



US Army Corps
of Engineers®
New England District

Engineering/Planning
696 Virginia Road
Concord, MA 01742

Public Notice

Date: August 14, 2015
Comment Period Ends: September 12, 2015
Reply by Mail to: Marie Esten; or by email to:
marie.e.esten@usace.army.mil

30 – DAY PUBLIC NOTICE

Environmental Assessment of Continued Operation and Maintenance Activities at the Fox Point Hurricane Barrier, Providence, Rhode Island

Interested parties are hereby notified under the provisions of the National Environmental Policy Act (NEPA) (implementing regulations in Title 40, Parts 1500-1508 of the Code of Federal Regulations and Title 33, Part 230 of the Code of Federal Regulations) that the U.S. Army Corps of Engineers (USACE), New England District, has completed a Draft Finding of No Significant Impact and Environmental Assessment (EA) for the Continued Operation and Maintenance activities at the Fox Point Hurricane Barrier in Providence, Rhode Island. Attachment 1 is a project location map and Attachment 2 lists pertinent laws, regulations, and directives.

The EA identifies, documents and evaluates the environmental effects of the continued operation and maintenance of the Hurricane Barrier in accordance with its authorized project purposes. The EA evaluates operation and maintenance activities for compliance with Federal laws, regulations, Executive Orders and Executive Memorandums, and to meet compliance requirements of USACE's Environmental Review Guide for Operations (ERGO).

Description

The Fox Point Hurricane Barrier (Hurricane Barrier) is a Federal flood damage reduction project located in the City of Providence, Rhode Island (Attachment 1). The Hurricane Barrier provides flood protection to about 280 acres of the City of Providence from hurricanes and other coastal storms. In 2014, the U.S. Congress provided authorization for the acceptance of funds from a State or a political subdivision and other non-Federal interests or private entities to operate a hurricane barrier project to support recreational activities at or in the vicinity of the project, at no cost to the Federal Government. Under that framework, the U.S. Army Corps of Engineers (USACE) operates the Hurricane Barrier to provide for flood risk management and support to recreation events throughout the year. The primary recreation support is the operation of the Hurricane Barrier to maintain navigation in the Woonasquatucket, Moshassuck and Providence Rivers during low tide at the request of WaterFire Providence (WaterFire).

The preferred alternative consists of continuing to operate the Hurricane Barrier for flood risk management in response to storms that could cause damage to downtown Providence's commercial center, transportation facilities, public utilities and residences. It also includes continuing support for recreation activities, including support of WaterFire. The advantage of this alternative is that, based on the analysis provided in this EA, there are no major adverse impacts identified and the facility can continue to protect the City of Providence during major storms and support cultural activities that have substantial positive economic benefit to the State of Rhode Island. An evaluation of the existing operation and maintenance actions against the impacts associated with them does not show significant environmental impacts occurring from continuing the existing operation and maintenance activities.

Environmental Resources

Impacts were analyzed on water resources, fish and wildlife, vegetation and wetlands, endangered and threatened species, land use and recreation areas, socioeconomics, cultural resources, air quality and noise, and floodplains. Short-term impacts to water quality and fisheries were identified during complete closure of the Hurricane Barrier. These include short-term elevation of temperature and corresponding decline in dissolved oxygen in the waters behind the Hurricane Barrier when it is completely closed. Fish passage upstream and downstream of the Hurricane Barrier may be delayed by complete closure, but will resume once the Hurricane Barrier is opened. These short-term impacts are considered minimal.

Additional Information

Additional information may be obtained from the Engineering/ Planning Division of the U.S. Army Corps of Engineers, Ms. Marie Esten, Environmental Specialist (978-318-8965 or marie.e.esten@usace.army.mil).

Coordination

The proposed work is being coordinated with the following Federal and State agencies:

Federal:

- U.S. Fish and Wildlife Service
- National Oceanic and Atmospheric Administration Fisheries Service, Greater Atlantic Regional Fisheries Office
- U.S. Environmental Protection Agency, Region 1

State:

- Rhode Island Department of Environmental Management
- Rhode Island Coastal Resources Management Council
- Rhode Island Division of Fish and Wildlife
- Rhode Island State Historic Preservation Office

Compliance with other Environmental Laws and Regulations

Federal Consistency with the RI Coastal Resources Management Program: USACE has determined the continued operation and maintenance for flood risk management and support to

recreation will be conducted in a manner that is consistent with the RICRMP. USACE is seeking concurrence on this determination from the RI Coastal Resources Management Council.

Floodplain Management: This Flood Damage Reduction Project is authorized by the U.S. Congress to be located in the floodplain to protect public and private property and infrastructure. The Hurricane Barrier was previously authorized and there are no planned substantive changes.

Cultural Resources: The project is not expected to impact any structures or sites of historic, architectural or archeological significance as defined by the National Historic Preservation Act of 1966 as amended. Coordination is being conducted with the Rhode Island State Historic Preservation Officer.

Endangered Species: The project will have no impacts to Federal or state-listed species of concern, rare, threatened, or endangered species.

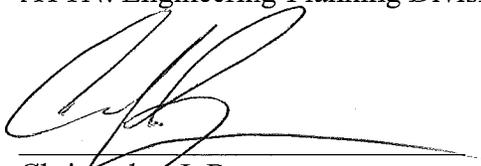
Environmental Impacts: A Draft Finding of No Significant Impact (FONSI) and EA of the proposed action has been prepared and is available upon request to Ms. Marie Esten, Environmental Resources Specialist, at the telephone numbers noted above, and can be obtained at the following location;

<http://www.nae.usace.army.mil/Missions/PublicNotices.aspx>.

Additionally, a copy of the EA and FONSI is available for review at the Providence Public Library, 150 Empire Street, Providence, RI. USACE has made a preliminary determination that an Environmental Impact Statement for the action is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of the facts submitted in response to this notice.

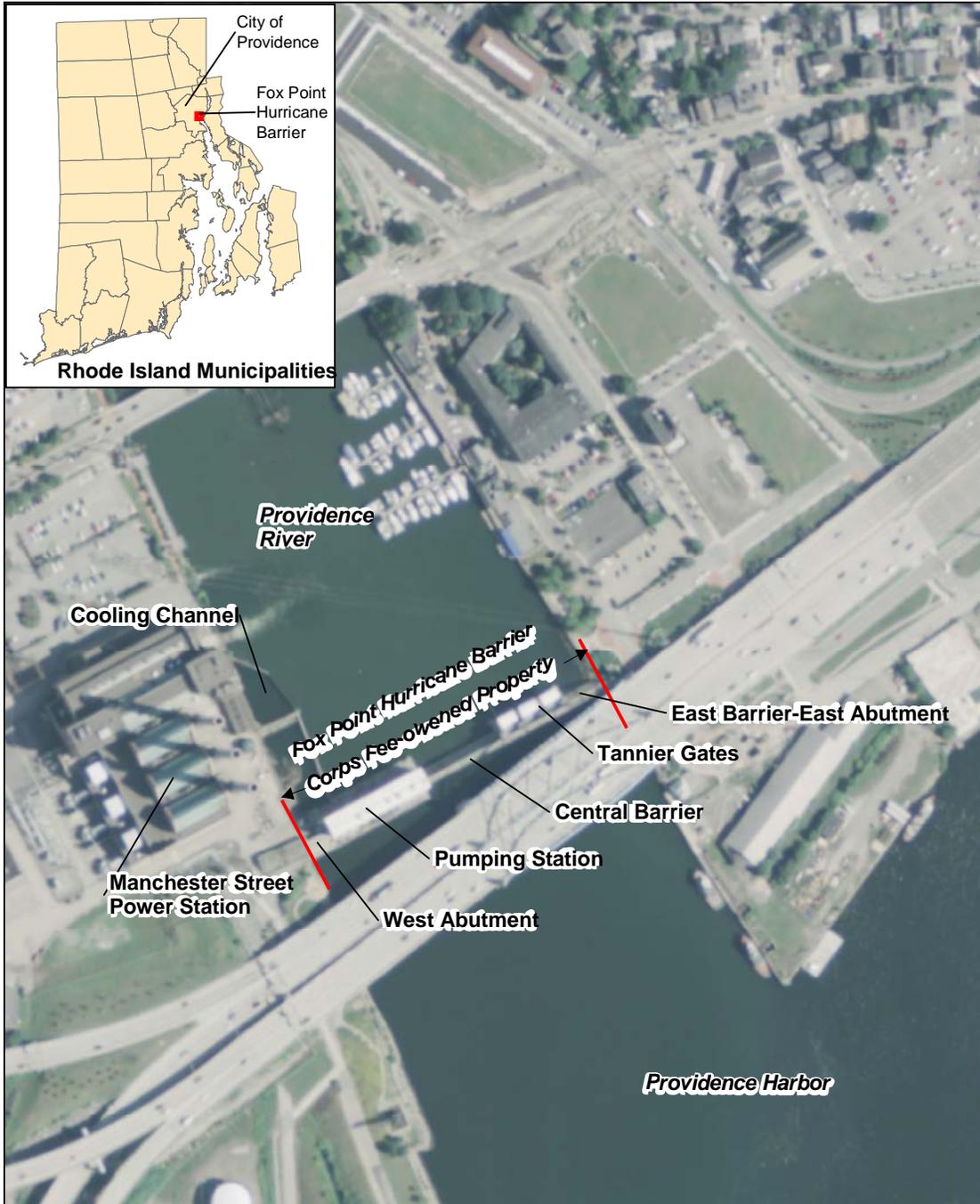
Comments

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 me at, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, Massachusetts, 01742-2751, ATTN: Engineering-Planning Division, within 30 days of this notice.


Christopher J. Barron
Colonel, Corps of Engineers
District Engineer

8 AUG 2015
Date

**ATTACHMENT 1
LOCATION MAP**



Background: 2014 USDA Orthophotography
Note: Fee owned property estimated from orthophotography for the purpose of site overview in this Environmental Assessment, see the survey for official fee-ownership detail.



ATTACHMENT 2

PERTINENT LAWS, REGULATIONS AND DIRECTIVES

Federal Statutes:

Clean Air Act, as amended, 42 U.S.C. 7401 et seq.

Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.

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

Federal Water Project Recreation Act, as amended, 16 U.S.C. 4601-12 et seq.

Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3000-3013, 18 U.S.C. 1170

National Environmental Policy Act of 1969, as amended, 42 U.S.C 4321 et seq.

Rivers and Harbors Act of 1899, as amended, 33 U.S.C. 401 et seq.

Watershed Protection and Flood Prevention Act as amended, 16 U.S.C 1001 et seq.

Executive Orders

Executive Order 11593, Protection and Enhancement of the Cultural Environment, 13 May 1971

Executive Order 11988, Floodplain Management, 24 May 1977 amended by Executive Order 12148, 20 July 1979;
subsequently amended by Executive Order 13690, January 30, 2015

Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Environmental Justice, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April, 1997

Executive Order 13061, and Amendments – Federal Support of Community Efforts Along American Heritage Rivers

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000

Executive Memorandum

Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing NEPA, 11 August 1980

White House Memorandum, Government-to-Government Relations with Indian Tribes, 29 April 1994