



**US Army Corps  
of Engineers®**  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

**Date: March 23, 2010**

**Comment Period Ends: April 23, 2010**

**File Number: NAE-2009-2531**

**In Reply Refer To: Barbara Newman**

**Or by e-mail: barbara.h.newman**

**@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** Eagles Landing Marina, c/o Frederic Ohrn

**ACTIVITY** The project proposed is for a new 12 slip commercial marina. A detailed description and plans of the activity are attached.

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

This work is proposed on the western bank of the Yellow Mill Channel at 348 Waterview Avenue, Bridgeport, Connecticut. The proposed location on the USGS Bridgeport quadrangle sheet is at UTM coordinates 626823.4925 N and 863090.8787 E.

## **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.

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 0.28 acres of Essential Fish Habitat (EFH) for the 18 species and their life stages listed on the attached page. This habitat consists of silt and cobble. Loss of this habitat may adversely affect those species. 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)

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.

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 Barbara Newman at (978) 318-8515, (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.

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: \_\_\_\_\_

**PROPOSED WORK AND PURPOSE**

The proposed project includes work in navigable waters for the construction of a commercial marina which will offer water access for both recreational and commercial use, and will provide pump-out services to boaters, boat storage, repair, and hauling and launching. The facility will have the following dimensions: a 6' wide x 15' long pile supported timber pier, attached to a 5' wide x 28' long ramp, leading to an 8' wide x 272' long floating dock paralleling the shoreline. There will be seven (7) finger piers configured perpendicular to this floating dock with the following dimensions: 5' x 48', 5' x 47', 5' x 46', 5' x 44', 5' x 35', 5' x 34' and 8' x 33'. Pilings will be driven by barge mounted crane. A ten foot band of submerged aquatic vegetation (*Spartina alterniflora*) exists close to the shoreline, and the ramp will cross a section of this band to access the floating dock. In order to minimize impacts to the vegetation and substrate, the applicant has proposed that the 5 foot wide ramp be positioned approximately 6 feet above the substrate, and the floats remain 18 inches above the substrate at all tides. The applicant expects the installation to take approximately two weeks once started.

The work is described on the enclosed plans entitled "Eagles Landing Marina, c/o Frederic A. Ohm, 348 Waterview Ave., Fairfield County, Bridgeport, Connecticut," on seven (7) sheets, and dated "Revised 2/4/2010."

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

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

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

**Square Description (i.e. habitat, landmarks, coastline markers):** Atlantic Ocean waters within Long Island Sound within the square affecting south of the following: Bridgeport, CT., Fairfield, CT., Blackrock, CT., Southport, CT., Green Farms, CT., and Greenfield, CT., along with Black Rock Harbor from the entrance to the Pequonack River west to Sherwood Pt. (just east of Sherwood Mill Pond) within Long Island Sound. Also affected are: Pennfield Reef, The Little Cows, Georges Rock, and Fayeweather I.

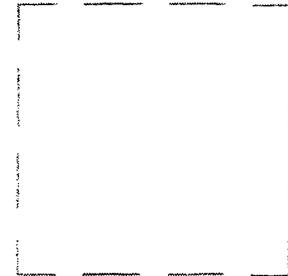
Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
Atlantic cod ( <i>Gadus morhua</i> )				
haddock ( <i>Melanogrammus aeglefinus</i> )				
pollock ( <i>Pollachius virens</i> )			X	X
whiting ( <i>Merluccius bilinearis</i> )				X
offshore hake ( <i>Merluccius albidus</i> )				
red hake ( <i>Urophycis chuss</i> )	X	X	X	X
white hake ( <i>Urophycis tenuis</i> )				
redfish ( <i>Sebastes fasciatus</i> )	n/a			
witch flounder ( <i>Glyptocephalus cynoglossus</i> )				
winter flounder ( <i>Pleuronectes americanus</i> )	X	X	X	X
yellowtail flounder ( <i>Pleuronectes ferruginea</i> )				
windowpane flounder ( <i>Scophthalmus aquosus</i> )	X	X	X	X
American plaice ( <i>Hippoglossoides platessoides</i> )			X	X
ocean pout ( <i>Macrozoarces americanus</i> )	X	X	X	X

Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )				
Atlantic sea scallop ( <i>Placopecten magellanicus</i> )				
Atlantic sea herring ( <i>Clupea harengus</i> )			X	X
monkfish ( <i>Lophius americanus</i> )				
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> )				
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		
tilefish ( <i>Lopholatilus chamaeleonticeps</i> )				
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		

# PROPOSED- EAGLES LANDING MARINA

## EAGLE'S LANDING MARINA

c/o Frederic A. Ohrn  
348 Waterview Ave.  
Bridgeport, Connecticut



Engineer or Surveyor:  
Permitting Agent: John B. Lust

### GENERAL NOTES:

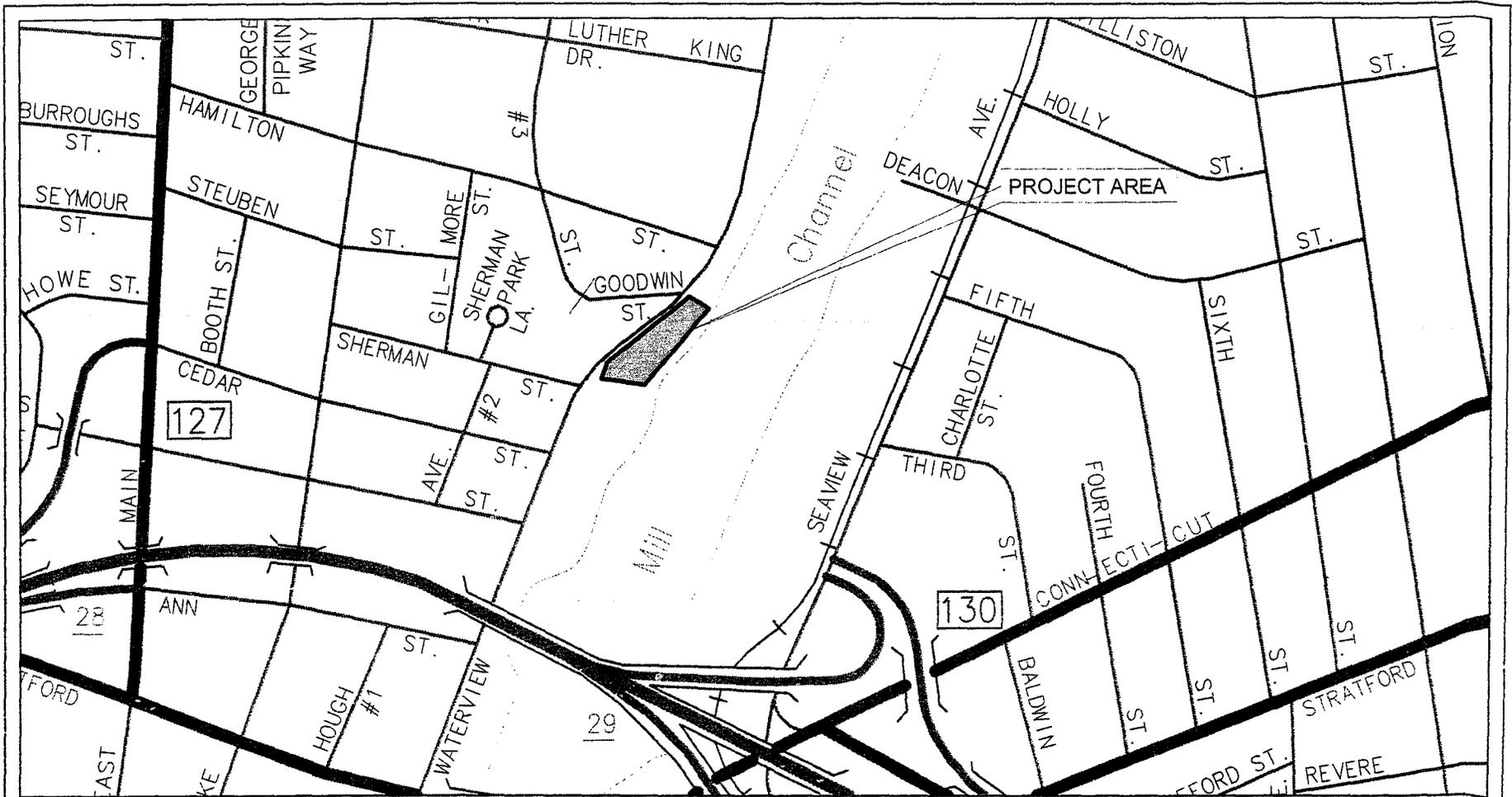
1. BASE MAP TAKEN FROM THE FOLLOWING REFERENCE MAPS:
  - 1.1. "PROPOSED COASTAL SITE PLAN OF PROPERTY IN BRIDGEPORT, CT - PREPARED FOR CONNECTICUT FIREBOAT CORP." DATED: 6/15/01; LAST REVISED: 10/27/05; SCALE: 1"=30' AND PREPARED BY FULLER ENGINEERING & LAND SURVEYING, LLC
  - 1.2. DEPTH DATA PROVIDED BY HYDRO DATA, INC. FROM A HYDROGRAPHIC SURVEY PERFORMED ON 12/2/08.
2. PROJECT LOCATION MAP TAKEN FROM CT D.O.T. ELECTRONIC ROAD (TRU) MAPS.
3. THIS PLAN SHOULD ONLY BE USED FOR GENERAL PRESENTATION AND NOT FOR CONSTRUCTION PURPOSES. ALL STRUCTURES, UTILITIES AND ELEVATIONS SHOULD BE FIELD VERIFIED PRIOR TO THE START OF ANY WORK.

### Drawing List

#### Site Location Map

- |        |   |  |
|--------|---|--|
| 1 of 5 | - | Existing Conditions                    |
| 2 of 5 | - | Proposed Improvements (Plan View)      |
| 3 of 5 | - | Proposed Improvements (Shoreline View) |
| 4 of 5 | - | Proposed Improvements (River View)     |
| 5 of 5 | - | Section View A-A                       |

Date: February 4, 2010      Revised: 2/4/2010



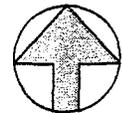
SITE LOCATION MAP

Eagle's Landing Marina

348 Waterview Ave.

Fairfield County

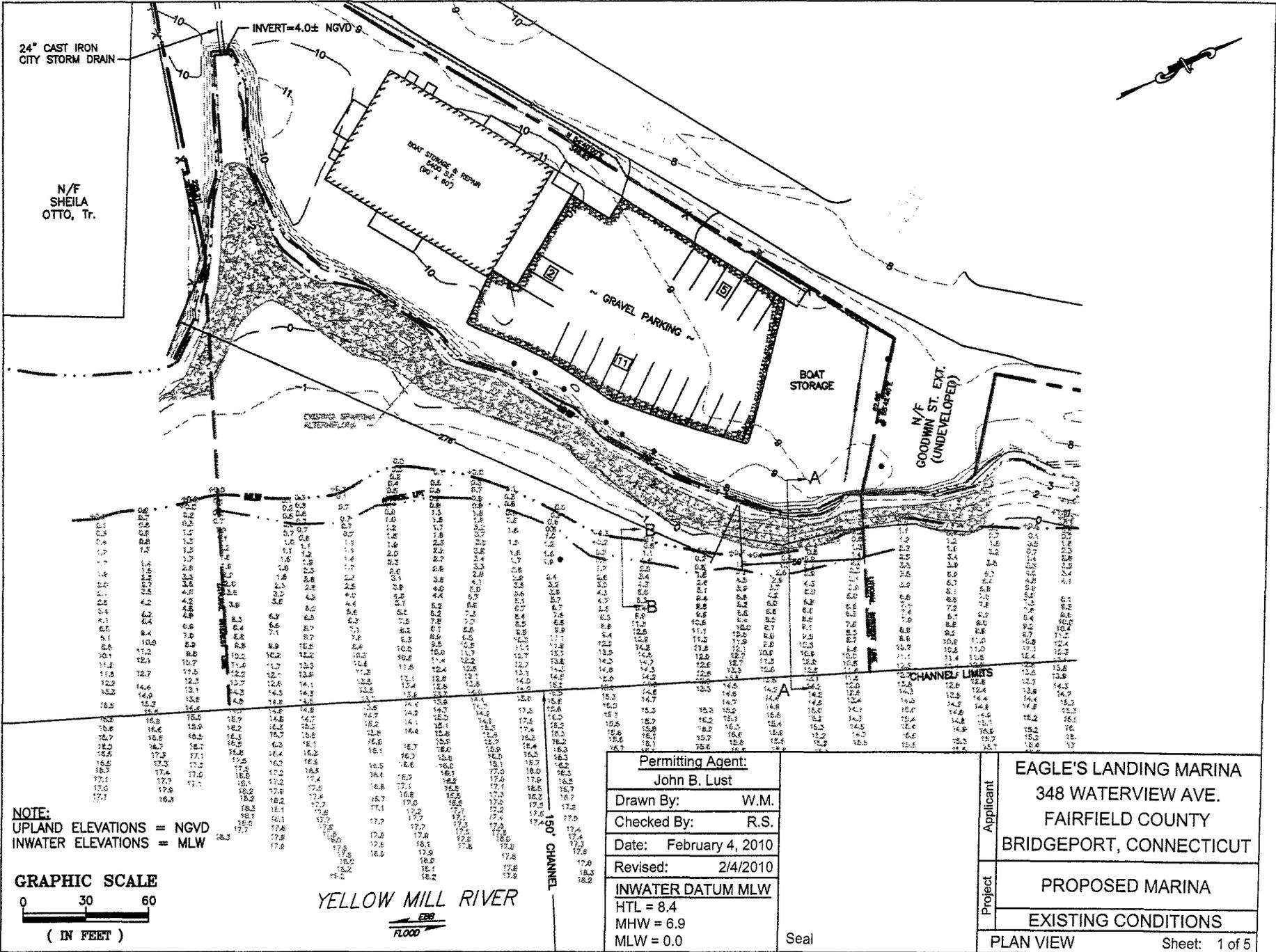
Bridgeport, Connecticut



NORTH

Date: Feb. 4, 10

Scale: 1" = 500'



TOTAL SQ. FOOTAGE OF IN-WATER STRUCTURES = 3,632 S.F.



24" CAST IRON CITY STORM DRAIN

N/F SHEILA OTTO, Tr.

INVERT = 4.0 ± NGVD

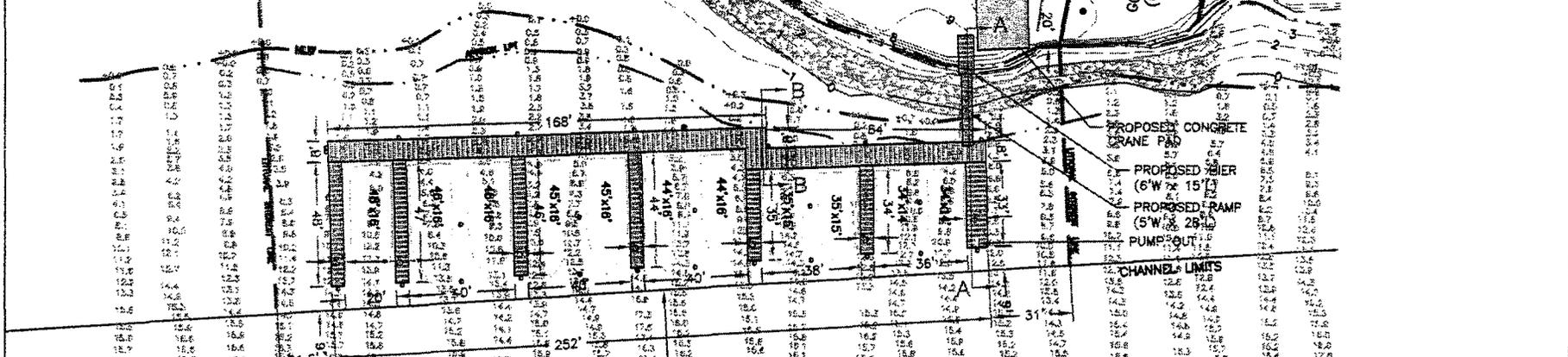
BOAT STORAGE & REPAIR  
345 S.F.  
(90' x 20')

GRAVEL PARKING

BOAT STORAGE

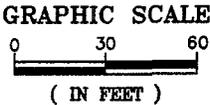
N/F GOODWIN ST. EXT.  
(UNDEVELOPED)

EXISTING SPARK AUTOMOBILES



NOTE:  
UPLAND ELEVATIONS = NGVD  
INWATER ELEVATIONS = MLW

PROPOSED SLIP COUNT = 12



YELLOW MILL RIVER



Permitting Agent:  
John B. Lust

Drawn By: W.M.

Checked By: R.S.

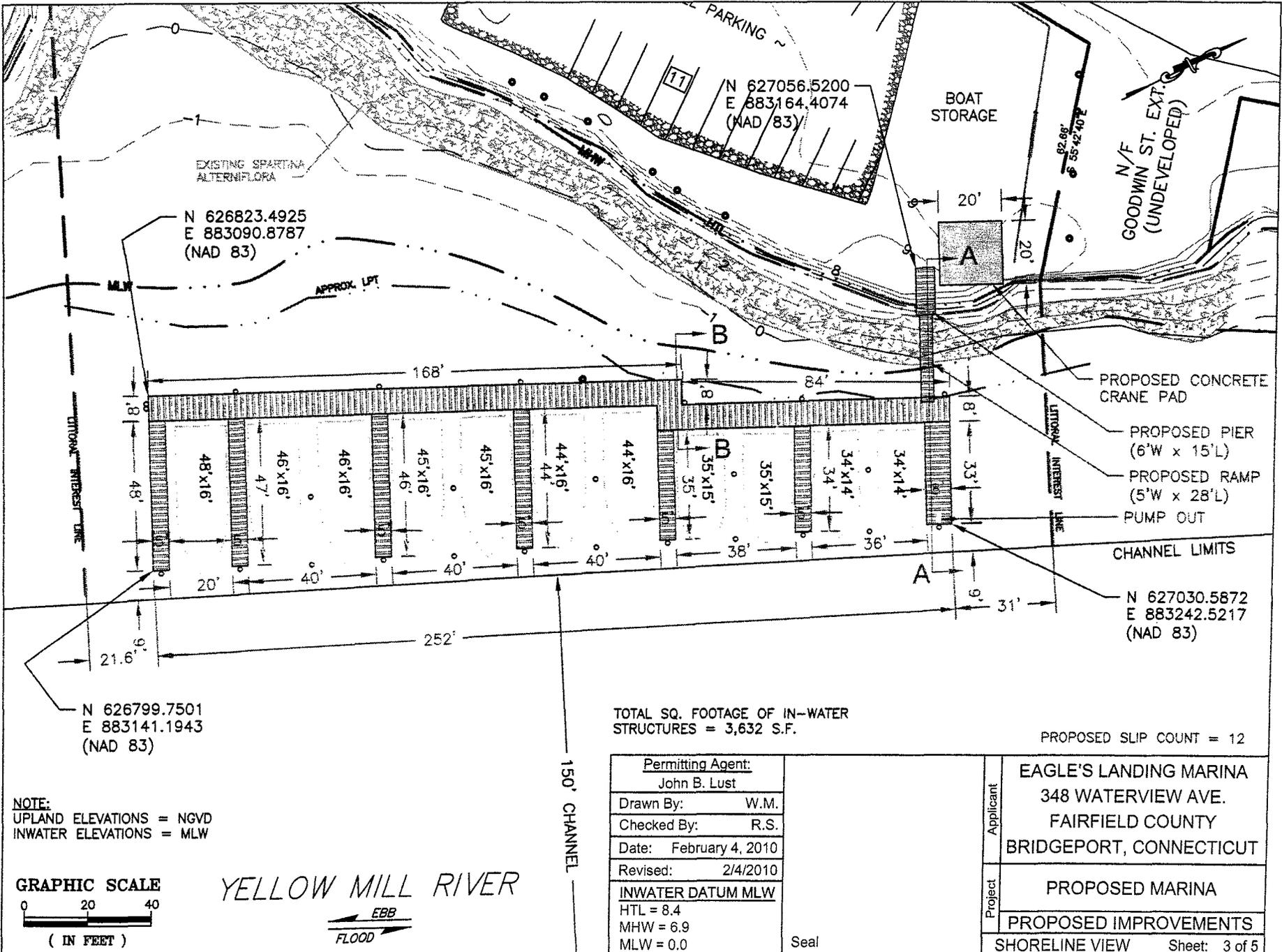
Date: February 4, 2010

Revised: 2/4/2010

**INWATER DATUM MLW**  
HTL = 8.4  
MHW = 6.9  
MLW = 0.0

Seal

Applicant	EAGLE'S LANDING MARINA 348 WATERVIEW AVE. FAIRFIELD COUNTY BRIDGEPORT, CONNECTICUT
	Project
Project	PROPOSED MARINA
	PROPOSED IMPROVEMENTS
PLAN VIEW	Sheet: 2 of 5



N 626823.4925  
E 883090.8787  
(NAD 83)

N 627056.5200  
E 883164.4074  
(NAD 83)

N/F  
GOODWIN ST. EXT.  
(UNDEVELOPED)

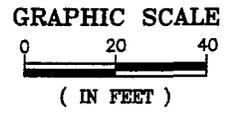
N 626799.7501  
E 883141.1943  
(NAD 83)

N 627030.5872  
E 883242.5217  
(NAD 83)

TOTAL SQ. FOOTAGE OF IN-WATER  
STRUCTURES = 3,632 S.F.

PROPOSED SLIP COUNT = 12

NOTE:  
UPLAND ELEVATIONS = NGVD  
INWATER ELEVATIONS = MLW



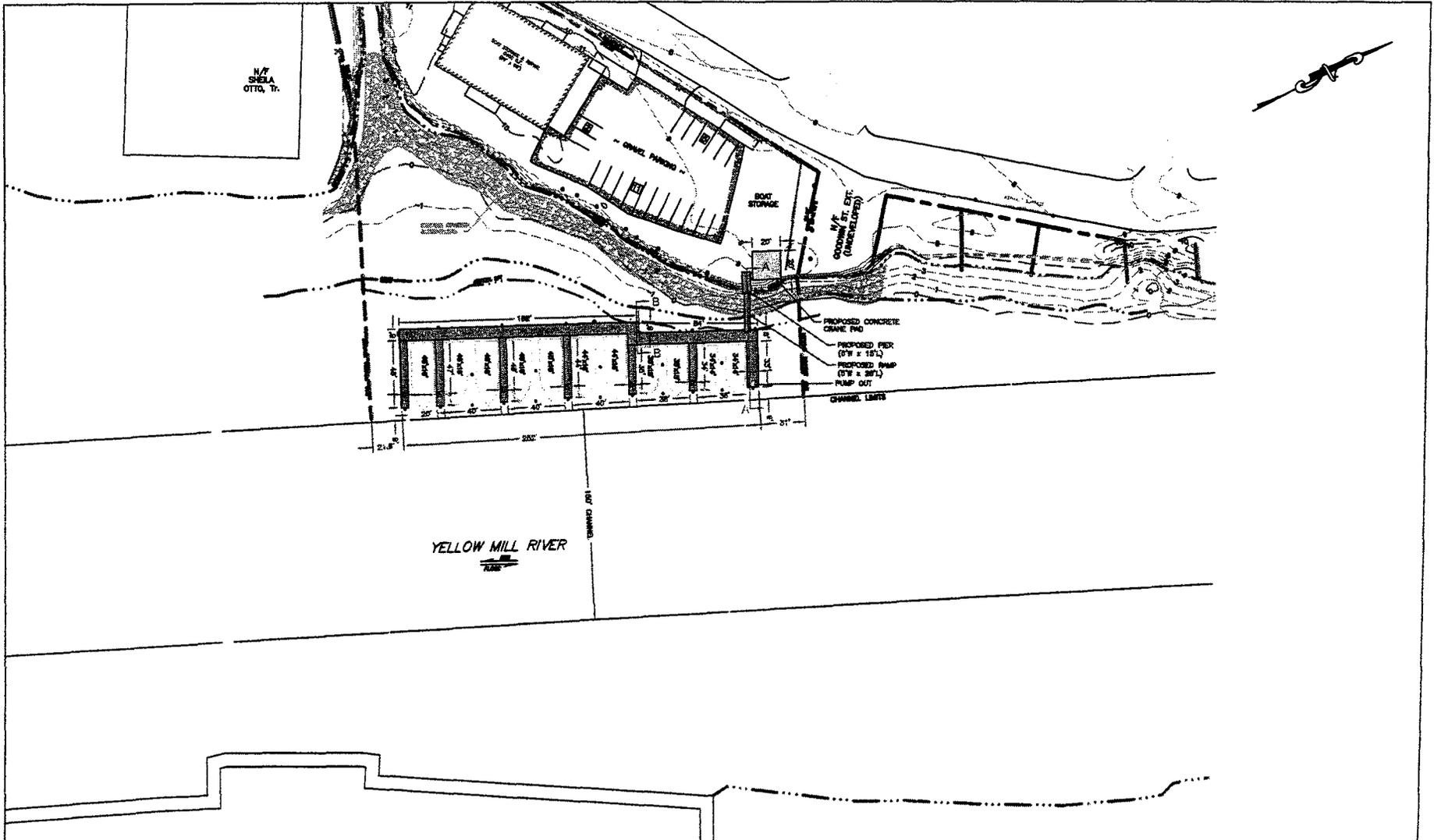
YELLOW MILL RIVER



<u>Permitting Agent:</u> John B. Lust	
Drawn By:	W.M.
Checked By:	R.S.
Date:	February 4, 2010
Revised:	2/4/2010
<u>INWATER DATUM MLW</u>	
HTL = 8.4	
MHW = 6.9	
MLW = 0.0	

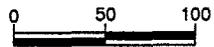
Seal

Project	Applicant	EAGLE'S LANDING MARINA 348 WATERVIEW AVE. FAIRFIELD COUNTY BRIDGEPORT, CONNECTICUT
	Project	PROPOSED MARINA PROPOSED IMPROVEMENTS
		SHORELINE VIEW Sheet: 3 of 5



NOTE:  
 UPLAND ELEVATIONS = NGVD  
 INWATER ELEVATIONS = MLW  
 PROPOSED SLIP COUNT = 12

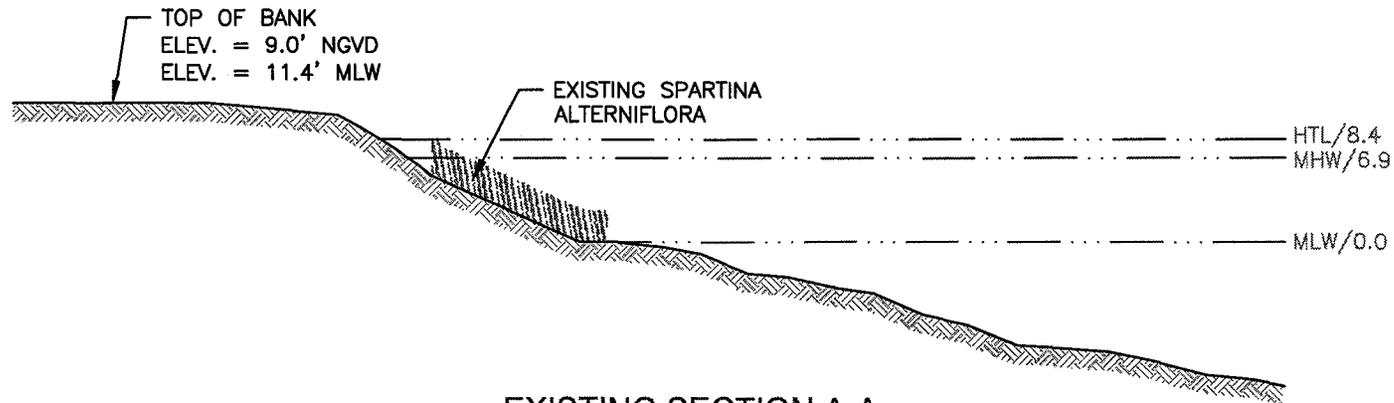
**GRAPHIC SCALE**



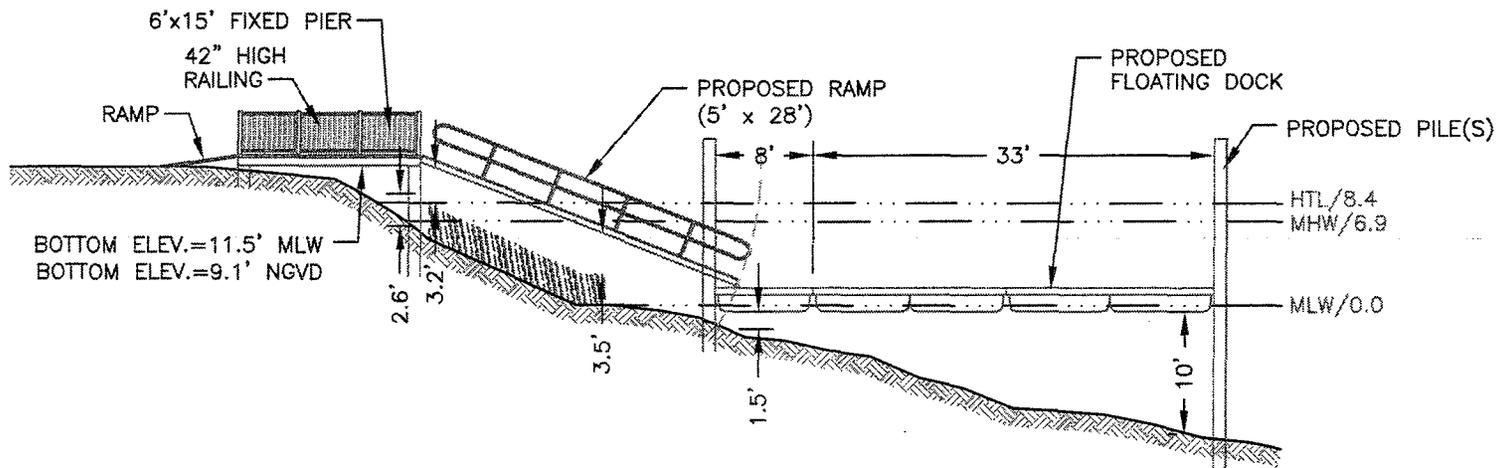
( IN FEET )

Applicant	Permitting Agent: John B. Lust	
	Drawn By:	W.M.
	Checked By:	R.S.
	Date:	February 4, 2010
	Revised:	2/4/2010
Project	INWATER DATUM MLW HTL = 8.4 MHW = 6.9 MLW = 0.0	
	EAGLE'S LANDING MARINA 348 WATERVIEW AVE. FAIRFIELD COUNTY BRIDGEPORT, CONNECTICUT	
	PROPOSED MARINA PROPOSED IMPROVEMENTS	
RIVER VIEW		Sheet: 4 of 5

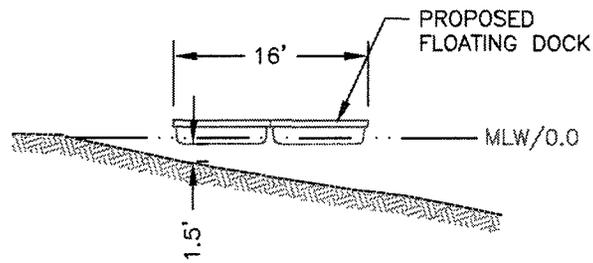
Seal



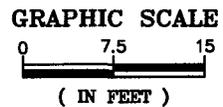
**EXISTING SECTION A-A**



**PROPOSED SECTION A-A**



**PROPOSED SECTION B-B**



<u>Permitting Agent:</u> John B. Lust	
Drawn By:	W.M.
Checked By:	R.S.
Date:	February 4, 2010
Revised:	2/4/2010
<u>INWATER DATUM MLW</u>	
HTL = 8.4	
MHW = 6.9	
MLW = 0.0	

Seal

Applicant	EAGLE'S LANDING MARINA 348 WATERVIEW AVE. FAIRFIELD COUNTY BRIDGEPORT, CONNECTICUT
	PROPOSED MARINA
Project	CROSS SECTIONS
	SECTION VIEW