



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: December 23, 2019
Comment Period Ends: January 23, 2020
File Number: NAE-2007-00457
In Reply Refer To: Christina M. Comeau
Phone: (978) 318-8705
E-mail: Christina.M.Comeau@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Norwalk Cove Marina, 50 Calf Pasture Beach Road, Norwalk, Connecticut. This work is proposed in Norwalk Harbor at 48 Calf Pasture Beach Road, Norwalk, Connecticut. The site coordinates are: Latitude 41.083488, Longitude -73.399370.

The work involves:

1. The removal of the following existing floating docks: (1) 10' wide by 210' long, (1) 10' wide by 130' long, (3) 10' wide by 80' long, (1) 10' wide by 65' long, (2) 10' wide by 60' long, and (1) 14' by 20'.
2. The installation of the following floating docks: (1) 12' wide by 82' long, (1) 12' wide by 230' long, (1) 12' wide by 185' long, (1) 10' wide by 80' long, (1) 10' wide by 70' long, (4) 5' wide by 60' long, and (2) 10' wide by 120' long.
3. The removal of 25 existing timber piles.
4. The installation of approximately 70 new timber piles.
5. The installation of associated utilities, pedestals, and dock hardware.

This will expand the existing South Dock footprint of Norwalk Cove Marina from 14 slips and 9,130 SF to 28 slips and 15,264 SF. The expansion is to increase the amount of boat slips available to larger vessels at the marina. There is no proposed mitigation for this project.

The work is shown on the enclosed plans entitled "NORWALK COVE MARINA, 48 CALF PASTURE BEACH ROAD, NORWALK, CONNECTICUT," on 5 sheets, and dated "6/17/19."

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
 Section 404 of the Clean Water Act
 Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit 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 benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers, New England District (Corps), is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. The Corps will consider all comments received to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project will impact .35 acres of EFH. This habitat consists of intertidal and subtidal areas. Loss of this habitat may adversely affect species that use these waters and substrate. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s).

ENDANGERED SPECIES CONSULTATION

The Corps has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

The states of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable, the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, license or assent from State.
- Permit from local wetland agency or conservation commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

COMMENTS

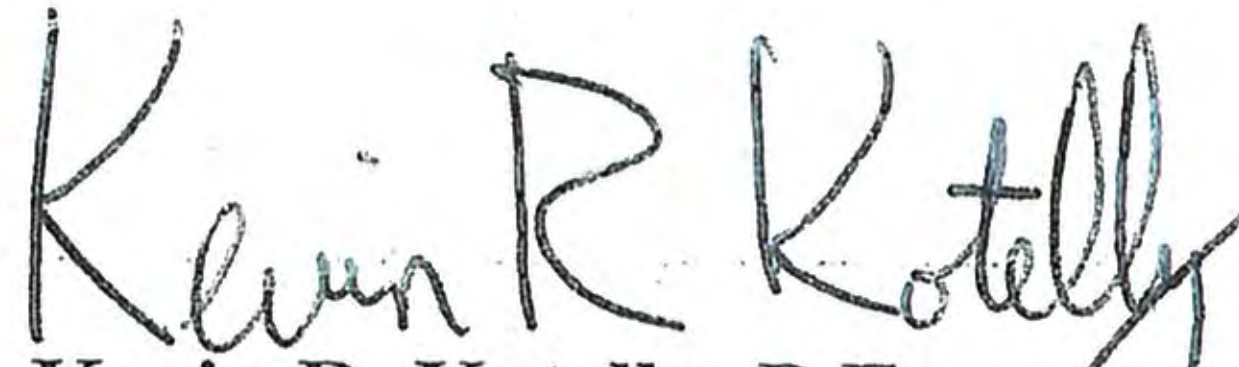
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Christina M. Comeau at (978) 318-8705, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

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FILE NO. NAE-2007-00457

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Kevin R. Kotelly, P.E.
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____

ADDRESS: _____

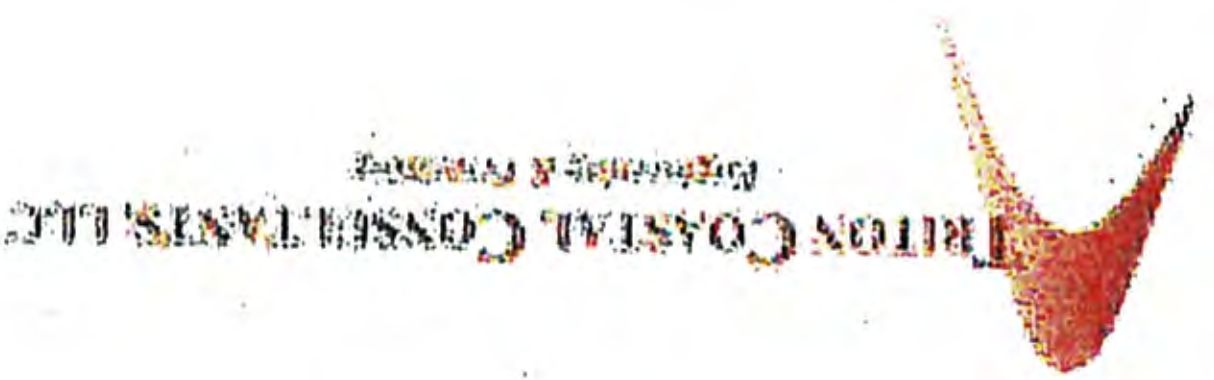
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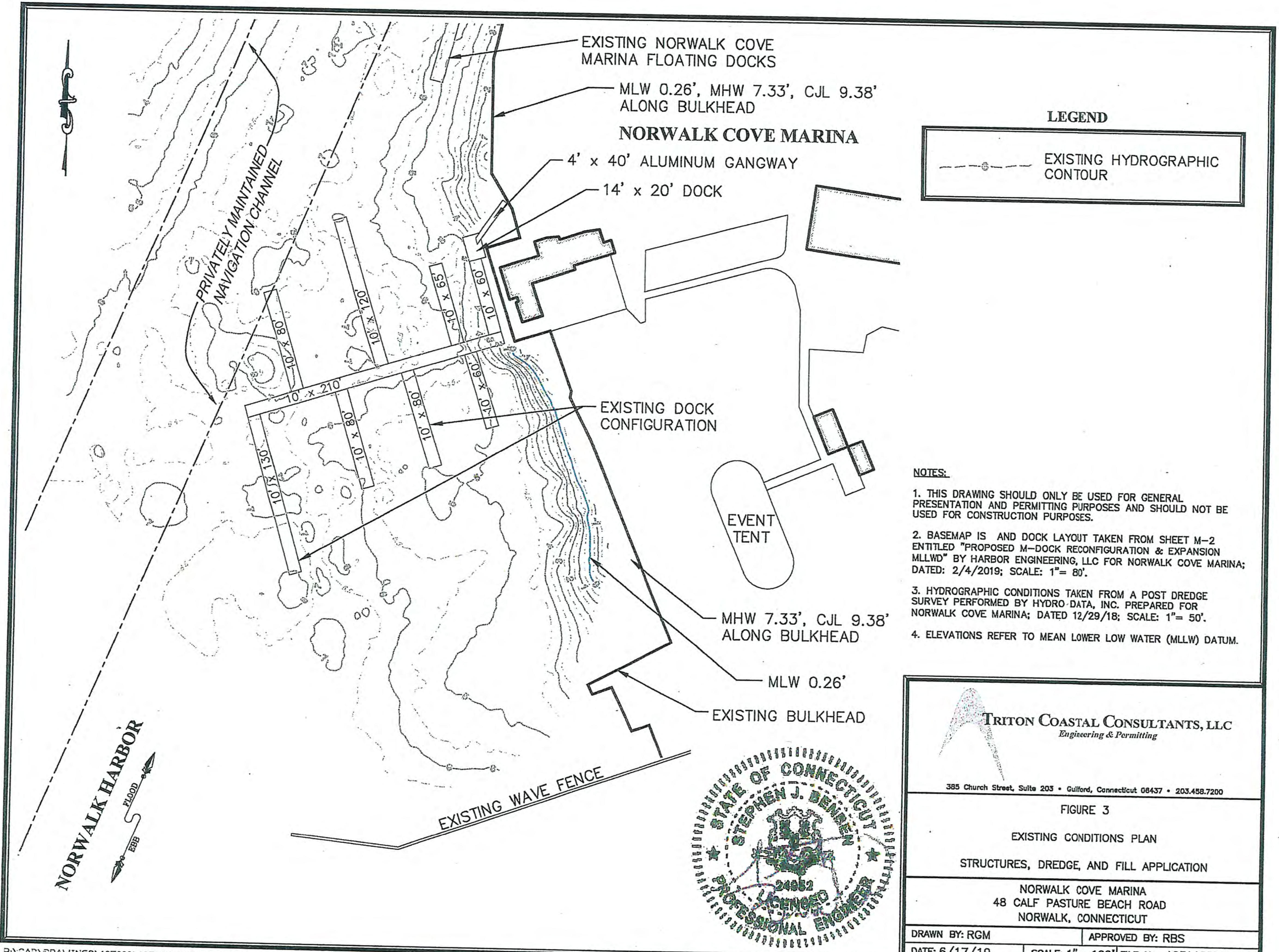
TRITON ENVIRONMENTAL, INC.
Environmental Consulting & Engineering

FIGURE 1
SITE LOCATION MAP

NORWALK COVE MARINA
48 CALF PASTURE BEACH ROAD
NORWALK, CONNECTICUT

<p>NORWALK COVE MARINA 48 CALF PASTURE BEACH ROAD NORWALK, CONNECTICUT</p>	
<p>FIGURE 2 TAX ASSESSOR'S MAP</p>	
 <p>BRITTON COASTAL CONSULTANTS, LLC Engineering & Planning</p>	






LEGEND



NOTES:

1. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION AND PERMITTING PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. BASEMAP IS AND DOCK LAYOUT TAKEN FROM SHEET M-2 ENTITLED "PROPOSED M-DOCK RECONFIGURATION & EXPANSION MLLWD" BY HARBOR ENGINEERING, LLC FOR NORWALK COVE MARINA; DATED: 2/4/2019; SCALE: 1"= 80'.
3. HYDROGRAPHIC CONDITIONS TAKEN FROM A POST DREDGE SURVEY PERFORMED BY HYDRO-DATA, INC. PREPARED FOR NORWALK COVE MARINA; DATED 12/29/18; SCALE: 1"= 50'.
4. ELEVATIONS REFER TO MEAN LOWER LOW WATER (MLLW) DATUM.



TRITON COASTAL CONSULTANTS, LLC
Engineering & Permitting

385 Church Street, Suite 203 • Guilford, Connecticut 06437 • 203.458.7200

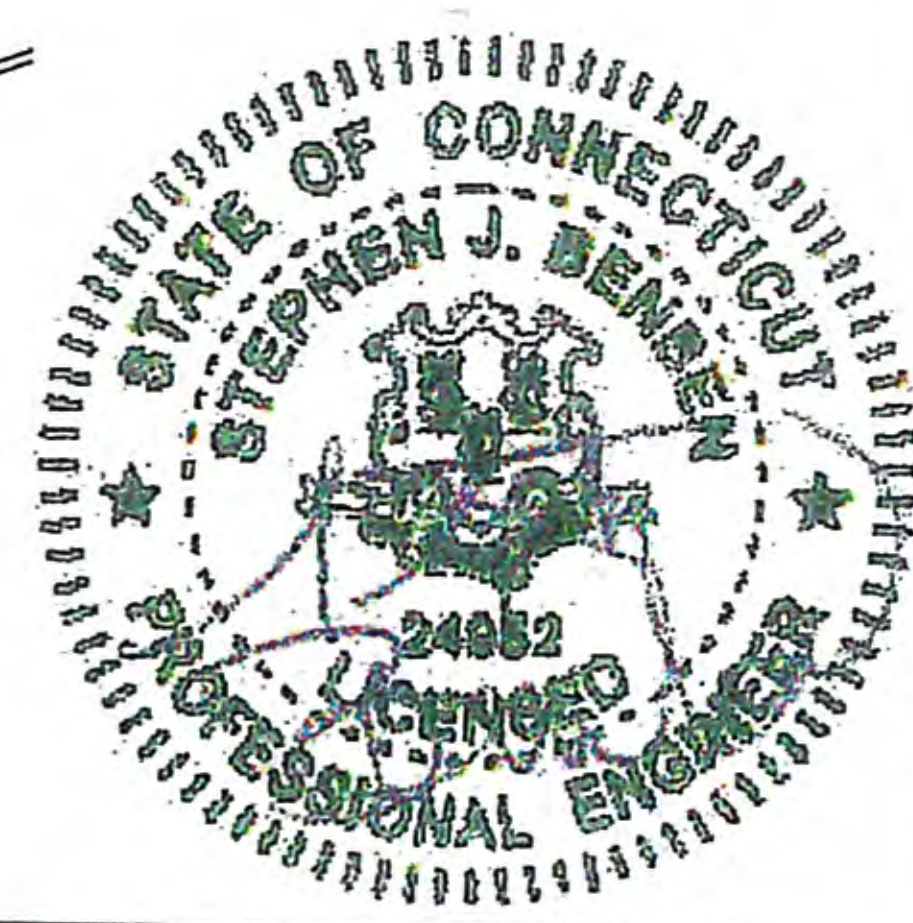
FIGURE 3

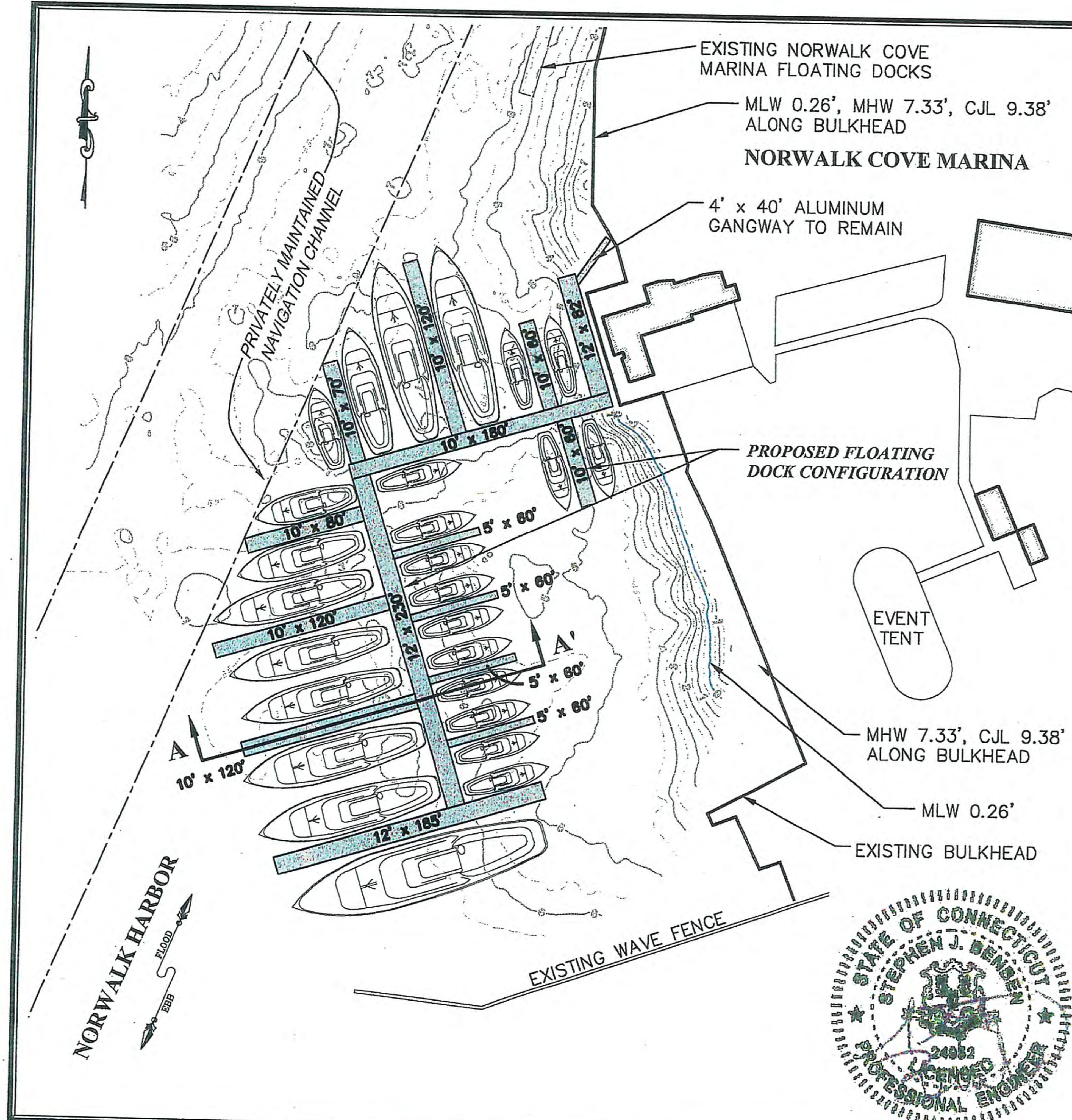
EXISTING CONDITIONS PLAN

STRUCTURES, DREDGE, AND FILL APPLICATION

NORWALK COVE MARINA
48 CALF PASTURE BEACH ROAD
NORWALK, CONNECTICUT

DRAWN BY: RGM	APPROVED BY: RBS
DATE: 6/17/19	SCALE: 1"= 100' FILE No.: 105148SDF-08





LEGEND

--- ○ --- EXISTING HYDROGRAPHIC CONTOUR

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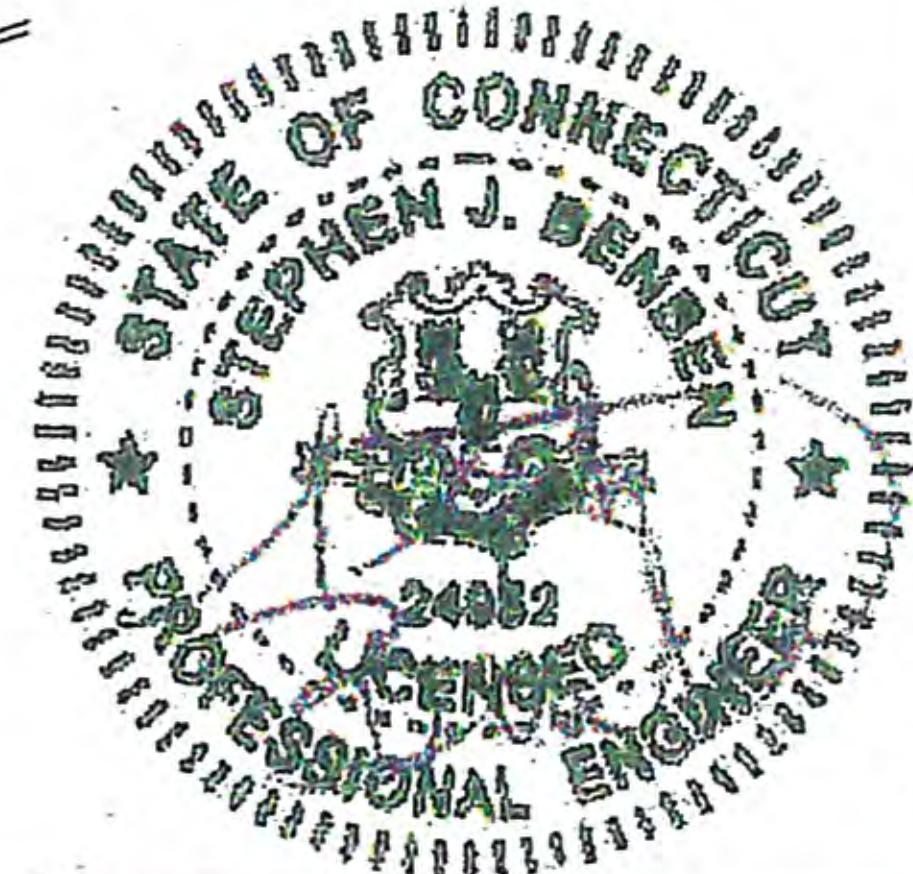
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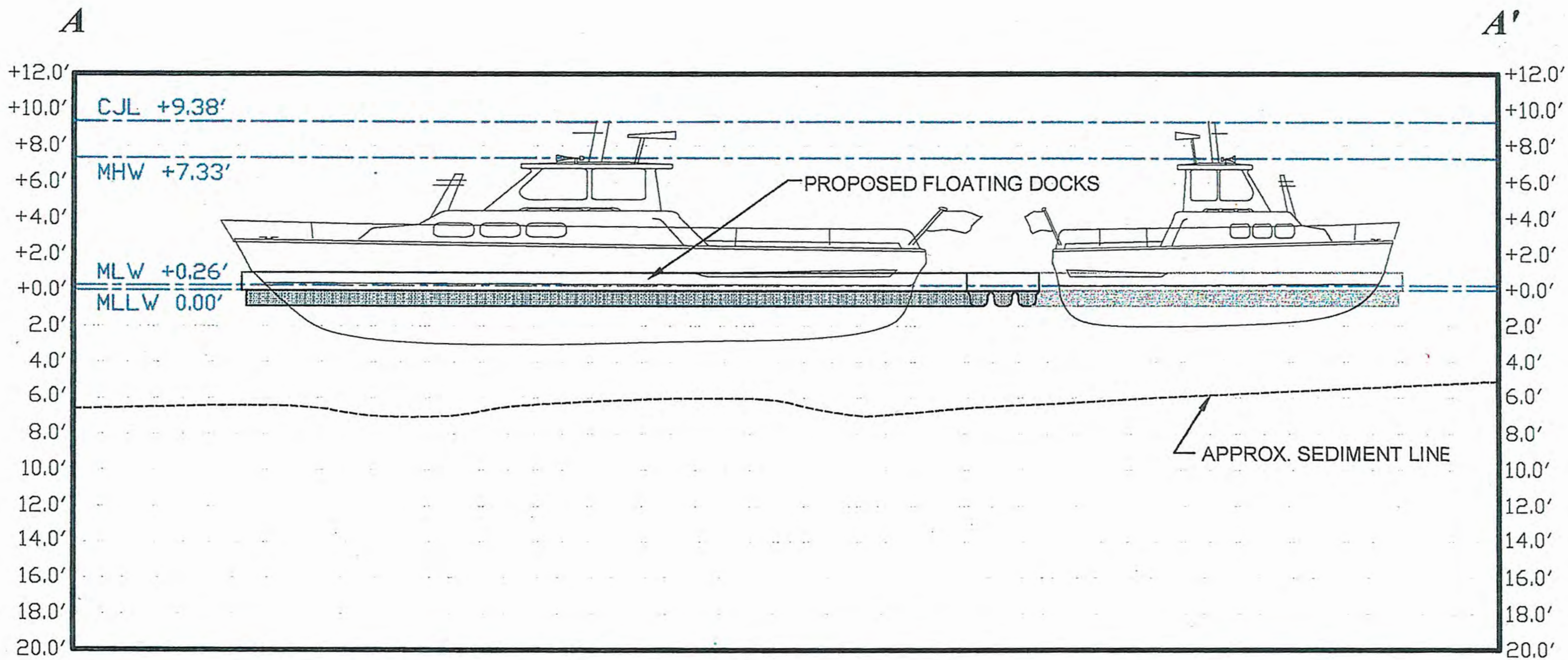
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FIGURE 4
PROPOSED CONDITIONS PLAN
STRUCTURES, DREDGE, AND FILL APPLICATION

NORWALK COVE MARINA
48 CALF PASTURE BEACH ROAD
NORWALK, CONNECTICUT

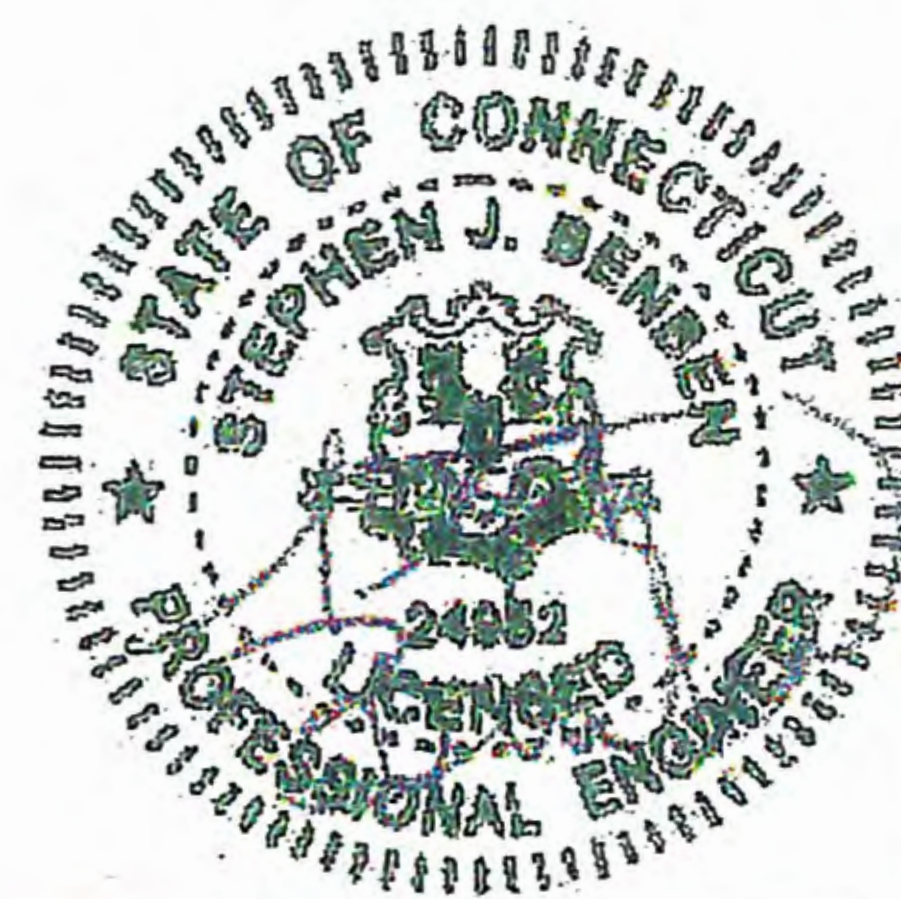
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 TRITON COASTAL CONSULTANTS, LLC <i>Engineering & Permitting</i>	
385 Church Street, Suite 203 • Guilford, Connecticut 06437 • 203.458.7200	
FIGURE 5 PROPOSED CONDITIONS CROSS SECTION STRUCTURES, DREDGE, AND FILL APPLICATION	
NORWALK COVE MARINA 48 CALF PASTURE BEACH ROAD NORWALK, CONNECTICUT	
DRAWN BY: RGM	APPROVED BY: RBS
DATE: 6/17/19	SCALE: 1" = 100' FILE No.: 105148SDF-08