



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

PUBLIC NOTICE

Comment Period Begins: March 29, 2011
Comment Period Ends: April 29, 2011
File Number: NAE-2010-2555
In Reply Refer To: Michael Riccio
Phone: (978) 318-8685
E-mail: Michael.S.Riccio@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: Gault-Hamilton Development

ACTIVITY:

The project involves the construction and maintenance of a 20 slip marina on the western shore of the Saugatuck River at 553 Riverside Drive in Westport, Connecticut (Refer to page 4 for detailed description). The proposed work is shown on the attached plans entitled "Prepared For: Gault-Hamilton, Project Location: Riverside Avenue Westport, CT." on five sheets and extends approximately 60' beyond the mean high water line.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Saugatuck River at 553 Riverside Drive in Westport, Connecticut. The proposed location on the USGS Sherwood Point quadrangle sheet is at UTM coordinates 41.1214 N and 73.3696 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.

CENAE-R
FILE NO. NAE-2010-2555

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 approximately 3 acres of Essential Fish Habitat (EFH) for the species listed on the "Summary of Essential Fish Habitat (EFH) Designation" (below). Loss of this habitat may adversely affect said 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.

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.
- () Permit from Local Wetland Agency or Conservation Commission.
- () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

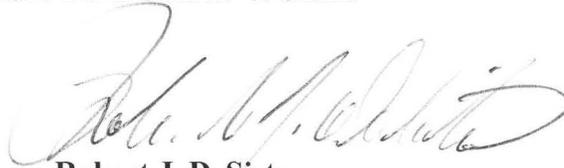
CENAE-R
FILE NO. NAE-2010-2555

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 Michael Riccio at (978) 318-8685, (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: _____

CENAE-R

FILE NO. NAE-2010-2555

PROPOSED WORK AND PURPOSE –

The project involves the construction of a 20 slip marina on the western shore of the Saugatuck River at 553 Riverside Avenue in Westport Connecticut. The project will include one (1) 6' x 250' float, one (1) 5' x 16' pier, one (1) 8' x 29' pier, one (1) 4' x 30' ramp, one (1) 3' x 30 ramp, one (1) 8' x 8' float, one (1) 10' x 30' float, one (1) 8' x 20' float, one (1) 6' x 40' float, one (1) 4' x 24' float, two (2) 3' x 20' floats, and eight (8) 3' x 24' floats. The project will occupy approximately 3 acres of the Saugatuck River and will extend approximately 60' beyond the mean high water line.

The purpose of the project is to create a marina with 17 seasonal slips and 3 transient slips, and support a separate but adjacent building, currently being constructed. The building under construction will include a kayak store on the first floor and residential condominiums on the second floor.

MITIGATION – The project is not expected to have significant impacts, such that compensatory mitigation will be necessary.

10' x 10' Square Coordinates:

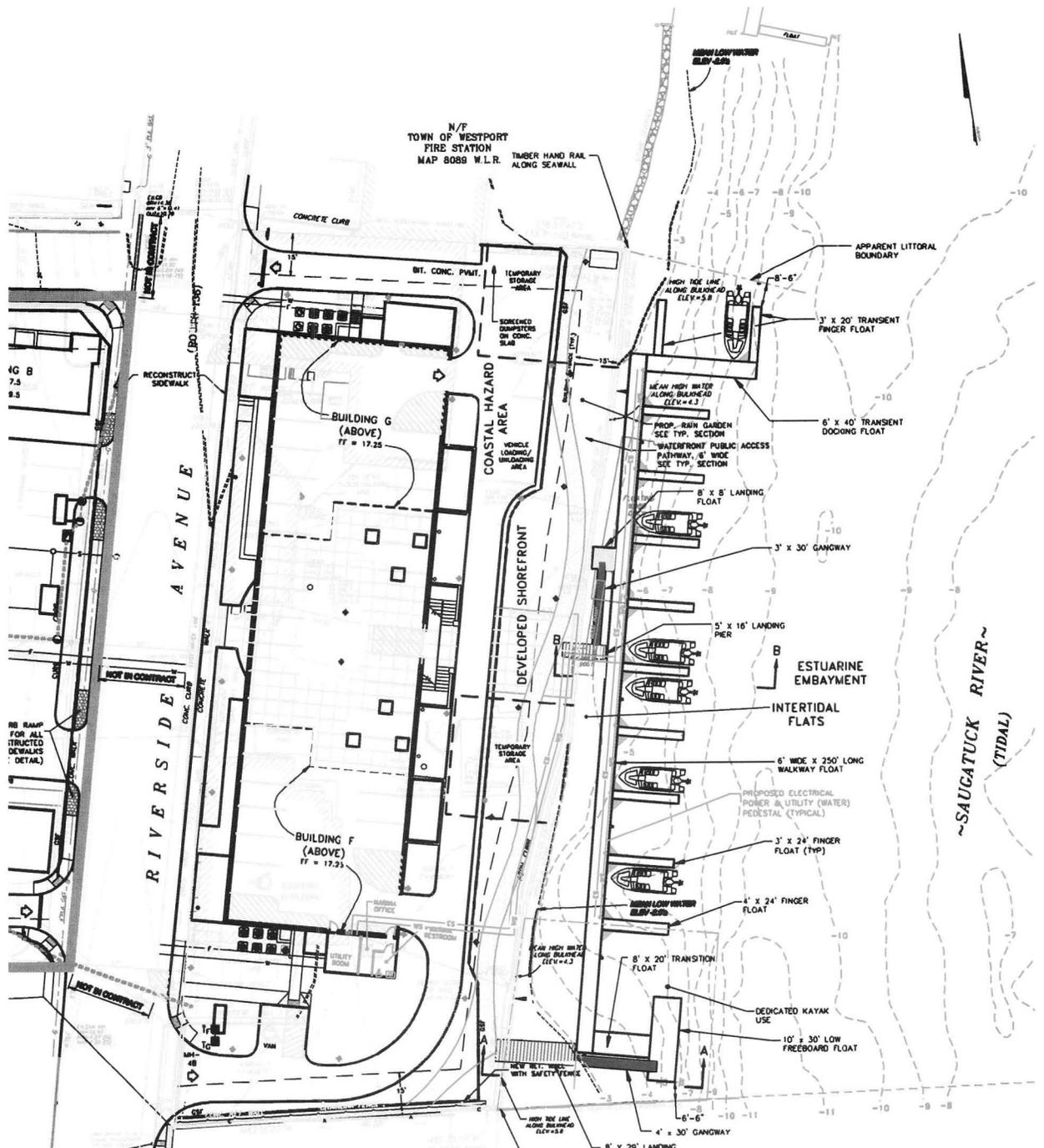
Boundary	North	East	South	West
Coordinate	41° 10.0 N	73° 20.0 W	41° 00.0 N	73° 30.0 W

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. These waters also affect: the Goodwives River, the Five Mile River, the Saugatuck River, and the Norwalk River. Also, south of Darien, CT., there is a discontinued dumping ground towards the southern boundary of the square. The waters within this square also affect the following islands (Norwalk Islands) and features as well: Cockenoe I., Sprite I., Cockenoe Harbor, Goose I., Chimon I., Manresa I., Shea I., Copps I., Sheffield I., Tavern I., Cable and Anchor Reef, Budd Reef, Greens Ledge, Great Reef, Smith Reef, Holly Pond, and Scott Cove.

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>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scopthalmus 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	
long finned squid (<i>Loligo pealei</i>)	X	X		

CENAE-R
FILE NO. NAE-2010-2555

Atlantic mackerel (<i>Scomber scombrus</i>)	X	X		X
summer flounder (<i>Paralichthys dentatus</i>)				
scup (<i>Stenotomus chrysops</i>)	X	X	X	
black sea bass (<i>Centropristus striata</i>)	n/a		X	
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	
cobia (<i>Rachycentron canadum</i>)	X	X	X	
sand tiger shark (<i>Odontaspis taurus</i>)		X	X	



N/F STATE OF CONNECTICUT INTERSTATE 95

NOTE:

NOTE: THIS SITE PLAN WAS COMPILED USING MAP "PERIMETER SURVEY DEPICTING 575 RIVERSIDE AVENUE WESTPORT, CT. PREPARED FOR HAMILTON DEVELOPMENT, LLC." DATED 1-20-2011.

REVISED 3-04-2011; RESUBMITTED TO APPROPRIATE PERMITS BUREAU REVISED WITH STATE PLANE COORDINATES (SHP 27)
 REVISED 1-24-2011; REVISED 6'12" SHIP FOR PORTABLE WASTE WATER PUMP

Land-Tech Consultants, Inc.
 ENVIRONMENTAL SCIENTISTS AND ENGINEERS

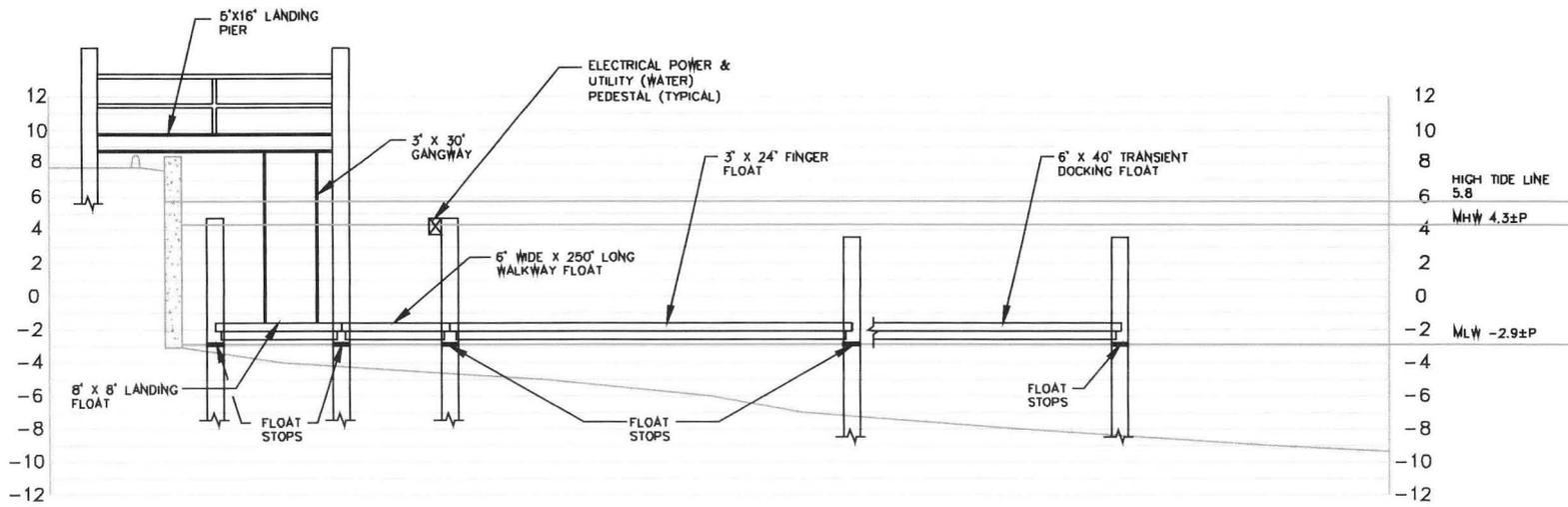
205 PLAYHOUSE CORNER
 SOUTHERRY, CT 06488
 PHONE: (203) 264-8300
 FAX: (203) 264-9995
 38 FRANKLIN STREET
 WESTPORT, CT 06480
 PHONE: (203) 454-2800
 FAX: (203) 454-4971

PREPARED FOR:
GAULT HAMILTON

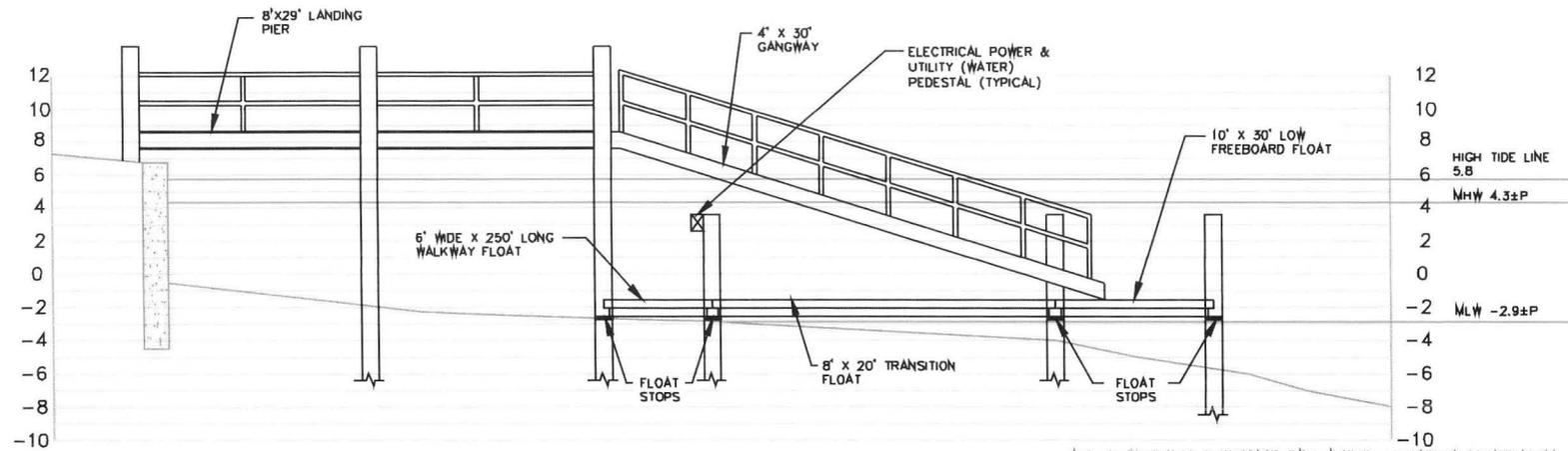
PROJECT LOCATION:
**RIVERSIDE AVENUE
 WESTPORT, CT.**

TITLE:
**PROPOSED DOCKS AT THE
 SAUGATUCK CENTER**

DATE: 10-28-10 DESK BY: JMS PROJECT NO.: 08-0121-01
 SCALE: 1"=50' CDD BY: TBR SHEET 2 OF 4

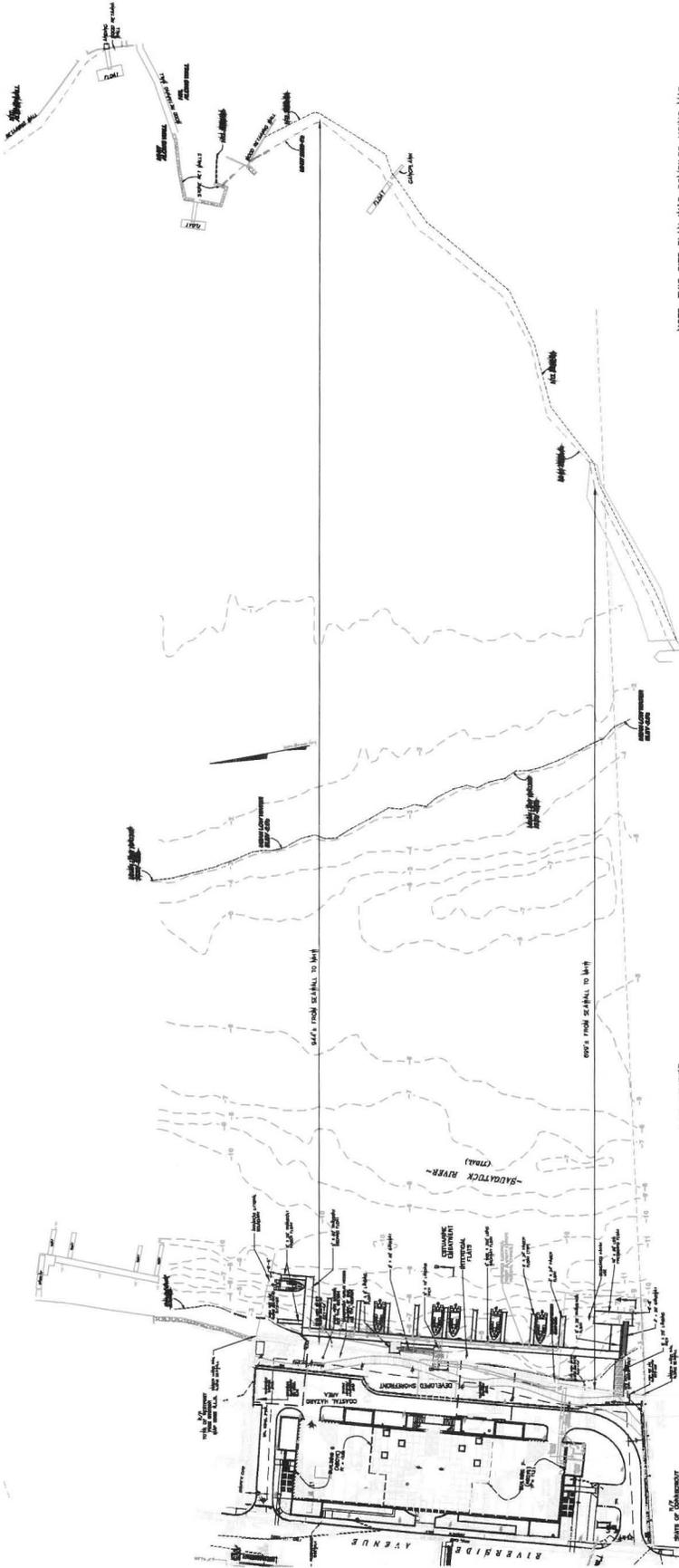


SECTION B-B



SECTION A-A

<p>Land-Tech Consultants, Inc.</p>	<p>GAULT HAMILTON</p>	<p>RYERBIDE AVENUE WESTPORT, CT.</p>
	<p>DECK SECTION</p>	
<p>DATE: 11/11/11</p>	<p>SCALE: 1/4" = 1'-0"</p>	<p>PROJECT: [REDACTED]</p>



NOTE: THIS SITE PLAN WAS COMPILED USING MAP
 PERMETER SURVEY REPORTING 575 RIVERSIDE AVENUE
 WESTPORT, VT. FOR HAMILTON DEVELOPMENT,
 LLC. DATED 1-20-2011.

THIS PLAN IS THE PROPERTY OF LAND-TECH CONSULTANTS, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

Land-Tech Consultants, Inc.
 100 RIVERSIDE AVENUE
 WESTPORT, VT 05659
 TEL: 802-885-1111
 FAX: 802-885-1112
 WWW.LANDTECHCONSULTANTS.COM

PROJECT: RIVERSIDE AVENUE
LOCATION: WESTPORT, VT.
TITLE: RIVERSIDE AVENUE
DATE: 1-20-2011
SCALE: 1" = 100'

