



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

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: July 3, 2007

Comment Period Ends: August 3, 2007

File Number: NAE-2007-1359

In Reply Refer To: Stephen D. DiLorenzo

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

Fisherman's Wharf, LLC
1425 Noble Avenue
Bridgeport, Connecticut 06610

ACTIVITY

The applicant is proposing to construct a 12-slip commercial marina facility with a travel-lift pier to haul and launch vessels. The structures will extend approximately 130' seaward of the mean high water line. A detailed description and plans of the applicant's activity are shown on the attached plans entitled "FISHERMAN'S WHARF WATERVIEW MARINA, YELLOW MILL RIVER, LONG ISLAND SOUND" in six sheets, and dated "4/3/07".

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Yellow Mill River at 300 Waterview Avenue, Bridgeport, Connecticut. The proposed location on the USGS BRIDGEPORT, CT quadrangle sheet is at Latitude 41.1802433 and Longitude 73.17533856.

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 will impact approximately 4,000 square feet of Essential Fish Habitat (EFH) for species and life stages shown on pages 5 and 6. This habitat consists of silts, sands and rubble. Loss of this habitat may adversely affect species shown on sheets 5 and 6. 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.

SECTION 106 COORDINATION

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 proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our 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 BA determination.

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 Stephen D. DiLorenzo, Senior Project manager, at (978) 318-8373, (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.

CENAE-R-P&B
FILE NO. NAE-2007-1395

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

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: _____

Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

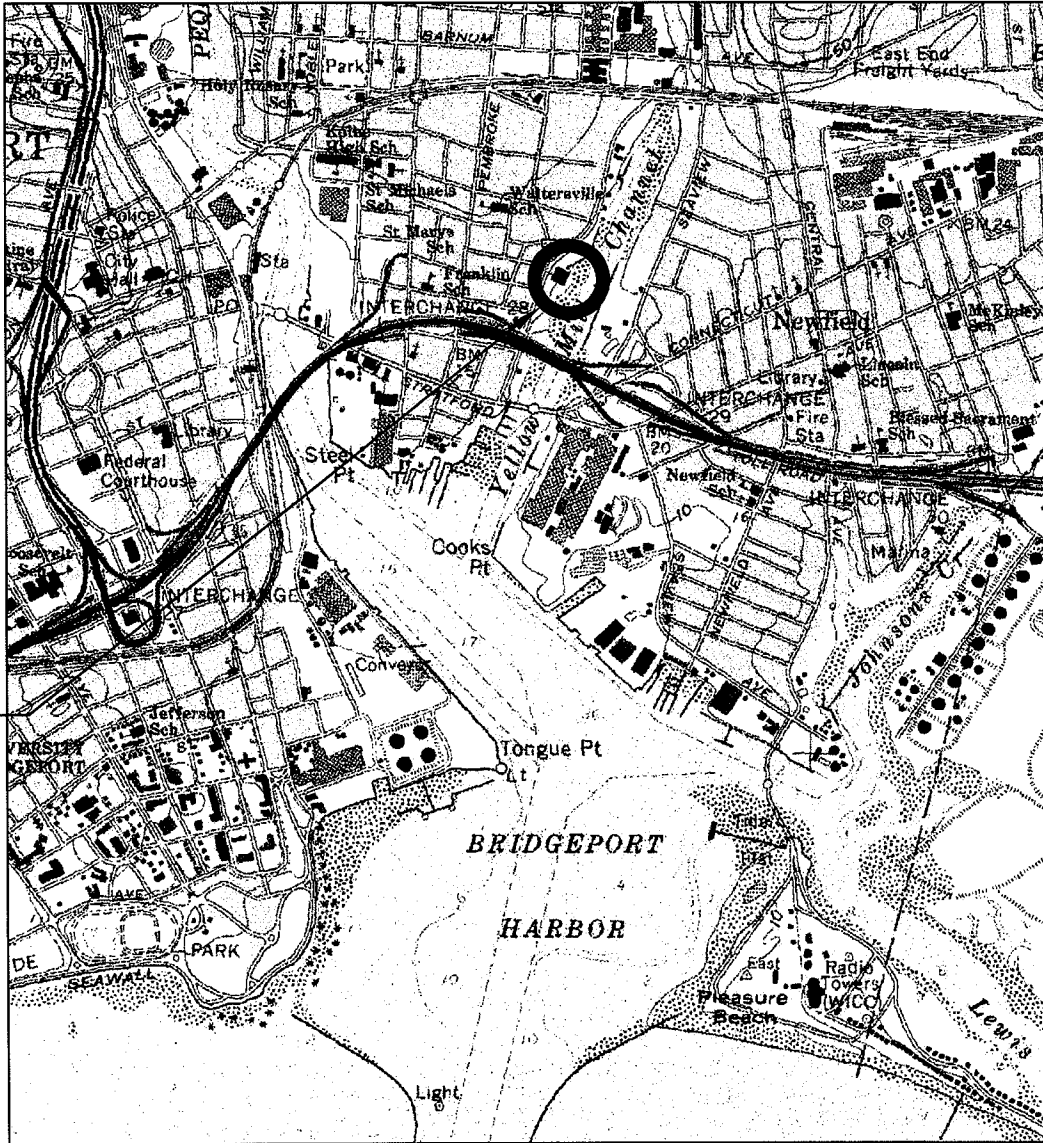
Boundary	North	East	South	West
Coordinate	41° 10.0' N	73° 10.0' W	41° 00.0' N	73° 20.0' W

Square Description (i.e. habitat, landmarks, coastline markers): Atlantic Ocean waters within Long Island Sound within the square affecting south of the following: Bridgeport, CT., Fairfield, CT., Blackrock, CT., Southport, CT., Green Farms, CT., and Greenfield, CT., along with Black Rock Harbor from the entrance to the Pequonack River west to Sherwood Pt. (just east of Sherwood Mill Pond) within Long Island Sound. Also affected are: Pennfield Reef, The Little Cows, Georges Rock, and Fayeweather I.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
Atlantic cod (<i>Gadus morhua</i>)				
haddock (<i>Melanogrammus aeglefinus</i>)				
pollock (<i>Pollachius virens</i>)			X	X
whiting (<i>Merluccius bilinearis</i>)				X
offshore hake (<i>Merluccius albidus</i>)				
red hake (<i>Urophycis chuss</i>)	X	X	X	X
white hake (<i>Urophycis tenuis</i>)				
redfish (<i>Sebastes fasciatus</i>)	n/a			
witch flounder (<i>Glyptocephalus cynoglossus</i>)				
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
yellowtail flounder (<i>Pleuronectes ferruginea</i>)				

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windowpane flounder (<i>Scopthalmus aquosus</i>)	X	X	X	X
American plaice (<i>Hippoglossoides platessoides</i>)			X	X
ocean pout (<i>Macrozoarces americanus</i>)	X	X	X	X
Atlantic halibut (<i>Hippoglossus hippoglossus</i>)				
Atlantic sea scallop (<i>Placopecten magellanicus</i>)				
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
monkfish (<i>Lophius americanus</i>)				
bluefish (<i>Pomatomus saltatrix</i>)			X	X
long finned squid (<i>Loligo pealei</i>)	n/a	n/a		
short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		
Atlantic butterfish (<i>Peprilus triacanthus</i>)				
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	
surf clam (<i>Spisula solidissima</i>)	n/a	n/a		
ocean quahog (<i>Artica islandica</i>)	n/a	n/a		
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a		
tilefish (<i>Lopholatilus chamaeleonticeps</i>)				
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		



PROJECT SITE

VICINITY MAP

APPROX. SCALE 1" = 2,000'

NOTE:

VICINITY MAP TAKEN FROM USGS TOPOGRAPHIC MAP: BRIDGEPORT QUADRANGE



ROBERGE ASSOCIATES
Coastal Engineers, LLC

2499 Main Street, Unit F, Stratford, CT 06615
Tel: 203-377-0663 Fax: 203-375-6561 www.racellc.com

Drawn By: JMD

Checked By: DJS

Datum: N/A

Date: 4-3-07

Scale: 1" = 2,000'

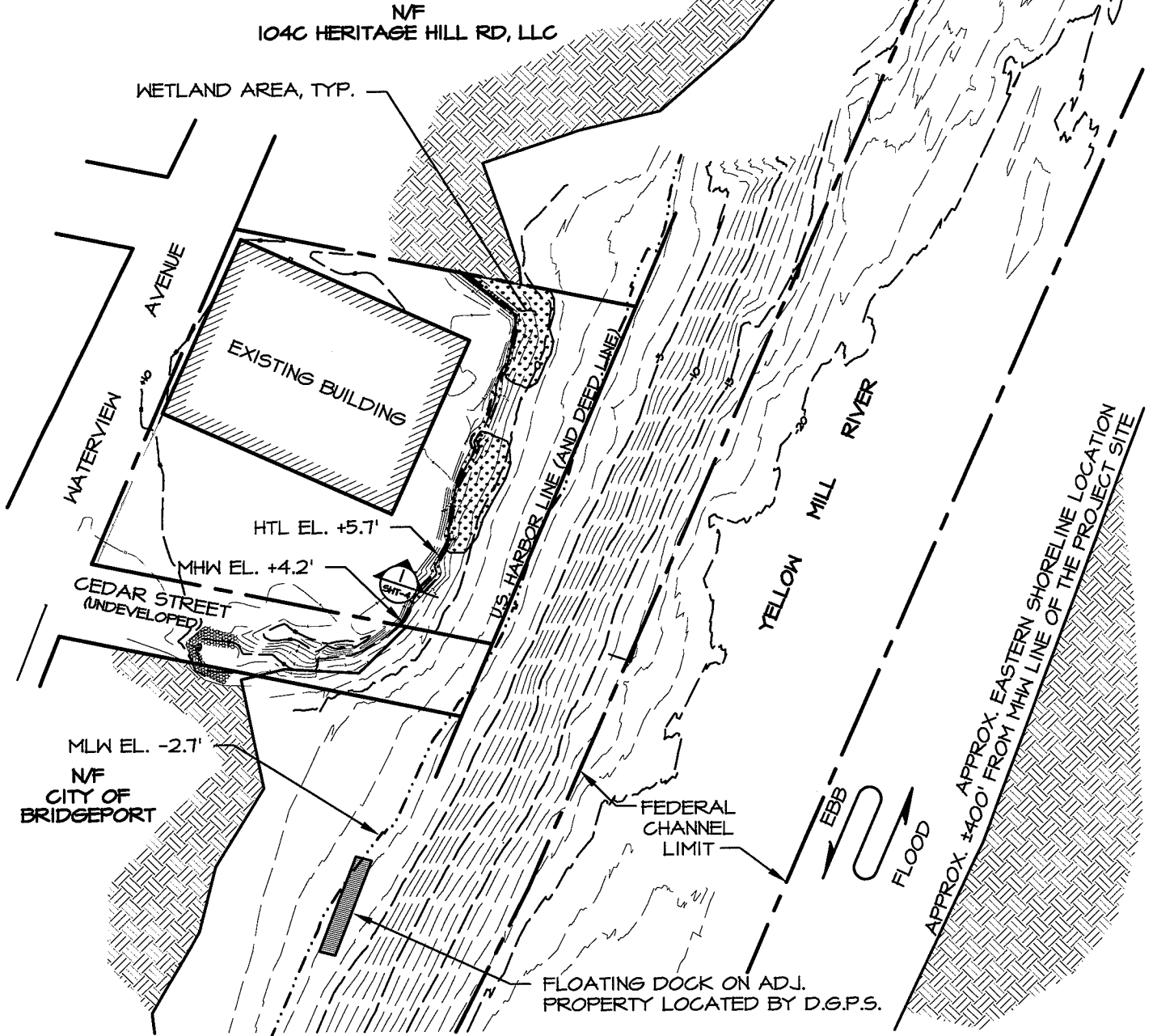
Project #: 200706

FISHERMAN'S WHARF WATERVIEW MARINA
YELLOW MILL RIVER
LONG ISLAND SOUND

FISHERMAN'S WHARF, LLC
1425 NOBLE AVENUE
BRIDGEPORT, CT 06610

NOTES:

EXISTING BUILDING AND PROPERTY LINES TAKEN FROM A DRAWING TITLED "PROPERTY AND TOPOGRAPHIC SURVEY OF PROPERTY LOCATED AT 300 WATERVIEW AVE - BRIDGEPORT, CT" PREPARED BY ROSE TISO & CO. LLC, 12/20/06. OPPOSITE SHORELINE AND ADJACENT PROPERTY SHORELINES TAKEN FROM NOAA CHART 12369-I. FEDERAL CHANNEL COORDINATES PROVIDED BY THE ACOE.



ROBERGE ASSOCIATES
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Drawn By: DJS

Checked By: JCR

Datum: NGVD

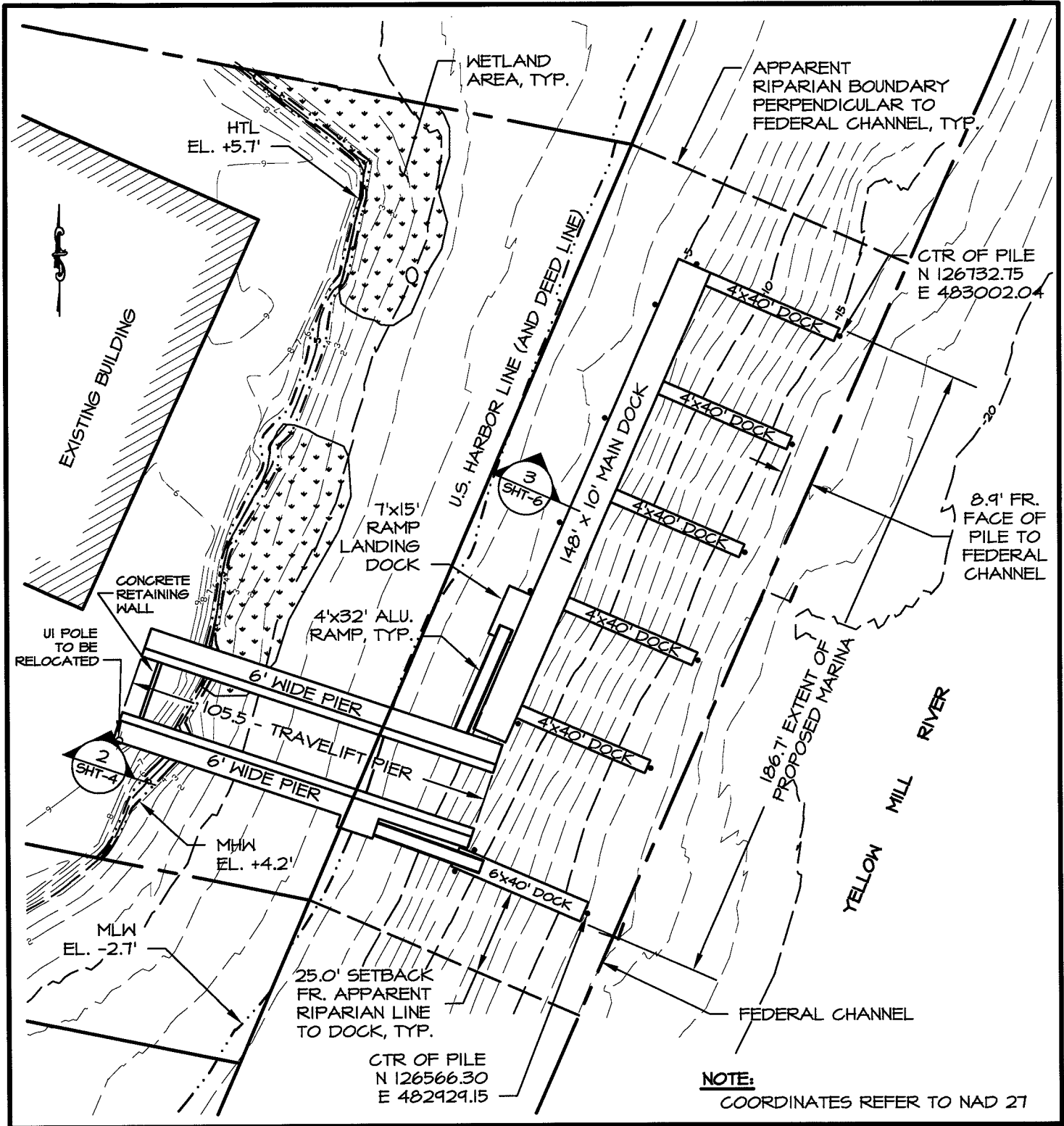
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Scale: 1" = 100'

Project #: 200701

FISHERMAN'S WHARF WATERVIEW MARINA
YELLOW MILL RIVER
LONG ISLAND SOUND

FISHERMAN'S WHARF, LLC
1425 NOBLE AVENUE
BRIDGEPORT, CT 06610



ROBERGE ASSOCIATES
Coastal Engineers, LLC

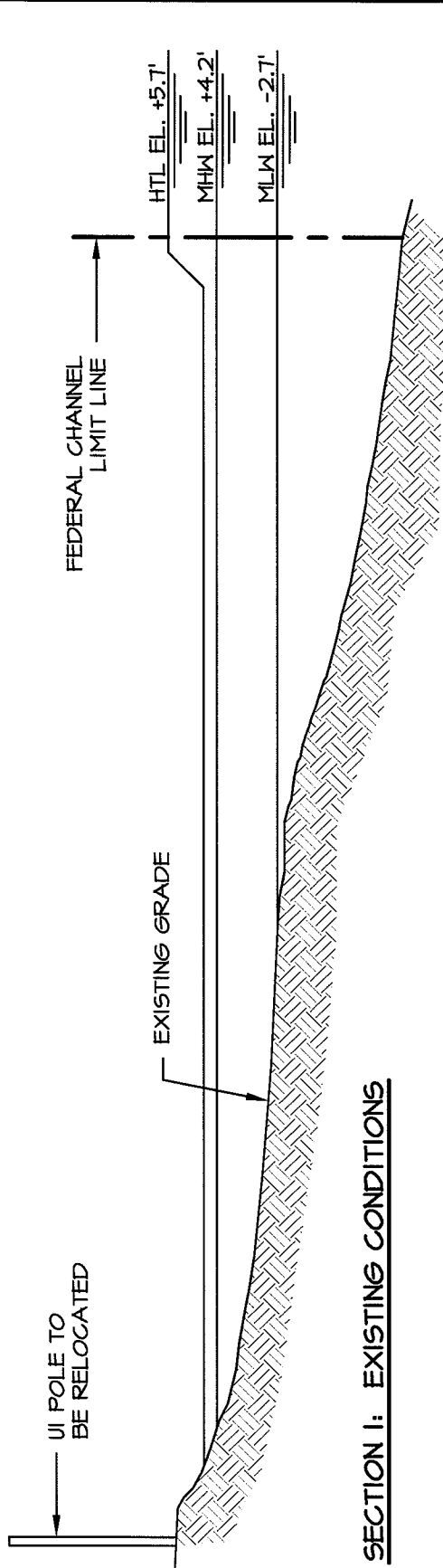
2499 Main Street, Unit F, Stratford, CT 06615
Tel: 203-377-0663 Fax: 203-375-6561 www.racelle.com

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Checked By:	JCR
Datum:	NGVD
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Project #:	200701

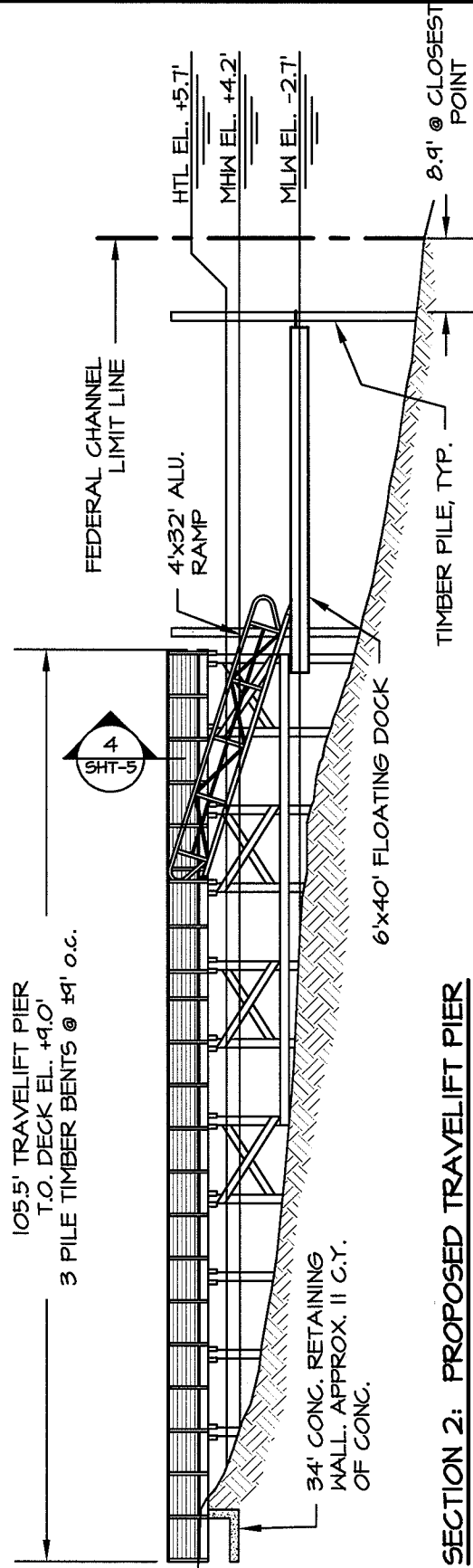
FISHERMAN'S WHARF WATerview MARINA
YELLOW MILL RIVER
LONG ISLAND SOUND

FISHERMAN'S WHARF, LLC
1425 NOBLE AVENUE
BRIDGEPORT, CT 06610

SHEET 3 OF 6



SECTION 1: EXISTING CONDITIONS



SECTION 2: PROPOSED TRAVELIFT PIER

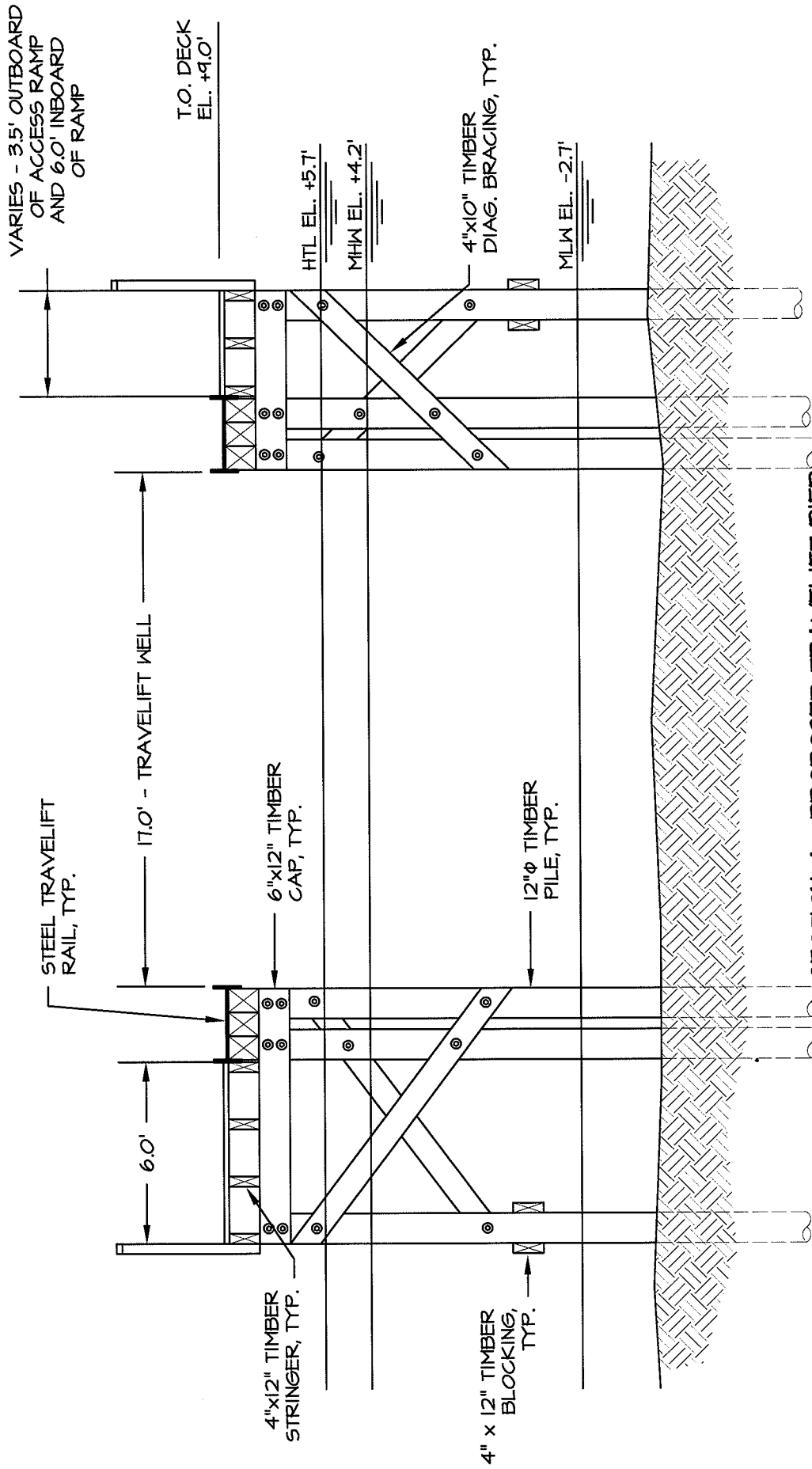
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Checked By:	JGR
Datum:	NGVD
Date:	4-3-07
Scale:	1" = 20'
Project #:	200701

RACE
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FISHERMAN'S WHARF WATERVIEW MARINA
 YELLOW MILL RIVER
 LONG ISLAND SOUND

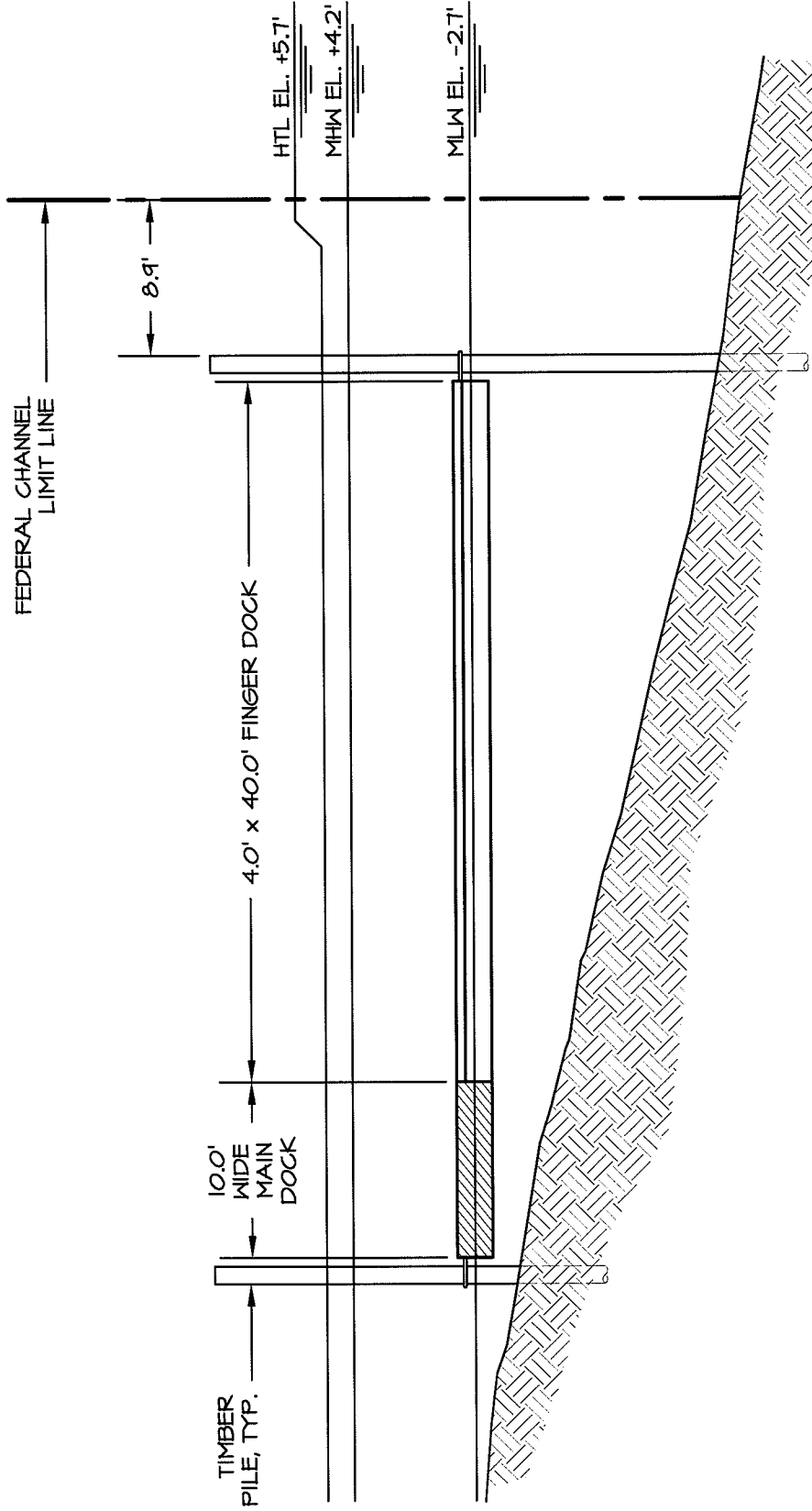
FISHERMAN'S WHARF, LLC
 1425 NOBLE AVENUE
 BRIDGEPORT, CT 06610

SHEET 4 OF 6



SECTION 4: PROPOSED TRAVELIFT PIER

 <p>ROBERGE ASSOCIATES Coastal Engineers, LLC</p> <p>2499 Main Street, Unit F, Stratford, CT 06615 Tel: 203-377-0663 Fax: 203-375-6561 www.racelc.com</p>	<p>Drawn By: DJS</p> <p>Checked By: JGR</p> <p>Datum: NGVD</p> <p>Date: 4-3-07</p> <p>Scale: 1" = 5'</p> <p>Project #: 200701</p>	<p>FISHERMAN'S WHARF WATERVIEW MARINA YELLOW MILL RIVER LONG ISLAND SOUND</p>
	<p>FISHERMAN'S WHARF, LLC 1425 NOBLE AVENUE BRIDGEPORT, CT 06610</p>	<p>SHEET 5 OF 6</p>



SECTION 3: PROPOSED DOCK

Drawn By:	DJS
Checked By:	JGR
Datum:	NGVD
Date:	4-3-07
Scale:	1" = 10'
Project #:	200701

FISHERMAN'S WHARF WATERVIEW MARINA
 YELLOW MILL RIVER
 LONG ISLAND SOUND

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