



**US Army Corps
of Engineers®
New England District**

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: December 30, 2008

Comment Period Ends: January 13, 2009

File Number: NAE-2008-2187

In Reply Refer To: William J. Mullen

Or by e-mail: william.j.mullen@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT Town of Southbury, Connecticut

ACTIVITY Provide streambank protection along approximately 220 linear feet of the Pomperaug River. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in the Pomperaug River at 145, 149, and 155 River Trail, Southbury, Connecticut. The proposed location on the USGS Southbury, Connecticut quadrangle sheet is at Lat 73°22.507' W and Long 41.47675' N.

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

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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.

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)

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

- () 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 Bill Mullen at (978) 318-8559, (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.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

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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, 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: _____

PROPOSED WORK AND PURPOSE

The work includes the discharge of fill material along a 220 linear feet stretch (approximately 5800 square feet) of the eastern side of the Pomperaug River in the vicinity of 149 and 155 River Trail, Southbury, Connecticut for the purpose of streambank stabilization and protection of the homes along the bank from undermining. The work would be done within a Federal Emergency Management Agency (FEMA)-identified floodway and therefore requires an Individual Permit.

The work is described on the enclosed plans entitled “155 River Trail, Town of Southbury, Emergency Watershed Protection Project” on 9 sheets, and variously dated “November 2008” and “July 1988”. The project was designed by the United States Department of Agriculture’s Natural Resources Conservation Service in order to address the severe streambank erosion which occurred along the subject stretch of the Pomperaug River during a major April 15, 2007 nor’easter impacting much of western Connecticut.

To stabilize the 220 linear feet of river bank slope, it is proposed to install a 30"-thick layer of intermediate rock riprap protection with a rock keyway at the toe of slope. The rock riprap will be constructed on a slope varying from 1V to 1.5H, to 1V to 2V as limited space permits. Pervious backfill (processed aggregate base) will be used as a filter material between the existing earth slope and the riprap slope. Along the toe of the constructed slope keyway, large (2.5-3'-diameter) rounded boulders will be embedded 8-12' apart to provide fish refuge and to slow water velocities adjacent to the bank during normal flows. Rock terminal cutoffs are proposed at the upstream and downstream ends of the riprap slope sections. Earth fill cover will be placed along the top of the bank (over the riprap) in order to enable a smooth transition from the rock riprap to the vegetated cover of the existing ground. To the maximum extent possible, large and healthy trees along the bank will be preserved, with selective plantings to occur to supplement the existing vegetated growth.

Various alternatives were considered, but dismissed for various reasons. Purchase and demolition or relocation of the structures was considered, but dismissed due to owner opposition and perceived excessive cost.

Bioengineering methods are not feasible due to the excessive velocities that occur in the Pomperaug River (10-11 feet/second a 100-year flood event within the floodway in this area). Various structural solutions were also examined. Steel sheet piling wall was rejected because of depth to bedrock, the proximity of the residences to the sheet pile, and the fear that vibrations during installation might cause the crumbling of the existing masonry basement walls. Concrete flood retaining walls were rejected for environmental and economic reasons, as was a stacked rock wall. Gabion baskets were considered but rejected due to the high bed load of the Pomperaug River (the high bedload would erode the wire in the baskets and cause failure of the structure). Riprap slope protection has been proposed as the most feasible alternative.

The riprap streambank protection is planned to be constructed during the low flow summer season, with construction expected to take about 45 days. Various erosion and sediment control measures would be taken including the use of a cofferdam (sandbags or similar) and also silt fence between the river and the work area. The pumping of wet construction areas from within the coffer-dammed area will be via a pump and hose leading to a settling basin hay bale barrier located outside of the river channel area.

NRCS has examined a FEMA cross-section in the area of the proposed project and has concluded that the proposed project entails no additional encroachment of fill into the FEMA floodway beyond that naturally in place when the floodway run was originally performed in the 1970s.

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155 RIVER TRAIL POMPERAUG RIVER WATERSHED EMERGENCY WATERSHED PROTECTION PROGRAM

SPONSORED BY THE

THE TOWN OF SOUTHBURY

WITH ASSISTANCE FROM THE

UNITED STATES DEPARTMENT OF AGRICULTURE
NATIONAL RESOURCES CONSERVATION SERVICE

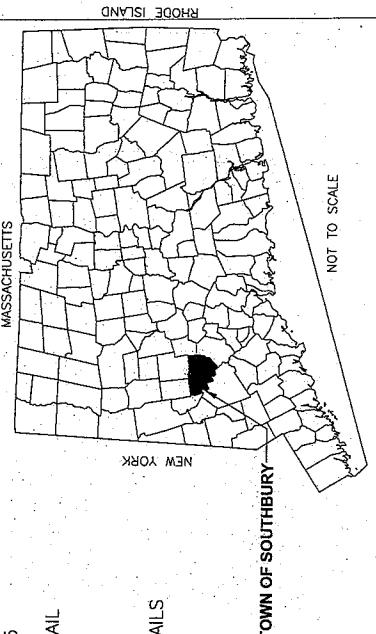
TOLLAND, CONNECTICUT 2008

INDEX

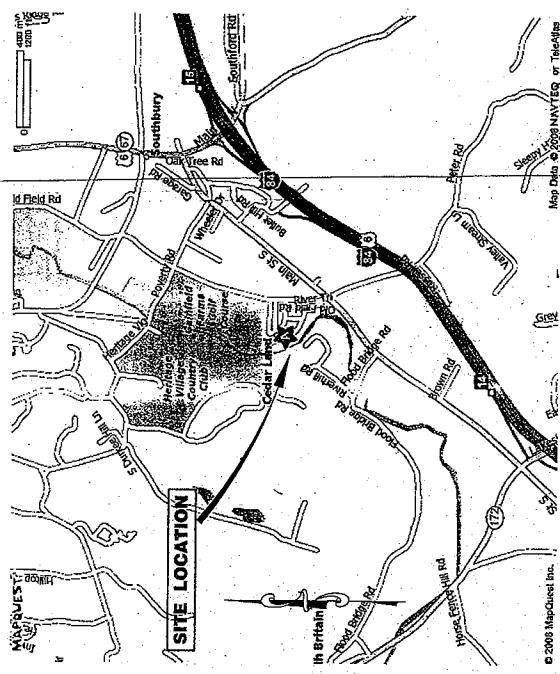
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|---------|---|
| SHEET 1 | COVER SHEET |
| SHEET 2 | PLAN VIEW |
| SHEET 3 | CROSS SECTIONS STA. 4+00 - 2+50 |
| SHEET 4 | CROSS SECTIONS STA. 2+30 - 1+85 |
| SHEET 5 | MATERIAL GRADATIONS & CUTOFF DETAIL |
| SHEET 6 | EROSION CONTROL & CONSTRUCTION
ENTRANCE DETAILS |
| SHEET 7 | COFFERDAM AND SETTLING BASIN DETAILS |
| SHEET 8 | PLANTING PLAN |
| SHEET 9 | FEMA CROSS SECTION & PLAN VIEW
(FOR PERMITTING ONLY) |

LOCATION MAP

155 RIVER TRAIL
SOUTHBURY, CONNECTICUT



NOT TO SCALE

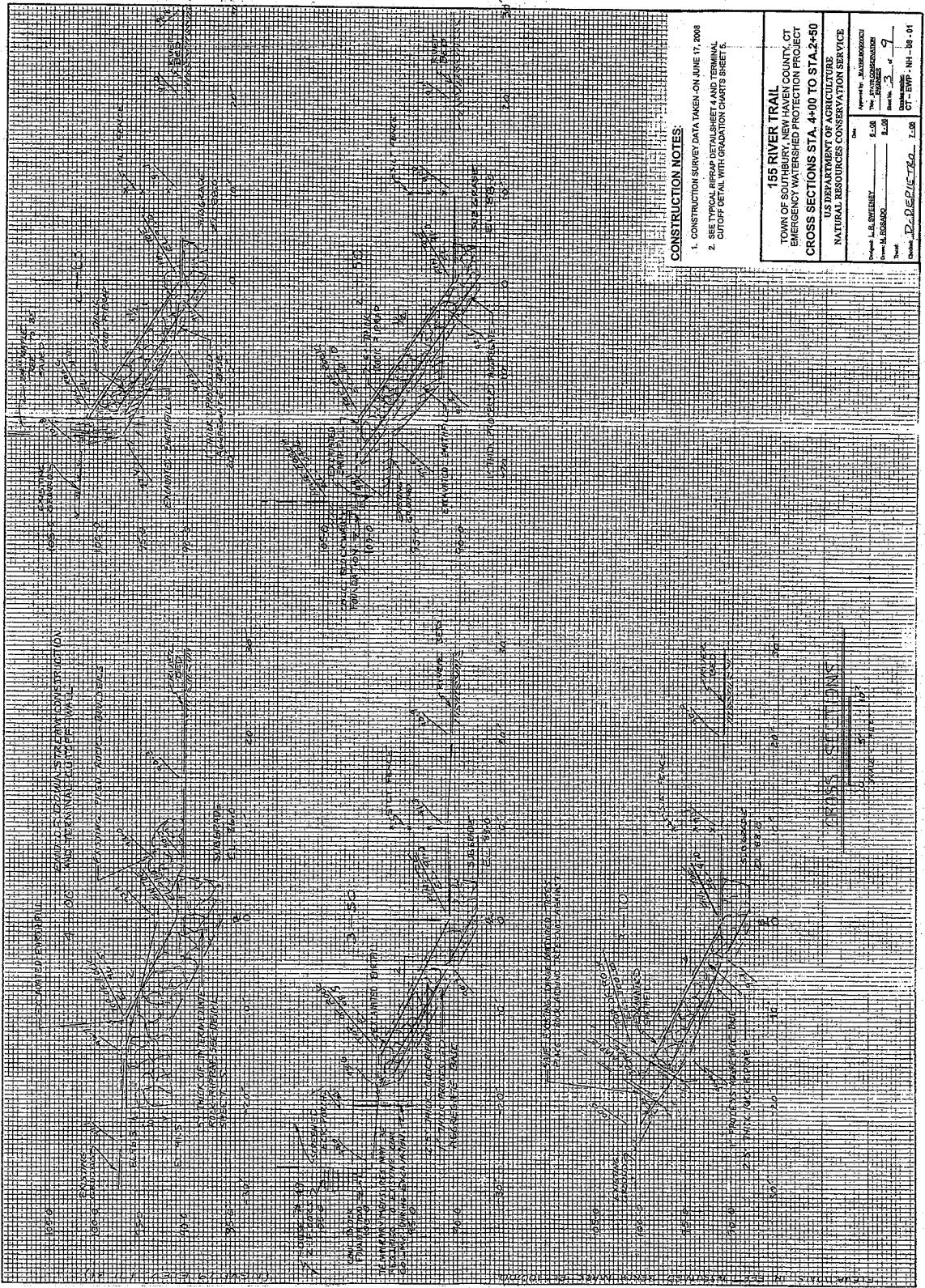


155 RIVER TRAIL		COVER SHEET	
TOWN OF SOUTHBURY, NEW HAVEN COUNTY, CONNECTICUT		COVER SHEET.dwg	
EMERGENCY WATERSHED PROTECTION PROJECT		Covered Sheet	
Designee: L.R. SWEENEY	Date: 7-2008	Approved by: M. BOGDONOVICH	Date: 7-2008
Checklist: D. DEPIETRO	File No.: 11-2008	Drawn by: M. ROSADO	Checklist: D. DEPIETRO

Drawing No.
C1-EWP-N-08-01
Sheet No.
1 of 9

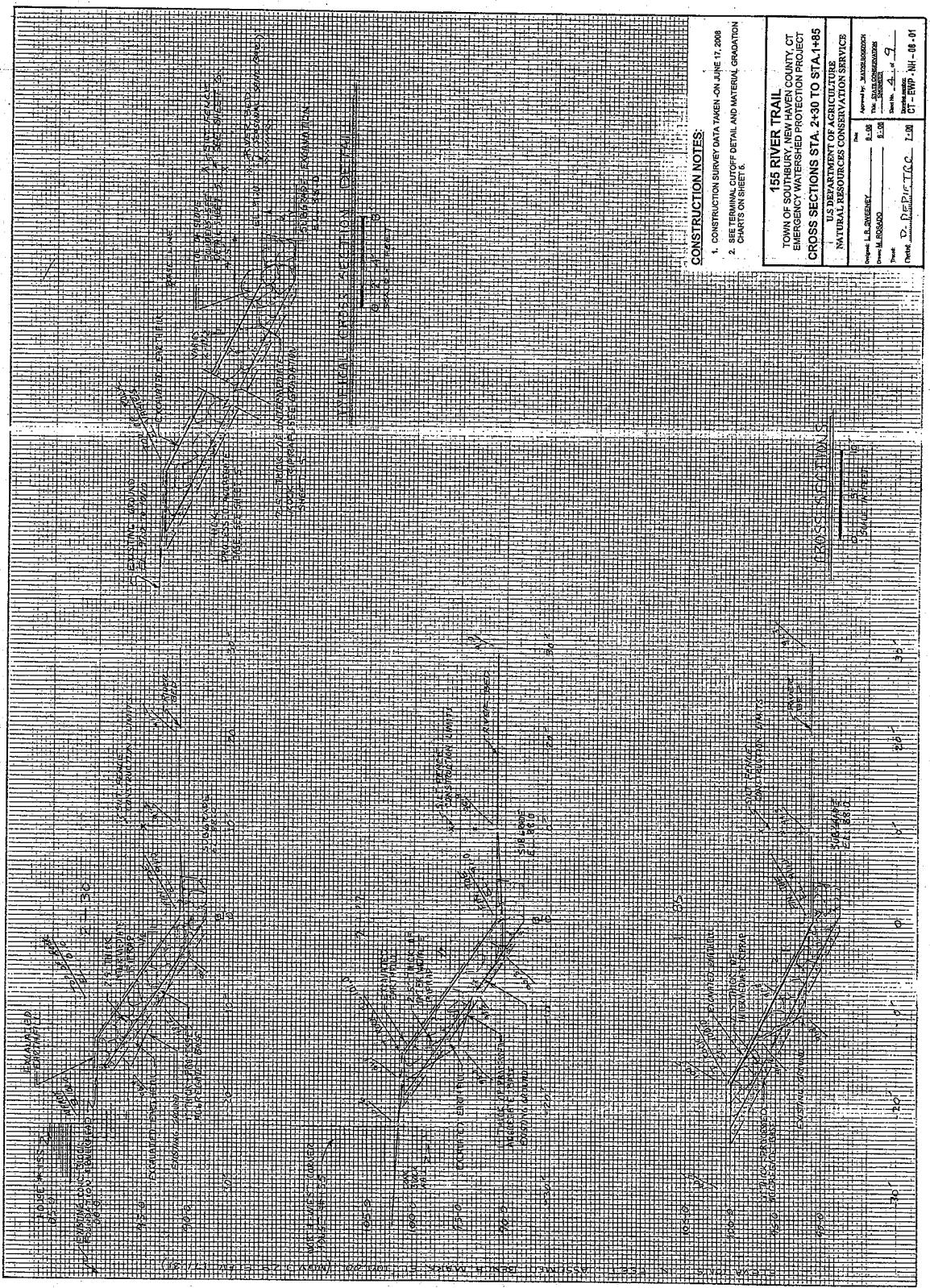
GNRCS
Natural Resources Conservation Service
United States Department of Agriculture

10/08



CONSTRUCTION NOTES

2. SEE TYPICAL RIRRAP DETAILSHEET 4 AND TERMINAL CUT-OFF DETAIL WITH GRADATION CHARTS SHEET 5.



EROSION AND SEDIMENT CONTROL NOTES

1. EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO AND DURING CLEARING, GRADING, AND EXCAVATION. SILT FENCE (FABRIC TYPE) SHALL BE INSTALLED AS NEEDED, OR AS INSTRUCTED BY THE NRCS PROJECT ENGINEER.
2. POSTS SHALL (36) INCH MINIMUM LENGTH CONSTRUCTED OF EITHER OF THE FOLLOWING MATERIALS: STEEL "T" OR "U" TYPE, OR 2" X 2" HARDWOOD.
3. WOVEN WIRE USED AS ADDITIONAL FENCE SUPPORT SHALL BE MINIMUM 14.5 GAUZE WITH (.6) INCH MAXIMUM MESH SPACING.
4. WOVEN WIRE SHALL BE PLACED ALONG THE UPHILL SIDE OF THE FENCE AND FASTENED WITH WIRE TIES OR (1) INCH STAPLES ALONG THE UPHILL SIDE OF THE POSTS.
5. FILTER FABRIC SHALL BE FASTENED TO WOVEN WIRE ACCORDING TO MANUFACTURERS RECOMMENDATION, OR WITH TIES EVERY (24) INCHES AT TOP AND MID-SECTION.
6. WHERE TWO PIECES OF FILTER FABRIC ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY (.6) INCHES AND FOLDED.
7. WHERE TWO POSTS MEET TO JOIN FENCE SECTIONS, THE TOPS OF THE POSTS SHALL BE SECURED TOGETHER WITH WIRE.
8. THE FENCE SHALL BE CONSTRUCTED ALONG THE CONTOUR AS MUCH AS POSSIBLE.
9. ENDS OF FENCES SHALL BE EXTENDED UP THE SLOPE TO PREVENT RUNOFF FROM MIGRATING AROUND THE END OF THE FENCE.
10. INSPECTION OF THE FENCE SHALL BE PERFORMED WEEKLY, OR IMMEDIATELY AFTER A RAIN EVENT, OR WHEN BULGES APPEAR IN THE FENCE. ACCUMULATED SILT SHALL NOT BE ALLOWED TO EXCEED (.12) FEET OF THE FABRIC. REPAIR AND OR REPLACEMENT OF DAMAGED FENCE SHALL BE COMPLETED PROMPTLY, AS NEEDED.
11. ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED SITE IN SUCH A MANNER THAT IT WILL NOT CONTRIBUTE TO OFF-SITE SILTATION.
12. MULCHING AND FINAL SEEDING SHALL FOLLOW COMPLETED SEGMENTS OF THE WORK. SEE SPECIFICATION FOR SEEDING REQUIREMENTS.
13. ALL FENCING SHALL BE REMOVED WHEN THE CONSTRUCTION SITE IS FULLY STABILIZED SO AS TO NOT IMPED STORM FLOW OR DRAINAGE.
14. ALL CHEMICALS, FUELS, AND LUBRICANTS, SHALL BE LOCATED, STORED, AND DISPOSED OF IN SUCH A MANNER AS TO PREVENT THEIR ENTRY INTO WETLAND OR WATERCOURSE. NO EQUIPMENT OR MACHINERY SHALL BE STORED, CLEANED OR REPAIRED WITHIN A WETLAND OR WATERCOURSE.

SEEDING NOTES

1. LIMESTONE AND FERTILIZER SHALL BE APPLIED ACCORDING TO SOIL TEST RESULTS, OR SHALL BE APPLIED AT A RATE OF 800 POUNDS OF "10-10-10" AND 2 TONS OF LIME PER ACRE, WHICHEVER IS GREATER.
2. SEEDING SHALL BE ALLOWED ONLY FROM APRIL 1 - JUNE 15, AND FROM AUGUST 15 - SEPTEMBER 30, UNLESS DIRECTED OTHERWISE BY THE NRCS.
3. ALL DISTURBED AREAS SHALL BE MULCHED WITH STRAW OR HAY AT THE RATE OF 100 POUNDS PER 1000 SQUARE FEET.

SEED MIX SPECIFICATION

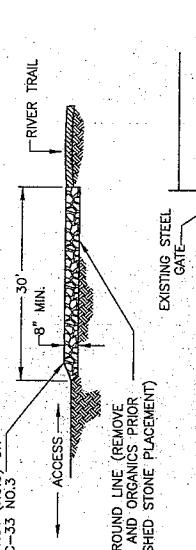
SEED MIXTURE	LB/ACRE	LB/1,000SF
Tall Fescue (Kentucky 31)	20	0.500
Perennial Ryegrass	5	0.125
Creeping Red Fescue	20	0.500
TOTAL	45	1.125

NOTE: ALL DETAILS ON THIS SHEET ARE TYPICAL.

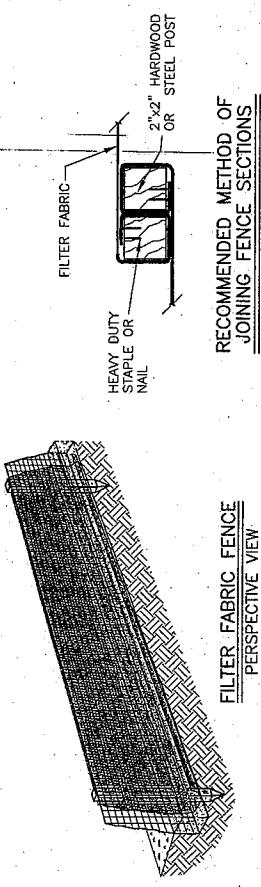
STABILIZED CONSTRUCTION ENTRANCE (NOT TO SCALE)



FILTER FABRIC FENCE DETAIL SECTION VIEW



RECOMMENDED METHOD OF JOINING FENCE SECTIONS



FILTER FABRIC FENCE PERSPECTIVE VIEW

EROSION CONTROL DETAILS

Designated: R. SWEENEY	Date: 7-2008	Approved: M. BOSCOVICH	Date: 7-2008
Checked: D. DELETRO	Date: 7-2008	Drawn: M. ROSDO	Date: 7-2008
TOWN OF SOUTHURY, NEW HAVEN COUNTY, CONNECTICUT			
EMERGENCY WATERARM PROJECT			

Drawing No.: CT-EWP-NH-05-D-1
Sheet No.: 6 of 9

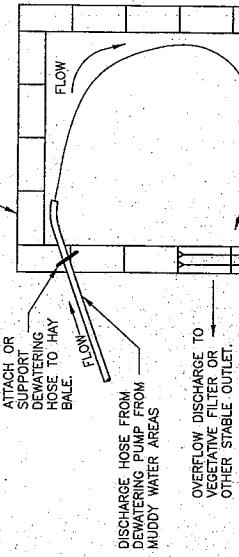
NRCS

NRCS

COFFERDAM AND SETTLING BASIN NOTES

1. THE SETTLING BASIN SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH SPECIFICATIONS 5 - POLLUTION CONTROL.
2. THE COFFERDAM AND SILT FENCE SHALL REMAIN IN PLACE UNTIL RIPRAP SLOPE CONSTRUCTION OPERATIONS ARE COMPLETED.
3. SETTLING BASIN GROUND TO BE EXCAVATED THE MINIMUM WIDTH OF A BALE TO A DEPTH OF 4". BACKFILL AND COMPACT EXCAVATED SOIL ON THE UPHILL SIDE OF THE BARRIER.

ONE ROW OF HAY BALES,
EMBEDDED AND STAKED
IN ACCORDANCE WITH
HAY BALE BARRIER
STANDARD.



(4'-6" X 2" X 2") WOODEN STAKES
ABUTTING SECTIONS TO OVERLAP
ACCORDING TO MANUFACTURERS
RECOMMENDATION OR AS
APPROVED BY THE ENGINEER.

HARDWOOD POST @ MAX.
10' SPACING FOR FENCE

POST HEIGHT
20" to 30"
ABOVE GROUND

UNDISTURBED RIVER
BED

POST EMBEDMENT
16" MIN. BELOW
GROUND

SILT FENCE OR FILTER FABRIC
ATTACHED TO HARDWOOD POST
16" MIN. ABOVE GROUND.

COFFERDAM
CONSTRUCTION AREA

CHANNEL BOTTOM

BALES TO BE BUTTED TOGETHER AND GAPS TO
BE FILLED WITH HAY OR STRAW.

LENGTH VARIES; START WITH 15';
LENGTH SHALL BE ADJUSTED IF
NECESSARY TO PREVENT EXCESS
SEDIMENTATION.

PLAN - TYPE I SETTLING BASIN HAY BALE BARRIER
(NOT TO SCALE)



SILT FENCE SECTION

SECTION VIEW



COFFERDAM CROSS SECTION
(NOT TO SCALE)

NOTE: ALL DETAILS ON THIS SHEET ARE TYPICAL.

Designated: L.R. SWEEENEY 11- 2008	Date: 11- 2008	Approved: W.M. BOGOVICI 11- 2008
Charged: D. DEPIETRO 11- 2008	EMERGENCY WATERSHED PROGRAM PROJECT	EROSION CONTROL SHFT-ZDWG
Design: M. ROSADDO 11- 2008	TOWN OF SOUTHURY, NEW HAVEN COUNTY, CONNECTICUT	United States Department of Agriculture Soil Conservation Service
Drawings: C.R. - H-0-0	155 RIVER TRAIL	Drawing No. C.R.-H-0-0
Sheet No. 1		Sheet No. 1

NRCs

PLANT LIST AND QUANTITIES					
COMMON NAME	SCIENTIFIC NAME	APPROX. PLANT TO PLANT SPACING	STOCK SIZE	ROOT CONDITION	QUANTITY
SILLY DOGWOOD	<i>Cornus amomum</i>	4-6 FT	2-3 FT	CG	6
SB	<i>Amarbelcher canadensis</i>	4-6 FT	3-4 FT	CG	13
Birds-eye Berry	<i>Cornus racemosa</i>	4-6 FT	3-4 FT	CG	16
GD	<i>Myrica pensylvanica</i>	5-10 FT	3-4 FT	CG	11
Gray Dogwood	<i>Kalmia latifolia</i>	5-6 FT	2-3 FT	CG	15
BB	<i>Common Viburnum</i>	4-6 FT	15-2 FT	CG	10
M.L.					

**SEE SPECIFICATION C-401 FOR PREPARATION FOR
PLANTING OPERATIONS.**

