



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

# PUBLIC NOTICE

**Comment Period Begins: November 14, 2017**  
**Comment Period Ends: December 14, 2017**  
**File Number: NAE-2012-00790**  
**In Reply Refer To: Michael Wierbonics**  
**Phone: (978) 318-8723**  
**E-mail: michael.s.wierbonics**  
**@usace.army.mil**

The District Engineer has received a permit application to conduct work in waters of the United States from the **Town of Old Saybrook c/o Robert Murphy** at the **intersection of Ferry Road and Clark Street in Old Saybrook, Connecticut 06475**. This work is proposed in the **Connecticut River**. The site coordinates are: Latitude 41.312984 Longitude -72.353125.

The work involves the removal of the existing pier and dock configuration and the construction of an approximately 218 linear foot by 8-foot wide, pile supported fixed timber pier; the installation of ten (10) 8-foot by 20-foot floating docks with associated 3.5-foot by 22-foot ramps and associated piles; the installation of 25 fender tie-off piles; the installation of a 10-foot wide by approximately 100-foot long floating dock with associated 6-foot by 22-foot ramp anchored by two (2), three (3) batter-braced pile float restraints. The proposed work will extend to a point approximately 250-feet beyond Mean High Water (MHW).

The purpose of the proposed project is to create a municipal pier and dock in support of commercial fishing and recreational boating.

The work is shown on the attached plans entitled "New Dock Facilities," on five (5) sheets, dated "June 26, 2017."

## **AUTHORITY**

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899  
 Section 404 of the Clean Water Act  
 Section 103 of the Marine Protection, Research and Sanctuaries Act.

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

**CENAE-R**  
**FILE NO. NAE-2012-00790**

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 0.60± acres of Essential Fish Habitat (EFH) for species listed on the attached table. Loss of this habitat may adversely affect the aforementioned species. 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 Corps 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 project would have no effect on the Northern long-eared bat (*Myotis septentrionalis*) as no potential roosting or hibernacula habitat is present in the project area. One terrestrial federally listed species may be present in the project area and the Corps has determined that the work may effect, but is not likely to adversely affect: red knot (*Calidris canutus rufa*). By this Public Notice, the Corps is initiating consultation with the U.S. Fish and Wildlife Service to seek concurrence with the Corps' determination for the above listed species.

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Several marine federally listed species may be present in the project area and the Corps has determined that the work may effect, but is not likely to adversely affect: shortnose sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), loggerhead sea turtle (*Caretta caretta*), and leatherback sea turtle (*Dermochelys coriacea*). By a programmatic agreement process, the Corps is initiating consultation with the National Marine Fisheries Service to seek concurrence with the Corps' determination for the above listed species.

## COASTAL ZONE MANAGEMENT

The State of Connecticut has an approved Coastal Zone Management Program. 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.

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

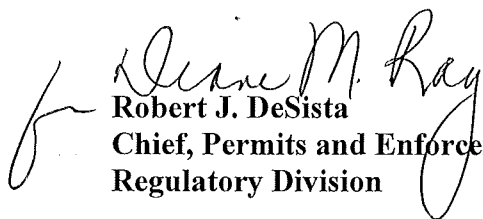
- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Michael Wierbonics at (978) 318-8723.

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

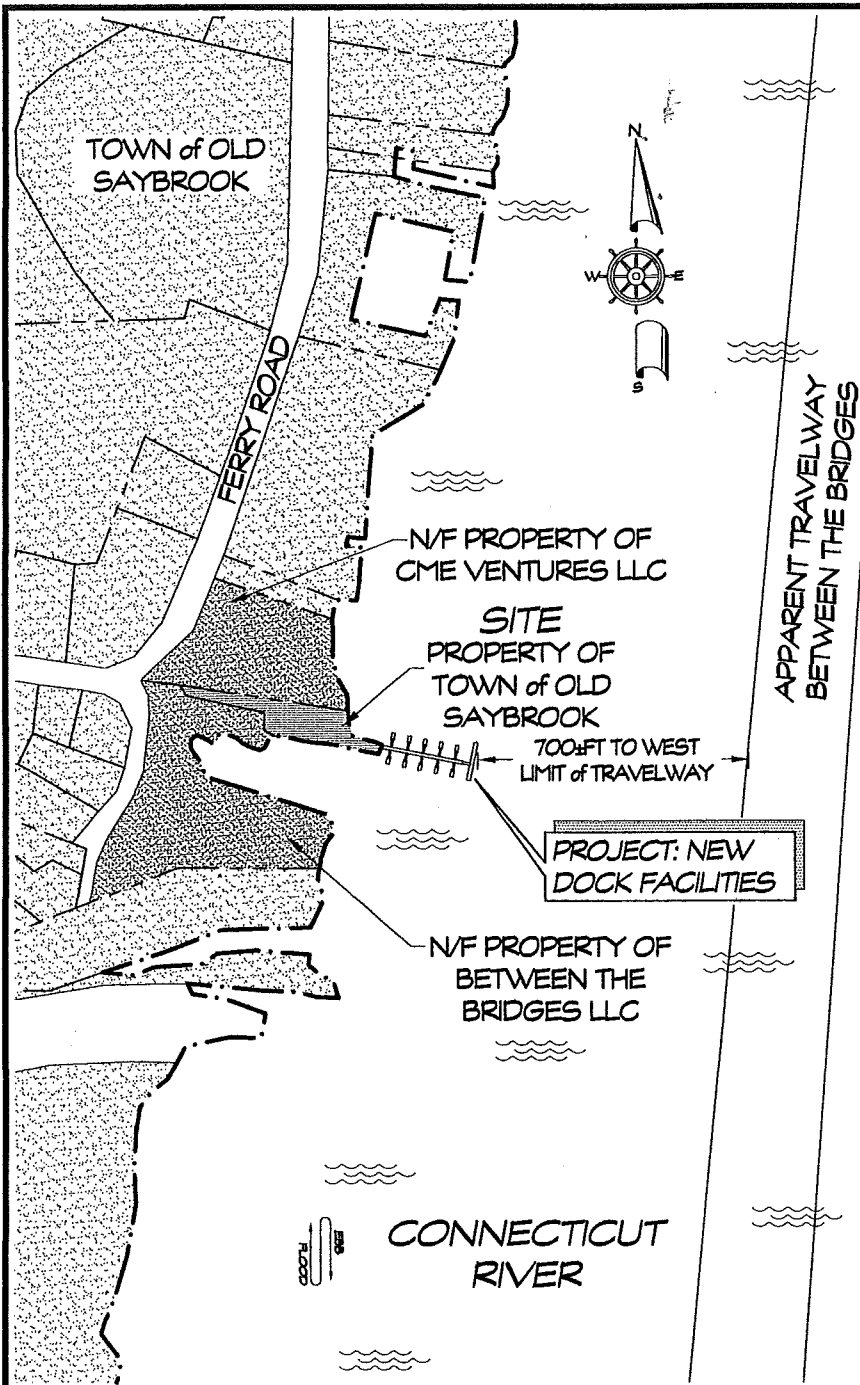
**CENAE-R**  
**FILE NO. NAE-2012-00790**

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](mailto: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.

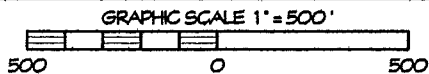
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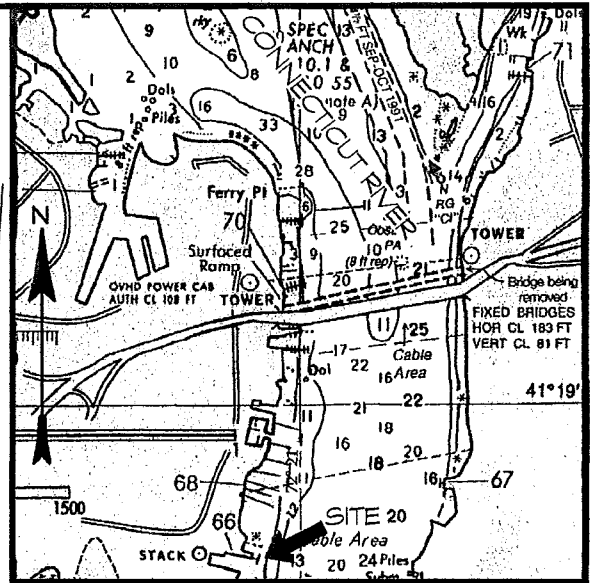
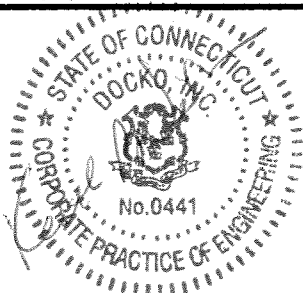
PHONE: \_\_\_\_\_



**OVERALL PLAN**



REVISED 10-12-17 DEEP  
SCALE & TRAVELWAY



**LOCATION MAP**

REFERENCE  
CHART : 12372  
GRAPHIC SCALE  
IN YARDS

**NOTES:**

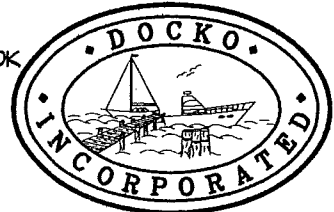
1. ELEVATION DATUM IS MEAN LOW WATER (MLW).
2. TIDE DATA IS TAKEN FROM 2017 NOAA TIDE TABLES REFERENCE : SAYBROOK POINT.
3. PROJECT DESCRIPTION:  
CONSTRUCT 218±LF OF 8-FT WIDE PILE SUPPORTED FIXED TIMBER PIER WITH WATER/ELECTRIC UTILITY POSTS AND 200-AMP ELECTRIC SERVICE PANEL. INSTALL TEN 8-FT x 20-FT FLOATING DOCKS WITH ASSOCIATED 3.5-FT x 22-FT RAMPS AND RESTRAINT PILES. ALSO INSTALL 25 FENDER TIE-OFF PILES. INSTALL A 10-FT WIDE x 100±LF FLOATING DOCK WITH ASSOCIATED 6-FT x 22-FT RAMP AND BATTER-BRACED THREE PILE FLOAT RESTRAINTS, ALL AT AND WATERWARD OF THE HIGH TIDE LINE.
4. PROJECT PURPOSE:  
THIS IS A MUNICIPAL DOCK IN SUPPORT OF COMMERCIAL FISHING AND RECREATIONAL BOATING.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR ENVIRONMENTAL PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. A TOWN BUILDING PERMIT MAY BE REQUIRED.
6. ADJOINING PROPERTY OWNERS:  
NORTH: CME VENTURES LLC  
SOUTH: BETWEEN THE BRIDGES LLC  
2-20 FERRY ROAD 122-134 FERRY ROAD  
OLD SAYBROOK, CT OLD SAYBROOK, CT

PROJECT: **NEW DOCK FACILITIES**

LOCATION: TOWN OF OLD SAYBROOK  
MIDDLESEX COUNTY, CONNECTICUT

WATERWAY: CONNECTICUT RIVER  
DATE: JUNE 26, 2017  
APPLICANT: TOWN OF OLD SAYBROOK

AGENT: SHEET 1 OF 5  
**DOCKO, INC.**  
Keith B. Neilson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: permits@docko.com

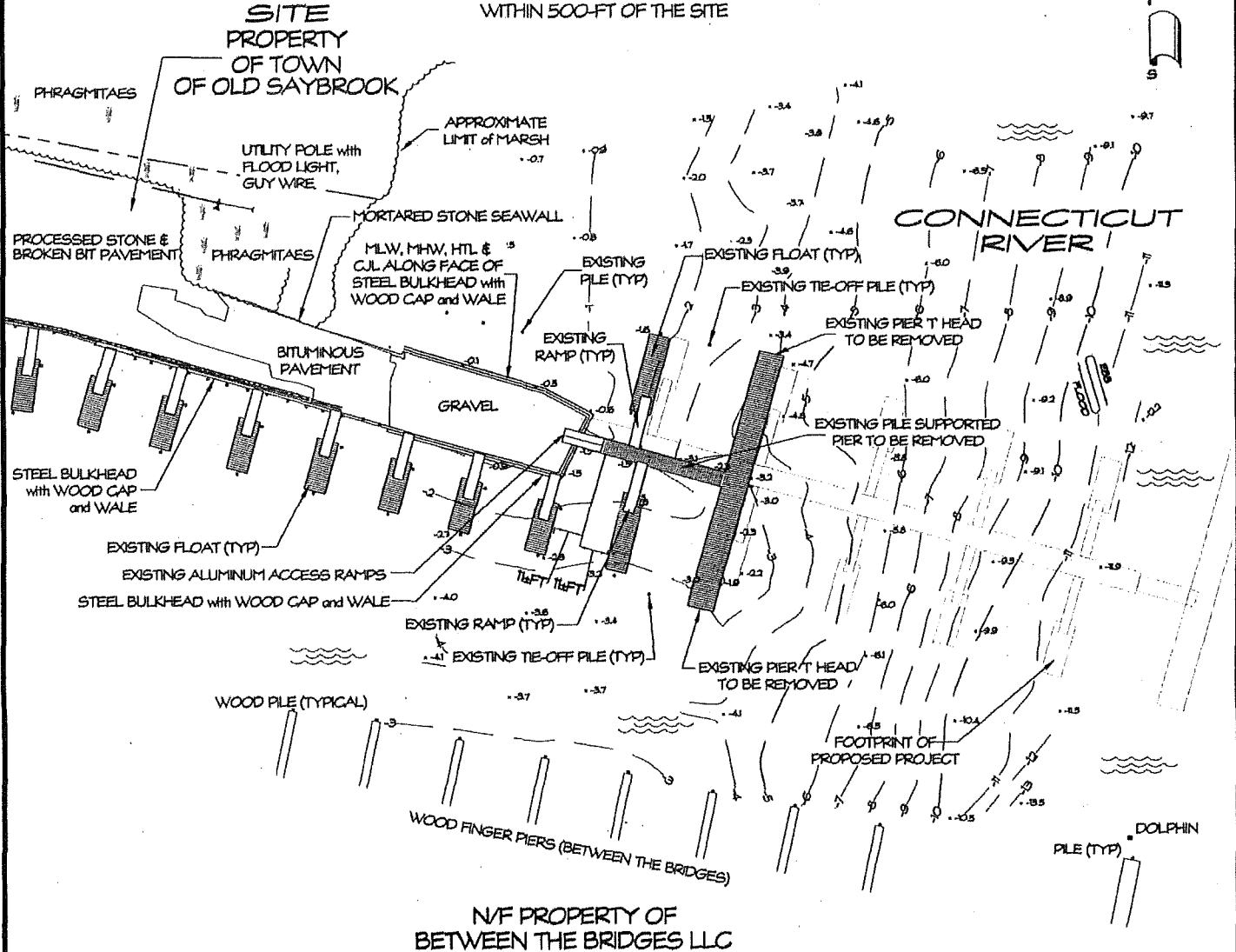
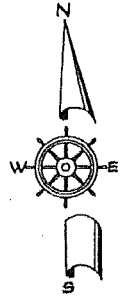


DWG 16-08-2714

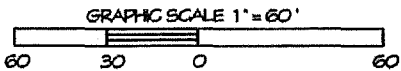
DEEP RESOURCES  
 REGULATED TIDAL WETLANDS  
 ESTUARINE EMBAYMENTS  
 COASTAL FLOOD HAZARD

N/F PROPERTY OF  
 CME VENTURES LLC

NOTE:  
 NO OSPREY POLES WERE OBSERVED  
 WITHIN 500-FT OF THE SITE



**EXISTING CONDITIONS**



SURVEY BY RESOURCE MANAGEMENT and MAPPING  
 ELEVATIONS ARE BASED ON MEAN LOW WATER

REVISED 10-31-17 USACOE  
 TIDE LINE CALLOUT

PROJECT: NEW DOCK FACILITIES

LOCATION: TOWN OF OLD SAYBROOK  
 MIDDLESEX COUNTY, CONNECTICUT

WATERWAY: CONNECTICUT RIVER

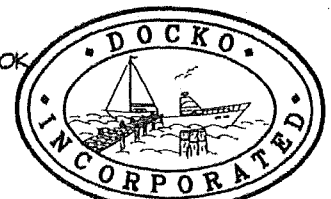
DATE: JUNE 26, 2017

APPLICANT: TOWN OF OLD SAYBROOK

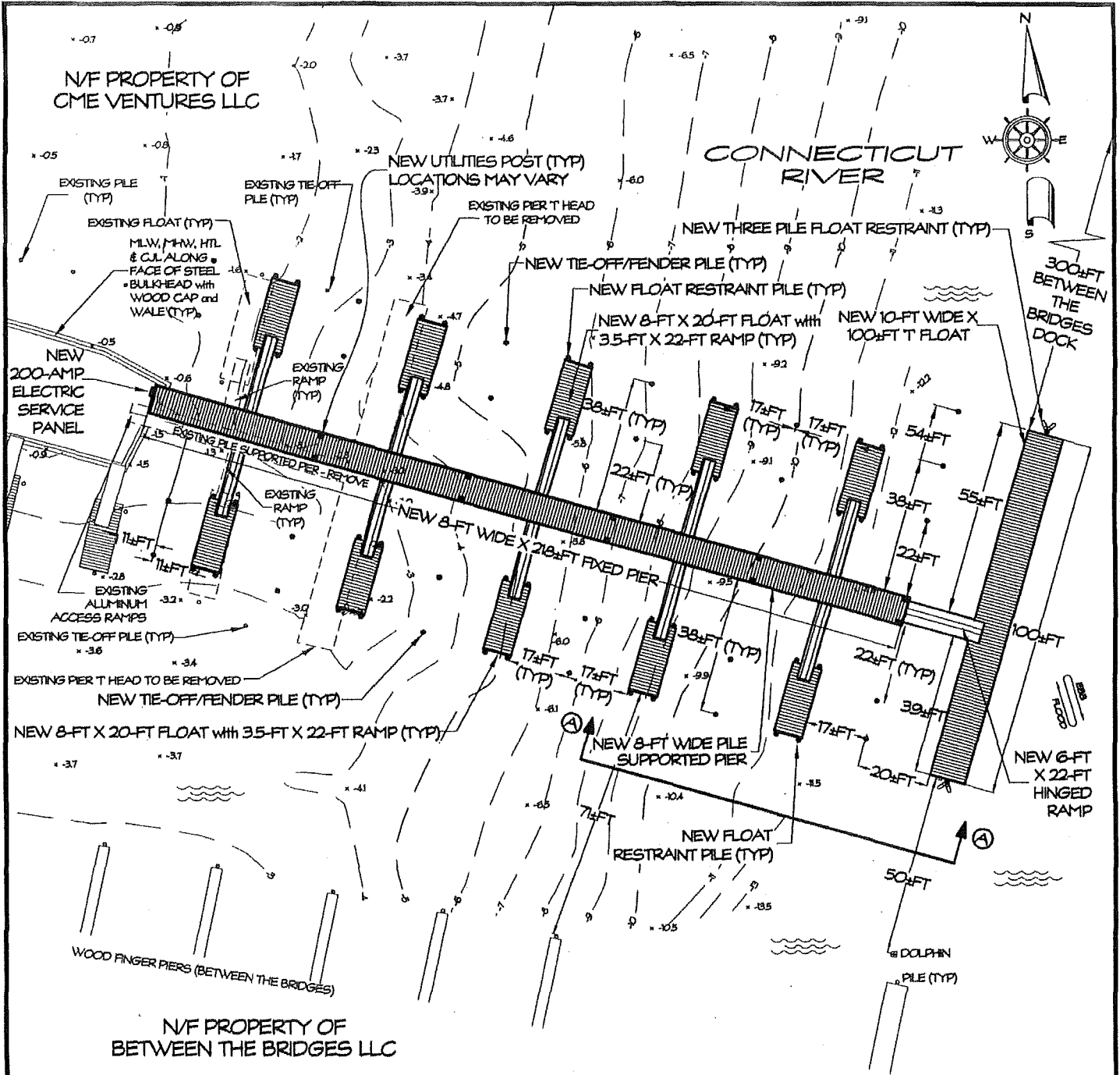
AGENT: SHEET 2 OF 5

**DOCKO, INC.**

Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: office@docko.com



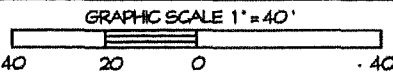
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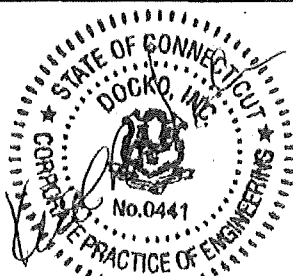
N/F PROPERTY OF  
CME VENTURES LLC

N/F PROPERTY OF  
BETWEEN THE BRIDGES LLC

**PLAN VIEW**



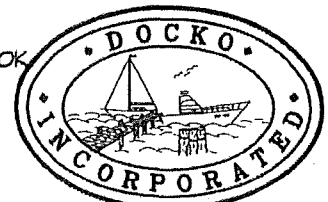
SURVEY BY RESOURCE MANAGEMENT and MAPPING  
ELEVATIONS ARE BASED ON MEAN LOW WATER



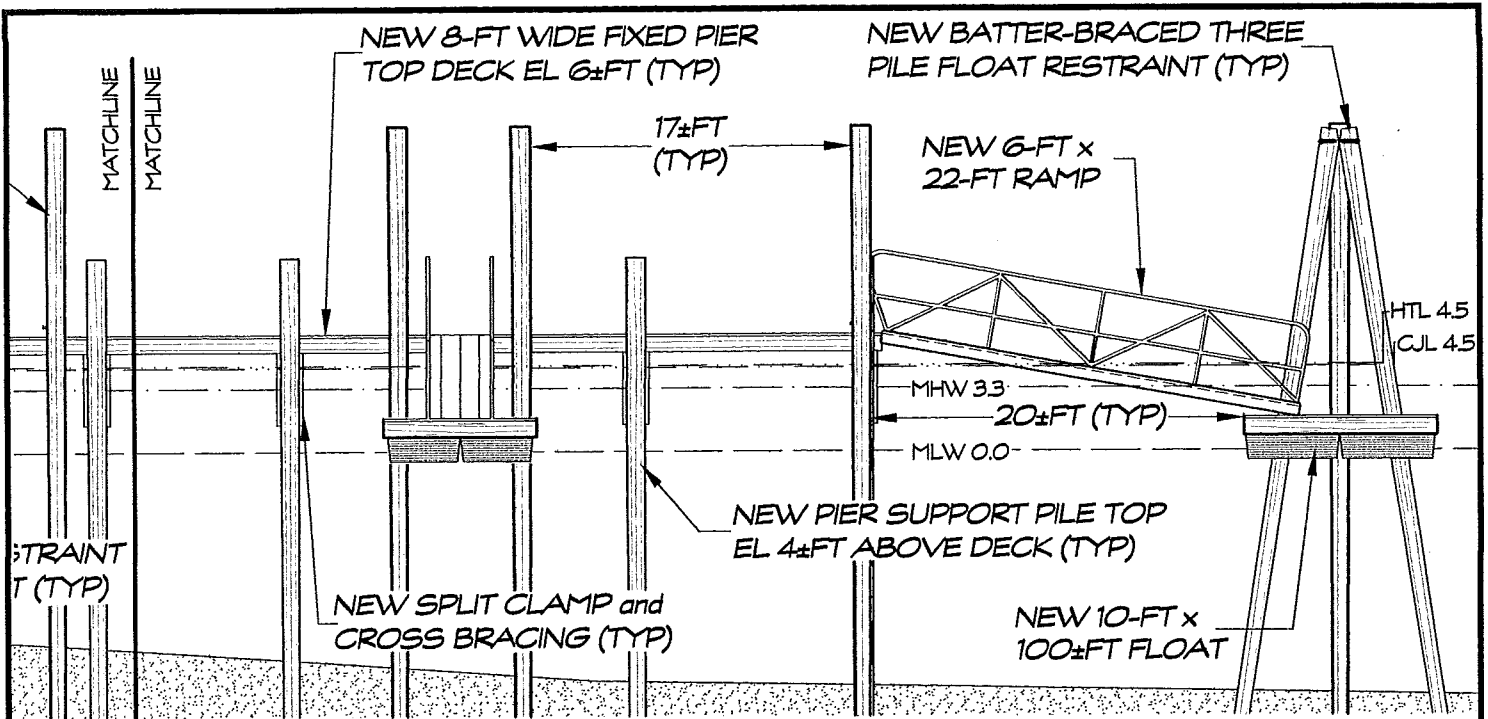
REVISED 10-31-17 USACOE  
TIDE LINE CALLOUT & DISTANCE  
TO UPPIVER DOCK

PROJECT: NEW DOCK FACILITIES  
LOCATION: TOWN OF OLD SAYBROOK  
MIDDLESEX COUNTY, CONNECTICUT  
WATERWAY: CONNECTICUT RIVER  
DATE: JUNE 26, 2017  
APPLICANT: TOWN OF OLD SAYBROOK

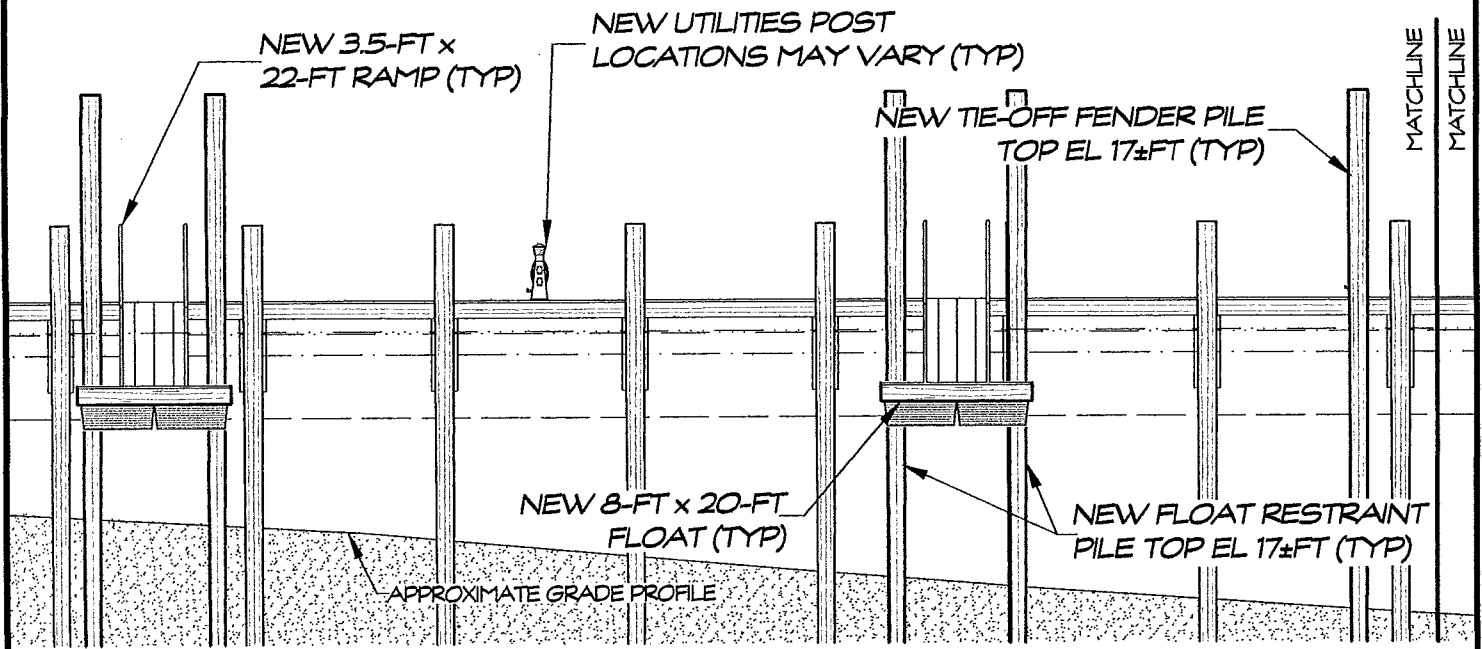
AGENT: SHEET 3 OF 5  
**DOCKO, INC.**  
Keith B. Nellson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: office@docko.com



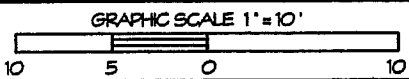
DWG 16-08-2774



NOTE: SOME PILES NOT SHOWN IN THESE VIEWS  
FOR CLARITY OF PIER AND ITS COMPONENTS



**TYPICAL PROFILE A-A**



ELEVATIONS ARE BASED ON MEAN LOW WATER

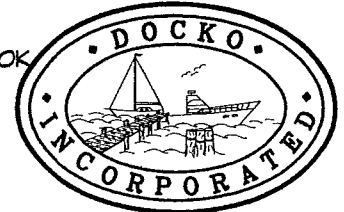
PROJECT: NEW DOCK FACILITIES

LOCATION: TOWN OF OLD SAYBROOK  
MIDDLESEX COUNTY, CONNECTICUT

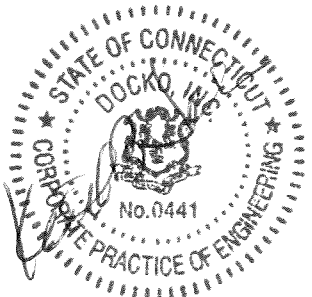
WATERWAY: CONNECTICUT RIVER  
DATE: JUNE 26, 2017  
APPLICANT: TOWN OF OLD SAYBROOK

AGENT: SHEET 4 OF 5  
**DOCKO, INC.**

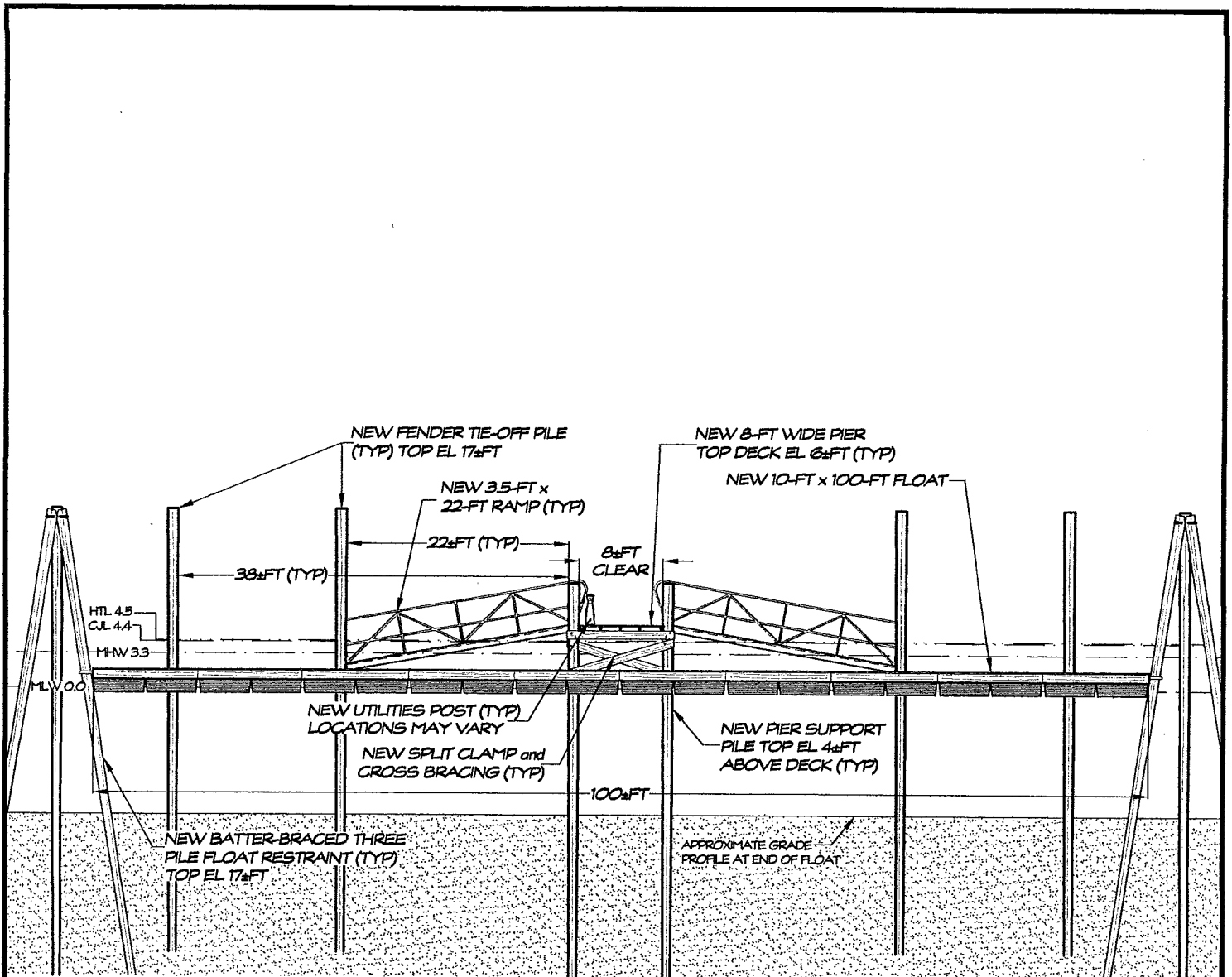
Keith B. Nelson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: office@docko.com



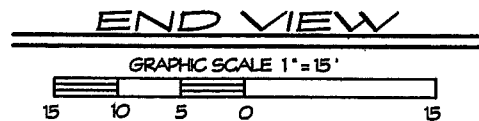
DWG 16-08-2774







NOTE: 6-FT RAMP and SOME PILES NOT SHOWN IN THIS VIEW FOR CLARITY OF PIER AND ITS COMPONENTS



ELEVATIONS ARE BASED ON MEAN LOW WATER

PROJECT: NEW DOCK FACILITIES

LOCATION: TOWN OF OLD SAYBROOK  
MIDDLESEX COUNTY, CONNECTICUT

WATERWAY: CONNECTICUT RIVER

DATE: JUNE 26, 2017

APPLICANT: TOWN OF OLD SAYBROOK

AGENT: SHEET 5 OF 5

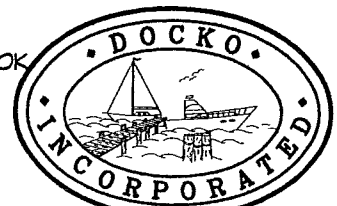
**DOCKO, INC.**

Keith B. Nelson, PE

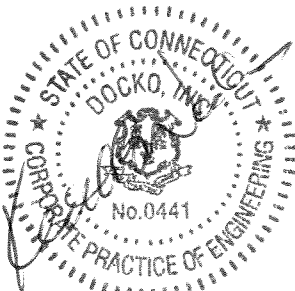
Mystic, CT 06355

860 572 8939 FAX 860 572 7569

EMAIL: office@docko.com



DWG 16-08-2714



**Summary of Essential Fish Habitat (EFH) Designation**

**10 x 10 Square Coordinates:**

Boundary	North	East	South	West
Coordinate	41° 20.0 N	72° 20.0 W	41° 10.0 N	72° 30.0 W

**Square Description (i.e. habitat, landmarks, coastline markers):** The waters within the square within the Connecticut River estuary affecting the following: the Connecticut River, Westbrook and Old Saybrook, CT., the Patchogue and Menunketesuck Rivers, western Great I., Ferry Pt., Cornfield Pt., North Cove, Saybrook Pt., Lynde Neck and Guardhouse Pt., Chapman Pt., Old Kelsey Pt., Duck I., the Duck Island Roads and Menunketesuck I. Also affected are: Westbrook Harbor, eastern Six Mile Reef, and Long Sand Shoal, Hen and Chickens, Crane Reef, Half Tide Rock, and Cornfield Pt. Shoal. Finally, there is a dumping ground towards the southeast corner, south of the Connecticut River. These waters also affect the following features: South Cove, Fenwick, CT., Lynde Pt., Knollwood, CT., Plum Bank Beach, Ragged Rock, Calves I., Back River, southwest Lieutenant River, Saybrook Shoal Channel, Saybrook Shoal, Gibraltar Rock, Dickerson Pier, Sodom Rocks, Shifting Shoal, Griswold Piers, Oyster River, Back River (different from above in list), Indian Town, CT., Chapman Neck, CT., Cold Spring Brook, Saltworks Bay, Money Pt., and Long Rock.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
Atlantic cod ( <i>Gadus morhua</i> )				
haddock ( <i>Melanogrammus aeglefinus</i> )				
pollock ( <i>Pollachius virens</i> )			X	X
whiting ( <i>Merluccius bilinearis</i> )				
offshore hake ( <i>Merluccius albidus</i> )				
red hake ( <i>Urophycis chuss</i> )	X	X	X	X
white hake ( <i>Urophycis tenuis</i> )				
redfish ( <i>Sebastes fasciatus</i> )	n/a			
witch flounder ( <i>Glyptocephalus cynoglossus</i> )				
winter flounder ( <i>Pseudopleuronectes americanus</i> )				
yellowtail flounder ( <i>Limanda ferruginea</i> )				
windowpane flounder ( <i>Scophthalmus aquosus</i> )	X	X	X	X
American plaice ( <i>Hippoglossoides platessoides</i> )				
ocean pout ( <i>Macrozoarces americanus</i> )				
Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )				
Atlantic sea scallop ( <i>Placopecten magellanicus</i> )				
Atlantic sea herring ( <i>Clupea harengus</i> )			X	X

monkfish ( <i>Lophius americanus</i> )				
bluefish ( <i>Pomatomus saltatrix</i> )			X	X
long finned squid ( <i>Loligo pealeii</i> )	n/a	n/a		
short finned squid ( <i>Illex illecebrosus</i> )	n/a	n/a		
Atlantic butterfish ( <i>Peprilus triacanthus</i> )				
Atlantic mackerel ( <i>Scomber scombrus</i> )				
summer flounder ( <i>Paralichthys dentatus</i> )				
scup ( <i>Stenotomus chrysops</i> )	n/a	n/a		
black sea bass ( <i>Centropristis striata</i> )	n/a			
surf clam ( <i>Spisula solidissima</i> )	n/a	n/a		
ocean quahog ( <i>Artica islandica</i> )	n/a	n/a		
spiny dogfish ( <i>Squalus acanthias</i> )	n/a	n/a		
tilefish ( <i>Lopholatilus chamaeleonticeps</i> )				
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>Carcharias taurus</i> )		X		