# **PUBLIC NOTICE**

US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: January 13, 2015 Comment Period Ends: February 13, 2015

**File Number: NAE-2014-2468** 

In Reply Refer To: Ms. Diane M. Ray

Phone: (978) 318-8831

E-mail: diane.m.ray@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Seaview Bridgeport, LLC – 10 Middle Street, 16<sup>th</sup> Floor, Bridgeport, Connecticut 06604. The work is proposed in Yellow Mill River/Long Island Sound at 837 Seaview Avenue/Stratford Avenue, Bridgeport, Connecticut. The site coordinates are: Latitude 41.1744693 Longitude -73.1727699.

The proposed project includes the construction of a boat ramp, floating docks, public access fishing pier, a 25' wide walkway for public access within the upland area, the discharge of fill material within tidal wetlands as well as site-wide to both contain and render inaccessible contaminated soils and raise the elevation of the site to flood standards. The proposed facilities will provide access and day use by recreational fishermen, boaters and commercial shell-fishermen and will also include boat storage for the Bass Pro Store currently under construction nearby.

The work is shown on the attached plans entitled "Waterfront Improvements, Stratford Avenue, Bridgeport, Connecticut, Yellow Mill Channel, in twelve sheets, dated, "11/5/2014" and "Proposed Tidal Wetland Planting" in one sheet, dated, "12/23/2014" and further described on the attached narrative.

The applicant proposes to perform mitigation for impacts to tidal wetlands. The mitigation involves the removal of a revetment from the shoreline, regarding and planting approximately 3,296 square feet of wetlands.

#### **AUTHORITY**

Permits are required pursuant to: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water 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 Corps of Engineers 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. Any comments received will be considered by the Corps of Engineers 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

# CENAE-R FILE NO. NAE-2014-2468

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.

#### 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).

This project will impact approximately 0.2 acres of Essential Fish Habitat (EFH) for those species listed on the attached table. This habitat consists of silty sand and tidal vegetation. Loss of this habitat may adversely affect those species listed on the attached table. 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.

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 New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. 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 any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

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#### COASTAL ZONE MANAGEMENT

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:

- (x) Permit, License or Assent from State.
- ( ) Permit from Local Wetland Agency or Conservation Commission.
- (x) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Ms. Diane M. Ray at (978) 318-8831, (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.

# THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

Barbara Newman
Acting 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 <a href="mailto:bettina.m.chaisson@usace.army.mil">bettina.m.chaisson@usace.army.mil</a>. 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:			

# CENAE-R FILE NO. NAE-2014-2468

# **Project Description:**

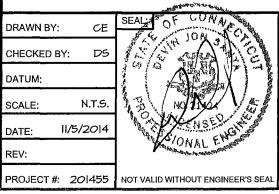
- 1. Construct and maintain a boat ramp, approximately 35 feet wide by 205.7 feet long;
- 2. Install and maintain approximately 125 linear feet of steel sheet piling on each side of the boat ramp;
- 3. Install and maintain approximately 740 square feet of scour protection past the waterward end of the boat ramp;
- 4. Install and maintain approximately 7,098 square feet of floating docks. This includes waterward docks of approximately 538.4 feet long by 12 feet wide, plus approximately 116.2 feet long by 6 feet wide docks located within and up the boat ramp;
- 5. Install and maintain 10 piles at the boat ramp to act as fenders, markers, and float guides;
- 6. Install and maintain 25 piles to anchor the floating dock;
- 7. Install and maintain 9 marker piles at approximately El. -5' (NAVD88) to demarcate the shoreline for boaters;
- 8. Construct and maintain a public access fishing pier approximately 32 feet by 28'-3" feet, which requires removal of about 70 lineal feet of existing deteriorated steel sheeting, oversheeting of the existing concrete pier with approximately 114.5 lineal feet of new steel sheeting, and providing repair to the existing concrete. The extent of encroachment beyond mean high water will be 25' maximum and there will be a minimum of a 55' setback from the Federal Navigation Project line;
- 9. Place fill within a tidal wetland as well as site-wide to both contain and render inaccessible contaminated soils and raise the elevation of the site to flood standards. The fill will include filling approximately 2,312.1 square feet of tidal wetlands. Approximately 9,251 square feet will be filled in areas below the high tide line (this includes the tidal wetlands). Fill will be brought up to about El. +15' (NAVD88) in most areas. This represents approximately 4,100 cubic yards of fill below the high tide line.
- 10. Construct and maintain a new tidal wetland mitigation area. This will include removal of revetment from the shoreline, regrading, and planting approximately 3,296 square feet of wetlands.
- 11. The existing reinforced concrete pipe and headwall that connects the excavation pit to the Yellow Mill Channel will be removed. The revetment at the headwall location will be supplemented to maintain shoreline stability upon removal.

# WATERFRONT IMPROVEMENTS BRIDGEPORT LANDING DEVELOPMENT, LLC

DRAWING LIST					
DRAWING No.	DRAWING TITLE	DATE	REV		
1	TITLE SHEET & DRAWING LIST	11/5/2014	0		
2	VICINITY MAP	11/5/2014	0		
3	SITE & ABUTTERS MAP	11/5/2014	0		
4	EXISTING WATERFRONT PLAN	11/5/2014	0		
5	EXISTING WETLAND AND WATERFRONT DETAIL PLAN	11/5/2014	0		
6	PROPOSED WATERFRONT PLAN	11/5/2014	0		
7	PROPOSED WETLAND AND BOAT RAMP DETAIL PLAN	11/5/2014	0		
8	EXISTING & PROPOSED SECTION A-A	11/5/2014	0		
q	EXISTING & PROPOSED SECTION B-B	11/5/2014	0		
10	EXISTING & PROPOSED SECTION C-C	11/5/2014	0		
11	EXISTING & PROPOSED SECTION D-D	11/5/2014	0		
l2	EXISTING & PROPOSED SECTION E-E	11/5/2014	0		

### GENERAL NOTES:

- 1. PROPOSED UPLAND DEVELOPMENT PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.
- 2. THE PURPOSE OF THESE DRAWINGS IS FOR PERMIT APPLICATIONS ONLY. DRAWINGS ARE PRELIMINARY AND NOT FOR CONSTRUCTION.
- 5. WETLANDS WERE DELINEATED AND FLAGGED IN THE FIELD ON JUNE 4, 2014 BY WILLIAM KENNEY ASSOCIATES, LLC. WETLAND FLAG LOCATIONS WERE SURVEYED BY CABEZAS DEANGELIS.
- 6. UPLAND STRUCTURES AND EXISTING CONDITIONS OBTAINED FROM SURVEY PERFORMED BY CABEZAS DEANGELIS ENGINEERS AND SURVEYORS, TITLED "CARTECH WETLAND LOCATION AND TOPOGRAPHY" DATED 6-17-2014, PROVIDED ELECTRONICALLY.
- 7. ADDITIONAL SITE INFORMATION OBTAINED BY ROBERGE ASSOCIATES COASTAL ENGINEERS, LLC ON AUGUST 12, 2014. HYDROGRAPHIC INFORMATION OBTAINED FROM CLIENT FROM JULY 14, 2014 SITE INVESTIGATION.
- 8. EXISTING CONDITIONS DATA CAN ONLY REPRESENT CONDITIONS AT THE TIME OF THE SURVEY OR INVESTIGATION.
- 9. ELEVATIONS REFERENCE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), UNLESS NOTED OTHERWISE.



#### PROJECT:

WATERFRONT IMPROVEMENTS
STRATFORD AVENUE
BRIDGEPORT, CONNECTICUT
YELLOW MILL CHANNEL

APPLICANT:

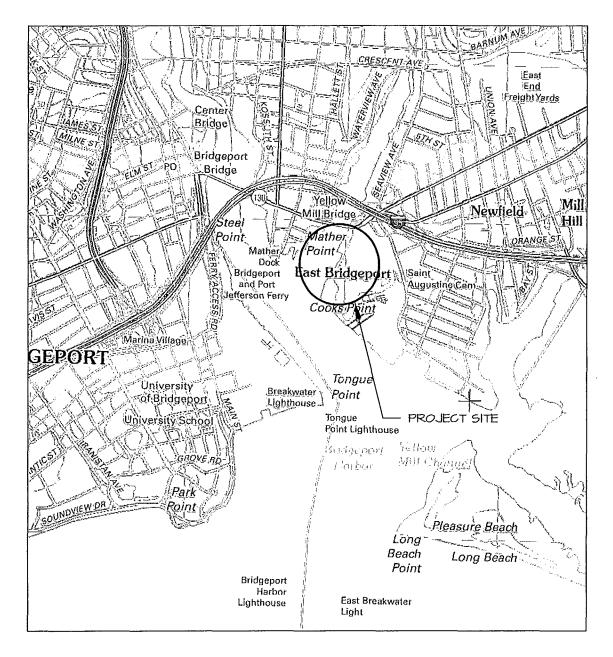
SEAVIEW BRIDGEPORT, LLC IO MIDDLE STREET, I6TH FLOOR BRIDGEPORT, CONNECTICUT



ROBERGE ASSOCIATES Coastal Engineers, LLC

611 Access Road Tel: 203-377-0663 Stratford, CT 06615 www.racellc.com

DRAWING NO. 1 of 12

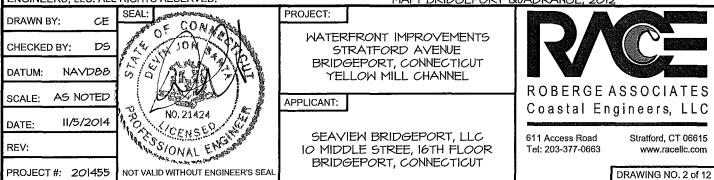


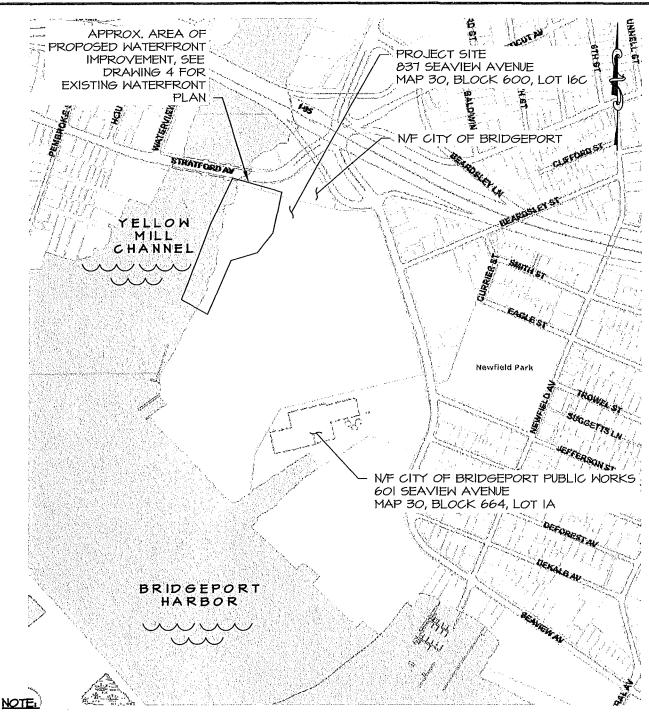
# VICINITY MAP

APPROX. SCALE I" = 2,000'

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VICINITY MAP TAKEN FROM USGS TOPOGRAPHIC MAP: BRIDGEPORT QUADRANGE, 2012





BASE MAP FROM CITY OF BRIDGEPORT GEOGRAPHIC INFORMATION SYSTEM ACCESSED ONLINE 9-II-2014.

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# SITE & ABUTTERS MAP

NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY

DRAWN BY: CGE

CHECKED BY: D5

DATUM: N/A

SCALE: N.T.5.

DATE: II/5/2014

REV:

PROJECT #: 201455 NOT VALID WITHOUT ENGINEER'S SEAL

PROJECT:

WATERFRONT IMPROVEMENTS
STRATFORD AVENUE
BRIDGEPORT, CONNECTICUT
YELLOW MILL CHANNEL

APPLICANT:

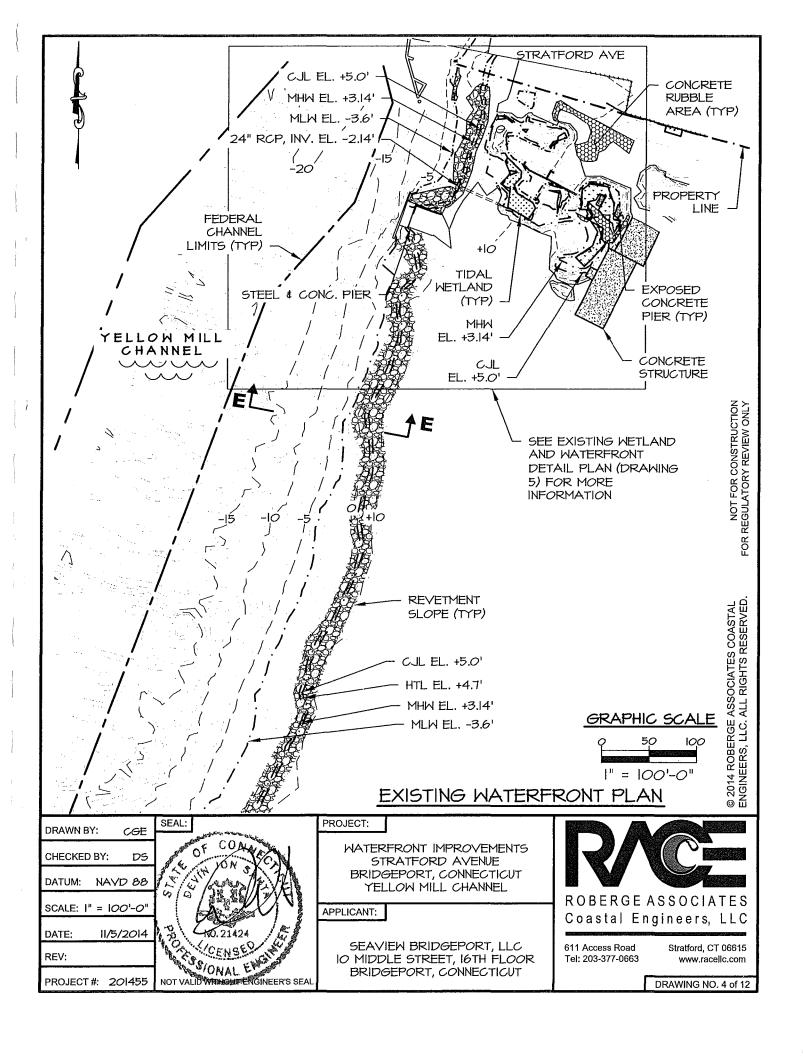
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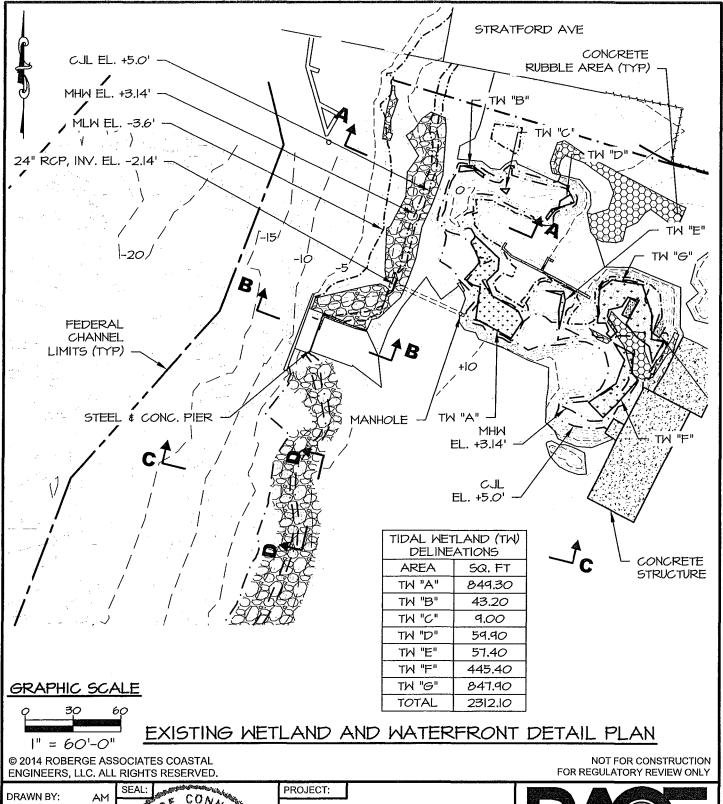


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DRAWING NO. 3 of 12





WATERFRONT IMPROVEMENTS STRATFORD AVENUE BRIDGEPORT, CONNECTICUT YELLOW MILL CHANNEL

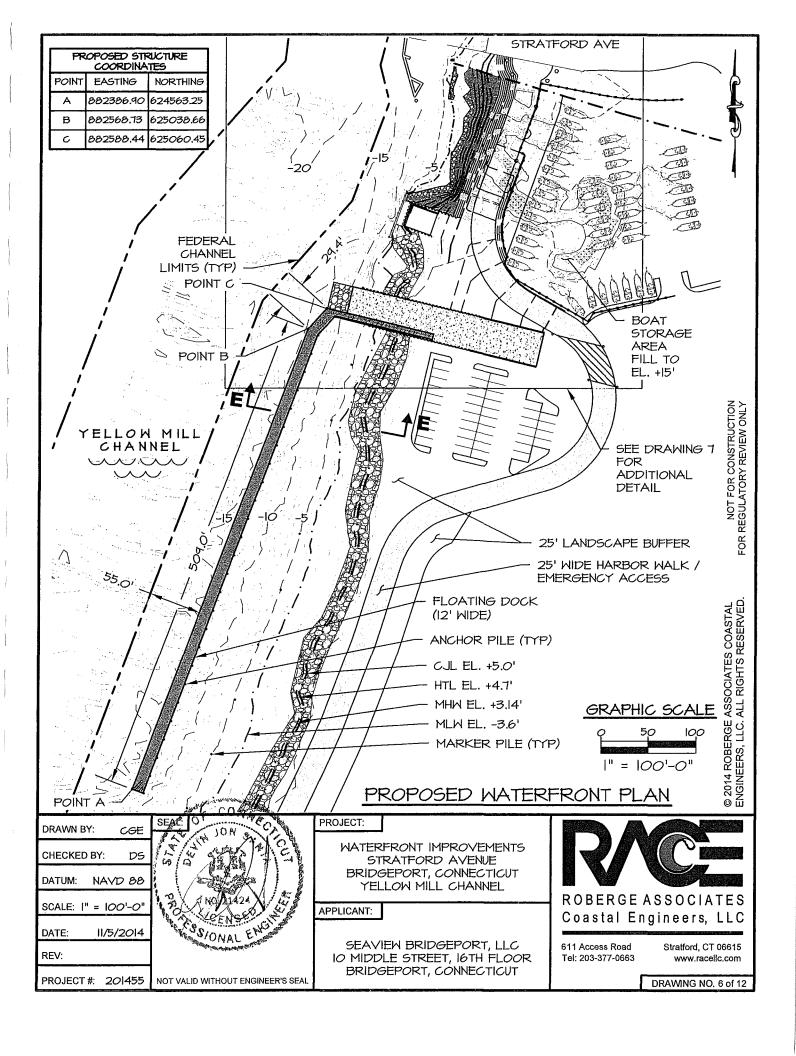
#### APPLICANT:

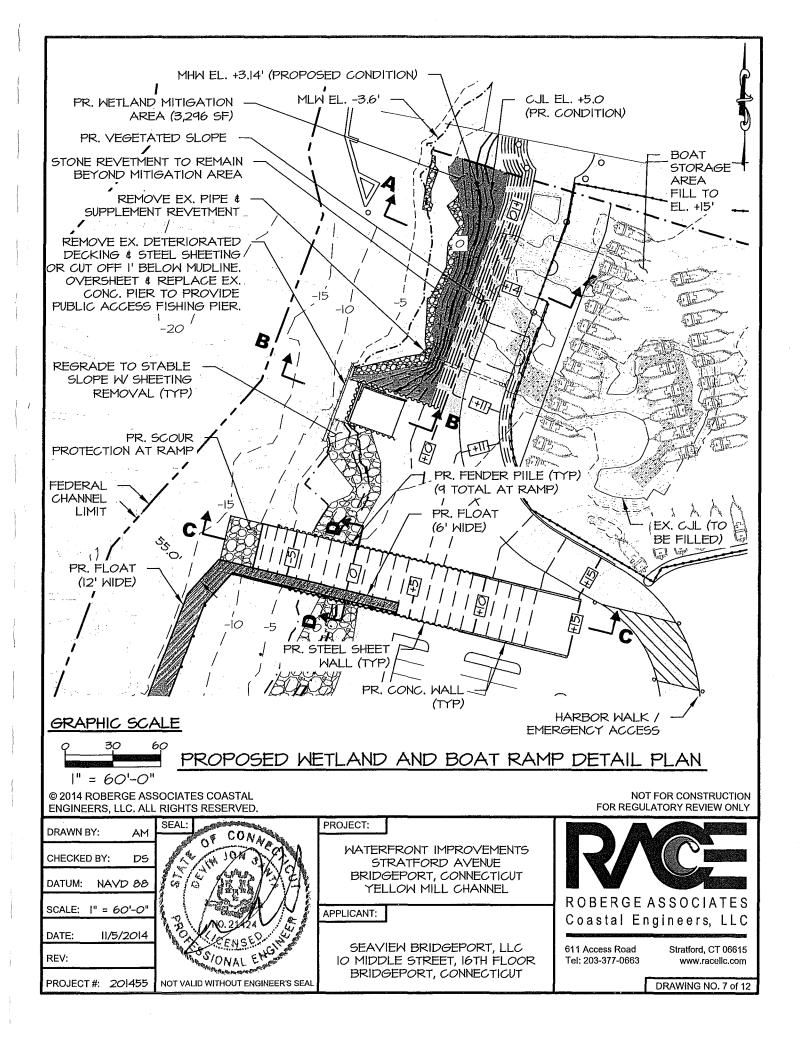
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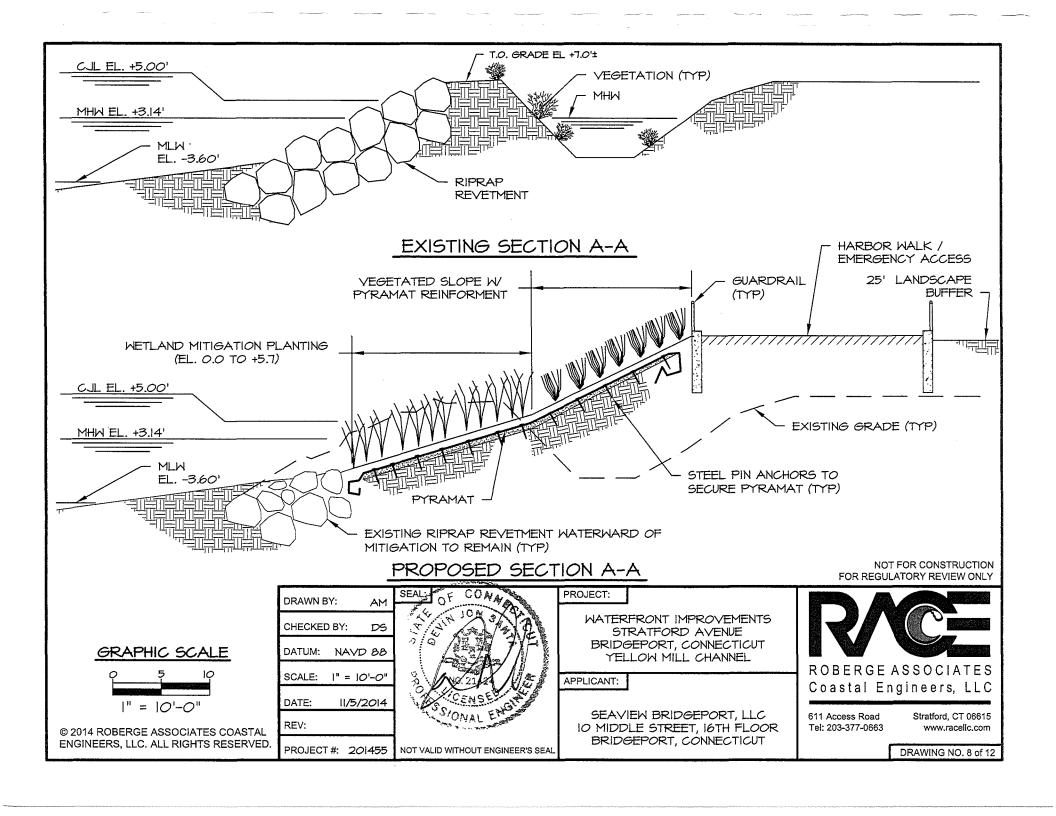
ROBERGE ASSOCIATES Coastal Engineers, LLC

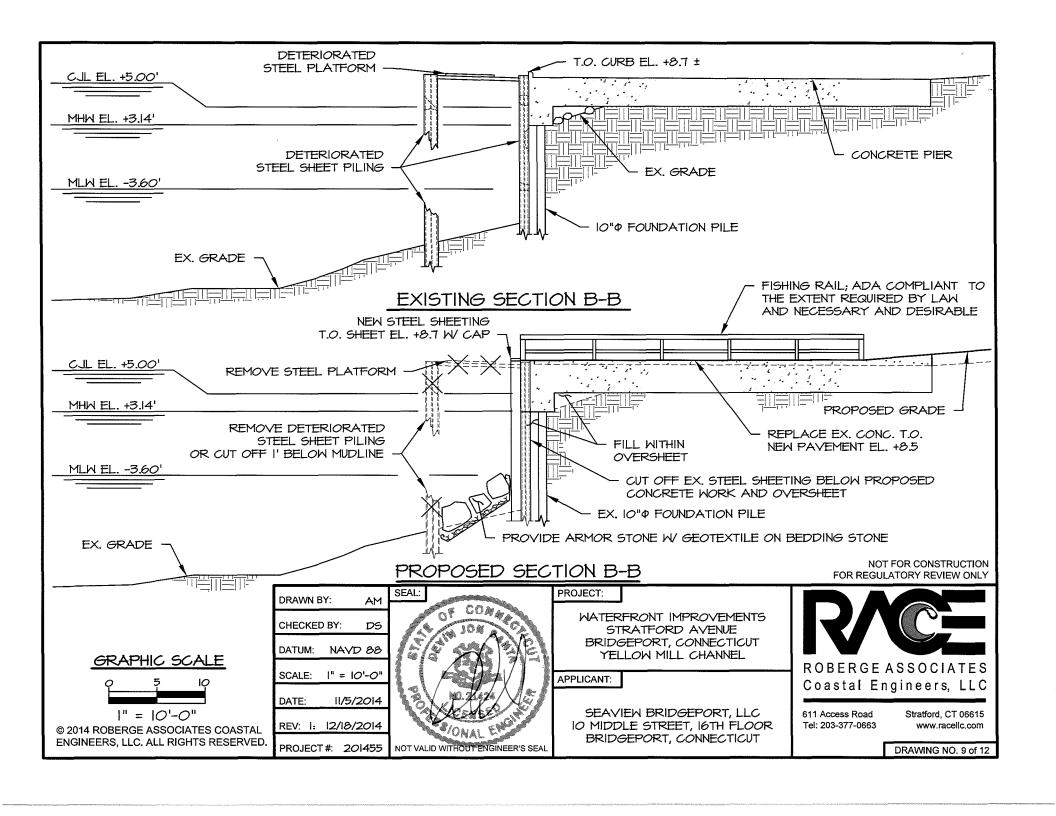
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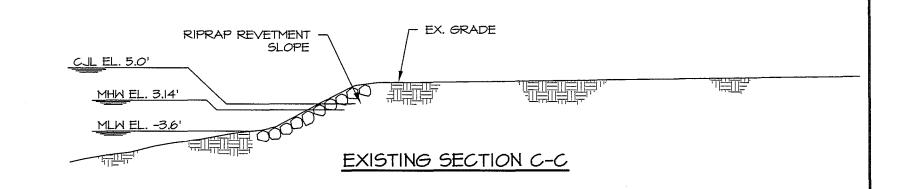
DRAWING NO. 5 of 12

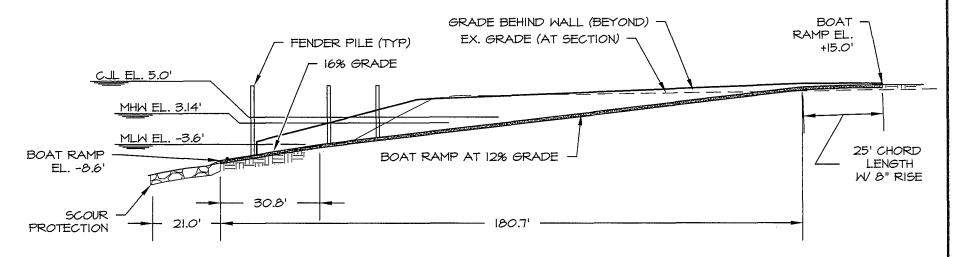








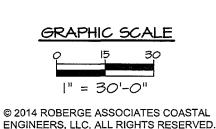


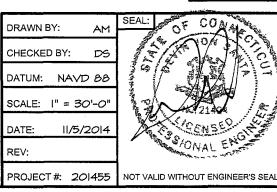


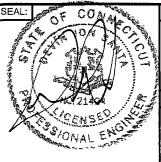
# PROPOSED SECTION C-C

PROJECT:

NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY







WATERFRONT IMPROVEMENTS STRATFORD AVENUE BRIDGEPORT, CONNECTICUT YELLOW MILL CHANNEL

#### APPLICANT:

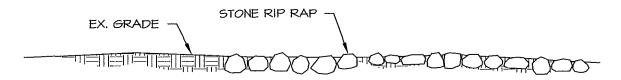
SEAVIEW BRIDGEPORT, LLC IO MIDDLE STREET, I6TH FLOOR BRIDGEPORT, CONNECTICUT



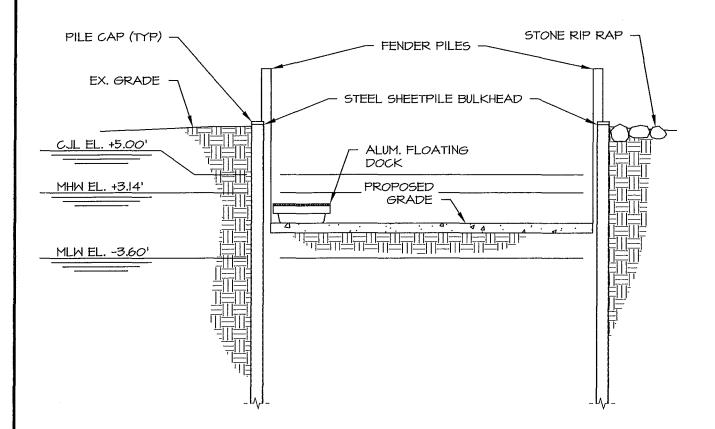
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DRAWING NO. 10 of 12

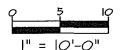


# EXISTING SECTION D-D

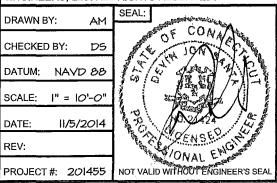


#### GRAPHIC SCALE

# PROPOSED SECTION D-D



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PROJECT:

WATERFRONT IMPROVEMENTS STRATFORD AVENUE BRIDGEPORT, CONNECTICUT YELLOW MILL CHANNEL

APPLICANT:

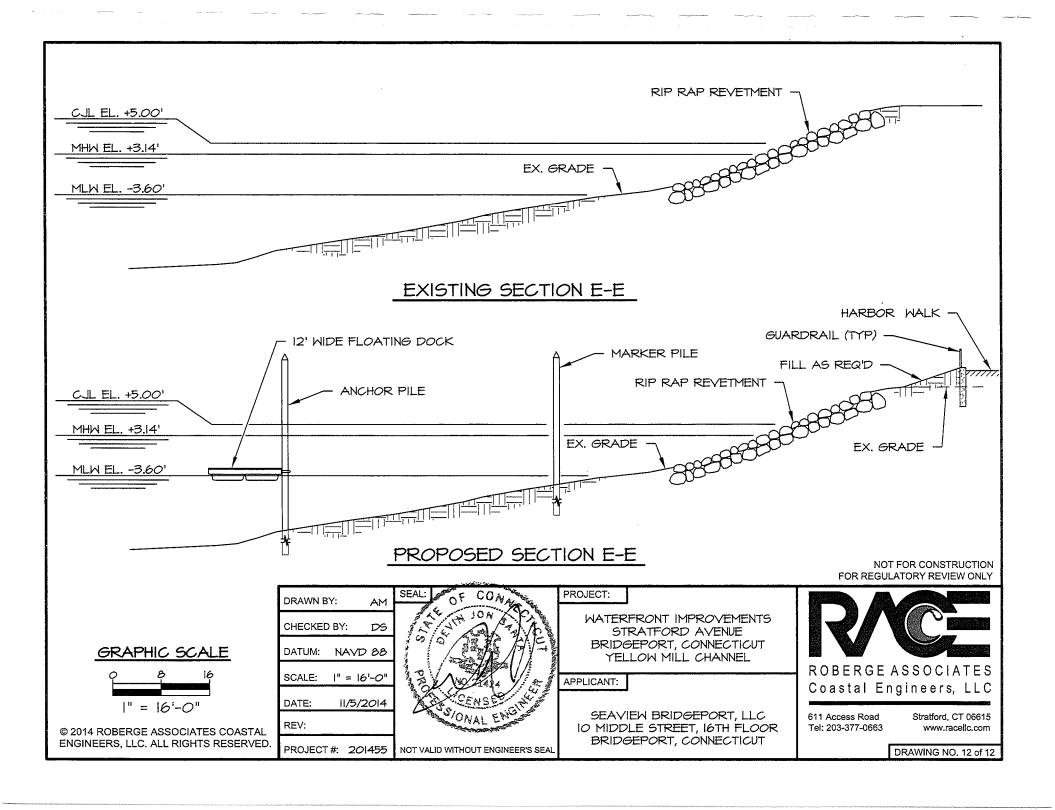
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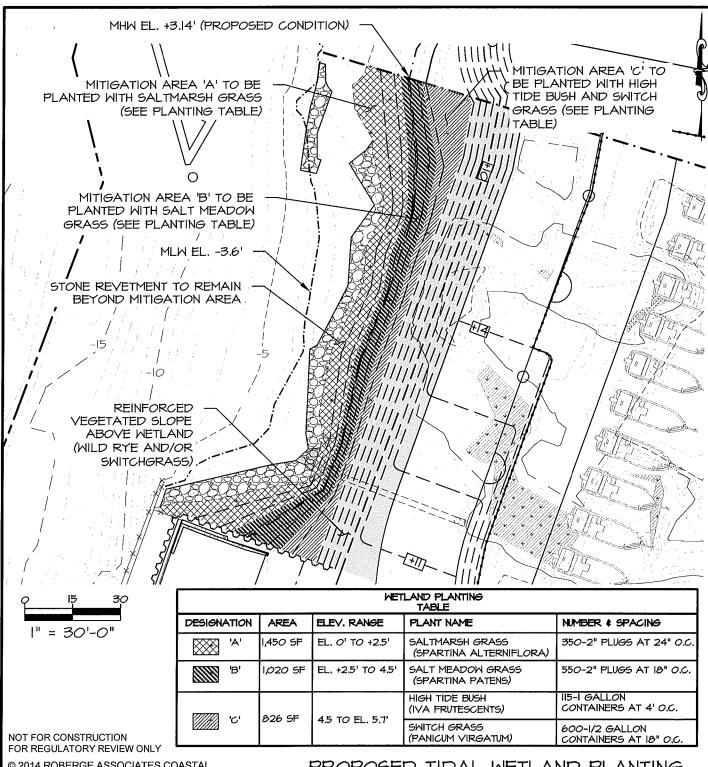


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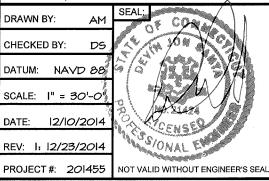
DRAWING NO. 11 of 12





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# PROPOSED TIDAL WETLAND PLANTING



PROJECT:

WATERFRONT IMPROVEMENTS STRATFORD AVENUE BRIDGEPORT, CONNECTICUT YELLOW MILL CHANNEL

APPLICANT:

SEAVIEW BRIDGEPORT, LLC IO MIDDLE STREET, I6TH FLOOR BRIDGEPORT, CONNECTICUT



ROBERGE ASSOCIATES Coastal Engineers, LLC

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DRAWING NO. 1 of 1

# Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 10.0' N	73° 00.0' W	41° 00.0' N	73° 10.0' W

Square Description (i.e. habitat, landmarks, coastline markers): The waters within the square include the tidal and subtidal areas of Long Island Sound in and adjacent to Bridgeport Harbor, Bridgeport Connecticut.

Species	Eggs	Larva	Juvenile s	Adults
Atlantic salmon (Salmo salar)			X	X
Pollock (Pollachius virens)			X	X
Whiting (Merluccius bilinearis)				X
red hake (Urophycis chuss)	X	X	X	X
winter flounder (Pseudopleuronectes americanus)	X	X	X	X
windowpane flounder (Scopthalmus aquosus)	X	X	X	X
American plaice (Hippoglossoides platessoides)			X	X
Atlantic sea herring (Clupea harengus)			X	X
bluefish (Pomatomus saltatrix)			X	X
Atlantic butterfish (Peprilus triacanthus)	The state of the s	X	X	X
Atlantic mackerel (Scomber scombrus)	X	X	X	X
summer flounder (Paralicthys dentatus)		X	X	X
scup (Stenotomus chrysops)	X	X	X	X
black sea bass (Centropristus striata)			X	X
king mackerel <i>(Scomberomorus cavalla)</i>	X	X	X	X
Spanish mackerel (Scomberomorus maculatus)	X	X	X	X
cobia (Rachycentron canadum)	X	X	X	X
sand tiger shark ( <i>Odontaspis</i> taurus)		X	X	
little skate ( <i>Leucoraja erinacea</i> )			X	X
Winter skate (Leucoraja ocellata)			X	X