



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

PUBLIC NOTICE

Comment Period Begins: May 16, 2017
Comment Period Ends: June 15, 2017
File Number: NAE-2013-01681
In Reply Refer To: Cori M. Rose
Phone: (978) 318-8306
E-mail: cori.m.rose@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from **Sacred Heart University (5131 Park Avenue, Fairfield, Connecticut 06825)** on the behalf of and Sporting Good Properties, Inc. (133 Blakiston Lane, Warwick, Maryland 21912). This work is proposed in tidal waters of the Housatonic River at 1207 Prospect Drive, Lordship Point, Stratford, Connecticut. The site coordinates are: Latitude 41.154842 North and Longitude -73.104017 on the Milford USGS 25 minute quadrangle.

The applicant proposes to expand upon an existing living shoreline, at the site of the former Lordship Gun Club, with the construction of a 900 foot long by 8 foot wide by 2 foot high sill (7,200 sf) 25 feet seaward of the toe of the existing dune slope. The sill will be made from locally-sourced, sterilized loose shell (cultch) and an area of approximately 0.51 acre behind the shell sill will be backfilled with one-foot of gravel and cobble bedding then blended to grade with a mix of sand and organic sediment for the construction of an intertidal wetland "planting bench." The applicant also proposes to anchor large, woody debris landward of the shell sill to dissipate wave energy and provide microhabitat complexity. In total the project will result in the discharge of 1,965 cubic yards of fill consisting of shell "cultch" (265 cubic yards), gravel and cobble (830 cubic yards), and sand and organic medium (830 cubic yards).

The purpose of the proposed work is to protect a 900 linear foot section of the existing coastal dune and shoreline on the northern shore of Stratford Point from ongoing erosion and to create a suitable elevation behind the constructed sill for the establishment of tidal wetland vegetation.

The work is shown on the attached plans entitled "LIVING SHORELINE EXPANSION PROJECT, COASTAL DUNE RESTORATION," on 5 sheets, and dated February 20, 2017 and March 31, 2017."

The proposed work is intended to minimize the adverse impact of shoreline erosion and provide a gradual rate of nourishment to re-establish resident shoreline flora and fauna. The applicant has indicated that the project as currently designed seeks to avoid and minimize impacts to regulated resources onsite whereby the living shoreline-sill would maintain the natural functions of the aquatic ecosystem, add beneficial estuarine wetland habitat, and eliminate the erosion occurring along the steep embankment. Placement of the shell cultch and its backfill is anticipated to result in the conversion of approximately 0.68 acre from existing gravel-cobble upper intertidal habitat to sill and associated vegetated high marsh. The project as proposed will ultimately result in a net increase of approximately 0.51 acre (22,500 sf) of re-established emergent wetland. Thus compensatory mitigation is not being proposed by the applicant for permanent impacts to the disturbed intertidal environment.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- 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.

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).

This project has the potential to have an adverse effect approximately 0.51 acres of Essential Fish Habitat (EFH) for Pollock (*Pollachius virens*) juveniles and adults, whiting (*Merluccius bilinearis*) adults, red hake (*Urophycis chuss*) eggs, larvae, juveniles and adults, winter flounder (*Pseudopleuronectes americanus*) eggs, larvae, juveniles and adults, windowpane flounder (*Scophthalmus aquosus*) eggs, larvae, juveniles and adults, Atlantic sea herring (*Clupea harengus*) juveniles and adults, bluefish (*Pomatomus saltatrix*) juveniles and adults, Atlantic mackerel (*Scomber scombrus*) eggs, larvae, juveniles and adults, summery flounder (*Paralichthys dentatus*) juveniles, scup (*Stenotomus chrysops*) eggs, larvae, juveniles and adults, black sea bass (*Centropristis striata*) juveniles, king mackerel (*Scomberomorus cavalla*) eggs, larvae, juveniles and adults,

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Spanish mackerel (*Scomberomorus maculatus*) eggs, larvae, juveniles and adults, cobia (*Rachycentron canadum*) eggs, larvae, juveniles and adults, and sand tiger shark (*Carcharias taurus*) larvae. However there is no Habitat Areas of Particular Concern designed at, or near, the site. The habitat at the proposed work location consists of an intertidal north-facing beach with a substrate of rock, cobble and coarse sand. Loss of hard-bottom habitat may adversely affect benthic resources above by altering the type of epibenthic forage resources available and eliminating areas used for shelter. Natural shellfish habitat occurs waterward of the proposed work location, but will not be impacted by the proposal. The District Engineer has made a preliminary determination that site-specific impacts of this project require expanded consultation for EFH. Accordingly, the Corps of Engineers will submit an EFH assessment to National Marine Fisheries Service, who in turn will provide conservation recommendations to the Corps. The Corps will coordinate with the applicant regarding implementation of these recommendations. The EFH consultation 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, and determined that the following species may be present in, or in close proximity to, the site:

- Kemp's Ridley Turtle (*Lepidochelys kempii*)
- Leatherback Turtle (*Dermochelys coriacea*)
- Loggerhead Turtle (*Caretta caretta*)
- Green Turtle (*Chelonia mydas*)
- Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*)
- Shortnose Sturgeon (*Acipenser brevirostrum*)
- Rufa red knot (*Calidris canutus rufa*)
- Roseate tern (*Sterna dougallii dougallii*)
- Piping plover (*Chaladrius melodus*)
-

In addition, on June 3, 2016 NMFS proposed to designate critical habitat for the Gulf of Maine, New York Bight, and Chesapeake Bay Distinct Population Segments (DPS) of Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) which included habitat associated with the waters of Long Island Sound and the Housatonic River. Although these resources may be present, it is our preliminary determination that the proposed activity for

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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.

COASTAL ZONE MANAGEMENT

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:

- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (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. Cori M. Rose at (978) 318-8306 or (800) 343-4789.

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.

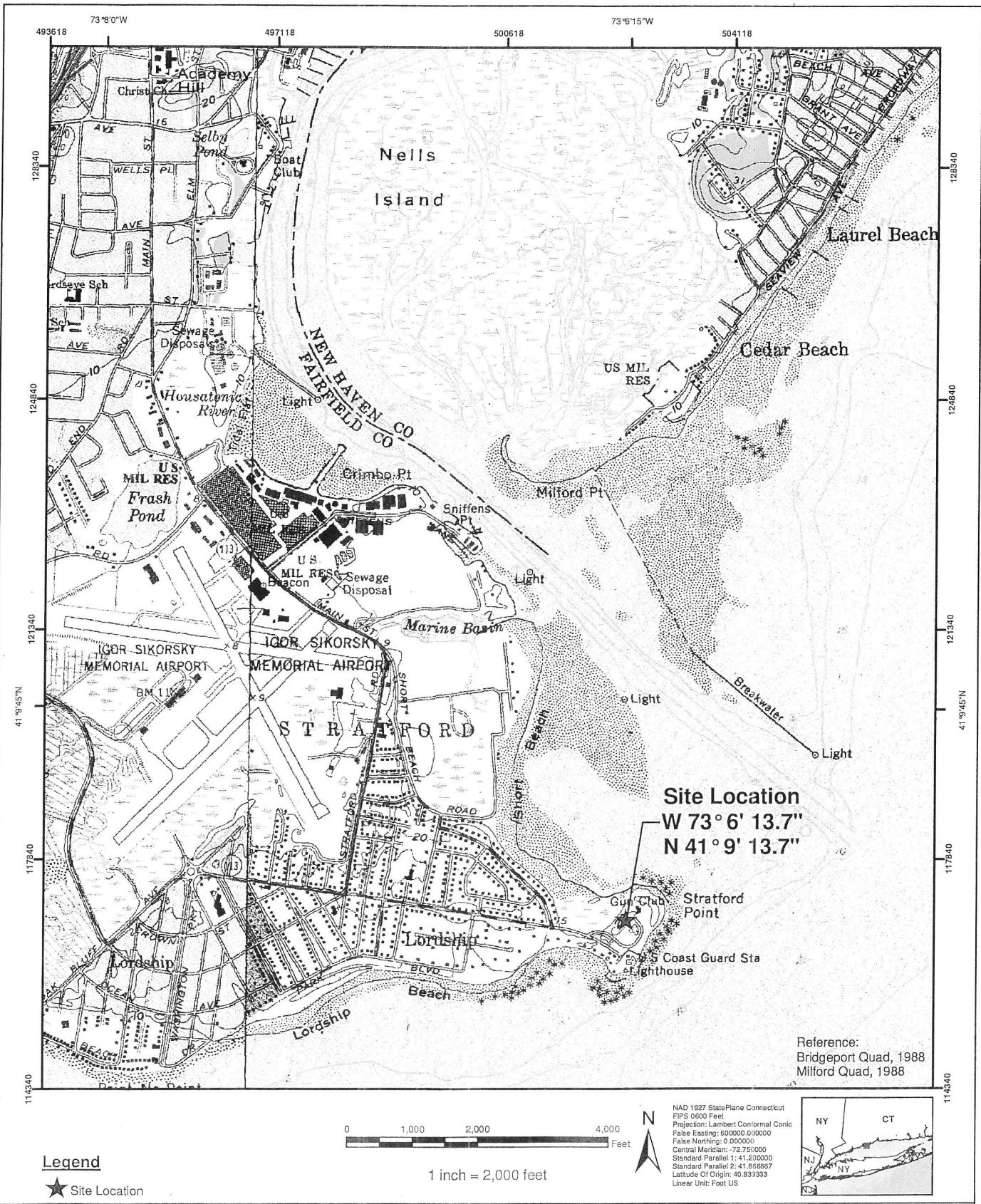


David N. Rackmales, PE
Chief, Permits and Enforcement Branch
Regulatory Division

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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.

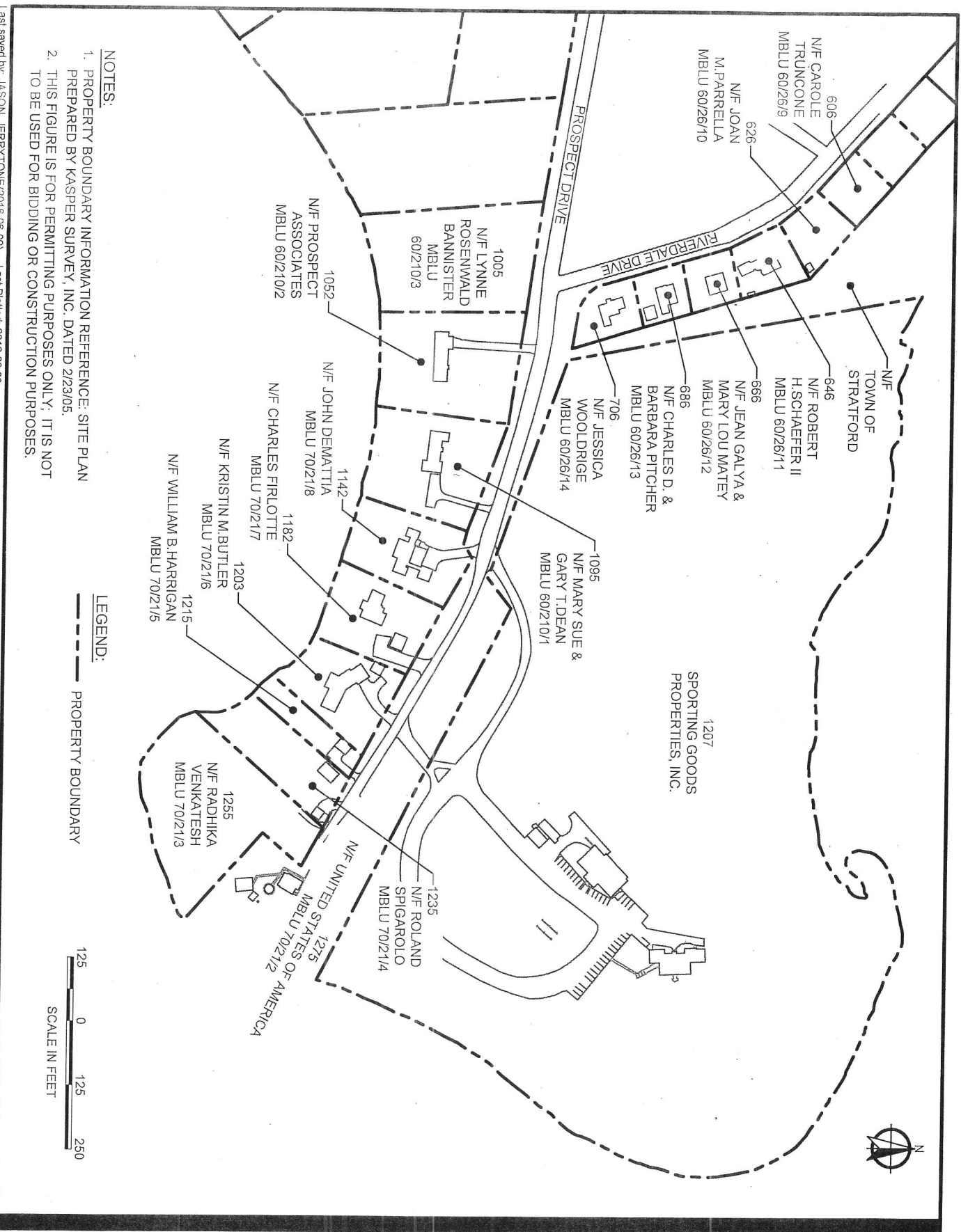
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PHONE: _____



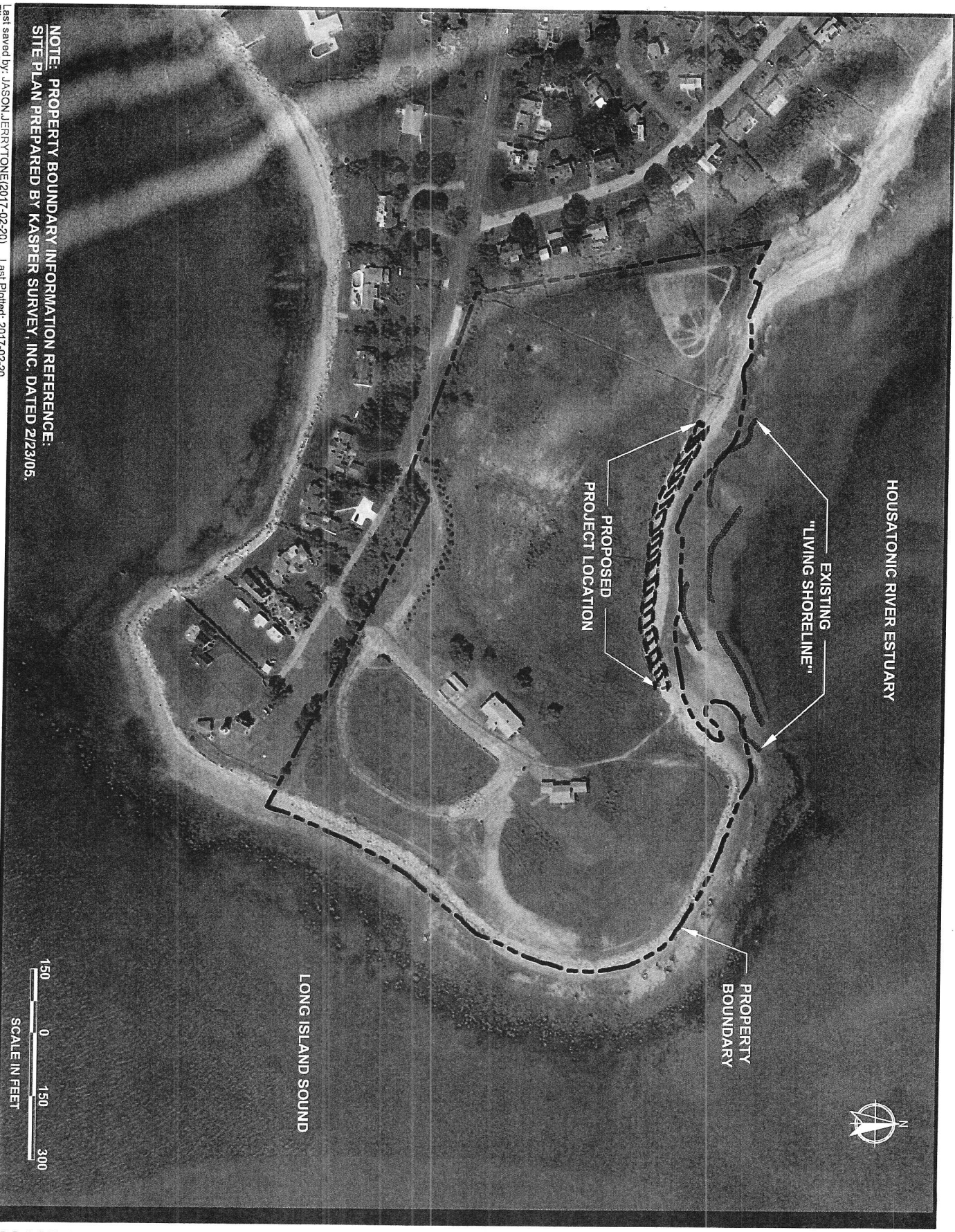
AECOM
 625 West Ridge Pike, Suite E-100
 Conshohocken, PA 19428
 Phone: (610) 832-3500 Fax: (610) 832-3501

Job: 60394133
Prepared by: VP
Checked by: CH
Date: 9/10/2015

Figure 1-1
 Site Location Map
 Former Lordship Gun Club
 Stratford, CT

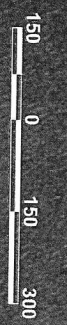


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 Approved: CH
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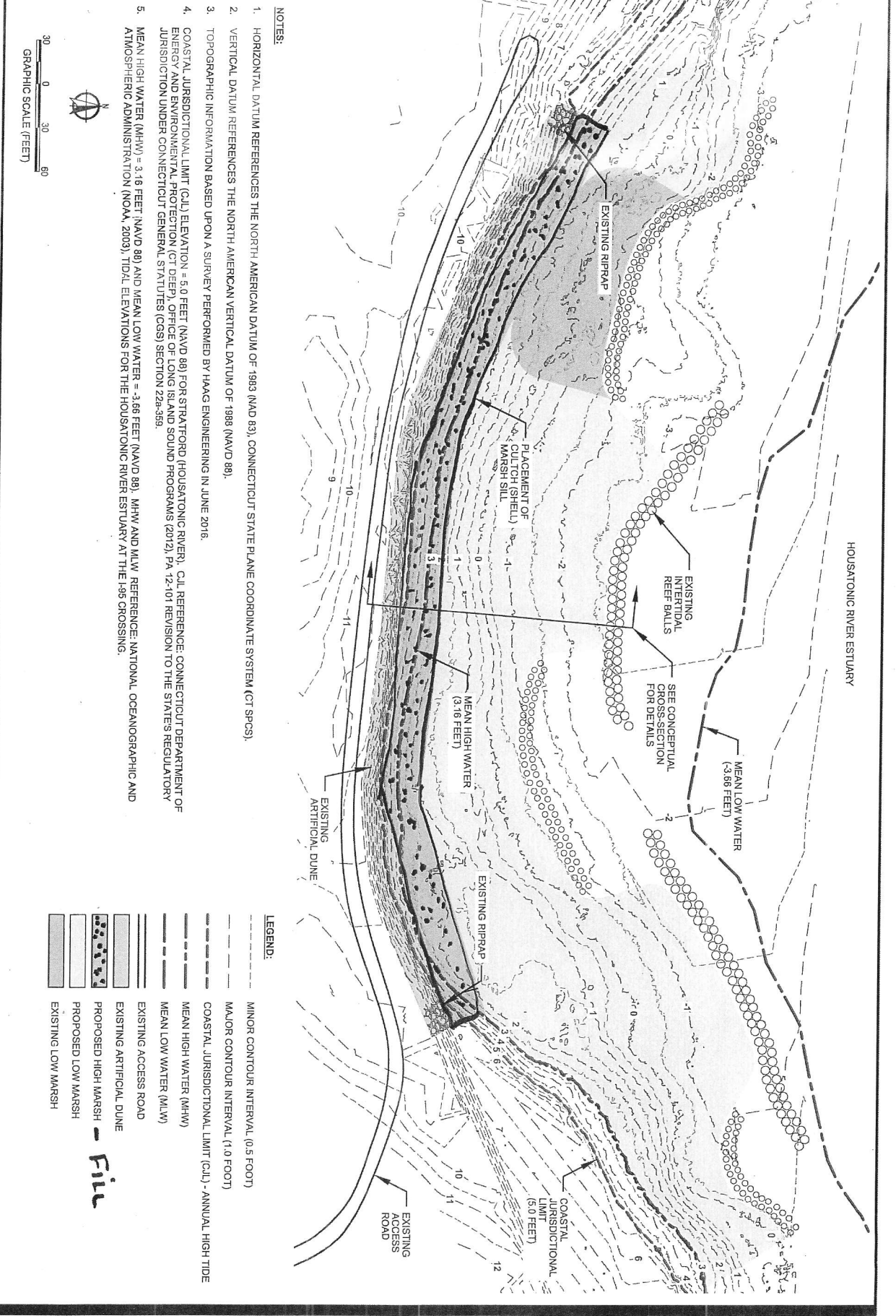
**NOTE: PROPERTY BOUNDARY INFORMATION REFERENCE:
 SITE PLAN PREPARED BY KASPER SURVEY, INC. DATED 2/23/05.**

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 Approved: CH ANS I A 8.5" x 11"

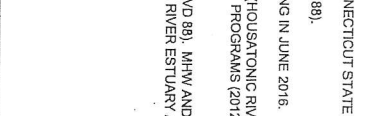


**COASTAL DUNE RESTORATION
 LONG ISLAND SOUND COMMUNITIES
 STRATFORD, CONNECTICUT**
 Project No.: 60481699 Date: 2017-02-20

PROJECT LOCATION MAP



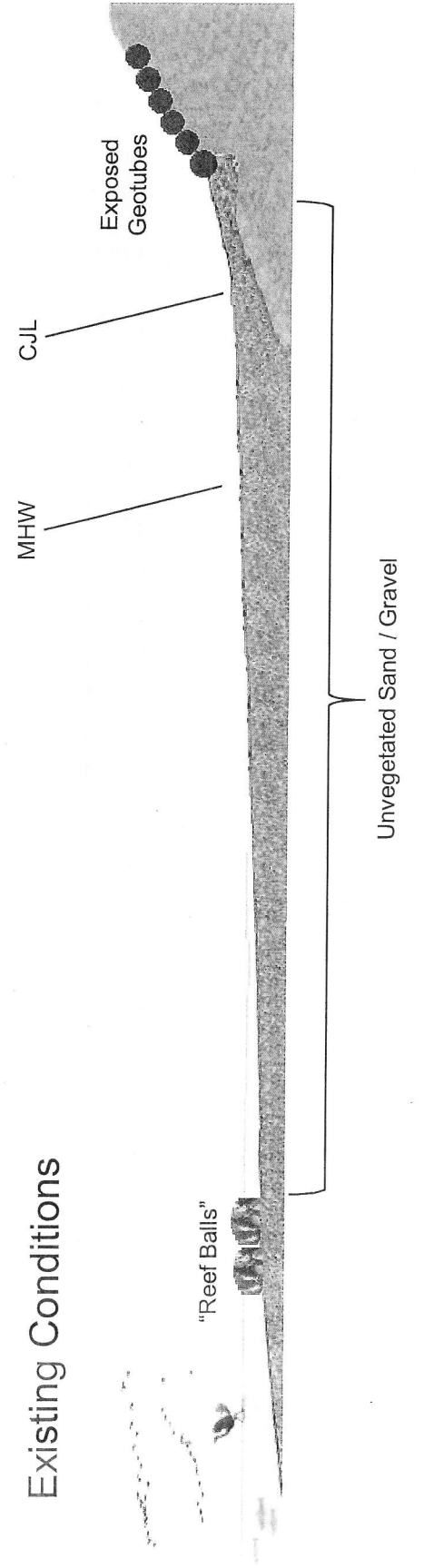
- NOTES:**
1. HORIZONTAL DATUM REFERENCES THE NORTH AMERICAN DATUM OF 1983 (NAD 83), CONNECTICUT STATE PLANE COORDINATE SYSTEM (CT SPCS).
 2. VERTICAL DATUM REFERENCES THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
 3. TOPOGRAPHIC INFORMATION BASED UPON A SURVEY PERFORMED BY HAAG ENGINEERING IN JUNE 2016.
 4. COASTAL JURISDICTIONAL LIMIT (CJL) ELEVATION = 5.0 FEET (NAVD 88) FOR STRATFORD (HOUSATONIC RIVER), CALL REFERENCE: CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (CT DEEP), OFFICE OF LONG ISLAND SOUND PROGRAMS (2012), PA 12-101 REVISION TO THE STATE'S REGULATORY JURISDICTION UNDER CONNECTICUT GENERAL STATUTES (CGS) SECTION 22a-359.
 5. MEAN HIGH WATER (MHW) = 3.16 FEET (NAVD 88) AND MEAN LOW WATER = -3.66 FEET (NAVD 88). MHW AND MLW REFERENCE: NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION (NOAA, 2003), TIDAL ELEVATIONS FOR THE HOUSATONIC RIVER ESTUARY AT THE 195 CROSSING.



LEGEND:

	MINOR CONTOUR INTERVAL (0.5 FOOT)
	MAJOR CONTOUR INTERVAL (1.0 FOOT)
	COASTAL JURISDICTIONAL LIMIT (CJL) - ANNUAL HIGH TIDE
	MEAN HIGH WATER (MHW)
	MEAN LOW WATER (MLW)
	EXISTING ACCESS ROAD
	EXISTING ARTIFICIAL DUNE
	PROPOSED HIGH MARSH
	PROPOSED LOW MARSH
	EXISTING LOW MARSH

Existing Conditions



Proposed Conditions

