



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

# PUBLIC NOTICE

**Comment Period Begins:** July 12, 2016  
**Comment Period Ends:** August 12, 2016  
**File Number:** NAE-2014-00151  
**In Reply Refer To:** Lindsay Flieger  
**Phone:** (978) 318-8656  
**E-mail:** Lindsay.Flieger@usace.army.mil

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

**APPLICANT** SKR Partners, LLC

**ACTIVITY** Construct a new boating facility that will provide seven boat slips. A detailed description and plans of the activity are attached.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in North Cove off of Foxboro Road in Essex, CT. The proposed location on the USGS Essex quadrangle sheet is at Lat/Long 41.36354°N and -72.38833°W.

## **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 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.

**CENAE-R**

**FILE NO. NAE-2014-00151**

### **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 1,500 square feet of Essential Fish Habitat (EFH) for the species listed on the attached sheet. This substrate consists primarily fine grain sand and silt and some submerged aquatic vegetation (SAV). Loss of this habitat may adversely affect the listed species and SAV. 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.

### **SECTION 106 COORDINATION**

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. We will be conducting informal coordination with the National Marine Fisheries Service.

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.

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

- (X) Permit, License or Assent from State.

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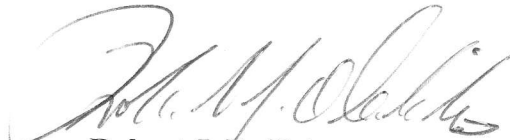
- ( ) Permit from Local Wetland Agency or Conservation Commission.
- ( ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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 Lindsay Flieger at (978) 318-8656, (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, 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.

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

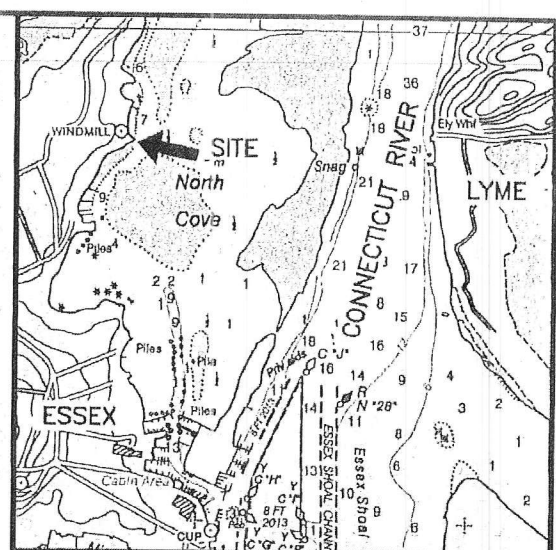
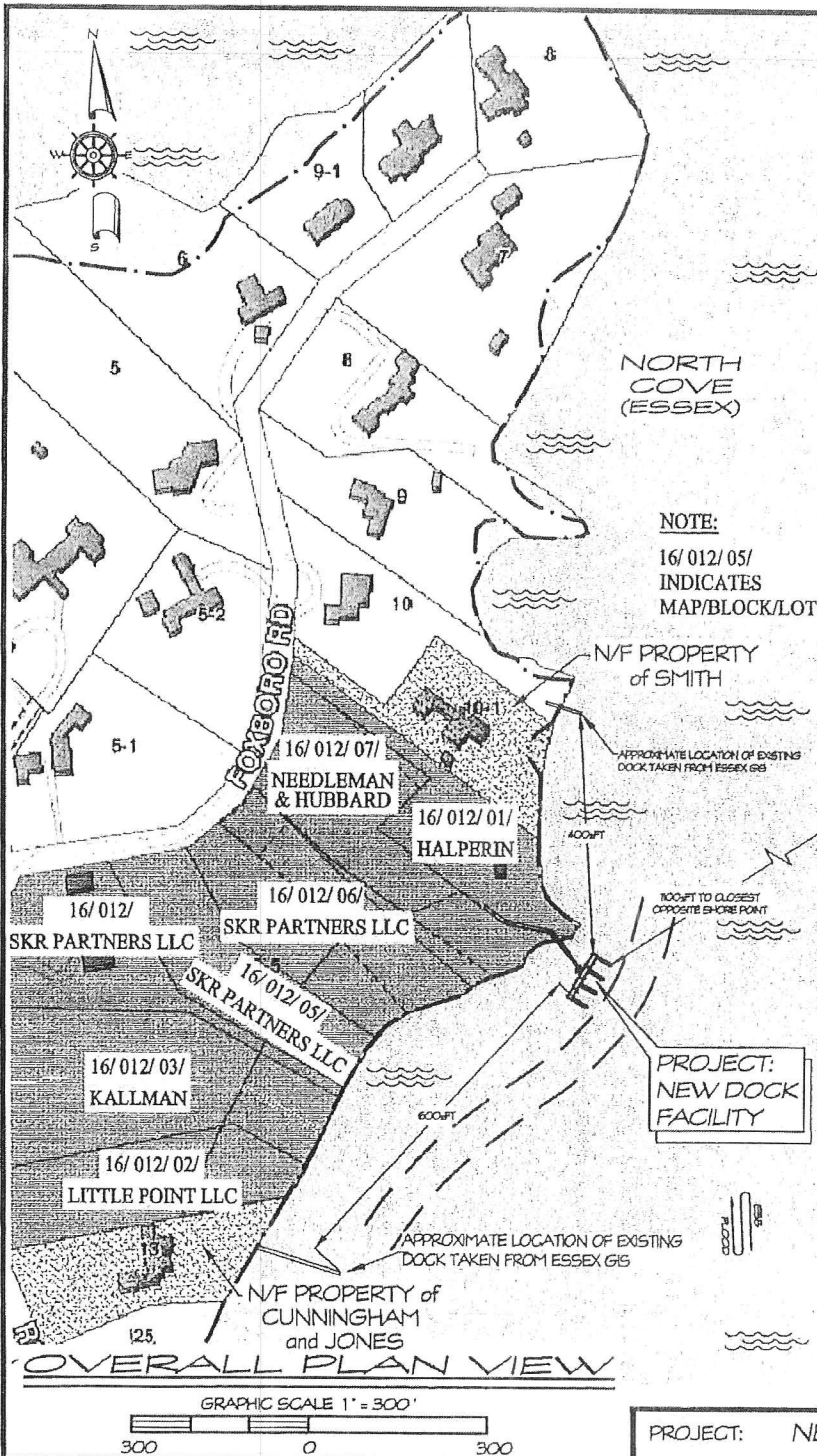
**CENAE-R**

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**PROPOSED WORK AND PURPOSE**

The work includes the construction of a 5.25' wide x 56' long fixed wood pile and timber walkway/pier, a 5' x 36' long fixed ramp, an 85 square foot ramp landing platform with rails, a 6.25' wide x 90' long main timber pier with open grate decking and electric/water utilities posts, and four (4) 4.25' wide x 30' long batter braced pile supported finger piers with open grate decking and associated ladders. Approximately sixty (60) 12"-14" timber piles will be driven into the substrate using a barge-mounted crane. The project, as proposed, will extend approximately 130 feet beyond the mean high water line and result in an increase of 1,452 square feet of new structure. The dock structures will provide seven boat slips to be used for recreational purposes.

The work is described on the enclosed plans entitled "New Dock Facilities, Town of Essex, Middlesex County, Connecticut, North Cove," on four sheets, dated "November 21, 2013" and last revised on "6-16-16."



**LOCATION MAP** REFERENCE CHART: 12375  
GRAPHIC SCALE IN YARDS  
2000 0 2000

**NOTE:**  
16/ 012/ 05/  
INDICATES  
MAP/BLOCK/LOT

**NOTES:**  
1. ELEVATION DATUM IS MEAN LOW WATER (MLW).  
2. TIDE DATA IS TAKEN FROM 2014 NOAA TIDE TABLES REFERENCE : LYME HIGHWAY BRIDGE. CJL IS TAKEN FROM THE COASTAL JURISDICTIONAL LINE FACT SHEET : ESSEX

3. **PROJECT DESCRIPTION:**  
CONSTRUCT 67±LF OF 5.25-FT WIDE FIXED WOOD PILE AND TIMBER WALKWAY/PIER. CONSTRUCT A 90±FT X 6.25-FT WIDE BATTER BRACED PILE SUPPORTED MAIN TIMBER PIER WITH A 9.25-FT X 9.25-FT RAMP LANDING PLATFORM AND ASSOCIATED RAMP RAILS AND ELECTRIC/WATER UTILITIES POSTS. ALSO CONSTRUCT FOUR 4.25-FT X 30±LF BATTER BRACED PILE SUPPORTED FINGER PIERS WITH ASSOCIATED LADDERS, WATERWARD OF THE HIGH TIDE AND COASTAL JURISDICTION LINES.

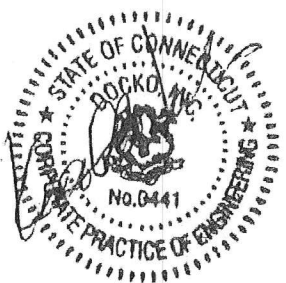
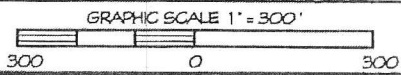
4. **PROJECT PURPOSE:**  
THIS IS A PRIVATE DOCK FOR RECREATIONAL BOATING.

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:**  
SOUTH: THOMAS D. CUNNINGHAM III  
NORTH: BRANT R. SMITH & PAMELA H. JONES  
31 FOXBORO ROAD 17 RIVERVIEW STREET  
ESSEX, CT 06426 ESSEX, CT 06426

**PROJECT:  
NEW DOCK  
FACILITY**

**OVERALL PLAN VIEW**



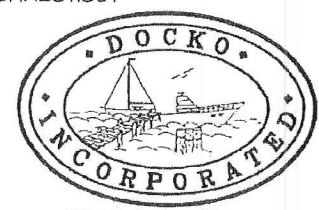
REVISED 7-14-14 DEEP PROJECT DESCRIPTION & AREA DOCKS  
REVISED 6-9-16 DEEP LOT IDENTIFICATIONS  
REVISED 6-16-16 DEEP LOT IDENTIFICATIONS

**PROJECT: NEW DOCK FACILITIES**

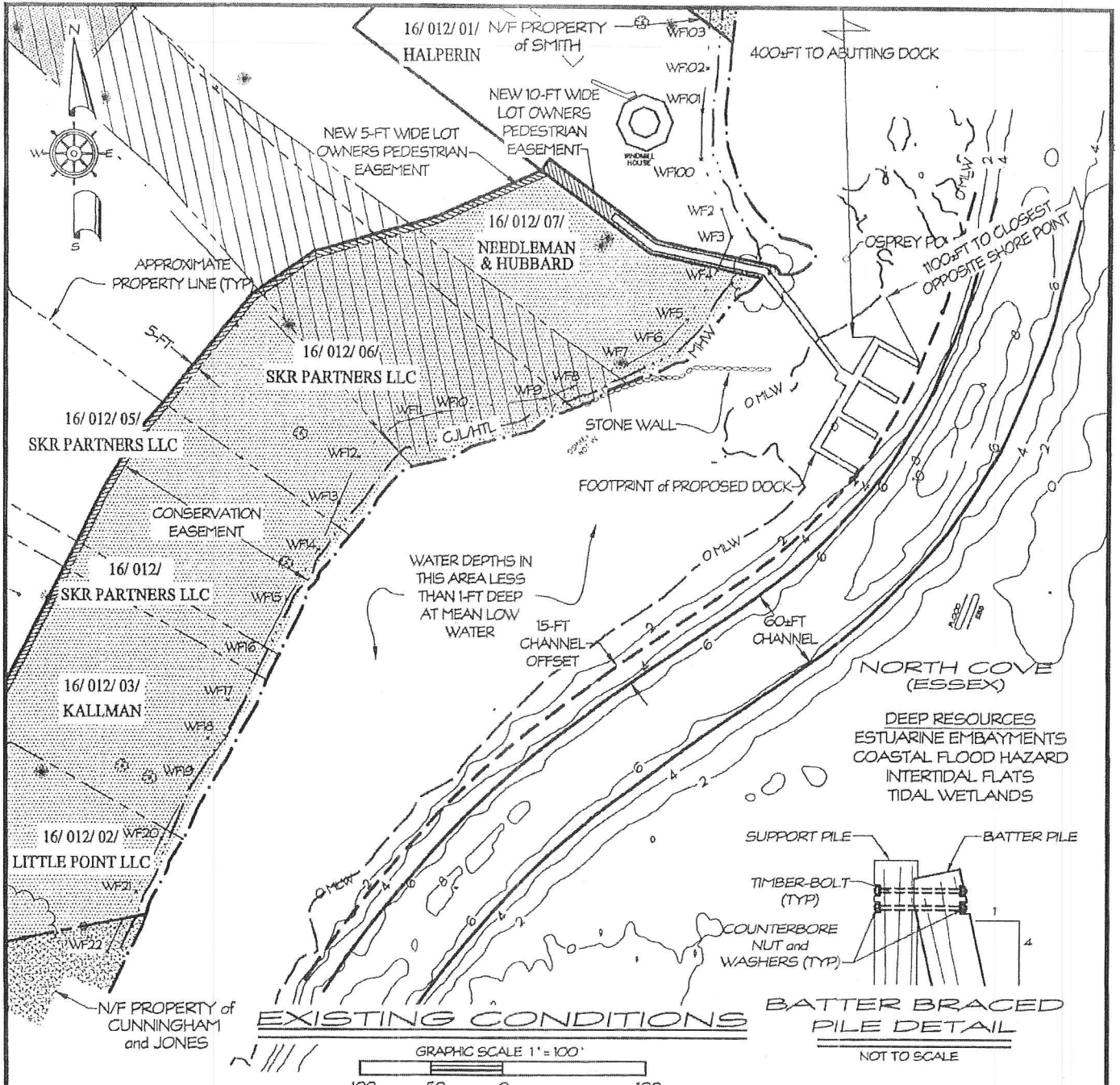
**LOCATION:** TOWN of ESSEX  
MIDDLESEX COUNTY, CONNECTICUT  
**WATERWAY:** NORTH COVE  
**DATE:** NOVEMBER 21, 2013  
**APPLICANT:** SKR PARTNERS LLC

**AGENT:** SHEET 1 OF 4  
**DOCKO, INC.**

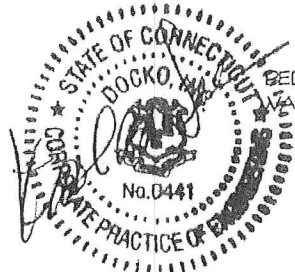
Keith B. Nelson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: office@docko.com



DWG 11-13-2521



TOPOGRAPHIC by SURVEY by RESOURCE MANAGEMENT & MAPPING  
 HYDROGRAPHIC SURVEY by HYDRO DATA INC.  
 SUBDIVISION SURVEY by ANNION SURVEY LLC  
 ELEVATIONS ARE BASED ON MEAN LOW WATER



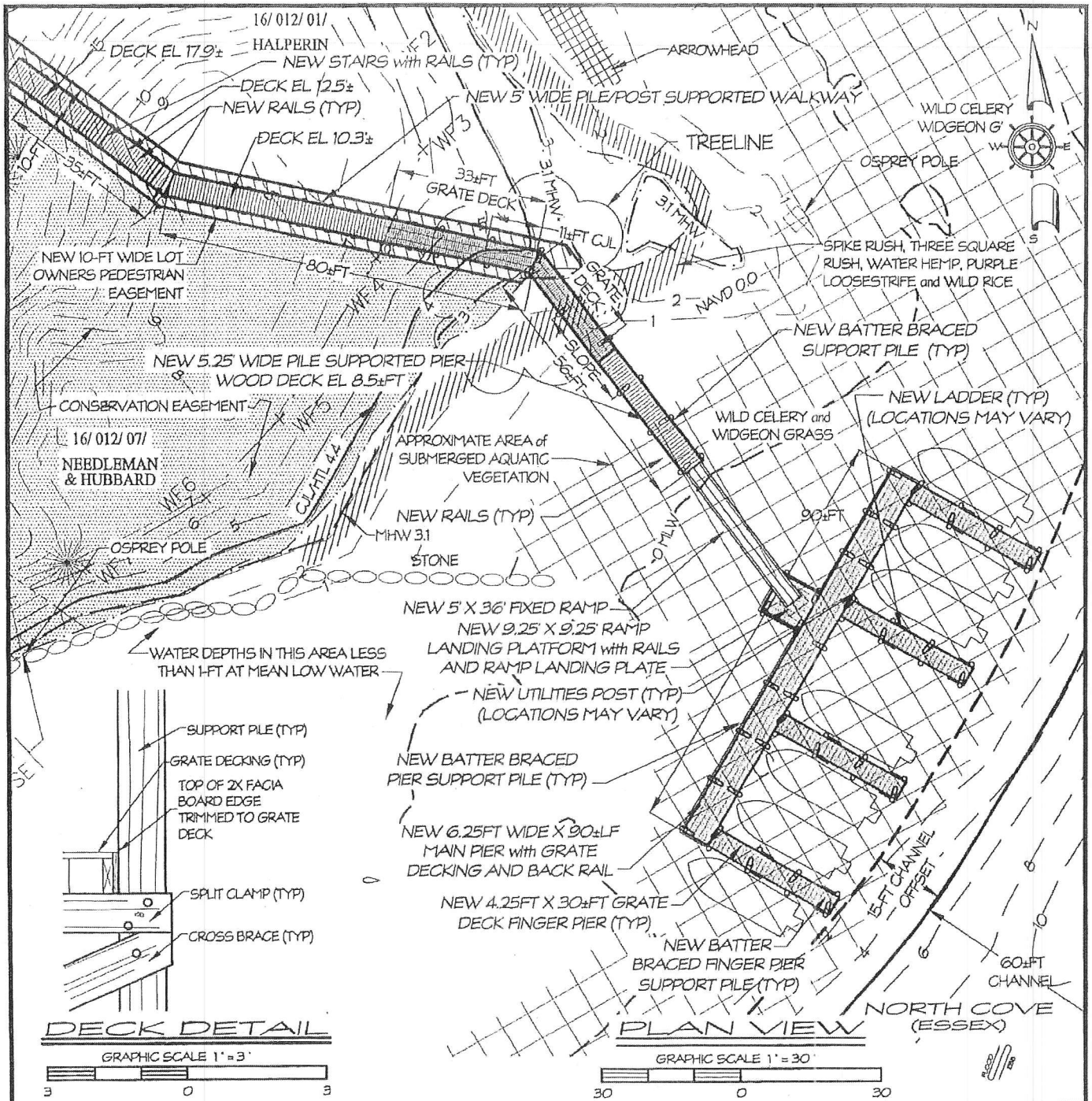
REVISED 07-14-14 DEEP  
FIXED PIER, SAV  
 REVISED 7-17-15 DEEP  
PEDESTRIAN EASEMENTS,  
WALKWAY & BRACED PILE  
DETAIL  
 REVISED 6-16-16 DEEP  
LOT IDENTIFICATIONS

PROJECT: NEW DOCK FACILITIES  
 LOCATION: TOWN OF ESSEX  
MIDDLESEX COUNTY, CONNECTICUT  
 WATERWAY: NORTH COVE  
 DATE: NOVEMBER 21, 2013  
 APPLICANT: SKR PARTNERS LLC

AGENT: SHEET 2 OF 4  
**DOCKO, INC.**  
 Keith B. Nelson, PE  
 Mystic, CT 06355  
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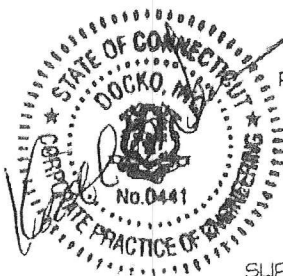
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SURVEY by RESOURCE MANAGEMENT & MAPPING  
 ELEVATIONS ARE BASED ON MEAN LOW WATER

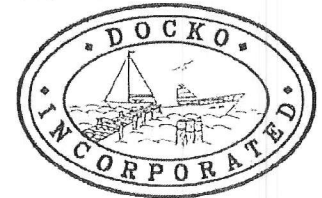
PROJECT: NEW DOCK FACILITIES

LOCATION: TOWN OF ESSEX  
 MIDDLESEX COUNTY, CONNECTICUT  
 WATERWAY: NORTH COVE  
 DATE: NOVEMBER 21, 2013  
 APPLICANT: SKR PARTNERS LLC

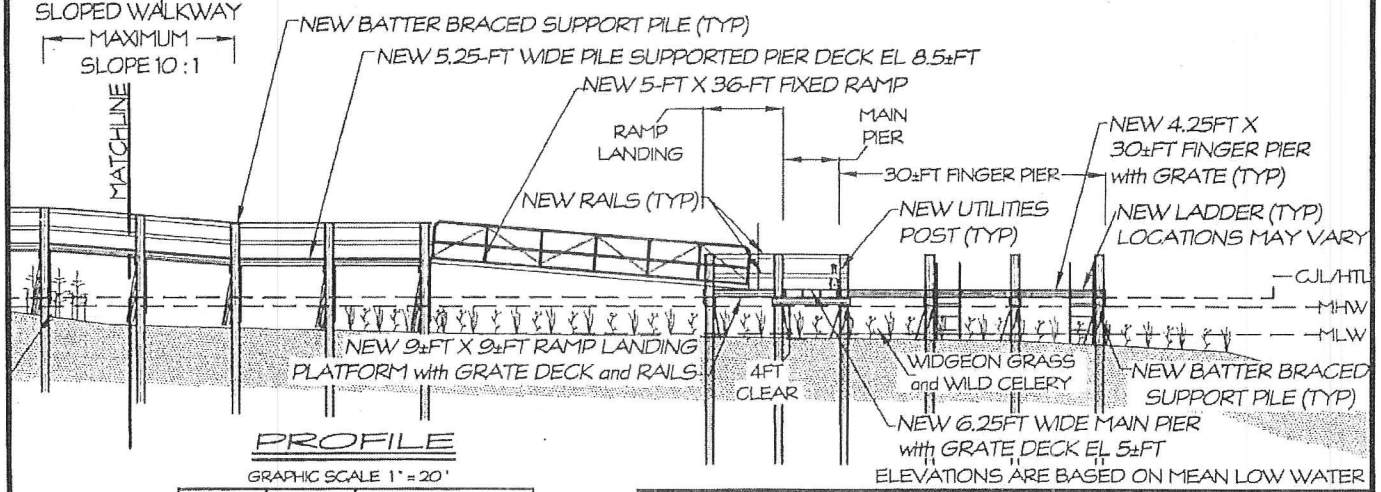
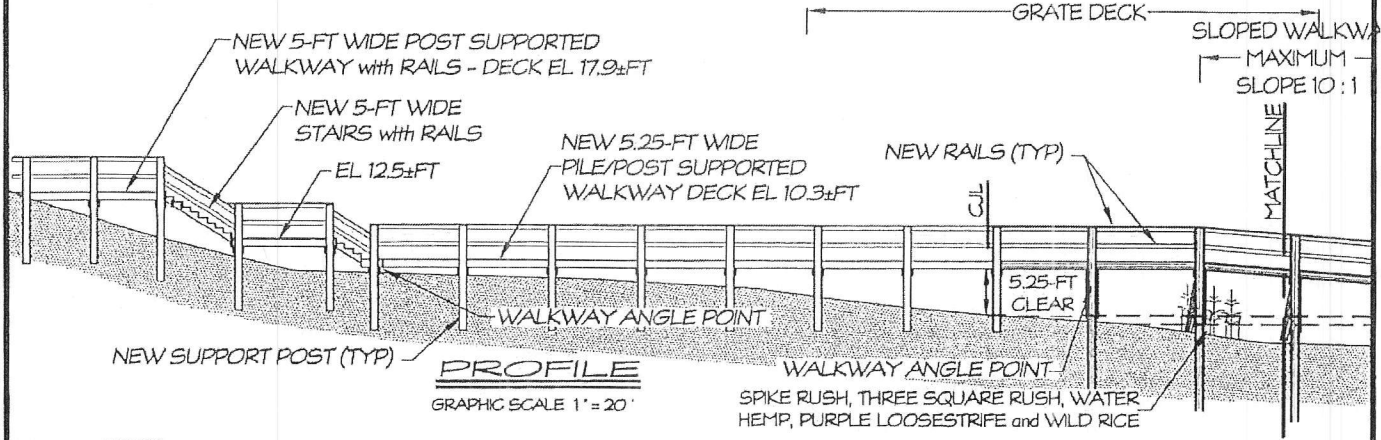
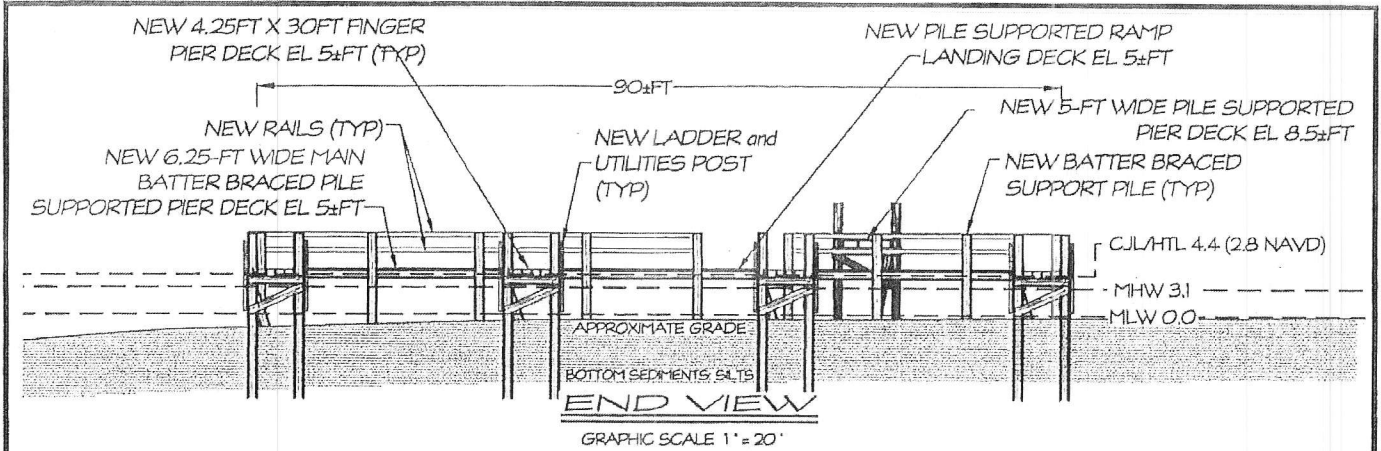


REVISED 07-14-14 DEEP  
 FIXED PIER SAV  
 REVISED 7-17-15 DEEP  
 PEDESTRIAN EASEMENTS  
 & WALKWAY  
 REVISED 11-30-15 DEEP  
 ELEVATION DATUM, PIER  
 ELEVATIONS and  
 VEGETATION CALLOUTS  
 REVISED 6-16-16 DEEP  
 SLIPS & LOT IDENTIFICATIONS

AGENT: SHEET 3 OF 4  
**DOCKO, INC.**  
 Keth B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: office@docko.com



DWG 11-13-2521.03



PROJECT: NEW DOCK FACILITIES

LOCATION: TOWN OF ESSEX  
MIDDLESEX COUNTY, CONNECTICUT

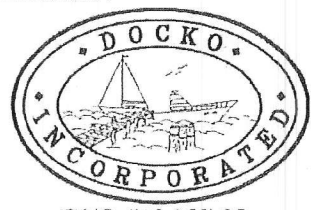
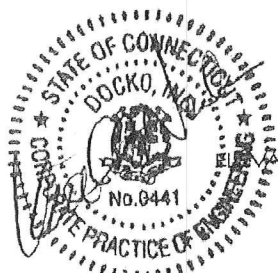
WATERWAY: NORTH COVE

DATE: NOVEMBER 21, 2013

APPLICANT: SKR PARTNERS LLC

AGENT: SHEET 4 OF 4  
**DOCKO, INC.**  
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DWG 11-13-2521.03





### 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		