



**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](mailto:nae-pn-nav@usace.army.mil)

Programs/Project  
Management Division

Date: April 1, 2016

Comment Period Closes: April 15, 2016

## 15 DAY PUBLIC NOTICE

### MAINTENANCE DREDGING OF THE FEDERAL NAVIGATION PROJECT IN COHASSET HARBOR COHASSET AND SCITUATE, MASSACHUSETTS

Interested parties are hereby notified under provisions of the National Environmental Policy Act of 1969 (NEPA) (implementing regulations in 40 CFR 1500-1508 and 33 CFR 230), and Section 404 of the Clean Water Act of 1977 (implementing regulations in 33 CFR 335-338), that the U.S. Army Corps of Engineers, New England District, plans to perform urgent maintenance dredging of the Federal navigation project in Cohasset Harbor, Cohasset and Scituate, Massachusetts, involving work in the navigable waters of the United States. 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 Mean Lower Low Water (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. The Cohasset FNP was authorized by Congress in the River and Harbor Act of 1945.

**Character and Purpose of Work:** The proposed work involves dredging of an area in the Cohasset Harbor entrance channel that was not dredged during the fall 2015/winter 2016 maintenance cycle. The shoal within the channel is approximately 0.75 acres in size and consists of about 4,000 cubic yards of material. The shoal and the strong current are creating a serious navigational hazard to vessels entering or leaving the harbor and increasing the risk of grounding. Additionally, other areas of the entrance channel and a section of the northern corner of the 7-foot anchorage by the breakwater were not cleared to authorized depths. No dredging occurred at the entrance to Bailey Creek where Bassing Beach has encroached into the anchorage area (2.06 acres). In total approximately 9,000 cubic yards of material in the entrance channel and 7-foot anchorage and 11,000 cubic yards at the entrance to Bailey Creek still need to be removed.

Due to the urgent nature of the entrance channel shoal, the Corps is proposing to use the Government-owned special purpose hopper dredge *CURRITUCK* or mechanical dredge to remove the 4,000 cubic yard hazardous shoal in the entrance channel over a 2 week period during May 2016. Any remaining sediment in the entrance channel, the 7-foot anchorage, and entrance to Bailey Creek Shoals will be dredged using a mechanical dredge over an 8 to 10 week period between November 1 and January 31. All the dredged material will be transported to the previously used nearshore placement site adjacent to Green Harbor Beach in Marshfield, Massachusetts.

**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 placement at the previously used nearshore site adjacent to Green Harbor Beach in Marshfield, 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](mailto: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 urgent 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 in the nearshore environment adjacent to Green Harbor 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 NEPA. 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 the urgent maintenance dredging of the authorized navigation project in Cohasset Harbor is consistent to the maximum extent practicable with the enforceable policies of the state management program 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 2015-2016 when the sandy shoal areas were pumped onto Sandy Beach in Cohasset, Massachusetts. The work not completed during that dredge event is the basis for the currently proposed project.
- d. Alternative Placement Areas/Methods: Alternative placement areas and methods have been considered as part of this proposal. Alternative placement options considered include open-water placement, beach placement, and upland placement. The Corps favors using the nearshore placement option because it is environmentally-sound, keeps clean sediments in the littoral system, and the proposed dredge types have the ability to place the material there.
- e. Endangered Species: It is our preliminary determination that no threatened or endangered species will be adversely impacted by the proposed project. The Corps 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).
- f. Floodplain Management: In accordance with Executive Order 11988, the Corps 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 urgent maintenance dredging of the FNP in previously dredged areas and a previously used placement site. This proposal, including use of the nearshore 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 for these areas.
- 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 sites are 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 Corps 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. The Corps 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 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, 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 that 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](mailto:nae-pn-nav@usace.army.mil) within 15 days of this notice.

1 APR 16

Date



Christopher J. Barron  
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

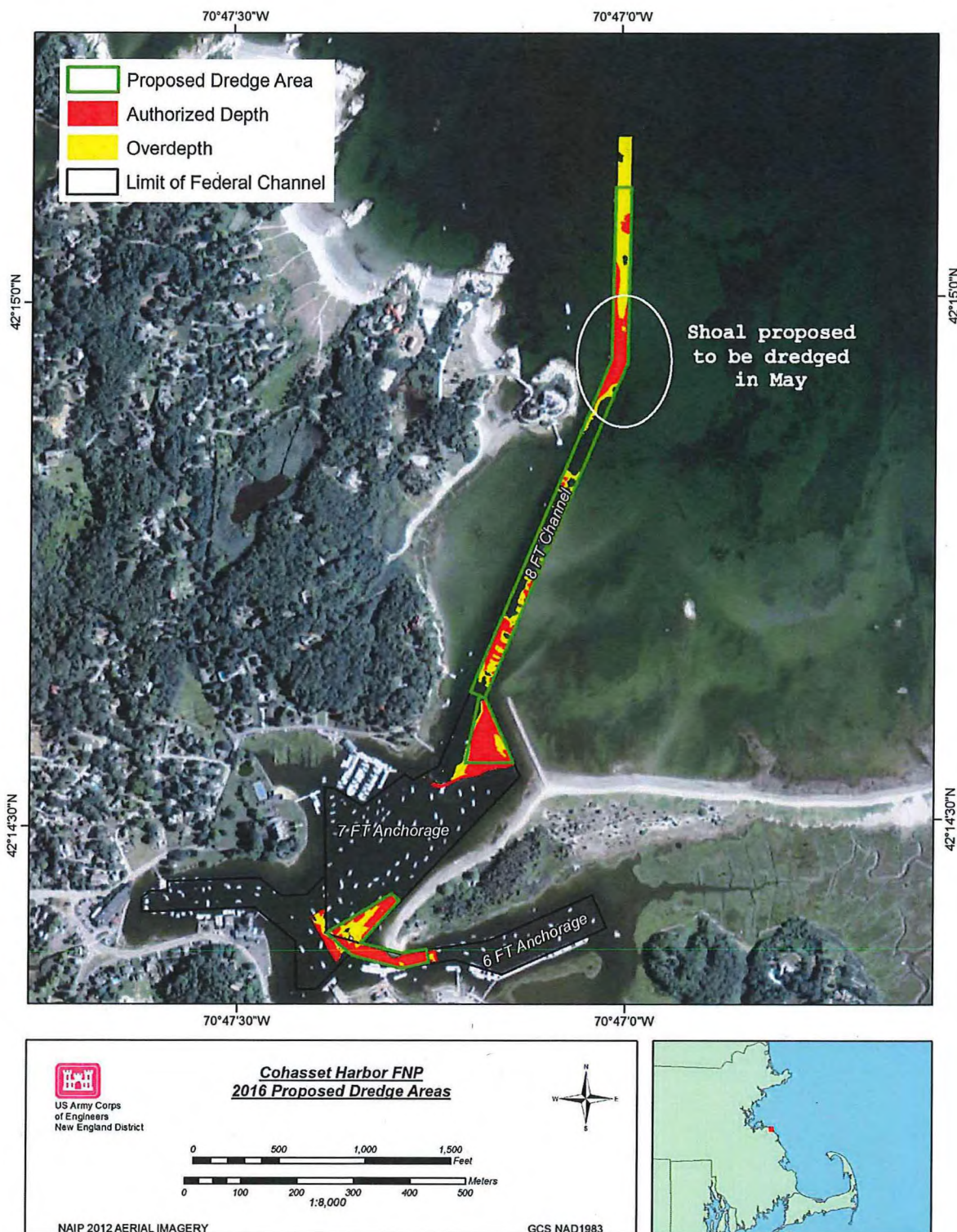
Executive Order 11990, Protection of Wetlands, 24 May 1977

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

Water Resources Development Act of 1992, Section 204 (as amended), Beneficial Uses of  
Dredged Material


## Attachment 2



Map of Cohasset Harbor Federal Navigation Project


# Attachment 3




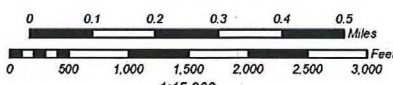


US Army Corps  
of Engineers  
New England District

**GREEN HARBOR, MARSHFIELD, MA**  
**NEARSHORE PLACEMENT SITE**  
**ADJACENT TO GREEN HARBOR BEACH**







0 0.1 0.2 0.3 0.4 0.5 Miles  
 0 500 1,000 1,500 2,000 2,500 3,000 Feet  
 1:15,000

Imagery NAIP Mass2014

GCS NAD1983

**Map of Nearshore Placement Area Adjacent to Green Harbor Beach**