PUBLIC NOTICE



US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: September 2, 2020 Comment Period Ends: October 2, 2020 File Number: NAE-2016-00120 In Reply Refer To: Diane M. ray Phone: (978) 318-8831 E-mail: diane.m.ray@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the National Coast Guard Museum Association (mailing address). The work is proposed in the Thames River off property located at 2 Water Street, New London, Connecticut 06320. The site coordinates are: Latitude 41.354654 Longitude -72.092324

The National Coast Guard Museum Association (NCGMA) proposes to construct an approximately 80,000 square-foot museum on 0.34-acres of land owned by the U.S. Coast Guard (USCG). The proposed museum will provide public access to and use of the waterfront through the creation of a public educational space on the waterfront that will add to the historical narrative within the City of New London, strengthen the relationship between the USCG and New London, draw visitors to New London and the waterfront, and improve public access to the waterfront by transit and foot via an associated pedestrian bridge that is being permitted and constructed separately by the NCGMA. The construction of the museum will allow the public to experience the past, present, and future significance of the USCG and the services it has provided to our nation, and will allow the USCG to properly preserve, record and display USCG artifacts currently stored elsewhere.

The proposed project involves the following:

- Removal of approximately 1,080 cubic yards (CY) (1,065 square feet (SF)) of rubble from Thames River shoreline
- Removal of approximately 6,020 SF of existing concrete platform from the City Pier Plaza
- Removal of 85 16-inch steel encased concrete piling beneath City Pier Plaza
- Construction of approximately 282 linear feet (LF) of steel sheet pile bulkhead with concrete cap to elevation 6.5 feet NAVD88, including 100 LF of open shoreline, 85 LF of previous City Pier Plaza shoreline, 98 LF of return that abuts the remaining City Pier Plaza and a 30-foot return at northern bulkhead extent
- Placement of approximately 2,060 CY (6,020 SF) of fill in previous City Pier Plaza footprint
- Placement of approximately 1,065 CY (3,125 SF) of fill in the intertidal and subtidal Thames River to a
 water depth of approximately 10 feet

The total area of impact will be 0.2 acres, 60% of which is currently encumbered by the City Pier Plaza (Table 1). The breakdown of impact between areas of alteration seaward of the CJL/HTL, as well as the mean high water (MHW) and mean low water (MLW) are also provided. Areas and volumes are provided to discern impacts between intertidal and subtidal habitats, with a total alteration of 6,465 sf area and 850 CY of volume in the subtidal and a 2,835 SF area with 2,275 CY of fill in the intertidal area. The total alteration seaward of the CJL/HTL line measures 9,300 SF with a volume of 3,125 CY.

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		Beneath Existing City Pier Plaza			Open Shoreline Alteration		
Total	HTL/CJL	HTL/CJL ¹	MHW ²	MLW ³	HTL/CJL	MHW	MLW
Area (Square							
Feet)	9,300	6,020	5,750	4,315	3,280	3,050	2,150
Fill (Cubic							
Yards)	3,125	2,060	1,230	690	1,065	410	160
Linear Feet							
(Feet)	282	182 ⁴	N/A	N/A	100	N/A	N/A

Table 1: Regulatory Jurisdiction Summary

The work is shown on the enclosed plans entitled "National Coast Guard Museum, Location: MBLU: G12/108/1.0/1/ Water Street, New London, Connecticut", on 13 sheets, dated "June 2020".

The proposed project has been designed using the best available measures to avoid and minimize adverse impacts to aquatic resources. The applicant is pursuing mitigation to compensate for unavoidable impacts to these resources.

AUTHORITY

Permits are required pursuant to:

- x Section 10 of the Rivers and Harbors Act of 1899
- <u>x</u> Section 404 of the Clean Water 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 U.S. Army Corps of Engineers, New England District (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. The Corps 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.

¹ HTL/CJL Elevation 2.1 feet NAVD – inclusive of MHW and MLW impacts

² MHW Elevation 0.9 feet NAVD - inclusive of MLW impacts

³ MLW Elevation -1.7 feet NAVD

⁴ 182 linear feet includes 85-feet on the Thames River and 97 feet of return that will abut the northern and southern extents of the project.

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The proposed project has been the subject of environmental documentation under the National Environmental Policy Act (NEPA), with an Environmental Assessment (EA) conducted in 2014 and a Supplemental Environmental Assessment (SEA) conducted in 2018 (published July 2018). The 2014 assessment concluded in a Finding of No Significant Impact (FONSI). The 2018 SEA process is not yet complete. Public comment concluded in September 2018 and public comments are currently being responded to.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

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 9,300 square feet of EFH. This habitat supports winter flounder as well as other fisheries resources. 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 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.

ENDANGERED SPECIES CONSULTATION

The Corps 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 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 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.

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The following authorizations have been applied for, or have been, or will be obtained:

- (x) Permit, license or assent from State.
- (x) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

COMMENTS

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 Diane M. Ray at (978) 318-8831 (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

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.

THIS NOTICE IS <u>NOT</u> AN AUTHORIZATION TO DO ANY WORK.

Robert J. De Sista Robert J. DeSista

Robert J. DeSista Chief, Policy and Technical Support Branch Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at <u>bettina.m.chaisson@usace.army.mil</u>. 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.

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