



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Tweed New Haven Airport  
Authority

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**New England District  
Permit Application No. NAE-2022-00290-TREC**

TO WHOM IT MAY CONCERN: The New England District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Jeremy Nielson  
Tweed New Haven Airport Authority  
155 Burr Street  
New Haven, Connecticut 06512

**CO-APPLICANT:** Michael Jones  
The New HVN, LLC  
42025 Aviation Drive, Suite 100  
Dulles, Virginia 20166

**AGENT:** Kimberly Peace  
Hoyle, Tanner, & Associates, Inc.  
150 Dow Street  
Manchester, New Hampshire 03101

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Morris Creek and Tuttle Brook. The project/review area is located at the Tweed New Haven Airport at Latitude 41.262128 and Longitude -72.885851; in New Haven, New Haven County, Connecticut.

**EXISTING CONDITIONS:** The Tweed New Haven Airport (HVN) is a non-hub, commercial service primary airport located in the both the City of New Haven and Town of East Haven, New Haven County, Connecticut approximately three miles southeast of the central business district of New Haven. The airport has one paved asphalt runway: Runway 2-20, which is 5,600 feet long by 150 feet wide. The Master Plan, completed in 2021, determined that Runway 14-32 is not eligible for federal funding as a crosswind runway and will remain closed permanently. Runway 2-20 has two partial parallel taxiways, one supporting each runway end. The airport has an Airport Traffic Control Tower that provides guidance to the airport and the airport's airspace. The airport

occupies approximately 437 acres of land and airlines operate out of the airport terminal building. This building, originally constructed as a conventional hangar, was built in 1930 and then converted into the terminal building in 1995. The passenger terminal building is undersized for the current aircraft operations out of the building.

**PROJECT PURPOSE:** The Federal Aviation Administration (FAA), as lead federal agency, has evaluated the proposal in accordance with the National Environmental Policy Act (NEPA). A final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) were issued in December 2023. The Master Plan, EA and FONSI can be found here: [www.tweedmasterplan.com](http://www.tweedmasterplan.com). The EA states in Section 2: “The purpose of the Proposed Action is to provide airfield and terminal area facilities to accommodate existing and reasonably foreseeable aircraft operations and passenger volumes. The Airport Authority’s goal is to ensure that HVN can efficiently meet current and future aviation needs by improving airside and landside operations. HVN needs to strive for better utilization of available land (currently underutilized) to support existing tenants and airport dependent users. The Proposed Action would improve the operational flexibility resulting in a more efficient and sustainable airport, address the +\$1.8 million annual State and City subsidy, and provide better landside access through non-residential areas avoiding the New Haven and East Haven neighborhoods.”

**Basic:** To provide air service improvements in southern Connecticut.

**Overall:** To enhance efficiency, increase terminal area capacity and alleviate the operational constraints at HVN to reliably and safely offer consistent and adequate level of service for the forecasted demand.

**PROPOSED WORK:** The applicant requests authorization to discharge fill into 5.48 acres of palustrine emergent (PEM) wetland, 0.01 acre of palustrine scrub-shrub (PSS) wetland, and 0.01 acre of palustrine forested PFO wetland to facilitate extension of Runway 02-20, construct a new terminal building, construct a taxi lane and apron, construct approximately 4,000 new parking spaces, construct an access road and causeway connecting the new terminal to Proto Drive, and provide ancillary grading and drainage. The same permit application package was submitted to the Corps and Connecticut Department of Energy and Environmental Protection. This application may be accessed at <https://flytweed.com/about/the-new-hvn/> by clicking on the red link titled “CT DEEP Inland and Wetland Permit Application (2025)”.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The project site consists of 6 delineated wetlands totaling 29.5 acres and no streams. The project was designed to minimize impact to these wetlands, resulting in the proposed 5.5 acres of impact to wetlands that were determined to be Waters of the United States. Further discussion on alternatives and the affected environment can be found in the EA.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

To compensate for the loss of waters of the United States, the applicant proposes to construct permittee-responsible mitigation on-site by creating new salt marsh habitat and enhancing the existing salt marsh habitat surrounding the Tweed New Haven Airport.

The compensatory mitigation would enhance 28.5 acres of tidal salt marsh complex within existing Phragmites dominated marsh areas by increasing the depth and duration of inundation of tidal water within these marshes. The enhancement objectives would be primarily achieved by modifying the operational procedure of the existing tide gate by increasing the sluice gate opening height during normal conditions and adjusting the timing of gate closures, the tide gate will allow for greater tidal exchange and prolonged inundation of brackish water upstream. This change would create favorable conditions for *Spartina alterniflora* growth while suppressing *Phragmites australis*. The storm event/wet weather operations procedure of the tide gate will remain unchanged, ensuring flood prevention through the use of the Watershed Drain Mode when severe weather is forecast. Opportunities to reduce drawdown timing and enhance tidal exchange 24 to 48 hours prior to forecasted wet weather events may also be evaluated, as conditions allow. This operational approach balances habitat enhancement goals with ongoing flood control requirements. The compensatory mitigation will also include the creation of 3.61 acres of tidal salt marsh complex within upland areas of the airport property. This process would involve excavating existing upland material, ensuring tidal flow through the creation of tidal channels that connect with existing channels, placing a clean, sandy planting medium, and grading the site to appropriate elevations for tidal inundation—the upper quarter of the tidal cycle. The newly created marsh will be planted with native salt marsh vegetation, including *Spartina alterniflora* in low marsh zones, to support habitat function and ecological resilience.

**CULTURAL RESOURCES:** The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The FAA completed consultation with the Connecticut State Historic Preservation Office (SHPO) and no historic properties were identified within the Area of Potential Effect (APE). The entirety of the Corps' permit area is located within the FAA's APE. The SHPO issued a finding on October 27, 2022 indicating that no historic properties would be affected by the proposed action.

The Corps is reviewing the documentation provided by the lead federal agency to determine if it is sufficient to confirm Section 106 consultation has been completed or whether additional consultation would be necessary.

**ENDANGERED SPECIES:** The FAA performed a search in the U.S. Fish & Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool in March 2022 determining that there are no critical habitats within the project site. Forested habitats are present in the vicinity of the airport which may serve as habitat for the Northern Long-eared bat. The Northern Long-eared bat was reclassified as endangered, effective March 31, 2023. Subsequently, the proposed action was re-submitted to the IPaC and a determination of *No Effect* was made by the lead federal agency. Based on the findings in the EA, the lead federal agency has made a determination that the proposed project will not affect any listed species or critical habitat.

The Corps is reviewing the documentation provided by the lead federal agency to determine if it is sufficient to confirm Section 7 of the Endangered Species Act consultation has been completed or whether additional consultation would be necessary.

This notice serves as request to the USFWS for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**ESSENTIAL FISH HABITAT:** Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the FAA reviewed the project area, examined information provided by the applicant, and consulted available species information. The full Essential Fish Habitat (EFH) assessment can be found in Section 4.3.3 of the EA. The lead federal agency found that no Habitat Areas of Particular Concern and no EFH were identified within the project area.

The lead federal agency has determined the proposal would have *No Effect* on any EFH. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

The Corps is reviewing the documentation provided by the lead federal agency to determine if it is sufficient to confirm EFH consultation has been completed or whether additional consultation would be necessary.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification is required from the Connecticut Department of Energy and Environmental Protection. Once notified of receipt per 40 CFR 121.5, the Corps will set a reasonable period of time for the certifying authority in accordance with 40 CFR 121.6.

**NOTE:** This public notice is being issued based on information furnished by the applicant and the final EA/FONSI published by the FAA in December 2023. This information will be evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

**EVALUATION:** The decision whether to issue a permit 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, which reasonably may be expected to 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, of the U.S. Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. The FAA solicited comments and those were considered and incorporated in the EA/FONSI pursuant to the NEPA. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New England District Corps will receive written comments on the proposed work, as outlined above, until December 22, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to [cenae-r-ct@usace.army.mil](mailto:cenae-r-ct@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, New England District, Attention: [cenae-r-ct@usace.army.mil](mailto:cenae-r-ct@usace.army.mil). Please refer to the permit application number in your comments.

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 public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



Figure 1-3: Proposed Action



Proposed Action