



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

15-DAY PUBLIC NOTICE

Comment Period Begins: September 24, 2013
Comment Period Ends: October 10, 2013
File Number: NAE-2008-190
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: The Strand/BRC Group, Inc.

ACTIVITY: Maintenance dredge the western and southern portions of the existing marina basin which was the site of the former Brewer's Yacht Haven Marina. (See page 5 for a detailed description of the proposed work)

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the West Branch of Stamford Harbor at Stamford, Connecticut off property located at the foot of Bateman Way at Latitude: 41.03458 N and Longitude: -73.54171 W

AUTHORITY

Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries 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.

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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 proposed dredging will impact approximately 423,500 square foot area of Essential Fish Habitat (EFH) for the attached list of species and their life stages. Habitat at this site can be described as predominantly silt. Loss of this habitat may adversely affect any of the attached list of species. 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.

The dredged material disposal is proposed for Central Long Island Sound Disposal Site (CLIS). CLIS is an open water disposal sites, which provide Essential Fish Habitat for the attached list of species and their life stages. Habitat at CLIS can be described as sand and silt. Loss of this habitat may adversely affect any of the species listed on the attached sheets. 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 provided we incorporate a special condition to any permit issued restricting dredging operations during sensitive time for any listed species or their habitat as directly by National Marine Fisheries Service.. By this Public Notice, we are requesting that National Marine Fisheries Service concur with our determination and provide us with appropriate conservation recommendations.

The States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and New York 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 obtained:

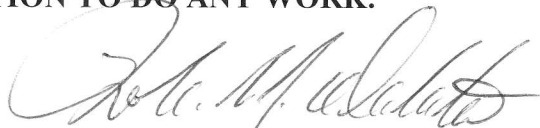
- (X) Permit, License or Assent from State.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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

CENAE-R
FILE NO. NAE-2008-190

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:

The proposal includes work as described on the attached plans entitled, “Strand/BRC Site, Foot of Bateman Way, Stamford, Connecticut” in 6 sheets, dated, “8/21/13” and the “Central Long Island Sound Disposal Site”, on one sheet, not dated.

The applicant proposes to perform maintenance dredging within an approximately 423,500 square foot area to -12’ mean low water in the West Branch of Stamford Harbor. A total of approximately 65,000 cubic yards of predominantly silt will be dredged mechanically and disposed of at the Central Long Island Sound Disposal Site.

Dredged Material Disposal Mitigation Discussion:

The alternatives considered in the dredged material disposal analysis fall into three general categories: beneficial use, upland disposal, and open-water disposal. The feasibility of disposal alternatives was analyzed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal.

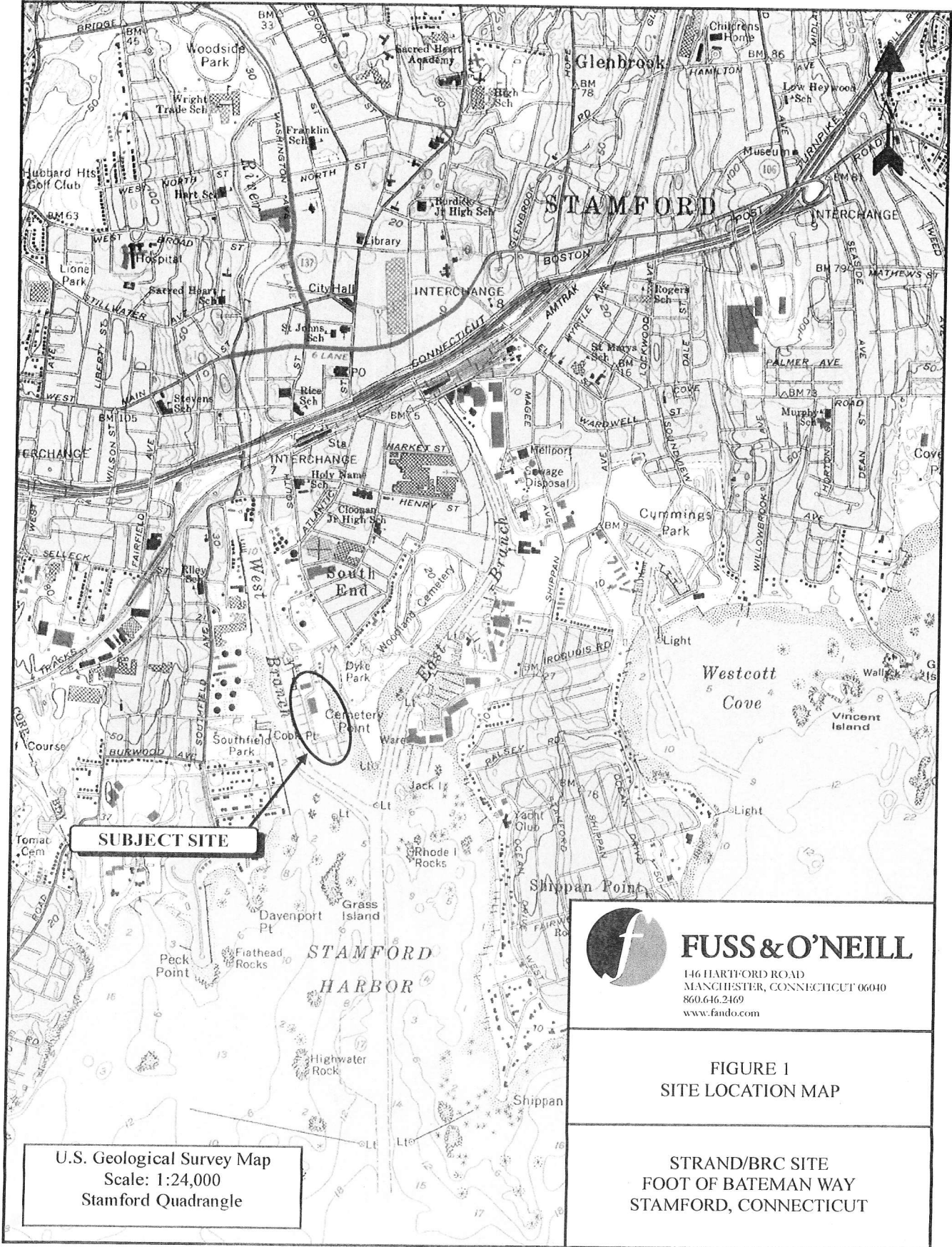
Based on the characteristics of the dredged material, the lack of suitable alternate disposal or beneficial use sites and costs, the most feasible, practical, cost-effective and environmentally acceptable alternative for the disposal of dredged materials from the proposed dredging is disposal at the Central Long Island Sound Disposal Site.

The dredged material has undergone physical, chemical, and biological testing and has satisfied the criteria for ocean disposal of dredged material as specified in part 227 of the Ocean Dumping Act regulations. It is our preliminary determination that the material is acceptable for disposal at this disposal site.

Any permit issued for this project will include special conditions requiring scows to come to a complete stop when disposing of the material at the disposal site. There will also be a time of year restriction included as a special condition which prohibits dredging during ecologically sensitive times during the year.

Central Long Island Sound Disposal Site

The Central Long Island Sound Disposal Site is frequently used for disposal of bottom sediments from various harbors along the eastern New York, northern Long Island, and central and western Connecticut coasts. An average of approximately 400,000 cubic yards of suitable sediments (suitability determined through case-by-case analyses) has been deposited at this site annually. The site has been monitored through the Corps' Disposal Area Monitoring System (DAMOS) program. DAMOS studies show that the site is a low energy environment such that sediment deposited at this location will remain within the site's boundaries. Levels of metals and organics in the sediments within the disposal site are generally above background levels, indicative of the industrial nature of the areas dredged that utilize the site. Areas outside the disposal site have not been found to be affected by sediment deposited within the site.



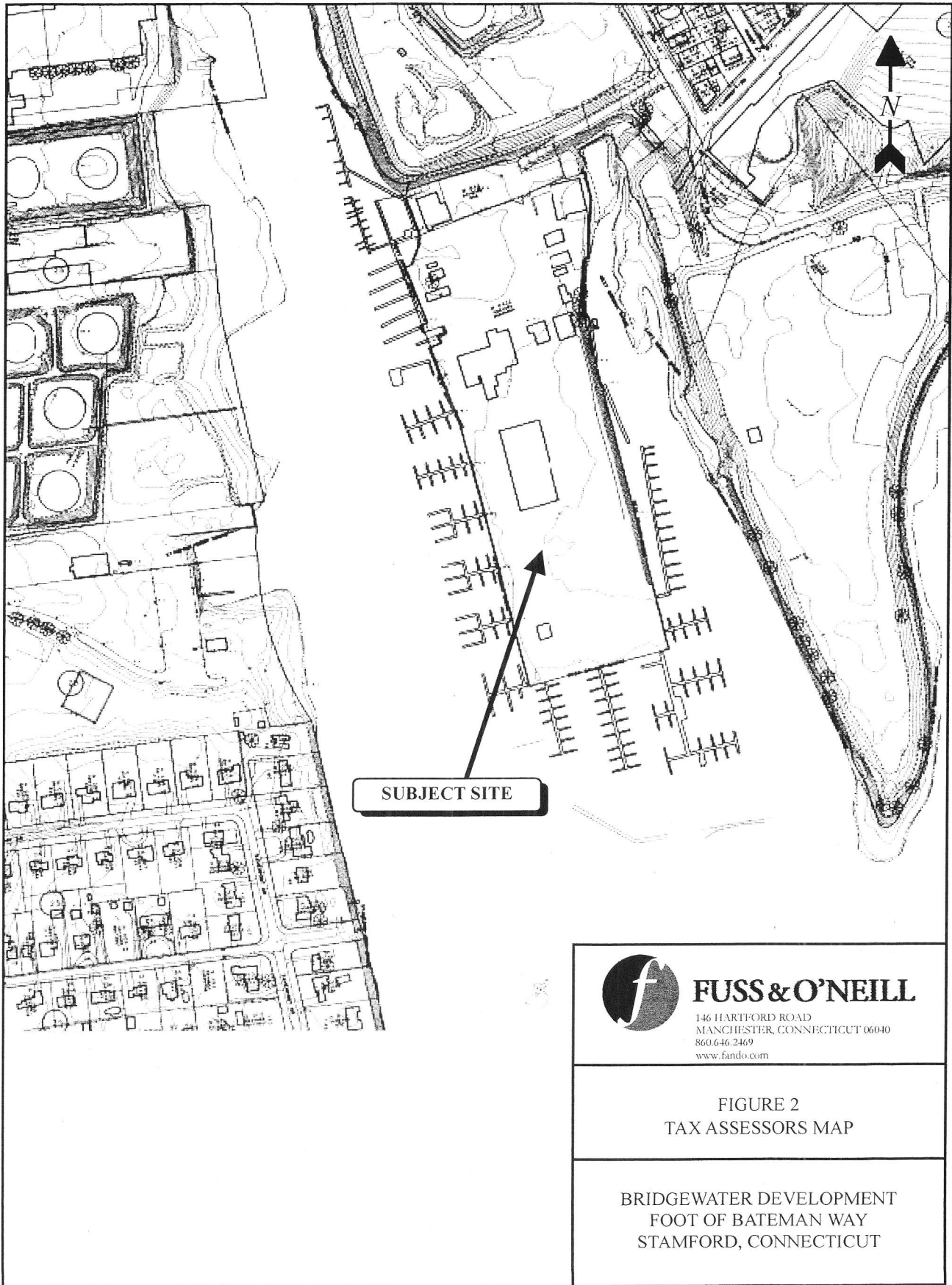
SUBJECT SITE

f **FUSS & O'NEILL**
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 860.646.2469
 www.fando.com

FIGURE 1
SITE LOCATION MAP

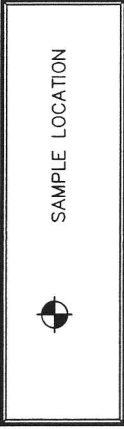
STRAND/BRC SITE
FOOT OF BATEMAN WAY
STAMFORD, CONNECTICUT

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





LEGEND



PREVIOUSLY AUTHORIZED DREDGE FOOTPRINT
DESIGN DEPTH: -12' MLW
APPROXIMATELY 2,700' X 925'
APPROXIMATELY 1,381,000 S.F.
STATE PERMIT NO. 2554, JULY 19, 1967
ACOE PERMIT SEPT. 25, 1967



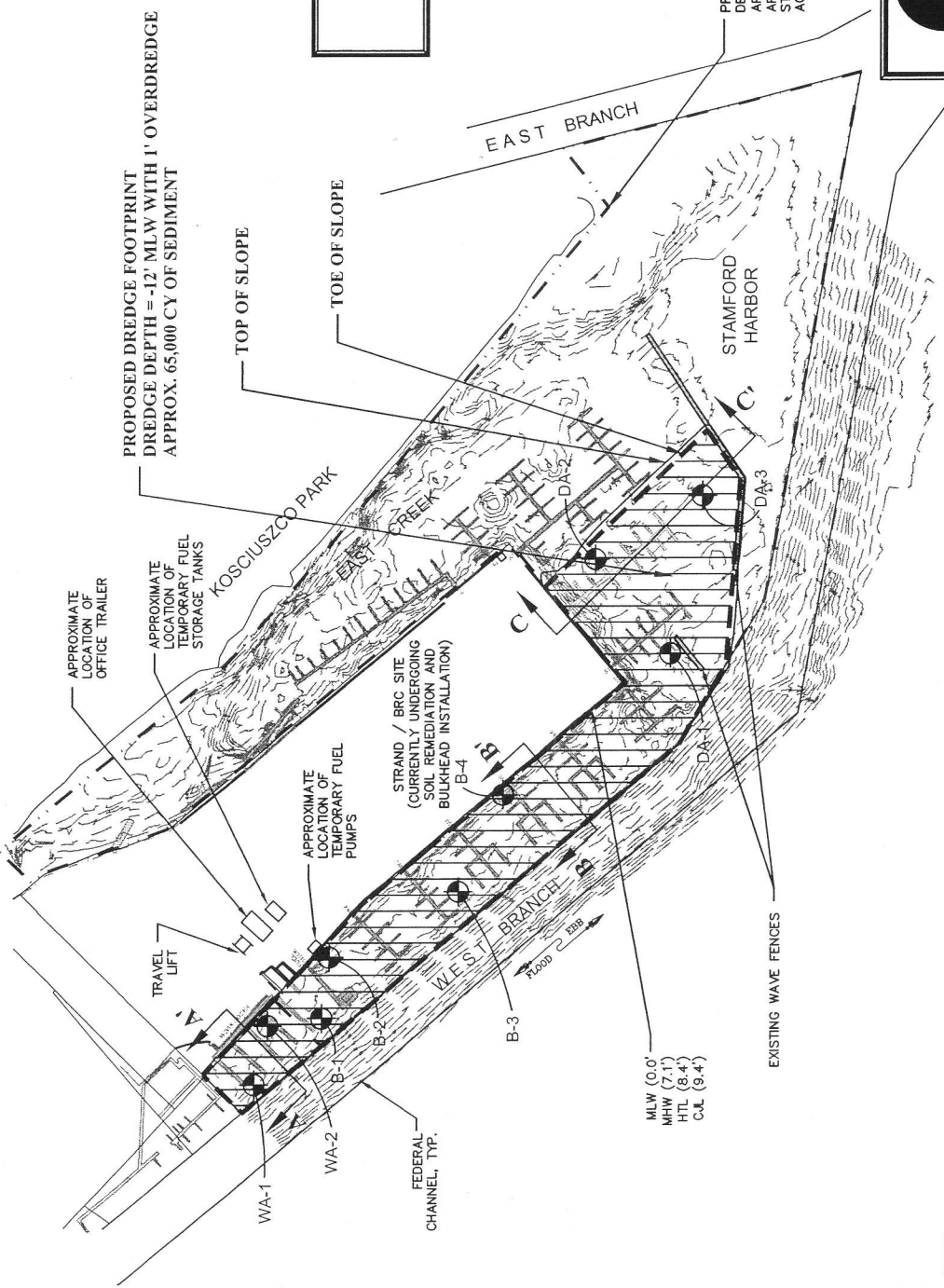
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FIGURE 3
SITE PLAN SHOWING
EXISTING AND PROPOSED CONDITIONS
CERTIFICATE OF PERMISSION APPLICATION

STRAND / BRC SITE
FOOT OF BATEMAN WAY
STAMFORD, CONNECTICUT

DRAWN BY: RGM APPROVED BY: WCH
DATE: 8/21/13 SCALE: N.T.S. FILE No.: 103356DCOP06

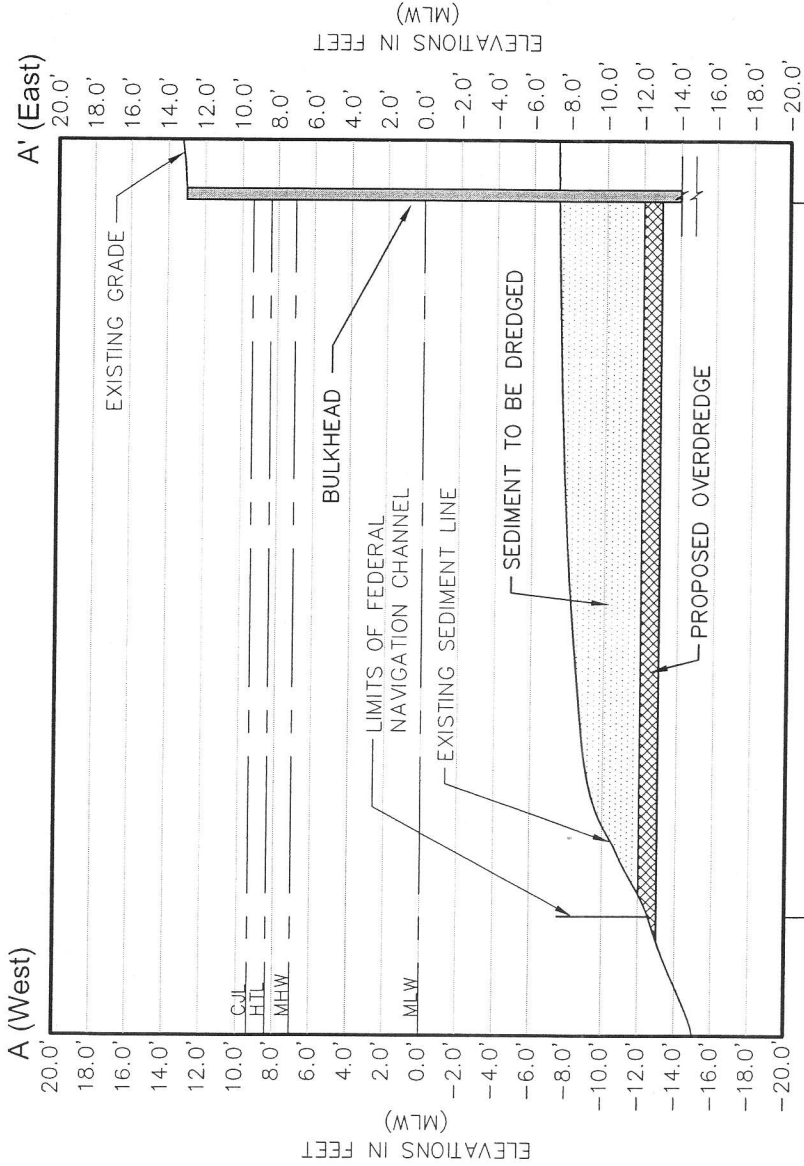



CONSTRUCTION NOTES:

1. DREDGE EQUIPMENT TO BE MAINTAINED WITHIN THE HISTORIC DREDGE FOOTPRINT AND OUTSIDE THE NAVIGATION CHANNEL.

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 A MAP ENTITLED "WEST YARD GENERAL PLAN & CONTOURS" BY ROBERGE ASSOCIATES COASTAL ENGINEERS FOR BREWER YACHT HAVEN MARINA; DATED: 1/4/06; SCALE: 1"= 100'.
- 2A. BATHYMETRIC CONDITIONS SHOWN IN MLW DATUM. HTL (8.4'), MHW (7.1'), MLW (0.0') NOT SHOWN FOR CLARITY PURPOSES.
- 3. CONVERSION FROM NGVD TO MEAN LOW WATER DATUM IS +2.9' AND IS BASED ON THE "NEW ENGLAND COASTLINE TIDAL FLOOD SURVEY" PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS.





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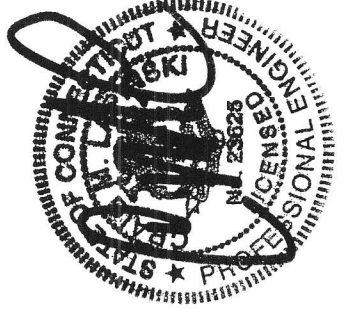
FIGURE 4
CROSS SECTION A-A'

CERTIFICATE OF PERMISSION APPLICATION

THE STRAND/BRC SITE
FOOT OF BATEMAN WAY
STAMFORD, CONNECTICUT

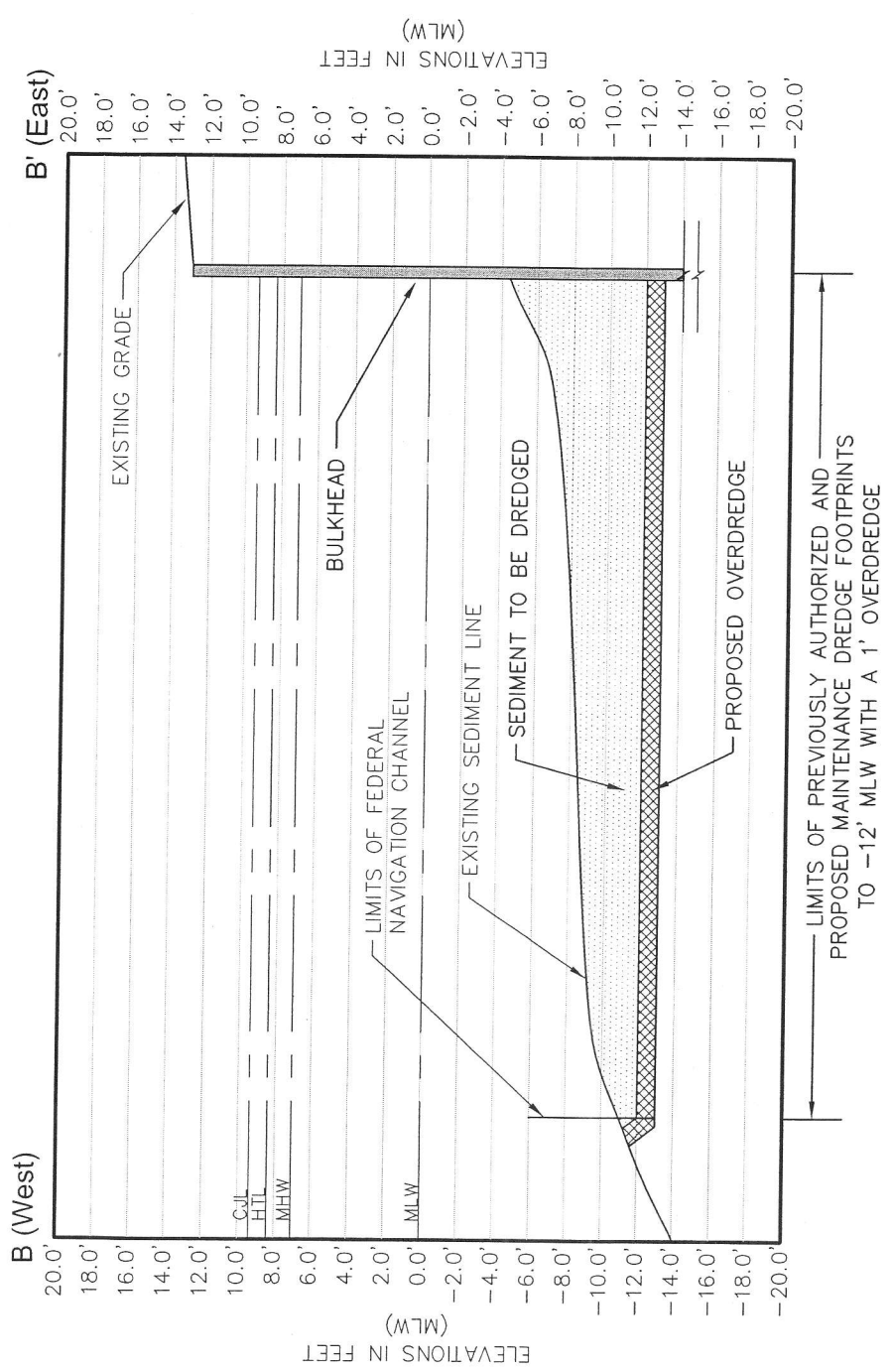
DRAWN BY: RGM
DATE: 8/21/13
SCALE: AS SHOWN
FILE No.: 103356DCOP06

APPROVED BY: WCH




CROSS SECTION A-A'
HORIZONTAL SCALE: 1" = 40'
VERTICLE SCALE: 1" = 10'

- NOTES:
- EXISTING SEDIMENT LINE BASED ON 12/31/05 SURVEY.



CROSS SECTION B-B'
 HORIZONTAL SCALE: 1" = 40'
 VERTICAL SCALE: 1" = 10'

- NOTES:**
1. EXISTING SEDIMENT LINE BASED ON 12/31/05 SURVEY.



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FIGURE 5

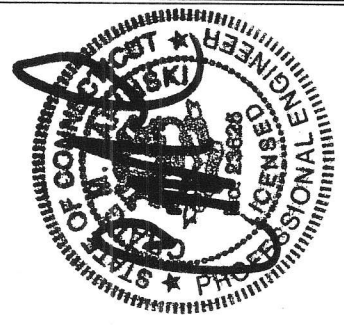
CROSS SECTION B-B'

CERTIFICATE OF PERMISSION APPLICATION

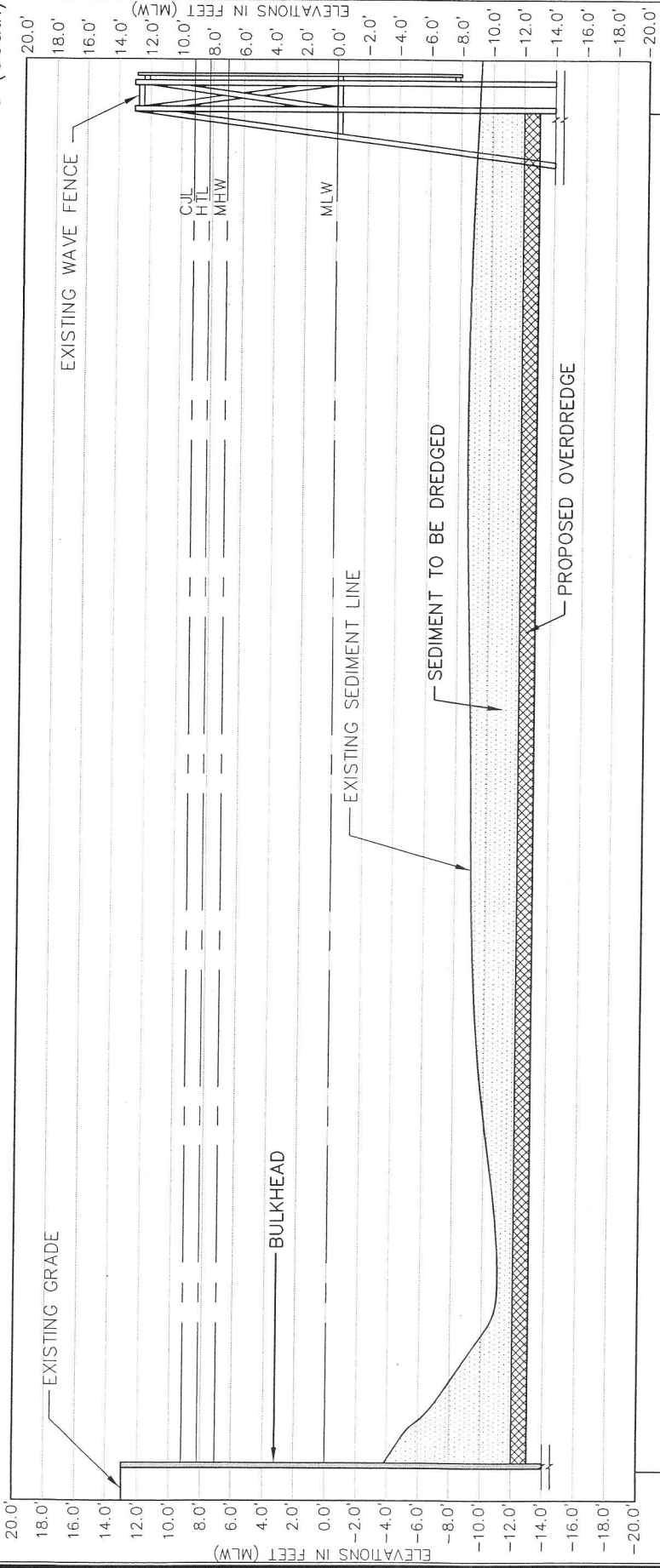
THE STRAND/BRC SITE
 FOOT OF BATEMAN WAY
 STAMFORD, CONNECTICUT

DRAWN BY: RGM
 DATE: 8/21/13
 SCALE: AS SHOWN
 FILE No.: 103356DCOP06

APPROVED BY: WCH



C (North)



CROSS SECTION C-C'
 HORIZONTAL SCALE: 1"=60'
 VERTICAL SCALE: 1"=10'

NOTES:

- 1. EXISTING SEDIMENT LINE BASED ON 12/31/05 SURVEY.



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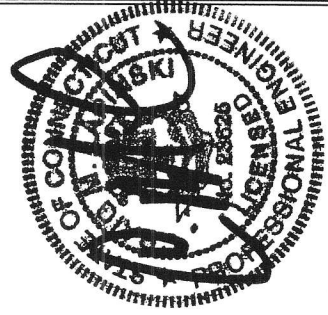
FIGURE 6

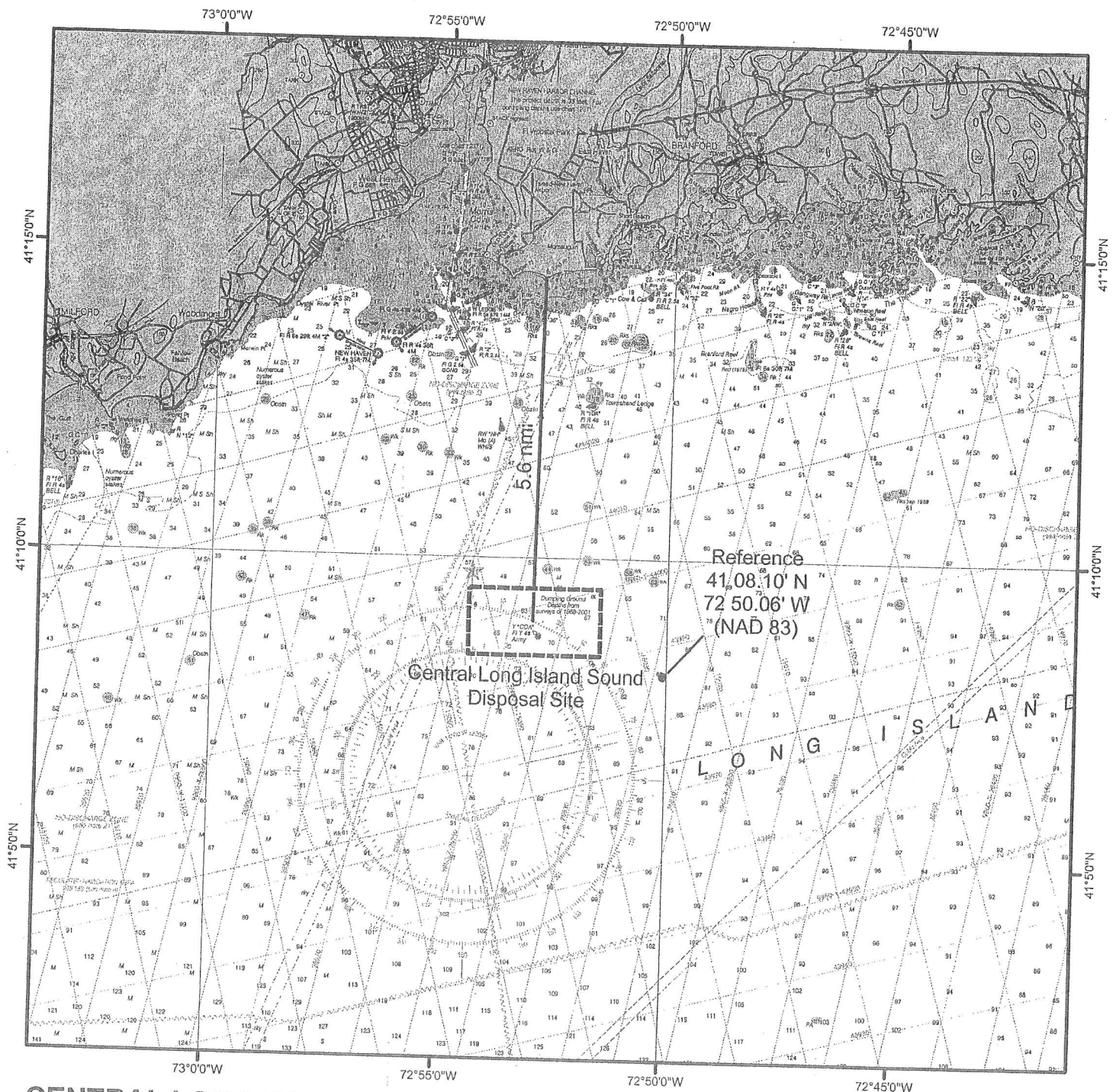
CROSS SECTION C-C'
 CERTIFICATE OF PERMISSION APPLICATION

THE STRAND/BRC SITE
 FOOT OF BATEMAN WAY
 STAMFORD, CONNECTICUT

DRAWN BY: RGM APPROVED BY: WCH

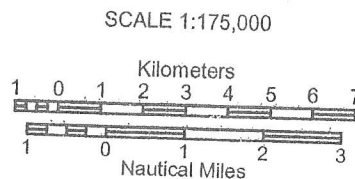
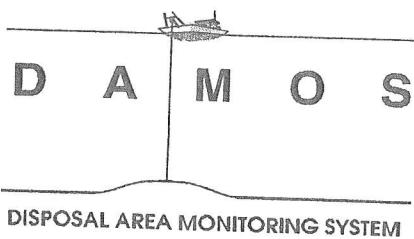
DATE: 8/21/13 SCALE: AS SHOWN FILE No.: 103356DCOP06



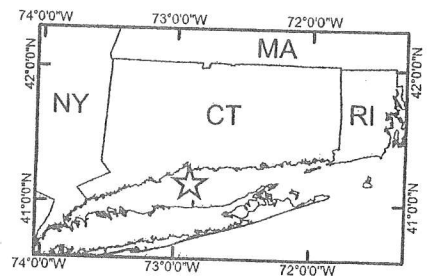


CENTRAL LONG ISLAND SOUND DISPOSAL SITE

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 nmi²) 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.



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		

**Summary of Essential Fish Habitat (EFH) Designation
10 x 10 Square Coordinates: Central Long Island Sound Disposal Site**

Boundary	North	East	South	West
Coordinate	41° 10.0' N	72° 50.0' W	41° 00.0' N	73° 00.0' W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within the square within Long Island Sound affecting the following: one square south of the waters within the square south of New Haven, CT. In this square there is a dumping ground on the northeast corner.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
whiting (<i>Merluccius bilinearis</i>)				X
red hake (<i>Urophycis chuss</i>)	X	X	X	X
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scophthalmus 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>)	n/a		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		