



US Army Corps  
of Engineers®  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# Public Notice

In Reply Refer to: Mr. Dubán Montoya  
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Programs/Project  
Management Division

Date: June 14, 2010

Comment Period Closes: June 29, 2010

## 15 DAY PUBLIC NOTICE

### MAINTENANCE DREDGING OF THE FEDERAL NAVIGATION PROJECT IN PAWTUXET COVE CRANSTON and WARWICK, RHODE ISLAND

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District, plans to perform maintenance dredging of the Federal navigation project in Pawtuxet Cove, Cranston and Warwick, Rhode Island, involving work in navigable waters of this District, under the provisions of Section 404 of the Clean Water Act, 33 U.S.C. § 1344, and to authorize such work in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. Attachment No. 1 lists pertinent laws, regulations, and directives.

**Existing Project Description:** The Federally authorized project provides for a channel, 6 feet deep and 100 feet wide, from deep water in Providence Harbor to the head of Pawtuxet Cove. The project also includes a turning basin, 6 feet deep at the mouth of the Pawtuxet River; a 14-acre anchorage, 6 feet deep, between the south side of the entrance channel and Warwick Downs State Park; and a sheltering dike, 2,200 feet long. The cove supports about 33 commercial fishing vessels, 217 recreational vessels and 6 water dependant businesses, which consist of marinas and boat yards. The project was last maintained in 2005/2006 when about 90,000 cubic yards of material were removed and placed in one of the Confined Aquatic Disposal (CAD) cells in Providence Harbor (originally built as part of the Providence River project). The material that was dredged from Pawtuxet Cove at that time was not suitable for unconfined open water disposal, but was suitable to be placed in the CAD cells.

**Proposed Work:** The recent record-setting flooding event of March and April 2010 caused a significant amount of erosion all along the Pawtuxet River and caused a significant amount of shoaling in Pawtuxet Cove, particularly along the entrance channel and the inner-harbor channel to the north of the entrance channel (Attachment 2 shows the newly shoaled areas proposed to be dredged). As a result of the floods, many coastal structures along the harbor were damaged and are in the process of being repaired by home owners. The Federal channel was shoaled with

approximately 20,000 cubic yards of new material. It is anticipated that the material that is currently in the harbor is of about the same quality as the material that was dredged in 2005. The Corps of Engineers has determined that this material is suitable for placement in the Providence River CAD cells. This determination will be coordinated with the USEPA and the appropriate resource agencies before the work is performed.

The work will be done by a private contractor, using a mechanical dredge and scows, under contract to the Government. The dredge will remove the material from the shoal areas of the cove using an enclosed clamshell bucket and load the material into a scow. The scow will then be towed to the Providence River CAD cells for disposal (Attachment 3).

It's expected that the dredging work will take between 4 and 6 weeks to be completed. Normal maintenance dredging operations (in 2005/2006) were restricted to the period of October through January to protect fisheries resources in the project area. As the area is recovering from the flooding impacts, environmental and socioeconomic factors will be considered to determine the appropriate time of year to do this work. These factors will be coordinated with the appropriate resource agencies.

**Disposal Area Options:** The material that was dredged in 2005/2006 underwent physical and chemical testing and satisfied the criteria for placement in the CAD cells in Providence Harbor. It is anticipated that the current shoaled material will be found equally suitable for disposal in the CAD cells.

**Additional Information:** Additional information may be obtained from Mr. Dubán Montoya, Programs/Project Management Division, at the return address shown, by email at [nae-pn-nav@usace.army.mil](mailto:nae-pn-nav@usace.army.mil) or by telephone (978) 318-8086.

**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 Rhode Island:**

Coastal Resources Management Council  
Department of Environmental Management

**Tribal Nation:**

Narragansett Indian Tribe

**Local:**

City of Cranston Mayor  
City of Warwick Mayor  
City of Warwick Councilman, Ward One  
Pawtuxet Cove Harbormaster

**Environmental Impacts:** An Environmental Assessment (EA) for dredging the Pawtuxet Cove Federal Navigation Project with disposal in the Providence River CAD cells was signed on June 25, 2004. Besides the rapid shoaling caused by the March and April flood, there are no known changes to the conditions in the dredge and disposal areas; thus the impacts of this work will be analyzed under the 2004 EA. New coordination with the resource agencies will be completed for this proposed dredging event. A copy of the 2004 EA (and any new correspondence) will be available for public 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 Connecticut Coastal Zone Management Program:** I find that maintenance dredging of the authorized navigation project at Pawtuxet Cove, Rhode Island is consistent, to the maximum extent practicable, with the applicable management program established as a result of the Coastal Zone Management Act of 1972. The dredging and disposal operation will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

**Other Information:**

- a. **Local Sponsor:** The Cities of Cranston and Warwick and the Rhode Island Coastal Resources Management Council are the local sponsors for the proposed work.
- b. **Previous Dredging:** Maintenance dredging of the Pawtuxet Cove Federal navigation project was last performed in 2005/2006 when about 90,000 cubic yards of material were dredged and placed in the Providence River CAD cells. Prior to that, the project had not been maintained since constructed in 1966.
- c. **Alternate Disposal Methods:** Alternate disposal options that have been considered include nearshore disposal, open-water disposal, and upland disposal. It is anticipated that the material in Pawtuxet Cove is not suitable for any of these other disposal options, but is suitable for placement in the Providence River CAD cells.
- d. **Non-Federal Dredging:** Currently no private-facility dredging is being proposed in conjunction with this project. However, as the area home-owners start to recover from the flood, it is anticipated that other dredging proposals will arise. If any private facility is interested in maintenance dredging, they will need to seek their environmental approvals, and coordinate with the apparent low bidder of the Federal project once one is identified.
- e. **Endangered Species:** It is our preliminary determination that no threatened or endangered species are residents of the project area. The Corps is consulting with National Marine Fisheries Service (NMFS) and the United States 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, 16 U.S.C. § 1531 et seq.

- 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 involving previously disturbed areas and is not likely to affect any cultural or archaeological features or resources. Archaeological surveys of the CAD cell locations showed no archaeological resources present. Prior to the last dredging event at Pawtuxet Cove, the State Historical Preservation Officer concurred with this determination in a letter dated August 25, 2003.
- h. Essential Fish Habitat Assessment: It has been determined that the proposed project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project area is contained within areas designated 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. The Army Corps of Engineers has assessed the effects dredging is likely to have on EFH and has determined that effects will be short-term and localized and that there will be no significant impacts on the designated fisheries resources. The Corps is consulting with NMFS to assure that all impacts will be minimized to the maximum extent practicable.

Additional Requirements: A request is being sent to the Rhode Island Department of Environmental Management (DEM) for Water Quality Certification in accordance with Section 401 of the Clean Water Act, 33 U.S.C. § 1341 along with a request for the State's concurrence with our determination of Federal consistency with the State's approved coastal zone management program.

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 that may be affected by the dredging and disposal of this material may request a public hearing. The request must be submitted in writing to me within 15 days of the date of this notice and must clearly set forth the interest that 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: Mr. Dubán Montoya, within 15 days of this notice.

10 June 2010  
Date

William T. Feir, P.E. Deputy District Engineer  
for Philip T. Feir  
Colonel, Corps of Engineers  
District Engineer

Attachments

## **Attachment 1**

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

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

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

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

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

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

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

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

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

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

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

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.)

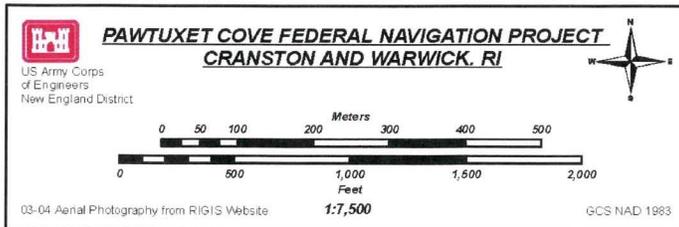
Executive Order 11988, Floodplain Management, 24 May 1977

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

## Attachment 2

### Map of Pawtuxet Cove Federal Navigation Project Dredging Areas and Location Map



**Attachment 3**

Map of Providence River Confining Aquatic Disposal (CAD) cells

