



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

# 15-DAY PUBLIC NOTICE

**Comment Period Begins:** April 27, 2010  
**Comment Period Ends:** May 12, 2010  
**File Number:** NAE-2007-2071  
**In Reply Refer To:** Ms. Diane M. Ray  
**Phone:** (978) 318-8831  
**E-mail:** [diane.m.ray@usace.army.mil](mailto:diane.m.ray@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:** The Belle Haven Club, Inc., 100 Harbor Drive, Greenwich, Connecticut 06830

**ACTIVITY:** Maintain and expand an existing mooring field (A detailed description and plans of the activity are attached)

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in Captain Harbor, Long Island Sound at 100 Harbor Drive, Greenwich, Connecticut. The proposed location on the USGS Glenville quadrangle sheet is at Latitude 41.00296 and Longitude -73.63419.

**AUTHORITY:** Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899.

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.

## 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 a total of approximately 52.4 acres of Essential Fish Habitat (EFH), including that of the existing mooring field, for the list of species and life stages as shown on sheets 5 and 6. This habitat consists of silt and sand. Loss of this habitat may adversely affect species listed on sheets 5 and 6. 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 the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

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.
- ( ) Permit from Local Wetland Agency or Conservation Commission.
- ( ) 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.

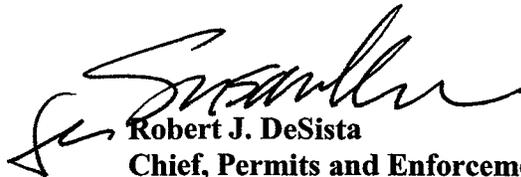
**CENAE-R**  
**FILE NO. NAE-2007-2071**

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.

In accordance with 33 CFR 325.2(a)(8), we publish monthly a list of permits issued or denied during the previous month at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg), under the heading "Monthly General and Individual Permit Authorizations." Relevant environmental documents and the SOFs or RODs are available upon written request and, where applicable, upon the payment of administrative fees. Also visit [www.nae.usace.army.mil](http://www.nae.usace.army.mil) for more information on the New England District Corps of Engineers programs.

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



**Robert J. DeSista**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

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](mailto: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: \_\_\_\_\_

**CENAE-R**  
**FILE NO. NAE-2007-2071**

**PROPOSED WORK AND PURPOSE:**

The proposal includes the maintenance of an approximately 44 acre mooring field comprised of 94 moorings and the expansion of the existing mooring field to an approximately 52.4 acre mooring field with the additional of 23 moorings.

The work is described on the enclosed plans entitled "Project: Permit Application for a Mooring Field, Belle Haven – L.I.S., Applicant: Belle Haven Club, 100 Harbor Drive, Greenwich, CT", in 3 sheets, dated,"5-13-09".

**Summary of Essential Fish Habitat (EFH) Designation**

**10' x 10' Square Coordinates:**

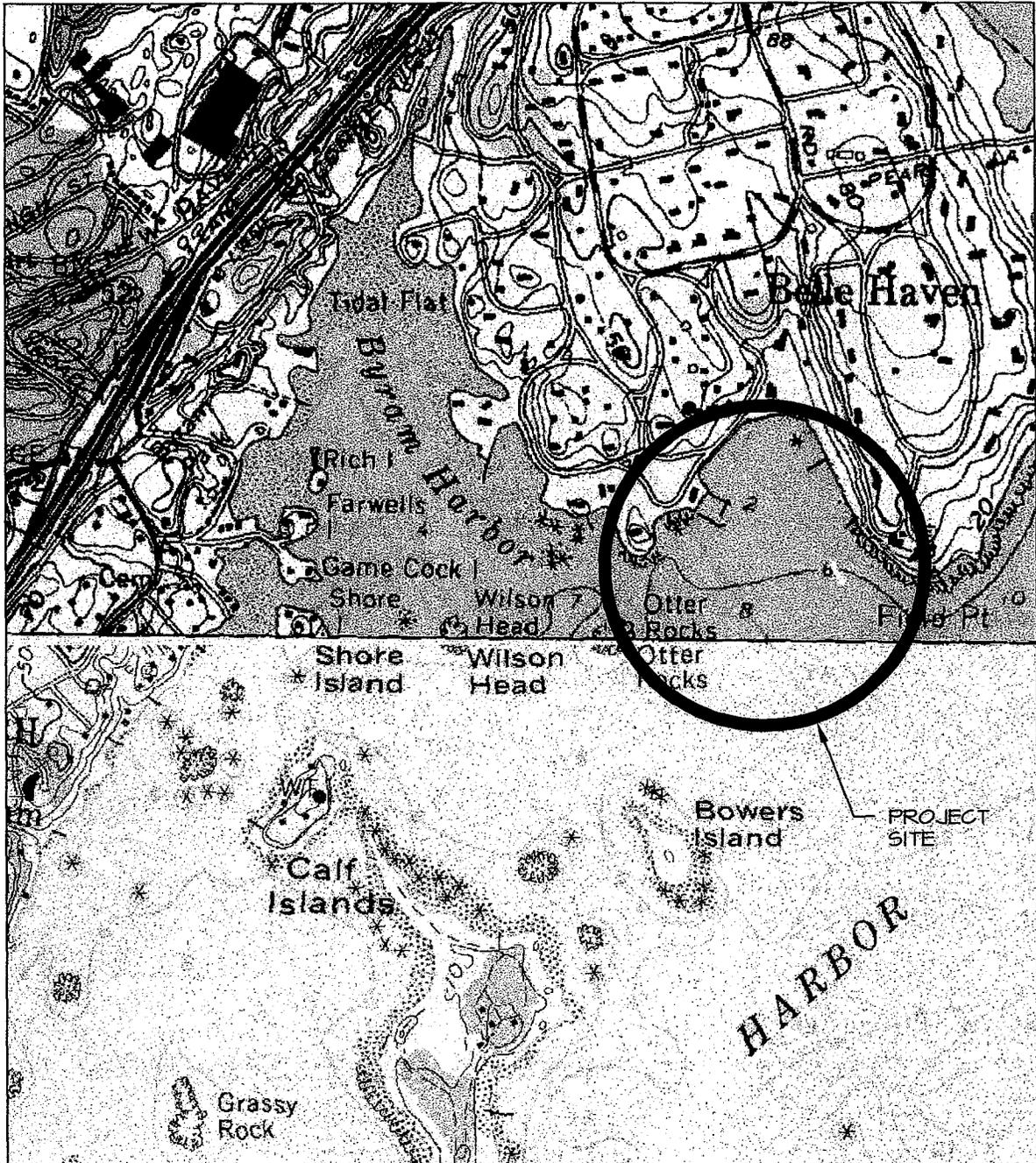
Boundary	North	East	South	West
Coordinates:	41° 10.0' N	73° 30.0' W	41° 00.0' N	73° 40.0' W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within the square within Long Island Sound affecting south of the following: Greenwich, CT., Belle Harbor, CT., Cos Cob, CT., Riverside, CT., Stamford, CT., Glenbrook, CT., and Mianus, CT., along with Greenwich Pt., Shippan Pt., Field Pt., Cos Cob Harbor, and the entrance to the Ripparan, Mianus and Byram Rivers, from Holly Pond south of Noroton Heights to east of Port Chester NY. Also affected are: Captain Harbor, Newfoundland Reef, The Cows, Stamford Harbor, Westcott Cove, and western Holly Pond.

Species	Eggs	Larvae	Juvenile s	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
pollock ( <i>Pollachius virens</i> )			X	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	X	X
short finned squid ( <i>Illex illecebrosus</i> )	n/a	n/a	X	X
Atlantic mackerel ( <i>Scomber scombrus</i> )	X	X	X	X
summer flounder ( <i>Paralichthys dentatus</i> )			X	X
scup ( <i>Stenotomus chrysops</i> )	X	X	X	X

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black sea bass ( <i>Centropristus striata</i> )	n/a		X	X
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		
dusky shark ( <i>Charcharinus obscurus</i> )			X	
little skate ( <i>Raja erinacea</i> )			X	X
Winter skate ( <i>Raja ocellata</i> )			X	X



EXISTING SITE PLAN

Drawn By: JMD  
 Checked By: JCR  
 Datum: NGVD 1929  
 Scale: 1" = 1,200'  
 Date: 5-13-09  
 Rev:  
 Project #: 200917

Seal:

Project:

PERMIT APPLICATION  
 FOR A MOORING FIELD  
 BELLE HAVEN - L.I.S.

Applicant:

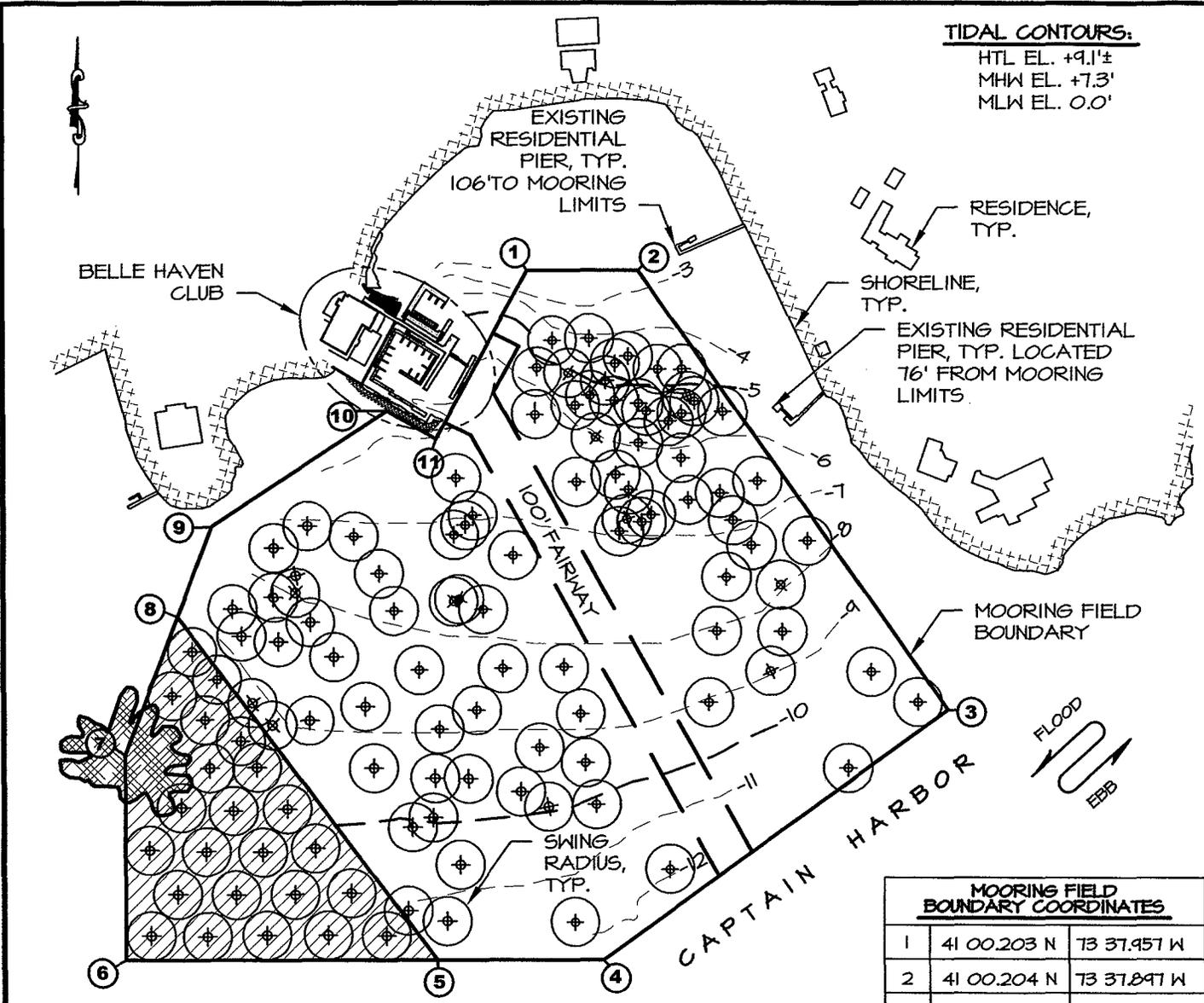
BELLE HAVEN CLUB  
 100 HARBOR DRIVE  
 GREENWICH, CT



ROBERGE ASSOCIATES  
 Coastal Engineers, LLC

2499 Main Street, Unit F, Stratford, CT 06615  
 Tel: 203-377-0663 www.racellc.com

**TIDAL CONTOURS:**  
 HTL EL. +9.1'±  
 MHW EL. +7.3'  
 MLW EL. 0.0'



**EXISTING AND PROPOSED SITE PLAN**

**LEGEND:**

-  PROPOSED MOORING AREA
-  ROCK OUTCROP (OTTER ROCK)
-  EXISTING MOORINGS
-  MOORING FIELD BOUNDARY COORDINATES

**NOTES:**

1. SURVEY PERFORMED ON 8-13-08 BY ROBERGE ASSOCIATES COASTAL ENGINEERS, LLC AND SOUND SURVEYS, LLC AND CAN ONLY REPRESENT CONDITIONS AT THE TIME OF THE SURVEY.
2. CONVERSION FROM NGVD TO MEAN LOW WATER DATUM (MLWD) IS +2.4' FEET BASED ON THE U.S. ARMY CORPS OF ENGINEERS TIDAL PROFILES.
3. ALL CONTOURS REFER TO MEAN LOW WATER (MLW). ALL HORIZONTAL POSITIONS REFER TO CONNECTICUT STATE PLANE NAD 83.
4. MOORING LOCATIONS PROVIDED BY THE BELLE HAVEN CLUB.

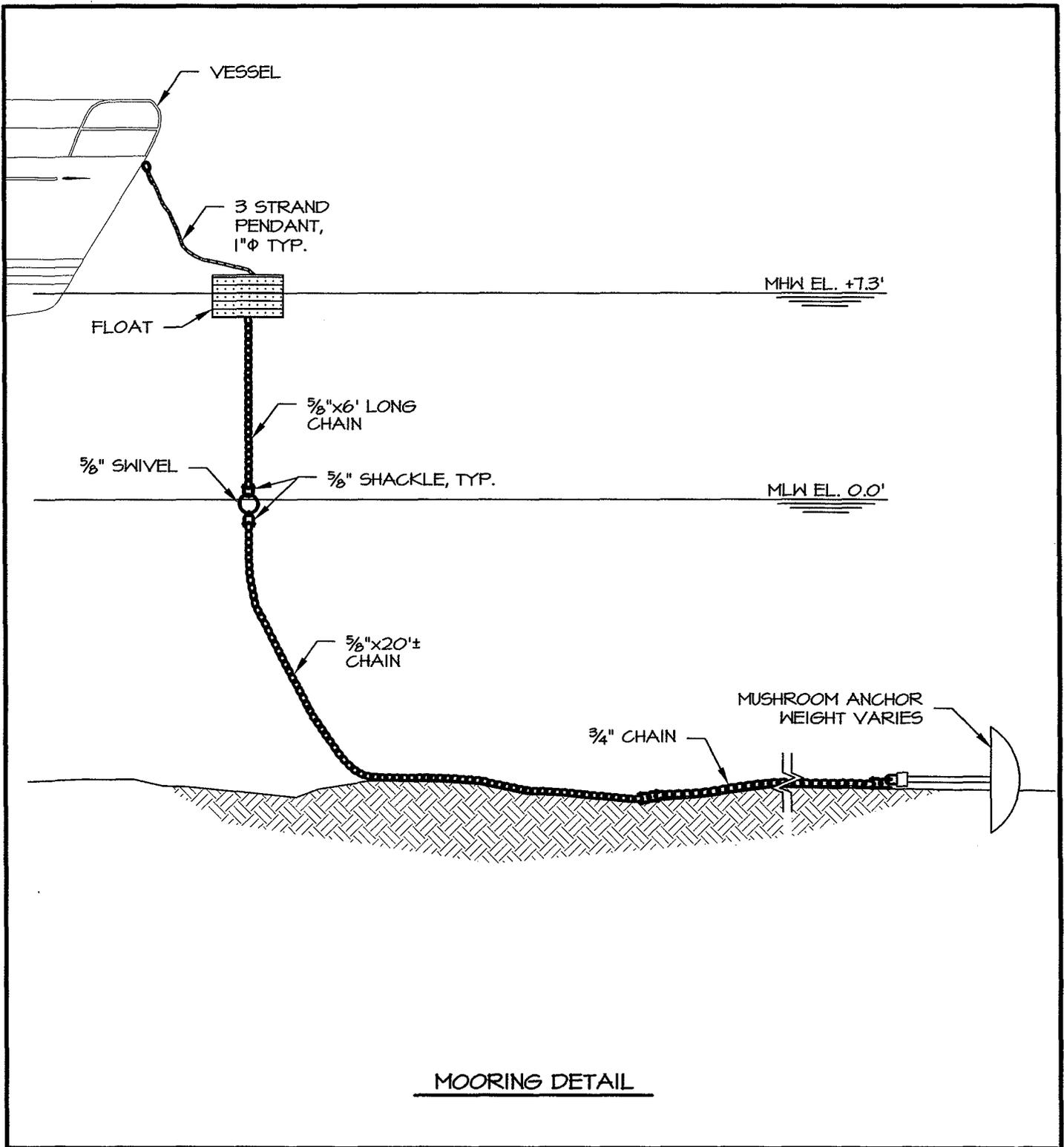
MOORING FIELD BOUNDARY COORDINATES		
1	41 00.203 N	73 37.957 W
2	41 00.204 N	73 37.897 W
3	41 00.027 N	73 37.729 W
4	40 59.924 N	73 37.912 W
5	40 59.923 N	73 38.002 W
6	40 59.922 N	73 38.170 W
7	41 00.005 N	73 38.171 W
8	41 00.062 N	73 38.144 W
9	41 00.098 N	73 38.126 W
10	41 00.146 N	73 38.032 W
11	41 00.135 N	73 38.005 W

Drawn By: MRR  
 Checked By: JCR  
 Datum: MLW  
 Scale: 1" = 400'  
 Date: 5-13-09  
 Rev 1: 09-15-09  
 Project #: 200917

Seal:

Project:  
 PERMIT APPLICATION  
 FOR A MOORING FIELD  
 CAPTAIN HARBOR - L.I.S.  
 Applicant:  
 BELLE HAVEN CLUB  
 100 HARBOR DRIVE  
 GREENWICH, CT

**RACE**  
 ROBERGE ASSOCIATES  
 Coastal Engineers, LLC  
 2499 Main Street, Unit F, Stratford, CT 06615  
 Tel: 203-377-0663 www.racellc.com  
 Sheet 2 of 3



MOORING DETAIL

Drawn By:	MRR
Checked By:	JCR
Datum:	MLW
Scale:	1" = 5'
Date:	5-13-09
Rev:	
Project #:	200917

Seal:

Project:

PERMIT APPLICATION  
FOR A MOORING FIELD  
BELLE HAVEN - L.I.S.

Applicant:

BELLE HAVEN CLUB  
100 HARBOR DRIVE  
GREENWICH, CT

**RACE**

**ROBERGE ASSOCIATES**  
Coastal Engineers, LLC

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