



US Army Corps  
of Engineers®  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# Public Notice

In Reply Refer to: Jack Karalius  
[nae-pn-nav@usace.army.mil](mailto:nae-pn-nav@usace.army.mil)

Programs & Project  
Management Division

Date: **1 February 2016**

Comment Period Closes: **16 February 2016**

## 15 DAY PUBLIC NOTICE

### MAINTENANCE DREDGING OF A PORTION OF THE 10-FOOT FEDERAL NAVIGATION CHANNEL IN MILFORD HARBOR, MILFORD, 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). The work involves maintenance dredging of a portion of the 10-foot channel of the Federal navigation project (FNP) in Milford Harbor, Milford, Connecticut and is authorized 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 removal of approximately 14,000 cubic yards of sandy material from a portion of the 10-foot-deep entrance channel in Milford Harbor (See Attachment no. 2). The Milford Harbor Federal Navigation Project (FNP) was authorized by the River and Harbor Act of June 2, 1874, and modified in 1902, 1937, 1961, and 1986. Only a portion of the 10-foot-deep, 100-foot-wide entrance channel will be dredged in this project. Material will be placed in a nearshore area to the east of the FNP (see Attachment no. 2).

**NOTE:** A Public Notice was issued by the Corps of Engineers for this project on September 24, 2015. While the dredging site, amount, and method remains the same as mentioned in that Public Notice, the nearshore disposal site off Bayview Beach has been shifted to the north and east in order to avoid shellfish beds.

**Character and Purpose of Work:** Natural shoaling processes and storm events have reduced available depths in the 10-foot-deep entrance channel in Milford Harbor to as shallow as -1 feet Mean Lower Low Water (MLLW). Given these conditions and current vessel drafts, shoaling within the project is limiting safe navigation. Maintenance dredging of the project is needed to provide safe access to the project at all tide stages. Without dredging, channel conditions will

continue to deteriorate, which will deter and/or interfere with the use of the river and harbor by recreational and commercial vessels. Contingent upon receiving the necessary approvals, maintenance dredging will be completed using the government-owned special purpose dredge, *Currituck* or a similar dredge. The *Currituck* is a self-propelled, self-contained hydraulic dredge that uses a pump to suction bottom sediments through two arms into a hopper within the dredge. When the hopper is full, the *Currituck* moves to the disposal site, and the material is released by splitting the hull. The proposed work will be performed over a two to three week period. The dredged material will be placed in the nearshore environment, in an area approximately 3200 feet long by 800 feet wide, off of Bayview Beach in Milford, Connecticut, approximately one mile to the east. The city of Milford has requested this work.

**Disposal Area:** The material to be dredged has undergone physical and chemical analyses. Based on this data and a lack of potential sources of contaminants, the material has been found suitable for disposal in the proposed Bayview Beach nearshore disposal area. Use of this nearshore site provides the benefit of keeping the clean sandy material within the littoral system as well as accommodating use of the *Currituck*.

**Additional Information:** Additional information may be obtained from Mr. Jack Karalius, Civil Works/IIS Project Management Branch, Programs & Project Management Division, at the return address shown, telephone number (978) 318-8288.

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

Federal:

Environmental Protection Agency  
U.S. Fish and Wildlife Service  
National Marine Fisheries Service  
Coast Guard

State of Connecticut:

Department of Energy and Environmental Protection  
Office of Long Island Sound Programs  
Department of Agriculture (Bureau of Aquaculture & Laboratory Services)  
Historical Commission

Tribal Nations:

Mashantucket Pequot Tribe  
Mohegan Tribe

City of Milford, CT:

Harbor Management Commission

**Environmental Impacts:** An Environmental Assessment for this work 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 Connecticut's 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 city of Milford is the local sponsor for the proposed work.
- b. Previous Dredging: The project was last maintained by the Corps of Engineers in 1988 when approximately 88,000 cubic yards of material was dredged from the channel and anchorages and placed at the Central Long Island Sound Disposal Site. In 2007 the City of Milford dredged approximately 8,000 cubic yards from the 10-foot channel by mechanical dredge and placed the material at the Central Long Island Sound Disposal Site.
- c. Alternate Disposal Methods: Alternate disposal options that have been considered include nearshore placement, open-ocean placement, beach placement, and upland placement. USACE favors using the nearshore placement areas option because it is environmentally-sound, cost-effective and it keeps the clean sediments in the littoral system.
- d. Non-Federal Dredging: No private or non-Federal dredging work is being proposed in conjunction with this project.
- e. Endangered Species: It is our preliminary determination that no threatened or endangered species occur in the dredging area. However, several threatened or endangered species have the potential to occur near the project area. The Corps is consulting 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, involving a previously dredged area. Although the placement area is new, no evidence of submerged historic properties (i.e. shipwrecks) was discernible in the survey data.

Therefore, maintenance dredging and placement of dredged material off of Bayview Beach are not anticipated to affect any cultural or archaeological features or resources.

- h. Essential Fish Habitat Assessment: It has been determined that dredging may have a temporary adverse effect on Essential Fish Habitat (EFH). The dredging site 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 is consulting with the National Marine Fisheries Service and the United States Fish and Wildlife Service to ensure that all impacts will be minimized.

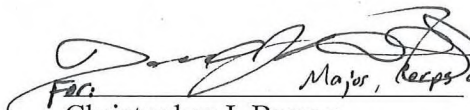
Additional Requirements: A request will be sent to the Connecticut Department of Energy and Environmental Protection, Office of Long Island Sound Programs for Water Quality Certification in accordance with Section 401 of the Clean Water Act, 33 U.S.C. § 1341, and the State's concurrence with our determination of Federal consistency with the State's approved coastal zone management program.

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 disposal of this 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 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, within 15 days of this notice.

01/29/16  
Date

  
Major, Corps of Engineers  
Christopher J. Barron  
Colonel, Corps of Engineers  
District Engineer

## **Attachment No. 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.)

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

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

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

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

Federal Water Project Recreation Act, as amended (16 U.S.C. 4601-12 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. 4601-4 et. seq.)

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

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

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

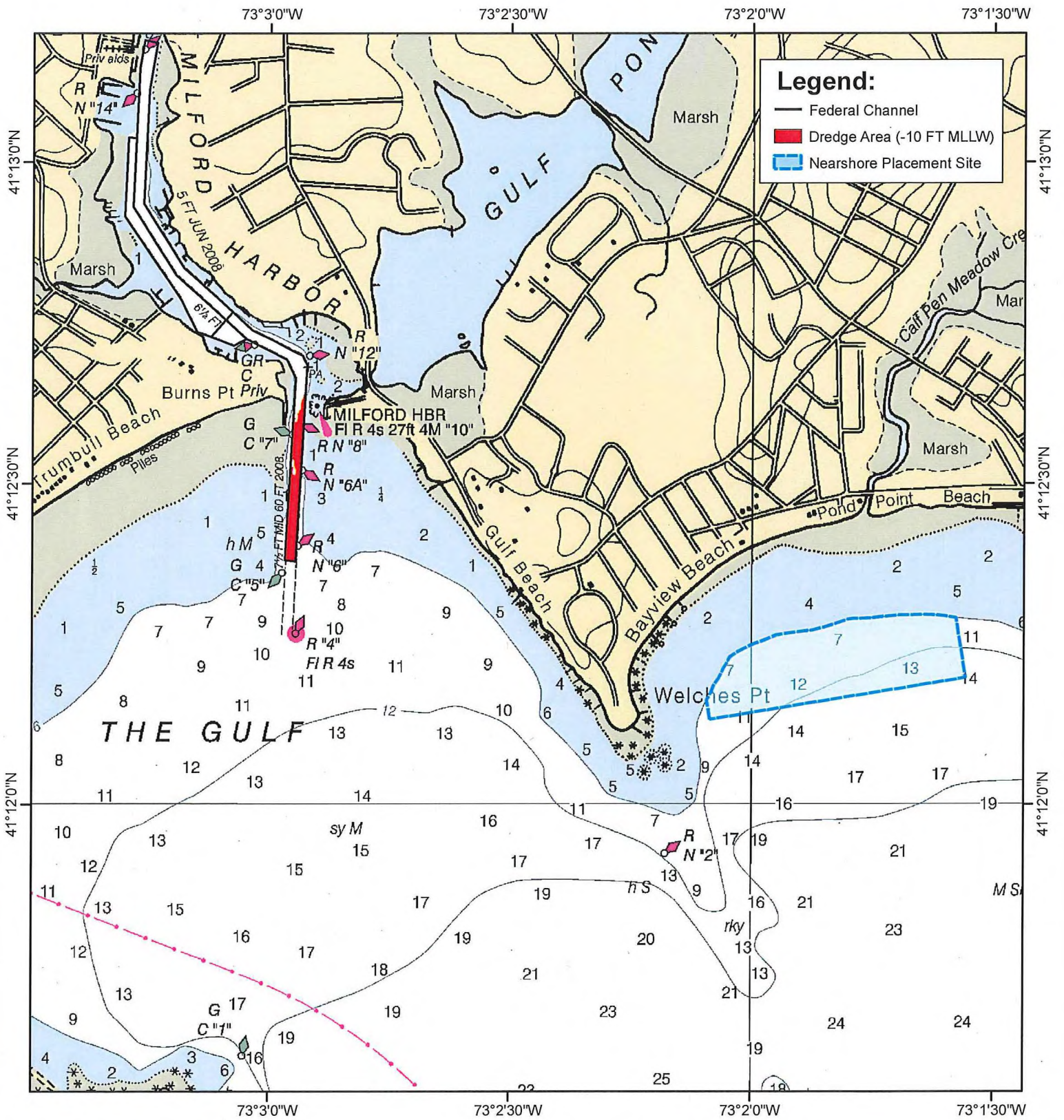
National Historic Preservation Act of 1966 (16 U.S.C. 470)

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:  
MILFORD HARBOR DREDGE AREA  
AND NEARSHORE PLACEMENT SITE**

US Army Corps  
of Engineers  
New England District

NOAA CHART 12370

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