



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

# PUBLIC NOTICE

**Comment Period Begins: January 25, 2011**  
**Comment Period Ends: February 25, 2011**  
**File Number: NAE-1998-00038**  
**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 City of New Haven**

**ACTIVITY** This is a modification of an existing permit to increase the length of the transient dock. A detailed description and plans of the activity are attached.

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

This work is proposed in the upper reach of New Haven Harbor off of Long Wharf Drive in New Haven, CT. The proposed location on the USGS CT New Haven quadrangle sheet is at 41.2917 latitude and -72.9378 longitude.

## **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

**CENAE-R**

**FILE NO. NAE-1998-00038**

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 0.28 acres of Essential Fish Habitat (EFH) for the sixteen species and life stages listed on the attached sheet. This habitat consists of open water with an organic clayey silt bottom. Loss of this habitat may adversely affect those species. However, the District Engineer has made a preliminary determination that the site-specific adverse effects 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 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 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.

**CENAE-R**  
**FILE NO. NAE-1998-00038**

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.**

**Diane M. Ray**  
**Acting 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 project includes work in navigable waters for the modification of an authorized permit issued to the City of New Haven for the Canal Dock project. The purpose of the modification is to change the length of the transient boating dock to accommodate a change in the bathymetry noted in a recent survey (2009). The survey revealed that the harbor floor elevations had changed, making it difficult for boats to use the dock at low tides. In addition to the above modification, the previously approved separate community sailing dock and kayak launch will be combined into a single location at the landward end of the dock. Due to this combination into one building, the separately approved kayak launch will be eliminated.

The new proposed design consists of a 6' x 87' gangway leading to a 70' x 50' sailing/kayak launch area leading to a 490' x 10' floating dock, with thirteen (13) finger docks extending south from the main dock and measuring 5' x 30' each. The dock will intersect with an 80' x 10' end dock. This modification will extend approx. 400 feet beyond the originally authorized dock; a total of 979' beyond mean high water.

The proposed dock will total approximately 12,120 square feet and will be secured with concrete-filled steel piles. It will provide dock space for 47 boats, up to 30 feet long each. Construction is expected to take from four to six months and will be done using a barge with a crane and pile driver. The pier will be 338 feet from the federal channel and will run alongside the federal anchorage.

The work is described on the enclosed plans entitled "Transient Boating Dock," on twelve (12) sheets, and dated "11/19/10".

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

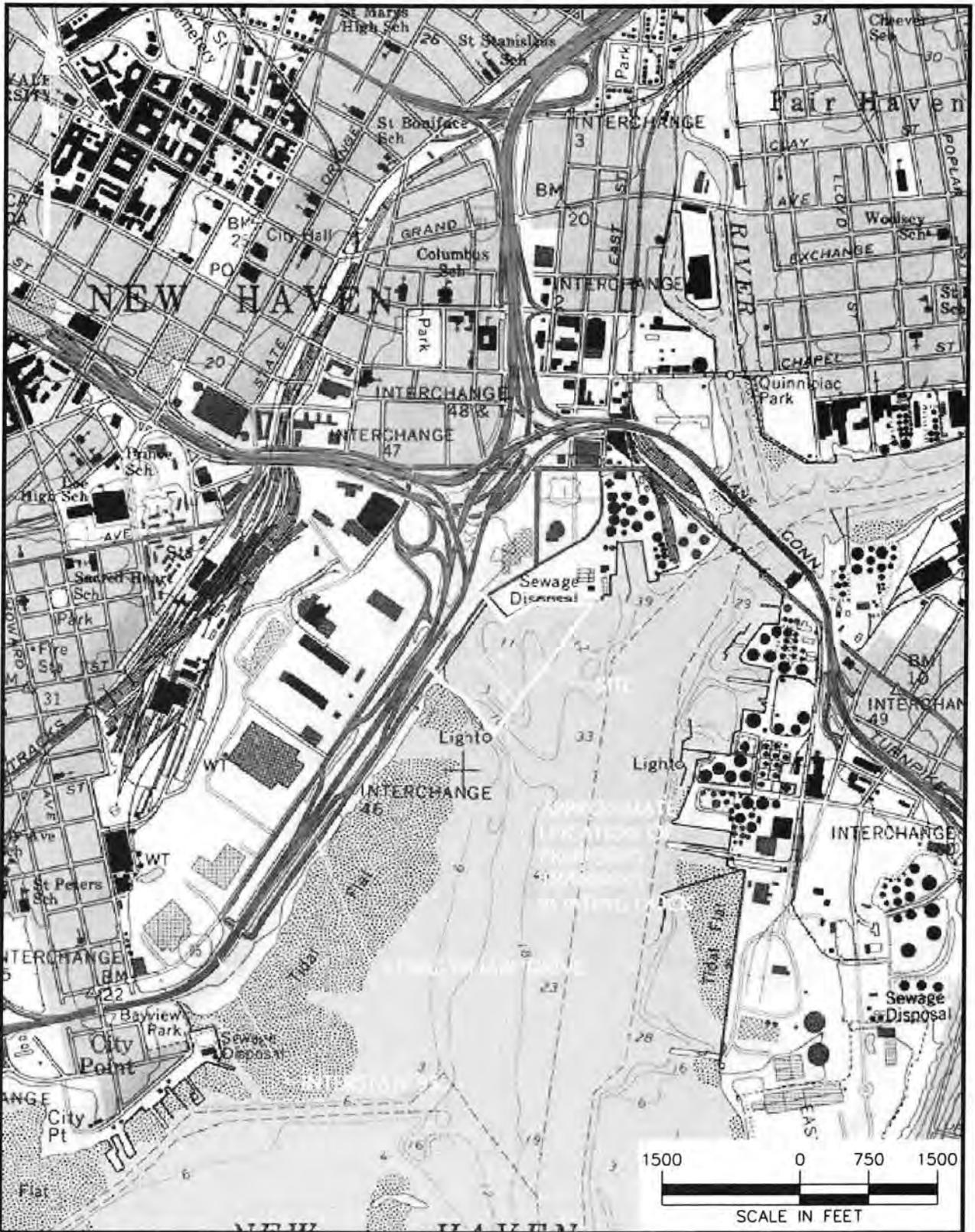
10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	72° 50.0' W	41° 10.0' N	73° 00.0' W

**Square Description (i.e. habitat, landmarks, coastline markers):** The waters within Long Island Sound within the square affecting south of the following: Woodmont, CT., West Haven, CT., New Haven, C., Fairhaven, CT., East Haven, CT., Monaquin, CT., Short Beach, CT., Whitneyville, CT., and Westville, CT., from just east of Johnson Point west past Merwin Pt. to Fairview Beach in Woodmont, CT.. Also includes water around the following: Oyster River Pt., City Pt. Lighthouse Pt., Morgan Pt., South End Pt., Kelsey I., Johnson Pt., along with the Quinnipiac River. Also, the following features are affected: Townshend Ledge, Cow and Calf, Round Rock, and the Farm River.

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>Scopthalmus aquosus</i> )	X	X	X	X
American plaice ( <i>Hippoglossoides platessoides</i> )				

ocean pout ( <i>Macrozoarces americanus</i> )				
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>ParaliCThys 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		



© 2008 Langan Engineering and Environmental Services Inc.



**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project

**TRANSIENT BOATING DOCK**  
USGS SITE LOCATION MAP

NEW HAVEN

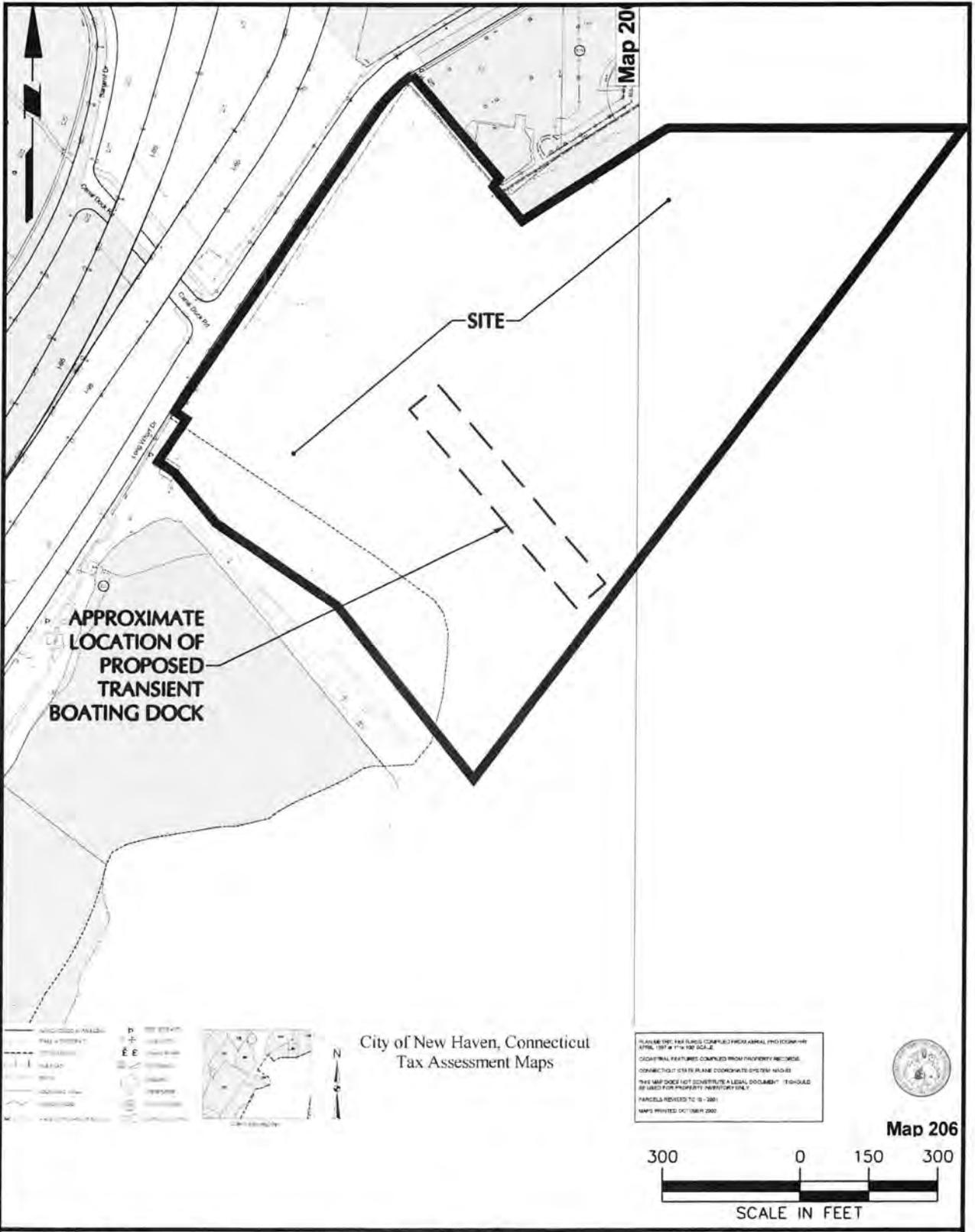
CONNECTICUT

Project No.  
140034401

Date  
11/19/10

Scale  
1"=1,500'

Dwg. No.  
1 OF 12

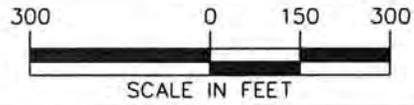


City of New Haven, Connecticut  
Tax Assessment Maps

PLANS ON THIS MAP COMPILED FROM AERIAL PHOTOGRAPHY  
DATE: 1978 AT 1/4" = 100' SCALE  
CORRECTIONAL FEATURES COMPILED FROM PROPERTY RECORDS  
CONNECTICUT GIS IS PLANE COORDINATE SYSTEM NAD83  
THIS MAP DOES NOT CONSTITUTE A LEGAL DOCUMENT. IT SHOULD  
BE USED FOR PROPERTY INVENTORY ONLY.  
PARCELS REVISED TO 10-2001  
MAPS PRINTED OCTOBER 2002



Map 206



© 2006 Langan Engineering and Environmental Services Inc.



**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project		<b>TRANSIENT BOATING DOCK TAX MAP</b>	
NEW HAVEN		CONNECTICUT	
Project No.	Date	Scale	Dwg. No.
140034401	11/19/10	1" = 400'	2 OF 12

# NOTES

1. ELEVATIONS ARE REFERENCED TO NGVD 29.
2. 100 YEAR BASE FLOOD INLAND OF LONG WHARF DRIVE, ZONE A, IS ELEVATION 12 NGVD.
3. SITE IS WITHIN 100 YEAR COASTAL FLOOD V-ZONE, ELEVATION 14 NGVD.
4. 15 FOOT ANCHORAGE FROM A U.S. ARMY CORPS OF ENGINEERS DRAWING TITLED "NEW HARBOR, CONNECTICUT 35-FT CHANNEL & MANEUVERING AREA & 16-FT. ANCHORAGE".
5. THE LOWEST LOW WATER IS SHOWN AS THE MUD FLAT LINE AT ELEVATION -5.39 NGVD.

# LEGEND



INTERTIDAL AREA=310,070 SF (7.12 AC)



BEACH AREA=7,070 SF (0.16 AC)

- — — — — LOWEST LOW WATER (el. -5.39)
- — — — — MEAN LOW WATER (el. -2.26)
- — — — — MEAN HIGH WATER (el. 3.89)
- — — — — HIGH TIDE LINE (el. 5.60)

NOTE: INTERTIDAL AREA MEASURES FROM LOWEST LOW TO HIGH TIDE LINE.

© 2006 Langan Engineering and Environmental Services Inc.



**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project

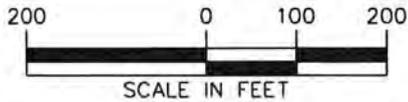
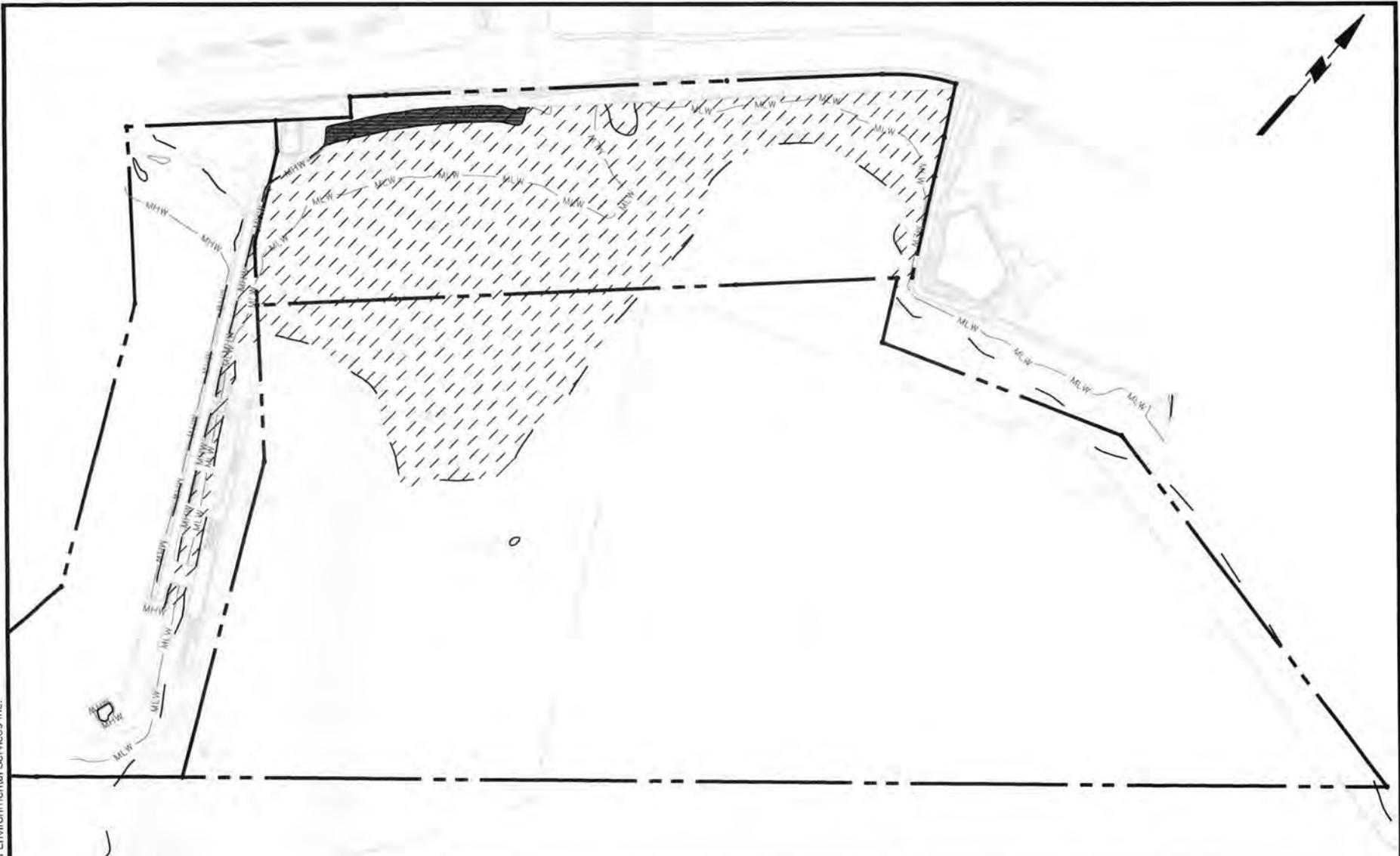
**TRANSIENT BOATING DOCK**  
COASTAL RESOURCE PLAN NOTES

NEW HAVEN

CONNECTICUT

Project No. 140034401	Date 11/19/10	Scale N.T.S.	Dwg. No. 3 OF 12
--------------------------	------------------	-----------------	---------------------

© 2006 Langan Engineering and Environmental Services Inc.



BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project

**TRANSIENT BOATING DOCK**  
COASTAL RESOURCE PLAN

NEW HAVEN

CONNECTICUT

Project No. 140034401	Date 11/19/10	Scale 1"=200'	Dwg. No. 4 OF 12
--------------------------	------------------	------------------	---------------------

# NOTES

1. BOUNDARY INFORMATION WAS OBTAINED FROM A MAP TITLED "BOUNDARY SURVEY NGVD 1929 DATUM, V1.00" PREPARED BY LANGAN ENGINEERING & ENVIRONMENTAL SERVICES, DATED 7/02/2010. TOPOGRAPHIC INFORMATION WAS OBTAINED FROM A MAP TITLED "TOPOGRAPHIC SURVEY NGVD 1929 DATUM, V1.00" PREPARED BY LANGAN ENGINEERING & ENVIRONMENTAL SERVICES, DATED 7/02/2010.
2. ELEVATIONS ARE REFERENCED TO NGVD 1929.
3. THE MERIDIAN OF THE SURVEY DATA IS REFERENCED TO CONNECTICUT STATE PLANE NAD 83.
4. 100-YEAR BASE FLOOD INLAND OF LONG WHARF DRIVE, ZONE A6, IS ELEVATION 12 NGVD.
5. SITE IS WITHIN 100-YEAR COASTAL FLOOD ZONE V7, ELEVATION IS 14 NGVD.
6. 15 FOOT ANCHORAGE FROM A U.S. ARMY CORPS OF ENGINEERS DRAWING TITLED "NEW HARBOR, CONNECTICUT 35-FT CHANNEL & MANEUVERING AREA & 16-FT. ANCHORAGE".
7. THE LOWEST LOW WATER IS SHOWN AT THE MUD FLAT LINE AT ELEVATION -5.39 NGVD.
8. PREVIOUSLY APPROVED PLATFORM LIMITS SHOWN WERE APPROVED IN DEPARTMENT OF THE ARMY PERMIT NUMBER NAE-1998-00038 AND STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT NUMBER 200103377-SG.
9. SHADING COMPARISON OF FLOATING DOCKS:  
PREVIOUSLY APPROVED=12,670 SF  
CURRENTLY PROPOSED=12,120 SF
10. SOIL EROSION AND SEDIMENT CONTROL MEASURES WILL BE IMPLEMENTED IN ACCORDANCE WITH THE ARMY AND CTDEP PERMITS LISTED IN NOTE 8.
11. LIGHTING, ELECTRICAL HOOK-UPS AND WATER SERVICE WILL BE PROVIDED TO THE FLOATING DOCKS.

## ADJOINING PROPERTY OWNERS

MAP, BLOCK, LOT PARCEL NUMBERS	OWNER	PROPERTY ADDRESS
205 0529 00102	FUSCO MARITIME ASSOCIATES, LLC. C/O FUSCO CORPORATION 555 LONG WHARF DRIVE, STE 14 NEW HAVEN, CT 06511	501 LONG WHARF DRIVE NEW HAVEN, CT 06511
205 0529 00201	FUSCO MARITIME ASSOCIATES, LLC. C/O FUSCO CORPORATION 555 LONG WHARF DRIVE, STE 14 NEW HAVEN, CT 06511	THERE IS NO STREET ADDRESS
206 0023 00100	CITY OF NEW HAVEN 165 CHURCH STREET, 5TH FLOOR NEW HAVEN, CT 06510	THERE IS NO STREET ADDRESS
206 0023 00200	CITY OF NEW HAVEN 165 CHURCH STREET, 5TH FLOOR NEW HAVEN, CT 06510	THERE IS NO STREET ADDRESS

### LEGEND

- PREVIOUSLY APPROVED PLATFORM LIMITS
- PREVIOUSLY APPROVED FLOATING DOCKS =  
12,670 SF TOTAL SHADING IMPACT
- PROPOSED FLOATING DOCKS =  
12,120 SF TOTAL SHADING IMPACT



**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

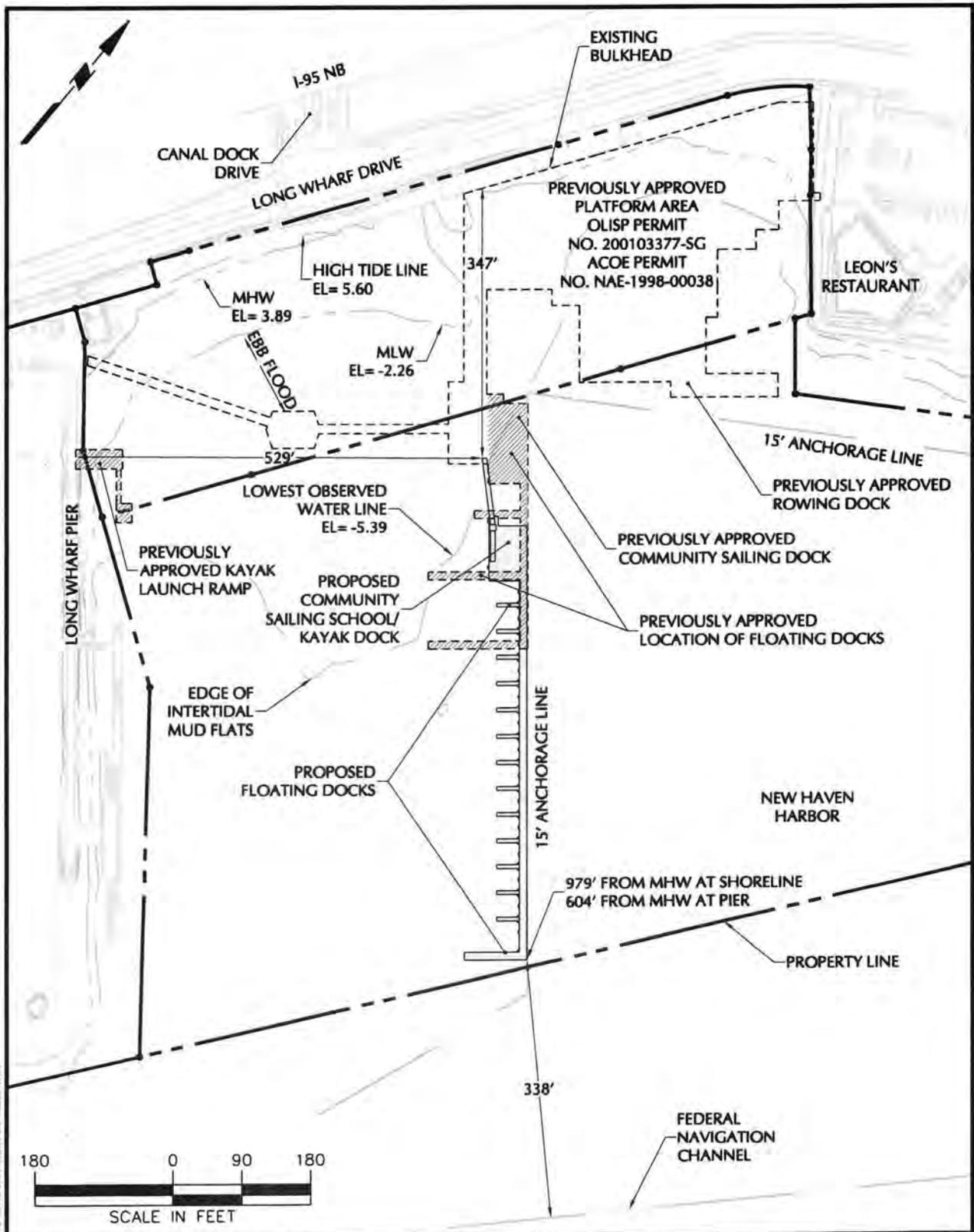
Project

**TRANSIENT BOATING DOCK  
SITE PLAN NOTES**

NEW HAVEN

CONNECTICUT

Project No. 140034401	Date 11/19/10	Scale N.T.S.	Dwg. No. 5 OF 12
--------------------------	------------------	-----------------	---------------------



© 2006 Langan Engineering and Environmental Services, Inc.

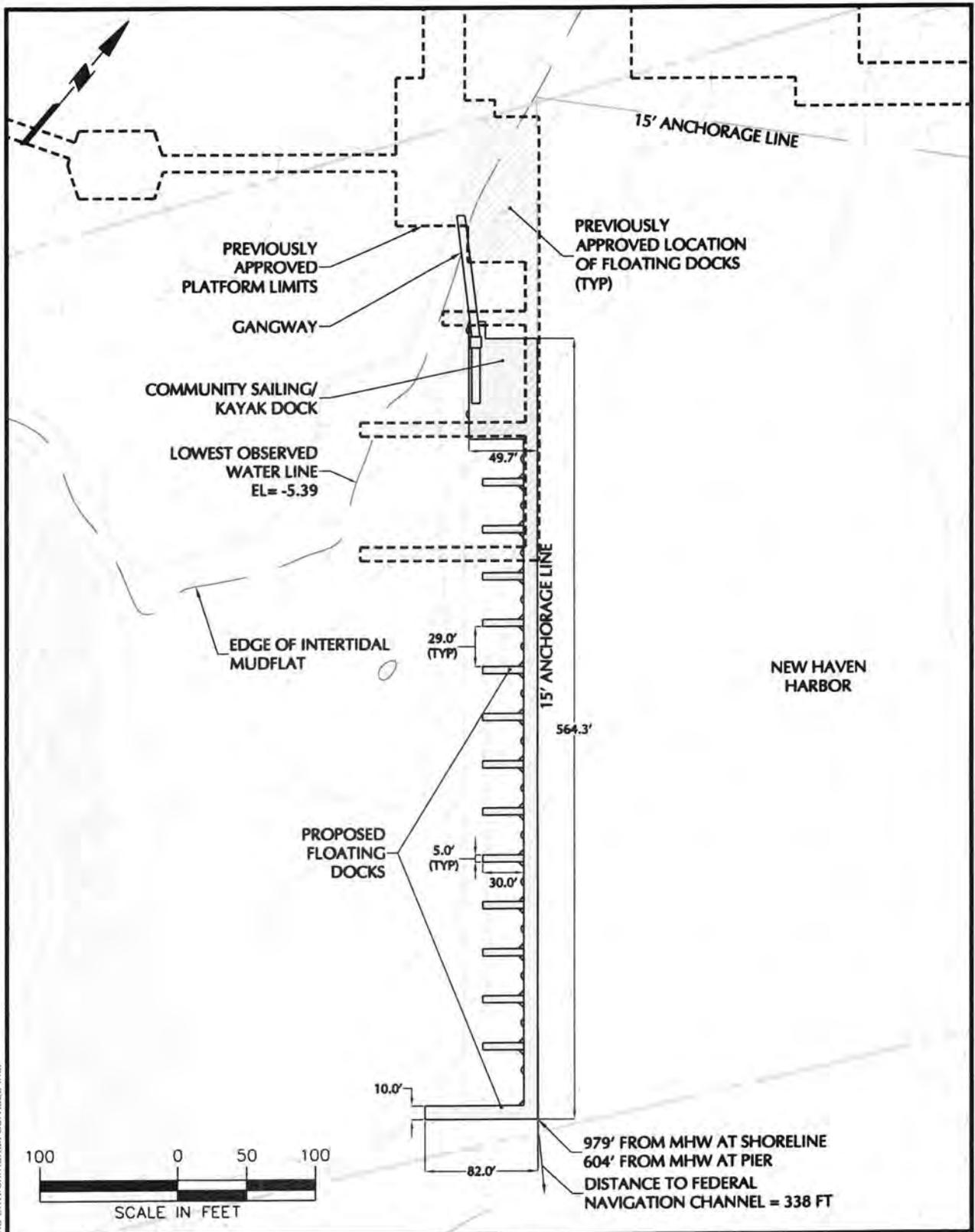


**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project  
**TRANSIENT BOATING DOCK  
SITE PLAN**

NEW HAVEN		CONNECTICUT	
Project No. 140034401	Date 11/19/10	Scale 1"=180'	Dwg. No. 6 OF 12



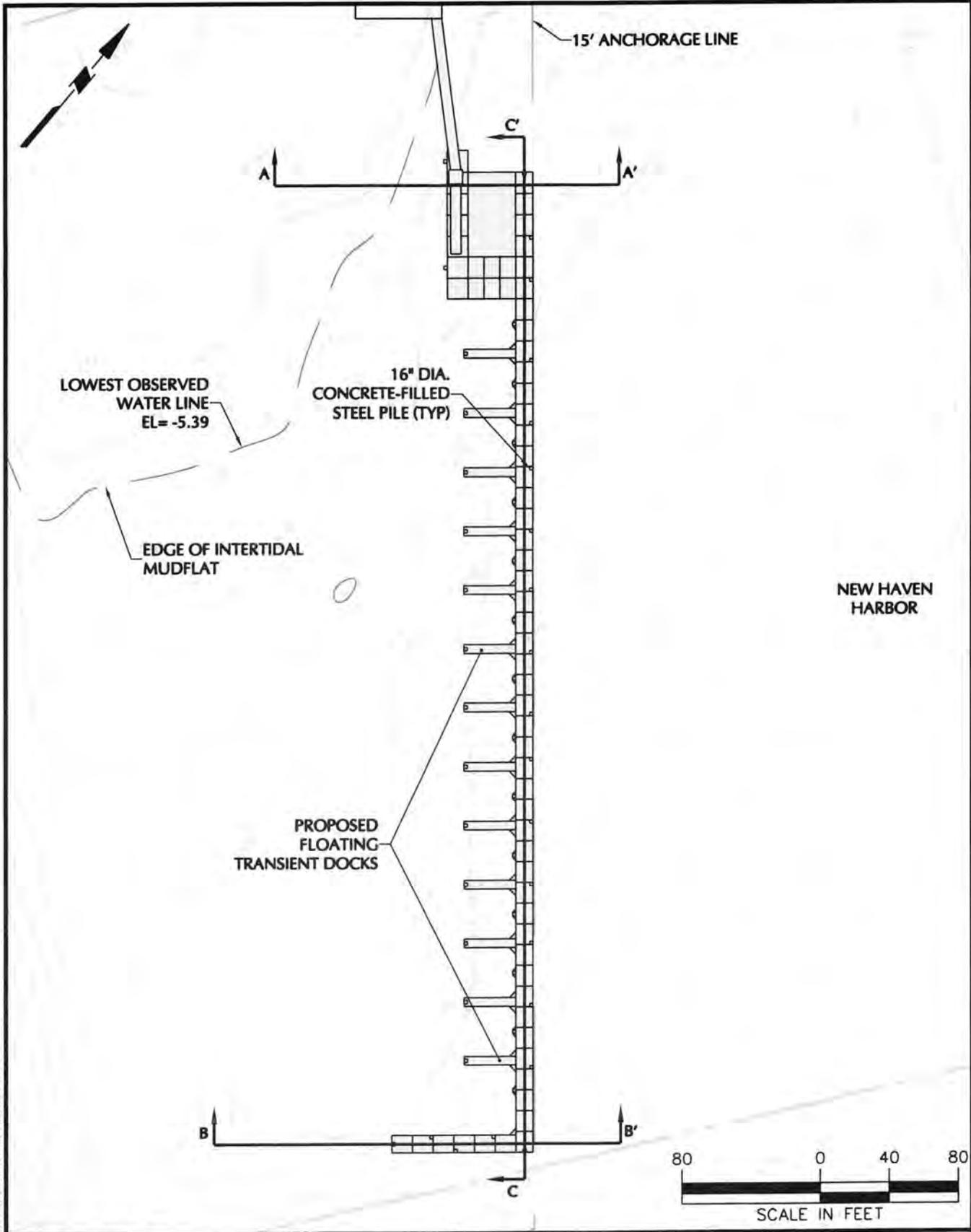
© 2006 Langan Engineering and Environmental Services Inc.



**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project		<b>TRANSIENT BOATING DOCK</b>	
		DETAILED SITE PLAN	
NEW HAVEN		CONNECTICUT	
Project No.	Date	Scale	Dwg. No.
140034401	11/19/10	1"=100'	7 OF 12



© 2006 Langan Engineering and Environmental Services Inc.

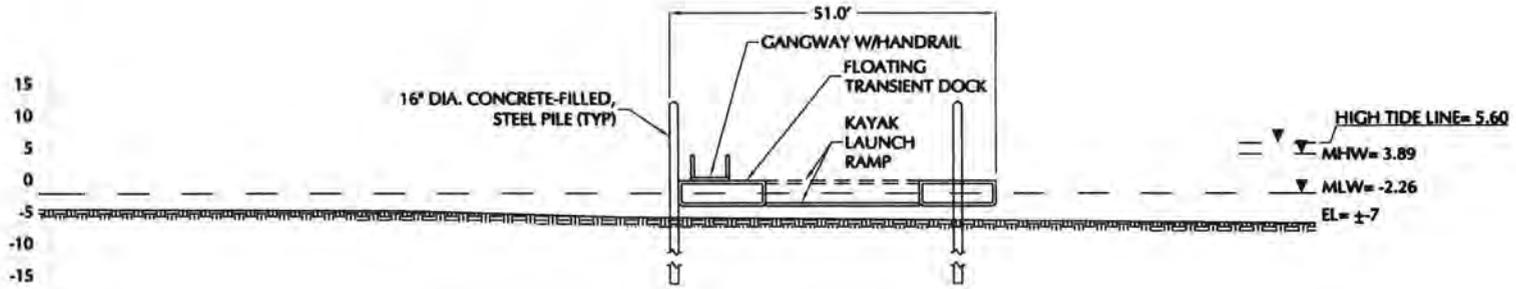


**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

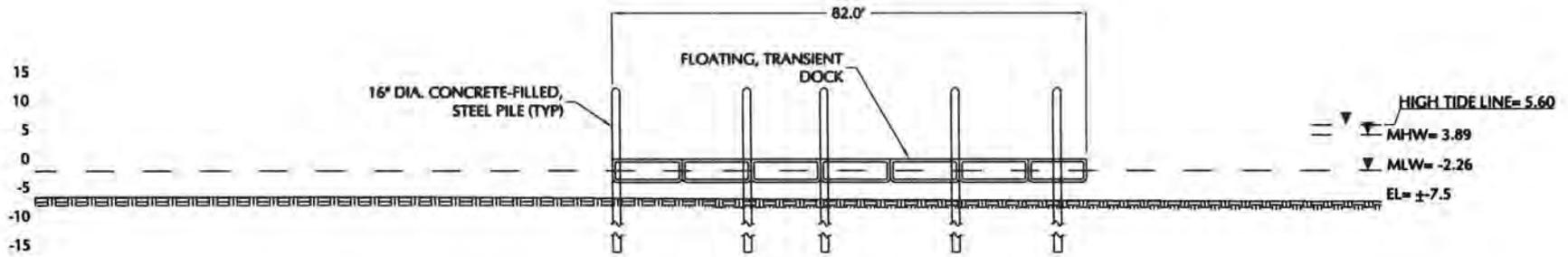
STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project  
**TRANSIENT BOATING DOCK**  
FLOATING DOCK CROSS SECTION KEY PLAN  
NEW HAVEN CONNECTICUT

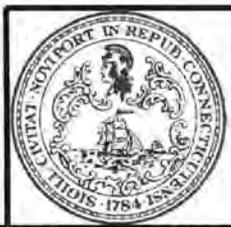
Project No. 140034401	Date 11/19/10	Scale 1"=80'	Dwg. No. 8 OF 12
--------------------------	------------------	-----------------	---------------------



**SECTION A-A'**  
1"=30'



**SECTION B-B'**  
1"=30'

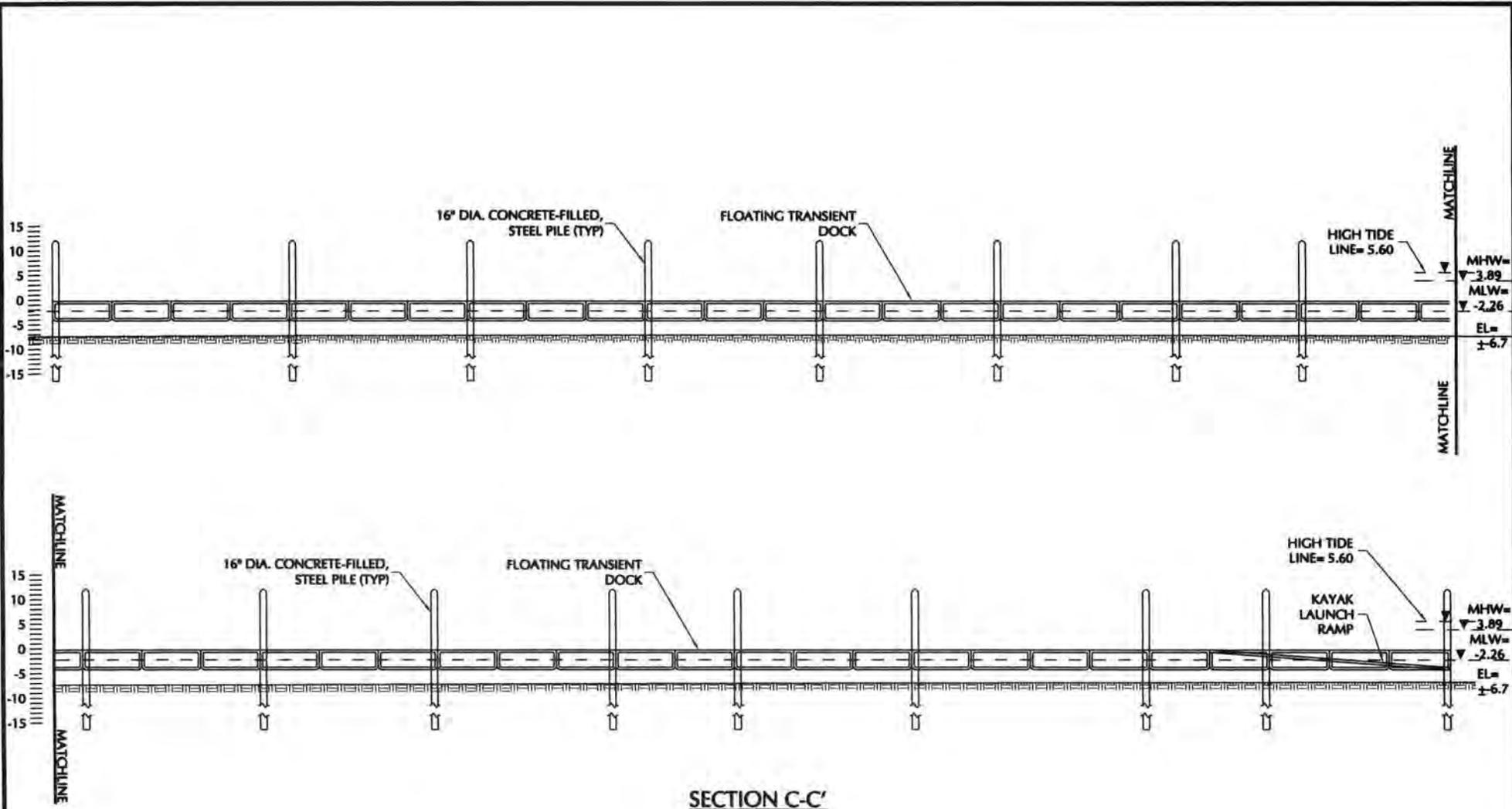


**BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511**

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project		<b>TRANSIENT BOATING DOCK</b>	
		FLOATING DOCK CROSS SECTIONS	
NEW HAVEN		CONNECTICUT	
Project No.	Date	Scale	Dwg. No.
140034401	11/19/10	1"=30'	9 OF 12

© 2006 Langan Engineering and Environmental Services Inc.



SECTION C-C'  
1"=30'



BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project

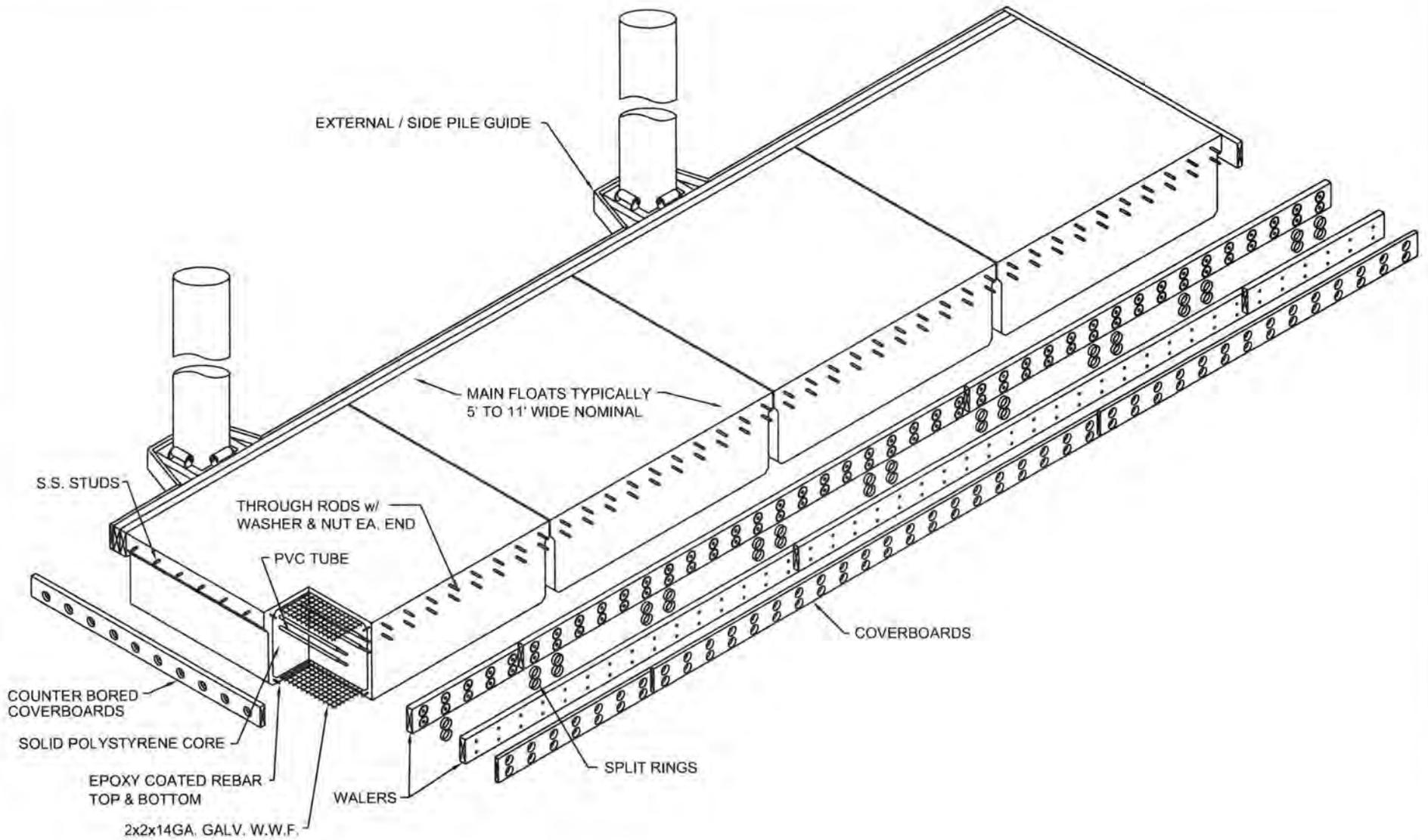
**TRANSIENT BOATING DOCK**  
FLOATING DOCK CROSS SECTIONS

NEW HAVEN

CONNECTICUT

Project No. 140034401	Date 11/19/10	Scale 1"=30'	Dwg. No. 10 OF 12
--------------------------	------------------	-----------------	----------------------

© 2006 Langan Engineering and Environmental Services, Inc.

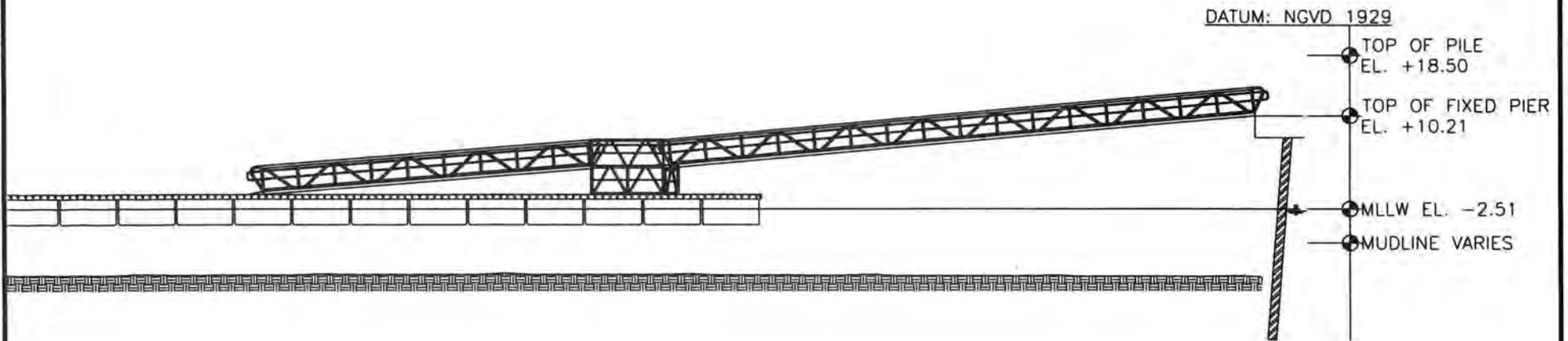


BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project		<b>TRANSIENT BOATING DOCK</b>	
		FLOATING DOCK DETAIL	
NEW HAVEN		CONNECTICUT	
Project No.	Date	Scale	Dwg. No.
140034401	11/19/10	N.T.S.	11 OF 12

© 2006 Langan Engineering and Environmental Services Inc.



BOATHOUSE AT CANAL DOCK  
NEW HAVEN, CT 06511

STATE PROJECT NO. 92-570  
FEDERAL AID PROJECT NO. 1092(120)

Project

**TRANSIENT BOATING DOCK**  
GANGWAY DETAIL

NEW HAVEN

CONNECTICUT

Project No.	Date	Scale	Dwg. No.
140034401	11/19/10	N.T.S.	12 OF 12