



**US Army Corps
of Engineers** ®
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: December 26 , 2012
Comment Period Ends: January 27, 2013
File Number: NAE-2001-1169
In Reply Refer To: Ms. 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 as described below.

APPLICANT: Waterfront Magee, LLC PROJECT NAME: Stamford Boat Works

ACTIVITY: Construct a working boatyard and boat rack storage facility that will utilize a forklift and travel lift launch system. The work includes the construction of a pier with a travel lift well, floating docks and installation of a bulkhead along the shoreline, as well as dredging with disposal of the dredged material at an upland disposal facility.

A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK: The work is proposed in the East Branch of Stamford Harbor at 205 Magee Avenue, Stamford, Connecticut. The site coordinates are 41.04244° Latitude and -73.52664° Longitude.

AUTHORITY: Permits are required pursuant to: Section 10 of the Rivers and Harbors Act of 1899 and 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 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.

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).

The dredging portion of this project will impact approximately 25,000 square feet of Essential Fish Habitat (EFH) for the species and their life stages listed on the attached table. Habitat at this site varied and can be described as fine sand and silt to much coarser material. Loss of this habitat may adversely affect winter flounder. 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 little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. 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 any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

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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:

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Ms. 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 NOT AN AUTHORIZATION TO DO ANY WORK.



Robert J. DeSista
Chief, Permits and Enforcement 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 bettina.m.chaisson@usace.army.mil. 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.

NAME: _____
ADDRESS: _____
PHONE: _____

PROPOSED WORK AND PURPOSE:

1. Construct and maintain an approximately 38' x 40' pier with sheet piles on three sides extending approximately 5.5' beyond **mean high water**. A tie rod and tieback system will be installed to support the bulkhead. Approximately 240 cubic yards of clean fill will be placed within the sheet piles. The structure will then be capped with a concrete deck. Two pile-supported piers will be installed at the waterward end of the sheet pile pier, one north and one south, and will extend an additional 64 feet waterward. The piers will be approximately 10' wide to support both the travel lift tracks (approx. 4') and a walkway for boatyard workers and boat owners to access boats stages at the docks. The outer sides of the piers will include steel sheet pile running in an east-west direction to provide sidewalls for the well dredge footprint and limit the extent of the proposed dredge area by eliminating the need for side slopes adjacent to the travel lift well. At the pier's waterward ends, 4' x 40' gangways will provide access to the proposed staging docks. The total square footage of the pier structure is approximately 720 square feet for the filled pier with approximately 85 square feet beyond mean high water and approximately 1,280 square feet for the pile supported piers **beyond mean high water**.
2. Four floating docks are also proposed, two staging docks with gangway landings and two docks inside the travel lift well. The two staging docks will extend from the waterward end of the travel lift piers, north and south, parallel to the channel. The northern string of floating docks will be approximately 8' x 210' and the southern string of docks will be approximately 8' x 100'. The docks will provide a staging area for boats waiting to be hauled, or following their launch, or for in-water service. These docks will NOT be used for permanent berthing. The 8' x 10' gangway landings will be attached to the landward sides of the staging docks. The third and fourth docks will be approximately 2' wide x 74' long and will be located within the travel lift well that will connect to the staging docks to assist boatyard staff (only) in the handling of boats being hauled and launched. These in-well docks may be equipped with outriggers for stability purposes and will be removable if necessary to haul or launch wide-beam boats. The total area of docks is approximately 2,933 square feet **beyond mean high water**.
3. The proposed dredging footprint is divided into three areas:
 - The northern dock area – an approximately 12,620 square foot area proposed to be dredged to -8' mean low water with approximately 1,700 cubic yards of material being dredged mechanically.
 - The southern dock area – an approximately 5,958 square foot area proposed to be dredged to -5' mean low water with approximately 600 cubic yards of material being dredged mechanically.
 - The travel lift well area – an approximately 6,715 square foot area proposed to be dredged to -12' mean low water with approximately 2,300 cubic yards of material being dredged mechanically.

The total volume of material to be dredged is approximately 4,600 cubic yards with disposal at an upland disposal facility in New Jersey. The material will be transported to the facility via scow.

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The proposed project will provide public recreational boaters with an alternative to in-water boat store and will also provide desired boatyard services in the Stamford Harbor.

The work is described on the attached plans entitled “205 Magee Avenue Stamford Harbor” , Figure 1 and “Stamford Boat Works, 205 Magee Avenue, Stamford, Connecticut” Figures 3 through 6, and dated, “11/28/12”.



SUBJECT SITE

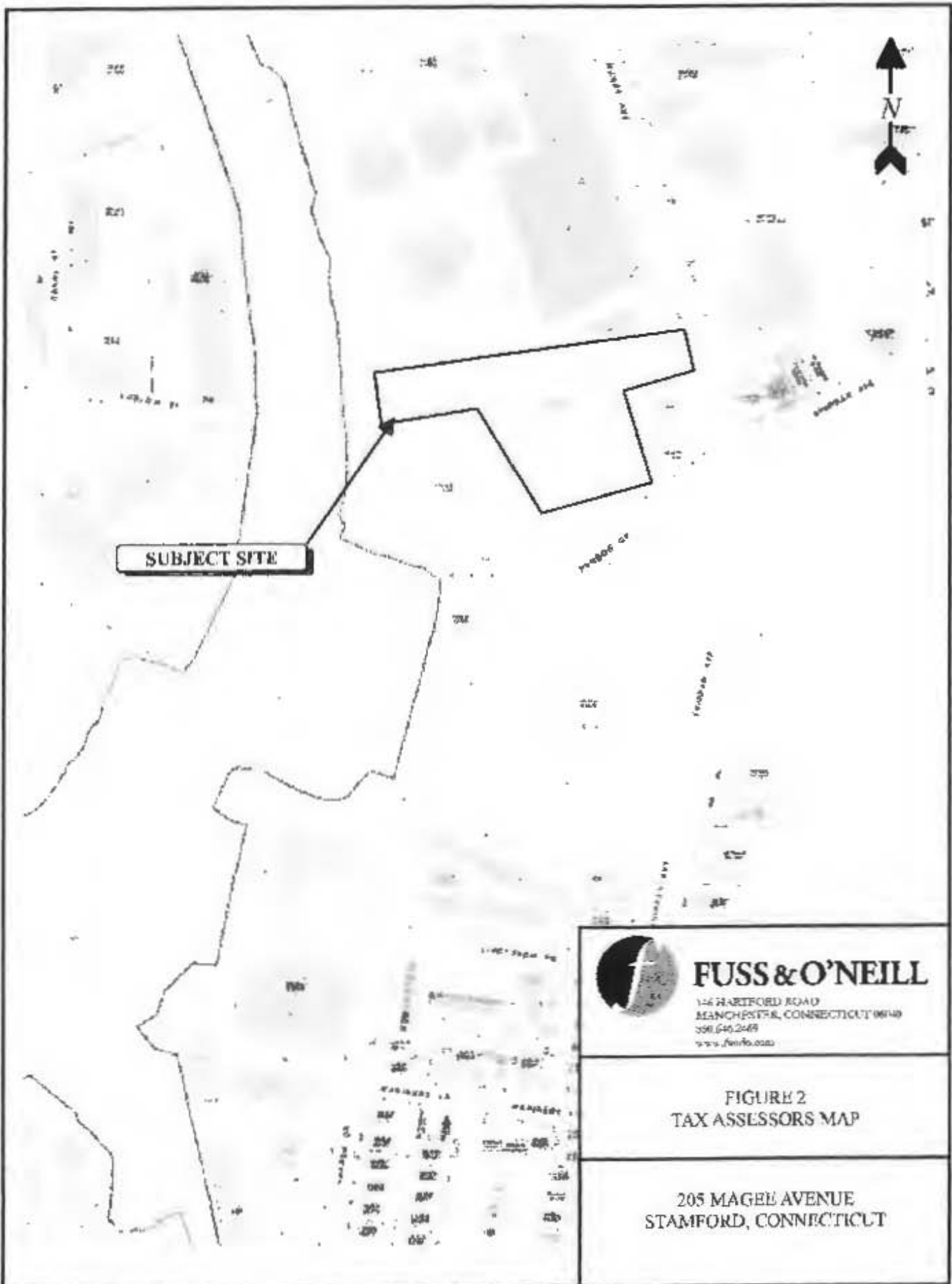


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**FIGURE 1
 SITE LOCATION MAP**

**205 MAGHE AVENUE
 STAMFORD, CONNECTICUT**

U.S. Geological Survey Map
 Scale: 1:24,000
 Stamford Quadrangle



SUBJECT SITE

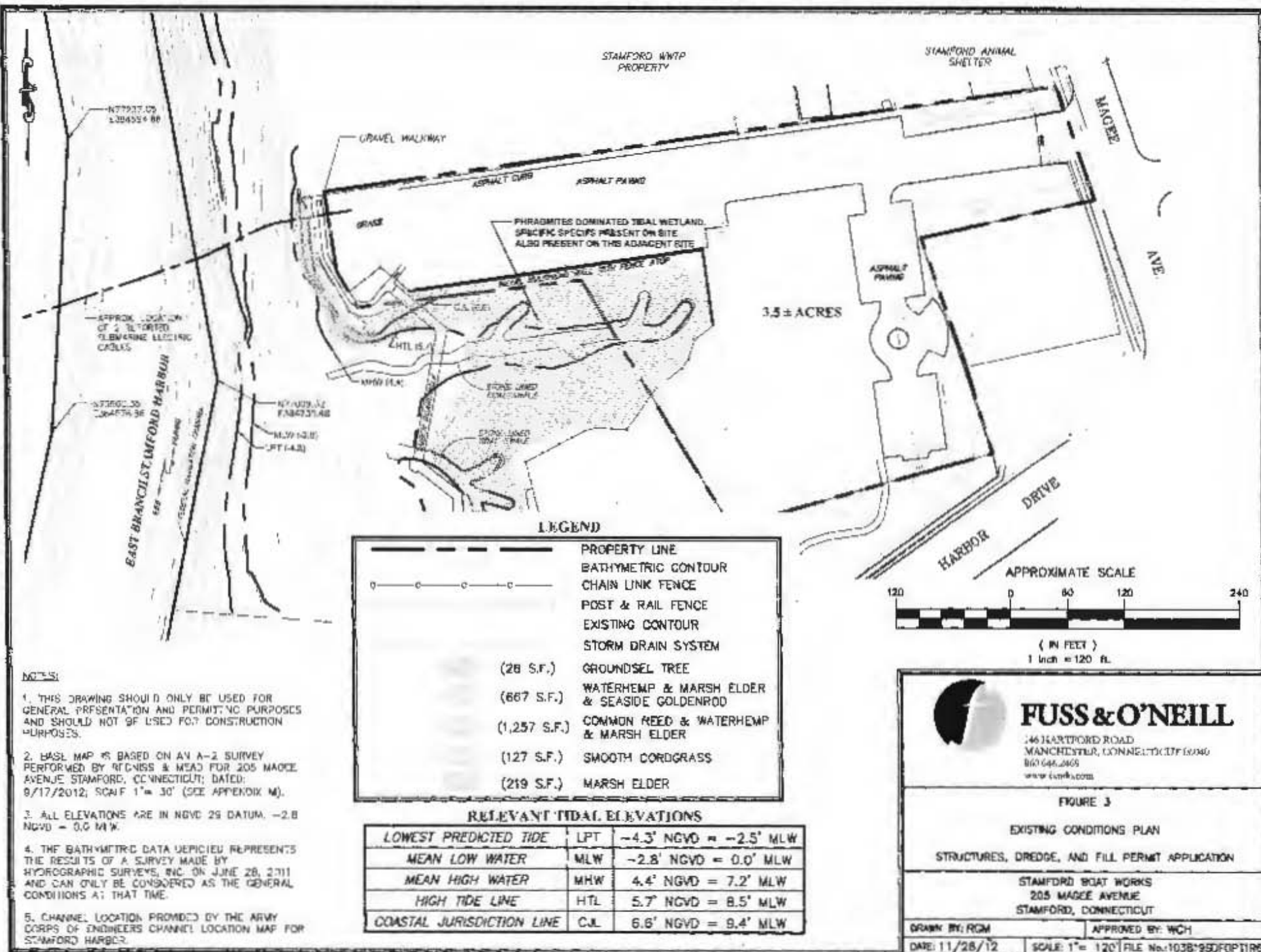


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FIGURE 2
TAX ASSESSORS MAP

205 MAGEE AVENUE
STAMFORD, CONNECTICUT

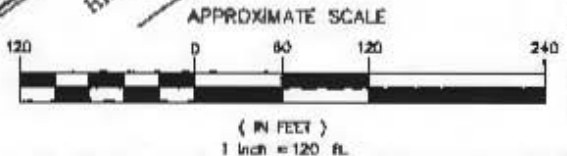


LEGEND

	PROPERTY LINE
	BATHYMETRIC CONTOUR
	CHAIN LINK FENCE
	POST & RAIL FENCE
	EXISTING CONTOUR
	STORM DRAIN SYSTEM
(28 S.F.)	GROUNDSEL TREE
(867 S.F.)	WATERHEMP & MARSH ELDER & SEASIDE GOLDENROD
(1,257 S.F.)	COMMON REED & WATERHEMP & MARSH ELDER
(127 S.F.)	SMOOTH CORDGRASS
(219 S.F.)	MARSH ELDER

RELEVANT TIDAL ELEVATIONS

LOWEST PREDICTED TIDE	LPT	-4.3' NGVD = -2.5' MLW
MEAN LOW WATER	MLW	-2.8' NGVD = 0.0' MLW
MEAN HIGH WATER	MHW	4.4' NGVD = 7.2' MLW
HIGH TIDE LINE	HTL	5.7' NGVD = 8.5' MLW
COASTAL JURISDICTION LINE	C&L	6.6' NGVD = 9.4' MLW



- NOTES:**
1. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION AND PERMITTING PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
 2. BASE MAP IS BASED ON AN A-2 SURVEY PERFORMED BY RICHISS & HEAD FOR 205 MAGEE AVENUE STAMFORD, CONNECTICUT; DATED: 9/17/2012; SCALE 1" = 30' (SEE APPENDIX M).
 3. ALL ELEVATIONS ARE IN NGVD 29 DATUM. -2.8 NGVD = 0.0 MLW.
 4. THE BATHYMETRIC DATA DEPICTED REPRESENTS THE RESULTS OF A SURVEY MADE BY HYDROGRAPHIC SURVEYS, INC. ON JUNE 28, 2011 AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
 5. CHANNEL LOCATION PROVIDED BY THE ARMY CORPS OF ENGINEERS CHANNEL LOCATION MAP FOR STAMFORD HARBOR.

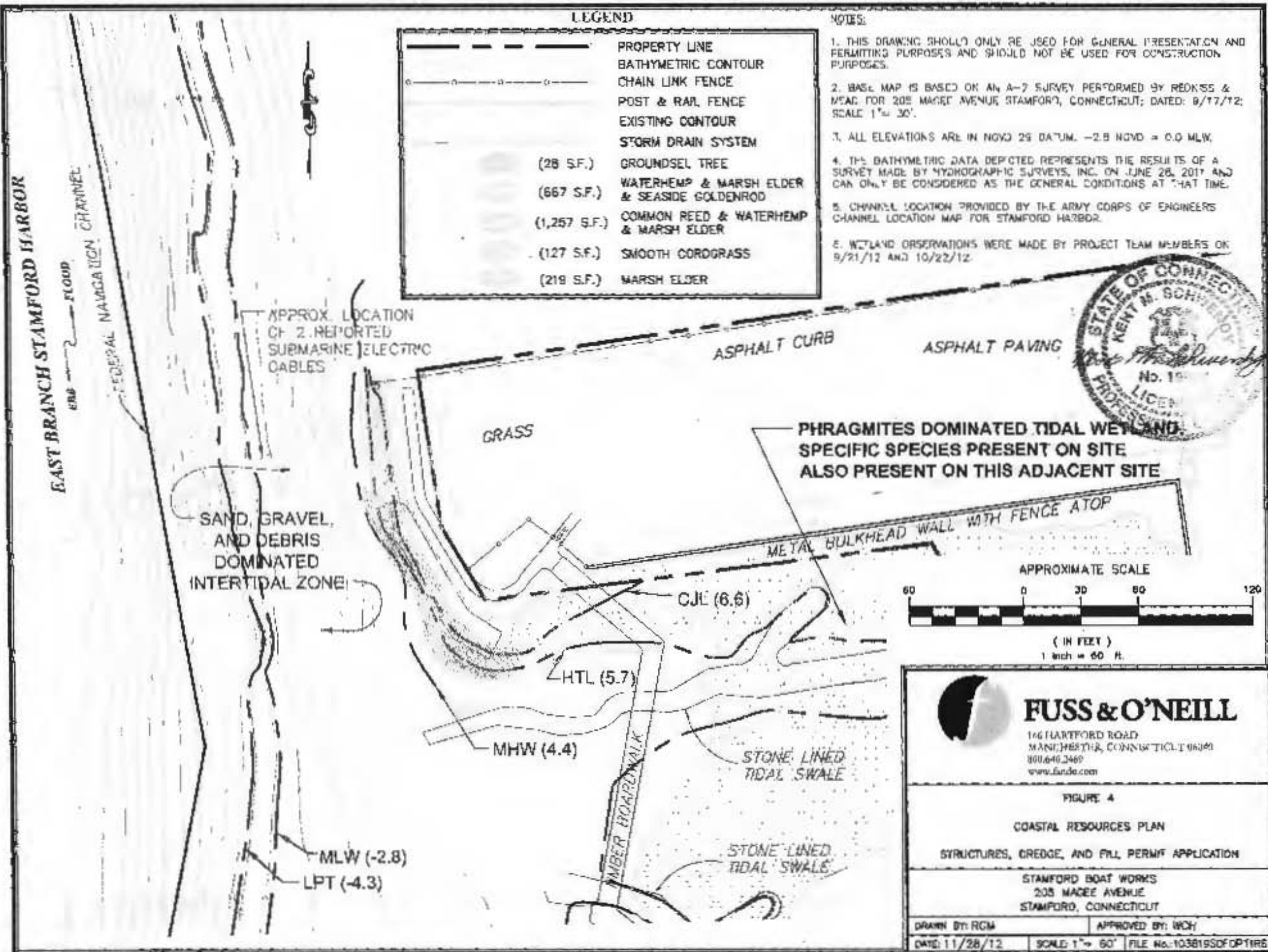


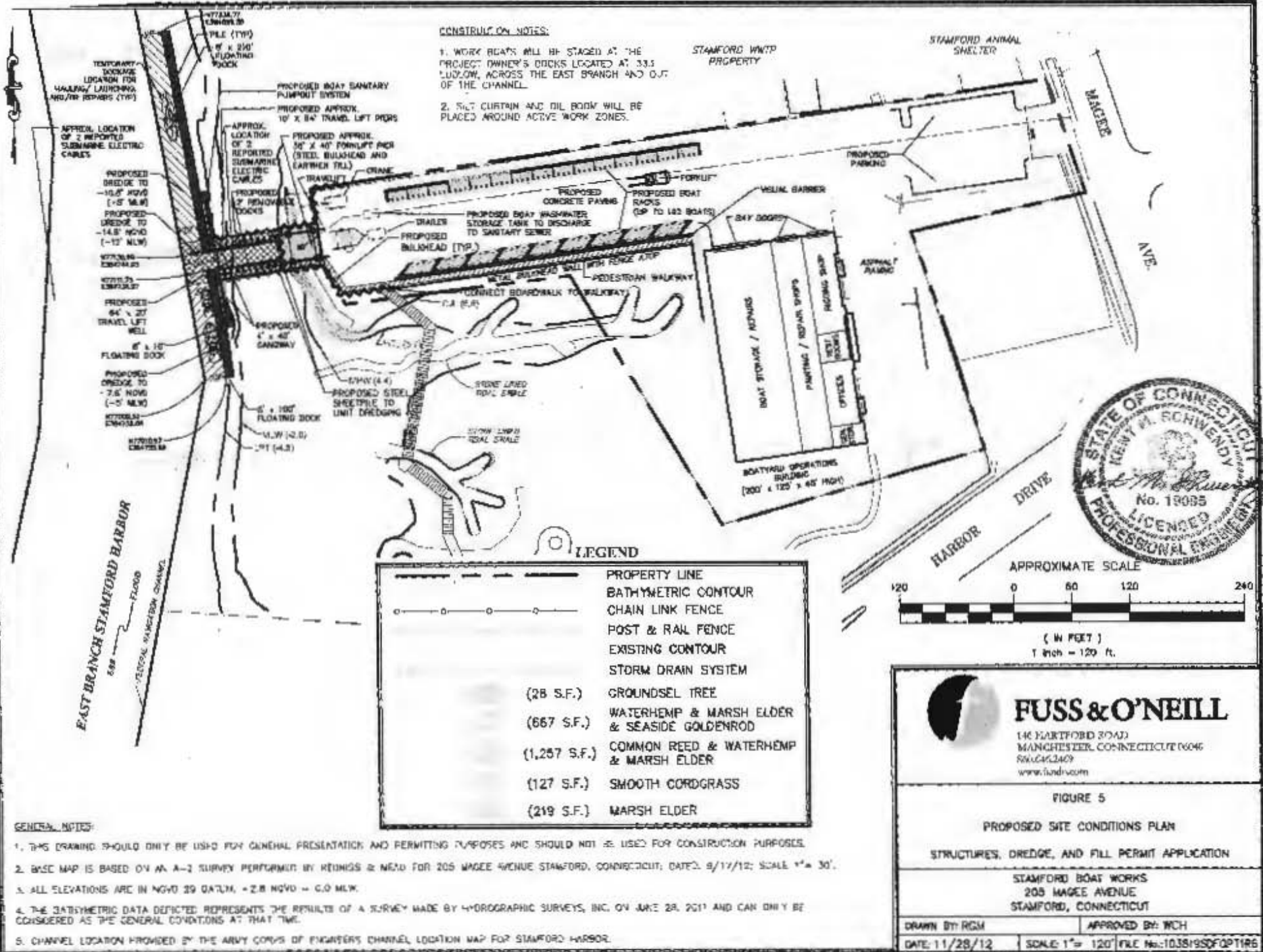
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FIGURE 3
EXISTING CONDITIONS PLAN
STRUCTURES, DREDGE, AND FILL PERMIT APPLICATION

STAMFORD BOAT WORKS
 205 MAGEE AVENUE
 STAMFORD, CONNECTICUT

DRAWN BY: RGM	APPROVED BY: WCH
DATE: 11/28/12	SCALE: 1" = 120' FILE No.: 103B-95DFOPT116





CONSTRUCTION NOTES:

1. WORK BOATS WILL BE STAGED AT THE PROJECT OWNER'S DOCKS LOCATED AT 333 LUDLOW, ACROSS THE EAST BRANCH AND OUT OF THE CHANNEL.
2. SALT CURTAIN AND OIL BOOM WILL BE PLACED AROUND ACTIVE WORK ZONES.

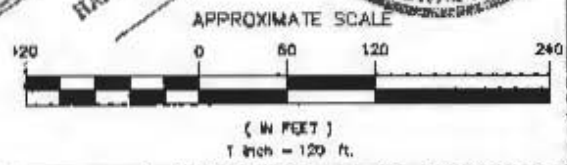
STAMFORD WWP PROPERTY


STAMFORD ANIMAL SHELTER

GENERAL NOTES:

1. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION AND PERMITTING PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. BASE MAP IS BASED ON AN A-2 SURVEY PERFORMED BY REYNOLDS & NEAL FOR 205 WAGEE AVENUE STAMFORD, CONNECTICUT, DATE: 9/17/12; SCALE 1" = 30'.
3. ALL ELEVATIONS ARE IN NAVD 83 DATUM. +2.8 NAVD = 0.0 MLW.
4. THE BATHYMETRIC DATA DEPICTED REPRESENTS THE RESULTS OF A SURVEY MADE BY HYDROGRAPHIC SURVEYS, INC. ON JUNE 28, 2011 AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
5. CHANNEL LOCATION PROVIDED BY THE ARMY CORPS OF ENGINEERS CHANNEL LOCATION MAP FOR STAMFORD HARBOR.

LEGEND	DESCRIPTION
— — — — —	PROPERTY LINE
- - - - -	BATHYMETRIC CONTOUR
○ — ○ — ○ — ○ —	CHAIN LINK FENCE
— — — — —	POST & RAIL FENCE
- - - - -	EXISTING CONTOUR
— — — — —	STORM DRAIN SYSTEM
(28 S.F.)	GROUNDSEL TREE
(667 S.F.)	WATERHEMP & MARSH ELDER & SEASIDE GOLDENROD
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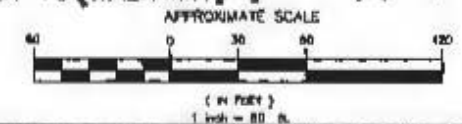
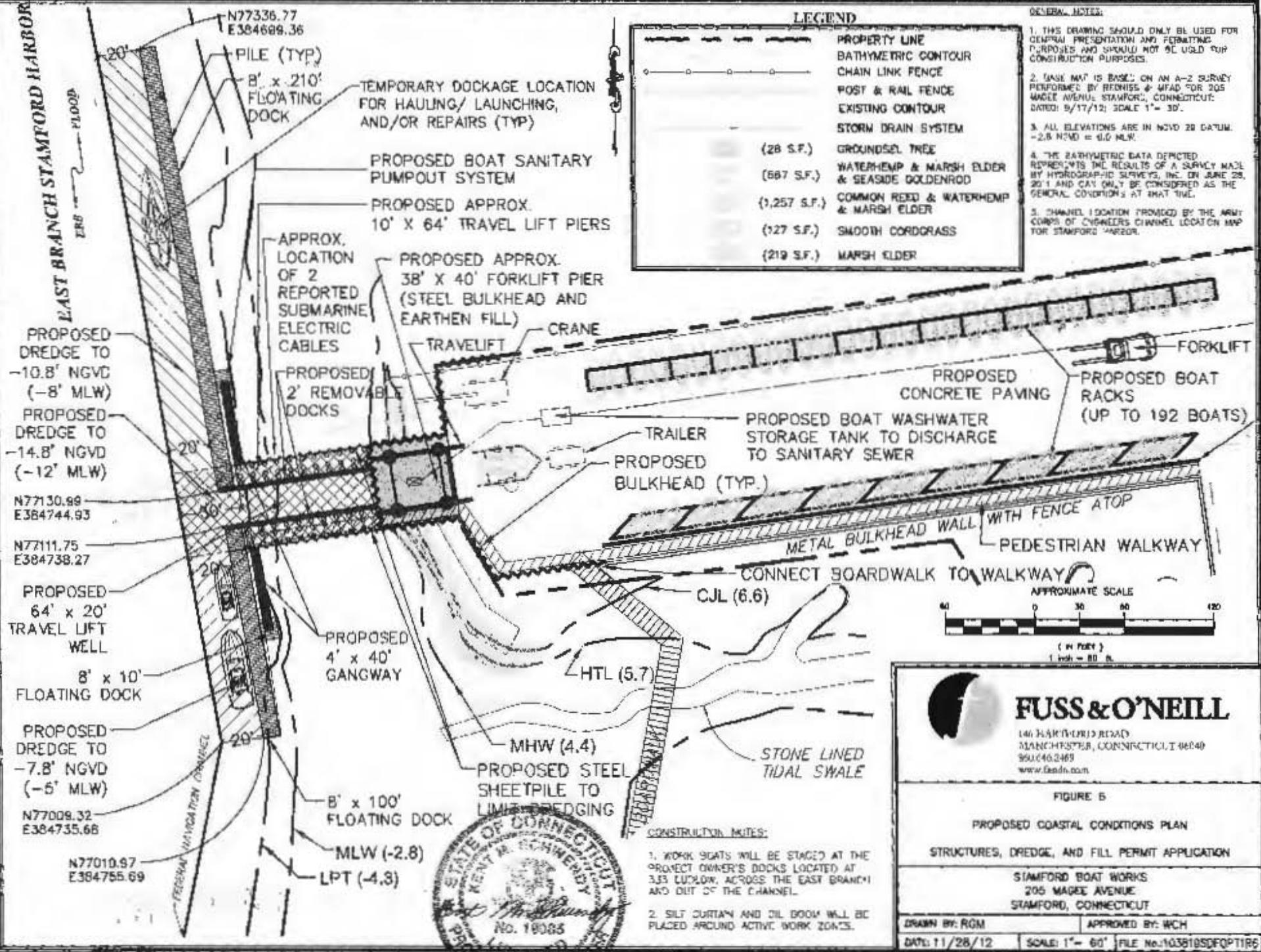


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FIGURE 5
 PROPOSED SITE CONDITIONS PLAN
 STRUCTURES, DREDGE, AND FILL PERMIT APPLICATION

STAMFORD BOAT WORKS 205 WAGEE AVENUE STAMFORD, CONNECTICUT	
DRAWN BY: RGM	APPROVED BY: WCH
DATE: 11/28/12	SCALE: 1" = 120' FILE No.: 103819SDQP1R6

EAST BRANCH STAMFORD HARBOR



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FIGURE 5
 PROPOSED COASTAL CONDITIONS PLAN
 STRUCTURES, DREDGE, AND FILL PERMIT APPLICATION
 STAMFORD BOAT WORKS
 205 MAGEE AVENUE
 STAMFORD, CONNECTICUT

DRAWN BY: RGM APPROVED BY: WCH
 DATE: 11/28/12 SCALE: 1" = 60' FILE No.: 103818SDFQPT1R6



Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 10.0° N	73° 30.0° W	41° 00.0° N	73° 40.0° W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within the square within Long Island Sound affecting south of the following: Greenwich, CT., Belle Harbor, CT., Cos Cob, CT., Riverside, CT., Stamford, CT., Glenbrook, CT., and Mianus, CT., along with Greenwich Pt., Shippan Pt., Field Pt., Cos Cob Harbor, and the entrance to the Rippowam River and the Mianus River, from Holly Pond south of Noroton Heights to east of Port Chester NY. Also affected are: Captain Harbor, Newfoundland Reef, The Cows, **Stamford Harbor**, Westcott Cove, and western Holly Pond.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
red hake (<i>Urophycis chuss</i>)	X	X	X	X
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scopthalmus aquosus</i>)	X	X	X	X
American plaice (<i>Hippoglossoides platessoides</i>)			X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
Atlantic mackerel (<i>Scomber scombrus</i>)	X	X	X	X
summer flounder (<i>Paralichthys dentatus</i>)			X	
scup (<i>Stenotomus chrysops</i>)	X	X	X	X
black sea bass (<i>Centropristus striata</i>)			X	
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Odontaspis taurus</i>)		X		