



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

PUBLIC NOTICE

Comment Period Begins: April 24, 2012
Comment Period Ends: May 24, 2012
File Number: NAE-2010-2285
In Reply Refer To: Barbara Newman
Phone: (978) 318-8515
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 The Old Pin Shop, LLC

ACTIVITY Removal of The Old Pin Shop dam; and the construction of a disposal site. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Pin Shop Pond, at the confluence of Wattles and Steele Brook off of Main Street in Oakville, CT. The proposed location on the USGS CT-Waterbury quadrangle sheet is at 41.5879 Lat And - 73.0871 Long.

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

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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.

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.

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 Barbara Newman at (978) 318-8515.

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.

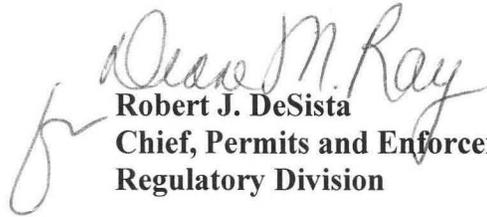
The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in 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, under the heading “Monthly General and Individual Permit Authorizations.” Relevant environmental documents and the SOFs or RODs are available upon written

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request and, where applicable, upon the payment of administrative fees. Also visit 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. 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 purpose of this proposal is to remove an unsafe dam. The applicant states that The Pin Shop dam is in poor condition, has an inadequate spillway and is no longer needed for its original purpose. The Connecticut Department of Energy and Environmental Protection (CT DEEP) has ordered the applicant to repair or remove the dam. There are 3.5 acres of impacts to waters of the United States as a result of the dam removal due to excavation, regrading and disposal of sediments; approximately 2.0 of the 3.5 acres are wetlands.

The dam caused the formation of an impoundment or pond behind it which has filled in with sediments over time. These sediments were carried downstream by two perennial watercourses; Wattles and Steele Brook. Past investigations of the sediments revealed elevated levels of metals and poly aromatic hydrocarbons from historical industrial discharges upstream, and non-point source storm water pollution from roads and parking lots. The pond is 3.5 acres in size with an average depth of water of about 1 foot. Wetlands on site are found on the pond fringe and on several islands and sediment deltas within the pond itself. The wetland assessment provided by the consultant, states that wetlands in this area are a complex of forested, scrub shrub, emergent marsh and open water communities; are densely vegetated with a high proportion of invasive plants; and provide limited wildlife habitat due to their proximity to the dam and the commercial and industrial surrounding properties.

The proposal involves the construction of a permanent berm channel (0.5 acres), which will be excavated from the sediment to divert the waters of Wattles Brook toward Steele Brook. Both brooks will be captured by a drop inlet and pipe and discharged through the existing concrete outlet structure, which will also be used as a sediment trap. Once the water levels are lowered and diverted, a new permanent channel (0.91 acres) will be created and lined with riprap for stabilization. The drop inlet will be removed and the pipe plugged and left in place. Rock weirs will be added to the brook, to naturalize the stream bed and create fish habitat. After construction of the permanent channel, the spillway, training walls and apron will be removed. The water will then be diverted to the permanent channel. Excavated sediment from the construction of the permanent channel will be placed on off-road trucks and taken to the on-site disposal area to be located in the south western section of the impoundment area. This area, once containing water as part of the pond, will be dry due to the new diversion. The disposal area when filled, will be covered with an impermeable membrane and compacted soil, then completed with topsoil and grass seed.

Several other alternatives were evaluated for repairs and modifications to the dam. These include the no action alternative; armoring of the embankment with concrete to withstand overtopping; and lowering and widening the spillway to increase its capacity. The no action alternative would leave a deteriorated dam in place with a risk of flooding; the applicant is under a CT DEEP order to repair the dam. The other two alternatives would address the project purpose and avoid impacts to wetlands. However, they were not selected because the proposed alternative is preferred by the Town and the CT DEEP, both of whom wish to have the area more closely resemble its original natural environment- a flowing river with fish passage. Watertown has also shown interest in purchasing this property to be used as part of a park system.

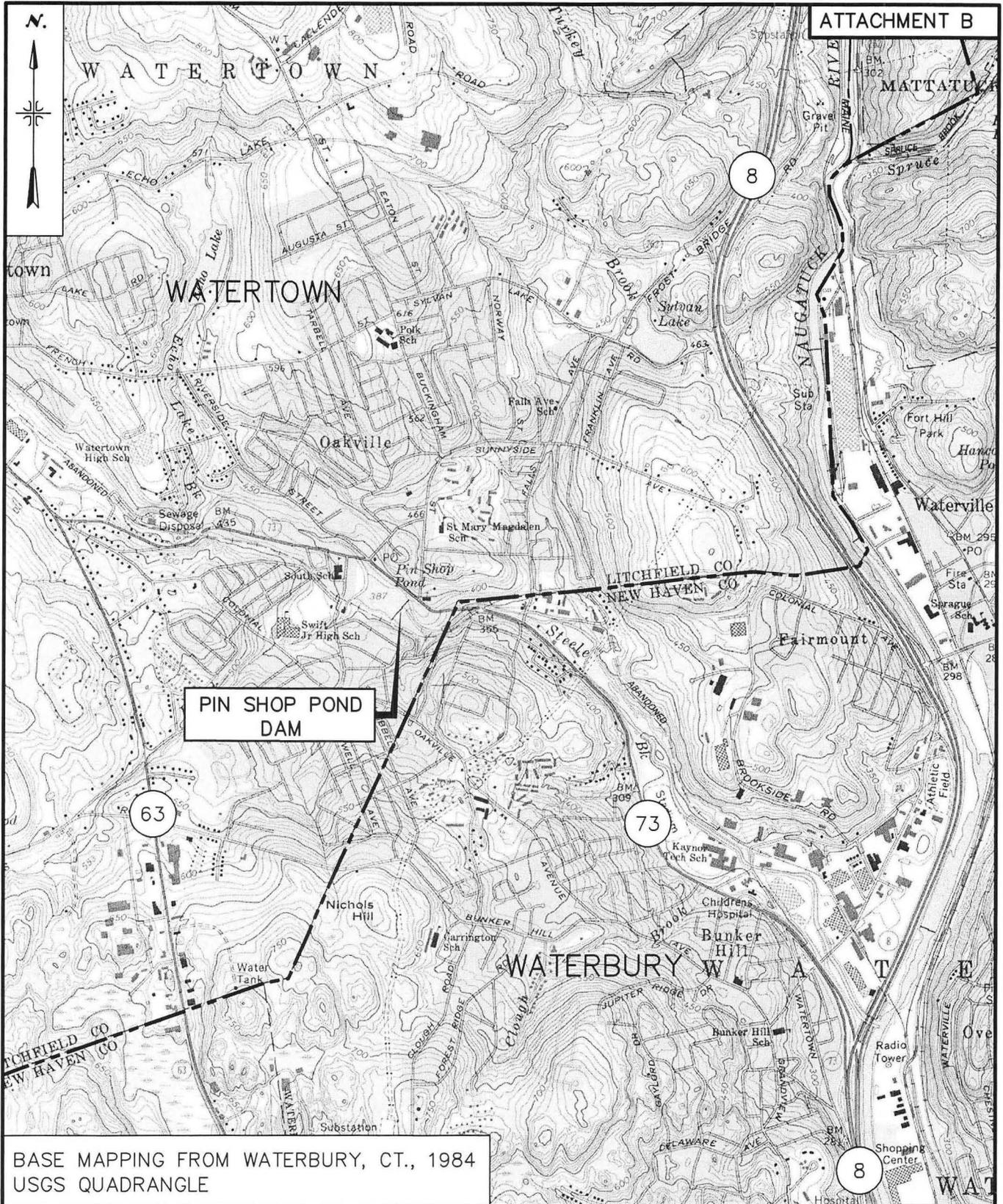
The project will be completed during a low flow period and will incorporate best construction practices including the placement of stone check dams downstream of the dam to control sediment discharges. These will be regularly cleaned during construction.

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The work is described on the enclosed plans entitled “The Old Pin Shop, LLC, Breaching Pin Shop Pond Dam, Watertown, Connecticut” on eight (8) sheets, and dated “August 2011” through “Revised 12/14/2011”.

Mitigation

This project is mitigative and restorative in nature and therefore will not require additional mitigation. According to the application, the 100-year flood level will be lowered by approx. 14 feet in the general vicinity of the Dam, and the project will result in the opening up of anadromous fish passage from and to the Naugatuck River. In addition, landscaping with wetland plants salvaged from the site before excavation, will be planted in the areas shown on the enclosed plans.



BASE MAPPING FROM WATERBURY, CT., 1984
 USGS QUADRANGLE

THE OLD PIN SHOP, LLC.
 BREACH PIN SHOP POND DAM
 WATERTOWN, CONNECTICUT

LOCATION PLAN

SCALE: 1" = 2000'



BORINGS BY THE LOUIS BERGER GROUP, INC. ADDED 1-18-08
 Base map from aerial mapping provided by the Town of Watertown
 Plans bottom and shoreline field surveyed by Road Haestad, Inc. March 2010
 * Elevations Shown refer to NGVD of 1929

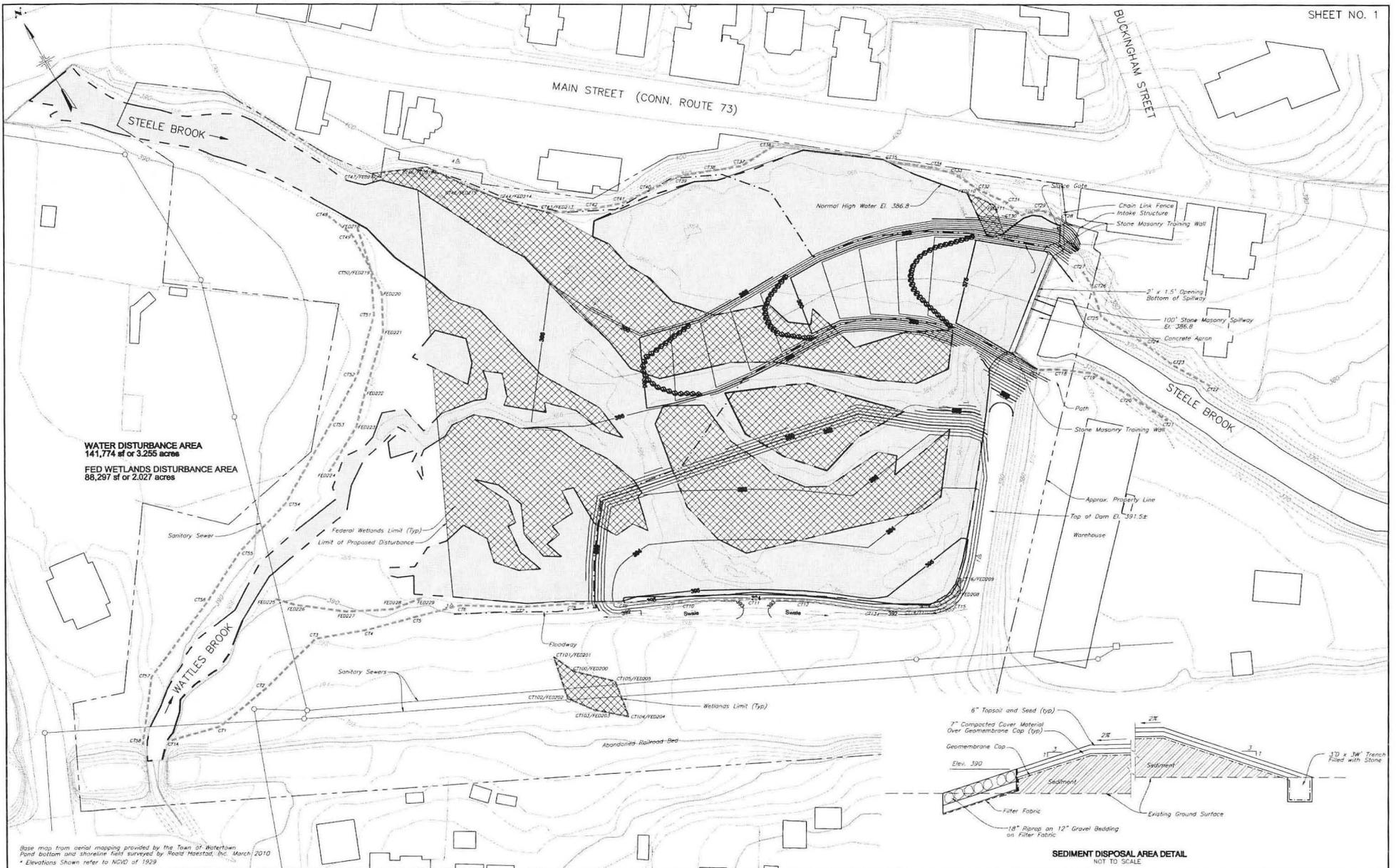
© 2011
 ROALD HAESTAD, INC.
 CONSULTING ENGINEERS
 WATERBURY, CONNECTICUT

THE OLD PIN SHOP, LLC.
 BREACHING PIN SHOP POND DAM
 WATERTOWN, CONNECTICUT

SITE PLAN - EXISTING CONDITIONS
 WITH 100-YEAR FLOOD LIMITS (ITEM 4)

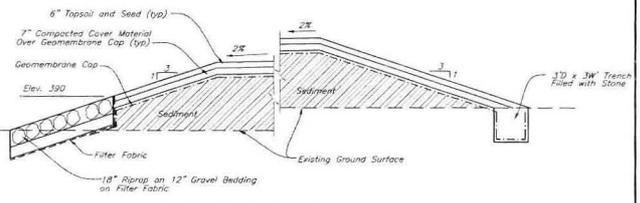
SCALE: 1" = 40'

DATE: AUGUST 2011
 SHEET NO. OF
 DWG. NO. 165-009



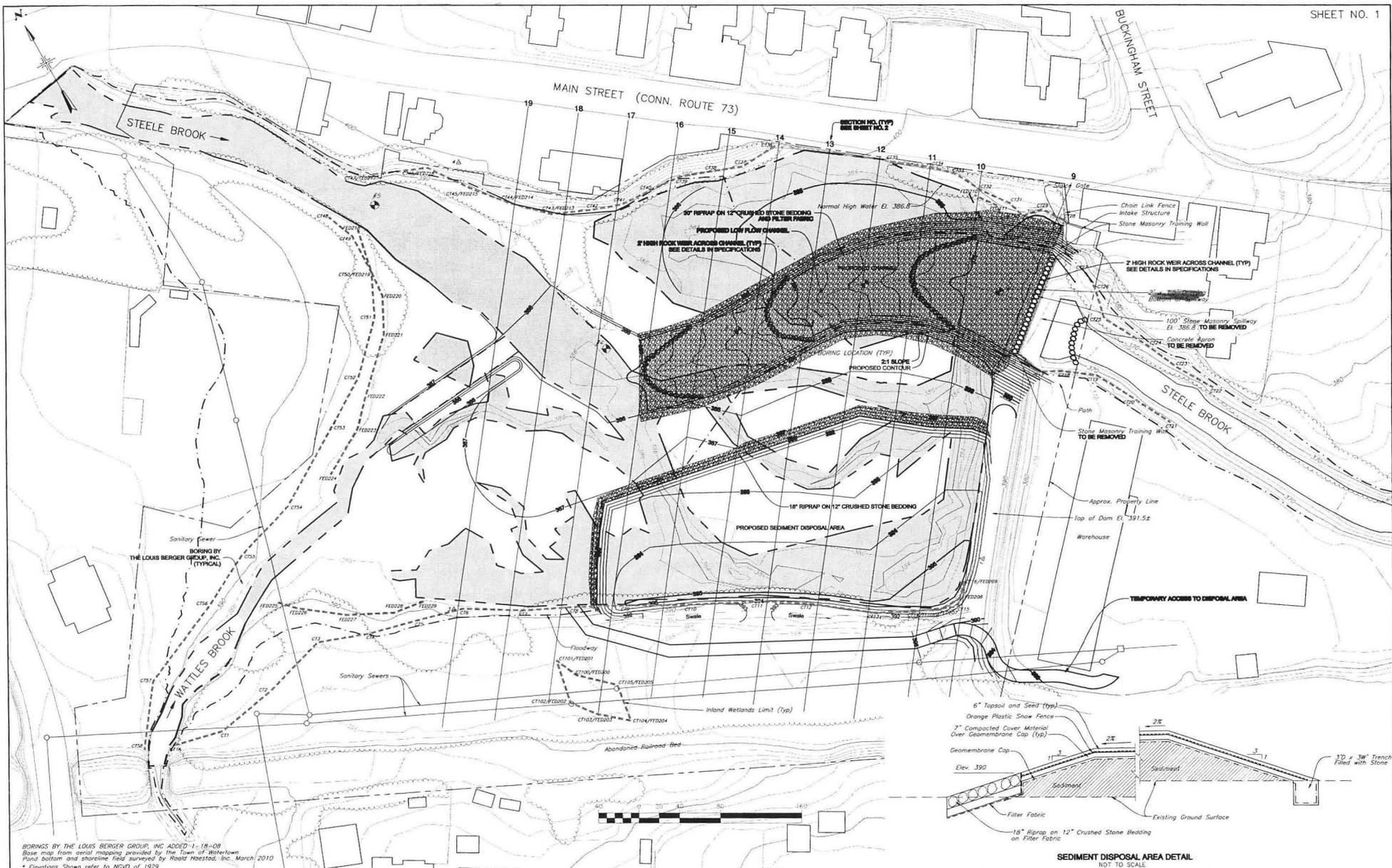
WATER DISTURBANCE AREA
141,774 sf or 3.255 acres

FED WETLANDS DISTURBANCE AREA
88,297 sf or 2.027 acres



Base map from aerial mapping provided by the Town of Watertown
Plan bottom and shoreline field surveyed by Roald Haestad, Inc. March 2010
• Elevations Shown refer to NAVD of 1929

<p>© 2009 ROALD HAESTAD, INC. CONSULTING ENGINEERS WATERBURY, CONNECTICUT</p>	<p>THE OLD PIN SHOP, LLC. BREACHING PIN SHOP POND DAM WATERTOWN, CONNECTICUT</p>	<p>PERMIT DRAWING WETLAND DISTURBANCE AREAS SCALE: 1" = 40' EXCEPT AS OTHERWISE NOTED</p>	<p>DATE: JANUARY 2011 SHEET NO. 1 OF 1 DWG. NO. 165-008</p>
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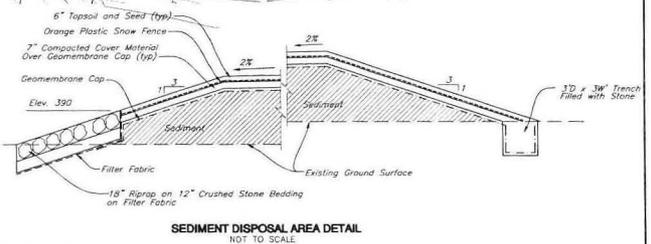


BORINGS BY THE LOUIS BERGER GROUP, INC. ADDED 1-18-08
 Base map from aerial imagery provided by the Town of Waterbury
 Pond bottom and shoreline field surveyed by Roald Haestad, Inc. March 2010
 * Elevations Shown refer to NGVD of 1929

ROALD HAESTAD, INC.
 CONSULTING ENGINEERS
 WATERBURY, CONNECTICUT

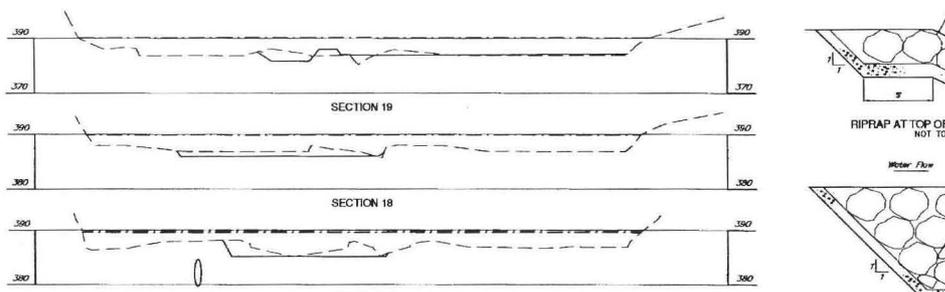
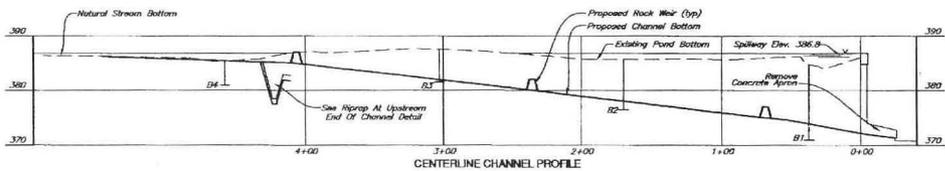
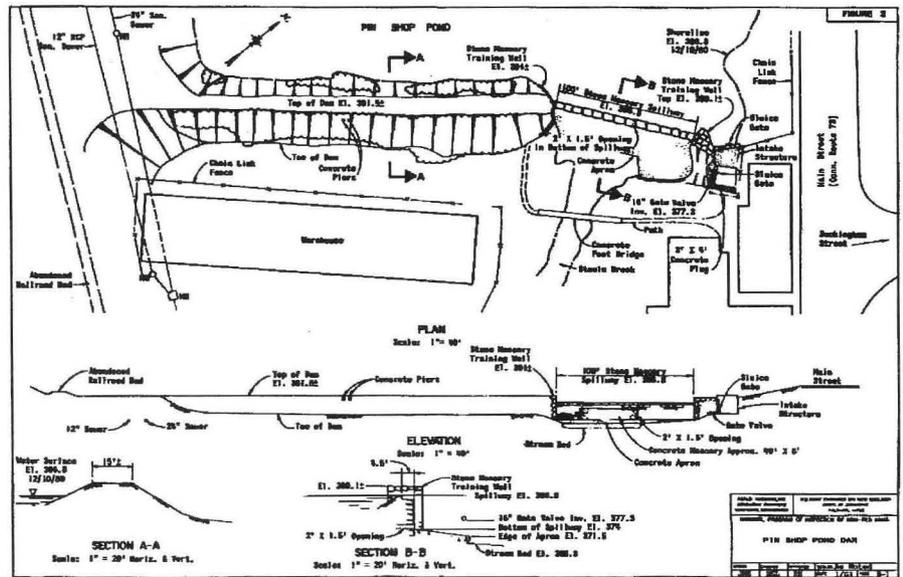
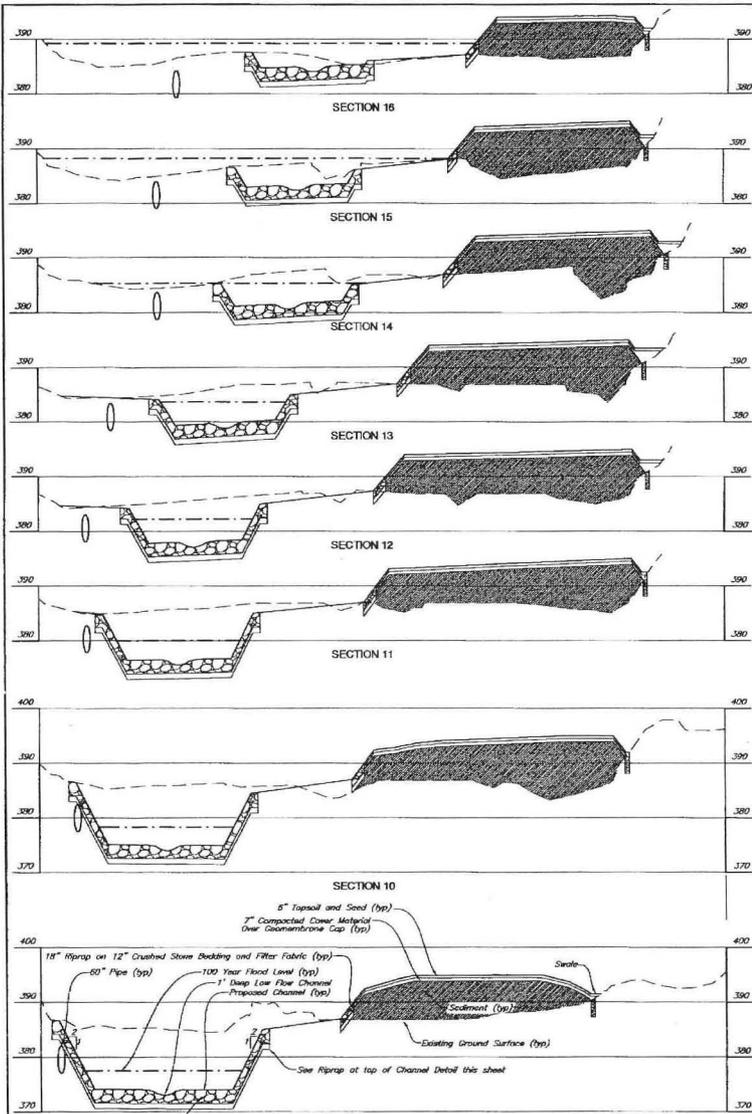
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 REVISED Δ Per DEEP Comments 12/14/2011

THE OLD PIN SHOP, LLC.
 BREACHING PIN SHOP POND DAM
 WATERTOWN, CONNECTICUT



SITE PLAN AND DETAIL
 SCALE: 1" = 40' EXCEPT AS OTHERWISE NOTED

DATE: AUGUST 2011
 SHEET NO. 1 OF 5
 DWG. NO. 165-008-01.1



ROALD HAESTAD, INC.
CONSULTING ENGINEERS
WATERBURY, CONNECTICUT



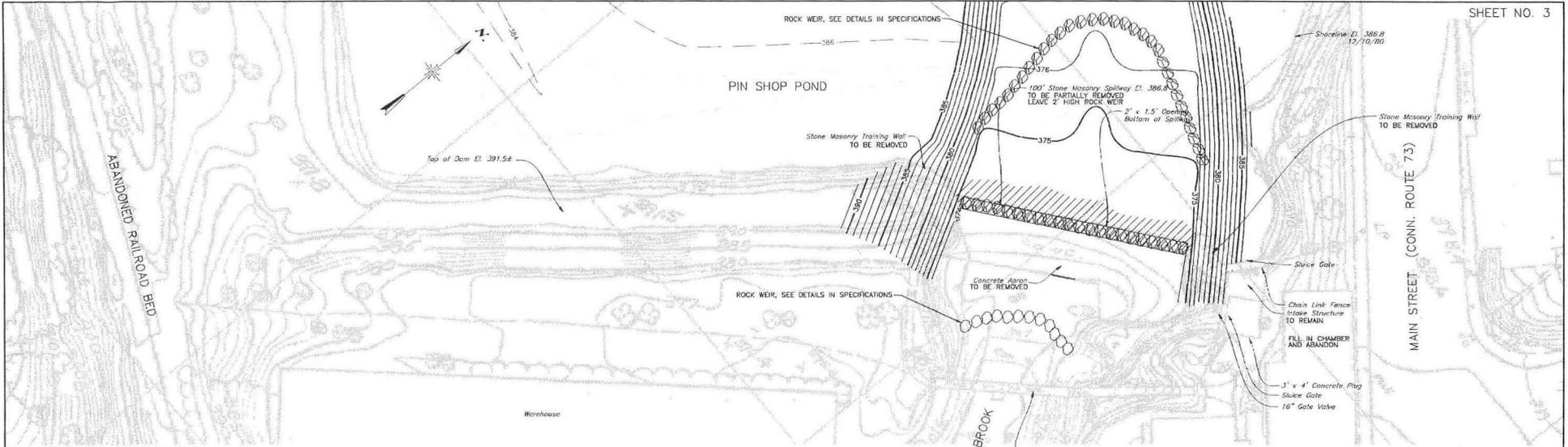
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REVISED

THE OLD PIN SHOP, LLC.
BREACHING PIN SHOP POND DAM
WATERTOWN, CONNECTICUT

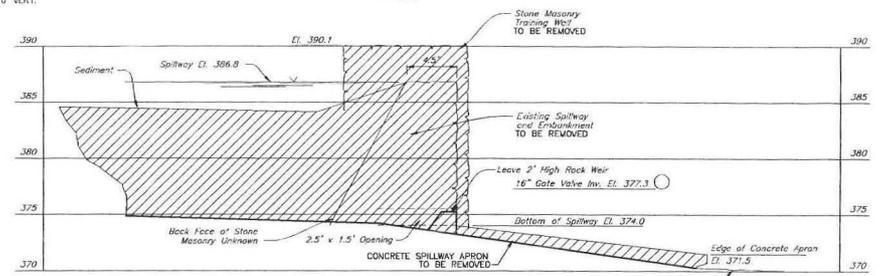
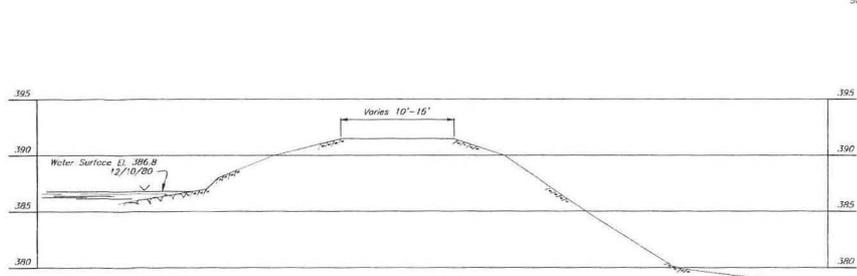
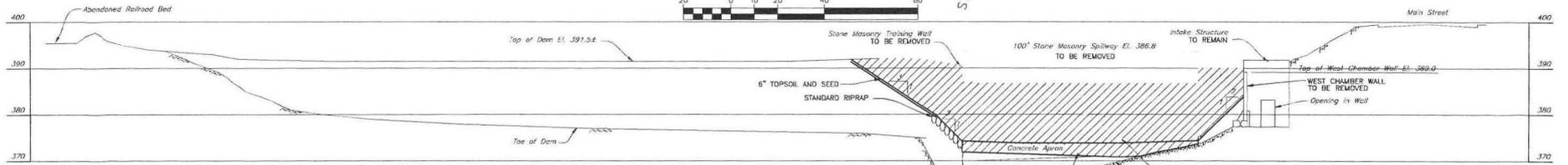
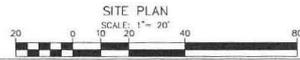
PLAN, PROFILE AND SECTIONS

SCALE: 1" = 40' HORIZ., 1" = 10' VERT. EXCEPT AS OTHERWISE NOTED

DATE: AUGUST 2011
SHEET NO. 2 OF 5
DWG. NO. 165-008-02.0



Base map from aerial mapping by Quinn and Assoc.



* Elevations Shown refer to NAVD of 1929

ROALD HAESTAD, INC.
CONSULTING ENGINEERS
WATERBURY, CONNECTICUT

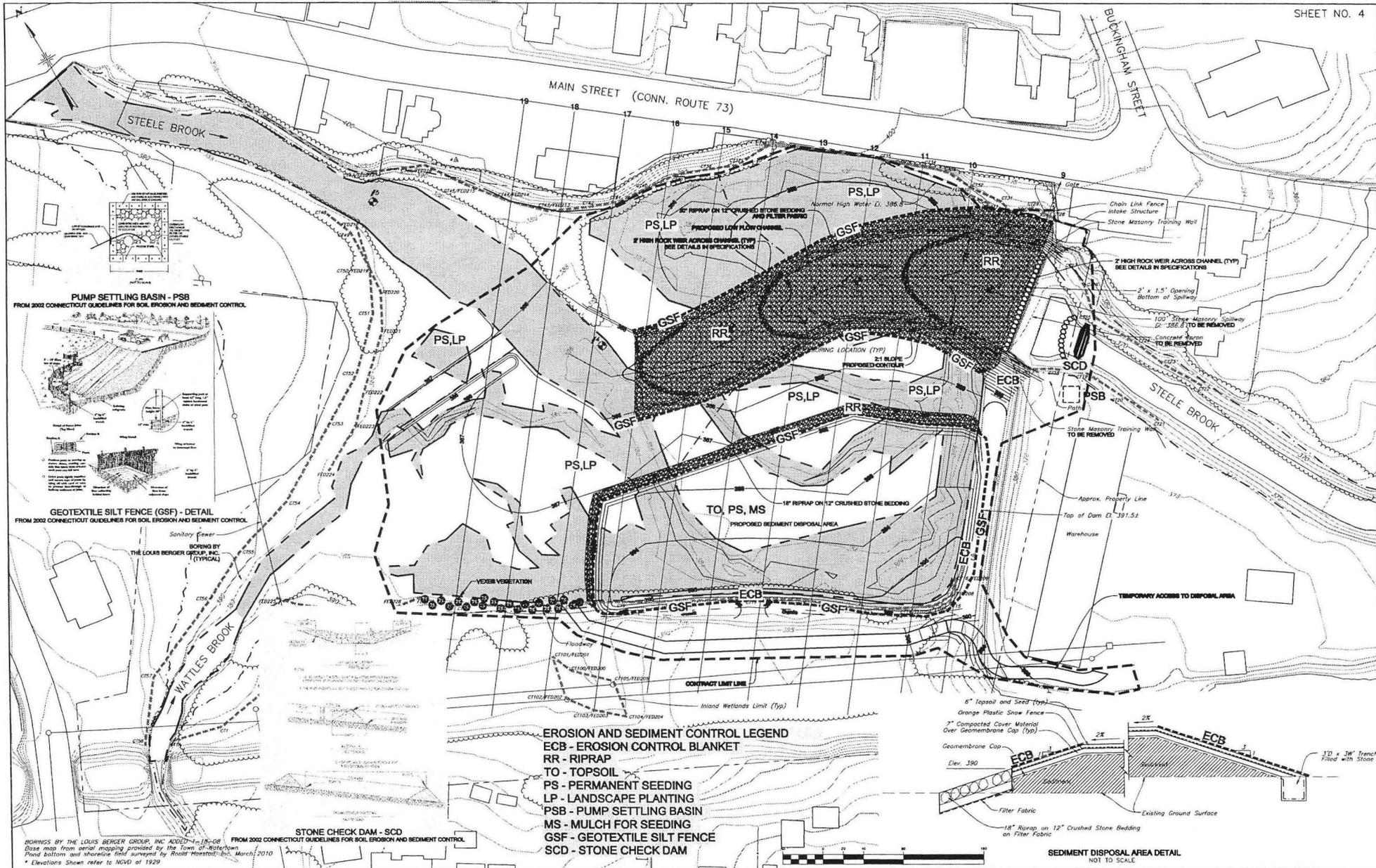


DESIGNED *DH* DRAWN *CH* CHECKED *DLS*
REVISED Δ Per DEEP Comments 12/14/2011

THE OLD PIN SHOP, LLC.
BREACHING PIN SHOP POND DAM
WATERTOWN, CONNECTICUT

DAM BREACH
PLAN, ELEVATION AND SECTIONS
SCALE: AS NOTED

DATE: AUGUST 2011
SHEET NO. 3 OF 5
DWG. NO. 165-008-03.1



ROALD HAESTAD, INC.
CONSULTING ENGINEERS
WATERBURY, CONNECTICUT

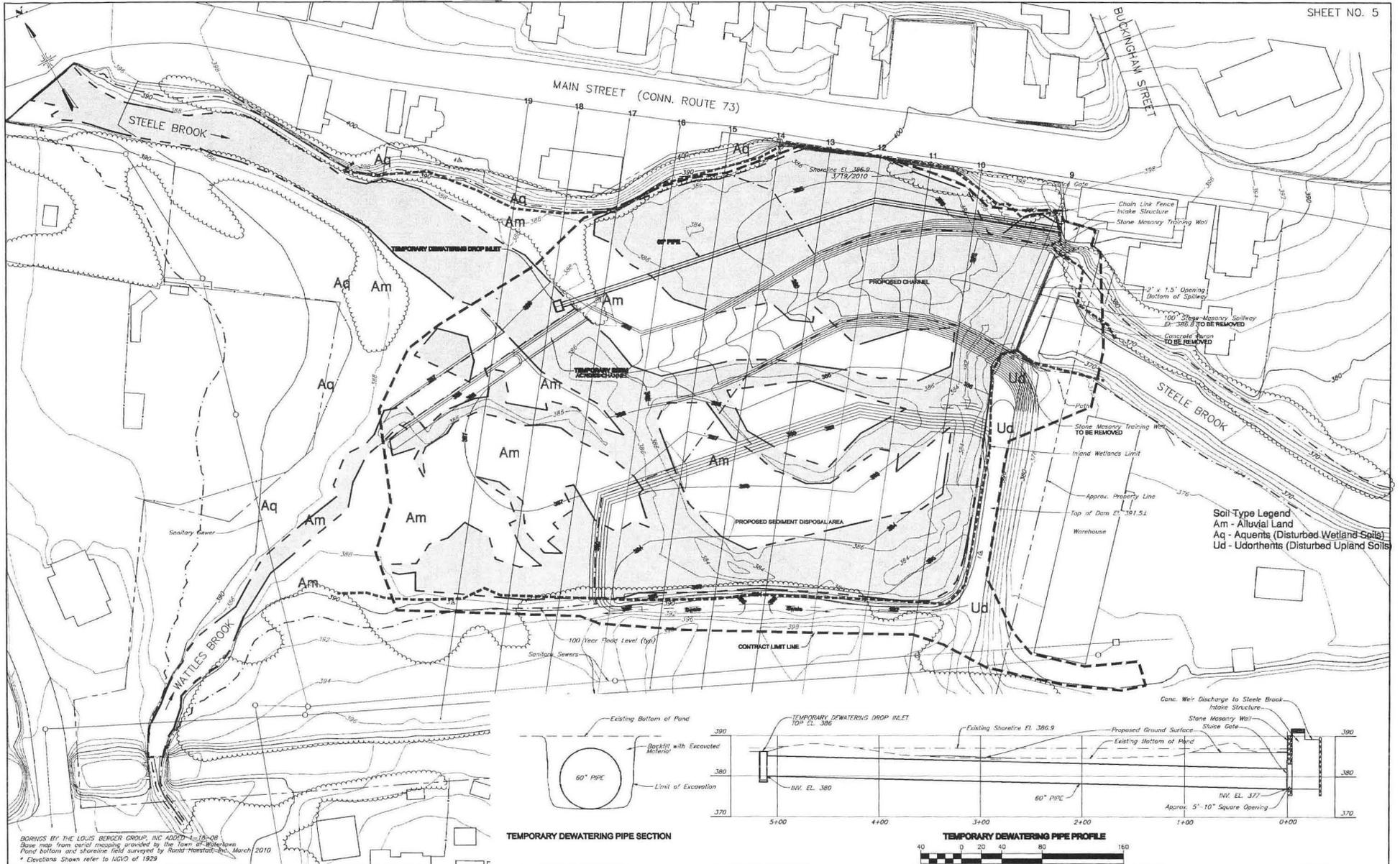


DESIGNED BY DRAWN BY CHECKED BY
REVISED Per DEEP Comments 12/14/2011
Per DEEP Comments 2/9/2012

THE OLD PIN SHOP, LLC.
BREACHING PIN SHOP POND DAM
WATERTOWN, CONNECTICUT

EROSION AND SEDIMENT CONTROL PLAN AND DETAILS
SCALE: 1" = 40' EXCEPT AS OTHERWISE NOTED

DATE: AUGUST 2011
SHEET NO. 4 OF 5
DWG. NO. 165-008-04.2



Soil-Type Legend
 Am - Alluvial Land
 Aq - Aquents (Disturbed Wetland Soils)
 Ud - Udutherents (Disturbed Upland Soils)

BOARDS BY THE LOUIS BERGER GROUP, INC. ADDED 1-18-09
 Base map from aerial imagery provided by the Town of Bolton
 Point bottom and shoreline field surveyed by Road Horstas, Inc. March 2010
 * Elevations shown refer to NGVD of 1929

ROALD HAESTAD, INC.
 CONSULTING ENGINEERS
 WATERBURY, CONNECTICUT



DESIGNED D43 DRAWN CAP CHECKED BLS
 REVISED

THE OLD PIN SHOP, LLC.
 BREACHING PIN SHOP POND DAM
 WATERTOWN, CONNECTICUT

CONTROL OF WATER

SCALES: 1" = 40' HORIZ., 1" = 10' VERT.

DATE: AUGUST 2011
 SHEET NO. 5 OF 5
 DWG. NO.165-008-05.0