



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Craig Martin

nae-pn-nav@usace.army.mil

Programs/Project

Management Division

Date: January 29, 2013

Comment Period Closes: February 27, 2013

30 DAY PUBLIC NOTICE

MAINTENANCE OF THE NEW HAVEN HARBOR FEDERAL NAVIGATION PROJECT NEW HAVEN, CONNECTICUT

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District, plans to maintain the New Haven Harbor Federal Navigation Project in New Haven, Connecticut. Attachment 1 lists pertinent laws, regulations, and directives applicable to the project.

Project Description: The proposed project involves the maintenance dredging of the Congressionally-authorized Federal Navigation Project (FNP) in New Haven Harbor, New Haven, CT (Attachment 2). The authorized project provides for a navigation channel 35 feet deep below mean lower low water (MLLW) from Long Island Sound to the confluence at the Quinnipiac River. In addition to the channel, there are several anchorages and a turning basin in the northern portion of the project. Only the main channel and 35 ft turning basin will be dredged during this phase of the project. Approximately 810,000 cubic yards of predominantly silt material will be dredged from these two areas. A mechanical dredge using various types of clamshell buckets would remove material from the shoaled portions of New Haven Harbor channel, and place it into scows. The scows would then be towed to the Central Long Island Sound Disposal Site (CLIS) for disposal (Attachment 3). Dredging and disposal operations are anticipated to take four to eight months to complete during the period from October 1 through May 31 of the year funding becomes available. The portions of the channel north of the midpoint of Sandy Point would be dredged in the months of October 1 through January 31, while the portions of the channel to the south would be dredged in the months of October 1 through May 31.

Character and Purpose of Work: The purpose of the work is to perform maintenance dredging in the New Haven Harbor FNP. Shoaling in the channel and turning basin has occurred since the area was last dredged in 2003-2004, to the extent that commercial navigation safety and efficiency has been compromised. The Corps estimates approximately 810,000 cubic yards of maintenance material will need to be removed to restore authorized depths to the New Haven Harbor FNP.

Disposal Area: Disposal of the dredged material (which is composed of predominately silt) will be at the EPA designated Central Long Island Sound Disposal Site (CLIS) in Long Island Sound. CLIS is located 5.6 mi south of South End Point in East Haven, CT. It is a 3.2 nmi² site centered at 41° 08.950' N, 72° 52.950' W (NAD 83) (Attachment 3).

Historically, CLIS has been one of the most active disposal sites in the New England region. In the past 60 years, approximately 8.3 million yd³ of dredged material have been disposed of at the site. Sediments deposited at CLDS have been dredged from New Haven, Bridgeport, Stamford, and Norwalk Harbors, as well as other adjacent coastal areas. Since 1977, the management strategy at CLIS has entailed the controlled placement of small to moderate volumes of sediment to form individual disposal mounds on the seafloor. These discrete disposal mounds are monitored individually to assess mound stability, material thickness, and benthic recolonization status relative to the results of previous monitoring surveys and in comparison to ambient sediments within nearby reference areas.

The proposed transportation of this dredged material for disposing of it in ocean waters is being evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities of 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 Ocean Dumping Act, will be 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 will be made of the need to dispose of the dredged material in ocean waters, other possible methods of disposal, and other appropriate locations.

Additional Information: Additional information may be obtained from Mr. Craig Martin, Programs & Civil Project Management Branch, Programs Project Management Division, at the return address shown, by email at nae-pn-nav@usace.army.mil or by telephone (978) 318-8638.

Coordination: The proposed work is being 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

City of New Haven:

New Haven Harbormaster
New Haven Town Engineer
New Haven Port Authority

State of Connecticut:

Department of Energy & Environ. Protection
Office of Long Island Sound Programs
Historical Commission
Department of Agriculture/Aquaculture
Department of Transportation

State of New York

Department of State

Environmental Impacts: 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. A Draft Environmental Assessment for this work has been prepared and is available for review upon request.

Federal Consistency with the Connecticut and New York Coastal Zone Management Program: I find that the maintenance of the authorized FNP in New Haven Harbor, New Haven, Connecticut 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 maintenance dredging will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

Other Information:

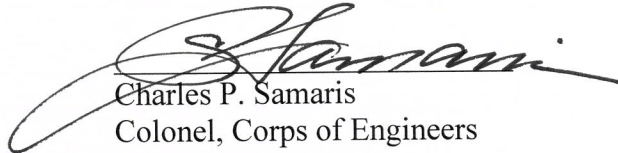
- a. Local Sponsor: The New Haven Port Authority is the local sponsor for the proposed work.
- b. Previous Dredging: Periodic maintenance dredging has been performed on various portions of the New Haven Harbor project since the late 1800's. The last two maintenance events were undertaken in 1993-1994 and 2003-2004 when approximately 837,500 cubic yards and 630,000 cubic yards of maintenance material were removed, respectively.
- c. Endangered Species: It is our preliminary determination that no threatened or endangered species are residents of the project area. The Corps is consulting with National Marine Fisheries Service (NMFS) and the United States Fish and Wildlife Service to ensure that the proposed activity will not significantly affect any species or critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844).
- d. 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.
- e. Cultural Resources: The proposed work is being coordinated with Connecticut Historic Preservation Officer and is not likely to affect any cultural or archaeological features or resources.
- f. Essential Fish Habitat Assessment: It is our preliminary determination 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 Corps is consulting with NMFS to assure that all impacts will be minimized to the maximum extent practicable.
- g. Additional Requirements: An application for Water Quality Certification (WQC) has been submitted to the Connecticut Department of Energy & Environmental Protection, under Section 401 of the Clean Water Act of 1977 (P.L. 95-217). The Clean Water Act of 1977 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 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 maintenance of the New Haven Harbor FNP 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. Craig Martin, within 30 days of this notice.

29 Jan 13
Date


Charles P. Samaris
Colonel, Corps of Engineers
District Engineer

Attachment 1

PERTINENT LAWS, REGULATIONS, AND DIRECTIVES

Clean Air Act, as amended (42 U.S.C. 7401 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, Navigation and Navigable Waters

Endangered Species Act of 1973 as amended (16 U.S.C. 1531-1544)

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

Federal Water Project Recreation Act, as amended (16 U.S.C. 460I-12 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. 460I-4 et. seq.)

Magnuson-Stevens Fishery Conservation and Management Act as amended through January 12, 2007 and amended by the Sustainable Fisheries Act of 1996

Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act) of 1972 (33 U.S.C. 1401 et seq.)

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)

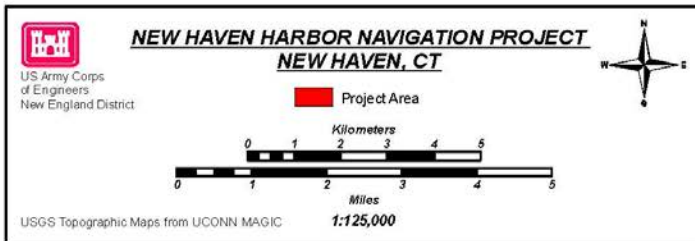
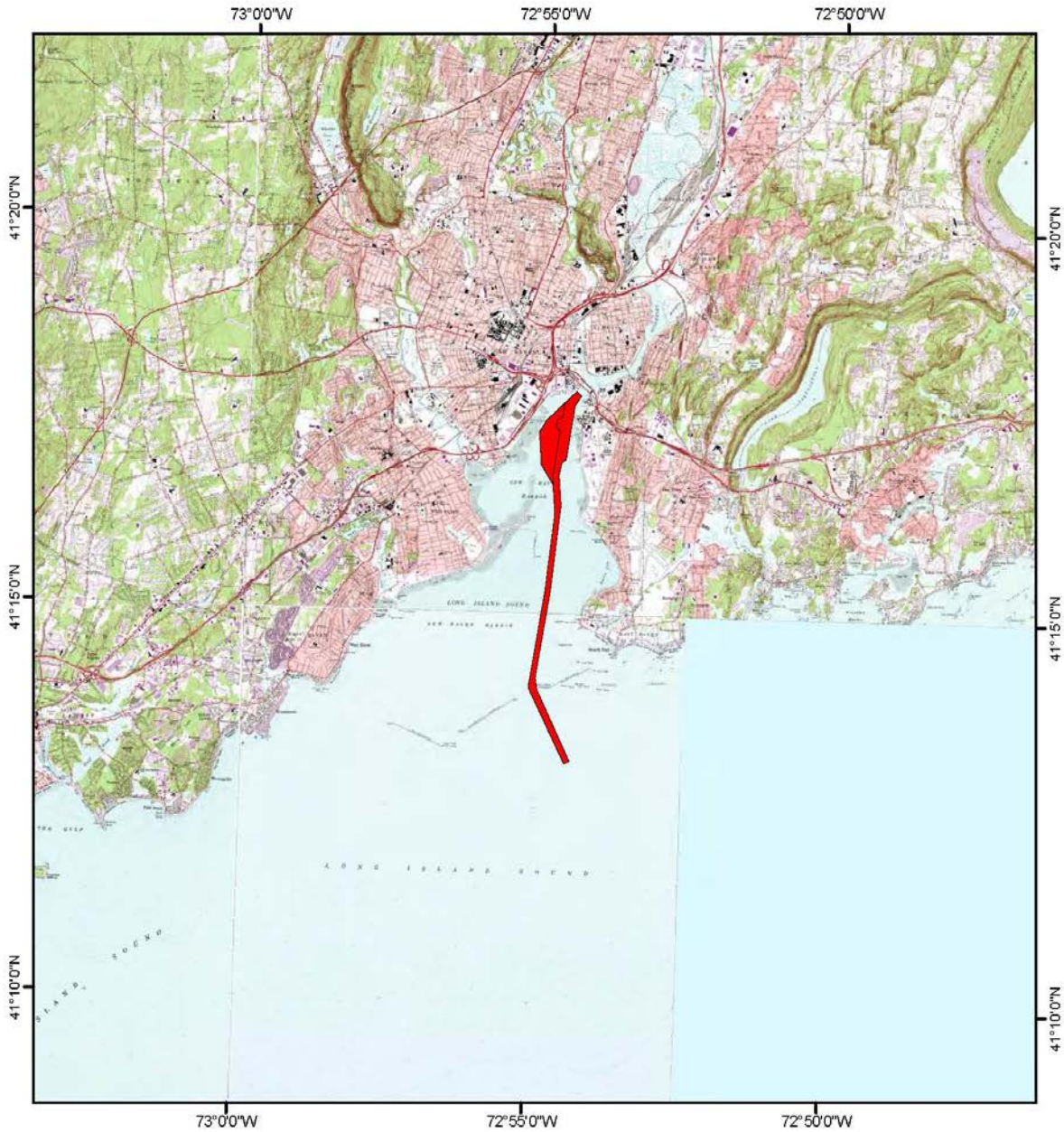
Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

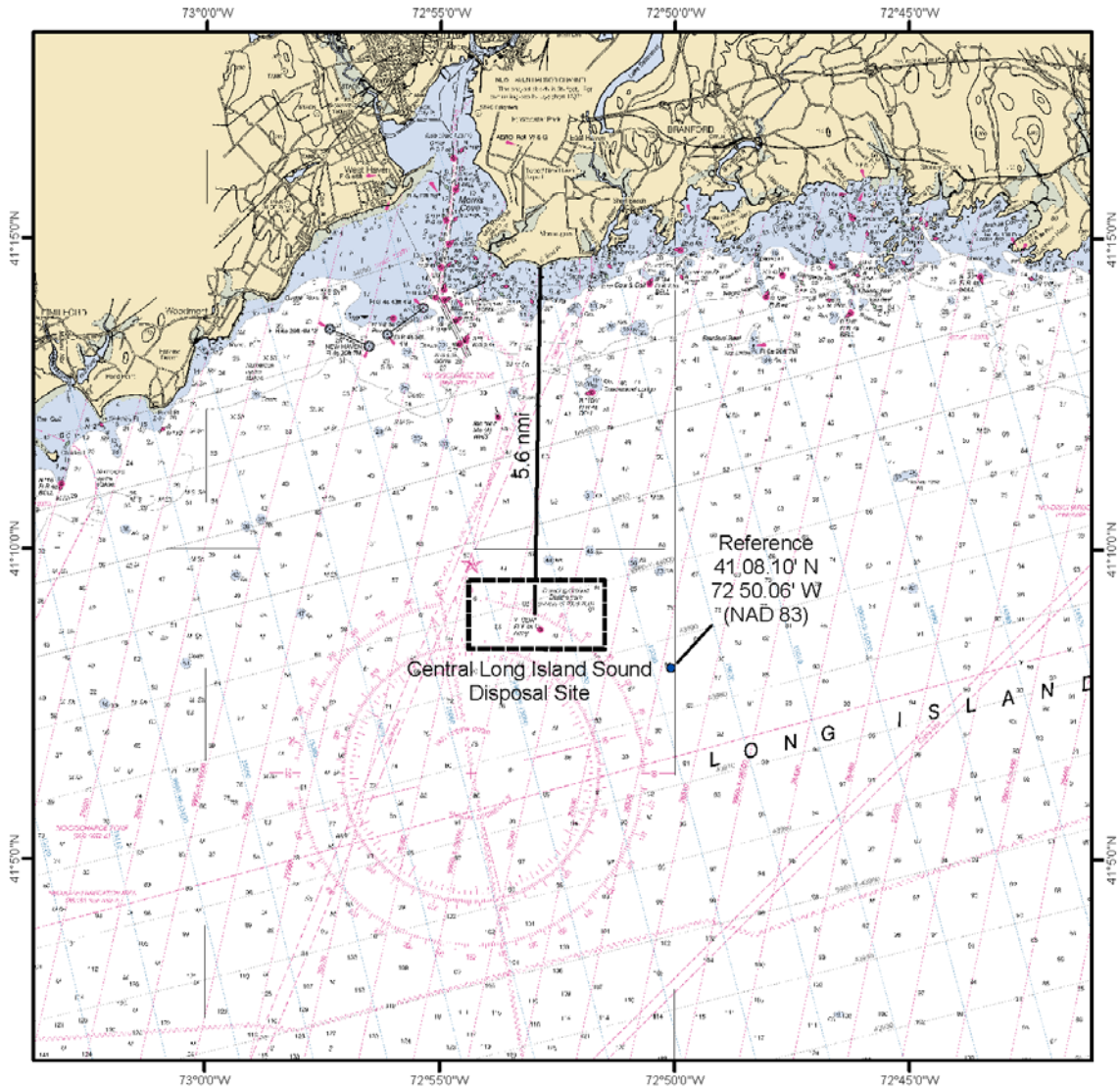
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, 21 April 1997

Attachment 2
NEW HAVEN HARBOR FEDERAL NAVIGATION PROJECT (NEW HAVEN, CT)

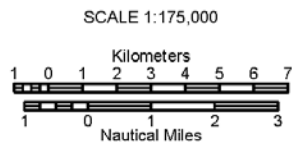
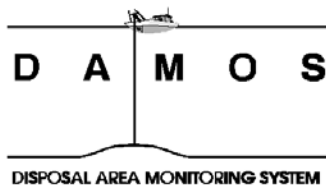


Attachment 3 CENTRAL LONG ISLAND SOUND DISPOSAL SITE



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.

