US Army Corps
of Engineers ®
New England District

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Public Notice

In Reply Refer to: Michael Keegan
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Programs/Project
Management Division
Date: Feb 24, 2010
Comment Period Closes: Mar 26, 2010

30 DAY PUBLIC NOTICE

PUBLIC AVAILABILITY OF AN ENVIRONMENTAL ASSESSMENT RELATED TO MAINTENANCE DREDGING OF THE FEDERAL CHANNEL AND ANCHORAGE AREAS IN BRIDGEPORT HARBOR, BRIDGEPORT, CONNECTICUT

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District, has developed an Environmental Assessment related to plans to perform maintenance dredging of a Federal navigation project, involving work in the navigable waters of this District, under the provisions of Section 404 of the Clean Water Act of 1977 (33 U.S.C. § 1344), Section 103 of the Marine Protection Research and Sanctuary Act (33 U.S.C. § 1413) and to authorize such work in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. Attachment No. 1 lists pertinent laws, regulations, and directives.

Project Description: The proposed work involves maintenance dredging of the Federal navigation project (FNP) at Bridgeport Harbor, Bridgeport, Connecticut (Attachment 2). Bridgeport Harbor is located on the north shore of Long Island Sound between the cities of New Haven and Stamford. Goods transported through Bridgeport Harbor include coal, sand, gravel, stone, and petroleum products. The proposed project would reestablish the authorized 35-foot deep Mean Lower, Low Water (MLLW) Main Ship navigation channel from Long Island Sound to the inner harbor, the 18-foot deep MLLW navigation channel in the Pequonnock River, and the 18-foot deep MLLW navigation channel in Yellow Mill Creek, a tributary. In addition, the 35-foot deep MLLW and 25-foot deep MLLW east anchorages, the 18-foot deep MLLW west anchorage and the 18-foot deep MLLW barge anchorage, as well as the 35-foot deep MLLW turning basin would also be restored to their authorized depths. Approximately 1.78 million cubic yards (CY) of material would be dredged from the FNP (including 2-feet of overdepth dredging). About 670,000 cubic yards has been determined to be suitable for open water placement, the remaining material is unsuitable. The majority (913,000 CY) of the unsuitable material would be placed into a Confined Aquatic Disposal (CAD) cell that would be created within Bridgeport Harbor. The remaining unsuitable material (197,000 CY) would be placed into an existing borrow pit located in Morris Cove, New Haven Harbor. Both CAD cells would be capped with suitable material from outer portions of the FNP. Most of the suitable material dredged from the FNP and the new CAD cell (1.25 million CY) would be disposed at the Central Long Island Sound Disposal Site (CLIS) (Attachment 3). The remaining suitable material (about 223,000 CY) would be used to cap the Bridgeport Harbor CAD cell and the Morris Cove borrow

pit. Approximately 38,000 CY of material would be dredged to create an access channel to the Morris Cove borrow pit. This material would be also be placed within the Morris Cove borrow pit. Total amount of material to be dredged from the proposed project is approximately 3.0 million CY.

Character and Purpose of Work: Navigation within Bridgeport Harbor has become increasingly difficult and dangerous for the commercial boat traffic in the area. The last maintenance dredging occurred in 1964. Since then, shoaling has reduced the controlling depth in the navigation channels to between four and seven feet less than their authorized depths, creating a need for dredging. In response to the shallow condition of the harbor, vessels are required to either lighter their load (transfer goods to shallower draft vessels) before entering the harbor, or, as in the case of petroleum vessels, use alternative harbors such as New Haven, New London, or New York. This results in higher transportation costs and threatens the operation of the port. Transporting the petroleum back through Bridgeport by either rail or highway can further strain a transportation system that is already overcrowded and also have a negative environmental impact on air quality.

Dredging will be performed by a mechanical dredge and the dredged material will be brought to one of the three proposed placement sites: CLIS, a newly constructed Bridgeport Harbor CAD cell, or the Morris Cove borrow pit. If needed, a second CAD cell located on the west side of the navigation channel may be constructed to accommodate additional dredged material. The dredged material has undergone physical and chemical analysis. It is our determination that the material from the entrance channel and the footprint of the Bridgeport Harbor CAD cell (below the top 2 feet) is suitable for placement at any of these sites. The unsuitable material will be placed in either the newly constructed CAD cell(s) or the Morris Cove borrow pit and capped with up to 3 feet of suitable material after the silty unsuitable material has consolidated enough to support a cap. The Morris Cove borrow pit currently experiences anoxic conditions during the warm months of the year which greatly degrades the aquatic habitat. Filling the hole and capping with the suitable material will provide additional habitat for worms, shellfish and fish.

The Central Long Island Disposal Site was designated by the US Environmental Protection Agency in June 2005. Portions of the CLIS site have been used historically for placement of dredged material. It is currently being used for placement of dredged material from the US Navy facility in New London, CT. The CLIS Site has had numerous Disposal Area Monitoring System (DAMOS) surveys and evaluations conducted at the site. Recent DAMOS reports on the CLIS Site include DAMOS Report 177, June 2005; DAMOS Report 163, June 2004; DAMOS Report 159, September 2003; and DAMOS Report 139, 1999-2000.

The proposed transportation of this dredged material for disposing of it in ocean waters was evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities or the marine environment, ecological systems, or economic potentialities. In making this determination, the criteria established by the Administrator, EPA pursuant to section 102(a) of the ODA, was applied. In addition, based upon an evaluation of the potential effect which the failure to utilize this ocean disposal site will have on navigation, economic and industrial development, and foreign and domestic commerce of the United States,

an independent determination was made of the need to dispose of the dredged material in ocean waters, other possible methods of disposal, and other appropriate locations.

The dredging and disposal areas are shown on Attachments 2 and 3. The work will take approximately 2 years to complete. The project will begin in the year(s) in which Federal funds become available for the dredging effort.

Actions to Minimize Potential Construction Impacts: The following actions will be taken to reduce potential adverse impacts with the proposed project.

a. Construction will be sequenced to minimize potential impacts to natural resources. Construction would start with deepening the access channel to Morris Cove borrow pit. In order to minimize impacts to leased shellfish beds in Morris Cove, dredging of this channel will not occur from 31 May to 30 September. No dredging in the Main Ship Channel would occur between Tongue Point and the Stratford Avenue Bridge in Bridgeport Harbor from 1 February through 31 May in order to avoid potential impacts to spawning winter flounder. In addition, the portions of the Main Ship Channel above the confluence with Yellow Mill Creek would be restricted from dredging operations from 1 April to 30 June due to anadromous fish runs. The top layer of the footprint of the proposed Bridgeport CAD cell needs to be excavated prior to start of winter flounder spawning season (1 February). The top layer is comprised of silty material which could temporarily suspended and cause turbidity in the water column. Removing the silty layer of the CAD cell prior to the spawning season will allow dredging of the parent material being excavated to create the CAD cell without any time of year restriction. This is because the parent material is comprised of a sandy gravelly mix which is unlikely to cause turbidity. Sequencing CAD cell excavation as identified above will minimize impact to winter flounder. Dredging activities in the entrance channel between Buoy No. 9 and the breakwaters may be restricted from 31 May to 30 September to minimize potential impacts to shellfish beds nearby. Further review is underway to determine if this restriction is necessary. If an alternative CAD cell is constructed west of the Main Channel, dredging may not occur there from 31 May to 30 September to protect nearby shellfish resources.

b. A closed bucket dredge will be used and no scow overflow will be allowed during dredging of the unsuitable material.

c. The unsuitable material placed in the CAD cell and the borrow pit will be capped with sufficient suitable cap material to isolate contaminants from the surrounding environment.

d. The navigation channel to the Morris Cove Borrow pit will be filled in once access to the Morris Cove pit is no longer required. The request to fill in the channel was made by shellfish interests who indicated filling in the channel will result in a better habitat for shellfish, particularly oysters. Dredged material from the outer harbor dredging will be used to fill in the channel after the capping of the Morris Cove borrow pit.

Additional Information: Additional information may be obtained from Mr. Michael Keegan, Programs/Project Management Division, at the return address shown, by email at michael.f.keegan@.usace.army.mil or by telephone at (978) 318-8087.

Coordination: The proposed work is being, or has been coordinated with the following Federal, State, and local agencies:

Federal:
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service

Native Tribes:
Nashantucket Pequot Tribe
Mohegan Tribe

State of Connecticut:
Connecticut Department of Environmental Protection
Department of Marine Fisheries
Office of Long Island Sound
Connecticut Bureau of Aquaculture
State Historic Preservation Officer

Local:
Bridgeport Port Authority
New Haven Port Authority

Environmental Impacts: A Draft Environmental Assessment has been prepared for this work and will be available for review upon request. I have made a preliminary determination that an Environmental Impact Statement for the proposed maintenance dredging is not required under the provisions of the National Environmental Policy Act of 1969. This determination will be reviewed in light of facts submitted in response to this notice.

Federal Consistency with the Connecticut and New York Coastal Zone Management Program: I find that maintenance dredging of the authorized navigation project is consistent, to the maximum extent practicable, with the applicable management program established as a result of the Coastal Zone Management Act of 1972. The dredging and disposal operation will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

Other Information:

a. Local Sponsor: The Bridgeport Port Authority is the local sponsor for the proposed work.

b. Previous Dredging: Maintenance dredging of the Bridgeport Harbor Federal navigation project was last performed in 1964, over forty-five years ago.

c. Alternate Disposal Methods: Alternate disposal options that have been considered include upland disposal, a confined disposal facility (CDF), riverine disposal, habitat creation, beach nourishment, and alternative technologies. All of these alternatives were eliminated from further consideration due to logistical and/or environmental concerns (i.e. riverine disposal, CDF, and habitat creation), or high costs, unsuitable sites and/or timing constraints (upland disposal, beach nourishment and alternative technologies).

d. Non-Federal Dredging: Currently no private dredging is being proposed in conjunction with this project. Facility owners within the harbor who may be interested in performing dredging concurrently with this project should be aware that work will require a permit from the Army Corps of Engineers under Section 10 of the Rivers and Harbors act and, may also require a Corps permit under Section 404 of the Clean Water Act. In order to be disposed of in open water, private dredged material must be determined to be suitable for such disposal.

e. Endangered Species: Preliminary determinations indicate that the proposed activity will not affect threatened or endangered species or their critical habitat pursuant to the Endangered Species Act of 1973 (87 Stat. 844).

f. Floodplain Management: In accordance with Executive Order 11988, the Corps of Engineers has determined that the proposed work will not contribute to negative impacts or damages caused by floods.

g. Cultural Resources: The proposed work consists of maintenance dredging a previously dredged area. However, the CT State Historic Preservation Officer (SHPO) and the Mashantucket Pequot Tribal Historic Preservation Officer (THPO) have requested a remote sensing survey of the FNP and CAD cell(s). Coordination with the CT SHPO and the THPO regarding this survey will continue during the preparations of the project's plans and specifications.

h. Essential Fish Habitat Assessment: It has been determined that the proposed project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project area is contained within areas designated EFH as defined by the Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996 for federally managed fish species. The Army Corps of Engineers has assessed the effects dredging is likely to have on EFH and has determined that they will be short-term and localized and that there will be no significant impacts on the designated fisheries resources. The Corps has prepared a draft EFH Assessment in order to obtain EFH Conservation Recommendations from the National Marine Fisheries Service.

Additional Requirements: A request will be sent to the Office of Long Island Sound and the New York Department of State for the State's concurrence with our determination of Federal consistency with the State's approved Coastal Zone Management Program. A request will also be sent to the Connecticut Department of Environmental Protection for a Water Quality Certification for disposal activities in both Morris Cove and the Bridgeport CAD cell in accordance with the Clean Water Act of 1977, which requires that the work comply, to the

maximum extent practicable, with State or interstate requirements to control the discharge of dredged or fill material. The project's alternative analysis will also be submitted to the Regional Dredging Team established to review projects which utilize the CLIS site for dredged material placement.

The decision whether to perform the work 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 benefits, which reasonably may be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, and the welfare of the people.

Any person who has an interest that may be affected by the dredging and disposal of this dredged material may request a public hearing. The request must be submitted in writing to me within 30 days of the date of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751, ATTN: Mr. Michael Keegan, within 30 days of this notice.

Philip T. Feir
Colonel, Corps of Engineers
District Engineer

Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 1221 et. seq.)

Clean Water Act, as amended (33 U.S.C. 1251 et. seq.)

Coastal Zone Management Act of 1972 [16 U.S.C. 1456(c) (1) and (2)], Sections 307(c) (1) and (2)

Code of Federal Regulation, Title 33, Parts 335 through 338

Endangered Species Act of 1973 as amended (16 U.S.C. 668aa-668cc)

Estuary Protection Act (16 U.S.C. 1221 et. seq.)

Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994

Federal Water Project Recreation Act, as amended (16 U.S.C. 4601-12 et. seq.)

Fish and Wildlife Act of 1956 (16 U.S.C. 472a, et. seq.)

Fish and Wildlife Coordination Act (16 U.S.C. 661-666c)

Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 et. seq.)

Magnuson-Stevens Fishery Conservation and Management Act and amended by the Sustainable Fisheries Act of 1996

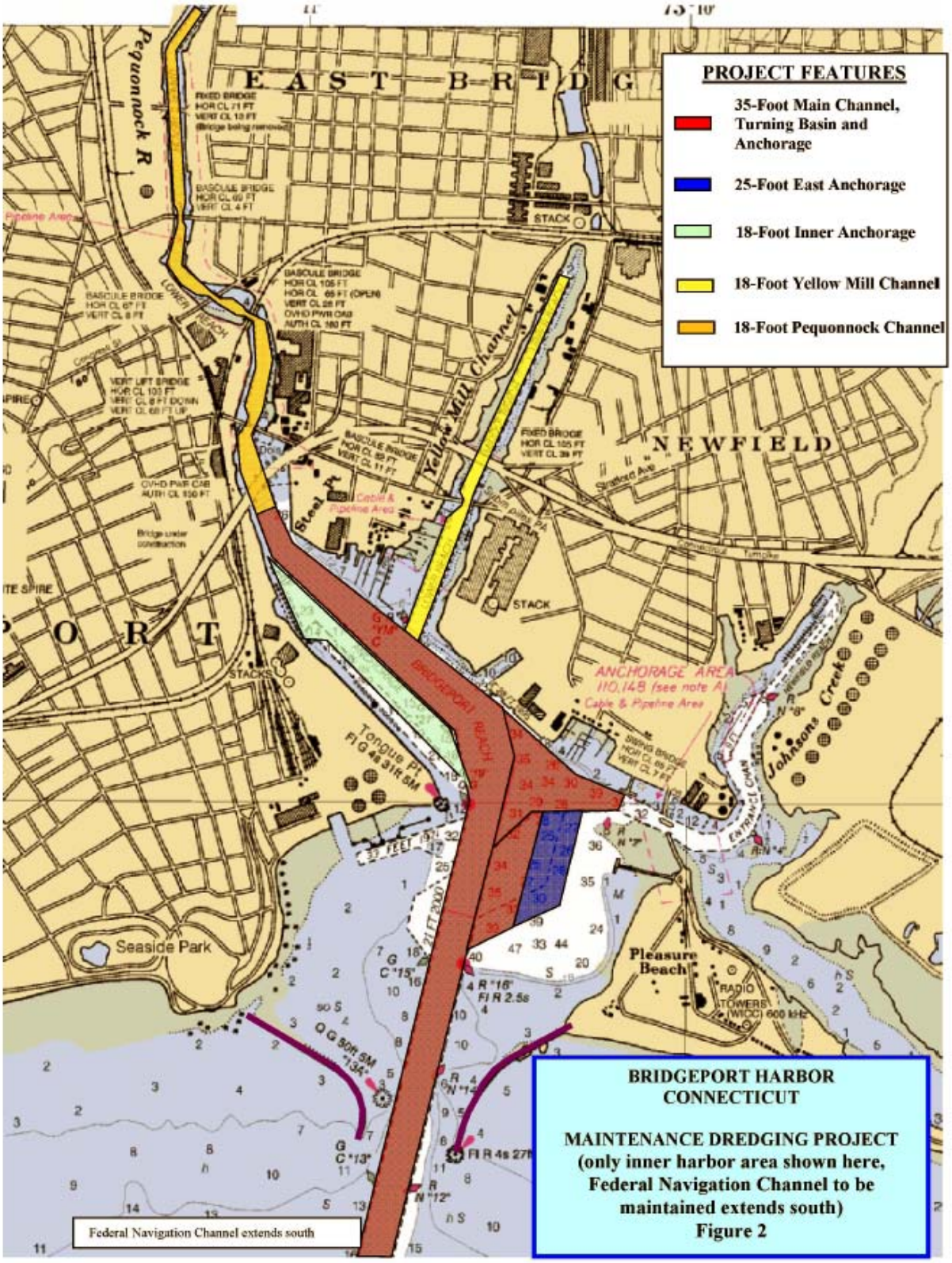
Marine Protection Research and Sanctuary Act of 1972, as amended (33 U.S.C. 1401)

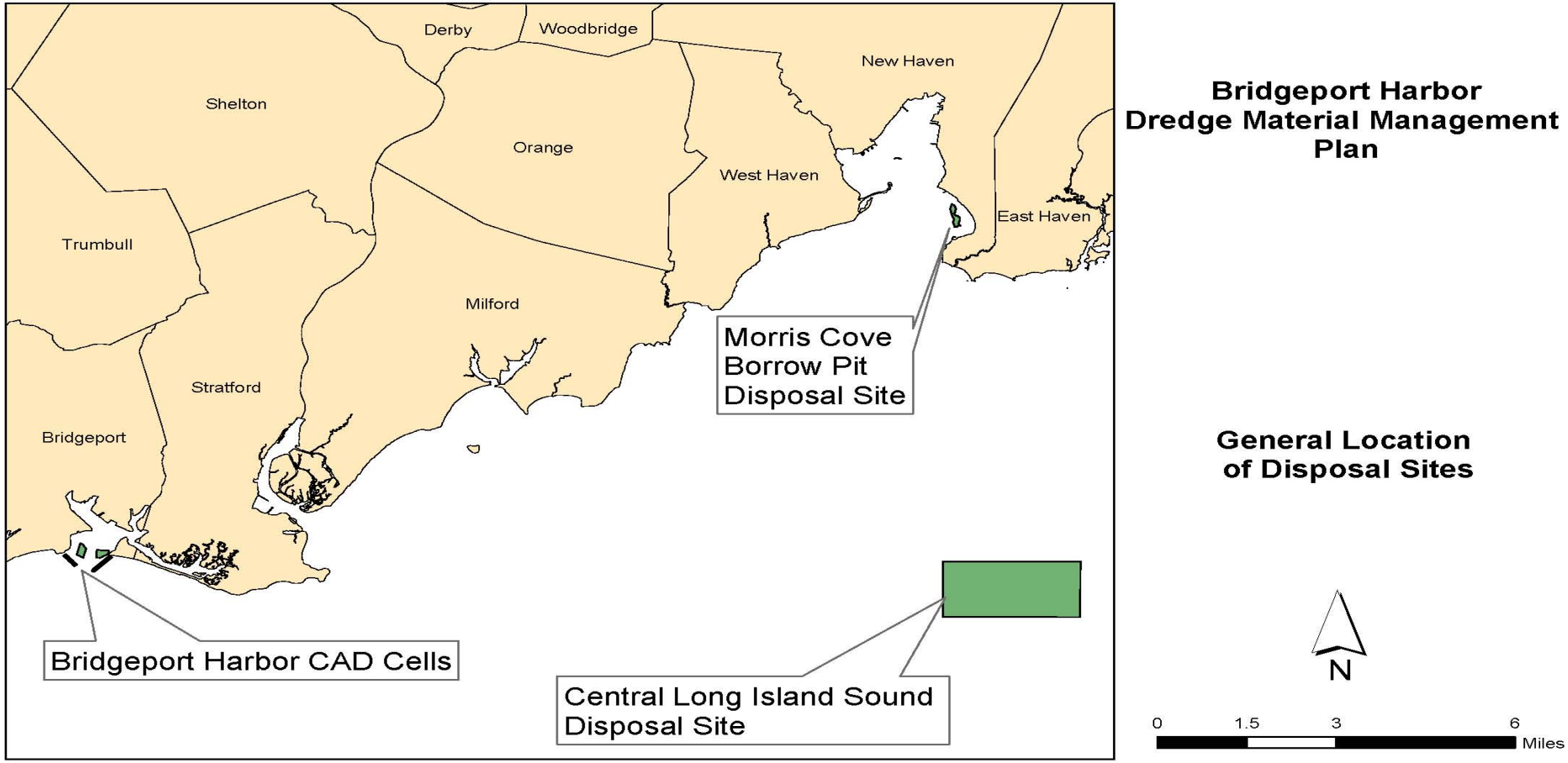
Migratory Marine Game-Fish Act (16 U.S.C. 760c-760g)

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347)

National Historic Preservation Act of 1966 (16 U.S.C. 470)

Attachment 2





Attachment 3