Supplemental Environmental Assessment
And Finding of No Significant Impact

DRAFT

New Haven Harbor Navigation Improvement Project New Haven, Connecticut

US Army Corps
of Engineers ®
New England District

September 2025

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SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

FINDING OF NO SIGNIFICANT IMPACT

New Haven Harbor Navigation Improvement Project

New Haven, Connecticut

FEDERAL NAVIGATION PROJECT IMPROVMENT DREDGING

September 2025

New England District
U.S. Army Corps of Engineers
696 Virginia Rd
Concord, Massachusetts 01742

Contents

1.0 INTRODUCTION

This Supplemental Environmental Assessment (SEA) for the New Haven Harbor Navigation Improvement Project (Project) has been prepared by the U.S. Army Corps of Engineers (USACE) as a supplement to the 2020 Final Integrated Feasibility Report Environmental Impact Statement (IFR-EIS), dated February 2020 (USACE, 2020). This SEA is in compliance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code (USC) §§ 4321 *et seq*.).

The 2020 IFR-EIS analyzed the No Action Alternative, various channel depth and channel width alternatives for navigation improvement of the main channel, and a series of placement alternatives for the dredged material to be generated from the Project. A Record of Decision (ROD) was signed on April 13, 2021, for the Project. The placement sites for the preferred alternative stated in the ROD included using the Morris Cove Borrow Pit, an oyster habitat creation site at the east breakwater (shellfish improvement area), the West River Borrow Pit, a rock placement site north of the west breakwater (rock reef habitat creation), open water placement at the Central Long Island Sound Disposal Site (CLDS) with targeted placement to cover historic disposal mounds, and the use of approximately 657,000 cubic yards (cy) of silty dredged material to construct a salt marsh at Sandy Point (see Figure 1 for all placement sites).

During the design phase of the Project, USACE was able to evaluate the Project's salt marsh construction component in greater detail and determined the level of containment needed to maintain the silty dredged material in place far exceeded what was originally considered. The level of containment needed would increase the engineered nature of the structure, reducing the natural aspects of the marsh, necessitating more long-term maintenance, and consequently would significantly increase the costs of the feature. Due to these factors, the inclusion of the salt marsh placement measure is being removed from the Project and the approximately 657,000 cy of silty material will now be placed in open water at the CLDS.

Additionally, approximately 450,000 cy of dredged material has been re-classified from silt to silty-sand based upon geophysical analyses performed during the design phase of the project. This silty-sand material is suitable to be placed in the shellfish improvement area in New Haven Harbor and therefore will not be placed at CLDS. The environmental consequences of placing material at the shellfish improvement area are documented in the 2020 IFR-EIS. All remaining facets of the Project remain unchanged from those documented in the 2020 IFR-EIS.

This SEA considers the previously approved proposed action evaluated in the 2020 IFR-EIS (referred to herein as the original design), and the proposed modification of removing the placement of silty material at the Sandy Point salt marsh site (referred to herein as the Modified Proposed Action) as the preferred alternative for this SEA. The purpose and scope of this SEA are limited to potential impacts that may occur as a result of the Modified Proposed Action (i.e., the removal of the salt marsh placement alternative and the additional material being placed at the shellfish improvement area).

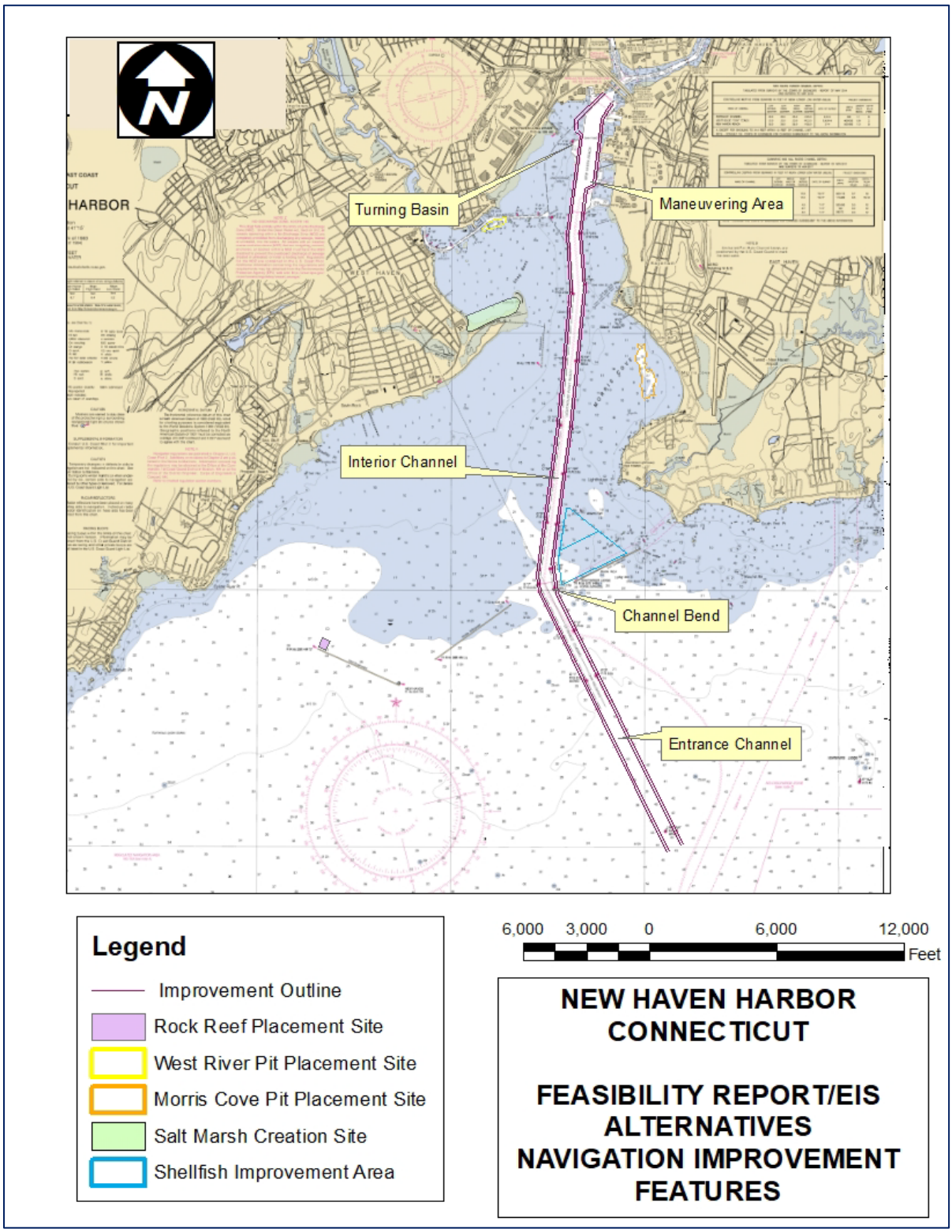

Figure 1. New Haven Harbor Navigation Improvement Project Original Design.

2.0 PROJECT AREA DESCRIPTION

The project area remains the same as described in the 2020 IFR-EIS.

3.0 PROJECT AUTHORIZATION

The Project authority remains the same as described in the 2020 IFR-EIS.

4.0 PURPOSE AND NEED

The purpose and need of the Project remains the same as that described in the 2020 IFR-EIS: to improve navigation into and out of New Haven Harbor for the deep draft ships using the harbor now and in the future to achieve transportation cost savings (increased economic efficiencies) and improve safety.

5.0 MODIFIED PROPOSED ACTION

The Modified Proposed Action removes the Sandy Point salt marsh component from the Project. The approximately 657,000 cy of silty material that would have been placed at Sandy Point within 58 acres of intertidal and subtidal habitat (subtidal habitat = 52 acres and intertidal = 6 acres) will now be placed in open water at the CLDS.

Additionally, approximately 450,000 cy of dredged material has been re-classified from silt to silty-sand and will be placed at the shellfish improvement area within New Haven Harbor instead of CLDS. During the Project's design phase, a geotechnical study (Coastal Partners, 2025) was carried out to refine the nature, location, and amount of sediment types to be dredged. The results indicated that approximately 450,000 cy of material in the area of the entrance channel of the FNP that were classified as silt in the 2020 IFR-EIS are actually silty-sand.

Following discussions with the State of Connecticut Bureau of Aquaculture and the Connecticut Department of Energy and Environmental Protection, USACE will place this additional sandy material at the shellfish improvement area as the site has sufficient capacity to accept the material. This beneficial use of dredged material will improve the site to a greater amount of suitable shellfish habitat than was defined in the 2020 IFR-EIS. Therefore, instead of the 2020 IFR-EIS estimate of 450,000 cy of silty-sand being placed at the shellfish improvement area, the Modified Proposed Action includes placing approximately 900,000 cy of sandy material in the improvement area.

6.0 ALTERNATIVES

6.1 Alternatives Evaluated

The No Construction Alternative (i.e., the 2020 IFR-EIS No Action Alternative) was addressed in the 2020 IFR-EIS. Therefore, the No Construction Alternative is not carried forward for further analysis in this SEA.

This SEA addresses a current No Action Alternative, which is the previously approved Recommended Plan described in the 2020 IFR-EIS (the original improvement design) as well as the Modified Proposed Action (as defined in Section 5.0).

6.2 Alternatives Carried forward for Analysis in this SEA

Two alternatives have been carried forward and are evaluated in this SEA

These alternatives are:

- No Action Alternative (The original improvement design analyzed in the 2020 IFR-EIS)

- Modified Proposed Action

7.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The affected environment and existing conditions within the project area remain similar to those described in the 2020 IFR-EIS. This SEA evaluates potential environmental impacts to resources that could result from the Modified Proposed Action compared to the original design. Resources unaffected by the modification are not discussed in this SEA.

The effects of placing additional sandy material at the shellfish improvement area are the same as those evaluated in the original design and as described in the 2020 IFR-EIS. While the amount of material to be placed at the shellfish improvement area has increased from 450,000 cy to 900,000 cy (due to the re-classification of dredged material), the impacts associated with placing the additional material are similar to the impacts documented in the 2020 IFR-EIS and remain valid. Therefore, impacts to resources due to the Modified Proposed Action of additional material at the shellfish improvement area are not analyzed further in this SEA.

The removal of the salt marsh component as part of the Modified Proposed Action is evaluated in this SEA with respect to the resources where impacts may be different than those described for the original design, including the following sections of the 2020 IFR-EIS: 3.1/7.1 Protected Managed Lands, 3.2/7.2 Water Quality, 3.3/7.3 Wetlands, 3.4/7.4 Benthic Habitats, 3.5/7.5 Essential Fish Habitat, 3.8/7.8 Fish, 3.9/7.9 Shellfish and Lobster, 3.10/7.10 Birds, 3.15/7.15 Coastal Barrier Resources, and 3.17/7.17 Aesthetics and Recreation. Effects of the Modified Proposed Action on protected resources, marine mammals, invasive species, air quality, hazardous toxic and radioactive waste, noise, cultural and historic resources, socioeconomics, and sediments are anticipated to be the same as those evaluated for the original design as described in the 2020 IFR-EIS. Therefore, impacts to these resources are not analyzed further in this SEA.

All environmental commitments from the 2020 IFR-EIS will be implemented and are not described in the subsections below.

7.1 Protected Managed Lands

Affected Environment

Protected Managed Lands remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design would temporarily affect the accessibility to Morse Park, Morse Beach, and the Sandy Point areas during construction of the salt marsh area as these

areas would have to be accessed by construction equipment such as dozers and excavators to create the salt marsh containment structure.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action would eliminate the need to access Morse Park, Morse Beach, and the Sandy Point areas. Therefore, no effects would occur to those areas.

7.2 Water Quality

Affected Environment

The water quality of the project area remains as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design proposed using earth moving equipment (dozers and excavators) to create a confined placement area and a hydraulic dredge to place dredged material within the confined area. The creation of a confinement area and the placement of dredged material was expected to alter water quality in the area of the salt marsh by temporarily increasing turbidity and converting approximately 52 acres of existing shallow subtidal waters to marsh land.

Modified Proposed Action (No salt marsh)

The removal of the salt marsh placement area will avoid converting 52 acres of open water habitat and 6 acres of intertidal habitat to marsh land and will avoid turbidity impacts associated with material placement.

The placement of an additional 657,000 cy of material at CLDS will not significantly affect water quality at the site. The effects on water quality from the placement of dredged material are documented in the 2020 IFR-EIS.

7.3 Wetlands

Affected Environment

The wetlands in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

As documented in the 2020 IFR-EIS, the original design would add approximately 58 acres of salt marsh habitat to the New Haven Harbor ecosystem.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will not add 58 acres of salt marsh habitat to the New Haven Harbor ecosystem. As the 58 acres of proposed salt marsh will not be created, the area will remain 52 acres of shallow subtidal bottom and 6 acres of intertidal flat.

7.4 Benthic Habitat

Affected Environment

The benthic resources in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design would convert approximately 52 acres of shallow subtidal benthic habitat and 6 acres of intertidal habitat into approximately 58 acres of salt marsh habitat. All benthic resources within the footprint of the salt marsh area would be destroyed as a result of the original design.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will not add 58 acres of salt marsh habitat to the New Haven Harbor ecosystem. The benthic resources in the footprint of the proposed salt marsh area will remain unaffected.

The placement of an additional 657,000 cy of material at CLDS will not significantly affect benthic resources at the site. The effects on benthos from the placement of dredged material at CLDS are documented in the 2020 IFR-EIS.

7.5 & 7.8 Essential Fish Habitat and Managed Species & Fish

The Essential Fish Habitat (EFH) and Managed Species section (7.5) and the Fish section (7.8) detailed in the 2020 IFR-EIS are addressed in this section of the SEA. As the Modified Proposed Action affects both the habitats and resources similarly, they are addressed together below.

Affected Environment

The Essential Fish Habitat and Managed Species and the fish resources in the project areas remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design would convert approximately 52 acres of shallow subtidal habitat and 6 acres of intertidal habitat into approximately 58 acres of salt marsh habitat. The fish resources in the project area were anticipated to lose access to that acreage of subtidal and intertidal areas as habitat. The loss of the 58 acres of fish resource habitat was offset by the creation of approximately 57 acres of shallow water subtidal habitat in New Haven Harbor in the areas currently occupied by the West River Borrow Pit and the Morris Cove Borrow Pit. These borrow pit areas are currently not suitable habitat for fish resources due to water quality issues (i.e., low dissolved oxygen). The filling of the borrow pits with dredged material will return these portions of the harbor to suitable fish habitat.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will eliminate the loss of the 58 acres of fish habitat that were anticipated to be used for the creation of a salt marsh.

The filling of the West River Borrow Pit and the Morris Cove Borrow Pit will still occur under this alternative and will add an additional 57 acres of suitable fish habitat to the New Haven Harbor ecosystem.

The placement of an additional 657,000 cy of material at CLDS will not significantly affect EFH or fish resources at the site. The effects on EFH and fish resources from the placement of dredged material are documented in the 2020 IFR-EIS.

7.9 Shellfish and Lobster

Affected Environment

Shellfish and lobster resources in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design of creating salt marsh in intertidal and subtidal areas would have impacted approximately 52.4 acres of shellfish parcel bottom habitat over 6 individual

shellfish parcels in New Haven Harbor (see Table 7-1 for specific Lots). This loss was intended to be countered by improving approximately 42 acres of shellfish habitat in the Morris Cove Borrow Pit by restoring elevations in the area through dredged material placement.

Table 7-1: Managed Shellfish Parcels in New Haven Harbor Affected by the Proposed Placement Areas in the Original Design of the Project. + Denotes habitat added and – denoted habitat removed under the original design.

PARCEL NAME	PLACEMENT SITE	FISHING STATUS	TOTAL AREA OF PARCEL (ACRES)	AREA OF IMPACT FROM PROPOSED PROJECT (ACRES)
LOT 134N	Morris Cove Borrow Pit	Unknown	50.0	+23.7
LOT 134S	Morris Cove Borrow Pit	Unknown	50	+18
LOT 1	Sandy Point Salt Marsh	Unknown	8	-4.5
LOT 2	Sandy Point Salt Marsh	Unknown	22	-12
LOT 3	Sandy Point Salt Marsh	Unknown	6.2	-0.5
LOT 33	Sandy Point Salt Marsh	Unknown	3.8	-0.9
LOT 35	Sandy Point Salt Marsh	Unknown	6.5	-6.5
TRACT 3	Sandy Point Salt Marsh	Unknown	254	-28

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will eliminate the loss of the 52.4 acres of shellfish parcel habitat that were anticipated to be used for the creation of a salt marsh.

The filling of the Morris Cove Borrow Pit will still occur under this alternative and will improve 42 acres of suitable fish habitat in the New Haven Harbor ecosystem.

The placement of an additional 657,000 cy of material at CLDS will not significantly affect shellfish resources at the site. The effects on shellfish resources from the placement of dredged material are documented in the 2020 IFR-EIS.

7.10 Birds

Affected Environment

Bird resources in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design had no significant negative effects to bird resources in the project area. The salt marsh creation alterative would have increased available salt marsh habitat in the New Haven Harbor system by 58 acres. As noted in the 2020 IFR-EIS, salt marshes are used by a variety of migratory bird species for nesting, foraging, and loafing/roosting habitats.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action would not significantly affect bird resources in the project area. Bird species and their existing habitats in New Haven Harbor will remain as described in the 2020 IFR-EIS.

7.15 Coastal Barrier Resources

Affected Environment

The coastal barrier resources in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design would add approximately 58 acres of salt marsh habitat to the New Haven Harbor ecosystem within the Morse Park Other Protected Area (OPA) unit of the Coastal Barrier system.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will not add 58 acres of salt marsh habitat to the New Haven Harbor ecosystem within the Morse Park OPA Unit. The proposed salt marsh area will remain 52 acres of shallow subtidal bottom and 6 acres of intertidal flat.

7.17 Aesthetics and Recreation

Affected Environment

The aesthetics and recreational resources in the project area remain as described in the 2020 IFR-EIS for the original design.

Environmental Consequences

Original design (Creation of salt marsh)

The original design would add approximately 58 acres of salt marsh habitat to the New Haven Harbor ecosystem. Salt marshes are a natural habitat feature that would add to the aesthetics of New Haven Harbor.

Modified Proposed Action (No salt marsh)

The Modified Proposed Action will not add 58 acres of salt marsh habitat to the New Haven Harbor ecosystem. The proposed salt marsh area will remain 52 acres of shallow subtidal bottom and 6 acres of intertidal flat and not provide the aesthetics of salt marsh habitat.

8.0 CUMULATIVE IMPACTS

Cumulative impacts from the Modified Proposed Action would be the same as or less than those described in the 2020 IFR-EIS for the original navigation improvement plan. As in the original plan, the Modified Proposed Action would result in temporary and insignificant impacts to the resources listed in Section 7.0. With the Modified Proposed Action, the existing environment at Sandy Point would remain unchanged, new shellfish habitat would still be created at the Morris Cove Borrow Pit Site, and the impacts to water quality and benthic habitat at the CLDS due to additional sediment placement would be localized and temporary, as described in the 2020 IFR-EIS. Implementation of the Modified Proposed Action would result in incremental impacts to the environment but would not result in significant environmental impacts.

9.0 COORDINATION

A public notice was released for this project on September 22, 2025. Refer to Appendix A for coordination letters and public notice correspondence.

The agencies contacted for this project include:

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

State Agencies:
Connecticut Port Authority
Connecticut Department of Environmental Protection
Connecticut Department of Agriculture (Aquaculture Division)
Connecticut State Historic Preservation Office
State of New York Coastal Zone Management Program

Local Entities:
City of New Haven
Town of West Haven

Tribes:
Delaware Tribe
Mashantucket Pequot Tribal Historic Preservation Office
Mohegan Tribe Tribal Historic Preservation Office
Narragansett Indian Tribe
Wampanoag Tribe of Gay Head (Aquinnah)

10.0 COMPLIANCE WITH ENVIRONMENTAL FEDERAL STATUTES, EXECUTIVE ORDERS, AND EXECUTIVE MEMORANDUM

1. Coastal Barrier Resources Act, 16 USC 3501 et seq.

Compliance: The Modified Proposed Action is not located within any Coastal Barrier Resources Act units and no development is planned as a result of the action; therefore, this project is compliant.

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

Compliance: The Modified Proposed Action will not affect the Clean Air Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Clean Air Act.

3. Clean Water Act of 1977 (Federal Water Pollution Control Act Amendments of 1972) 33 U.S.C. 1251 et seq.

Compliance: Under Section 401 of the Clean Water Act, any Federal activity that will result in a discharge to waters or wetlands subject to Federal jurisdiction is required to obtain a State Water Quality Certification (WQC) to ensure compliance with State water quality standards. An application was filed with the State of Connecticut for a WQC pursuant to Section 401 of the Clean Water Act for the placement of dredged material into the Morris Cove and West Haven borrow pits, shellfish habitat creation area, rock placement area, or marsh creation area within New Haven Harbor and/or the placement of material at the Central Long Island Sound Disposal Site. Section 404 of the Clean Water Act governs the disposal of fill, including dredged material into waters of the United States within the three-mile territorial sea. This applies to discharges landward of the baseline of the territorial sea and in instances seaward of the baseline when the intent is to fill or nourish beaches. A Section 404(b)(1) Evaluation and Compliance Review has been prepared for all the possible placement sites and is included with the 2020 IFR-EIS. The Connecticut Department of Energy and Environmental Protection (CT DEEP) issued a WQC for the proposed project on August 14, 2019. For the Modified Proposed Action, USACE contacted CT DEEP to notify them of the change in project. CT DEEP notified USACE that no changes in the existing WQC were required.

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

Compliance: The U.S. Army Corps of Engineers completed a Federal consistency determination pursuant to Section 307 of the Coastal Zone Management Act that determined the proposed project is consistent to the maximum extent practicable with the CT and NY Coastal Zone Management program offices. The determinations are provided in Appendices M and N of the 2020 IFR-EIS and the original concurrences from NY DOS and CT DEEP, received February 11, 2019, and August 14, 2019, respectively, can be found in Appendix A.

For the proposed modified action, USACE is coordinating with CT DEEP and NY DOS by submitting supplemental CZM consistency determinations. Full compliance will be achieved when concurrence is received from CT DEEP and NY DOS.

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

Compliance: The Modified Proposed Action will not affect the Endangered Species Act (ESA) compliance or commitments made in the 2020 IFR-EIS. The project remains compliant with the ESA.

6. Estuarine Areas Act, 16 U.S.C. 1221 et seq.

Compliance: The Modified Proposed Action will not affect the Estuarine Areas Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Estuarine Area Act.

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

Compliance: Public notice of availability of this report relative to the Federal and State comprehensive outdoor recreation plans signifies compliance with this Act.

8. Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.

Compliance: Coordination of the Modified Proposed Action with the USFWS, NOAA Fisheries, Connecticut Department of Energy and Environmental Protection, and the Connecticut Department of Marine Fisheries signifies compliance with the Fish and Wildlife Coordination Act.

9. Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-4 et seq.

Compliance: Public notice of availability of this report relative to the Federal and State comprehensive outdoor recreation plans signifies compliance with this Act.

10. Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1971, as amended, 33 U.S.C. 1401 et seq.

Compliance: The Modified Proposed Action will not affect the MPRSA compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the MPRSA.

11. National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

Compliance: The Modified Proposed Action will not affect the National Historic Preservation Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Act.

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

Compliance: Preparation of this Supplemental Environmental Assessment and the signing of a Finding of No Significant Impact demonstrates compliance with NEPA. Publishing this SEA signifies partial compliance with NEPA. Full compliance will be achieved at the time the Finding of No Significant Impact (FONSI) for the SEA is issued.

13. Rivers and Harbors Act of 1899, as amended, 33 U.S.C. 401 et seq.

Compliance: The Modified Proposed Action will not affect the Rivers and Harbors Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Act.

14. Watershed Protection and Flood Prevention Act as amended, 16 U.S.C 1001 et seq.

Compliance: Not applicable, project area is not a watershed protection or flood prevention act area.

15. Wild and Scenic Rivers Act, as amended, 16 U.S.C 1271 et seq.

Compliance: Not applicable, project area is not a Wild or Scenic River.

16. Magnuson-Stevens Act, as amended, 16 U.S.C. 1801 et seq.

Compliance: Coordination with the NOAA Fisheries and preparation of an Essential Fish Habitat (EFH) Assessment signifies partial compliance with the EFH provisions of the Magnuson-Stevens Act (MSA). An updated EFH Assessment is not needed for the modified proposed action. Therefore, the Modified Proposed Action is compliant with this Act.

17. Marine Mammal Protection Act of 1972, 16 U.S.C. 1361-1407.

Compliance: The Modified Proposed Action will not affect Marine Mammal Protection Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Act.

18. Archaeological Resources Protection Act of 1979, 16 USC 470 et seq .

Compliance: Not applicable as Federal or Tribal lands are not involved in this project.

19. American Indian Religious Freedom Act of 1978, 42 USC 1996.

Compliance: Not applicable as Federal lands are not part of this project. USACE consulted with the CT Tribes as required under Section 106 of the National Historic Preservation Act.

20. Native American Graves Protection & Repatriation Act, 25 USC 3000-3013, 18 USC 1170

Compliance: Not applicable as Federal or Tribal lands are not involved. If Native American remains and associated funerary objects are disturbed, USACE would follow the procedures for unanticipated discoveries.

21. Archeological and Historic Preservation Act of 1974, 54 U.S.C. 312501 – 312508, P.L. 113–287

Compliance: The Modified Proposed Action will not affect the Archeological and Historic Preservation Act compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Act.

22. Bald and Golden Eagle Protection Act, 16 U.S.C. 668 – 668d

Compliance: The Modified Proposed Action will not affect eagles. All impacts are occurring in subtidal waters. Therefore, the project is compliant with this Act

23. National Invasive Species Act (NISA), as amended, 16 U.S.C. 4701 et seq.

Compliance: No invasive species will be introduced to the project area as a result of the Modified Proposed Action. Therefore, the project is compliant with this Act.

24. Noise Control Act of 1972, 42 U.S.C. 4901 et seq.

Compliance: The Modified Proposed Action will not affect noise impact compliance or commitments made in the 2020 IFR-EIS. The project remains complaint with the Act.

25. Wild and Scenic Rivers Act, 16 U.S.C. 1271 – 1287

Compliance: Not applicable, the project is not located in a Wild and Scenic designated river.

Executive Orders

1. Executive Order 11593, Protection and Enhancement of the Cultural Environment, 13 May 1971.

Compliance: Coordination with the State Historic Preservation Officer signifies compliance.

2. Executive Order 11988, Floodplain Management, 24 May 1977 amended by Executive Order 12148, 20 July 1979.

Compliance: Not applicable; project is not located within a floodplain.

3. Executive Order 11990, Protection of Wetlands, 24 May 1977.

Compliance: Applicable. Project will not significantly impact Federal wetlands and therefore complies with the EO.

4. Executive Order 12114, Environmental Effects Abroad of Major Federal Actions, 4 January 1979.

Compliance: Not applicable; project is located within the United States.

5. EO 13061, Federal Support of Community Efforts Along American Heritage Rivers, 11 September 1997.

Compliance: Not applicable, project is not in an American Heritage River area.

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

Compliance: Not applicable; the project would not create a disproportionate environmental health or safety risk for children.

7. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000.

Compliance: Consultation with Indian Tribal Governments, where applicable, and consistent with executive memoranda, DoD Indian policy, and USACE Tribal Policy Principals signifies compliance.

8. Executive Order 13112, Invasive Species Control, 3 February 1999.

Compliance: The project will not introduce invasive species to the project area and is therefore compliant with the EO.

9. Executive Order 13186, Protection of Migratory Birds, 10 January 2001.

Compliance: Consultation with USFWS, which was completed in August 2019, signifies compliance.

10. *Executive Order* 13007, Accommodation of Sacred Sites, 24 May 1996

Compliance: Not applicable as Federal lands are not involved.

Executive Memorandum

1. Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing NEPA, 11 August 1980.

Compliance: Not applicable; project does not involve or impact agricultural lands.

2. White House Memorandum, Government-to-Government Relations with Indian Tribes, 29 April 1994.

Compliance: Consultation with Federally Recognized Indian Tribes, where appropriate, signifies compliance.

11.0 REFERENCES

Coastal Partners. 2025. Geophysical Investigations in support of the New Haven Harbor Improvement Project. Submitted to the US Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742.

USACE. 2020. New Haven Harbor Navigation Improvement Project, New Haven Connecticut, Final Integrated Feasibility Report and Environmental Impact Statement (IFR/EIS). 213 p.