



US Army Corps
of Engineers®
New England District

PUBLIC NOTICE

In Reply Refer to: Coral Siligato
Email: nae-pn-nav@usace.army.mil

Phone: (978) 318-8012

Programs and Project Management Division

Date: December 23, 2024

Comment Period Closes: January 23, 2025

30-DAY PUBLIC NOTICE MAINTENANCE DREDGING OF STONY CREEK FEDERAL NAVIGATION PROJECT BRANFORD, CONNECTICUT

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District plans to perform work in the navigable waters of this District, subject to the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217), Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532) and subject to the requirements of the National Environmental Policy Act (P.L. 91-190). Attachment 1 lists pertinent laws, regulations, and directives.

The work involves maintenance dredging of the Stony Creek Harbor Federal Navigation Project (FNP) in Branford, Connecticut. The Stony Creek FNP was adopted on December 4, 1967, by the Chief of Engineers under authority of Section 107 of the Rivers and Harbors Act of 1960. The original construction occurred in 1969 -1970 when 76,000 cubic yards (cy) of material were excavated and placed in the Branford disposal area. Maintenance of the FNP has occurred twice since then, once in late 1977, when 36,000 cy of material was dredged and placed in the New Haven dumping grounds and again in May 1995 when 45,792 cy of material was dredged and placed in the Central Long Island Sound Disposal Site (CLDS).

USACE is proposing to mechanically dredge approximately 60,000 cubic yards (cy) of predominately silty material, from the Stony Creek federal channel and anchorage (Attachment 2). Dredging will take approximately three and a half months to complete with 24/7 operations (working 24 hours per day, 7 days per week) and will be limited to a period between October 1 and January 15 of the year(s) in which funding becomes available. The material will be removed by a mechanical dredge and placed into scows for transport to and placement at the CLDS (Attachment 3).

Project Description: The Stony Creek Federal Navigation Project (FNP) is located on the north shore of Long Island Sound (LIS) in Branford, Connecticut, approximately three miles east of Branford Harbor and eight miles east of New Haven. The harbor itself is in a cove adjacent to the mouth of Stony Creek, a small tidal stream near the eastern boundary of Branford. The existing project provides for an entrance channel 6 feet deep Mean Lower Low Water (MLLW), 100 feet wide from deep water in LIS to a point 800 feet north of the public wharf at Stony Creek, and a maneuvering basin 6 feet

deep MLLW, 200 feet wide adjacent to the channel north of the wharf. The total FNP area is approximately 8.6 acres in size.

The cove is surrounded by shoreline on the north and east. About 1 mile offshore from the FNP are the Thimble Islands, which is a group of approximately 30 small islands.

Purpose of Work: The purpose of this work is to restore the Stony Creek Harbor FNP to its authorized dimensions and provide safe navigation conditions to all vessels using the harbor. Recent hydrographic surveys indicate that the channel and maneuvering basin have shoaled significantly, especially in the northern end of the project where depths are reduced to 2 feet MLLW. The project is utilized by municipal, recreational, and commercial vessels.

Alternatives: The following alternatives were considered to address the purpose and need for the project.

No Action: Under a no action alternative, USACE would not dredge the FNP in Stony Creek Harbor and any resulting environmental impacts would be avoided. However, this alternative would allow shoaling conditions in the channel and maneuvering basin to continue and likely worsen over time. Continued shoaling would cause vessels to run aground more frequently during low tides, hampering the efficient operations of vessels, and increasing dangerous situations for boaters, especially transients, who are unfamiliar with local conditions. These restrictions to navigation would negatively affect the harbor's fishing and tourism trades and provide inadequate depths for its continued use.

Maintenance Dredging to Authorized Depths: The preferred alternative is maintenance dredging of the FNP to authorized dimensions. Maintenance dredging removes hazardous shoaling that has occurred since the last dredging operation and would restore the FNP to its authorized dimensions. This alternative provides the greatest public benefits and results in no significant, long-term adverse impacts to the environment.

Alternative Placement Sites: The CLDS (Attachment 3) is a designated disposal area that can receive dredged material from federal, state, and private dredging projects deemed suitable for open water placement. CLDS is located approximately 11 miles from Stony Creek. CLDS covers a 3.2 nmi² area and is centered at 41° 08.950' N, 72° 52.950' W (NAD 83). It is located approximately 5.6 nautical miles (nm) south of South End Point, East Haven, Connecticut. The last federal maintenance dredging event Stony Creek FNP also used the CLDS for placement of the dredged material.

The Eastern Long Island Sound Disposal Site (ELDS) was also considered for this project. The USEPA published a Final Rule to designate the ELDS on December 6, 2016 (81 FR 87820). The ELDS is located approximately 36 miles southeast of the dredge area. Although ELDS presents an alternative placement site, the additional transport distance would significantly increase overall project costs, which renders this a less desirable and non-viable option.

Alternative Dredging Methods: The dredging methods considered were mechanical bucket, hydraulic cutterhead pipeline, and hydraulic hopper dredges. Mechanical dredging was chosen as the preferred alternative because it is appropriate for the type of material to be dredged (predominately silt) and because of the haul distance (approximately 11 miles) to CLDS, which may require the use of multiple scows to transport the dredged material.

Additional Information: Additional information may be obtained from the Ms. Coral Siligato, Project Manager, Civil Works/IIS Project Management Branch, Programs and Project Management Division, at the return address shown, or by email at nae-pn-nav@usace.army.mil or telephone at (978) 318-8012.

Coordination: The proposed work has been or will be coordinated with the following agencies:

Federal:

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

State:

Connecticut Department of Energy and Environmental Protection
Connecticut Department of Agriculture (Bureau of Aquaculture)
Connecticut State Historic Preservation Office
State of New York Coastal Zone Management Program

Local Entities:

Stony Creek Harbormaster
Town of Branford

Tribes:

Delaware Tribe
Mashantucket Pequot Tribal Nation
Mohegan Tribe
Narragansett Tribe
Wampanoag Tribe of Gay Head (Aquinnah)

Environmental Impacts: An Environmental Assessment is in preparation. I have made a preliminary determination that an Environmental Impact Statement for the proposed maintenance and repair is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed considering facts submitted in response to this notice.

Other Information:

- a. **Local Sponsor:** Town of Branford, Connecticut

b. Endangered Species: It is our determination that the project may affect, but is not likely to adversely affect, threatened or endangered species. USACE is in consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to ensure that the proposed activity will not significantly affect any species or critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844).

c. Cultural Resources: USACE has determined that the project will have no effect upon historic properties in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.

USACE is coordinating with the Connecticut State Historic Preservation Office (SHPO) and the Delaware Tribe, the Mashantucket Pequot Tribal Nation, the Mohegan Tribe, the Narragansett Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah) in accordance with the National Historic Preservation Act (NHPA) of 1966, as amended, on the proposed project. The project area has been previously dredged in 1977 and 1995; therefore, no effect upon historic properties, as defined by the NHPA and 36 CFR 800 is anticipated. As disposal will occur at previously and continuously used disposal site, no effects to historic properties are expected at that location. We expect the CT SHPO and Tribes to concur with this determination.

d. Essential Fish Habitat Assessment: USACE has determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within areas designated as EFH, as defined by the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, for federally managed fish species. USACE assessed the effects that the project is likely to have on EFH and determined that they will be short-term and localized, and that there will be no significant impacts on the designated fisheries resources. USACE is in consultation with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.

e. Section 103: Section 103 of the Marine Protection, Research and Sanctuaries Act (MPRSA): USACE has determined that the project is consistent with Section 103 of the MPRSA for disposal of material in ocean waters at CLDS. The proposed transportation of this dredged material for disposing of it in ocean waters is being evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities or the marine environment, ecological systems, or economic potentialities. In making this determination, the criteria established by the EPA Administrator pursuant to section 102(a) of the MPRSA, will be applied. In addition, based upon an evaluation of the potential effect which the failure to utilize this ocean disposal site will have on navigation, economic and industrial development, and foreign and domestic commerce of the United States, an independent determination will be made of the need to dispose of the dredged material in ocean waters, other possible methods of disposal, and other appropriate locations.


f. Floodplain Management: In accordance with Executive Order 11988, USACE has determined that the proposed work will not contribute to negative impacts or damages caused by floods.

g. Additional Requirements: USACE will request a 401 Water Quality Certificate from the Connecticut Department of Energy and Environmental Protection. USACE will also request concurrence with our Coastal Zone Management Consistency Determination from the Connecticut Department of Energy and Environmental Protection and the State of New York Coastal Zone Management Program. The dredging and placement operations will be conducted in a manner that is consistent to the maximum extent practicable with the approved Connecticut and New York coastal management programs established in accordance with the Coastal Zone Management Act of 1972.

The decision whether to perform the proposed work will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest which may be affected by the disposal of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity. Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Coral Siligato; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

____ 23 December 2024 ____
DATE



Scott Acone, P.E., PMP
Deputy District Engineer
USACE, New England District

Attachments

Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 7401 et seq.)

Clean Water Act, as amended (33 U.S.C. 1251 et seq.)

National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-677e)

Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et seq.)

Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451 et seq.)

Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq.

Code of Federal Regulations, Title 33, Parts 335 through 338

National Historic Preservation Act of 1966, as amended (54 U.S.C. 300101 et seq.)

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)

Estuary Protection Act (16 U.S.C. 1221 et seq.)

Federal Water Project Recreation Act, as amended (16 U.S.C. 4601L-12 et seq.)

Land and Water Conservation Fund Act of 1965, as amended (54 U.S.C. 200301 et seq.)

Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1801 et seq.)

Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.)

Executive Order 11988, Floodplain Management, 24 May 1977

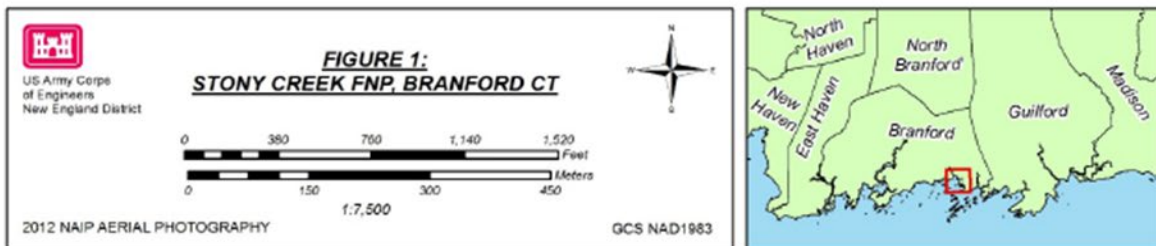
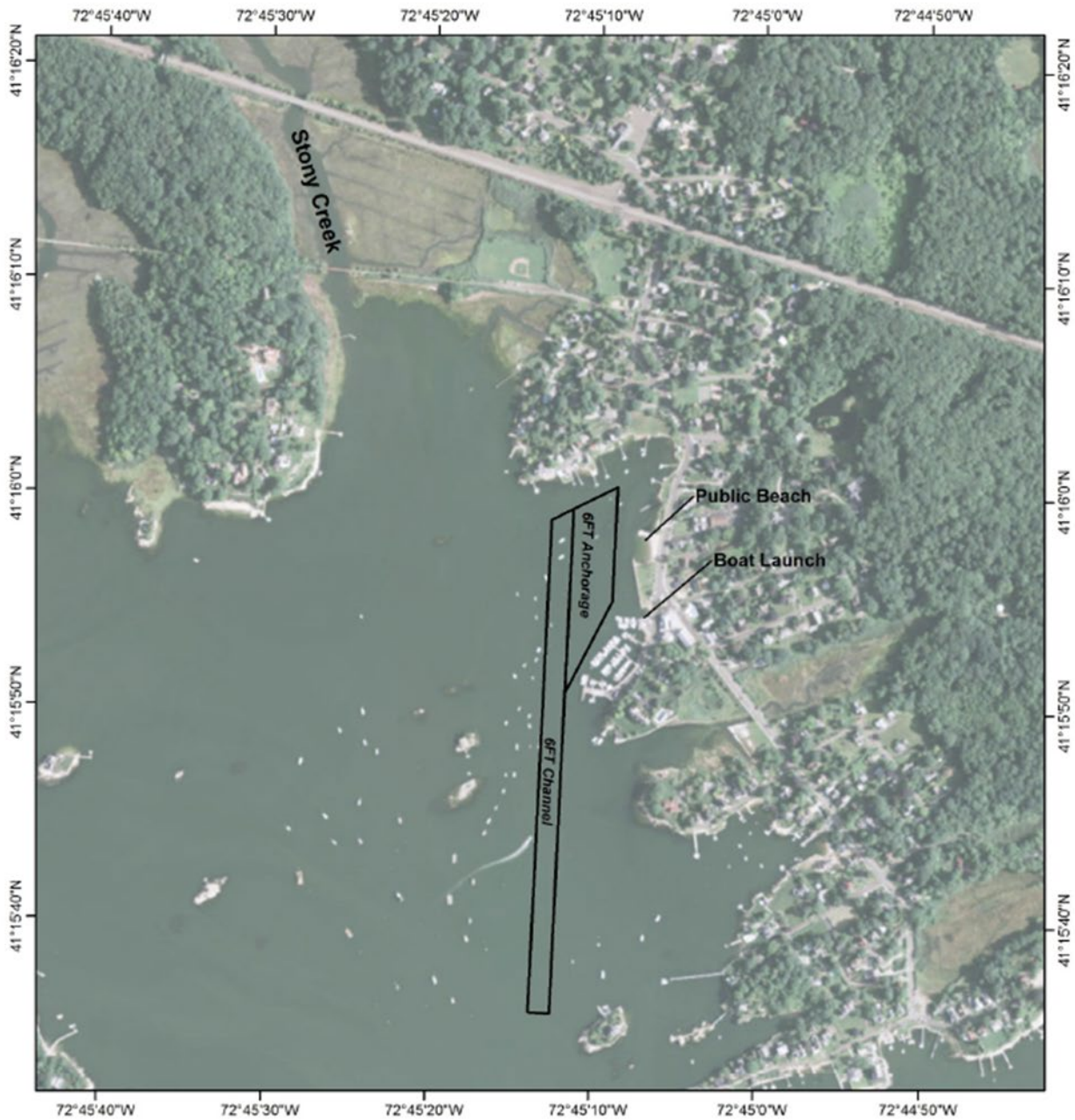
Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997

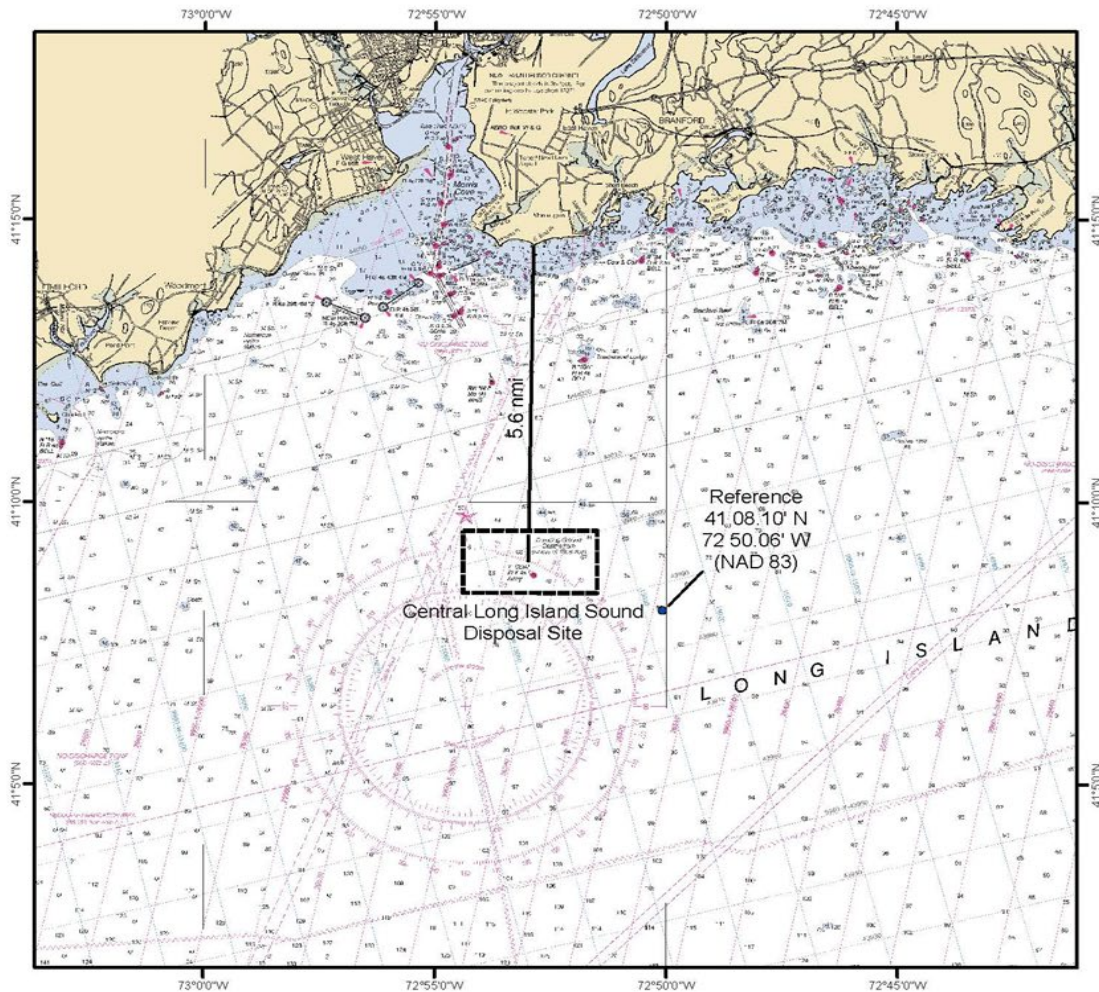
Attachment 2

Stony Creek Federal Navigation Project



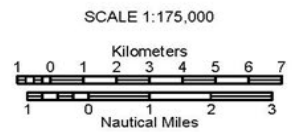
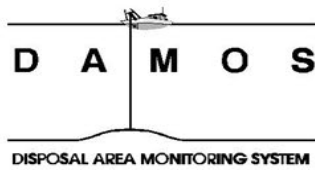
Attachment 3

Central Long Island Sound Disposal Site



CENTRAL LONG ISLAND SOUND DISPOSAL SITE

Description: The Central Long Island Sound Disposal Site (CLDS) is one of four regional dredged material disposal sites located in the waters of Long Island Sound. CLDS covers a 11.04 km² (3.2 nm²) area and is centered at 41° 08.950' N, 72° 52.950' W (NAD 83). It is located approximately 10.89 km (5.6 nmi) south of South End Point, East Haven, Connecticut. Since 1977, the management strategy at CLDS has entailed the controlled placement of small to moderate volumes of sediment to form individual disposal mounds on the seafloor. The authorized disposal point (within the overall disposal area) is specified for each dredging project in other project documents.



NOTE: This chart is not intended for use in navigation.

