



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

PUBLIC NOTICE

Comment Period Begins: July 19, 2011
Comment Period Ends: August 19, 2011
File Number: 2003-776
In Reply Refer To: Amy Bourne
Phone: (978) 318-8651
E-mail: amy.c.bourne@usace.army.mil

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

APPLICANT: City of Milford

ACTIVITY: Relocation of approximately 10,000 cubic yards of sand from the western reach of Gulf Beach to the eastern end. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Long Island Sound on Gulf Beach, Milford, Connecticut. The proposed location on the USGS Milford quadrangle sheet is at UTM coordinates 41° 12' 35" N and 73° 02' 48" W.

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 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 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.

CENAE-R
FILE NO. NAE-2003-776

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).

DREDGING AND OPEN WATER DISPOSAL PROJECTS

The sand removal portion of this project will impact approximately 45,000 (1.03) square feet of Essential Fish Habitat (EFH) for a variety of species and life stages (see attached list). Habitat at this site can be described as having a sandy substrate closer to shore, transitioning to a silty/clay substrate near mean low water. No submerged aquatic vegetation is present. Loss of this habitat may adversely affect certain species within the project area (see attached list). 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.

The dredged material disposal is proposed for the eastern end of Gulf Beach between the high tide and mean low water lines in order to rehabilitate this area of beach. This site provides Essential Fish Habitat (EFH) and the potential for loss of habitat for the same species indicated in the above paragraph. 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.

SECTION 106 COORDINATION

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.

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.
- (X) 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 Amy Bourne at (978) 318-8651, (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.


Robert R. DeSista
Chief, Permits and Enforcement Branch
Regulatory Division

CENAE-R
FILE NO. NAE-2003-776

If you would prefer not to continue receiving Public Notices, 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: _____

PROPOSED WORK AND PURPOSE

The work includes the excavation and relocation of approximately 10,000 cubic yards of sand, between the high tide line and above the mean low water line, from the western end of Gulf Beach to the eastern end; the eastern end is currently comprised primarily of cobblestones. The overall footprint of the project is 99,300 square feet (2.3 acres). Specifically, the removal area extends from the area adjacent to and extending up to 450 feet from the western spur groin and the relocation area extends from the seawall to the mean low water line and is approximately 115 to 135 feet in width. The purpose of the relocation is to combat the continual back passing of sand from the eastern section of beach to points west, including the Milford Harbor Federal Navigation Channel. In addition, the functionality of the existing spur groin that is currently overtopped by sand would be restored. Based in part on a review of historical data from adjacent sites and a lack of potential sources of contaminants, it is our preliminary determination that the nature of the sediment is acceptable for disposal on the eastern reach of the beach.

The work is described on the enclosed plans entitled "PROPOSED SAND RELOCATION GULF BEACH," (10 sheets), and dated "1/28/11."

III. Designated Essential Fish Habitats on and adjacent (immediately) to the project footprint area.

Summary of Essential Fish Habitat (EFH) Designation

0' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	73° 00.0' W	41° 10.0' N	73° 10.0' W

Square Description (i.e. habitat, landmarks, coastline markers): The waters within Long Island Sound within the square affecting south of the following: from Woodmont, CT., to the Housatonic River (the western shore east of Crimbo Point), including waters affecting Milford, CT., Pond Point, CT., Pond Pt., Milford Beaches, Charles I., Crimbo Pt., Milford Pt., and Nells I.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
whiting (<i>Merluccius bilinearis</i>)				X
red hake (<i>Urophycis chuss</i>)	X	X	X	X
redfish (<i>Sebastes fasciatus</i>)	n/a			
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scopthalmus aquosus</i>)	X	X	X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
long finned squid (<i>Loligo pealei</i>)	n/a	n/a		
short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		

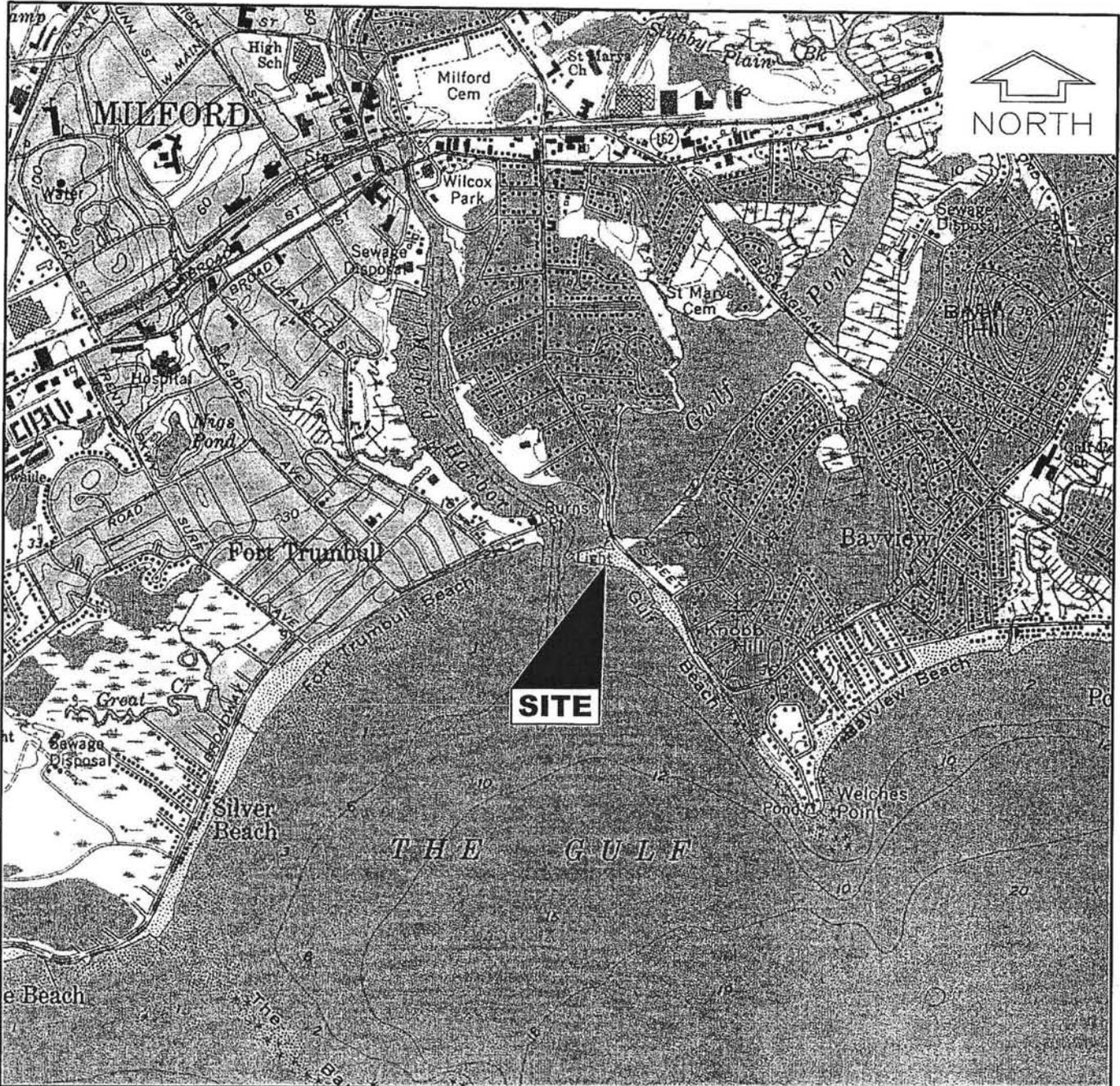
Atlantic butterfish (<i>Peprilus triacanthus</i>)		X	X	X
Atlantic mackerel (<i>Scomber scombrus</i>)	X	X	X	X
summer flounder (<i>Paralichthys dentatus</i>)			X	
scup (<i>Stenotomus chrysops</i>)	X	X	X	X
black sea bass (<i>Centropristus striata</i>)	n/a		X	
surf clam (<i>Spisula solidissima</i>)	n/a	n/a		
ocean quahog (<i>Artica islandica</i>)	n/a	n/a		
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a		
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Odontaspis taurus</i>)		X		
little skate (<i>Raja erinacea</i>)			X	X
winter skate (<i>Raja ocellata</i>)			X	X

10 Minute Square Tables

The notation "X" in a table indicates that EFH has been designated within the square for a given species and life stage.

The notation "n/a" in the tables indicates some of the species either have no data available on the designated lifestages, or those lifestages are not present in the species' reproductive cycle. These species are:

- redfish, which have no eggs (larvae born already hatched);
- long finned squid, short finned squid, surf clam, and ocean quahog which are referred to as pre-recruits and recruits (this corresponds with juveniles and adults in the tables);
- spiny dogfish, which have no eggs or larvae (juveniles born live);
- scup and black sea bass, for which there is insufficient data for the life stages listed, and no EFH designation has been made as of yet (some estuary data is



TAKEN FROM MAPTECH
OFFSHORE NAVIGATOR
VERSION 5.07d

VICINITY MAP

0 1000 2000 3000 4000 FEET



SCALE

FOR PERMIT USE ONLY
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PURPOSE: BEACH NOURISHMENT

DATUM: MEAN LOW WATER

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED SAND RELOCATION

GULF BEACH

LONG ISLAND SOUND

CITY OF MILFORD

COUNTY OF NEW HAVEN

STATE OF CONNECTICUT

APPLICATION BY: CITY OF MILFORD

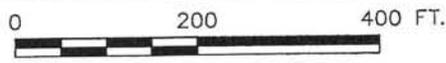
DATE: 1/28/11

SHEET 1 OF 10



TAKEN FROM MAPTECH
OFFSHORE NAVIGATOR
VERSION 5.07d

TAX ASSESSOR'S MAP



SCALE 1"=200'-0"

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AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED SAND RELOCATION
GULF BEACH

LONG ISLAND SOUND
CITY OF MILFORD
COUNTY OF NEW HAVEN
STATE OF CONNECTICUT

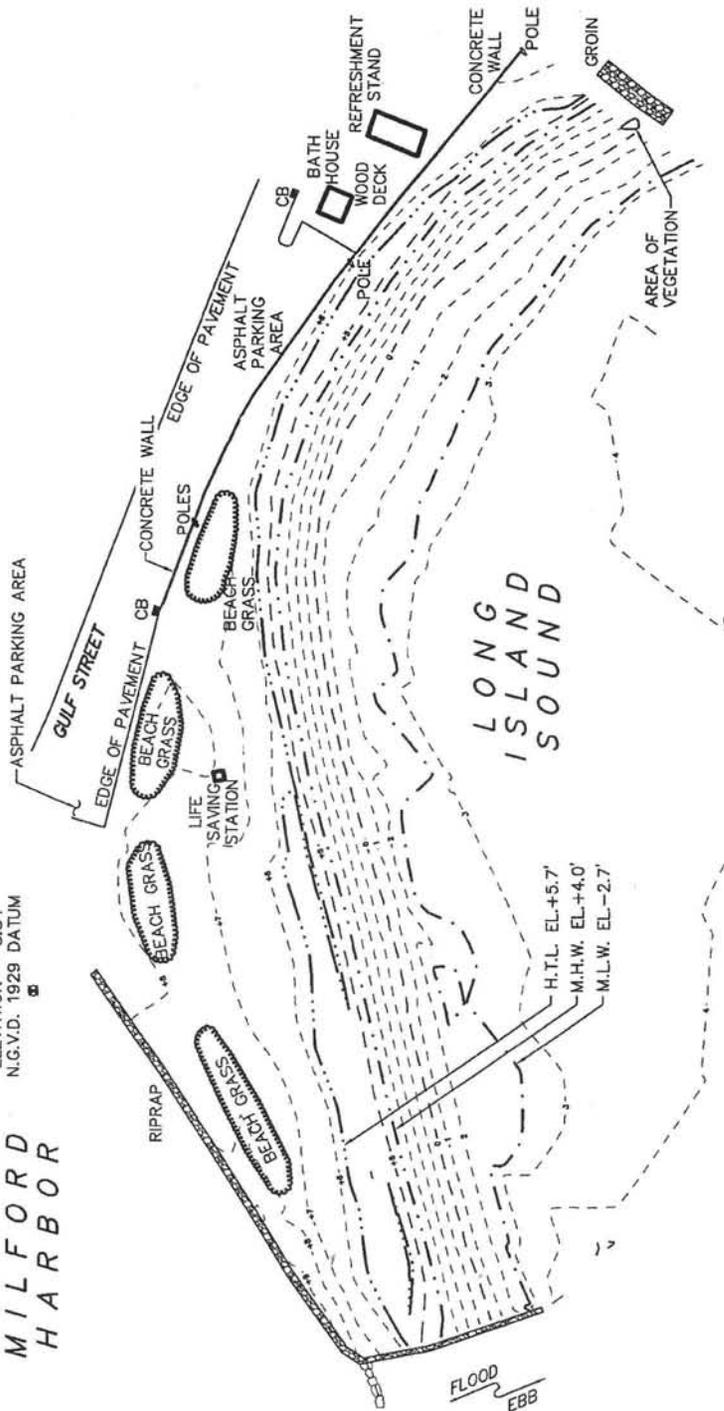
APPLICATION BY: CITY OF MILFORD

DATE: 1/28/11

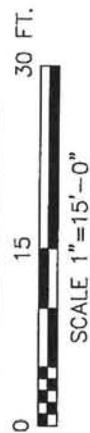
SHEET 2 OF 10

BENCHMARK
C.G.S. DISK
ELEVATION = 8.34'
N.G.V.D. 1929 DATUM

MILFORD
HARBOR



EXISTING PLAN



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ADJACENT PROPERTY OWNERS:
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AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED SAND RELOCATION

GULF BEACH

LONG ISLAND SOUND

CITY OF MILFORD

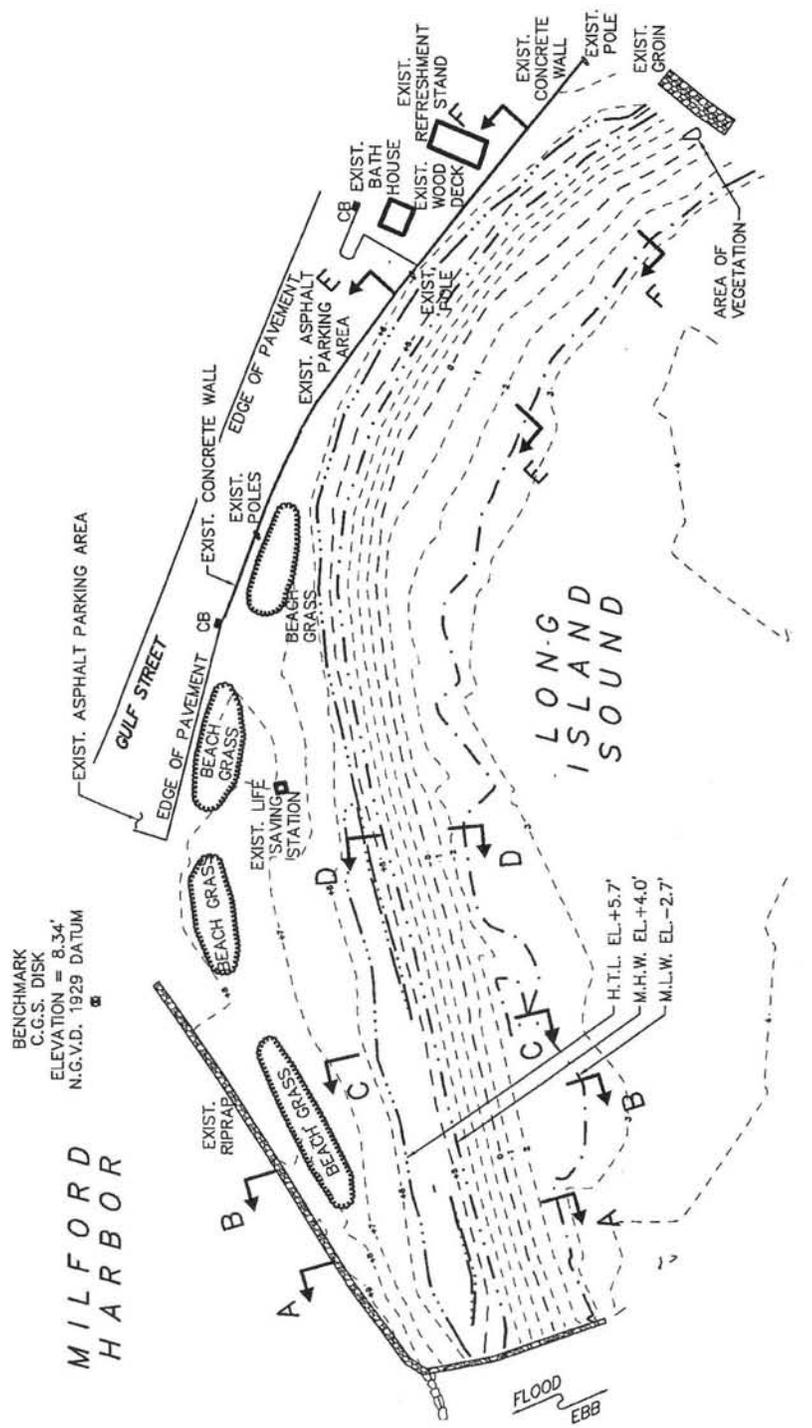
COUNTY OF NEW HAVEN

STATE OF CONNECTICUT

APPLICATION BY: CITY OF MILFORD

DATE: 1/28/11

SHEET 3 OF 10



PROPOSED PLAN



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PROPOSED SAND RELOCATION

GULF BEACH

LONG ISLAND SOUND

CITY OF MILFORD

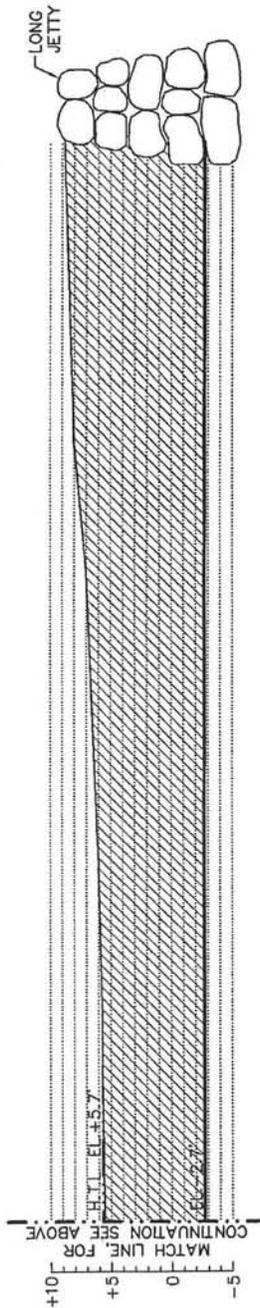
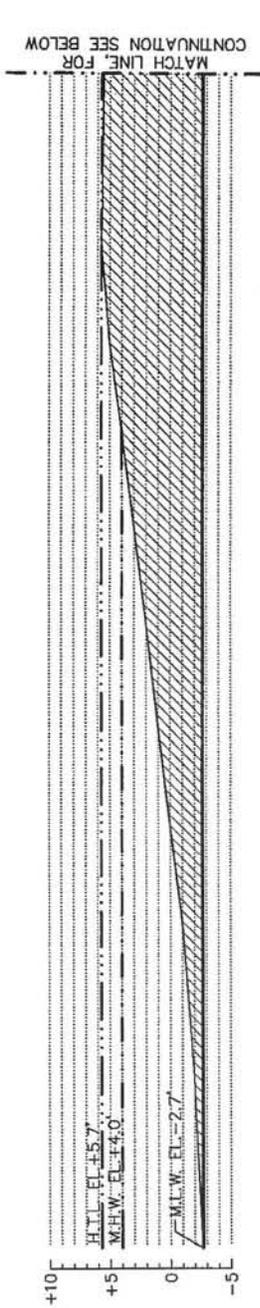
COUNTY OF NEW HAVEN

STATE OF CONNECTICUT

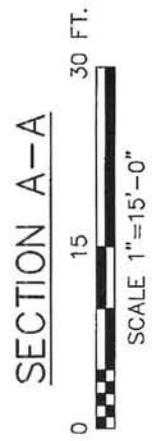
APPLICATION BY: CITY OF MILFORD

DATE: 1/28/11

SHEET 4 OF 10



- LEGEND**
- H.T.L. EL.+5.7
 - M.H.W. EL.+4.0
 - M.L.W. EL.-2.7
 - BEACH PROFILE
 - ▨ SAND REMOVAL PROFILE



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DATUM: MEAN LOW WATER

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

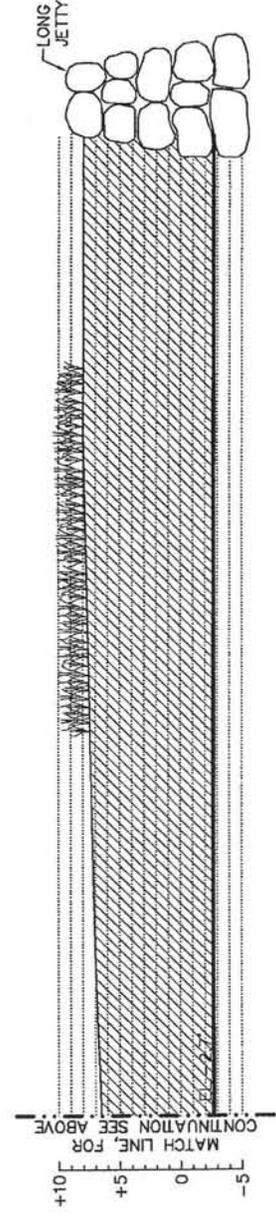
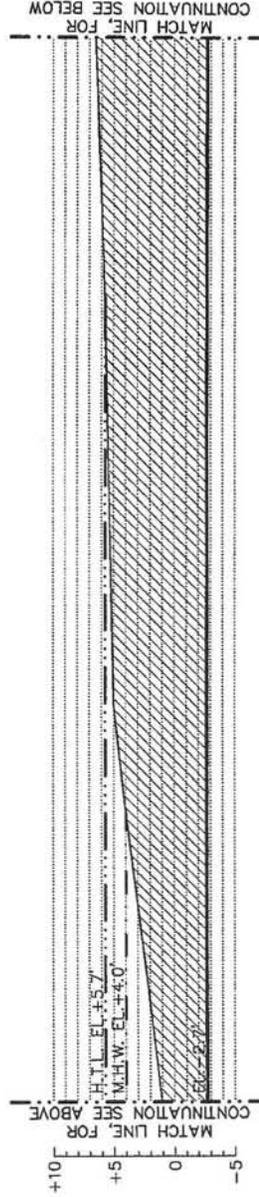
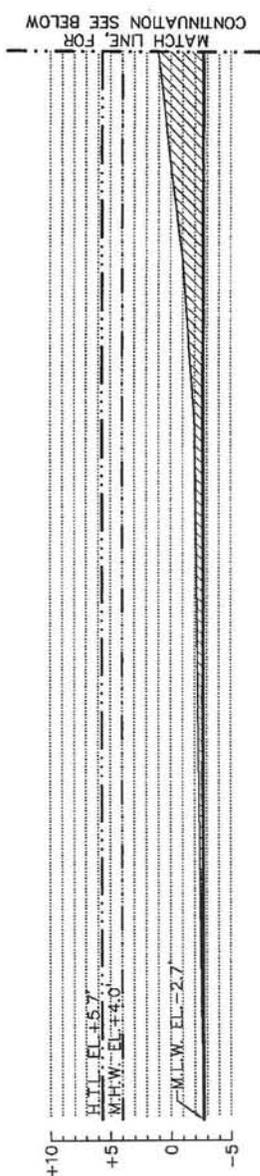
AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

PROPOSED SAND RELOCATION
GULF BEACH
LONG ISLAND SOUND
CITY OF MILFORD
COUNTY OF NEW HAVEN
STATE OF CONNECTICUT

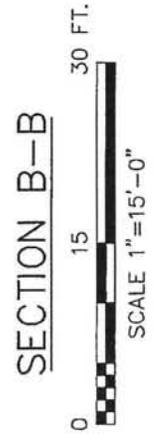
APPLICATION BY: CITY OF MILFORD

DATE: 1/28/11

SHEET 5 OF 10



- LEGEND**
- H.T.L. EL.+5.7'
 - M.H.W. EL.+4.0'
 - - - M.L.W. EL.-2.7'
 - - - BEACH PROFILE
 - ▨ SAND REMOVAL PROFILE



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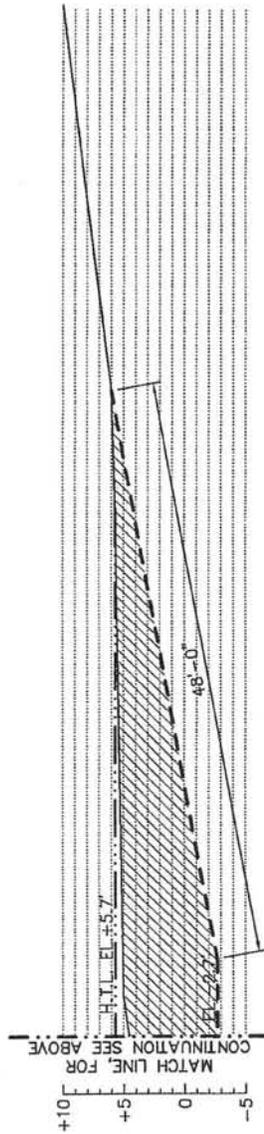
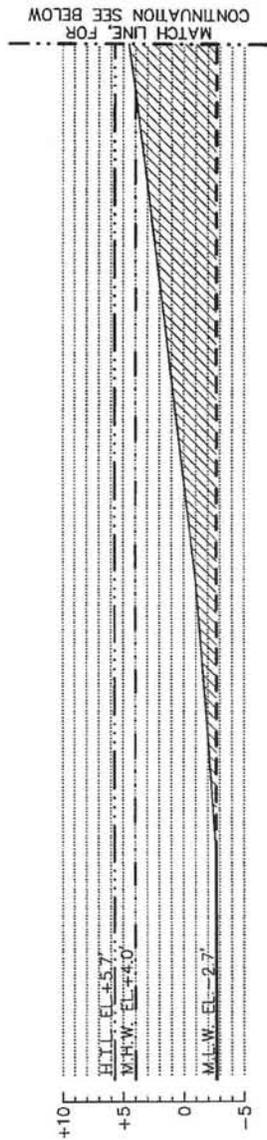
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PROPOSED SAND RELOCATION
GULF BEACH
LONG ISLAND SOUND
CITY OF MILFORD
COUNTY OF NEW HAVEN
STATE OF CONNECTICUT

APPLICATION BY: CITY OF MILFORD

DATE: 1/28/11

SHEET 6 OF 10



- LEGEND**
- H.T.L. EL.+5.7
 - M.H.W. EL.+4.0
 - M.L.W. EL.-2.7
 - BEACH PROFILE
 - ▨ SAND REMOVAL PROFILE

SECTION C-C



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PURPOSE: BEACH NOURISHMENT

DATUM: MEAN LOW WATER

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

AGENT: OCEAN AND COASTAL CONSULTANTS, INC.

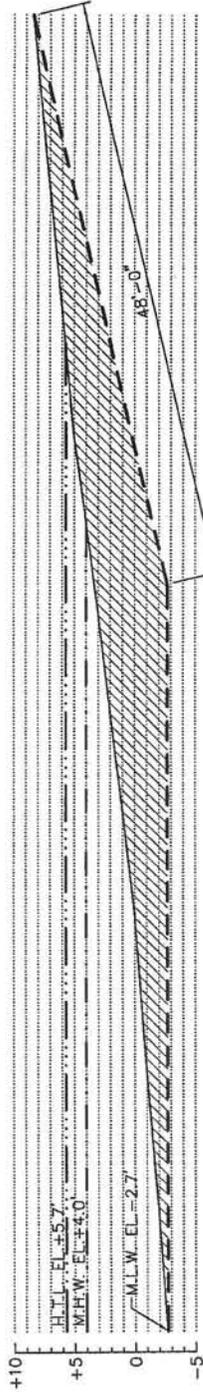
PROPOSED SAND RELOCATION
GULF BEACH

LONG ISLAND SOUND
CITY OF MILFORD
COUNTY OF NEW HAVEN
STATE OF CONNECTICUT

APPLICATION BY: CITY OF MILFORD

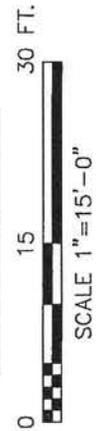
DATE: 1/28/11

SHEET 7 OF 10



- LEGEND**
- H.T.L. EL.+5.7'
 - M.H.W. EL.+4.0'
 - M.L.W. EL.-2.7'
 - BEACH PROFILE
 - ▨ SAND REMOVAL PROFILE

SECTION D-D



FOR PERMIT USE ONLY
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DATUM: MEAN LOW WATER

ADJACENT PROPERTY OWNERS:
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PROPOSED SAND RELOCATION
GULF BEACH

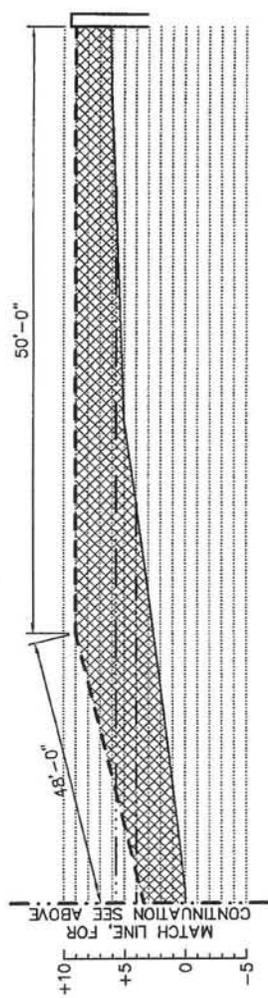
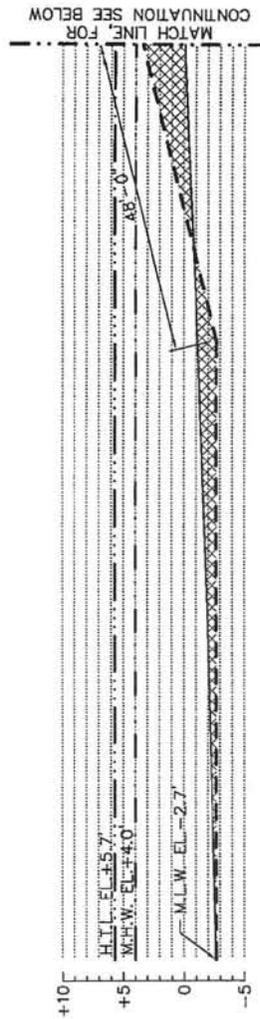
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CITY OF MILFORD

COUNTY OF NEW HAVEN
STATE OF CONNECTICUT

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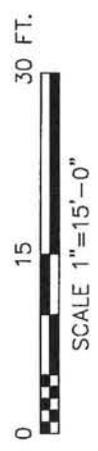
DATE: 1/28/11

SHEET 8 OF 10



- LEGEND**
- H.T.L. EL.+5.7
 - M.H.W. EL.+4.0
 - M.L.W. EL.-2.7
 - BEACH PROFILE
 - ▨ BEACH NOURISHMENT PROFILE

SECTION E-E



FOR PERMIT USE ONLY
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PURPOSE: BEACH NOURISHMENT

DATUM: MEAN LOW WATER

ADJACENT PROPERTY OWNERS:
SEE ATTACHED

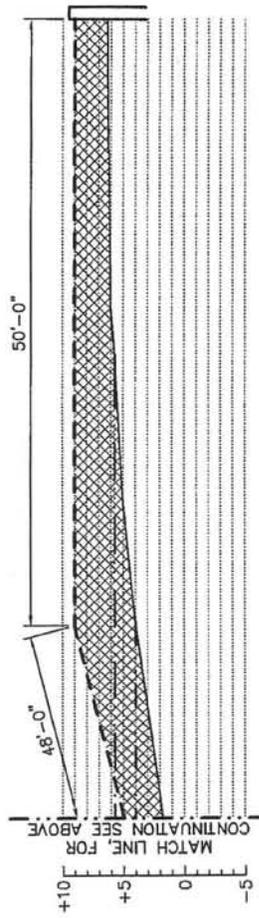
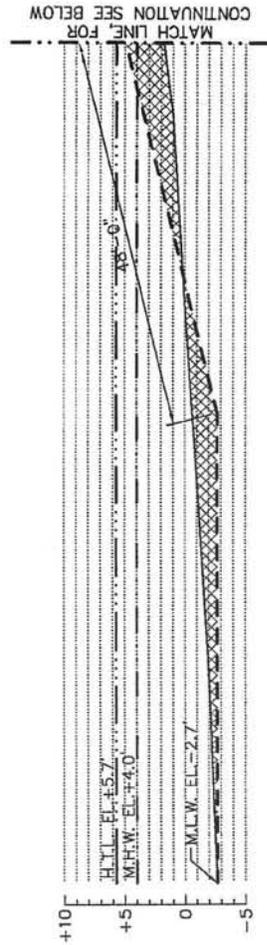
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PROPOSED SAND RELOCATION
GULF BEACH
LONG ISLAND SOUND
CITY OF MILFORD
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SHEET 9 OF 10



- LEGEND**
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 - M.L.W. EL.-2.7'
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 - ▨ BEACH NOURISHMENT PROFILE



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PROPOSED SAND RELOCATION
GULF BEACH

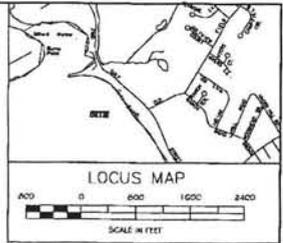
LONG ISLAND SOUND
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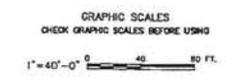
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SHEET 10 OF 10

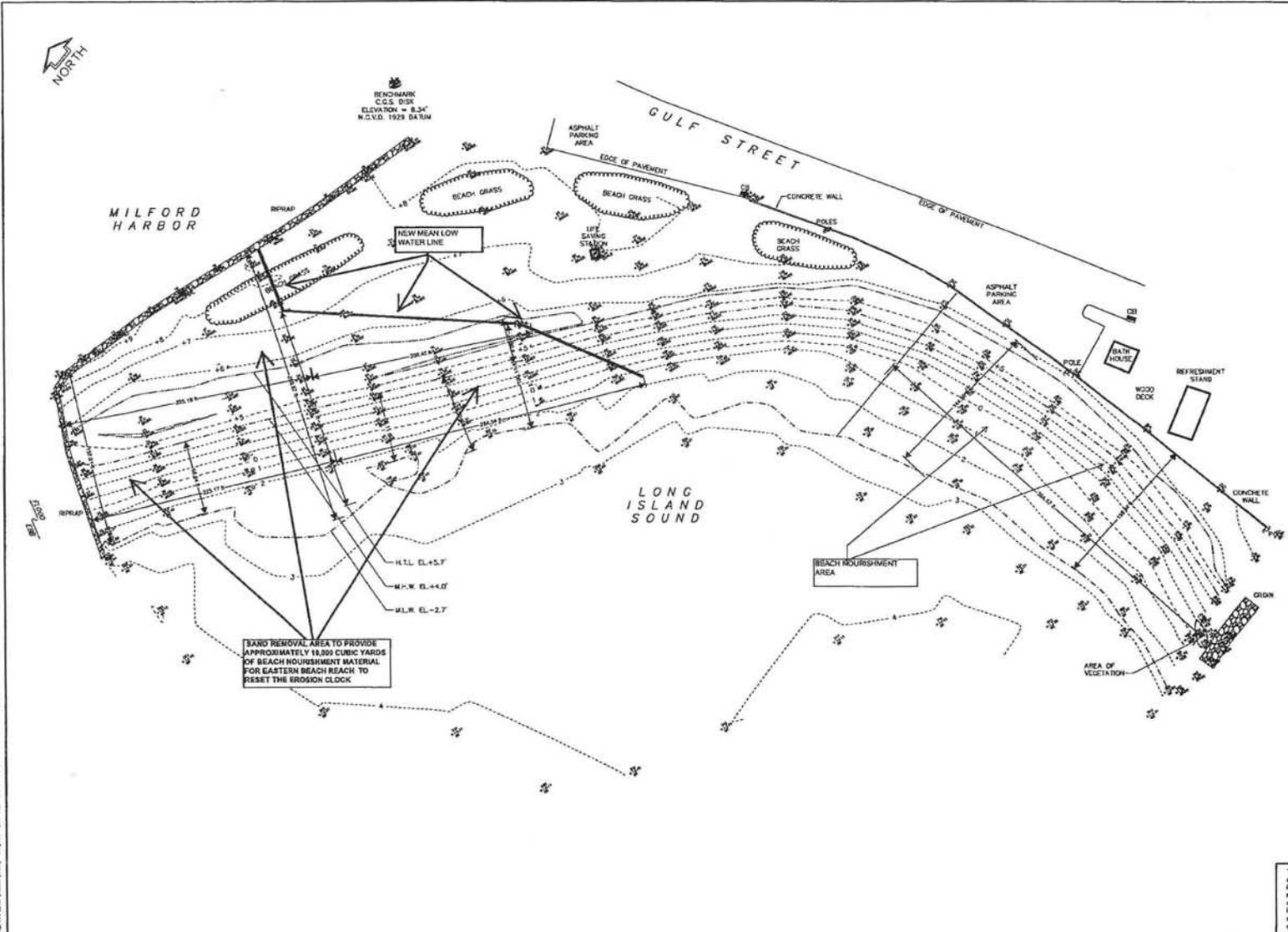


- LEGEND**
- CATCH BASIN/ TOP OF FRAME
 - MANHOLE/ TOP OF FRAME
 - UTILITY POLE
 - SIGN
 - HYDRANT
 - WATER VALVE
 - PARKING SPACE NUMBERS
 - FINISH FLOOR ELEVATION
 - HANDICAPPED PARKING

- NOTES**
1. BASE PLAN TAKEN FROM "TOPOGRAPHIC SURVEY AS BUILT OF NEW SAND PROPOSED BEACH REHABILITATION PREPARED FOR THE CITY OF MILFORD GULF BEACH AREA, CONNECTICUT" PREPARED BY SCOTT K. MUNDY, L.S., DATED MAY 24, 2006.
 2. ADDITIONAL TOPOGRAPHIC DATA COLLECTED BY OCEAN AND COASTAL CONSULTANTS, INC. ON JULY 14, 2009 AND CAN ONLY REFLECT CONDITIONS AT THE TIME OF THE SURVEY.
 3. ELEVATIONS REFERENCED TO NATIONAL GEODETIC DATUM OF 1929 (N.G.D. 29).
 4. ALL CONTOURS ARE IN FEET AND ARE NEGATIVE UNLESS SHOWN WITH A PLUS (+).



This drawing and all copies and the design and data shown are the property of Ocean and Coastal Consultants, Inc. and include proprietary information. The borrower by receipt or retention of the drawing, agrees that, except as expressly authorized in writing by Ocean and Coastal Consultants, Inc., it will (1) not use the drawing or any copy of the design or data shown, (2) not reproduce, exhibit or distribute the drawing or any copy for use by others and (3) upon demand return the drawing, all copies and all reprints copied therefrom.



DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY

OCEAN AND COASTAL CONSULTANTS

Ocean and Coastal Consultants
11004-0306

35 Corporate Drive
Trumbull, CT 06611
Phone: (203) 268-5007
Fax: (203) 268-6621

**CITY OF MILFORD
DEPARTMENT OF PUBLIC WORKS**

83 FORD STREET, MILFORD, CT 06460

DESIGNED BY: AZSL	SCALE AS NOTED
DRAWN BY: CAMA	DATE 7/20/09
CHECKED BY: AZSL	REVISION 0

GULF BEACH REHABILITATION	SCALE AS NOTED	REVISION 0
EXISTING SITE PLAN	DRAWING NO. 209047-2-01	

P:\2009\2009_07_20\2009_07_20_Plan\2009_07_20_Plan.dwg Plot 01 Corva L. Miller, Auto, 20 Jul 2009, 11:23am