



## PUBLIC NOTICE

**Comment Period Begins:** 27 August 2024

**Comment Period Ends:** 26 September 2024

**File Number:** NAE-2024-01673

**In Reply Refer to:** CT/RI Section, Regulatory Division

**Phone:** (800) 343-4789 or (800) 362-4367

**Email:** [CENAE-R-PN-CTRI@usace.army.mil](mailto:CENAE-R-PN-CTRI@usace.army.mil)

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The District Engineer, U.S. Army Corps of Engineers, New England District (USACE), has received a permit application, file number NAE-2024-01673, to conduct work in waters of the United States from David Waters, TL76 Holdings, LLC, 100 Washington Boulevard, Stamford, CT. This work is proposed in Stamford Harbor at 100 Bateman Way, Stamford, CT. The site coordinates are Latitude 41.043703, Longitude -73.5422202.

The work involves installation of (150) 12-inch piles, (11) docks, two main docks, two dock connectors, two platforms, and five gangways.

The work is shown on the enclosed plans titled "BLT 14 ACRE SITE MARINA, 100 BATEMAN WAY, STAMFORD, CT 06902", on 9 sheets, and dated "6-18-2024.

### 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.
- ☒ Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408)

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 USACE 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. The USACE will consider all comments received 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.

The activities proposed herein will also require permission from the USACE pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a USACE federally authorized Civil Works project known as the Stamford Harbor Federal Navigation Project (FNP). The proposed alteration involves the installation of floating docks with seventeen (17) 12-inch diameter steel pilings within the FNP offset. The FNP offset is a 3:1 distance based on the depth of the FNP and is the side slope while performing maintenance dredging on the FNP. The Stamford Harbor FNP offset is 45 feet. The proposed alteration is located to the east of the 15-foot Western Channel Branch. A permit pursuant to Section 10/404 shall not be granted until the Section 408 permission is issued. Through this public notice, we are soliciting information necessary to inform the USACE evaluation and review.

## **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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project will impact approximately 1.03 acres of EFH. This habitat consists of silt and mud. Loss of this habitat may adversely affect species that use these waters and substrate. 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.

## **NATIONAL HISTORIC PRESERVATION ACT**

Based on our initial review of the proposed project and coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s), no historic properties will be affected by the proposed project. Additional review and consultation to fulfill 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 USACE has reviewed the application for the potential impact on federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act (ESA) as amended. 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 a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

## **OTHER GOVERNMENT AUTHORIZATIONS**

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.
- ☒ ( X ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

## **COMMENTS**

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. People submitting comments are advised that all comments received will be available for public review in their entirety and will be considered a matter of public record.

CENAE-R  
File No. NAE-2024-01673

Comments should be submitted in writing by the above date. If you have any questions, please contact the CT & RI Section, Regulatory Division, at [CENAE-R-PN-CTRI@usace.army.mil](mailto:CENAE-R-PN-CTRI@usace.army.mil), (800) 343-4789 or (800) 362-4367.

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 USACE 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. 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.**

*Kevin R Kotelly*

Kevin R. Kotelly, P.E.  
Chief, CT/RI Section  
Regulatory Division

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Please contact Ms. Tina Chaisson at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil) or (978) 318-8058 if you would like to be removed from our public notice mailing list.

# BUILDING AND LAND TECHNOLOGY BLT 14 ACRE SITE MARINA

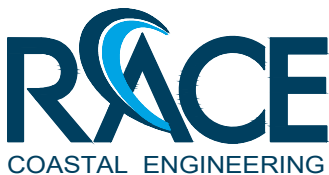
DRAWING LIST	
DWG No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	TAX ASSESSOR'S MAP
4	EXISTING SITE PLAN
5	PROPOSED SITE PLAN
6	PROPOSED PARTIAL SITE PLAN

## GENERAL NOTES

1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS TOPOGRAPHIC MAP STAMFORD QUADRANGLE, CONNECTICUT-FAIRFIELD CO., 7.5 MINUTE SERIES, STAMFORD, CT 2015.
3. ELEVATIONS REFERENCE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS NOTED OTHERWISE.
4. SITE INFORMATION TAKEN FROM A DRAWING TITLED "14-ACRE DOCK EVALUATION", PREPARED FOR THE STRAND / BRC GROUP, LLC, BY FUSS & O'NIELL, DATED 9/30/2019.
5. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR STAMFORD, CT 8469198 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.

## PROJECT TIDAL ELEVATIONS (NAVD 88)

DATUM	ELEVATION (FT)
COASTAL JURISDICTION LINE (CJL)	+5.5
HIGH TIDE LINE (HTL)	+4.7
MEAN HIGHER HIGH WATER (MHHW)	+3.8
MEAN HIGH WATER (MHW)	+3.4
NAVD 88	0.0
NGVD 29	-1.1
MEAN LOW WATER (MLW)	-3.9
MEAN LOWER LOW WATER (MLLW)	-4.1



611 Access Road Stratford, CT 06615  
Tel: 203-377-0663 racecoastal.com

Prepared For:

BUILDING AND LAND TECHNOLOGY  
100 ELMCROFT ROAD, SUITE 500  
STAMFORD, CT 06902

Project:

BLT 14 ACRE SITE MARINA  
100 BATEMAN WAY  
STAMFORD, CT 06902

SEAL:



Date:

6-18-2024

Rev.:

Drawn By:

CLW/SLB

Checked By:

DJS

Datum:

NAVD 88

Scale:

N/A

Project No.:

2023048

Drawing No.:

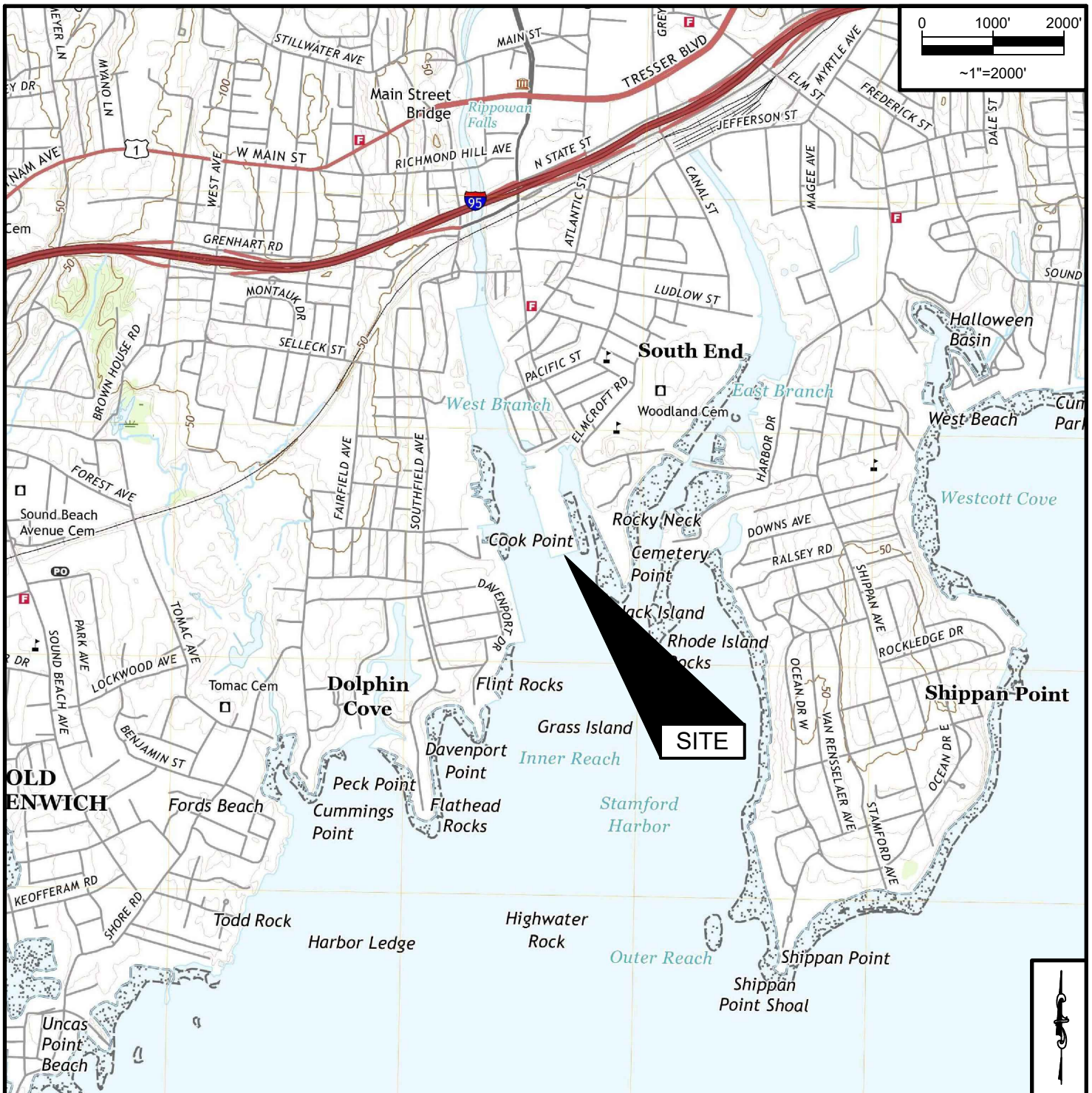
1 of 9

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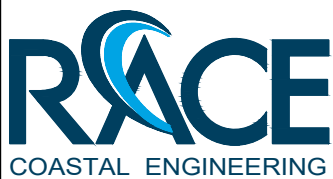
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### VICINITY MAP



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Project:  
**BLT 14 ACRE SITE MARINA**  
100 BATEMAN WAY  
STAMFORD, CT 06902

SEAL:



Date:  
**6-18-2024**

Drawn By: **CLW/SLB**  
Checked By: **DJS**

Datum: **NAVD 88**  
Scale: **~1"=2000'**

Project No.: **2023048**  
Drawing No.: **2** of 9

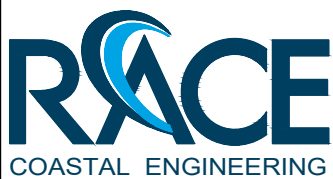
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### TAX ASSESSOR'S MAP



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Date:  
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CLW/SLB

Datum:  
NAVD 88

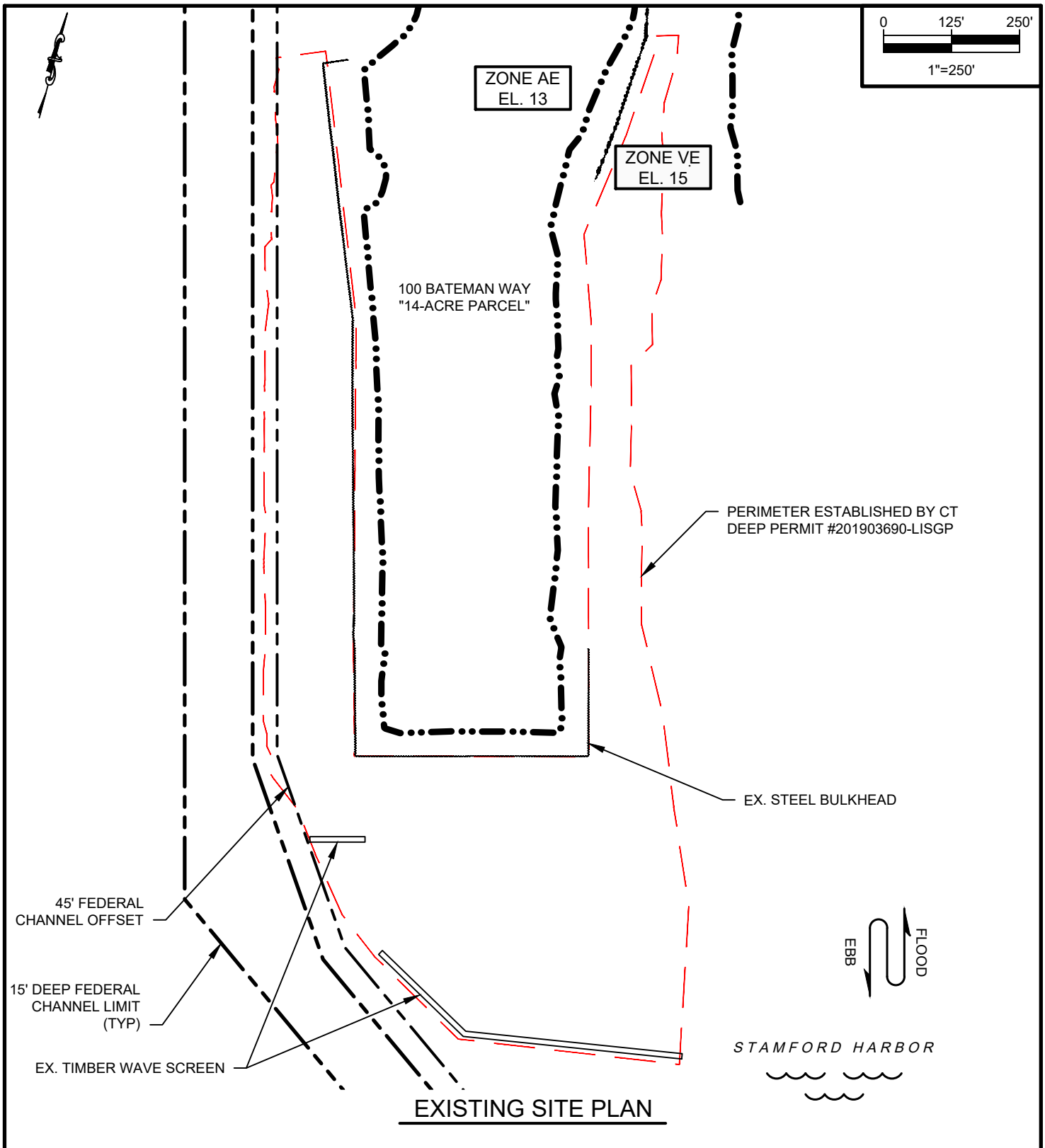
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2023048

Rev.:

Checked By:  
DJS

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3 of 9

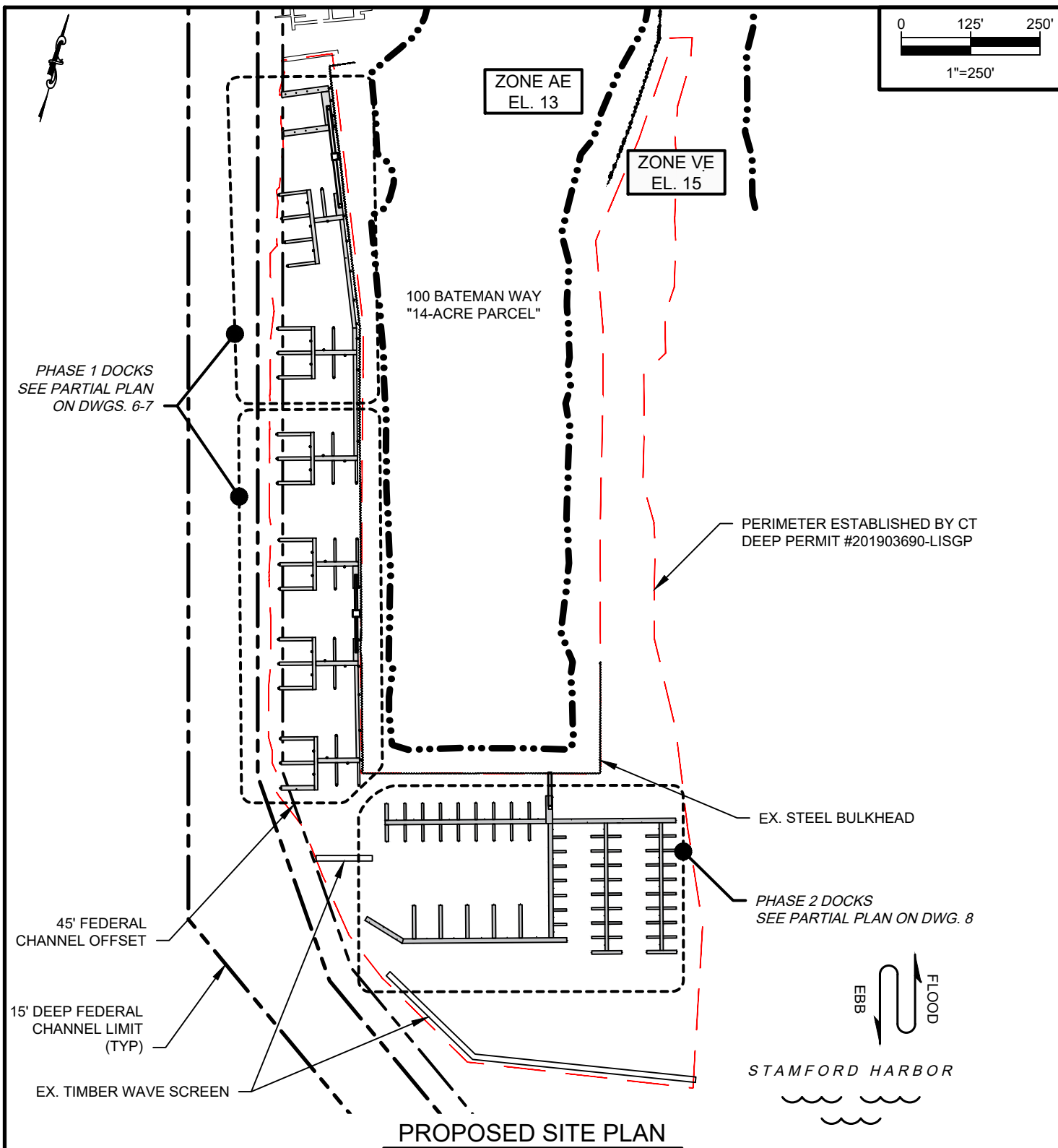


<div><p>611 Access Road    Stratford, CT 06615 Tel: 203-377-0663    racecoastal.com</p></div>	<div>Prepared For: BUILDING AND LAND TECHNOLOGY 100 ELMCROFT ROAD, SUITE 500 STAMFORD, CT 06902</div>	<div>SEAL: </div>	<div>Date: 6-18-2024</div>	<div>Rev.:</div>
	<div>Project: BLT 14 ACRE SITE MARINA 100 BATEMAN WAY STAMFORD, CT 06902</div>		<div>Drawn By: CLW/SLB</div>	<div>Checked By: DJS</div>
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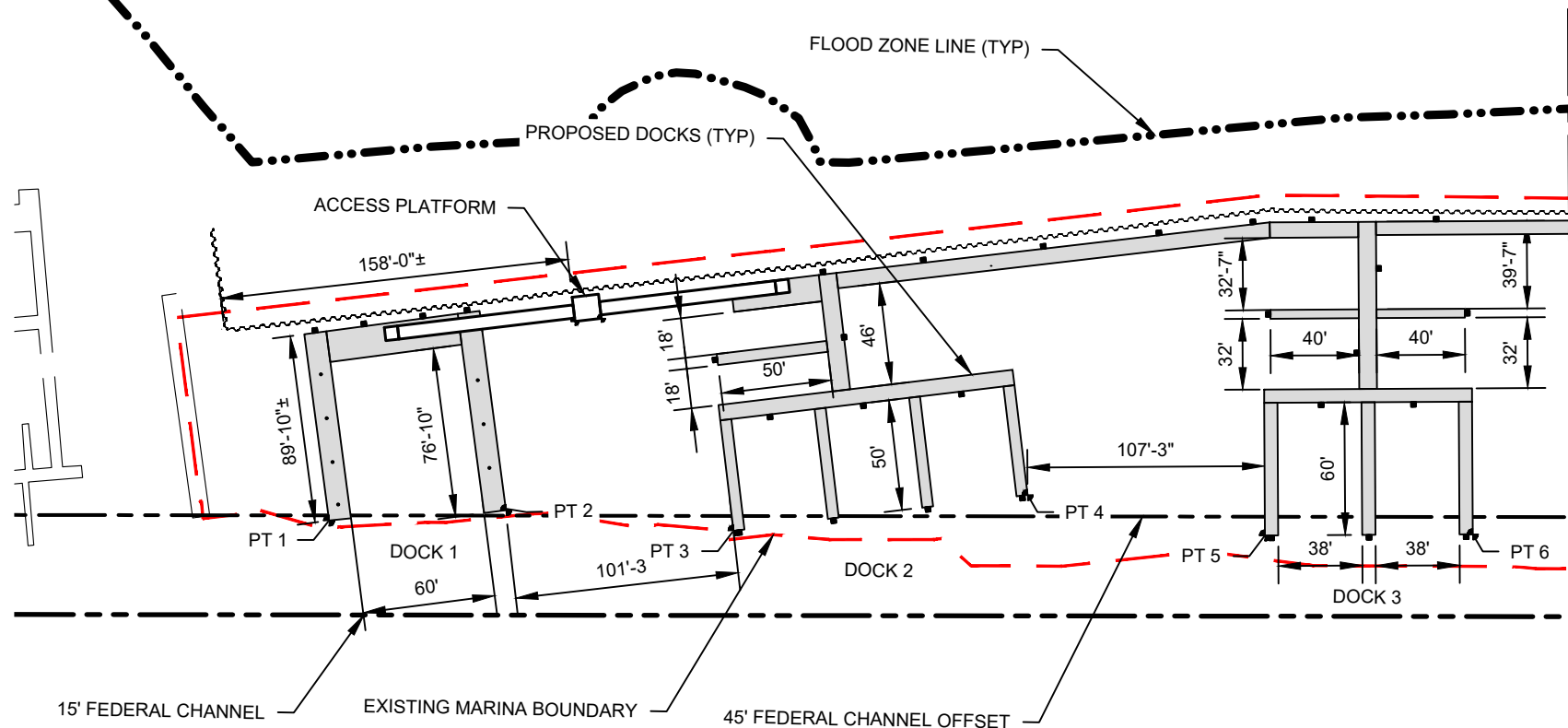
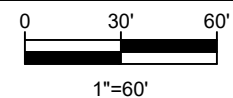
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## PROPOSED PHASE 1 PARTIAL SITE PLAN - NORTH

### NOTE:

- SEE TABLE ON DWG 9 FOR DOCK COORDINATES



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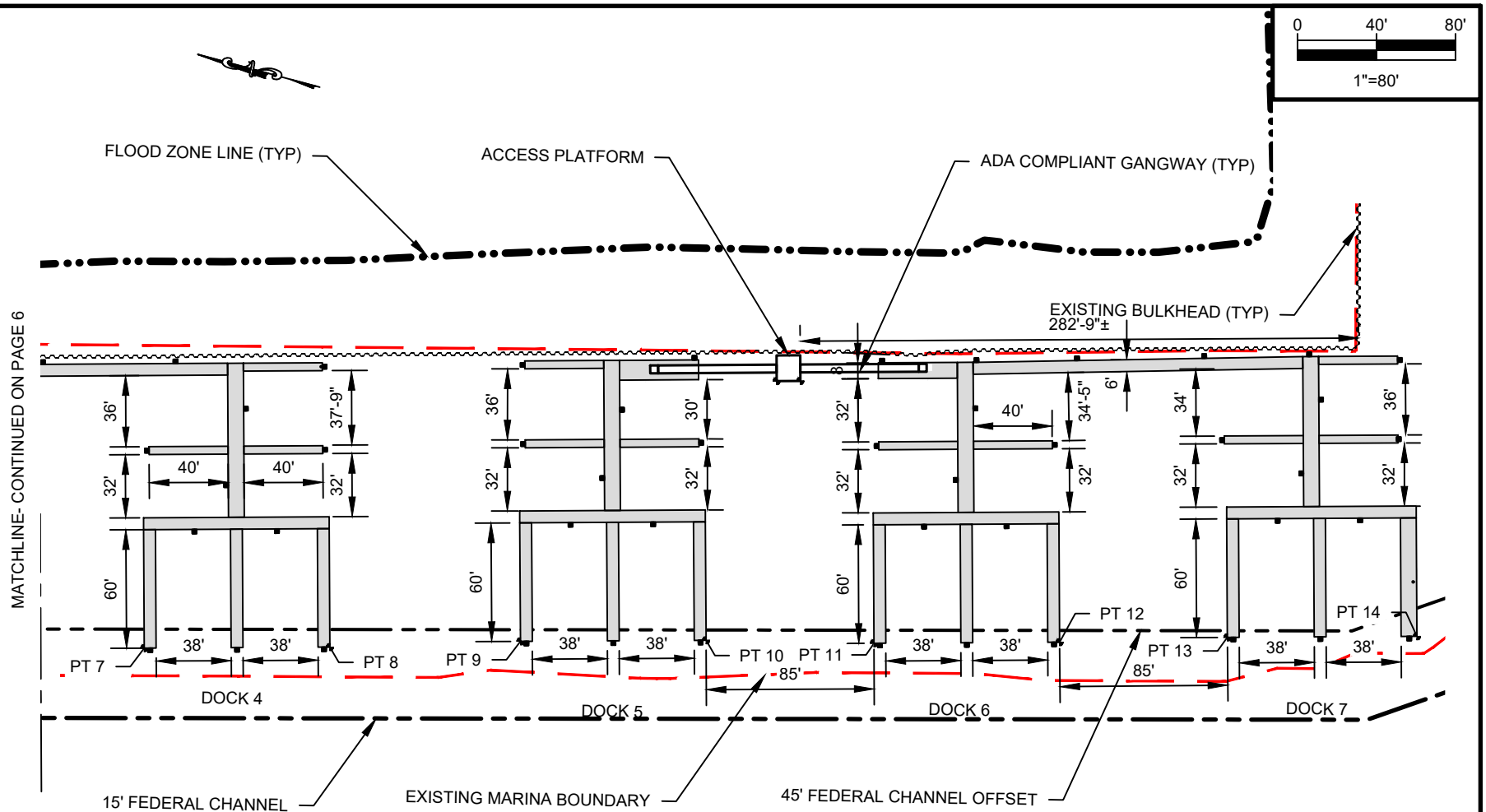
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## PROPOSED PHASE 1 PARTIAL SITE PLAN - SOUTH

### NOTE:

- SEE TABLE ON DWG 9 FOR DOCK COORDINATES



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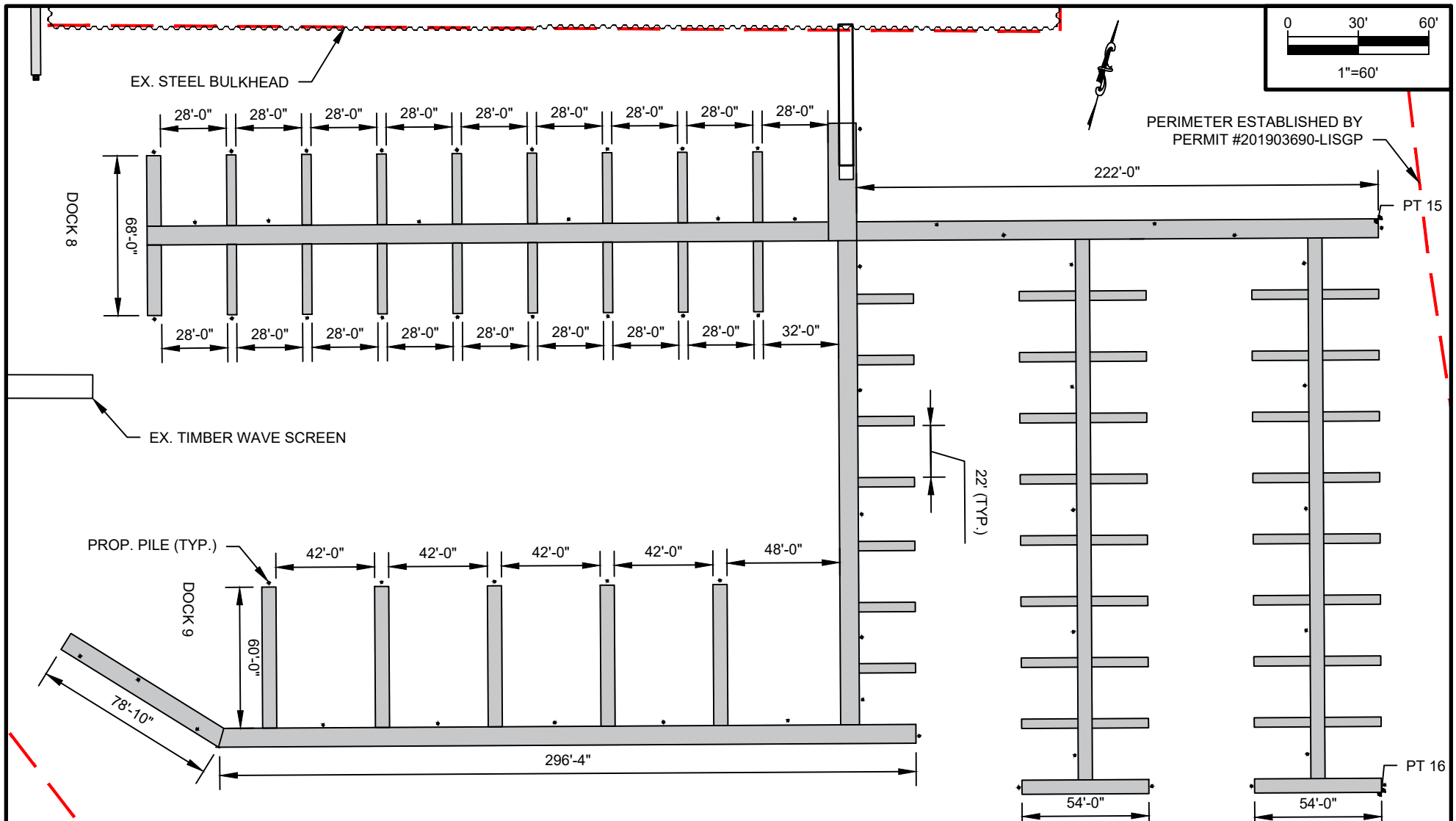
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## PROPOSED PHASE 2

### NOTE:

- SEE TABLE ON DWG 9 FOR DOCK COORDINATES



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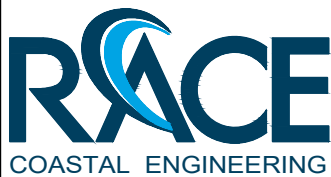


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Datum:	Scale:
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Project No.:	Drawing No.:
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**PROJECT COORDINATES  
(NAD83 CT STATE PLANE)**

POINT	NORTHING	EASTING
1	574897.10	781199.98
2	574821.27	781225.95
3	574719.21	781243.18
4	574595.02	781293.28
5	574486.56	781303.5
6	574395.93	781328.46
7	574302.27	781351.71
8	574211.64	781376.66
9	574119.23	781404.54
10	574028.6	781429.5
11	573946.12	781450.13
12	573855.49	781475.08
13	573774.06	781499.54
14	573681.5	781525.02
15	573816.44	782225.20
16	573581.50	782289.89



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Scale: N/A

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