



**US Army Corps
of Engineers**®
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: July 10, 2012
Comment Period Ends: August 10, 2012
File Number: NAE-2002-3042
In Reply Refer To: Ms. Diane M. Ray
Phone: (978) 318-8831
E-mail: diane.m.ray@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States as described below.

APPLICANT: Seaport Marine – Noank Shipyard, Inc.

ACTIVITY: Repair seven finger floats and extend them 20' seaward; replace existing tie-off piles and fender piles as necessary and relocate existing tie-off piles as necessary to accommodate the extended finger piers. The existing 6' wide x 320' long main float will be replaced with an 8' wide x 320' long main float. A new platform with a ramp and float is also proposed and will provide access to the main float. (A detailed description and plans of the activity are attached.)

WATERWAY AND LOCATION OF THE PROPOSED WORK:

This work is proposed in the Mystic River off property located at 2 Washington Street, Mystic, Connecticut. The site coordinates are: Latitude 41.31947 Longitude -71.98962.

AUTHORITY:

Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899.

The decision whether to issue a permit 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 benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact approximately 1,200 square feet of Essential Fish Habitat (EFH) for the 10 species listed on the attached table and their life stages. This habitat consists of sandy silt. Loss of this habitat may adversely affect the species listed on the attached table. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

CENAE-R
FILE NO. NAE-2002-3042

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact (PM name) at (978) 318-8xxx, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Robert J. DeSista
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____

PROPOSED WORK AND PURPOSE

The proposed project involves repairing and maintaining seven existing timber finger floats as necessary. The proposed project also includes extending the seven finger floats 20' seaward for an overall length of 40' as well as installing new associated restraint pile. Also proposed is the replacement of an approximately 6' wide x 320' long main wood float with an approximately 8' wide x 320' long main wood float and associated restraint piles in the same location. The applicant also proposes the installation and maintenance of a new 8' x 20' pile supported platform with a new 4' wide x 24' long ramp leading to a 6' wide x 20' pile supported float attached to the main wood float for access

The work is described on the enclosed plans entitled "Dock Modifications, Mystic, Town of Stonington, New London County, Connecticut, Mystic River, Seaport Marine" in four sheets, dated, "January 20, 2012", revised through "4-19-12".

The purpose of the project is to provide access to the patrons' boats for boarding, provisioning and tending to minor routine repair work/maintenance.

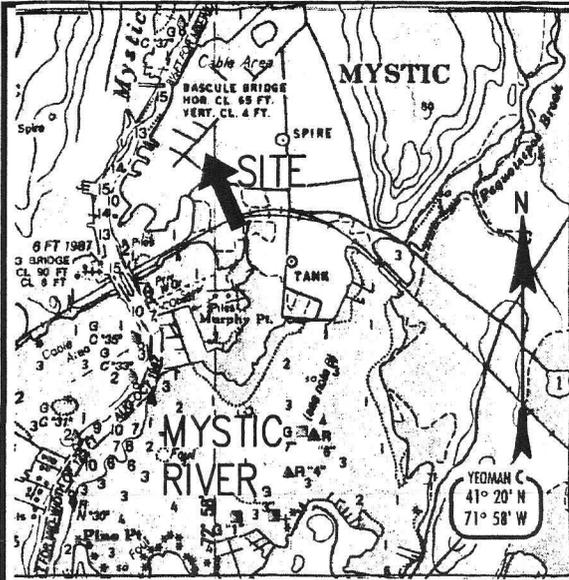
Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	71° 50.0' W	41° 10.0' N	72° 00.0' W

Square Description (i.e. habitat, landmarks, coastline markers): The waters within the square within the Connecticut River estuary affecting the following: from just east of Watch Hill R. I., to Noank CT., including waters affecting Little Narragansett Bay, Fishers Island Sound, the eastern 2/3 of Fishers I., the southern half of Mason I., Pawcatuck Point in R. I., Ram I., Napatree Point, and the tip of Wamphassuck Point. These waters also affect the following: the southern part of Stonington, CT., Wicopesset PT., East Pt. on Fishers I., East Harbor, eastern West Harbor, south of Mystic and West Mystic, CT., along with the Mystic River and Pawcatuck River Inlets. Also affected are: Cerberus Shoal, Watch Hill Rock, Catumb Rock, Dodges I., Libby I.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod (<i>Gadus morhua</i>)				X
Atlantic sea herring (<i>Clupea harengus</i>)				X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Odontaspis taurus</i>)		X		
blue shark (<i>Prionace glauca</i>)		X		X
dusky shark (<i>Charcharinus obscurus</i>)			X	
bluefin tuna (<i>Thunnus thynnus</i>)				X



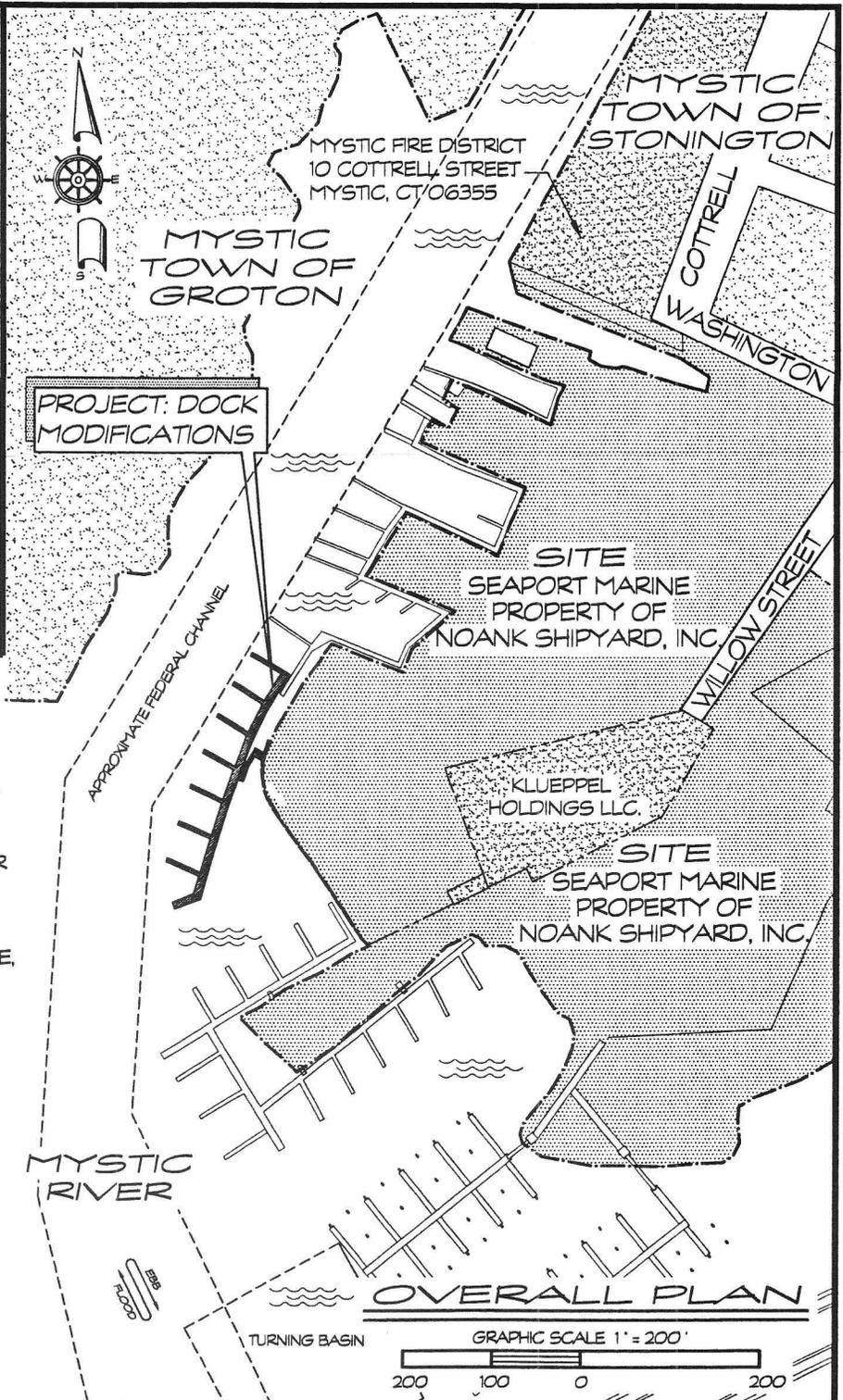
LOCATION MAP

REFERENCE CHART : 12372
 GRAPHIC SCALE IN YARDS

NOTES:

1. ELEVATION DATUM IS MEAN LOW WATER. CONNECTICUT COORDINATE SYSTEM IS NAD 27.
2. TIDE DATA IS TAKEN FROM 2004 NOAA TIDE TABLES REFERENCE : NEW LONDON AND NOANK.
3. PROJECT DESCRIPTION:
 REPAIR/ MAINTAIN SEVEN FINGER FLOATS AS NECESSARY. EXTEND SEVEN 4-FT X 20-FT FINGER FLOATS TO 40-FT WITH NEW RESTRAINT PILES. WIDEN AN EXISTING 6-FT WIDE X 30-FT MAIN FLOAT TO 8-FT WIDE AND WITH NEW RESTRAINT PILES AND A SAFETY RAIL ALONG THE SHORE SIDE, CONSTRUCT AN 8-FT WIDE PILE SUPPORTED TIMBER PLATFORM WITH RAILS, INSTALL A 4-FT WIDE X 24-FT RAMP AND A 6-FT WIDE X 20-FT RAMP LANDING FLOAT, ALL AT OR WATERWARD OF THE HIGH TIDE LINE.
4. PROJECT PURPOSE:
 THIS IS A COMMERCIAL MARINA FOR RECREATIONAL BOATING.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.
6. ADJOINING PROPERTY OWNERS:

NORTH: MYSTIC FIRE DISTRICT 10 COTTRELL STREET MYSTIC, CT 06355	EAST: NATIONAL RAILROAD PASSENGER CORP. 4TH FLOOR 30TH AND MARKET ST. PHILADELPHIA, PA 19104
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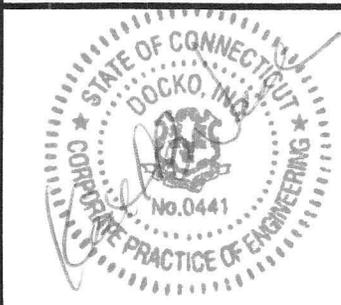
OVERALL PLAN

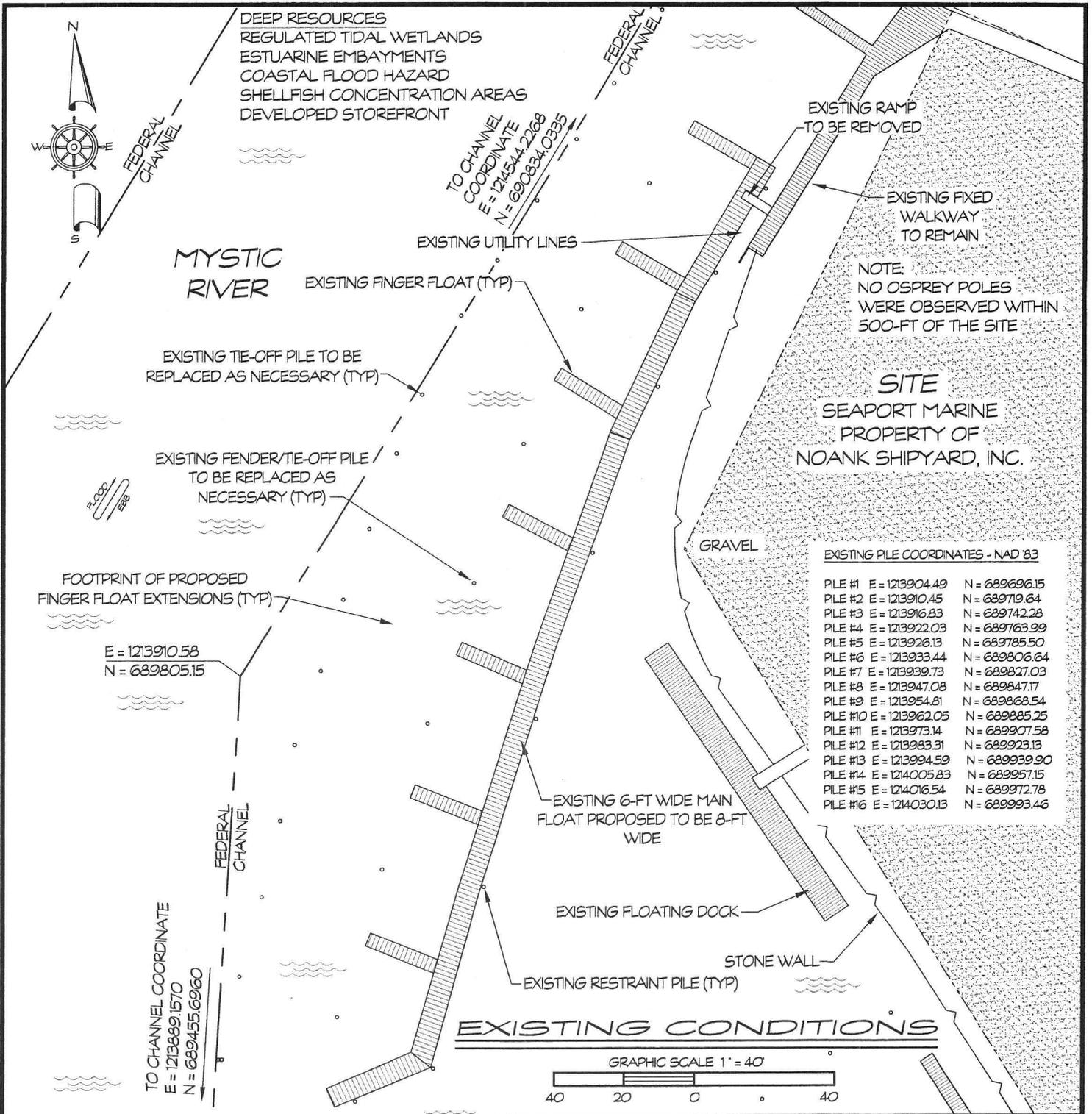
PROJECT: DOCK MODIFICATIONS
 LOCATION: TOWN OF STONINGTON
 NEW LONDON COUNTY, CONNECTICUT
 WATERWAY: MYSTIC RIVER
 DATE: JANUARY 20, 2012
 APPLICANT: SEAPORT MARINE

AGENT: SHEET 1 OF 4
DOCKO, INC.
 Keith B. Neilson, PE
 Mystic, CT 06355
 860 572 8939 FAX 860 572 7569
 EMAIL: docko@snet.net



DWG 04-02-1519





REVISED 5-29-12 ACOE
PILE COORDINATES

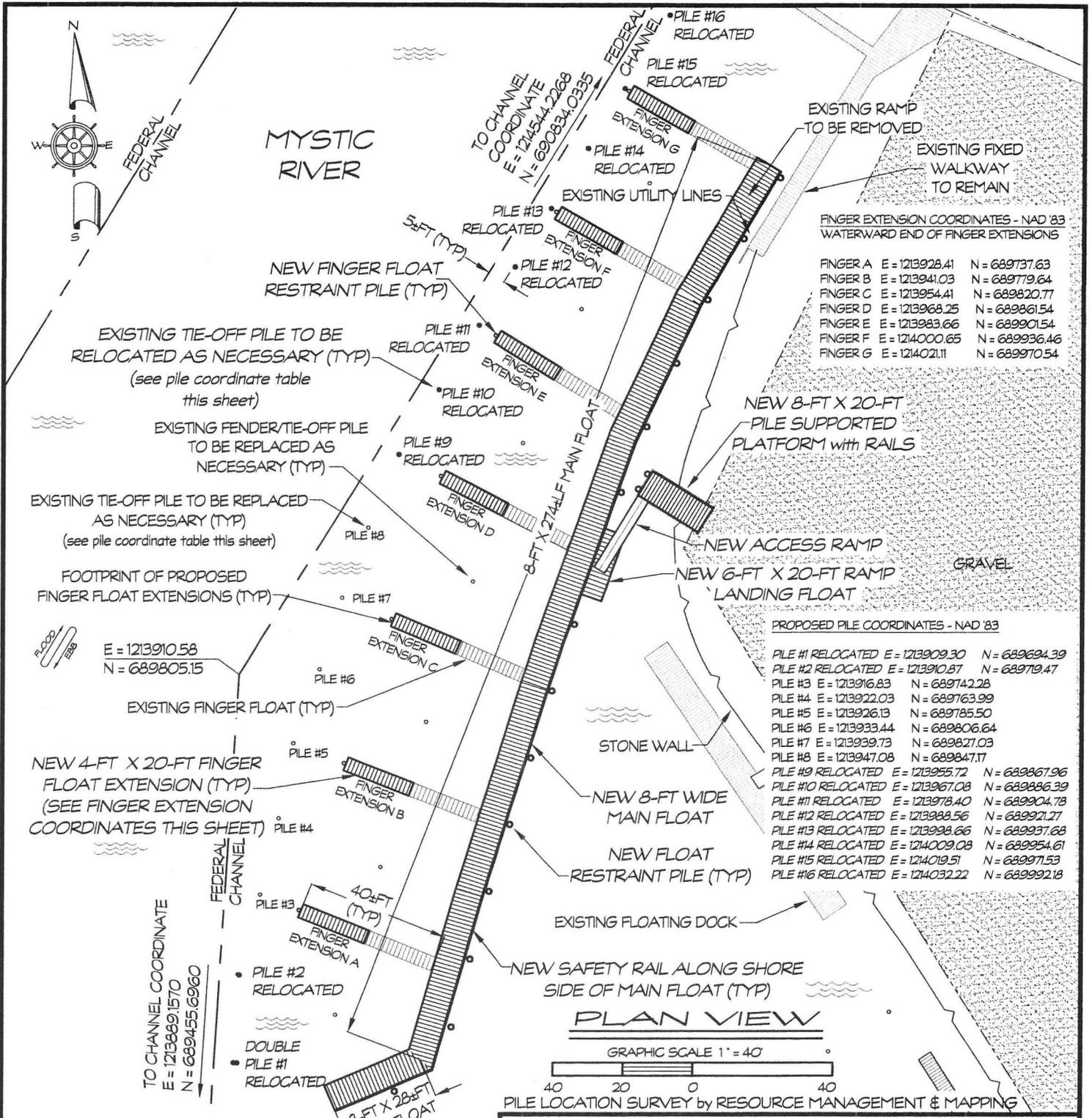
5-29-12

PROJECT: DOCK MODIFICATIONS
LOCATION: MYSTIC, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: MYSTIC RIVER
DATE: JANUARY 20, 2012
APPLICANT: SEAPORT MARINE

AGENT: SHEET 2 OF 4
DOCKO, INC.
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FINGER EXTENSION COORDINATES - NAD 83
WATERWARD END OF FINGER EXTENSIONS

FINGER A	E = 1213928.41	N = 689737.63
FINGER B	E = 1213941.03	N = 689779.64
FINGER C	E = 1213954.41	N = 689820.77
FINGER D	E = 1213968.25	N = 689861.54
FINGER E	E = 1213983.66	N = 689901.54
FINGER F	E = 1214000.65	N = 689936.46
FINGER G	E = 1214021.11	N = 689970.54

PROPOSED PILE COORDINATES - NAD 83

PILE #1 RELOCATED	E = 1213909.30	N = 689694.39
PILE #2 RELOCATED	E = 1213910.87	N = 689719.47
PILE #3	E = 1213916.83	N = 689742.28
PILE #4	E = 1213922.03	N = 689763.99
PILE #5	E = 1213926.13	N = 689785.50
PILE #6	E = 1213933.44	N = 689806.64
PILE #7	E = 1213939.73	N = 689827.03
PILE #8	E = 1213947.08	N = 689847.17
PILE #9 RELOCATED	E = 1213955.72	N = 689867.96
PILE #10 RELOCATED	E = 1213967.08	N = 689886.39
PILE #11 RELOCATED	E = 1213978.40	N = 689904.78
PILE #12 RELOCATED	E = 1213988.56	N = 689921.27
PILE #13 RELOCATED	E = 1213998.66	N = 689937.68
PILE #14 RELOCATED	E = 1214009.08	N = 689954.61
PILE #15 RELOCATED	E = 1214019.51	N = 689971.53
PILE #16 RELOCATED	E = 1214032.22	N = 689992.18

PLAN VIEW
GRAPHIC SCALE 1" = 40'
40 20 0 40
PILE LOCATION SURVEY by RESOURCE MANAGEMENT & MAPPING

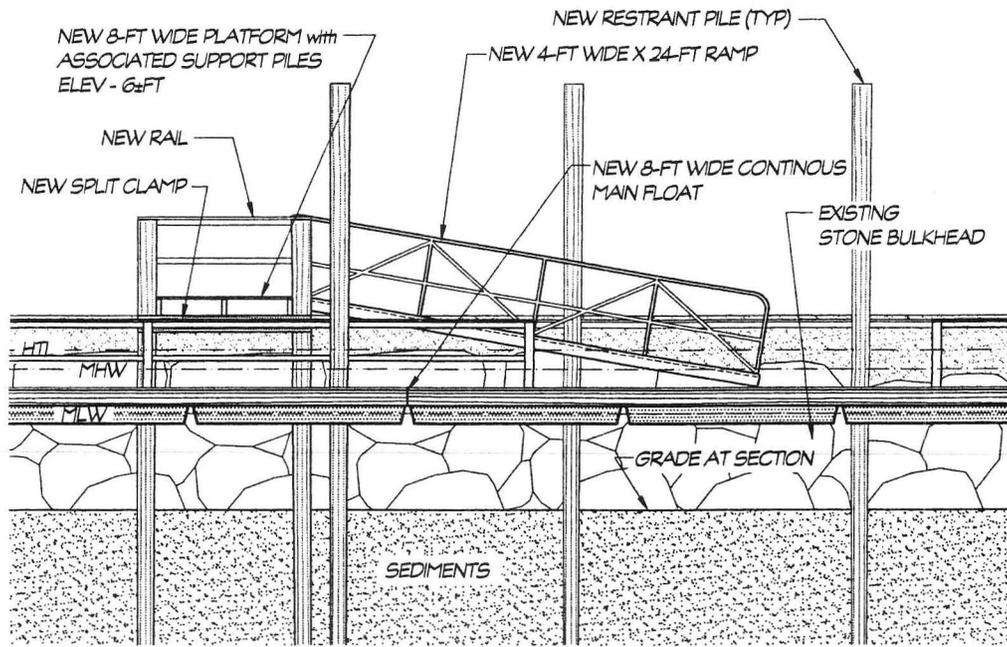
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AGENT: SHEET 3 OF 4
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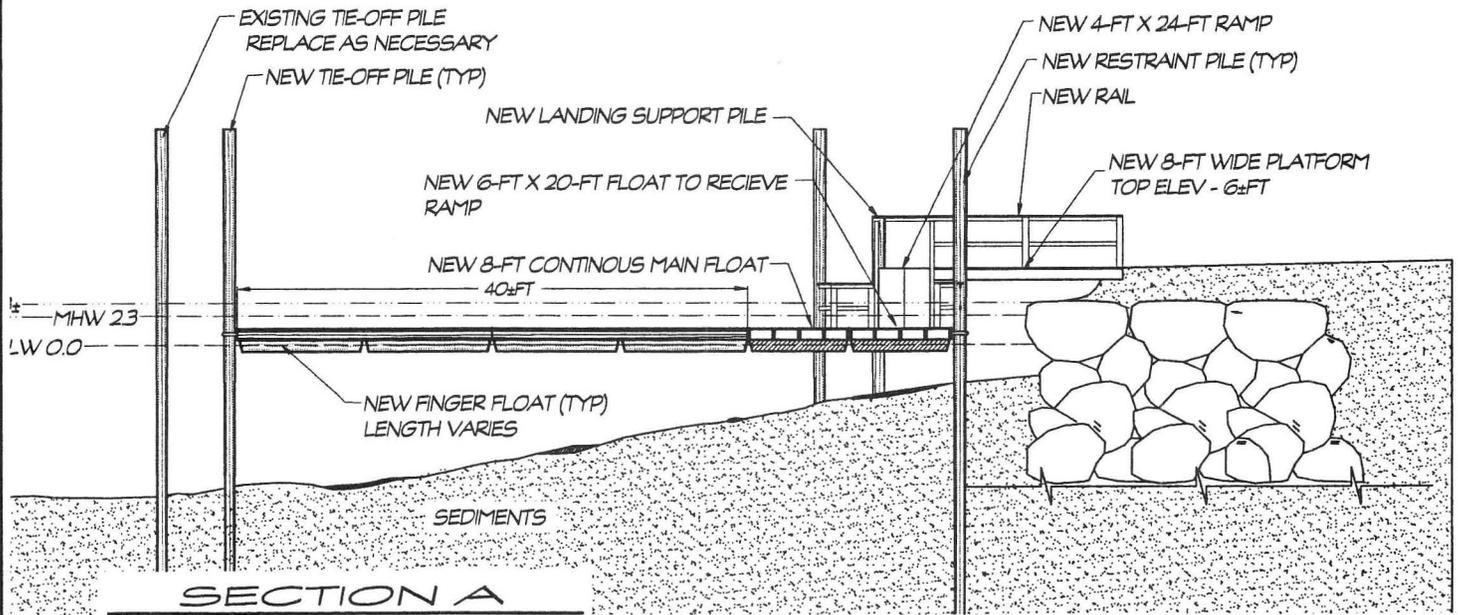
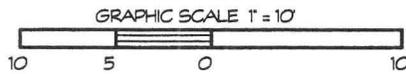
DWG 04-02-1519

REVISED 3-15-12 ACOE
 FINGER EXT. COORDINATES
 REVISED 4-19-12 ACOE
 PILE RELOCATIONS

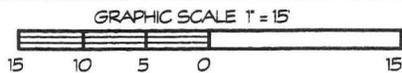
5-29-12



SECTION B



SECTION A



PROJECT: DOCK MODIFICATIONS

LOCATION: MYSTIC, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: MYSTIC RIVER
DATE: JANUARY 20, 2012
APPLICANT: SEAPORT MARINE

AGENT: SHEET 4 OF 4

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