I. 02903-1209

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TTY (401) 222-3700      Website [www.rihphc.state.ri.us](http://www.rihphc.state.ri.us)

May 27, 2003

Mr. John R. Kennelly  
Chief of Planning  
Engineering/Planning Division  
Evaluation Branch, NED  
U. S. Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Re: Fish Ladders, Omega Pond Dam, Hunts Mill Dam and Turner Reservoir Dam  
Ten Mile River, East Providence, RI

Dear Mr. Kennelly:

The Rhode Island Historical Preservation and Heritage Commission staff has reviewed the information you have provided for the three fish ladders proposed on the lower Ten Mile River. We have the following comments.

Omega Pond - The proposed fish ladder would have an effect on the Omega Pond Dam, a structure considered eligible for listing on the National Register of Historic Places. Built in 1918 in conjunction with the railroad bridge that it supports, the dam replaced the earlier dam that created Omega Pond as a source of fresh water for the industrial developments in the Phillipsdale area. The fish ladder would consist of two narrow concrete structures built over the dam's stepped spillway at its southern end, each with a single notch in the dam's crest. Given the relatively minor impact to the overall structure, it is our conclusion that the proposed fish ladder will have no adverse effect on the dam.

Hunt's Mill Pond - The proposed fish ladder would have an effect on the Hunt's Mill Dam, a historic structure within the Rumford National Register Historic District. This dam is the late-19<sup>th</sup> century successor to a number of dams that have harnessed the Ten Mile River here since the late 17<sup>th</sup> century. Built for the Hunt grist and saw mill, the dam had its forebay rebuilt c. 1894 in conjunction with the establishment of a water pump station. The historic pump station and associated water power system remain, though the underground penstock running from the forebay to the turbine has collapsed in places. In addition to the impact on the dam, the concrete fish ladder on the west bank of the river would also have a visual effect on the setting of the Rumford Historic District.

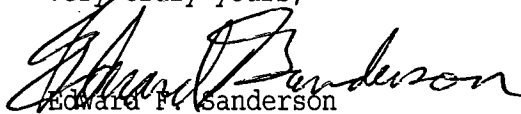
It is our conclusion that the overall effect of the fish ladder would be adverse. Given the character of the river at this location, it does not appear that

locating the ladder on the east bank would avoid adverse impacts to the dam and the historic setting. If no better location is available, then suitable measures to mitigate harm would include modifying the upstream end of the fish ladder to allow for the preservation of the forebay, and designing the fish ladder to minimize its visual presence, perhaps with compatible surface treatment. Additional research and possible archaeological investigations should also evaluate the sensitivity of the riverbank area that would be disturbed for the structure.

Turner Reservoir - The Turner Reservoir Dam is not considered eligible for listing on the National Register of Historic Places. It is our conclusion that the proposed fishway installation here will have no effect on historic resources.

These comments are provided in accordance with Section 106 of the National Historic Preservation Act. If you have any questions, please contact Richard E. Greenwood, Project Review Coordinator of this office.

Very truly yours,



Edward F. Sanderson  
Executive Director  
Deputy State Historic  
Preservation Officer

Jeanne Boyle, East Providence Planning Dept.  
David Kelleher, East Providence Historical Society

(030527.01)



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

New England Field Office  
70 Commercial Street, Suite 300  
Concord, New Hampshire 03301-5087



September 10, 2004

John R. Kennelly  
Engineering/Planning Division  
U.S. Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

Dear Mr. Kennelly:

This responds to your August 4, 2004 letter requesting our review of the Draft Detailed Project Report for an aquatic ecosystem restoration project on the Ten Mile River in East Providence, Rhode Island. The following comments are provided in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and constitute our final Fish and Wildlife Coordination Act report on the project.

The Ten Mile River ecosystem has excellent anadromous fish restoration potential for blueback herring, alewife and American shad. The recommended alternative involves the construction of Denil fishways at the three lower dams on the Ten Mile River. These fishways will allow adult anadromous fish to reach spawning habitat along this reach of the river and the ponds. Much of the aquatic ecosystem of the Ten Mile River has been seriously impacted by past development. This project will restore this historic migratory fish corridor to a higher functioning aquatic ecosystem.

We strongly support the recommended alternative to provide a Denil fishway at Omega Pond Dam, Hunts Mill Dam and Turner Reservoir Dam. Dam removal is usually the best method for restoring anadromous fish habitat and passage. In this case, because of municipal (backup water supply for the City of East Providence) and recreational resources associated with these impoundments, the elevated levels of zinc, nickel, copper, chromium, and cadmium in the sediments behind the dams, and the high cost of dam removal, the best alternative is to provide fish passage around the dams.

The Ten Mile River has lost most of its freshwater wetlands to development. In order to re-create a fully functioning aquatic ecosystem, it is very important to restore some freshwater wetlands within the river corridor and in the ponds. We recommend that the Corps and its local sponsor consider restoring wetlands along the river and the fringes of the ponds.

In summary, we support the Corps' and the local sponsor's recommended plan, but further recommend that you re-evaluate the plan to include wetland restoration as part of the aquatic ecosystem restoration project. Thank you for your cooperation and please contact Greg Mannesto of our Rhode Island Field Office at 401-364-9124 if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "William J. Neidermyer". The signature is written in dark ink and is slanted upwards to the right.

William J. Neidermyer  
Assistant Supervisor  
Federal Activities  
New England Field Office

32 Algonquin Road  
Rumford, RI 02916  
May 7, 2005

US Army Corps of Engineers  
New England District  
Attn: Engineering/Planning Division

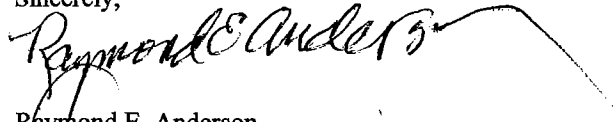
Dear Richard Heidebrecht:

As an over 60 year resident of the Rumford section of East Providence, a frequent visitor to Hunts Mills, and a knowledge of the area's history, I would like to re-state my feelings I have previously expressed at the proposed site.

First of all, I am very pleased with the concept of the fish ladder and the atmosphere of cooperation with the E.P. Historical Society, City of East Providence and its Historical Properties Committee.

As I previously stated, I think the East Providence Parks and Recreation, which maintains the Hunts Mills Grounds, should have input concerning landscaping plans that will allow fish to be harvested from the fish ladder. The landscaping should allow for fish harvesting without disturbing plantings. Appropriate, tasteful signage is my other concern I have previously expressed. Educating the non-fishing visitor about the ladder and the function it provides is a necessity. As the location is on the site of the former grist mill, photos and narration should extend to the public in this project.

Sincerely,



Raymond E. Anderson  
401-438-2464  
nuthouse32@yahoo.com





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HISTORICAL PRESERVATION & HERITAGE COMMISSION

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Heritage (401) 222-2669      TDD (401) 222-3700

May 17, 2005

Col. Thomas L. Koning  
District Engineer, NED  
U. S. Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Attn:  
Engineering/Planning Division  
Mr. Richard Heidebrecht

Re: Ten Mile River Ecosystem Restoration Project  
East Providence, RI

Dear Colonel Koning:

The Rhode Island Historical Preservation and Heritage Commission staff has reviewed the Draft Report and Environmental Assessment for the Ten Mile River Ecosystem Restoration Project. We find that the document accurately describes the project's effects on historic and archaeological resources and the results of our consultation to address the adverse effect at Hunts Mill Dam in the Rumford National Register Historic District. We concur that with the implementation of a Memorandum of Agreement to address this adverse effect, a Finding of No Significant Impact is appropriate.

These comments are provided in accordance with Section 106 of the National Historic Preservation Act. If you have any questions, please contact Richard E. Greenwood, Project Review Coordinator of this office.

Very truly yours,

Edward F. Sanderson  
Executive Director  
Deputy State Historic  
Preservation Officer

Cc: Jeanne Boyle, East Providence Planning Dept.  
David Kelleher, East Providence Historical Society

(050517.02)





May 26, 2005

Colonel Thomas L. Koning  
District Engineer  
696 Virginia Road  
Concord, MA 01742

Dear Colonel Koning,

Save The Bay strongly supports the efforts of the Army Corps of Engineers in conducting the feasibility report for the Ten Mile River ecosystem restoration project. This anadromous fish restoration project will be the largest fish passage restoration in Narragansett Bay and will provide a model for other anadromous fish restoration efforts in the region.

The need to restore anadromous fish passage to the Ten Mile River was brought to Save The Bay's attention by a local fisherman nearly ten years ago. This fisherman along with a small dedicated group of others had successfully sustained a small run of herring by creating a human fish ladder at the Omega Pond dam. From that point forward, Save The Bay worked to recruit the necessary partners for this restoration project. This partnership including the City of East Providence and the Rhode Island Department of Environmental Management's Fish and Wildlife Division and Save The Bay, provided the necessary match for the feasibility study.

Save The Bay commends the Army Corps of Engineers efforts to restore this historic fish run to the Ten Mile River and the upper Bay. As a project partner, Save The Bay looks forward to continuing to work in conjunction with staff from the Corps on the next phase of this restoration project. We will continue working to secure the future match requirements for the construction of the fishways at the three dams.

Thank you for the opportunity to comment on this important restoration endeavor.

Sincerely,



Wenley Ferguson  
Restoration Coordinator

Cc: Richard Heidebrecht  
John Kennelly



**David P. Whitman**  
**199 Don Avenue**  
**Rumford, RI 02916-1708**  
**(401) 438-3187**

May 26, 2005

U.S. Army Corps of Engineers  
New England District  
Attn: Engineering/Planning Division  
Richard Heidebrecht  
696 Virginia Road  
Concord, MA 01742-2751

**Re: Public Comment Re: Ten Mile River, Rhode Island  
Fish Ladder Proposal**

Dear Sir/Madam:

I understand that the Corps of Engineers is soliciting public comment as to its proposal to install fish ladders on the Ten Mile River in East Providence, Rhode Island at three (3) dams, in ascending order: (1) the outlet of Omega Pond to the Seekonk River, (2) Hunts Mills, and (3) the dam at the Turner Reservoir. The object is to re-establish a shad run on this river.

That is a laudable goal, but I would ask the Corps to consider a more major proposal which would have a greater chance of success as to re-establishing a shad run on the river and provide significant other benefits. Why not just demolish the three (3) dams?

The State of Maine has already begun to dismantle numerous dams upon its rivers. Why not encourage this in Rhode Island?

The dam for Omega Pond was built to provide water for manufacturing purposes. The site used to be a salt marsh. Wouldn't destruction of that dam, and some modest dredging, result in the re-establishment of a salt marsh there with a significant increase in habitat for flora and fauna natural to tidal marshes, aid in providing area for absorption of high waters/flooding and, perhaps open to boating from the Seekonk River an area which is now inaccessible to pleasure boats?

U.S. Army Corps of Engineers/New England District  
Attn: Engineering/Planning Division, Richard Heidebrecht  
May 26, 2005  
Page 2

Removal of the dam at Hunts Mills, which serves no purpose, would require no dredging and would improve the flow (fall) of the river which would already be improved by destruction of the dam at Omega Pond.

Destroying the dam at the Turner Reservoir would be much more costly, of course and might generate an outcry from boaters and fishermen. This dam no longer serves its original purpose of providing an upriver supply of drinking water. However, this high dam has effectively caused the Ten Mile River to stagnate. The northern end of the reservoir is full of silt. Hundreds of swans have polluted that portion of the reservoir beyond imagining. The oxygen levels in the water must be declining markedly. Canada geese have proliferated and driven out other, more native species.

Destruction of the Turner Reservoir dam would cause the Ten Mile River to shrink to its former width. However, it would have a much more marked flow (fall) of water, the water would be clearer, and perhaps native fish could be introduced back into the river, in addition to the hoped-for shad. The land emerging from under the waters of the reservoir would still be public lands, which could provide hiking trails and habitat for flora and fauna native to this area.

Our ancestors dammed the rivers of New England to provide power and water for industrial purposes, to provide drinking water and for flood control. These dams on the Ten Mile River have long outlived their usefulness. Let us return the river to its natural state. Why build artificial fish ladders beside obsolete dams?

Very truly yours,



David P. Whitman  
E-mail: dpw@hansoncurran.com  
DPW:fa  
***Via E-mail: CENED-DE  
and Fax: (978) 318-8821***

cc: Letters to the Editor  
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1000 A Waterman Avenue  
East Providence, RI 02914  
***Via Fax: 434-9469***



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**DIVISION OF FISH AND WILDLIFE**

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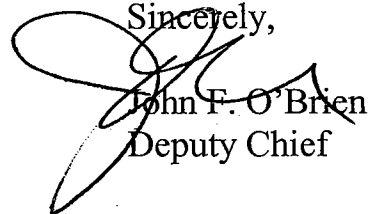
June 22, 2005

Mr. John R Kennelly  
Deputy Chief, Engineering/Planning  
New England District CORPS of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Dear Mr. Kennelly:

This is to confirm our meeting to discuss restoration of the Ten Mile River with Acting Director Sullivan planned for July 11<sup>th</sup> in his Providence office. As you know we continue to support this partnership and we are anticipating the beginning of the final design phase. The DEM Capitol Plan has included the state share of the funding for this activity in the FY2006 budget. Looking forward to our meeting on the 11<sup>th</sup>.

Sincerely,



John F. O'Brien  
Deputy Chief





RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 15, 2005

Mr. John R Kennelly  
Chief, Planning Branch  
US Army Corps of Engineers  
New England Division  
696 Virginia Rd.  
Concord, MA 01742-2751

Dear Mr. Kennelly:

The Rhode Island Department of Environmental Management, as the non-federal sponsor for the Ten Mile River Restoration Project, has reviewed the draft Detailed Project Report/Environmental Assessment (DPR/EA) and technical appendices for the Ecosystem Restoration, Ten Mile River East Providence, Rhode Island. We are prepared to move forward to project implementation. We support the recommended plan presented in the DPR/EA. This recommended plan would restore anadromous species of fish to the Ten Mile River by constructing fish ladders at Omega Pond Dam, Hunts Mill Dam, and Turner Reservoir Dam.

According to the draft DPR/EA, the cost of the project, including the construction cost of the fish ladders, preparation of plans and specifications, construction management, and real estate totals to \$1,870,000. We understand that the Department of Environmental Management is responsible for 35% of total project costs and for 100% of any operations and maintenance costs. The Department of Environmental Management hereby concurs with and supports the recommended plan provided in the draft DPR/EA. The Department of Environmental management also acknowledges our intension to sign the Project Cooperation Agreement (PCA) as the non-federal sponsor for the project.

Sincerely,

W. Michael Sullivan, Ph.D.  
Director







UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930-2298

SEP 23 2005

Mr. John R. Kennelly  
Chief of Planning  
U.S Army Corps of Engineers  
696 Virginia Road  
Concord, Massachusetts 01742-2751

Subject: Habitat Restoration in the Ten Mile River at Omega Pond, Hunts Mill and Turners  
Reservoir Dams in East Providence, Rhode Island

Dear Mr. Kennelly:

This letter follows recent communications regarding the use of fish ladders at the three sites in Ten Mile River. Additionally, we would like to respond to the request for consultation under the essential fish habitat components of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as amended. We support the idea of restoring fish access to the reaches of the Ten Mile River above the subject dams. However, your project would be greatly enhanced by the installation of American eel (*Anguilla rostrata*) passage systems at each of the three fish ladders.

As noted in our April 23, 2003 letter regarding EFH coordination, Section 305(b)(2) of the MSA requires an essential fish habitat (EFH) consultation for any action or proposed action authorized, funded, or undertaken by a federal agency that may adversely affect EFH. For certain types of actions that will likely result in no more than minimal adverse effects to EFH individually and cumulatively, the National Marine Fisheries Service (NMFS) may issue a statement of general concurrence in accordance with the requirements of 50 CFR 600.920(f) after appropriate coordination with the federal agency, the relevant fishery management council, and the public. In the project area, there are no designated essential fish habitats. Thus, there is no need for further consultation on those matters. We may reassess this finding if project conditions change and result in adverse impacts on EFH and NOAA trust resources.

The proposed study area provides no habitat for protected species managed by NMFS under the Endangered Species Act, and, unless project plans change, no further consultation is needed.

Should you or your staff wish to discuss this matter at any time, please contact Michael Ludwig by email at <[Michael.Ludwig@NOAA.gov](mailto:Michael.Ludwig@NOAA.gov)> or by telephone at (203) 882-6504.

Sincerely,

Peter D. Colosi, Jr  
Assistant Regional Administrator  
for Habitat Conservation



cc: HCD, Milford  
PRD, Gloucester - Colligan  
AÇOE, Concord  
EPA, Reg I  
F&WS, Charlestown

TFGreenAirport305