



**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-2016-00545

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 River Road Development, LLC, 2 Greenwich Office Park, 3rd Floor, Greenwich, Connecticut. This work is proposed in the Mianus River at 89 River Road, Cos Cob, Greenwich, Connecticut. The site coordinates are: Latitude 41.039248°, Longitude -73.590865°.

The work involves the installation of a 6' wide by 351' long floating main dock, (3) 6' wide by 30' long T-head docks, (5) 4' wide by 30' finger docks, a 6' wide by 10' long landing float, a 4' wide by 37' long aluminum ramp, and a three pile dolphin system. Also, the modification of an 8' wide by 198' long float to a 24' wide by 170' long float, and a 3' wide by 35' long aluminum ramp to an 8' wide by 38' long aluminum ramp. The purpose of this project is to provide access to more vessels at this marina.

The work is shown on the enclosed plans entitled "River Road Development, LLC, Marina Improvements," on 10 sheets, and dated "11-5-2019."

The applicant is working with the Corps on minimizing and avoiding impacts to the adjacent tidal wetlands. There is no mitigation proposed for this project.

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.
- Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

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.

CENAE-R

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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.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

The activities proposed herein may also require permission from the Corps pursuant to 33 U.S.C. 408 if it will alter or temporarily or permanently occupy or use a Corps federally authorized Civil Works project known as the Mianus River Navigation Project. The proposed alteration involves the installation of a 6' wide by 351' long floating main dock, (3) 6' wide by 30' long T-head docks, (5) 4' wide by 30' finger docks, a 6' wide by 10' long landing float, a 4' wide by 37' long aluminum ramp, and a three pile dolphin system. Also, the modification of an 8' wide by 198' long float to a 24' wide by 170' long float, and a 3' wide by 35' long aluminum ramp to an 8' wide by 38' long aluminum ramp. The purpose of this project is to provide access to more vessels at this marina. The proposed alteration is located at 89 River Road, Cos Cob, Connecticut. A permit pursuant to Section 10/404/103 shall not be granted until the Section 408 permission is issued. Through this public notice we are soliciting information necessary to inform the Corps evaluation and review.

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 .18 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

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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.

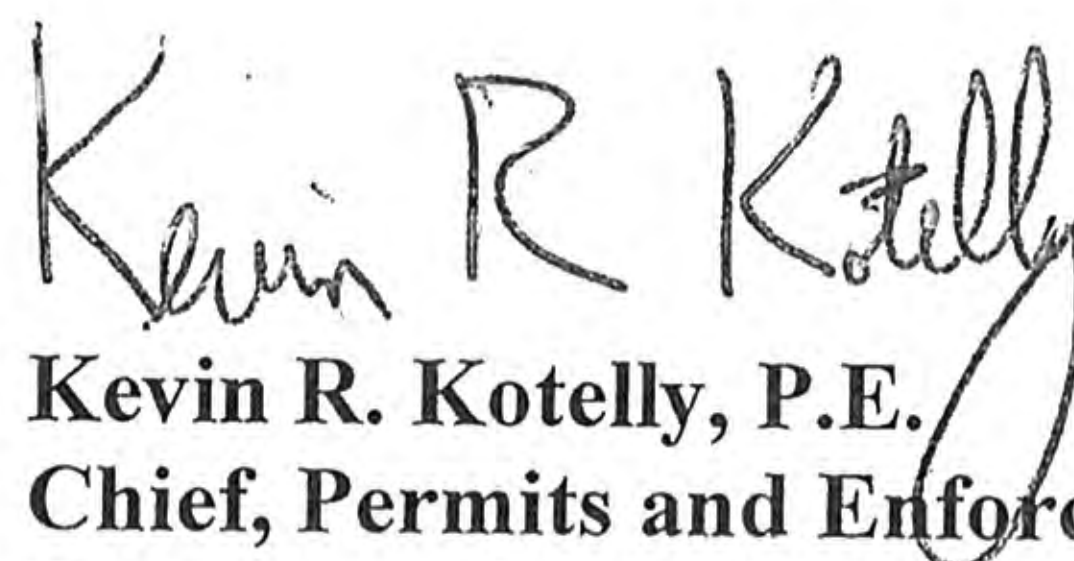
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining 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.

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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.

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: _____
PHONE: _____

RIVER ROAD DEVELOPMENT, LLC MARINA IMPROVEMENTS

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	TAX MAP
4	EXISTING SITE PLAN
5	PROPOSED SITE PLAN
6	PUBLIC ACCESS PLAN
7	LANDING PLAN
8	PROPOSED SECTION A-A
9	PROPOSED SECTION B-B
10	PROPOSED SECTION C-C

GENERAL NOTES

1. THE PURPOSE OF THESE DRAWINGS ARE " FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS STAMFORD QUADRANGLE.
3. ELEVATIONS REFERENCE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "TOPOGRAPHIC SURVEY OF PROPERTY AT R89 RIVER ROAD", PREPARED FOR RIVER ROAD DEVELOPMENT, BY ROCCO V. D'ANDREA, INC, DATED 9/22/2015.
5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, LLC ON 6/9/2015, 9/3/2015 AND 5/29/2019 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
6. SOUNDINGS AT EAST EDGE OF SITE AND WITHIN FEDERAL CHANNEL TAKEN FROM DRAWING TITLED "MIANUS RIVER, GREENWICH, CONNECTICUT AFTER DREDGE SURVEY" PREPARED BY U.S. ARMY CORPS OF ENGINEERS, DATED 3/1/2017.
7. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR MIANUS RIVER, CT 8469057 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.

PROJECT TIDAL ELEVATIONS:			
DATUM	NAVD 88 (FT)	NGVD 29 (FT)	MLW (FT)
COASTAL JURISDICTIONAL LIMIT (CJL)	+5.5	+6.6	+9.4
HIGH TIDE LINE (HTL)	+4.7	+5.8	+8.6
MEAN HIGH WATER (MHW)	+3.3	+4.4	+7.2
NAVD 88	0.0	+1.1	+3.9
NGVD 29	-1.1	0.0	+2.8
MEAN LOW WATER (MLW)	-3.9	-2.8	0.0
MEAN LOWER LOW WATER (MLLW)	-4.1	-3.0	-0.2

 <p>RACE COASTAL ENGINEERING</p> <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	Prepared For: RIVER ROAD DEVELOPMENT, LLC 2 GREENWICH OFFICE PARK GREENWICH, CT 06831	SEAL:	Date: 11-5-2019	Rev.: 3		
	Project: MARINA IMPROVEMENTS 89 RIVER ROAD COS COB, CT 06807		Drawn By: CBK	Checked By: MTT	Datum: NAVD88	Scale: N/A
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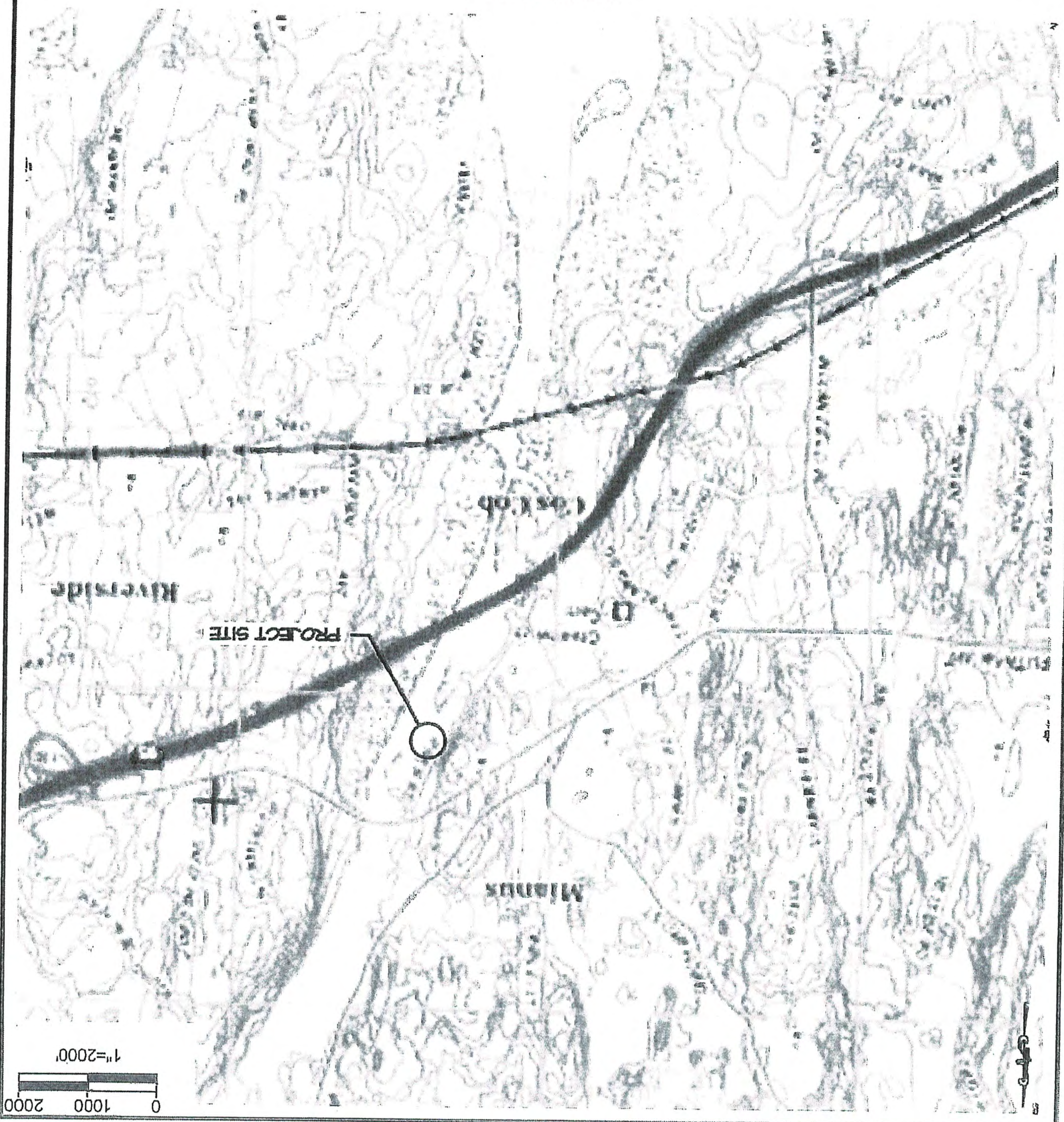
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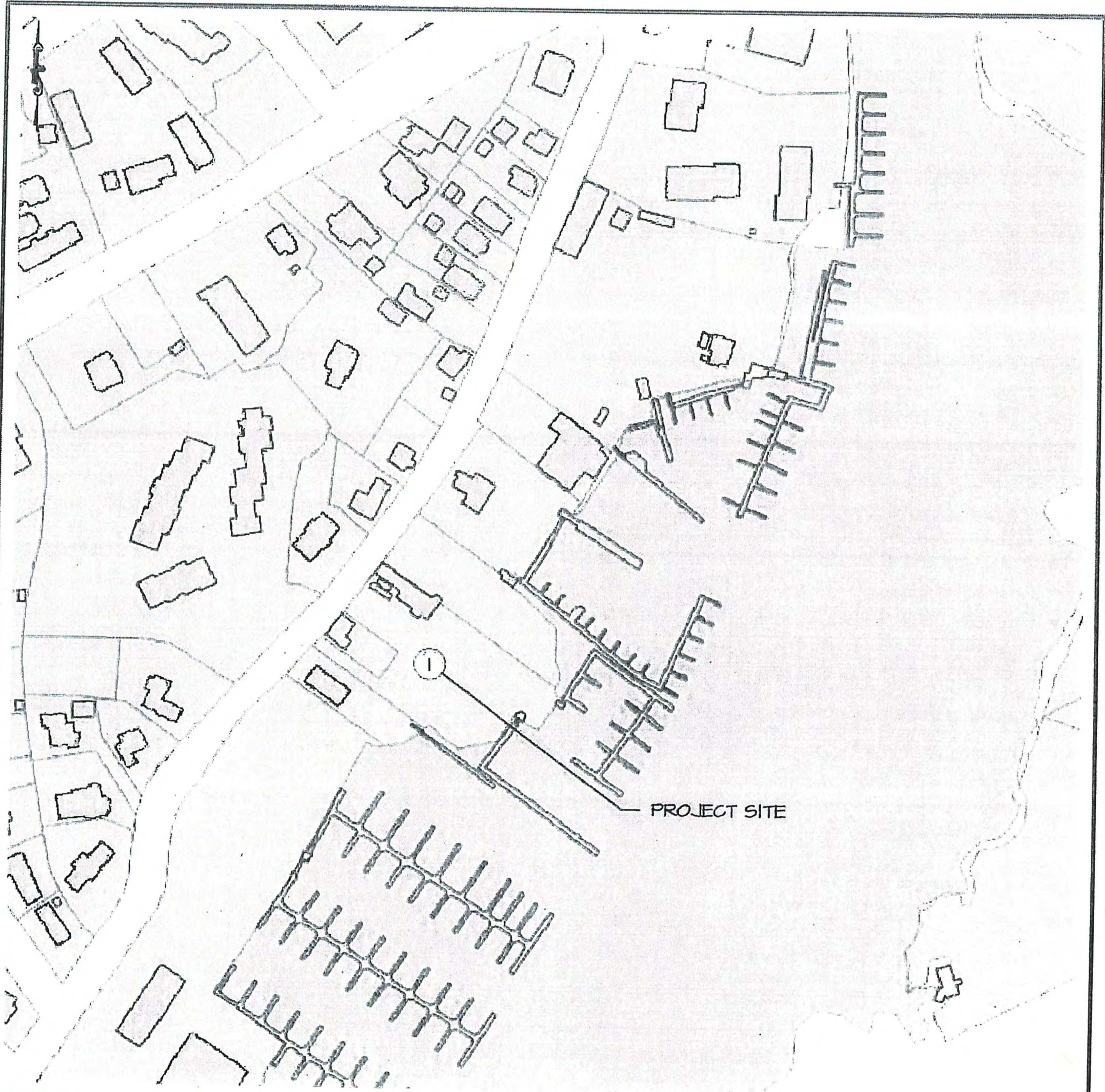


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Rev:	3	Date:	11-5-2019
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Scale:	N/A	Datum:	NAVD88
Drawing No.:	2 of 10	Project No.:	201548

VICINITY MAP





PROJECT SITE

TAX MAP

NOTE(S):

1. ABUTTERS HAVE BEEN IDENTIFIED WITHIN 500' OF PARCEL AND CAN BE FOUND IN ATTACHMENT K OF THE PERMIT APPLICATION



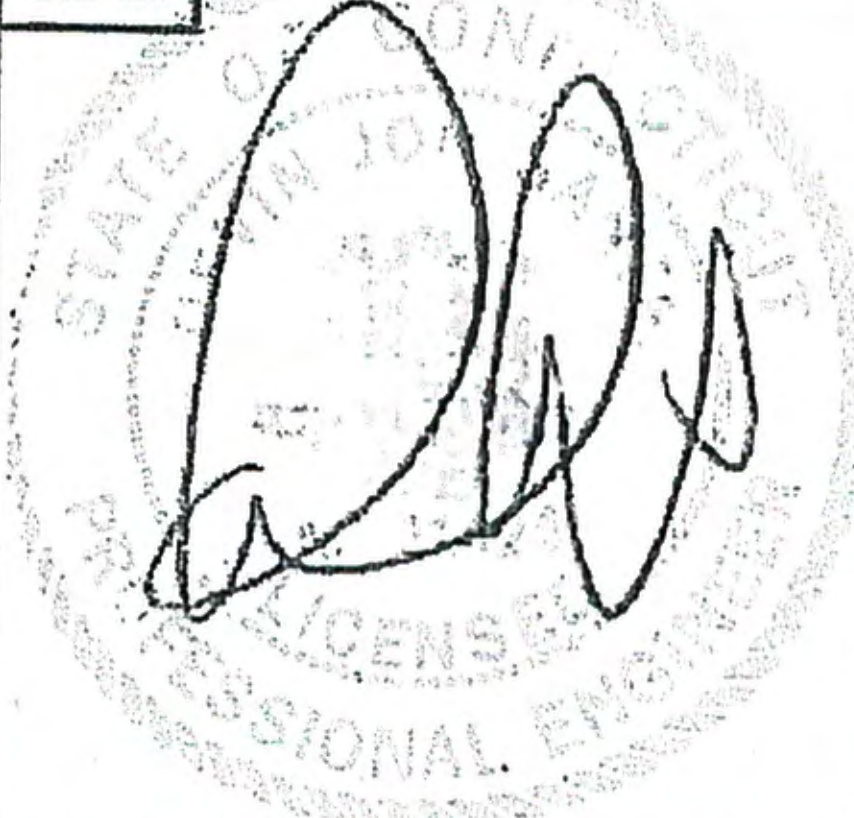
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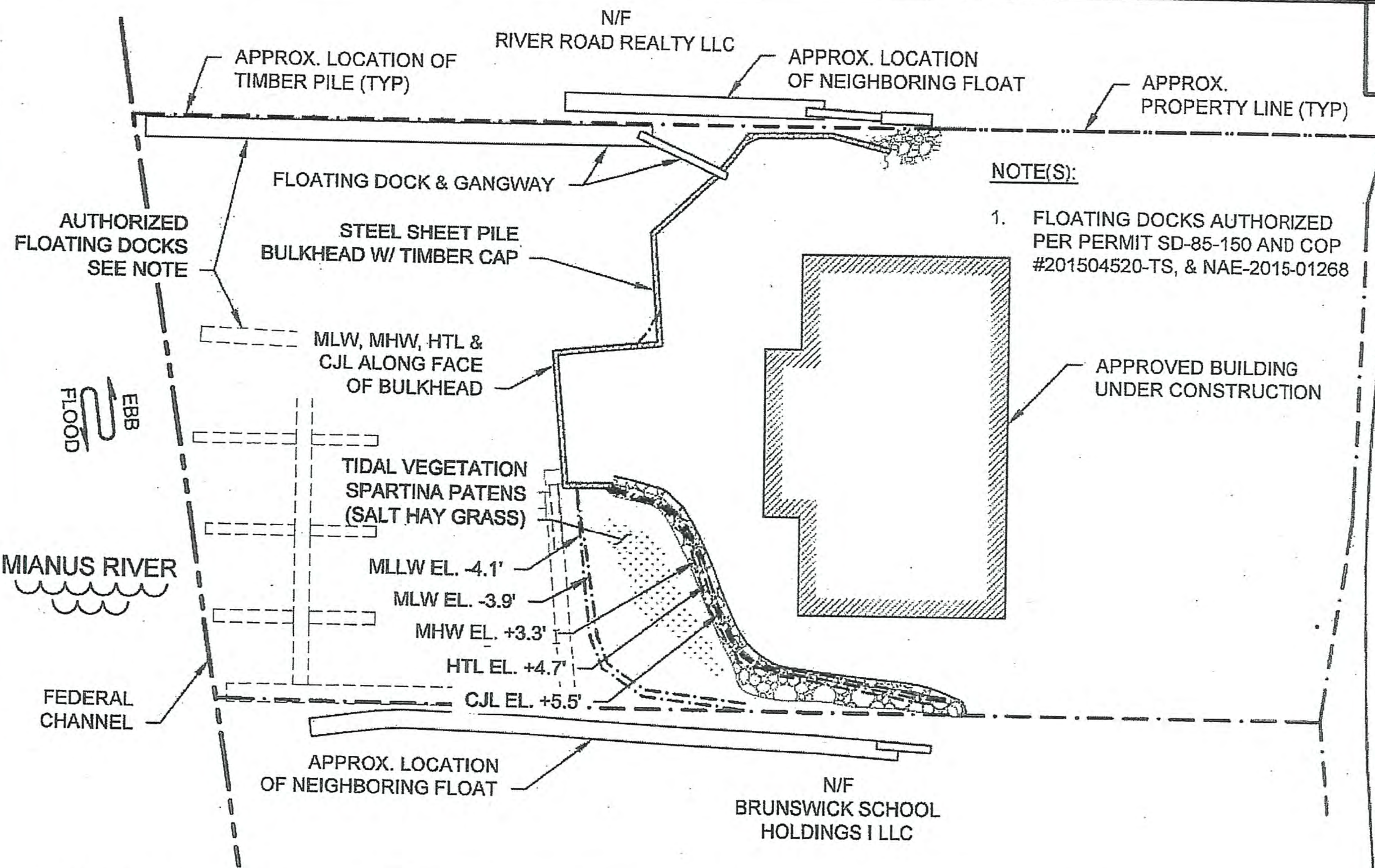
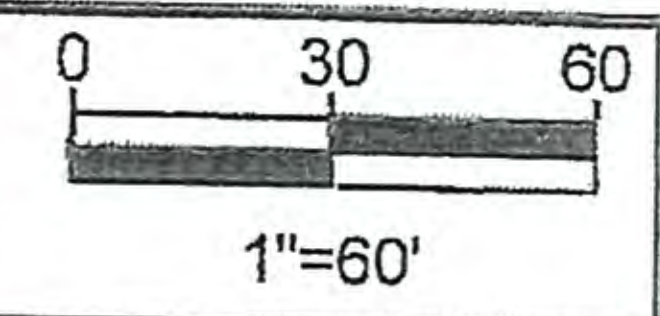
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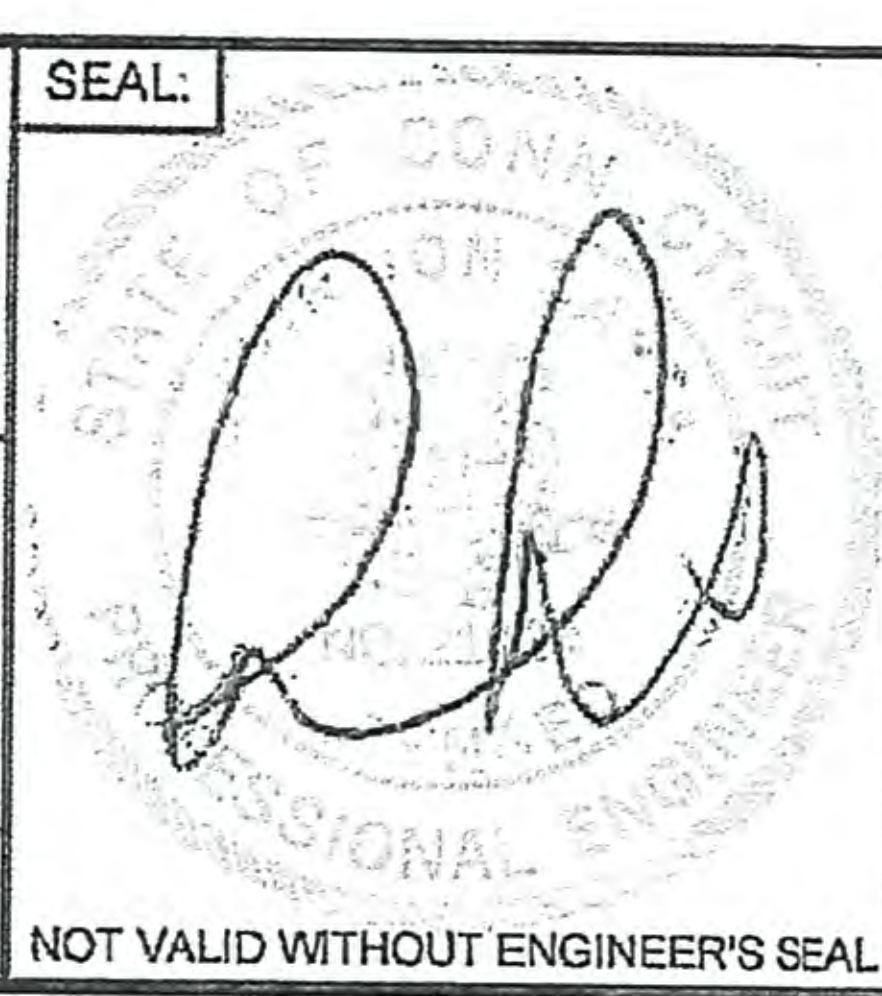
NOTE(S):
 1. FLOATING DOCKS AUTHORIZED PER PERMIT SD-85-150 AND COP #201504520-TS, & NAE-2015-01268

EXISTING SITE PLAN

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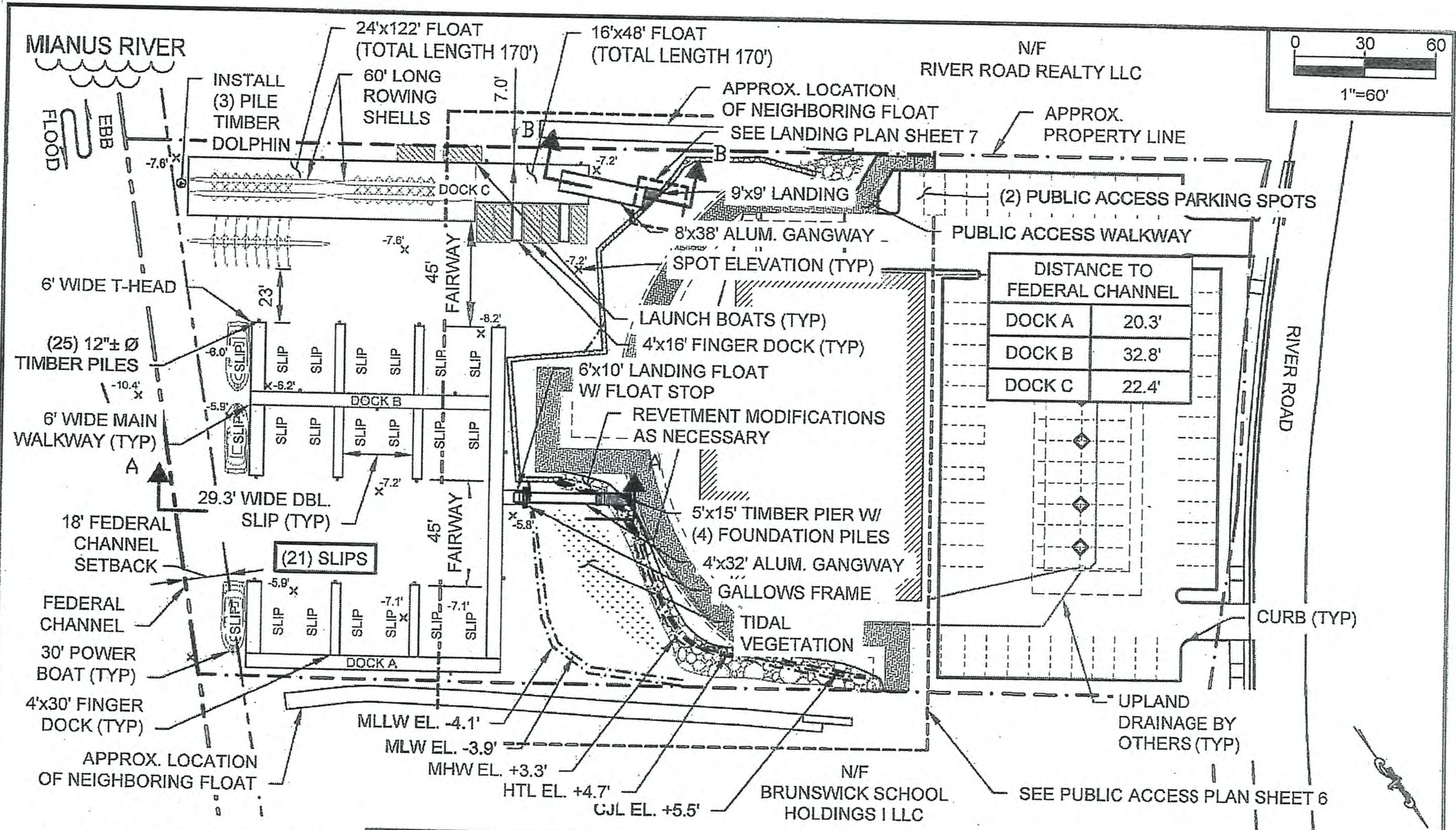


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DISTANCE TO FEDERAL CHANNEL	
DOCK A	20.3'
DOCK B	32.8'
DOCK C	22.4'

PROPOSED SITE PLAN

NOTE(S):

1. ALL PROPOSED STRUCTURES ARE OUTSIDE OF CHANNEL SETBACK DISTANCE

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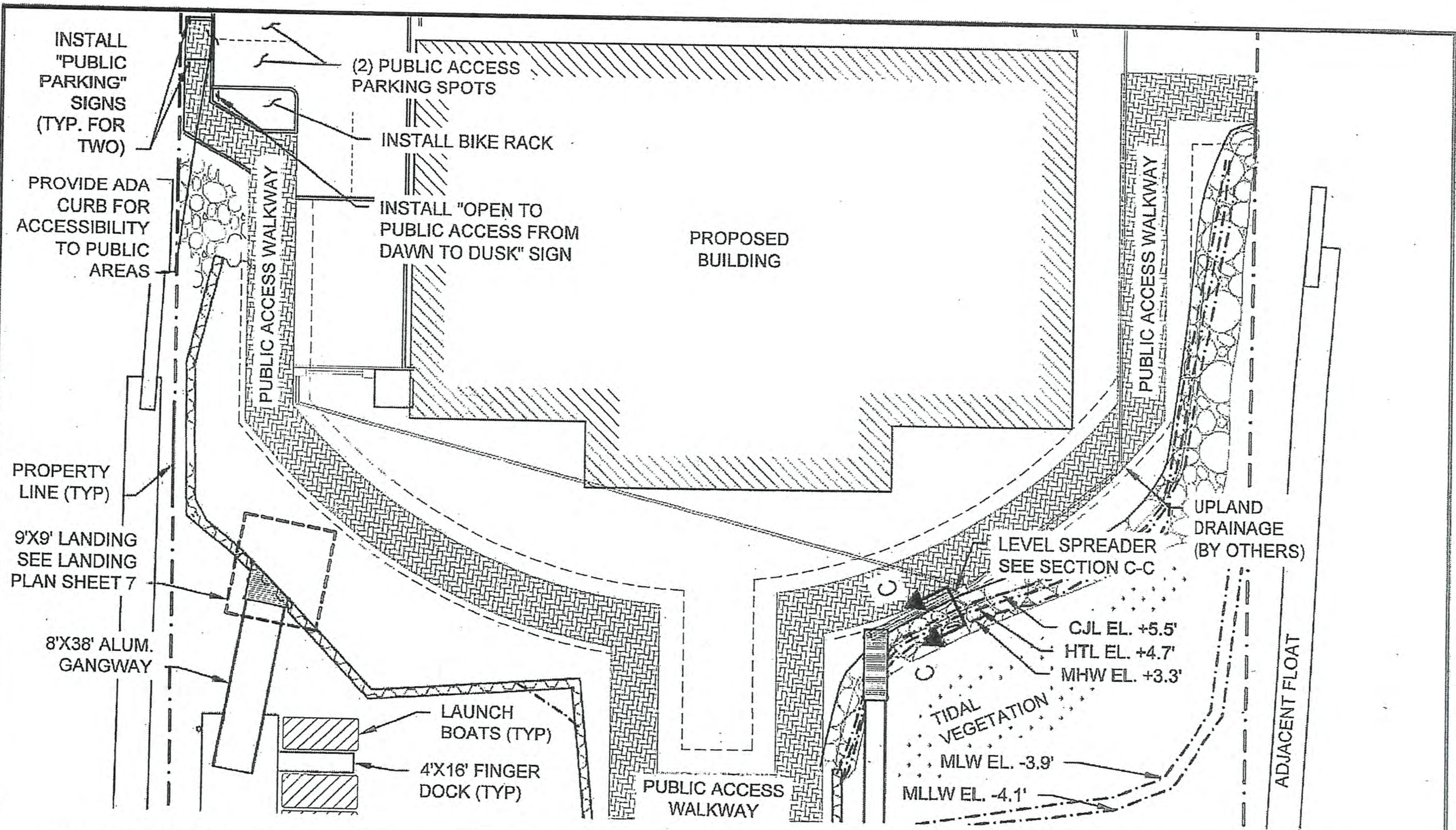
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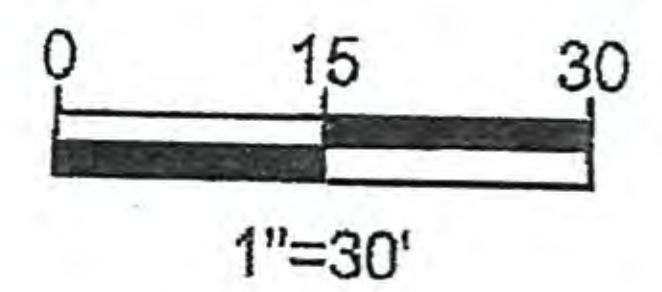
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PUBLIC ACCESS PLAN



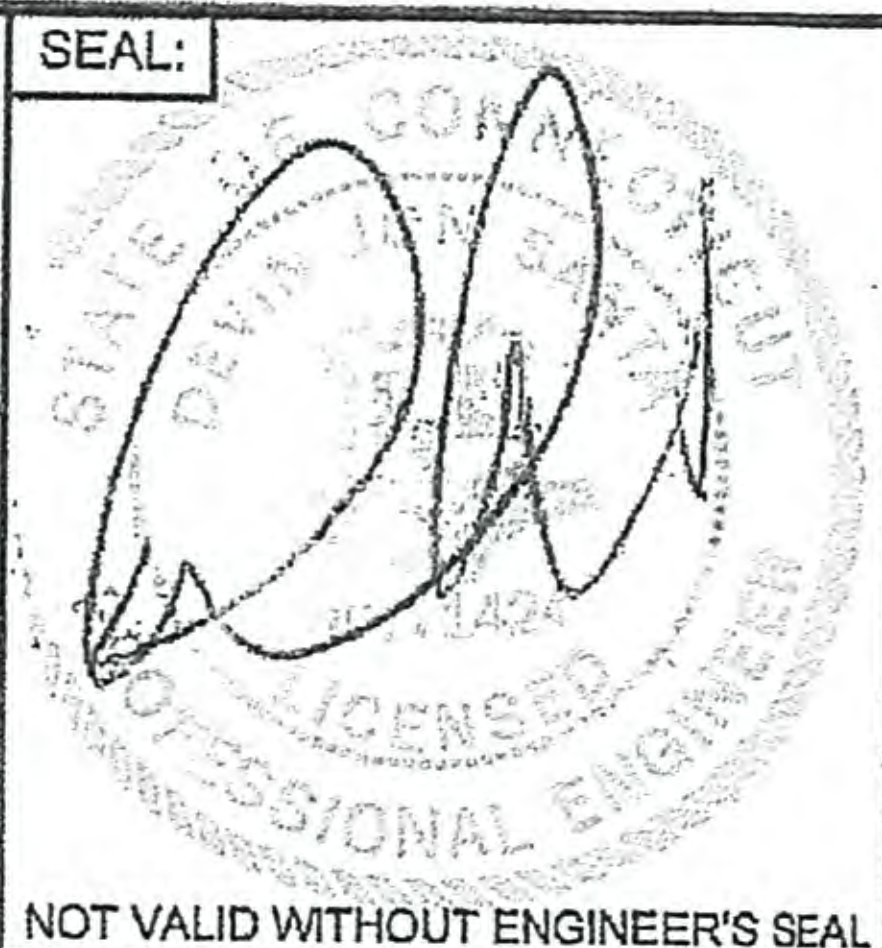
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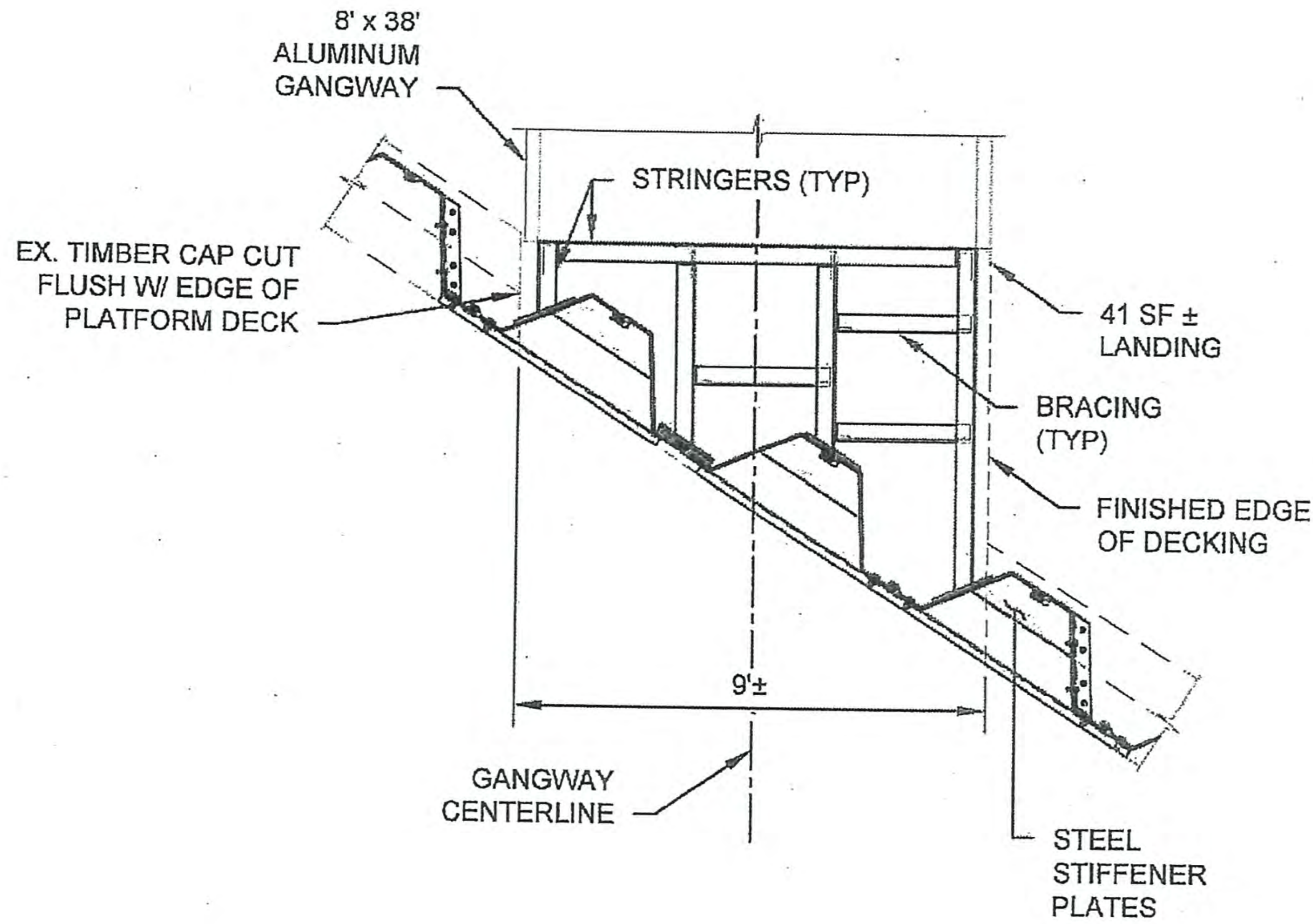
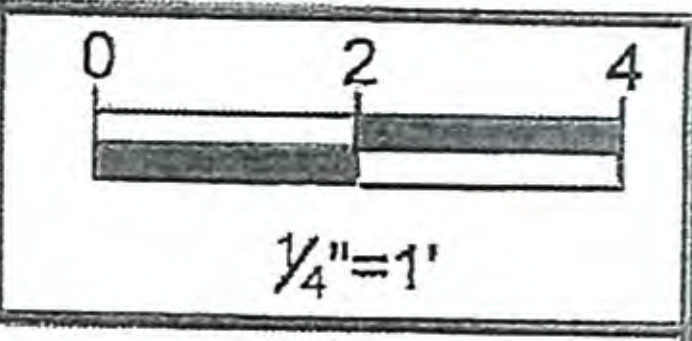
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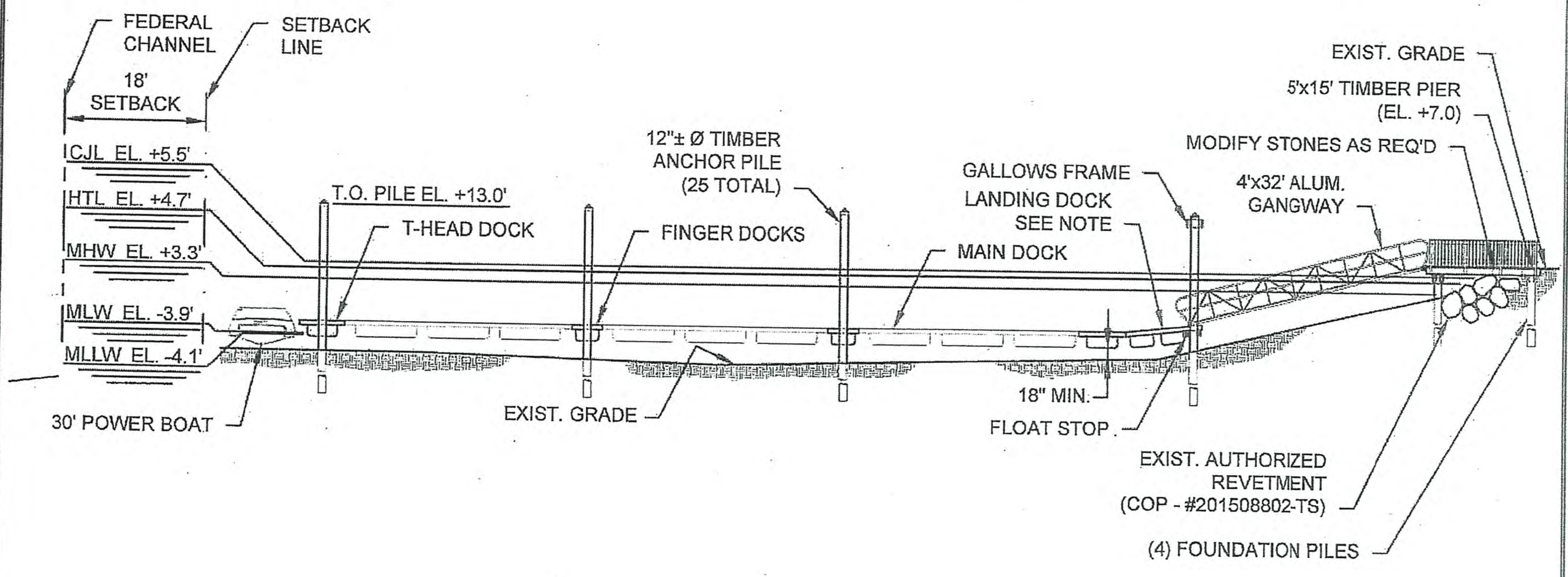
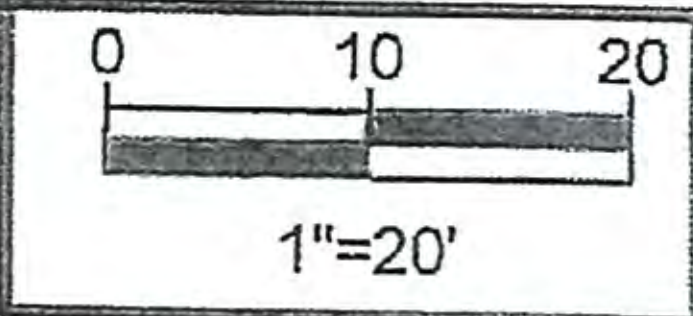
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LANDING PLAN


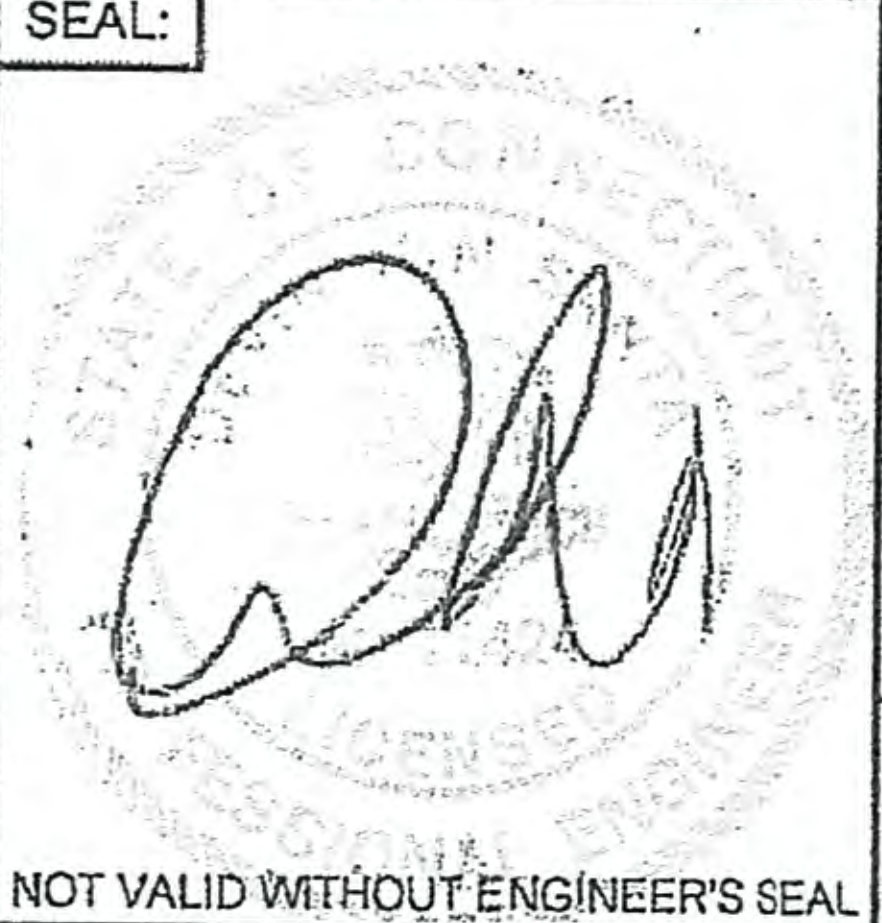
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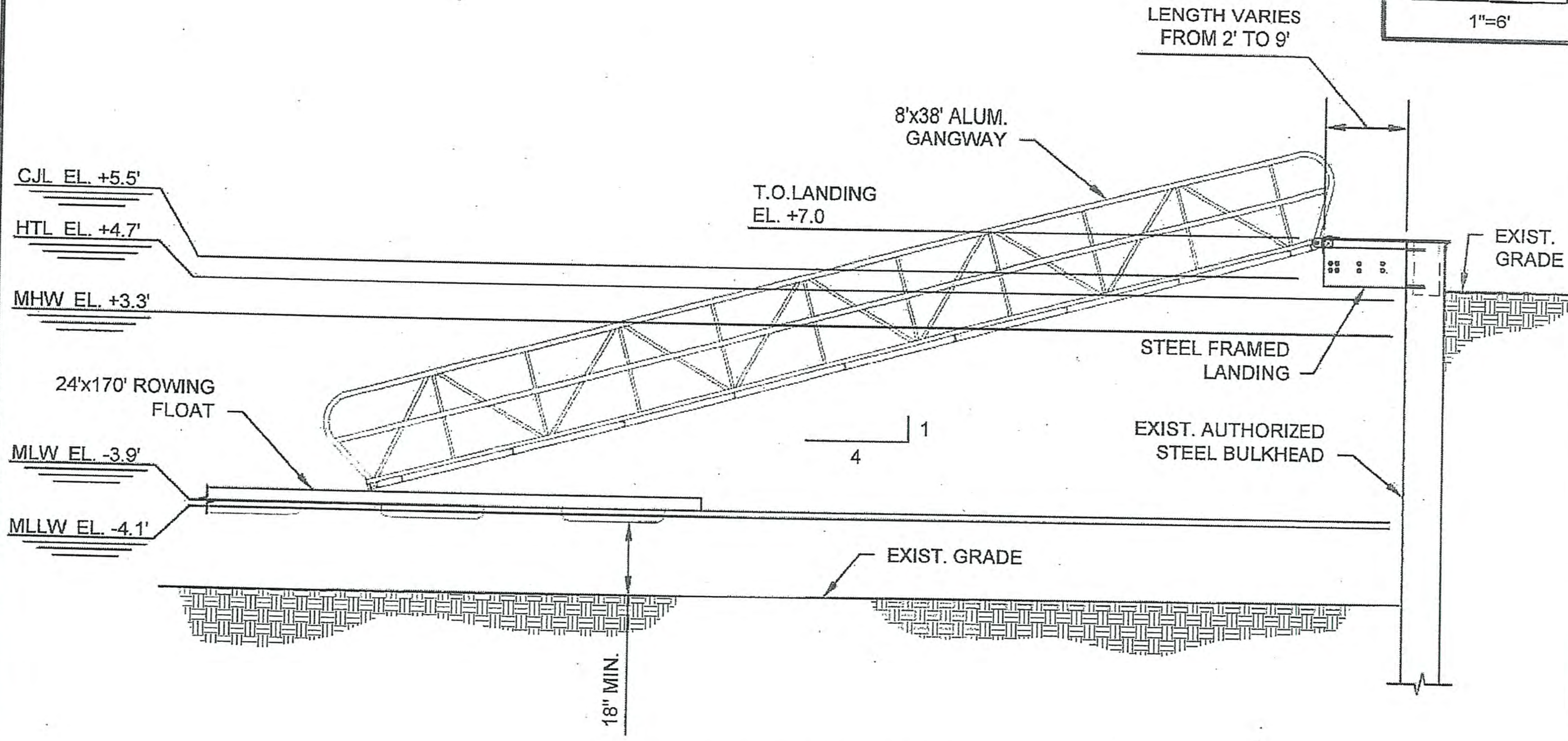
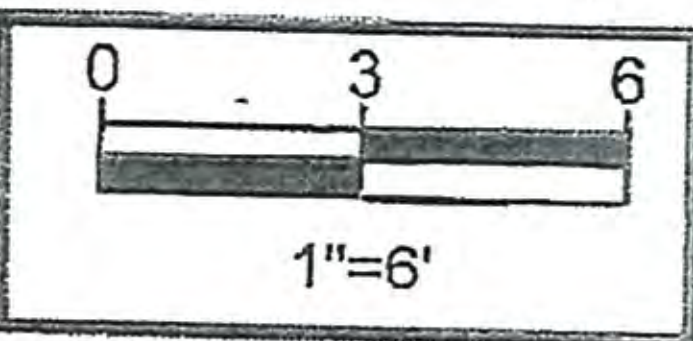


PROPOSED SECTION A-A

NOTE(S):

- LANDING DOCK SHOWN AT MEAN LOW WATER. DOCK WILL REST ON FLOAT STOP WHICH WILL PROVIDE 18" OF CLEARANCE.

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PROPOSED SECTION B-B

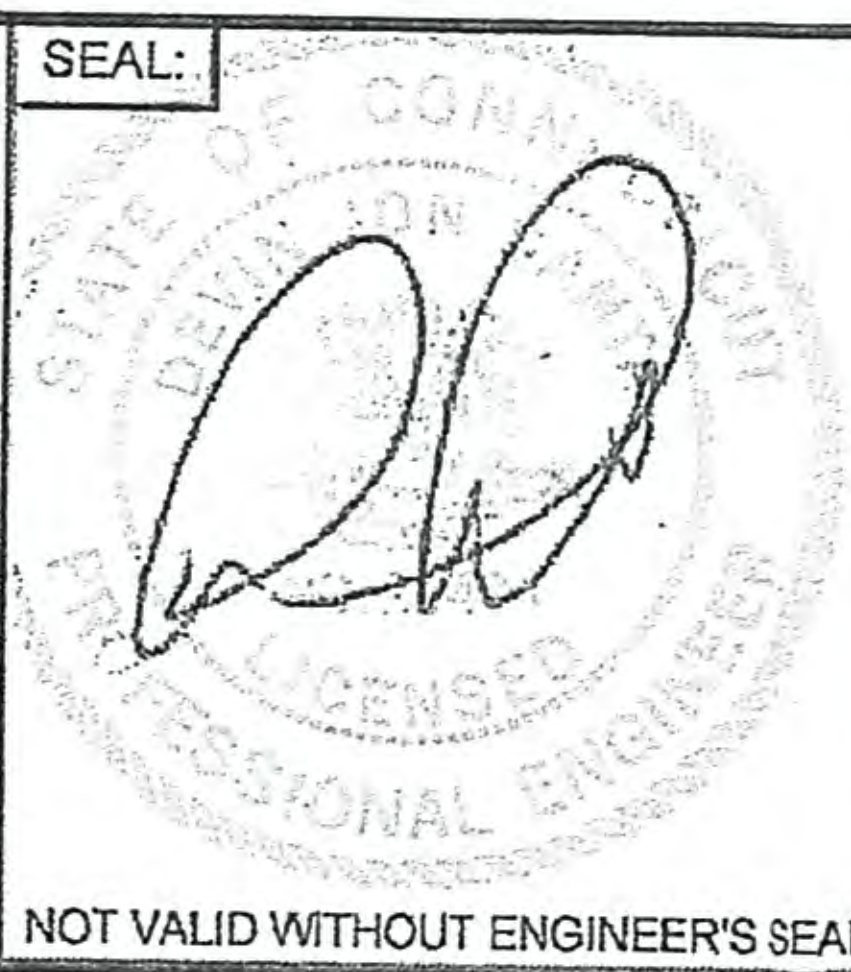


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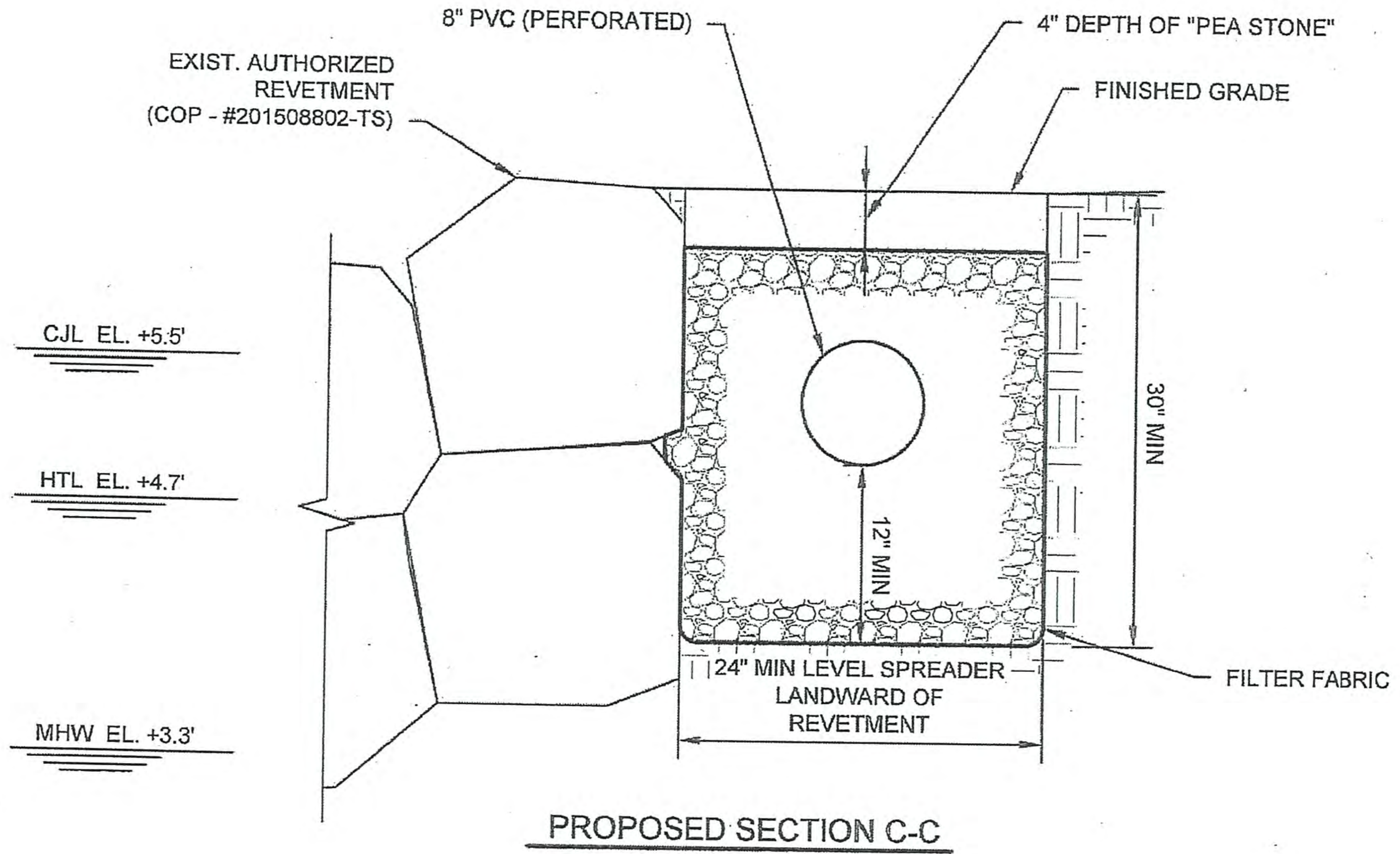
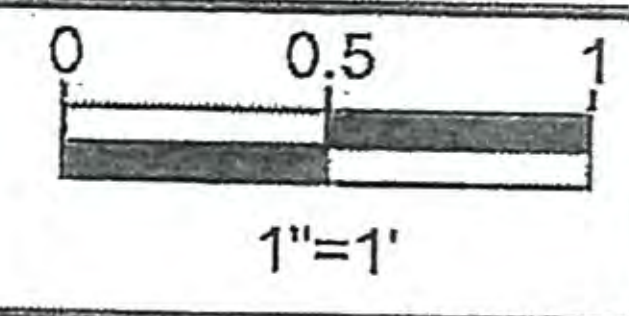
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PROPOSED SECTION C-C



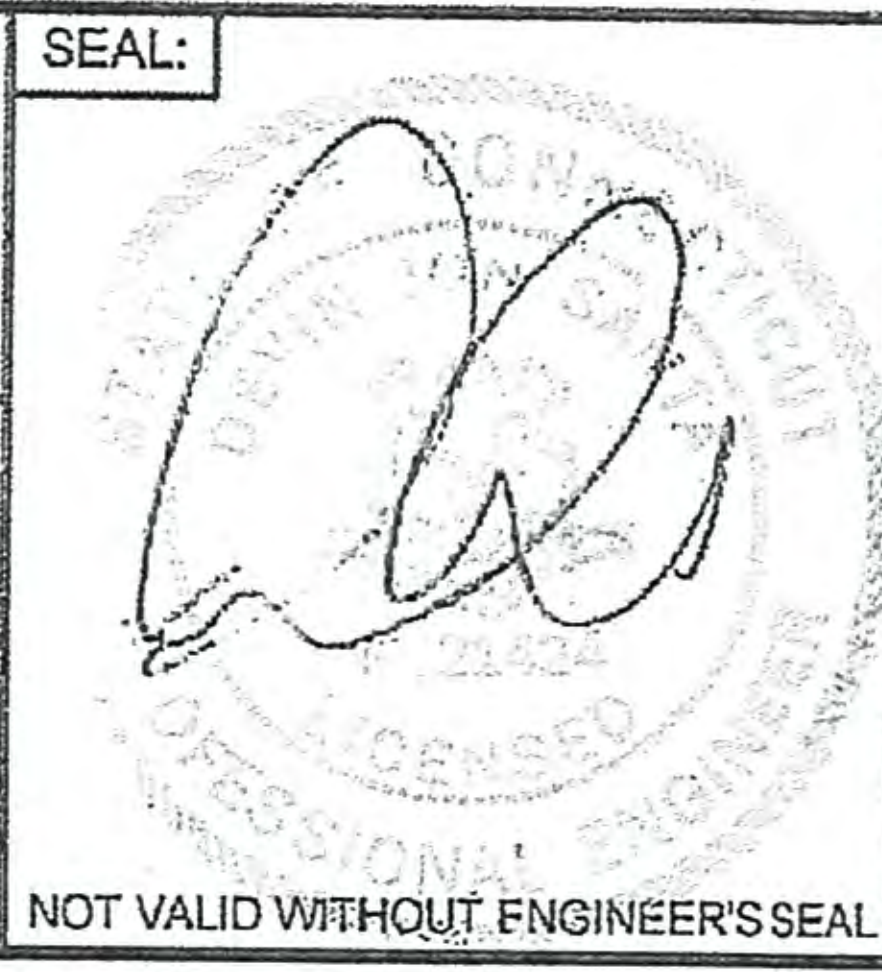
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