



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

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Mr. Jack Karalius

nae-pn-nav@usace.army.mil

Programs & Project
Management Division

Date: **July 24, 2015**

Comment Period Closes: August 23, 2015

30 DAY PUBLIC NOTICE

MAINTENANCE DREDGING OF THE MIANUS RIVER FEDERAL NAVIGATION PROJECT, GREENWICH, CONNECTICUT

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE), New England District, plans to perform work in the navigable waters of this District, under the provisions of Section 404 of the Clean Water Act of 1977 (P.L. 95-217) and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532). The work involves maintenance dredging of the Mianus River Federal Navigation Project (FNP) in Greenwich, Connecticut and to authorize such work in accordance with Title 33, Parts 335-338 of the Code of Federal Regulations. Attachment 1 lists pertinent laws, regulations, and directives.

Authorized Federal Project Description: The Mianus River FNP was authorized by Congress in the River and Harbor Act of March 2, 1945. The congressionally-authorized project consists of a 6-foot channel, 100 feet wide, running from Cos Cob Harbor up the Mianus River to a point about 400 feet downstream of the Boston Post Road Bridge, thence, 75 feet wide to the bridge.

Character and Purpose of Work: The Town of Greenwich has requested maintenance dredging of the Federal navigation project. The proposed work involves maintenance dredging to remove shoals in the 6-foot-deep channel (Attachment no. 2). The upper portion of the channel has shoaled in to depths as shallow as -4 feet Mean Lower Low Water (MLLW) across the entire width of the channel. These shoals are the result of natural deposition. The shoals are hindering navigational access and compromising vessel safety. The river and harbor are used predominantly by recreational boats, and also several commercial fishing boats.

The proposed work consists of the maintenance dredging of about 60,000 cubic yards of primarily fine-grain clay and silt, in order to return the Federal project to its authorized dimensions. The work will be performed by a private contractor, using a mechanical dredge and scows, under contract to the government. The dredge will remove the material from the bottom of the river and

place it in scows which will be towed by tug to the Western Long Island Sound Disposal Site, about 6 miles away, where the material will be released. The work will be accomplished over about a two to four month period, between about October 1 and January 31, of the year(s) in which funds become available. The Contractor will be allowed to dredge 24 hours per day, 7 days per week.

Disposal Area: The Western Long Island Sound Disposal Site (WLDS) is located 2.8 nmi (5.1 km) south of Long Neck Point, Noroton, Connecticut between three historic dredged material disposal sites (Stamford, South Norwalk, and Eaton's Neck). It is a site centered at 40° 59.500' N, 73° 28.950' W (NAD 83). The WLDS is used for disposal of bottom sediments dredged from various harbors along the eastern New York, western Connecticut, and northern Long Island coasts. This rectangular 2.0 nmi² (5.3 km²) site has accepted small to moderate volumes of dredged material originating from Stamford, Norwalk, and other coastal communities of Connecticut and New York. Since 1982, approximately 2,000,000 yd³ of dredged material have been deposited at the site. Attachment no. 3 shows the disposal site.

The site has been monitored through the Corps' Disposal Area Monitoring System (DAMOS) program. DAMOS studies show that the site is a low energy environment such that sediment deposited at this location will remain within the site's boundaries. Levels of metals and organics in the sediments within the disposal site are generally low and not substantially greater than background levels, indicative of the relatively uncontaminated nature of the areas dredged that utilize the site. Areas outside the disposal site have not been found to be affected by sediment deposited within the site.

For the Mianus River FNP the material to be dredged has undergone physical, chemical, and biological testing in coordination with State and Federal resource agencies. Based on this information, the material has been determined to be suitable for unconfined open water disposal at the Western Long Island Sound Disposal Site.

Additional Information: Additional information may be obtained from Mr. Jack Karalius, Civil Works/IIS Project Management Branch, Programs and Project Management Division, at the return address shown, by email at nae-pn-nav@usace.army.mil or telephone number (978) 318-8288.

Coordination: The proposed work has, or will be coordinated with the following agencies:

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

State of Connecticut:

CT Department of Energy and Environmental Protection
Office of Long Island Sound Programs
CT Historical Commission

State of New York:

NY State Department of State, Coastal Management Program

Tribal Nations:

Mohegan Tribe
Mashantucket Pequot

Town of Greenwich:

Board of Selectmen
Town of Greenwich Harbor Management Commission
Harbormaster

Environmental Impacts: An Environmental Assessment (EA) for the maintenance dredging of the Mianus River Federal Navigation Project in Greenwich, CT with placement of the dredged material at the previously used Western Long Island Sound Disposal Site is being prepared 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's and New York's Coastal Zone Management

Program: I find that maintenance dredging of the authorized navigation project in Mianus River is consistent, to the maximum extent practicable, with the applicable management programs established as a result of the Coastal Zone Management Act of 1972. The dredging and placement operations will be conducted, to the maximum extent practicable, in a manner that is consistent with the approved management program.

Other Information:

- a. Local Sponsor: Town of Greenwich.
- b. Non-Federal Dredging: There may be private and/or Town dredging work performed in conjunction with the Federal work. Facility owners in proximity to the Mianus River channel who may be interested in performing dredging concurrently with this project should be aware that any dredging work will require a permit from the Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and, depending on the location of the dredged material disposal, may also require a USACE permit under Section 404 of the Clean Water Act.
- c. Previous Dredging: The last time the Mianus River was maintained was in 1985 when approximately 53,000 cubic yards of sediment was dredged and placed at the Western Long Island Sound Disposal Site.

d. Alternative Disposal Areas/Methods: The proposed work involves maintenance of an existing Federal Navigation Project. The only alternative to maintenance dredging is the No Action alternative. This would allow existing conditions to remain and worsen as shoaling continues, hindering navigational access and compromising vessel safety. Regarding disposal alternatives, in conjunction with the Town of Greenwich, we reviewed potential disposal sites and determined that no suitable nearby upland site to accommodate the quantity of material to be dredged and near enough to insure operational feasibility is practicably and economically available. Also, since the material to be dredged consists primarily of fine-grained silt and clay, it is not suitable for beach nourishment or nearshore placement. The nearest open water disposal site is the Western Long Island Sound Disposal Site, which has historically been used for disposal of dredged material.

e. Endangered Species: It is our preliminary determination that no threatened or endangered species will be impacted by the proposed project. USACE will consult with the National Marine Fisheries Service 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).

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 of the FNP in previously dredged areas and placing the dredged material in a previously-used disposal site. This proposal, including use of the disposal site is being coordinated with the Connecticut Historic Preservation Office. In the past they have determined that the work will not adversely affect any cultural or archaeological features or resources.

h. Essential Fish Habitat Assessment: It has been determined that the project may have a temporary adverse effect on Essential Fish Habitat (EFH). The project site is contained within areas designated as 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 U.S. Army Corps of Engineers has assessed the effects that the project 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. USACE will consult with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.

Additional Requirements: An application for Water Quality Certification (WQC) for disposal of dredged material at the Western Long Island Sound Disposal Site will be submitted to the Office of Long Island Sound Programs (OLISP) of the Connecticut Department of Energy and Environmental Protection, under Section 401 of the Clean Water Act of 1977 (P.L. 95-217), along with a request for the State's concurrence with our determination of Federal consistency with the State's approved coastal zone management program. We will also request concurrence from NY State for our determination of Federal consistency with their approved coastal zone management program. 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.

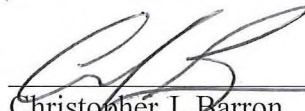
This Public Notice is intended to provide information and seek comments about our proposal to accomplish maintenance dredging of the Federal navigation project in the Mianus River. Maintenance dredging will be performed in the year(s) that funding becomes available. Additional notices will be issued if the scope of work for future projects varies from that described herein. 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, which may be affected by the dredging and placement of this dredged material, may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest, which 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: Jack Karalius; or emailed to nae-pn-nav@usace.army.mil within 30 days of this notice.

23 JUL 15

Date



Christopher J. Barron
Colonel, Corps of Engineers
District Engineer

Attachments

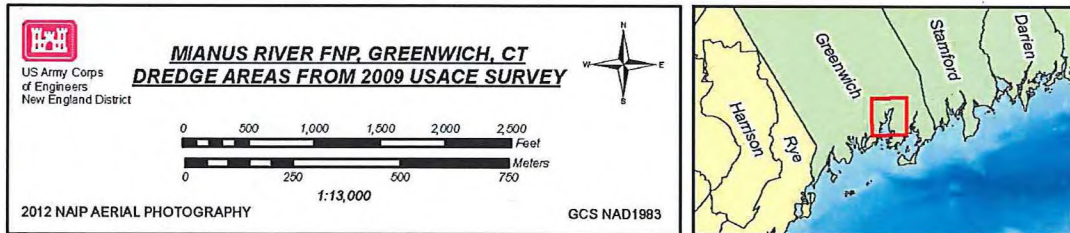
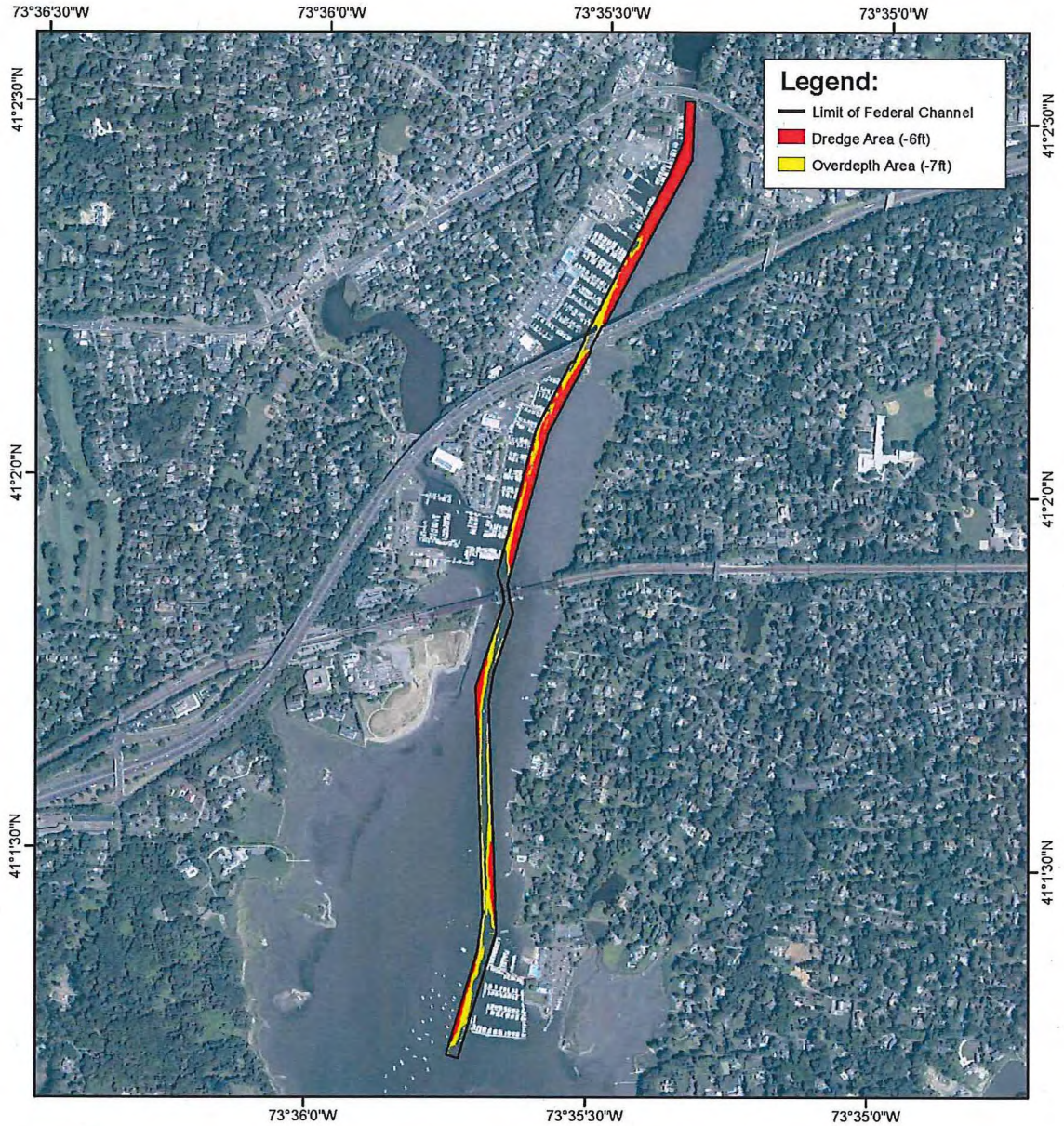
Attachment 1

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 Barrier Resources Act, as amended (16 U.S.C. 3501 et seq.)
- Coastal Zone Management Act of 1972 (16 U.S.C. 1456)
- Code of Federal Regulation, Title 33, Parts 335 through 338
- Endangered Species Act of 1973 as amended (16 U.S.C. 1531 et seq.)
- Estuary Protection Act (16 U.S.C. 1221 et. seq.)
- Federal Water Project Recreation Act, as amended (16 U.S.C. 460L-12 et. seq.)
- Fish and Wildlife Coordination Act (16 U.S.C. 661-667e)
- Fish and Wildlife Act of 1956 (16 U.S.C. 742a, et. seq.)
- Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460L et. seq.)
- Magnuson-Stevens Fishery Conservation and Management Act as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1801 et seq.)
- Marine Protection Research and Sanctuaries 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 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
- Executive Order 13045, Protection of Children from Health Risks and Safety Risks, 21 April 1997

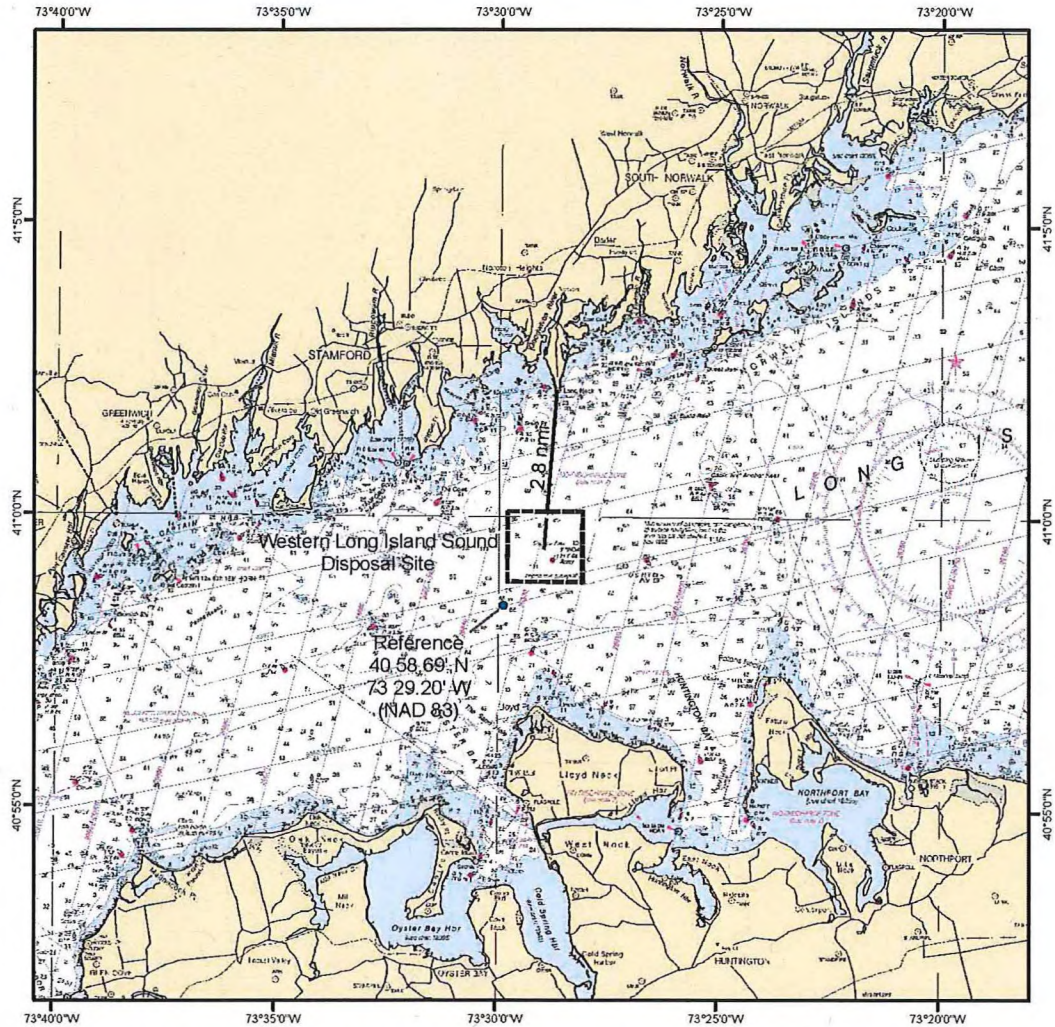
Attachment 2

Map of the Mianus River Federal Navigation Project with Proposed Dredge Areas



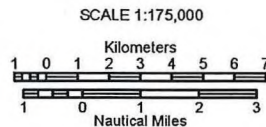
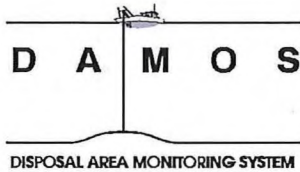
Attachment 3

Map of the Western Long Island Sound Disposal Site



WESTERN LONG ISLAND SOUND DISPOSAL SITE

Description: The Western Long Island Sound Disposal Site (WLDS) is located 2.8 nmi (5.1 km) south of Long Neck Point, Noroton, Connecticut between three historic dredged material disposal sites (Stamford, South Norwalk, and Eaton's Neck). It is a site centered at 40° 59.500' N, 73° 28.950' W (NAD 83). 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.

