



US Army Corps
of Engineers[®]
New England District

696 Virginia Road
Concord, MA 01742-2751

Public Notice

In Reply Refer to: Daniel Stenstream
nae-pn-nav@usace.army.mil

Programs/Project
Management Division

Date: July 1, 2014

Comment Period Closes: July 16, 2014

15 DAY PUBLIC NOTICE

AMENDMENT¹ MAINTENANCE DREDGING OF THE GUILFORD HARBOR FEDERAL NAVIGATION PROJECT GUILFORD, CONNECTICUT

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District, plans to dredge the Federal navigation channel in Guilford Harbor (Guilford, CT). Attachment 1 lists pertinent laws, regulations, and directives applicable to the project.

Amended Project Description: Guilford Harbor is located in New Haven County within Long Island Sound. The existing Federal navigation project (FNP) was authorized by the Rivers and Harbors Act (RHA) of 19 Sep 1890, and modified by RHA 25 Jul 1912, RHA 4 Mar 1913, RHA 2 Mar 1945, WRDA 17 Oct 1986, WRDA 25 Sep 1996, and WRDA 8 Nov 2007. The U.S. Army Corps of Engineers proposes to dredge about 53,000 cubic yards (approximately 19 acres) of sandy and fine-grained material from the FNP to return the project to its authorized dimensions. The areas that need dredging include the outer entrance channel, the portion of the channel located in Sluice Creek, and the anchorage basin (Attachment 2). A minimum of two to three months will be required to dredge these channel areas. Dredging is scheduled to take place sometime between October 1 and January 31st.

A mechanical dredge with a clamshell bucket will be used for this project. Since limited upland placement areas are available, it is anticipated that dredged material will be loaded onto a barge and towed to the Central Long Island Sound (CLDS) open water management site, approximately 17 miles away, where the material will be discharged for final placement (Attachment 3). The Central Long Island Sound Disposal Site is frequently used for placement of bottom sediments from various harbors along the eastern New York, northern Long Island, and central and western Connecticut coasts. An average of approximately 400,000 cubic yards of suitable sediments (suitability determined through case-by-case analyses) have been deposited at this site annually.

¹ Text in **BOLD** indicates amendment to the original Public Notice

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 above background levels, indicative of the industrial 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. **A small segment of the Federal channel was identified as predominantly sand (approximately 5,000 cy) and therefore will be placed in the littoral zone offshore of Hammonasset State Beach (inside the 20-foot contour) (Attachment 4) pending concurrence from the resource agencies.**

The Town of Guilford marina has also been impacted by extensive shoaling due to Hurricane Sandy. As such, the town has requested that the Corps of Engineers aid the town by dredging the town marina in conjunction with executing maintenance dredging of the FNP. This work will involve deconstructing and removing the marina water-based infrastructure, including the docks, floats, piers, timber piles, marina electrical and plumbing systems, etc., as necessary to allow dredging vessels and equipment to operate unobstructed in the marina area. After dredging of the marina is complete, the marina water-based components will be reconstructed and the marina restored to its pre-dredge configuration. The estimate quantity of dredge material to be removed from the marina is about 7,700 cubic yards. Since the Marina is not part of the authorized FNP, all costs associated with dredging the marina will be provided by the State of Connecticut. Additionally, obtaining all necessary Federal, state and local permits required to complete the marina dredging will be the responsibility of the town.

Character and Purpose of Work: The purpose of the work is to perform maintenance dredging of approximately 60,000 cubic yards (cy) of material from the Guilford Harbor Federal Navigation Project as well as the Town of Guilford Marina. The dredging would restore the channel, anchorage, and marina area to authorized depths.

Additional Information: Additional information may be obtained from Mr. Daniel Stenstream, Civil Works and Interagency/International Project Management Branch, at the return address shown, by email at nae-pn-nav@usace.army.mil.

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

Federal:

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

Tribes:

Mashantucket (Western) Pequot Tribal Nation
Mohegan Tribe Cultural Department

State of Connecticut:

Department of Energy & Environment
Office of Long Island Sound Programs
State Historic Preservation Office
Dept of Agriculture/Aquaculture Division

Town of Guilford:

Harbor Management Commission
Shellfish Commission

Environmental Impacts: A draft Environmental Assessment for this work has been prepared and is 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 Coastal Zone Management Program: I find that maintenance of the authorized Federal navigation channel is consistent with the applicable management program established as a result of the Coastal Zone Management Act of 1972. The 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: Town of Guilford (dredging of the town marina only)

b. Previous Dredging Activities: The harbor was last dredged by the Town of Guilford, who received a permit in October 2011, for the removal of 18,400 cubic yards of material that was disposed of at Central Long Island Sound (CLDS) open water disposal site. However, only approximately 14,000 cy was dredged at that time.

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 was coordinated with the Connecticut Historic Preservation Office and is not likely to affect any cultural or archaeological features or resources. Coordination is on-going with the pertinent Tribal Historic Preservation Officers.

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) was 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 with the applicable water quality standards of the State of Connecticut.

The dredged material has undergone physical, chemical, and biological testing and has satisfied the criteria for ocean disposal of dredged material as specified in part 227 of the Ocean Dumping Act regulations. It is our preliminary determination that the material is acceptable for disposal at this disposal site.

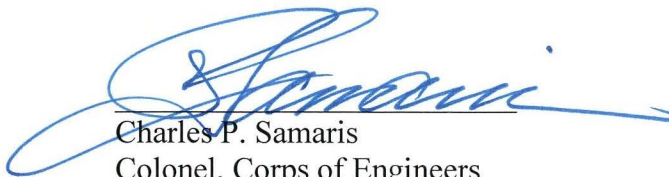
The proposed transportation of this dredged material for disposing of it in ocean waters is being evaluated to determine that the proposed disposal will not unreasonably degrade or endanger human health, welfare, or amenities or the marine environment, ecological systems, or economic potentialities. In making this determination, the criteria established by the Administrator, EPA pursuant to section 102(a) of the Ocean Dumping Act (ODA) 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.

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 this maintenance dredging may request a public hearing. The request must be submitted in writing to me within 15 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. Daniel Stenstream, within 15 days of this notice.

1 July 14
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)

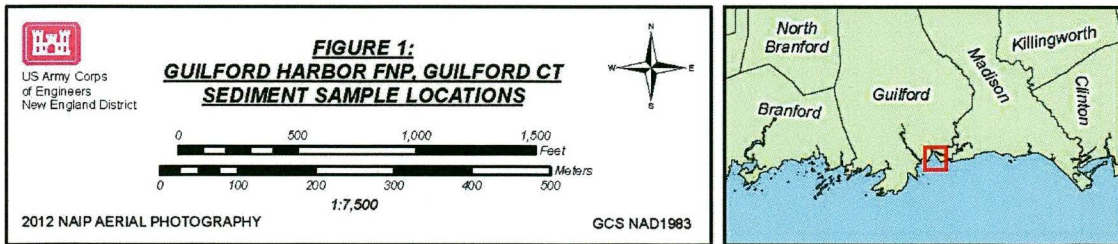
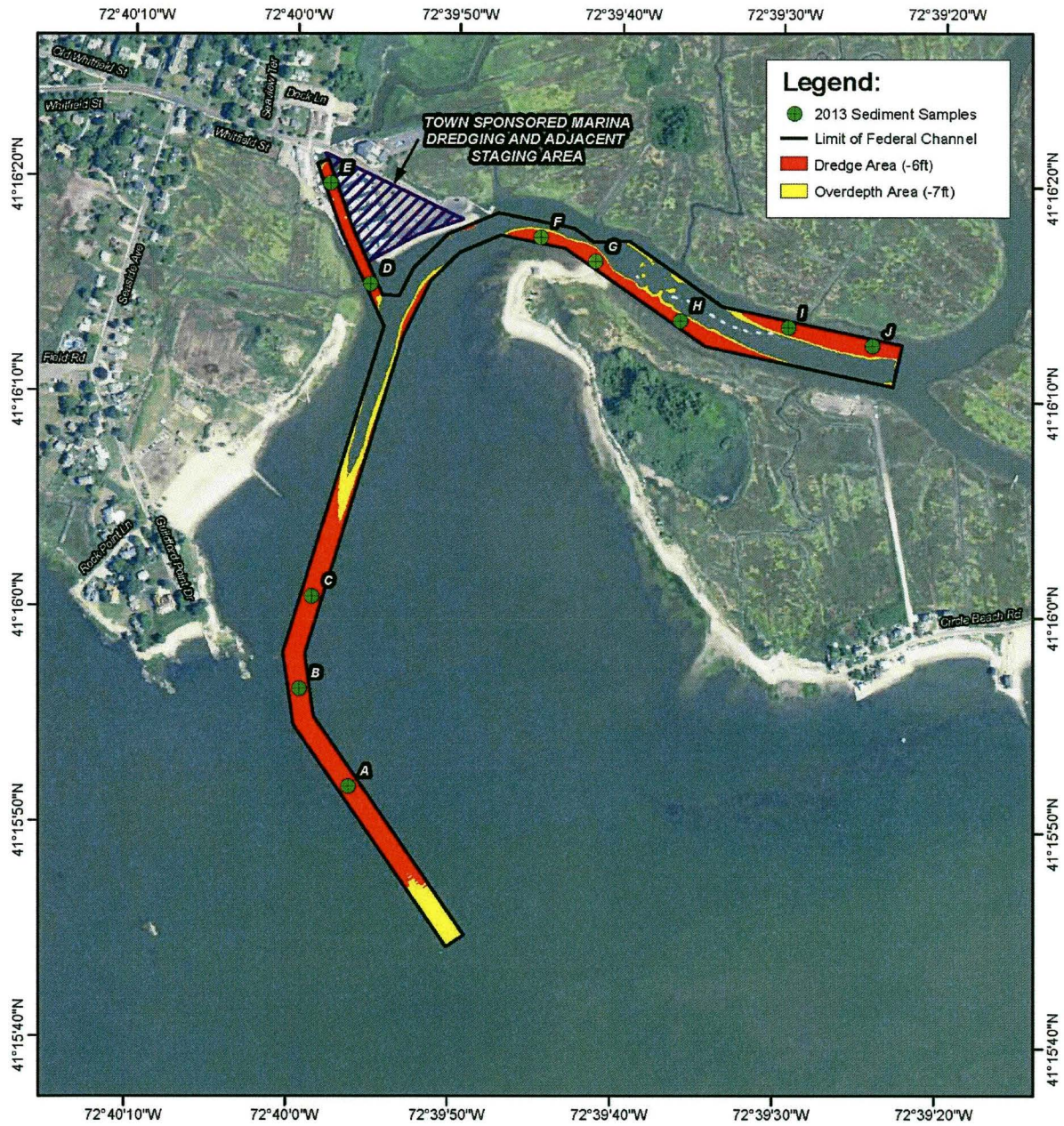
Executive Order 11988, Floodplain Management, 24 May 1977

Executive Order 11990, Protection of Wetlands, 24 May 1977

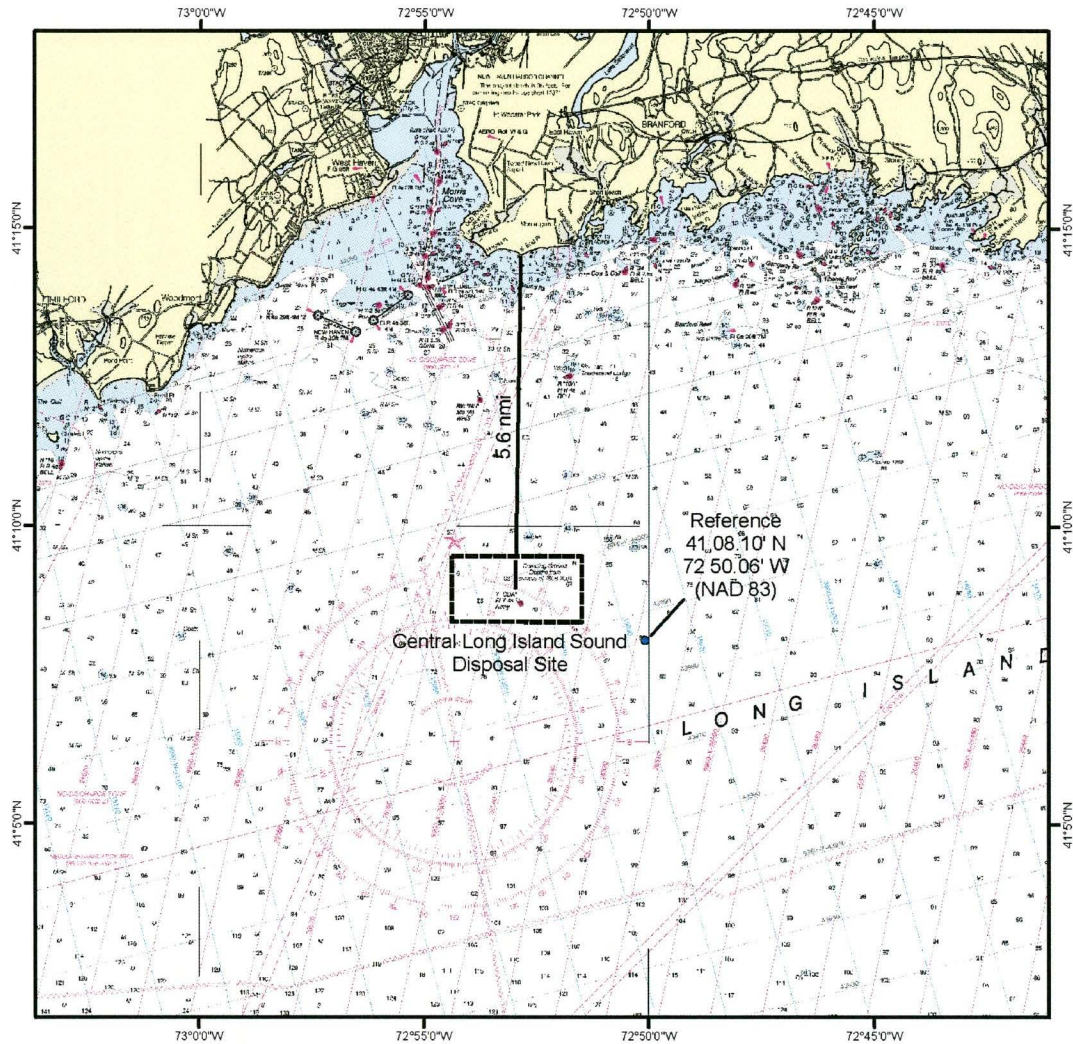
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 11 February 1994

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

ATTACHMENT 2. GUILFORD HARBOR DREDGE AREAS

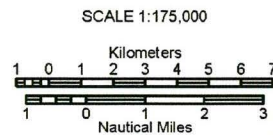
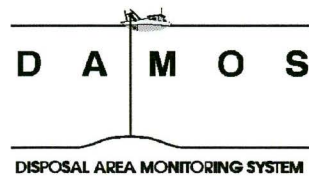


ATTACHMENT 3 – CENTRAL LONG ISLAND SOUND DISPOSAL SITE



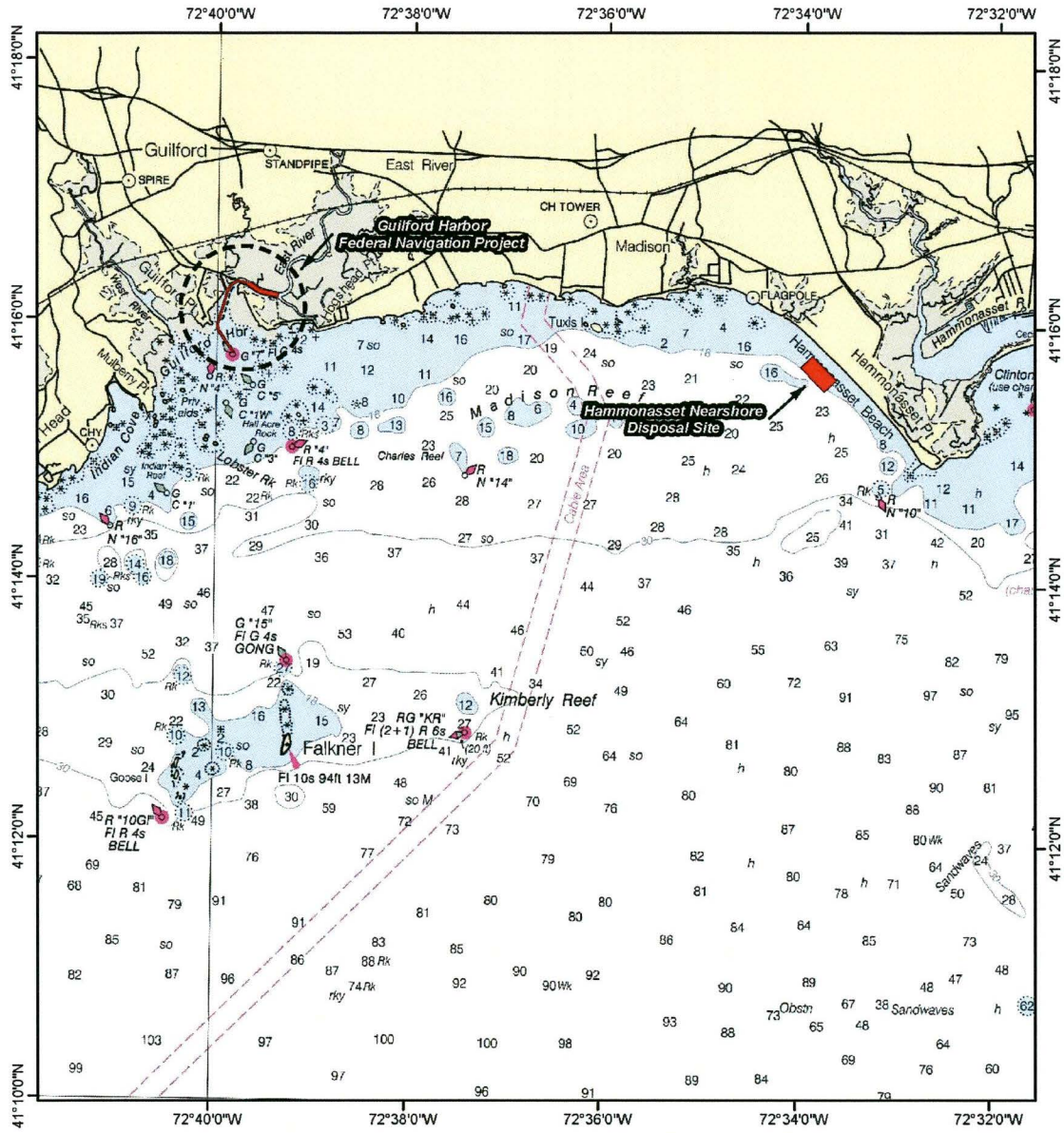
CENTRAL LONG ISLAND SOUND DISPOSAL SITE


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 nm²) 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.

ATTACHMENT 4 – NEARSHORE PLACEMENT OFF OF HAMMONASSET STATE BEACH



 **GUILFORD HARBOR AND NEARSHORE DISPOSAL SITE**
GUILFORD AND MADISON, CT

US Army Corps of Engineers
 New England District

0 1 2 3 Miles
 0 1 2 3 4 5 Kilometers
 1:75,000

NOAA CHART 12354 GCS NAD1983

