



**US Army Corps  
of Engineers**®  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# Public Notice

**In Reply Refer to: Mr. Christopher Hatfield**  
Engineering and Planning Division  
**Email:** cenae-ep@usace.army.mil  
**Date:** November 5, 2013  
**Comment Period Closes:** December 5, 2013

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## **30 DAY PUBLIC NOTICE**

### **MISQUAMICUT BEACH WESTERLY, RHODE ISLAND**

### **BEACH EROSION CONTROL PROJECT RESTORATION**

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District, plans to restore Misquamicut Beach, Beach Erosion Control Project to its authorized design profile. Attachment 1 lists pertinent laws, regulations, and directives.

**Background:** Misquamicut Beach is a State Beach located approximately halfway between Weekapaug Breachway and Watch Hill Point in Westerly, Rhode Island. It is owned by the Rhode Island Department of Environmental Management (RIDEM) and managed by the Division of Parks and Recreation; it includes the beach, beach pavilion, public parking, and a public campground. Misquamicut Beach was initially constructed in late 1959 and/or early 1960 as a beach erosion control project. The project was authorized by the River and Harbor Act of July 14, 1960 (PL 86-645), as amended. The beach erosion control project was designed and constructed to provide protection to the bathhouse, public parking lot, roadway (part of the evacuation route system) and utilities, and reduce backshore flooding during coastal storms. It also restored the recreational aspects of the beach by providing a usable dry beach width of approximately 150 feet shoreward of the mean high waterline.

**Purpose of Work:** During the period of October 28-31, 2012, Hurricane Sandy caused significant erosion along the Rhode Island shoreline. The Disaster Relief Appropriations Act of 2013 (PL113-2) provides the U.S. Army Corps of Engineers (USACE) with the Authority to restore Federally authorized and constructed shore protective works that were damaged as a result of Hurricane Sandy. PL 113-2 restoration assistance is applicable to this project as public property (beach pavilion, parking lot, recreational facilities, campground, and Atlantic Avenue) is in danger of being severely damaged during any future storms.

**Recommended Project Description:** The proposed work involves the placement of sand fill at the Misquamicut Beach Erosion Control Project in order to restore the beach to its authorized design

profile (see Attachment 2). The sand shall be purchased from a local supplier, trucked to the site, and spread on the beach using earth moving equipment. The contractor will deposit sand in piles along the beach above mean high water and then grade it to create a 150-foot beach berm that holds at elevation +7.5 feet mean low water (MLW). From elevation +7.5 feet MLW, a 1:15 seaward slope will extend out to the newly formed MLW. Sand placed seaward of the high water line shall be graded as practical, with natural processes creating final beach profiles. In order to extend the boundary of the MLW line sand mounds will be pushed out into the surf zone using earth-moving equipment. This project will require up to 90,000 cubic yards of sand to be placed on the beach and expect the nearshore area to be impacted out to at least the -5 foot depth contour. It is expected to take approximately two months to complete the proposed project and all work will be completed by May 23, 2014.

**Additional Information:** Additional information may be obtained from Mr. Christopher Hatfield Engineering/Planning Division, at the return address shown, by email at [cenaep@usace.army.mil](mailto:cenaep@usace.army.mil) or telephone number (978) 318-8520.

**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

**Tribal Nations:**

Narragansett Tribe

**State of Rhode Island:**

Rhode Island Coastal Resources Management Council (RICRMC)  
Rhode Island Department of Environmental Management (RIDEM)  
Rhode Island Historic Preservation Officer

**Local:**

Town of Westerly, Town Engineer

**Environmental Impacts:** An Environmental Assessment (EA) for this work 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 beach restoration 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 Rhode Island's Coastal Zone Management Program:**

A determination that the proposed project is consistent to the maximum extent practicable, with the applicable management program established as a result of the Coastal Zone Management Act of 1972.

## **Other Information:**

**Local Sponsor:** State of Rhode Island, Division of Parks and Recreation

**Endangered Species:** It is our preliminary determination that no threatened or endangered species will be adversely impacted by the proposed project. USACE will consult with the National Marine Fisheries Service 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 of 1973 (87 Stat. 844).

**Cultural Resources:** The proposed work consists of restoring a beach to design dimensions. No archaeological or historic resources impacts are expected to occur in the project areas that have not been previously disturbed.

**Essential Fish Habitat Assessment:** It has been determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The USACE 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.

**Compliance:** This Public Notice is being issued in compliance with environmental laws, regulations, and directives in the Attachment.

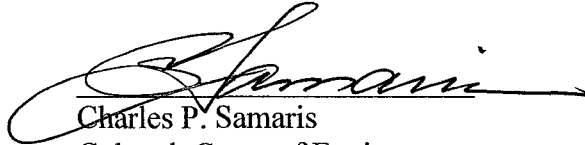
**Additional Requirements:** A request has been sent to the Rhode Island Massachusetts Office of Coastal Zone Management Rhode Island's Coastal Resources Management Council for the State's concurrence with our determination of Federal consistency with the State's approved Coastal Zone Management Program. A request has also been sent to the Rhode Island Department of Environmental Management 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, to the maximum extent practicable, with State or interstate requirements to control the discharge of dredged or fill material.

This Public Notice is intended to provide information about, and to seek comments on, restoration of the Misquamicut Beach, Beach Erosion Control Project. 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 this project, 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: Engineering and Planning division (Mr. Christopher Hatfield; or emailed to [cenae-ep@usace.army.mil](mailto:cenae-ep@usace.army.mil)) within 30 days of this notice.

5 Nov 13  
Date

  
Charles P. Samaris  
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.)

Coastal Barrier Resources Act of 1982, as amended (16 U.S.C. 3501 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.)

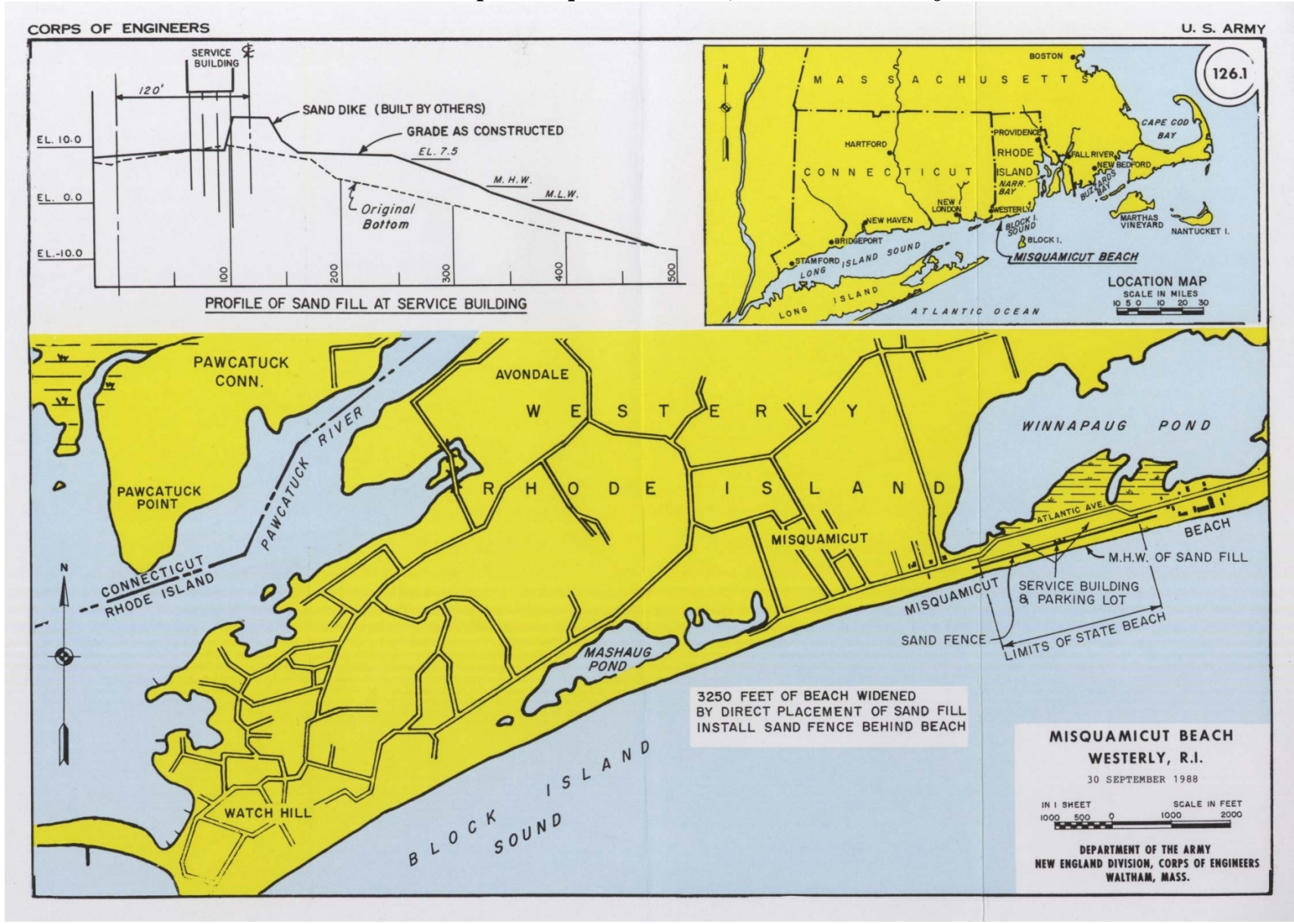
Executive Order 11988, Floodplain Management, 24 May 1977

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 Misquamicut Beach, Beach Erosion Project



# Attachment 3 Map of Misquamicut Beach

