



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

PUBLIC NOTICE

Comment Period Begins: April 10, 2012
Comment Period Ends: May 10, 2012
File Number: NAE-2010-1277
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 from the applicant below to conduct work in waters of the United States as described below.

APPLICANT: Darien Boat Club

ACTIVITY: perform dredging with open water disposal and expand an existing docking facility.

A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Goodwives River off property at 135 Pear Tree Point Road, Darien, Connecticut. The proposed location is on the USGS Norwalk South quadrangle sheet at UTM Y Coordinate 4544949.089 and UTM X Coordinate 627536.568.

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 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.

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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 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).

The dredging portion of this project will impact approximately 61,000 square feet of Essential Fish Habitat (EFH) for those species listed on the attached list and their life stages. Habitat at this site can be described as sand and silt. Loss of this habitat may adversely affect the species listed on the attached sheet. 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 Western Long Island Sound Disposal Site. This is an open water site, which provides Essential Fish Habitat for those species listed on the attached sheet. Habitat at this site can be described as sand and silt. Loss of this habitat may adversely affect the species listed on the attached sheet. 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 proposed expansion of existing structures will occur within the newly dredge basin area and EFH impacts are discussed above.

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.

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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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:

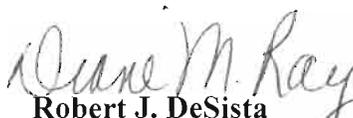
- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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.


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. 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

To perform the following work in conjunction with the expansion of an existing municipal docking facility:

1. Perform new dredging within an approximately 61,000 square foot area to -5' mean low water. A total of approximately 19,500 c.y. of material will be dredged mechanically and disposed of at the Western Long Island Sound Disposal Site.
2. Extend the existing "A" Dock by adding 6' wide x 200' long, pile supported floats and a 6' x 24' "T" float.
3. Extend the existing "B" Dock by adding 6' wide x 256' long, pile supported floats and a 6' x 24' "T" float. The existing "T" float will be removed.

The existing slip capacity of the marina is 250 and this proposal will increase the slip capacity to 350 slips.

The work is described on the attached plans entitled "Dock Modifications and New Dredging, Town of Darien, Fairfield County, Connecticut, Goodwives River" in four sheets, dated, "December 5, 2011" and "Western Long Island Sound Disposal Site" on one sheet, not dated.

Dredged Material Disposal Mitigation Discussion:

The alternatives considered in the dredged material disposal analysis fall into four general categories: beneficial use, upland disposal, confined disposal, and open-water disposal. The feasibility of disposal alternatives was analyzed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal.

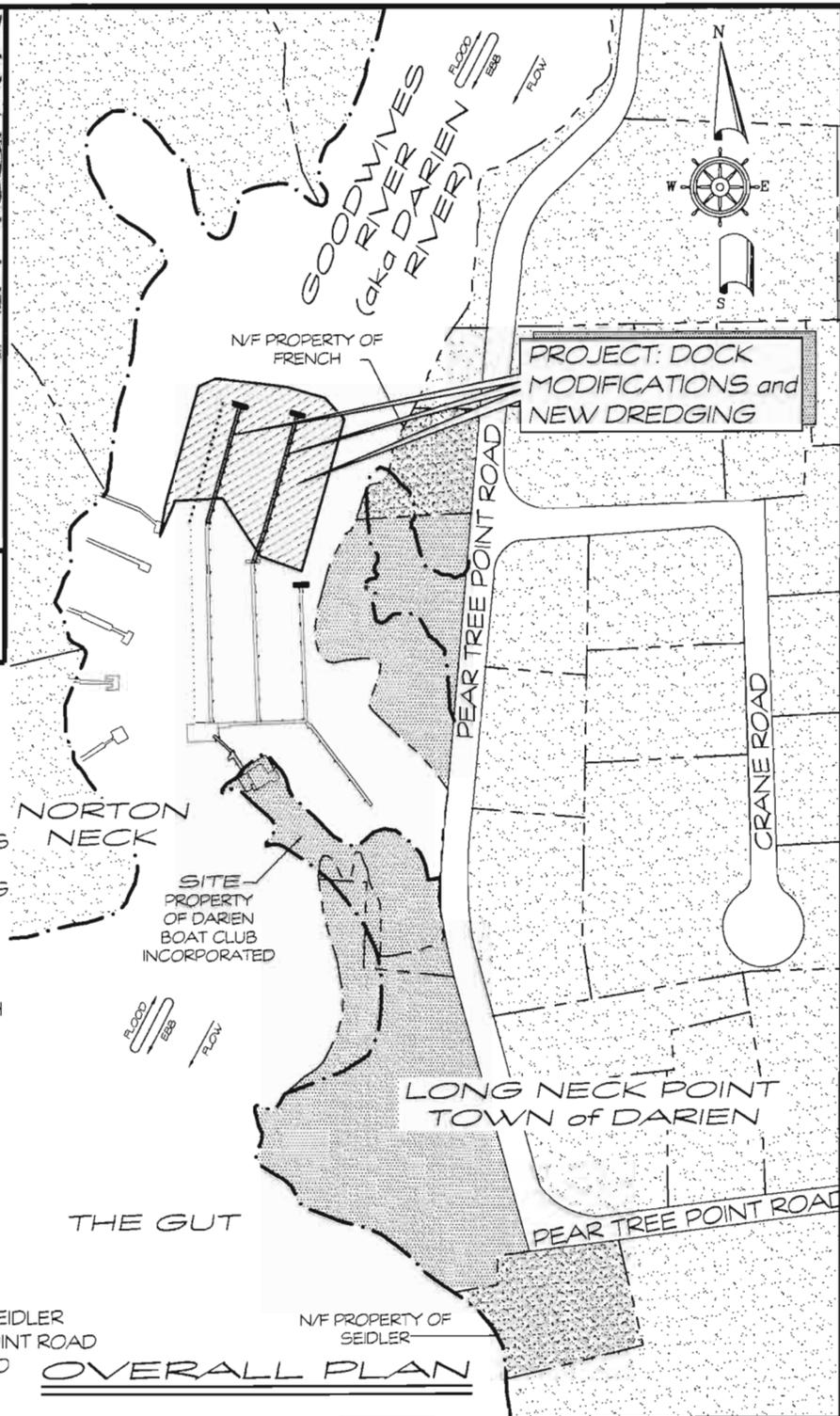
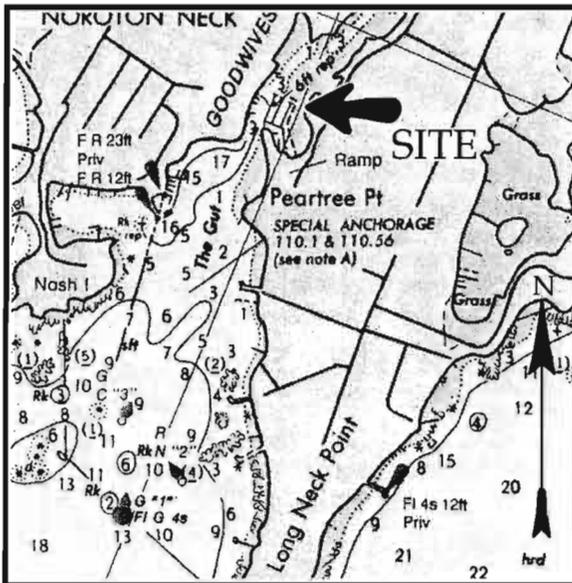
Based on the characteristics of the dredged material, the lack of suitable alternate disposal or beneficial use sites and costs, the most feasible, practical, cost-effective and environmentally acceptable alternative for the disposal of dredged materials from the proposed dredging is disposal at the requested disposal site.

The dredged material has undergone physical, chemical, and/or biological analysis. It is our preliminary determination that the material is acceptable for disposal at this disposal site.

Any permit issued for this project will include special conditions requiring scows to come to a complete stop when disposing of the material at the disposal site.

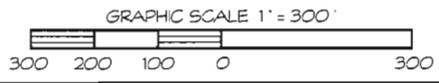
Western Long Island Sound Disposal Site

The Western Long Island Sound Disposal Site is used for disposal of bottom sediments dredged from various harbors along the eastern New York, western Connecticut, and northern Long Island coasts. Overall, the site receives approximately 125,000 cubic yards of suitable sediments annually (suitability determined through case-by-case analyses). The site has been monitored through the Corps' Disposal Area Monitoring System (DAMOS) program. DAMOS studies show that the site is a low energy environment such that sediment deposited at this location will remain within the site's boundaries. Levels of metals and organics in the sediments within the disposal site are generally low and not substantially greater than background levels, indicative of the relatively uncontaminated nature of the areas dredged that utilize the site. Areas outside the disposal site have not been found to be affected by sediment deposited within the site.



- NOTES:**
- ELEVATION DATUM IS MEAN LOW WATER (MLW).
 - TIDE DATA IS TAKEN FROM 2011 NOAA TIDE TABLES REFERENCE : LONG NECK POINT.
 - PROJECT DESCRIPTION:**
INSTALL 456±LF OF 6-FT WIDE FLOATING DOCKS WITH ASSOCIATED RESTRAINT PILES, TIE-OFF PILES AND UTILITIES ALSO INSTALL THREE 6-FT X 24-FT TEE FLOATS TO EXISTING AND MODIFIED FLOATING DOCK SYSTEMS. DREDGE TO -5-FT MEAN LOW WATER, 15,000±CY OF MARINE SILTS OVER 61,000±SF WITH 1-FT OVERDREDGE ALLOWANCE OF 3,500±CY BY MECHANICAL MEANS FOR OPEN WATER DISPOSAL, ALL WATERWARD OF THE HIGH TIDE LINE.
 - PROJECT PURPOSE:**
THIS IS A PRIVATE MUNICIPAL DOCK FACILITY FOR RECREATIONAL BOATING.
 - THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR ENVIRONMENTAL PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. A TOWN BUILDING PERMIT MAY BE REQUIRED.
 - ADJOINING PROPERTY OWNERS:**

NORTH:	SOUTH:
CORNELL FRENCH	JANET PRINDLE SEIDLER
112 PEAR TREE POINT ROAD	155 PEAR TREE POINT ROAD
DARIEN, CT 06820	DARIEN, CT 06820

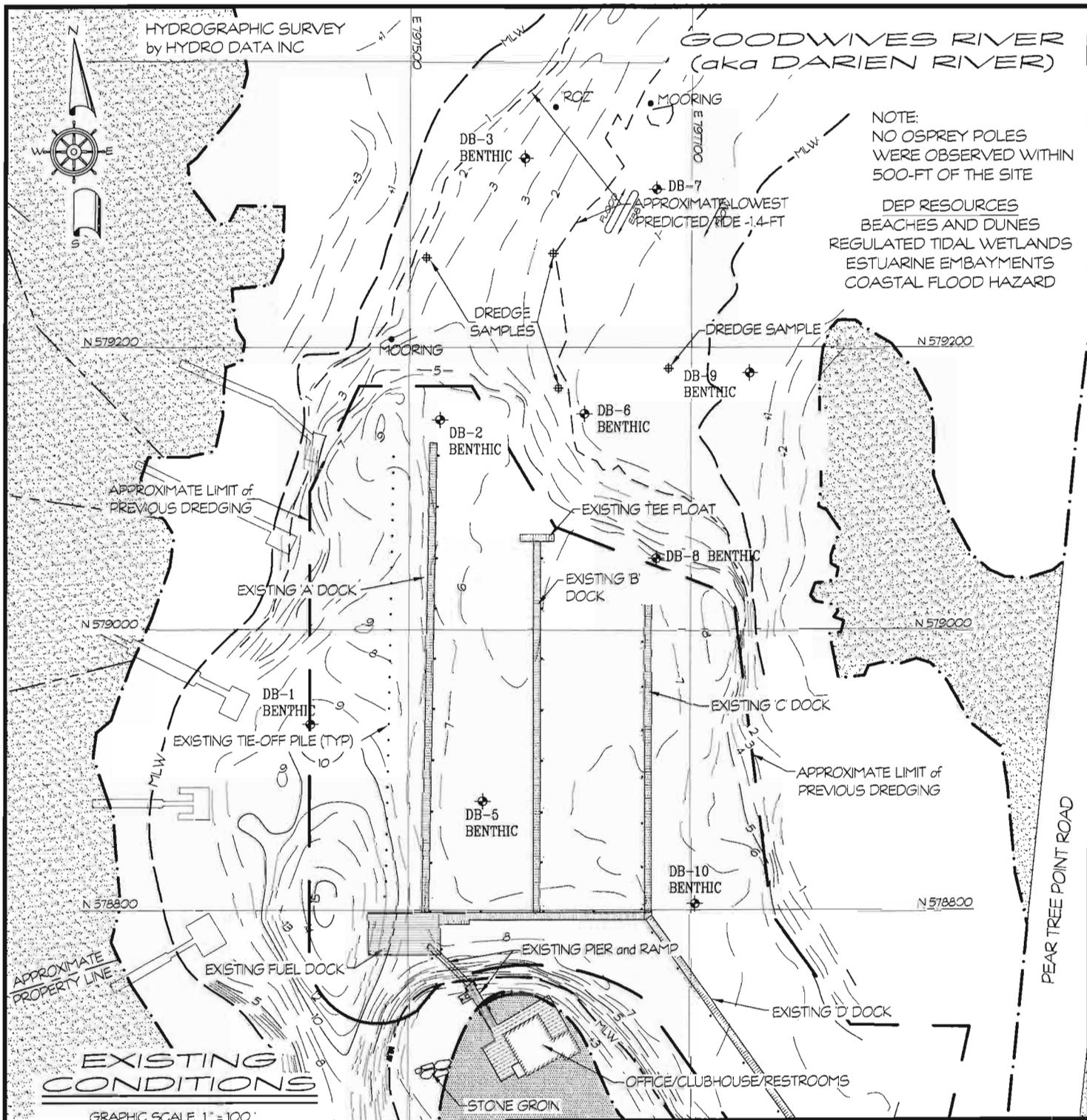


PROJECT: DOCK MODIFICATIONS and NEW DREDGING
LOCATION: TOWN OF DARIEN
 FAIRFIELD COUNTY, CONNECTICUT
WATERWAY: GOODWIVES RIVER
DATE: DECEMBER 5, 2011
APPLICANT: DARIEN BOAT CLUB

AGENT: SHEET 1 OF 4
DOCKO, INC.
 Keith B. Neilson, PE
 Mystic, CT 06355
 860 572 8939 FAX 860 572 7569
 EMAIL: docko@snet.net



DWG 10-03-2188



NOTE:
NO OSPREY POLES
WERE OBSERVED WITHIN
500-FT OF THE SITE

DEP RESOURCES
BEACHES AND DUNES
REGULATED TIDAL WETLANDS
ESTUARINE EMBAYMENTS
COASTAL FLOOD HAZARD

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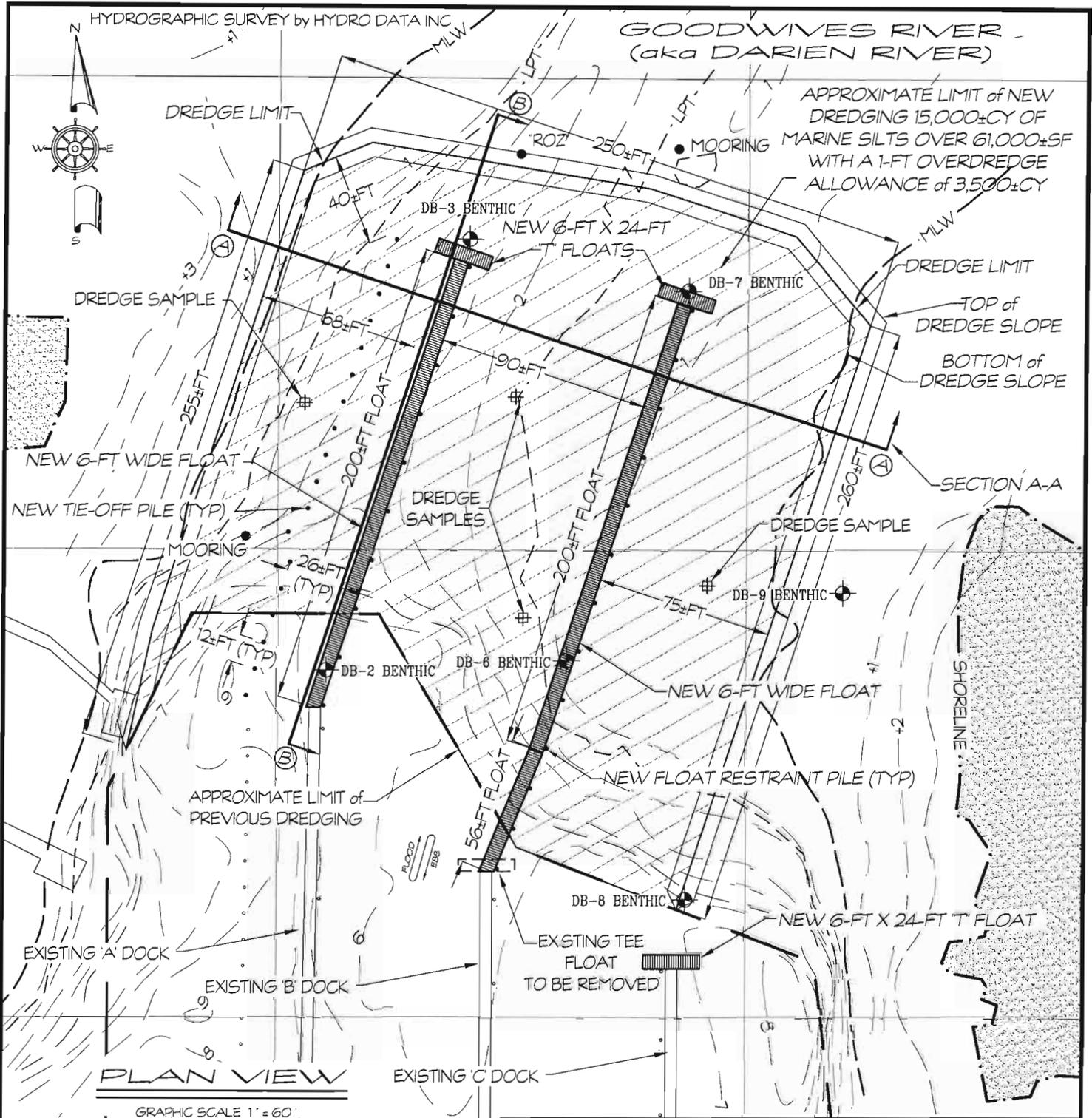
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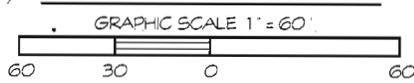
HYDROGRAPHIC SURVEY by HYDRO DATA INC

GOODWIVES RIVER (aka DARIEN RIVER)

APPROXIMATE LIMIT of NEW DREDGING 15,000±CY OF MARINE SILTS OVER 61,000±SF WITH A 1-FT OVERDREDGE ALLOWANCE of 3,500±CY



PLAN VIEW

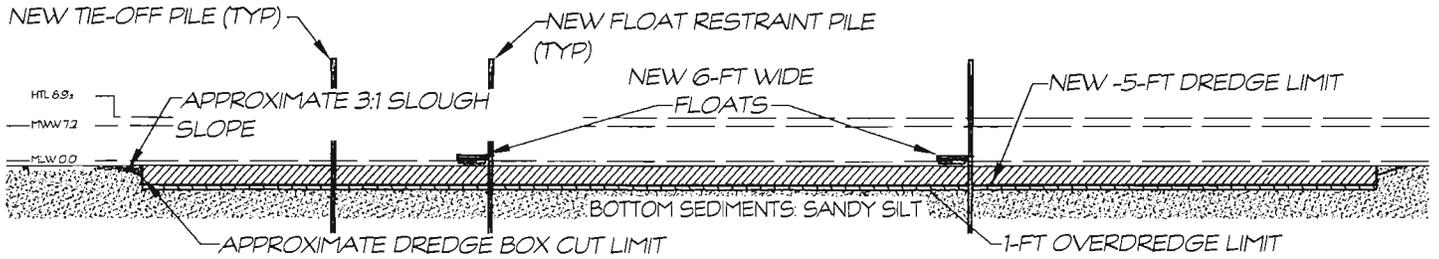


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AGENT: SHEET 3 OF 4
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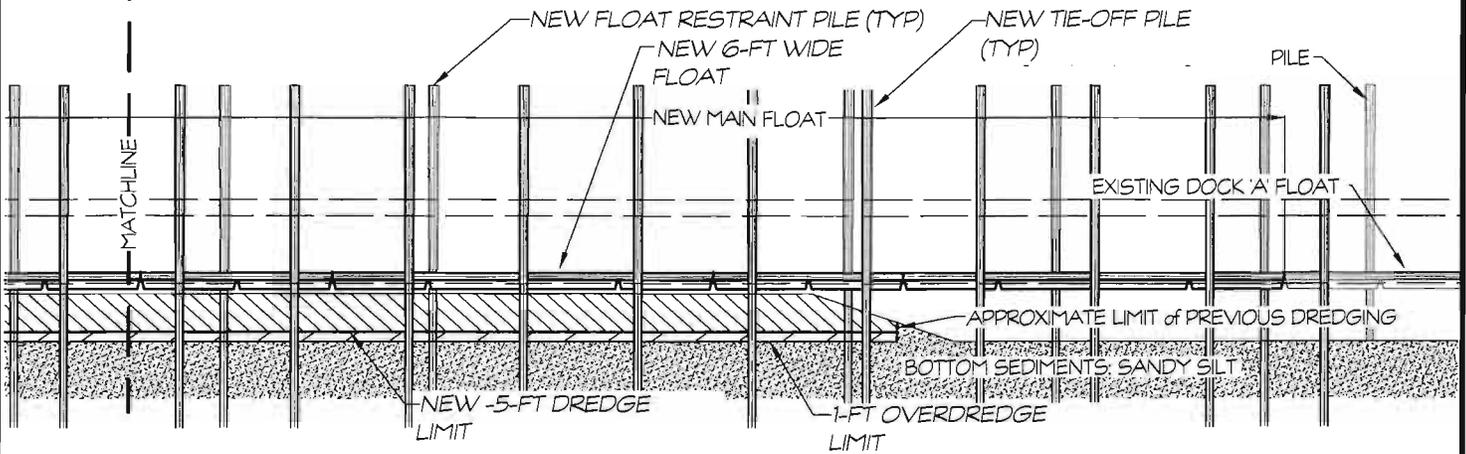
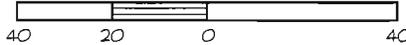


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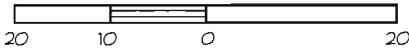
SECTION A-A

GRAPHIC SCALE 1" = 40'



SECTION B-B

GRAPHIC SCALE 1" = 20'



PROJECT: DOCK MODIFICATIONS and NEW DREDGING

LOCATION: TOWN OF DARIEN
FAIRFIELD COUNTY, CONNECTICUT

WATERWAY: GOODWIVES RIVER

DATE: DECEMBER 5, 2011

APPLICANT: DARIEN BOAT CLUB

AGENT: SHEET 4 OF 4

DOCKO, INC.

Keith B. Neilson, PE

Mystic, CT 06355

860 572 8939 FAX 860 572 7569

EMAIL: docko@snet.net



DWG 10-03-2188



Summary of Essential Fish Habitat (EFH) Designation

Boundary	North	East	South	West
Coordinate	41° 10.0' N	73° 20.0' W	41° 00.0' N	73° 30.0' W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within the square within Long Island Sound affecting south of the following: Noroton, CT., Darien, CT., South Norwalk, CT., West Norwalk, CT., Norwalk, CT., and Westport, CT., from Sherwood Point just east of Sherwood Milpond, west to Holly Pond south of Noroton Heights, CT.

Species	Eggs	Larvae	Juveniles	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
winter flounder (<i>Pseudopleuronectes americanus</i>)	X	X	X	X
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 sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
long finned squid (<i>Loligo pealeii</i>)	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>Centropristis striata</i>)			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>Carcharias taurus</i>)		X		