



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

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Ms. Coral Siligato
nae-pn-nav@usace.army.mil

Programs & Project
Management Division

Date: December 11, 2018

Comment Period Closes: January 9, 2019

30 DAY PUBLIC NOTICE

MAINTENANCE DREDGING OF THE HAMPTON HARBOR FEDERAL NAVIGATION PROJECT, SEABROOK AND HAMPTON, NEW HAMPSHIRE

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), New England District (NAE), plans to perform maintenance dredging of the Federal Navigation Project (FNP) at Hampton Harbor, Seabrook and Hampton, NH and the State Anchorage in Hampton, NH. Maintenance of the entrance channel and harbor is being carried out under the existing project authority. Attachment 1 lists pertinent laws, regulations, and directives.

Project Description: This notice is intended to cover both the FNP and the State of New Hampshire's maintenance dredging in Hampton Harbor. The proposed work involves maintenance dredging of the 8-foot Mean Lower Low Water (MLLW) anchorage on the Seabrook side, the 8-foot and 6-foot MLLW anchorage areas on the Hampton side, and the 8-foot MLLW inner channels connecting both areas with the entrance channel, plus an authorized 1 foot of overdepth, in the Hampton Harbor FNP (See Attachment 2). Additionally, the proposed work involves maintenance dredging of the State of New Hampshire's 6-foot MLLW anchorage, plus authorized overdepth. This work will allow project users to maintain safe navigation in Hampton Harbor. The FNP was authorized on March 5, 2012 under the Continuing Authority of Section 107 of the River and Harbors Act of 1960, as amended.

Character and Purpose of Work: Natural shoaling processes have reduced available depths to as little as 1.0 foot in the 8-foot MLLW channel in Seabrook and 8-foot MLLW anchorage in Hampton, as little as 2.5 feet in the 8-foot Seabrook Anchorage, and approximately 4.0 feet in the 8-foot MLLW cross channel, 6-foot MLLW Hampton Anchorage and 6-foot State of New Hampshire Anchorage making navigation hazardous or impossible at lower stages of the tide.

Maintenance dredging of approximately 150,000 cubic yards of sandy material from the authorized project area will maintain the FNP and State of New Hampshire Anchorage to required and authorized dimensions (See Attachment 3). A private contractor, under contract to the

government, will use a hydraulic pipeline dredge, hopper dredge, or combination of the two. The State's maintenance project involves dredging of approximately 2,500 CY of sand from the upper six-foot anchorage area in Hampton. If hydraulic dredging is performed, the entire project will be dredged and material will be placed along adjacent beaches with a pipeline, as described below in Placement Areas. The use of a hopper dredge would be limited to the entrance channel only and the dredged material would be transported for placement at a nearshore site (See Attachment 3). All of the areas have been dredged in the past by either the State or the Federal Government.

Construction activities involving hydraulic dredging will be performed during a five-month period between October 1 and March 15. Dredging of the inner harbor would be performed between October 15 and February 1, dredging and placement activities in the entrance channel would occur between October 15 and March 15, and work on the receiving beaches would occur between October 1 and March 15. In the event that the government owned hopper dredge *Currituck* performs work in Hampton Harbor, the work would be limited to the entrance channel and would occur between May 1 and July 31, of the year in which the work takes place. The work is currently anticipated to be performed in 2019/2020. If dredging is not complete in one season, construction will occur the following season within the proposed dredge window. The application of this window will limit adverse impacts to federally-listed endangered and threatened species as well as avoid the impacts to winter flounder, anadromous fish, and shellfish resources in the project area. The Corps will allow the contractor to dredge 24 hours per day, 7 days per week. The Towns of Seabrook and Hampton and the State of New Hampshire requested that this project be maintained.

Placement Areas: The material to be dredged is clean sand that is an important component of the Hampton and Seabrook beach systems. It is Corps policy to beneficially use dredged material when possible. For these reasons, the removal of this material from the system was deemed undesirable and therefore, upland placement was determined to be undesirable.

If hydraulic pipeline dredging occurs, the dredged material will be placed along areas of Hampton Beach, Seabrook Beach, and an area beneath the southern end of the Rt. 1A bridge, which are all located adjacent to the project area (Attachment 3). Additionally, up to approximately 10,000 CY yards of sand will be placed behind an existing composite sheet pile wall built in 2005 to protect the middle ground sand flat. Alternatively, if a hopper dredge is utilized, the material will be placed at one of the nearshore sites in the vicinity of the project, to include the Boar's Head nearshore placement site (previously used) or at the Hampton Beach nearshore placement site (Attachment 3).

Additional Information: Additional information may be obtained from Ms. Coral Siligato, Civil Works/IIS Project Management Branch, Programs and Project Management Division, at the return address shown, by email at nae-pn-nav@usace.army.mil or by telephone at (978) 318-8012.

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 New Hampshire:

New Hampshire Office of State Planning
New Hampshire Department of Environmental Service
New Hampshire Department of Fish & Game
New Hampshire Division of Parks and Recreation
New Hampshire Division of Historical Resources
State Historic Preservation Office
Pease Development Authority – Division of Ports and Harbors

Municipal Officials:

Town of Seabrook
Town of Hampton

Environmental Impacts: An Environmental Assessment is in preparation and available for review upon request. I have made a preliminary determination that an Environmental Impact Statement for the proposed improvement 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 New Hampshire Coastal Zone Management Program: I find that the maintenance dredging of the authorized navigation project is consistent to the maximum extent practicable with the State of New Hampshire's management program established as a result of the Coastal Zone Management Act of 1972.

Other Information:

- a. **Local Sponsor:** The Town of Seabrook and Town of Hampton, New Hampshire, are the local sponsors for the federal proposed work. The Pease Development Authority is the non-federal sponsor for the state proposed work.
- b. **Non-Federal Dredging:** The State of New Hampshire proposes to dredge an anchorage in connection with the proposed federal maintenance dredging. To date there are no private dredging projects proposed in conjunction with this project. Facility and property owners within the harbor who may be interested in performing non-Federal dredging concurrently with this project should be aware that work will require a permit from the Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and, depending on the location of the non-Federal dredged material disposal, may also require a Corps permit under Section 404 of the Clean Water Act. In order to be disposed of in ocean waters, private dredged material must be determined to be suitable for such disposal.
- c. **Previous Dredging:** The Corps most recently dredged the harbor in 2012. At that time, a hydraulic pipeline dredge removed approximately 167,947 cubic yards of material, of which 51,910 cubic yards were for state maintenance, and placed the material at both Seabrook and Hampton beaches and between the sheet-pile walls of the erosion control project completed in 2005.

d. Alternate Placement Methods: Alternate placement options that have been considered include beach nourishment, upland placement, nearshore placement, open water placement, and intertidal placement.

e. Endangered Species: It is our preliminary determination that no threatened or endangered species will be 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 Corps has coordinated the proposed work with the New Hampshire Division of Historical Resources and it was determined that the maintenance dredging and sediment placement is unlikely to impact historical or archaeological resources as defined by the National Historic Preservation Act and implementing regulations (36 CFR 800).

h. Essential Fish Habitat Assessment: The Corps has determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within Seabrook and Hampton, NH in Hampton Harbor, which is designated as EFH under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for federally managed fish species. The Corps assessed the effects that the project is likely to have on EFH, and has determined 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.

i. Additional Requirements: The Corps has requested a 401 Water Quality Certification and Coastal Zone Management Consistency Determination Concurrence from the State of New Hampshire's Department of Environmental Services.

The decision whether to perform the proposed 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 that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. All factors that 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 placement 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 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: Coral Siligato; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

12/7/2018

Date



William M. Conde
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 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, as amended (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 Act of 1956 (16 U.S.C. 742a, et. seq.)

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

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

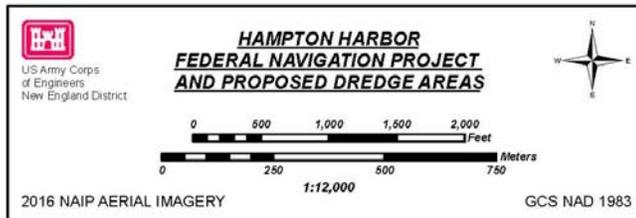
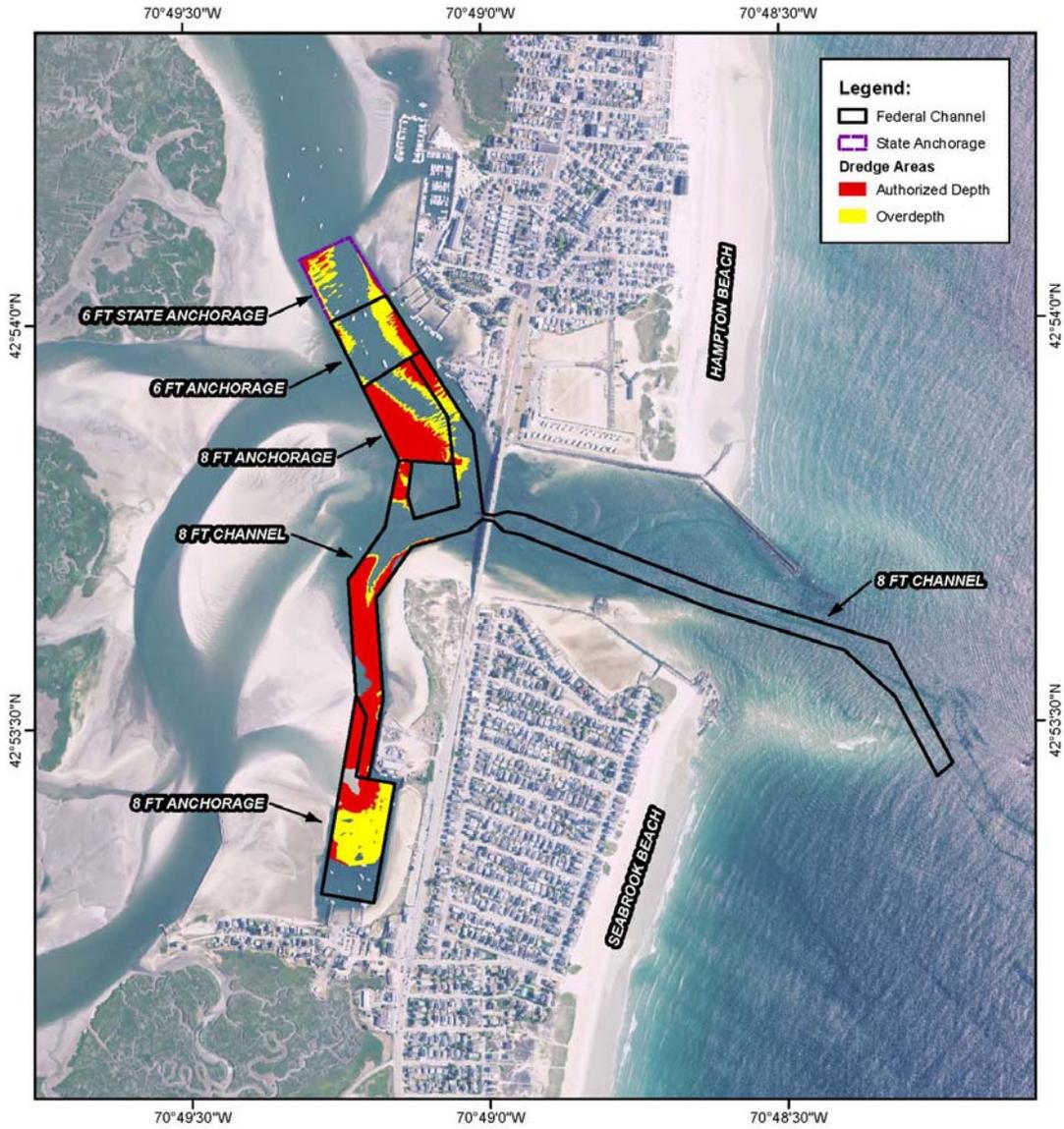
Executive Order 11990, Protection of Wetlands, 24 May 1977

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 Health Risks and Safety Risks,
21 April 1997

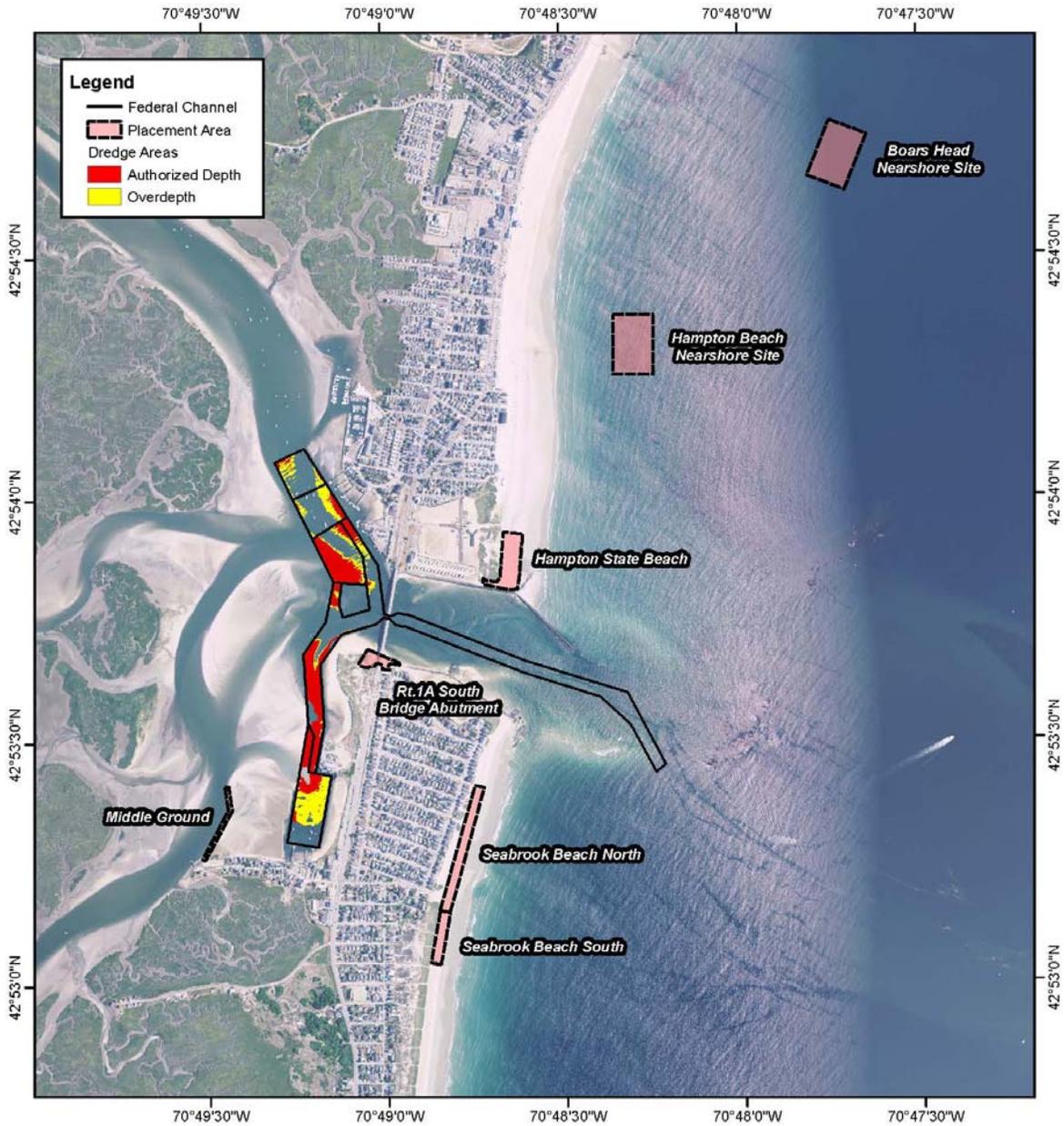
Attachment 2

Hampton Harbor Federal Navigation Project Features



Attachment 3

Hampton and Seabrook Harbor Alternative Placement Locations





US Army Corps
of Engineers
New England District

**HAMPTON HARBOR FNP
2018 DISPOSAL ALTERNATIVES**

0 1,000 2,000 3,000
Feet

0 250 500 750 1,000
Meters

1:20,000



GCS NAD 1983

