



**US Army Corps  
of Engineers**  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

**Date: October 12, 2004**

**Comment Period Ends: November 15, 2004**

**File Number: NAE-2004-897**

**In Reply Refer To: Ms. Diane M. Ray**

**Or by e-mail: dmray@usace.army.mil**

**BRUCE AVERY, P.O. BOX 9492, NOANK, CONNECTICUT 06340**, has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act to perform in West Cove at New London, Connecticut as shown on the attached plans entitled, "New Floating Docks and Dredging, Noank, Town of Groton, New London County, Connecticut, West Cove" in seven sheets, dated, "August 27, 2003" and described as follows:

1. Maintenance dredging within an approximately 16,000 square foot area to  $-7.0'$  mean low water. A total of approximately 4,000 c.y. of material will be dredged mechanically and disposed of at either the Central Long Island Sound Disposal Site or at the New London Disposal Site, with capping.

2. Install and maintain an approximately 4' x 18' ramp leading to a line of 6' wide x 220' long, pile-supported floats with seven 4' wide fingers varying in length from 22' to 24'. The entire structure will extend approximately 235' beyond an existing seawall and will provide for fourteen slips.

3. Place approximately 200 c.y. of fill within an approximately 600 s.f. area in conjunction with the reconstruction and maintenance of the existing stone and mortar seawall. Also, install and maintain a new 65 linear feet steel sheet pile bulkhead along the face of the existing stone and mortar seawall for added scour protection as shown on sheet 8 of the attached plans.

The dredging portion of this project will impact approximately 16,000 square feet of Essential Fish Habitat (EFH) at the dredging site and an unspecified area at either of the two disposal sites for various life stages of up to 29 species of fish managed under the Magnuson - Stevens Sustainable Fisheries Act. The nature and duration of the loss of this EFH is being assessed. The designated EFH at the dredge site is described as silty sand with some glacial till. Loss of these habitats may adversely affect life stages of one or more of the species listed below by their elimination or degradation due to sediment resuspension and dispersion, alteration of sediment deposition patterns and sediment types as well as the increased vessel traffic associated with the marina creation. There is no mitigation proposed.

Dredged material disposal is proposed for either the Central Long Island Sound Disposal Site or the New London Disposal Site. Both are open water sites, which provide Essential Fish Habitat for up to 29 species managed under the MSA (see the attached list of species and life stages). Both the disposal sites have been used previously and so the sediments are a mixture of sediment types ranging from silt clays to cobble. Degradation or loss of these habitats may adversely affect life stages of one or more of the species listed below by their elimination or alteration due to sediment resuspension and dispersion, alteration of the seabed topography or sediment type(s). 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 and appropriate conservation recommendations is being conducted and will be concluded prior to the final decision.

This project is located on the USGS Mystic quadrangle sheet at UTM coordinates 45786 N and 07492 E.

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 Diane M. Ray at (978) 318-8831, (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.

SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS



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

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.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

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)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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.

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 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.**

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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: \_\_\_\_\_

## Summary of Essential Fish Habitat (EFH) Designation

### 10' x 10' Square Coordinates:

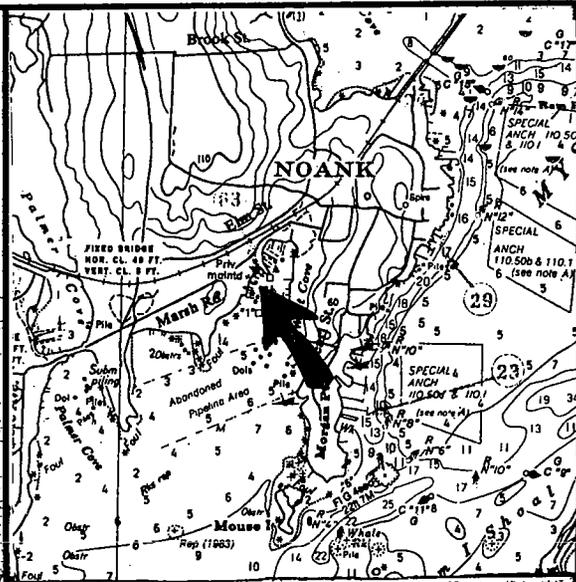
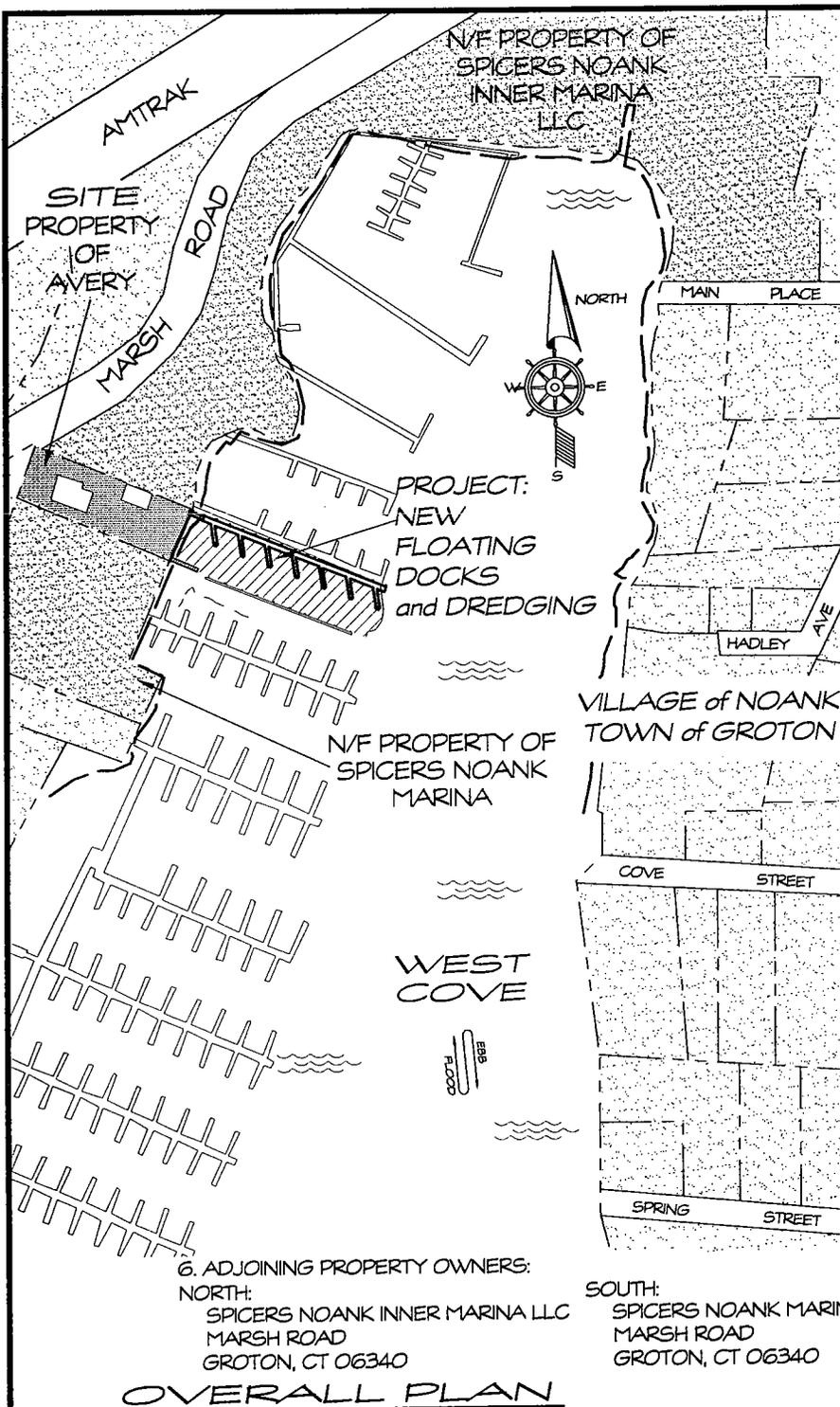
Boundary	North	East	South	West
Coordinates:	41° 20.0' N	71° 50.0' W	41° 10.0' N	72° 00.0' W
	41° 20.0' N	72° 00.0' W	41° 10.0' N	72° 10.0' W
	41° 10.0' N	72° 50.0' W	41° 00.0' N	73° 00.0' W

Square Description (i.e. habitat, landmarks, coastline markers): The waters within the square are within the Connecticut River estuary affecting the following: from just east of Watch Hill, RI to Noank, CT., including the waters affecting Little Narragansett Bay, Fishers Island Sound, the eastern 2/3s of Fishers Island, the southern half of Masons Island, Pawcatuck Point in RI, Ram Island, Napatree Point, and the tip of Wamphassuck Point. These waters also affect the following: the southern part of Stonington, CT, south of Mystic and West Mystic, Hill Rock, Catumb Rock, Dodges Island and Libby Island. Additionally, the waters around the New London Dump site include the Connecticut River estuary affecting the following: the northeast tip of Plum I., Great Gull I., Little Gull I., the western third of Fishers I., Flat Hammock, South Dumpling, and North Dumpling. This action may affect, also the waters south of Groton, CT., from Groton Long Point to Millstone Point just east of Niantic Bay, including south of the entrance to New Long Harbor, and south of the following: Mumford Point, Poquonock Point, Avery East Point, Eastern Point, and Goshen Point. In addition, these waters affect the following: western Fishers Island Sound, North Hill and Hay Harbors, New London Harbor, western West Harbor, Silver Eel Cove, Mumford Cove, and the entrance to the Thames River. Finally, the following features are affected: Constellation Rock, Old Silas Rock, Valiant Rock, Little Goshen Reef, Two tree I., Two tree I. Channel, Bartlett Reef, Goshen Ledge, Rapid Rock, Flat Rock, High Rock, Cormorant Rock, Sarah Ledge, Black Ledge, Vixen Ledge, New London Ledge, Black Ledge, Pine I., Pine I. Channel, Frank Ledge, Black Rock, Jordan Cove, and Pleasure Beach, along with a dumping ground just south of New London Harbor. This square includes the NLDS. The final grid square includes the waters due south of the New Haven square and contains the CLIS disposal area.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
Atlantic cod ( <i>Gadus morhua</i> )				X
pollock ( <i>Pollachius virens</i> )			X	X
whiting ( <i>Merluccius bilinearis</i> )				X
red hake ( <i>Urophycis chuss</i> )	X	X	X	X
redfish ( <i>Sebastes fasciatus</i> )	n/a			
winter flounder ( <i>Pleuronectes americanus</i> )	X	X	X	X
windowpane flounder ( <i>Scopthalmus aquosus</i> )	X	X	X	X

American plaice ( <i>Hippoglossoides platessoides</i> )			X	X
Atlantic sea herring ( <i>Clupea harengus</i> )			X	X
bluefish ( <i>Pomatomus saltatrix</i> )			X	X
long finned squid ( <i>Loligo pealei</i> )	n/a	n/a		X
short finned squid ( <i>Illex illecebrosus</i> )	n/a	n/a		X
Atlantic butterfish ( <i>Peprilus triacanthus</i> )			X	X
Atlantic mackerel ( <i>Scomber scombrus</i> )	X	X	X	X
summer flounder ( <i>Paralichthys dentatus</i> )		X	X	X
scup ( <i>Stenotomus chrysops</i> )	X	X	X	X
black sea bass ( <i>Centropristus striata</i> )	n/a		X	X
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		
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		
dusky shark ( <i>Charcharinus obscurus</i> )			X	
bluefin tuna ( <i>Thunnus thynnus</i> )				X
little skate ( <i>Raja erinacea</i> )			X	X
Winter skate ( <i>Raja ocellata</i> )			X	X





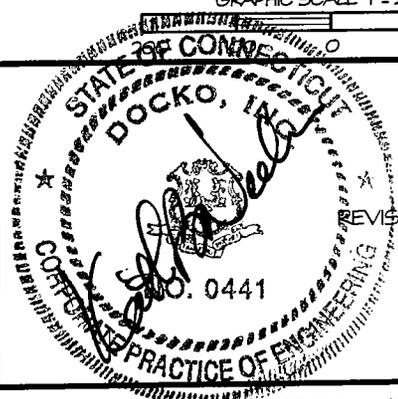
**LOCATION MAP** REFERENCE CHART: 12572 GRAPHIC SCALE IN YARDS

- NOTES:**
- ELEVATION DATUM IS MEAN LOW WATER.
  - TIDE DATA IS TAKEN FROM 2003 NOAA TIDE TABLES REFERENCE : NOANK, MYSTIC RIVER. ONE YEAR TIDAL FLOOD ELEVATION IS APPROXIMATED FROM THE U.S. ACOE TIDAL FLOOD PROFILE DATED 1988.
  - PROJECT DESCRIPTION:**  
DREDGE 4,000±CY OF SAND, MUD AND ROCKS OVER 17,000±SF, TO -7-FT WITH 1-FT OVERDREDGE ALLOWANCE OF 1,000±CY BY CLAM SHELL BUCKET FOR OPEN WATER DISPOSAL AT THE NEW LONDON OPEN WATER DISPOSAL SITE. CONSTRUCT 220±LF OF 6-FT WIDE MAIN FLOAT WITH SEVEN 4-FT WIDE FINGER FLOATS INCLUDING ASSOCIATED HINGED RAMP AND RESTRAINT PILING. RECONSTRUCT AN EXISTING STONE AND MORTAR SEAWALL, 200±CY OVER 600±SF WITH A NEW STEEL SHEET PILE RETAINING WALL. ALL AT OR WATERWARD OF THE HIGH TIDE LINE.
  - PROJECT PURPOSE:**  
THIS IS A NEW COMMERCIAL DOCK SYSTEM AND DREDGE PROJECT TO ACCOMMODATE RECREATIONAL AND COMMERCIAL BOATING.
  - THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.

**ADJOINING PROPERTY OWNERS:**  
 NORTH:  
 SPICERS NOANK INNER MARINA LLC  
 MARSH ROAD  
 GROTON, CT 06340

**SOUTH:**  
 SPICERS NOANK MARINA  
 MARSH ROAD  
 GROTON, CT 06340

**OVERALL PLAN**  
 GRAPHIC SCALE T = 200



REVISED 6-16-04 D.I. ABUTTING FLOAT  
 REVISED 8-19-04 B.A. DESCRIPTION  
 REVISED 9-23-04 ACOE & DEP DESCRIPTION

**PROJECT:** NEW FLOATING DOCKS and DREDGING

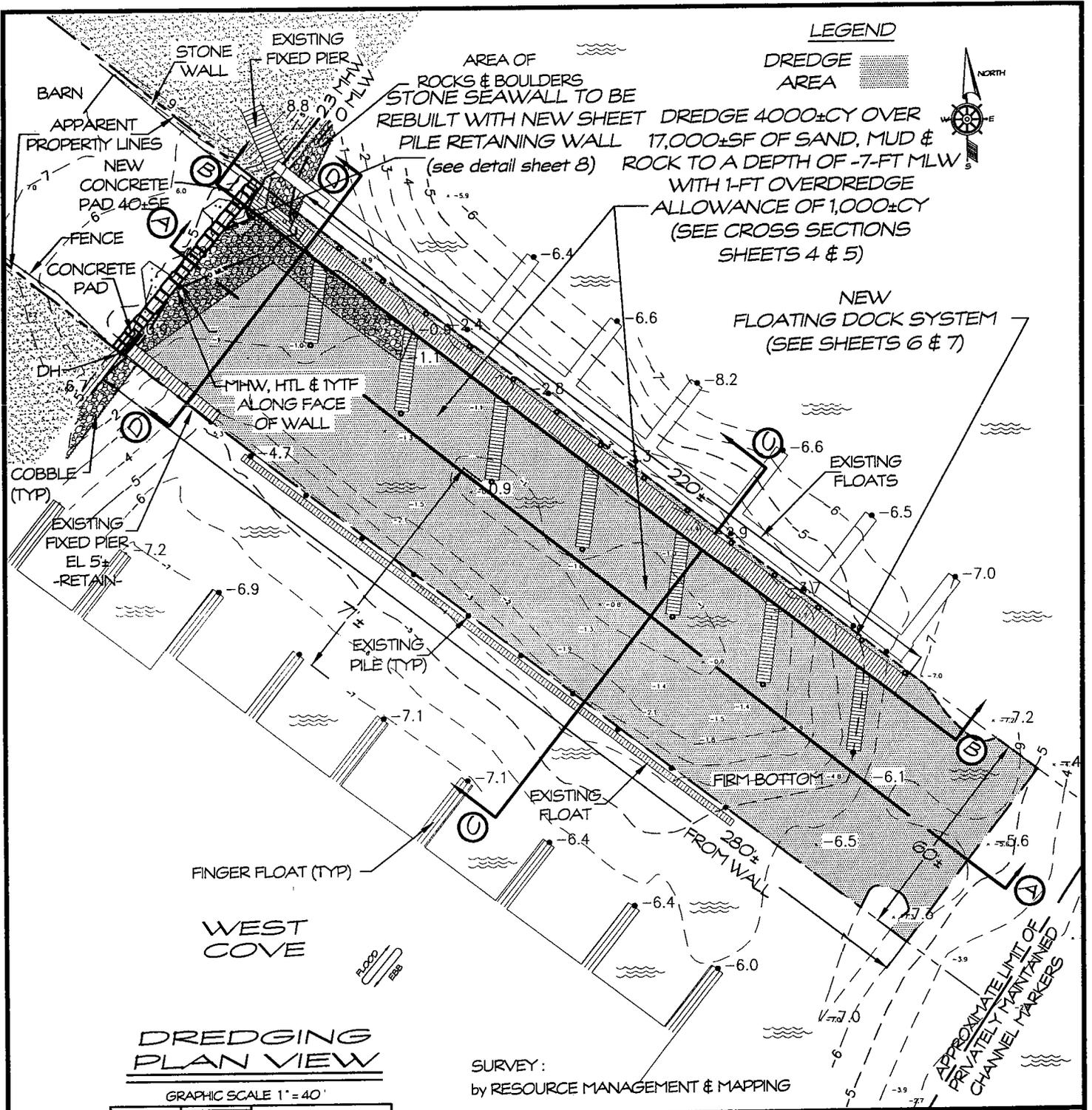
**LOCATION:** NOANK, TOWN of GROTON, NEW LONDON COUNTY, CONNECTICUT

**WATERWAY:** WEST COVE  
**DATE:** AUGUST 27, 2003  
**APPLICANT:** BRUCE AVERY

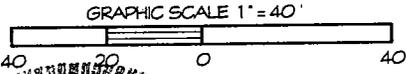
**AGENT:** SHEET 1 OF 8  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net



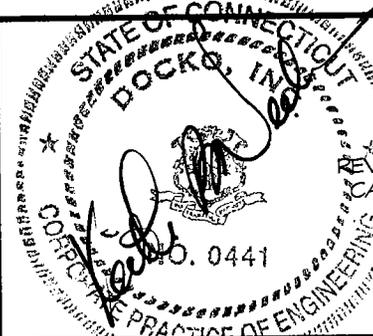
DWG 03-03-1403.01



**DREDGING  
PLAN VIEW**

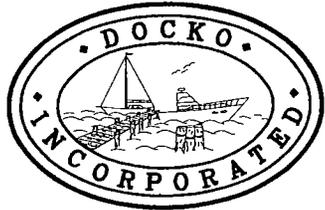


SURVEY:  
by RESOURCE MANAGEMENT & MAPPING

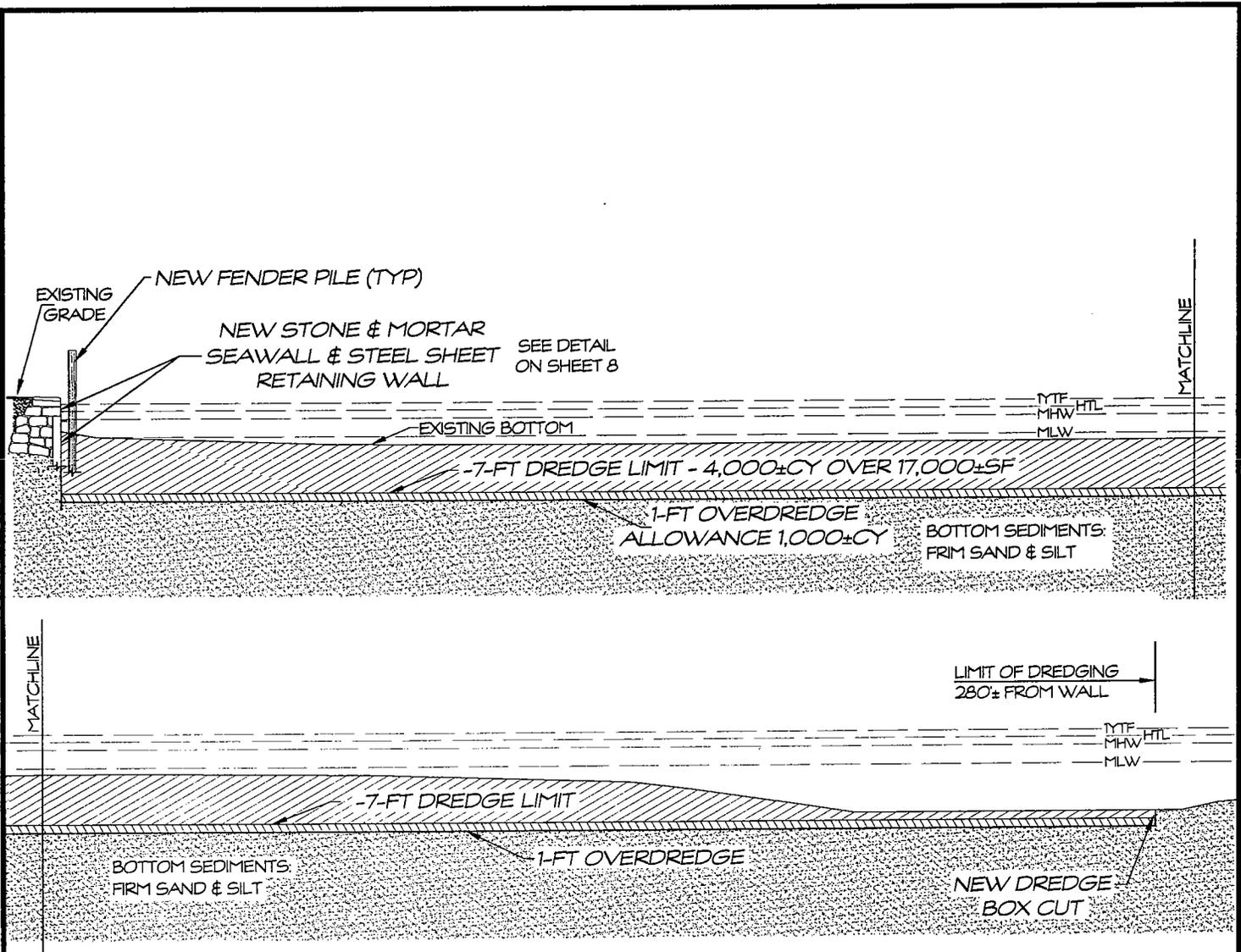


REVISED 6-16-04 D.I.  
ABUTTING FLOAT  
REVISED 8-19-04 B.A.  
SEAWALL MODIFICATIONS  
REVISED 9-23-04 ACOE & DEP  
CALLOUTS & CONCRETE PAD

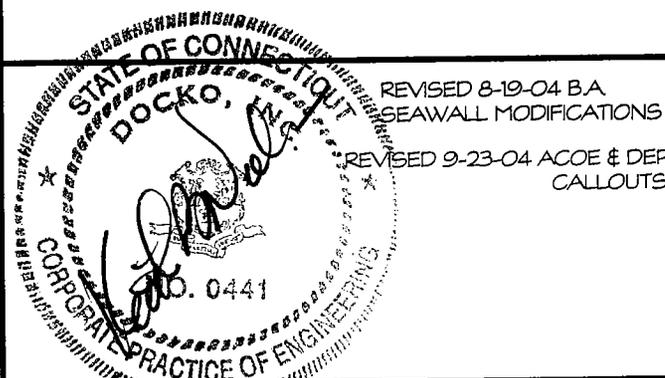
PROJECT: NEW FLOATING DOCKS and DREDGING  
 LOCATION: NOANK TOWN of GROTON  
 NEW LONDON COUNTY, CONNECTICUT  
 WATERWAY: WEST COVE  
 DATE: AUGUST 27, 2003  
 APPLICANT: BRUCE AVERY  
 AGENT: SHEET 3 OF 7  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net



DWG 03-03-1403

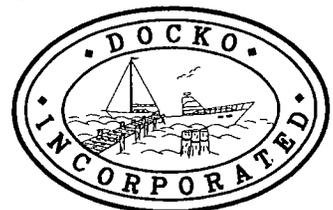


**SECTION A-A  
DREDGE PROFILE**

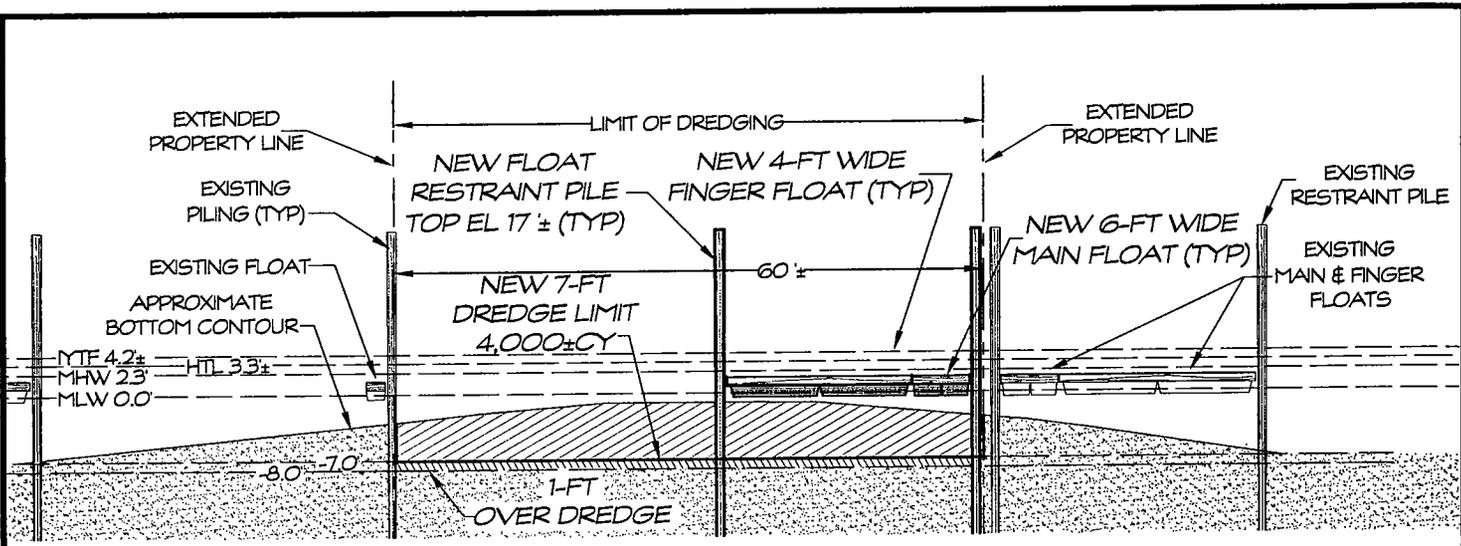


REVISED 8-19-04 B.A.  
SEAWALL MODIFICATIONS  
REVISED 9-23-04 ACOE & DEP  
CALLOUTS

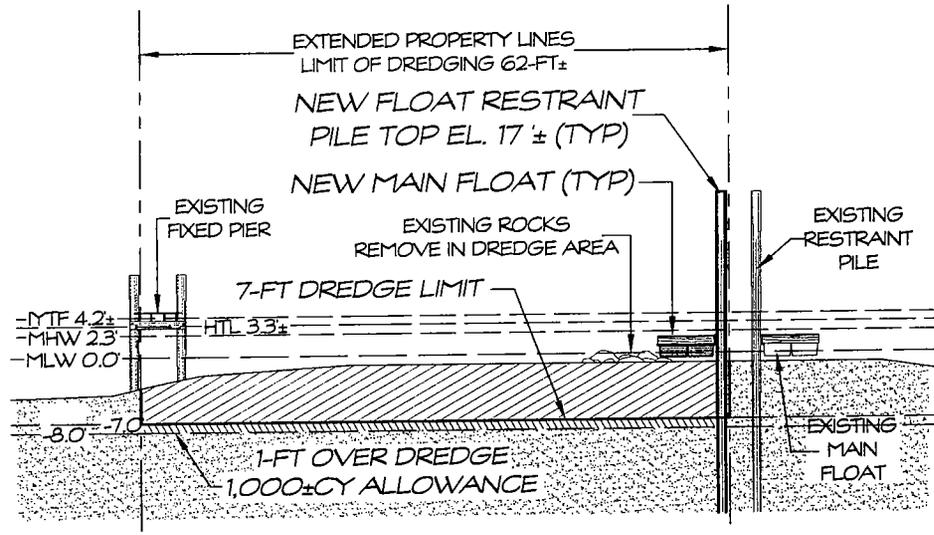
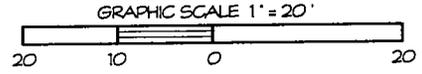
PROJECT: NEW FLOATING DOCKS and DREDGING  
 LOCATION: NOANK, TOWN of GROTON  
 NEW LONDON COUNTY, CONNECTICUT  
 WATERWAY: WEST COVE  
 DATE: AUGUST 27, 2003  
 APPLICANT: BRUCE AVERY  
 AGENT: SHEET 4 OF 8  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net



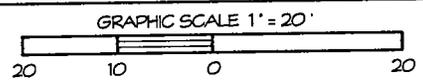
DWG 03-03-1403



**SECTION C-C  
DREDGE & FLOAT PROFILE**

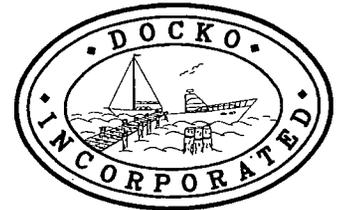


**SECTION D-D  
DREDGE & FLOAT PROFILE**

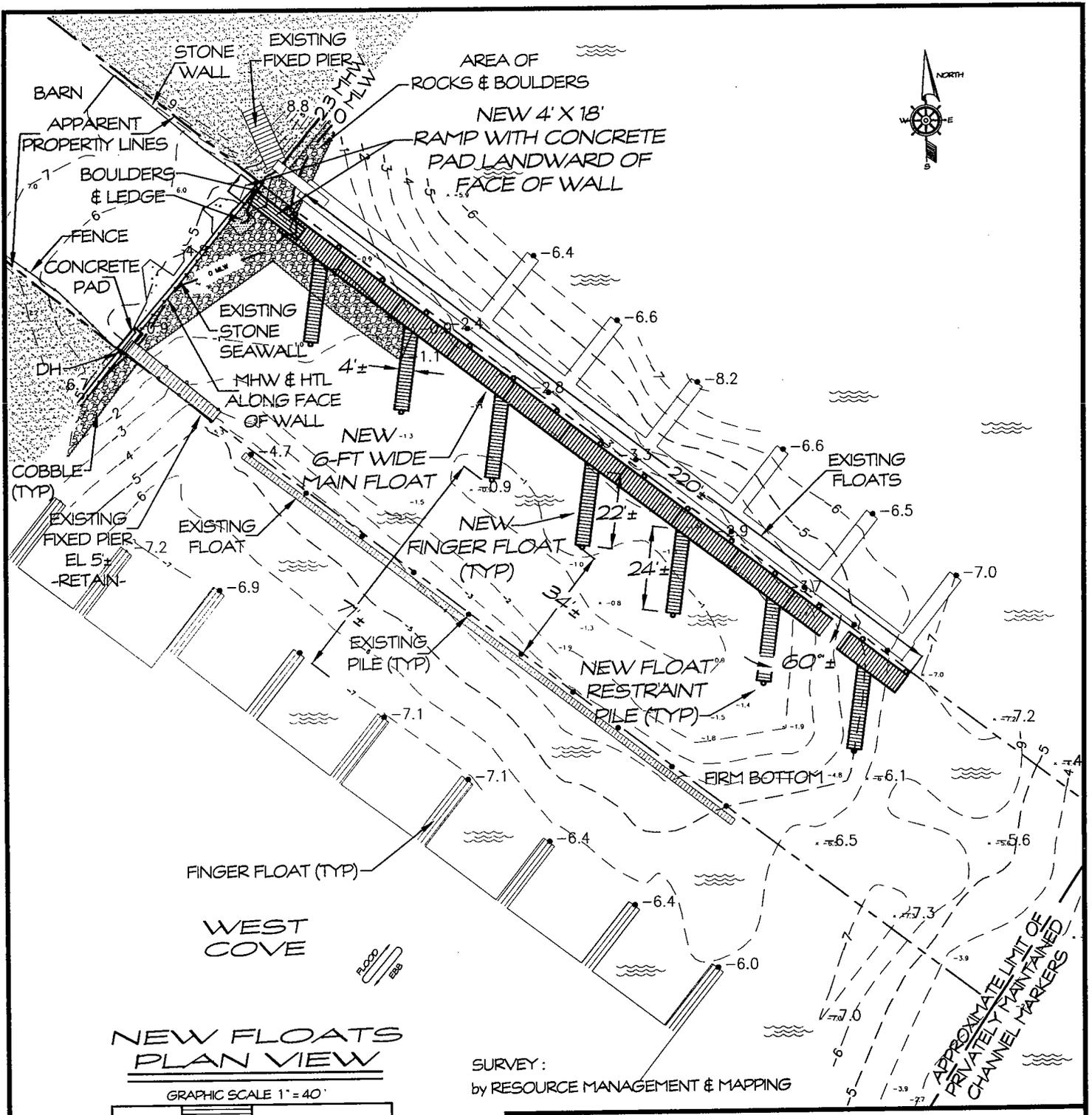


REVISED 6-16-04 D.I.  
ABUTTING FLOAT  
REVISED 9-23-04 ACOE & DEP  
CALLOUTS & DIMENSION

PROJECT:	NEW FLOATING DOCKS and DREDGING
LOCATION:	NOANK TOWN of GROTON NEW LONDON COUNTY, CONNECTICUT
WATERWAY:	WEST COVE
DATE:	AUGUST 27, 2003
APPLICANT:	BRUCE AVERY
AGENT:	SHEET 5 OF 8 <b>DOCKO, INC.</b> Keith B. Neilson, PE Mystic, CT 06355 860 572 8939 FAX 860 572 7569 EMAIL: docko@snet.net



DWG 03-03-1403



PROJECT: NEW FLOATING DOCKS and DREDGING

LOCATION: NOANK TOWN of GROTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: WEST COVE

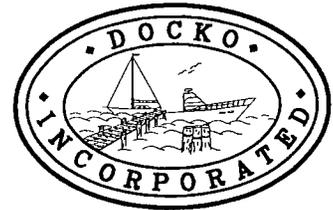
DATE: AUGUST 27, 2003

APPLICANT: BRUCE AVERY

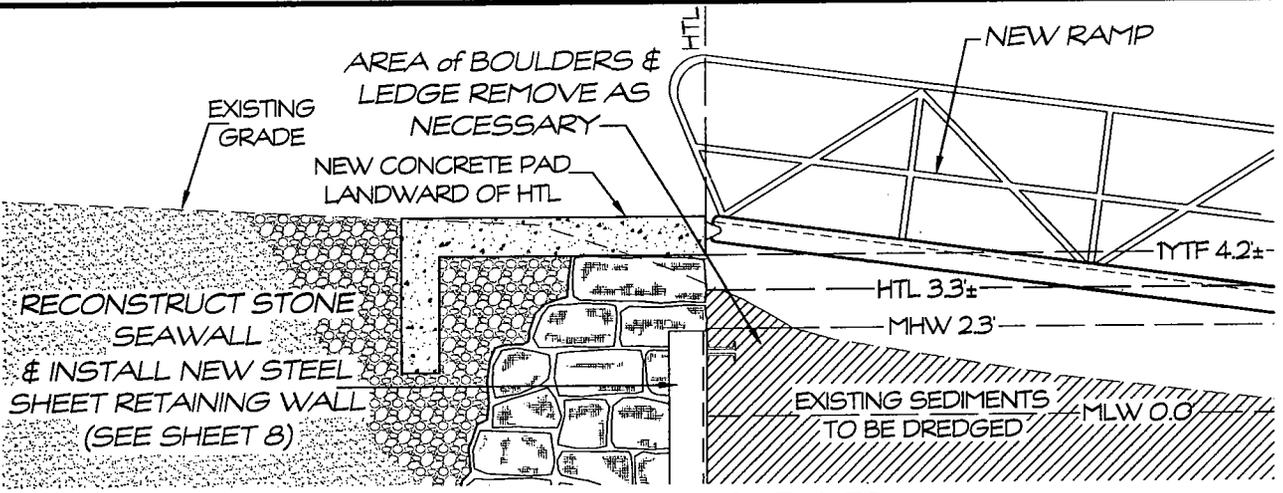
AGENT: SHEET 6 OF 8  
**DOCKO, INC.**  
Keith B. Neilson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: docko@snet.net

STATE OF CONNECTICUT  
DOCKO, INC.  
CORPORATE PRACTICE OF ENGINEERING  
0441

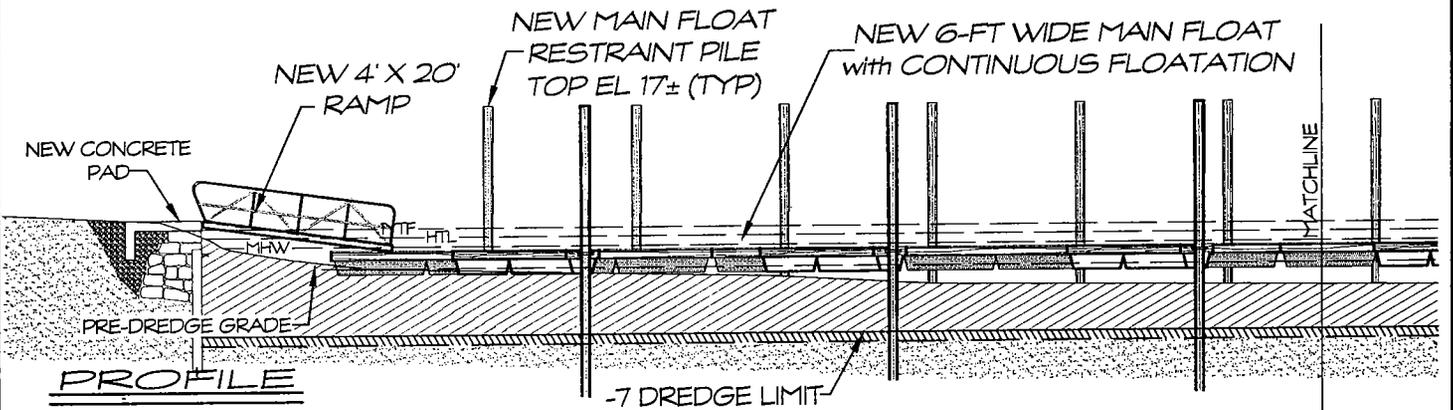
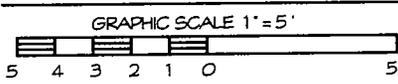
REVISED 6-16-04 D.I. ABUTTING FLOAT  
REVISED 9-23-04 ACOE & DEP CALLOUTS



DWG 03-03-1403

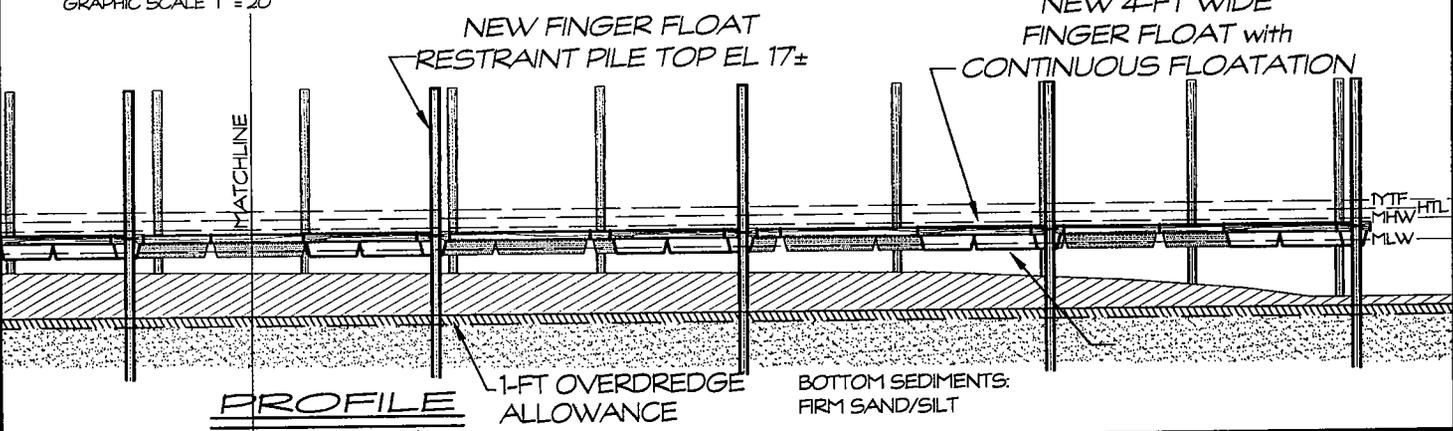


**CONCRETE PAD and RAMP DETAIL**



**PROFILE**

GRAPHIC SCALE 1"=20'



**PROFILE**

GRAPHIC SCALE 1"=20'

STATE OF CONNECTICUT  
 PROFESSIONAL ENGINEER  
 NO. 0441  
 DOCKO, INC.  
 CORPORATE PRACTICE OF ENGINEERING

REVISED 5-17-04 B.A.  
 NEW SHEET, NEW DECK  
 NEW WALL, SHEET PILE,  
 DREDGE AREA & BOULDER  
 LEDGE REMOVAL

REVISED 8-19-04 B.A.  
 SEAWALL MODIFICATIONS

REVISED 9-23-04 ACOE & DEP  
 WALL DETAILS

PROJECT: NEW FLOATING DOCKS and DREDGING

LOCATION: NOANK TOWN of GROTON  
 NEW LONDON COUNTY, CONNECTICUT

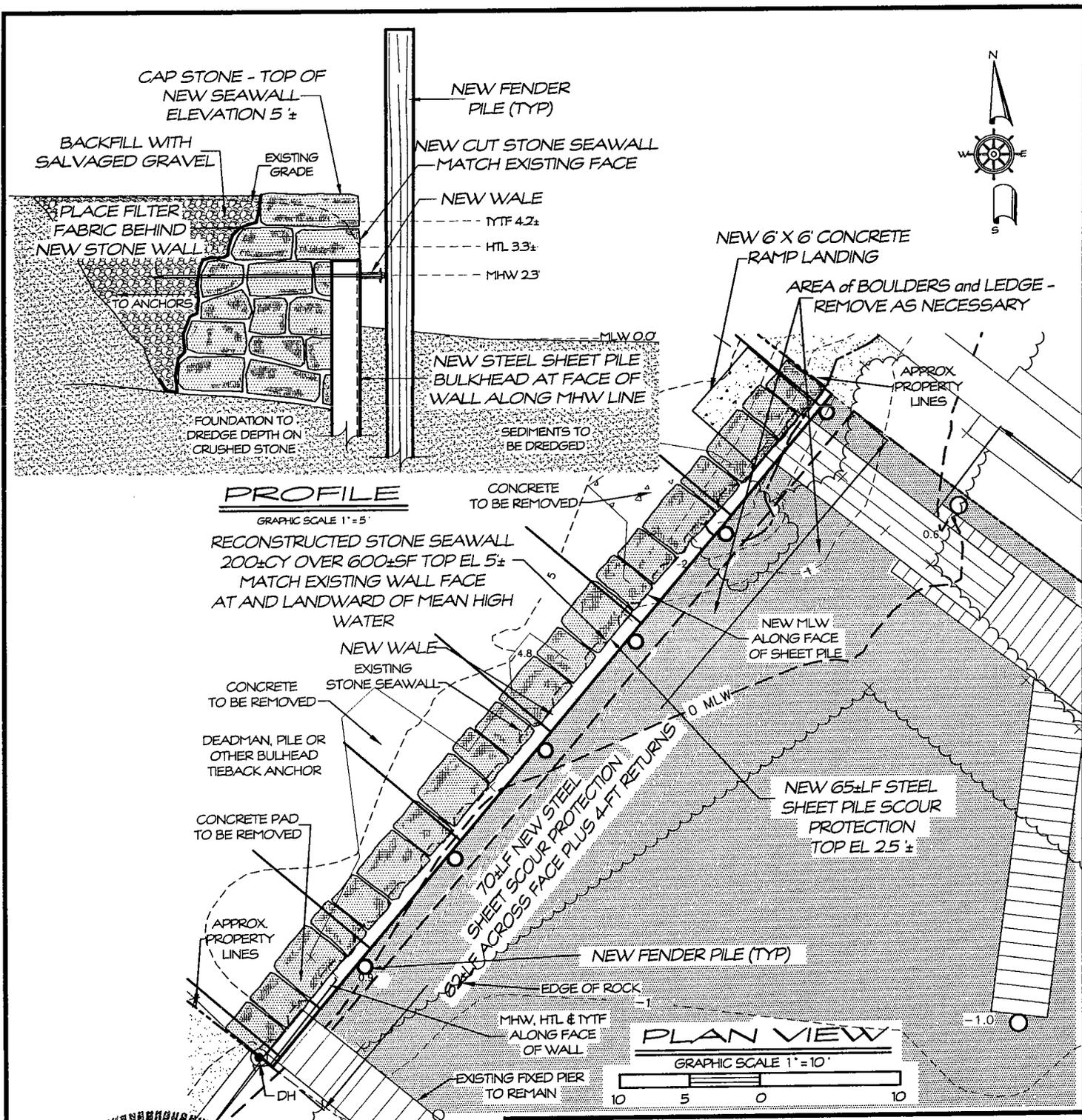
WATERWAY: WEST COVE

DATE: AUGUST 27, 2003

APPLICANT: BRUCE AVERY

AGENT: SHEET 7 OF 8  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
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DWG 03-03-1403



**PROFILE**

GRAPHIC SCALE 1" = 5'

RECONSTRUCTED STONE SEAWALL  
 200±CY OVER 600±SF TOP EL 5±  
 MATCH EXISTING WALL FACE  
 AT AND LANDWARD OF MEAN HIGH  
 WATER

NEW WALE  
 EXISTING  
 STONE SEAWALL

CONCRETE  
 TO BE REMOVED

DEADMAN, PILE OR  
 OTHER BULHEAD  
 TIEBACK ANCHOR

CONCRETE PAD  
 TO BE REMOVED

CONCRETE  
 TO BE REMOVED

NEW 6' X 6' CONCRETE  
 RAMP LANDING

AREA of BOULDERS and LEDGE -  
 REMOVE AS NECESSARY

APPROX  
 PROPERTY  
 LINES

NEW MLW  
 ALONG FACE  
 OF SHEET PILE

NEW 65± LF STEEL  
 SHEET PILE SCOUR  
 PROTECTION  
 TOP EL 2.5±

NEW FENDER PILE (TYP)

EDGE OF ROCK  
 -1

MHW, HTL & TYF  
 ALONG FACE  
 OF WALL

EXISTING FIXED PIER  
 TO REMAIN

**PLAN VIEW**

GRAPHIC SCALE 1" = 10'



SUBMITTAL  
 STATE OF CONNECTICUT  
 DEPARTMENT OF ENVIRONMENT & MAPPING

**DOCKO, INC.**

REVISED 5-17-04 B.A.  
 NEW SHEET, NEW DECK,  
 NEW WALL, SHEET PILE  
 & DREDGE AREA

REVISED 8-19-04 B.A.  
 SEAWALL MODIFICATIONS

REVISED 9-23-04 ACOE & DEP  
 WALL DETAILS

0441

CORPORATE PRACTICE OF ENGINEERING

PROJECT: NEW FLOATING DOCKS and DREDGING

LOCATION: NOANK TOWN of GROTON  
 NEW LONDON COUNTY, CONNECTICUT

WATERWAY: WEST COVE

DATE: AUGUST 27, 2003

APPLICANT: BRUCE AVERY

AGENT: SHEET 8 OF 8

**DOCKO, INC.**

Keith B. Neilson, PE  
 Mystic, CT 06355  
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 EMAIL: docko@snet.net

DWG 03-03-1403

