



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

# PUBLIC NOTICE

**Comment Period Begins: April 14, 2020**

**Comment Period Ends: May 14, 2020**

**File Number:** NAE-2005-00499

**In Reply Refer To:** Christina Comeau

**Phone:** (978) 318-8705

**E-mail:** Christina.M.Comeau@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from Pine Island Real Estate, LLC, 3 Essex Square, Essex, CT. This work is proposed in Pine Island Bay at 916 Shennecossett Road, Groton, Connecticut. The site coordinates are: Latitude 41.319754 Longitude -72.059200.

The project work involves the removal of an 8' wide by 121' long floating dock, an 8' wide by 100' long floating dock with (2) finger floats, (8) 4' wide by 20' long finger floats, a 4' wide by 30' long finger float, and the associated pilings. Also the construction and maintenance of an 8' wide by 563' long floating dock, (33) 4' wide by 24' long finger floats, (3) 4' wide by 30' long finger floats, an 8' wide by 24' long finger float, an 8' wide by 48' long finger float, an 8' wide by 12' long concrete ramp landing, a 3.5' wide by 24' long ramp, and (70) tie-off pilings. (150) 12" Class B Southern Yellow Pine piles will be driven with a suspended air hammer by a barge mounted crane during construction of this project. The purpose of this project is to increase the amount of vessels that the marina can accommodate. This expansion will provide space for approximately 50 recreational vessels.

The work is shown on the enclosed plans entitled "NEW DOCK SYSTEM, CITY OF GROTON, NEW LONDON COUNTY, CONNECTICUT, PINE ISLAND BAY," on 5 sheets, and dated "OCTOBER 8, 2015, REVISED 2-10-20."

No compensatory mitigation has been proposed for this project. Special conditions will be included in the permit authorization to minimize impacts to Endangered Species Act listed species and essential fish habitat in the project area.

## 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

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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 U.S. Army Corps of Engineers, New England District (Corps), 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. The Corps will consider all comments received 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.

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.

### **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). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

This project will impact 1.03 acres of EFH. This habitat consists of sandy shallow waters. Loss of this habitat may adversely affect species that use these waters and substrate. 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

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Officer(s).

**ENDANGERED SPECIES CONSULTATION**

The Corps has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. 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 a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

**OTHER GOVERNMENT AUTHORIZATIONS**

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.
- (X) Permit from local wetland agency or conservation commission.
- ( ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

**COMMENTS**

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 Christina M. Comeau at (978) 318-8705, (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.

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**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

*Kevin R Kotelly*

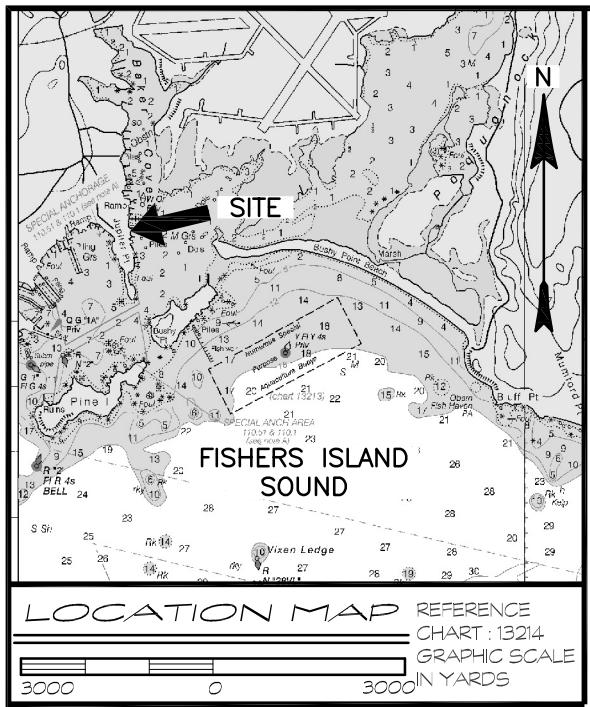
**Kevin R. Kotelly, P.E.  
Chief, Permits and Enforcement Branch  
Regulatory Division**

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](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: \_\_\_\_\_

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



NOTES:

1. ELEVATION DATUM IS MEAN LOW WATER (MLW).
2. TIDE DATA IS TAKEN FROM 2019 NOAA TIDE TABLES REFERENCE : NEW LONDON. CJL IS TAKEN FROM THE COASTAL JURISDICTIONAL LINE FACT SHEET : GROTON
3. PROJECT DESCRIPTION: CONSTRUCT 47±LF OF 4-Ft WIDE PILE AND TIMBER PIER WITH THRUFLOW DECKING, RAILS AND WATER AND ELECTRIC UTILITIES, INSTALL AN 8-Ft X 20-Ft FLOAT WITH ASSOCIATED HINGED ACCESS RAMP, RESTRAINT PILES AND TWO TIE-OFF PILES WITH TIDE SLIDES. ALSO INSTALL A PILE SUPPORTED BOAT LIFT AND A PILE MOUNTED DOUBLE PWC LIFT. WATERWARD OF THE MEAN HIGH WATER AND COASTAL JURISDICTION LINES.
4. PROJECT PURPOSE: THIS IS A PRIVATE DOCK FOR RECREATIONAL BOATING.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILED SURVEY FOR ENVIRONMENTAL PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. A CITY BUILDING PERMIT MAY BE REQUIRED.

6. ADJOINING PROPERTY OWNERS:

NORTH:

JEAN HART & DANIEL O'BANION  
106 JUPITER POINT RD  
GROTON, CT 06340

SOUTH:

TERRY TSANG & LING WAI  
120 JUPITER POINT RD  
GROTON, CT 06430

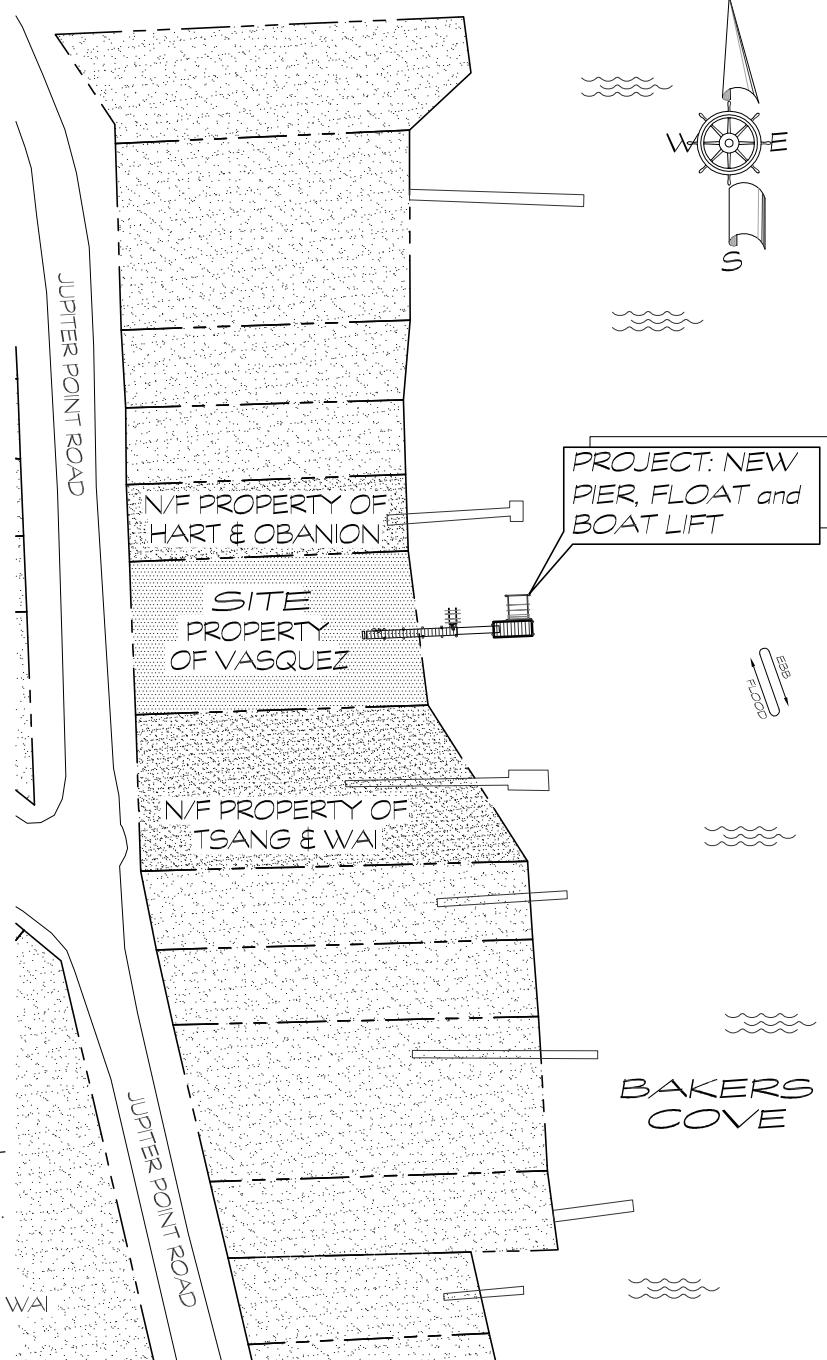
### OVERALL PLAN

GRAPHIC SCALE 1" = 100'

100 50 0 100

REVISED 11-18-19 GROTON HMC  
TITLE BLOCK

REVISED 12-03-19 PROJECT  
DESCRIPTION



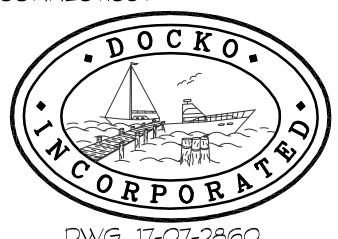
PROJECT: NEW PIER, RAMP AND FLOAT

LOCATION: JUPITER POINT - CITY of GROTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: BAKERS COVE  
DATE: AUGUST 6, 2018  
APPLICANT: JUAN VASQUEZ

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

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



DWG 17-07-2860



## EXISTING CONDITIONS

GRAPHIC SCALE 1" = 20'

REVISED 11-18-19 GROTON HMC  
TITLE BLOCK  
REVISED 12-03-19  
CALL OUTS & PROPOSED PIER

**PROJECT: NEW PIER, RAMP AND FLOAT**

LOCATION: JUPITER POINT - CITY of GROTON

NEW LONDON COUNTY, CONNECTICUT

DATE: AUGUST 6, 2018

AUGUST 2014

AGENT: SHEET 2 OF 4

DOCKS,  
KUHN & CO., BE

Keith B. Neilson, PE  
Middletown, CT 06467

Mystic, CT 06355  
860-572-3333

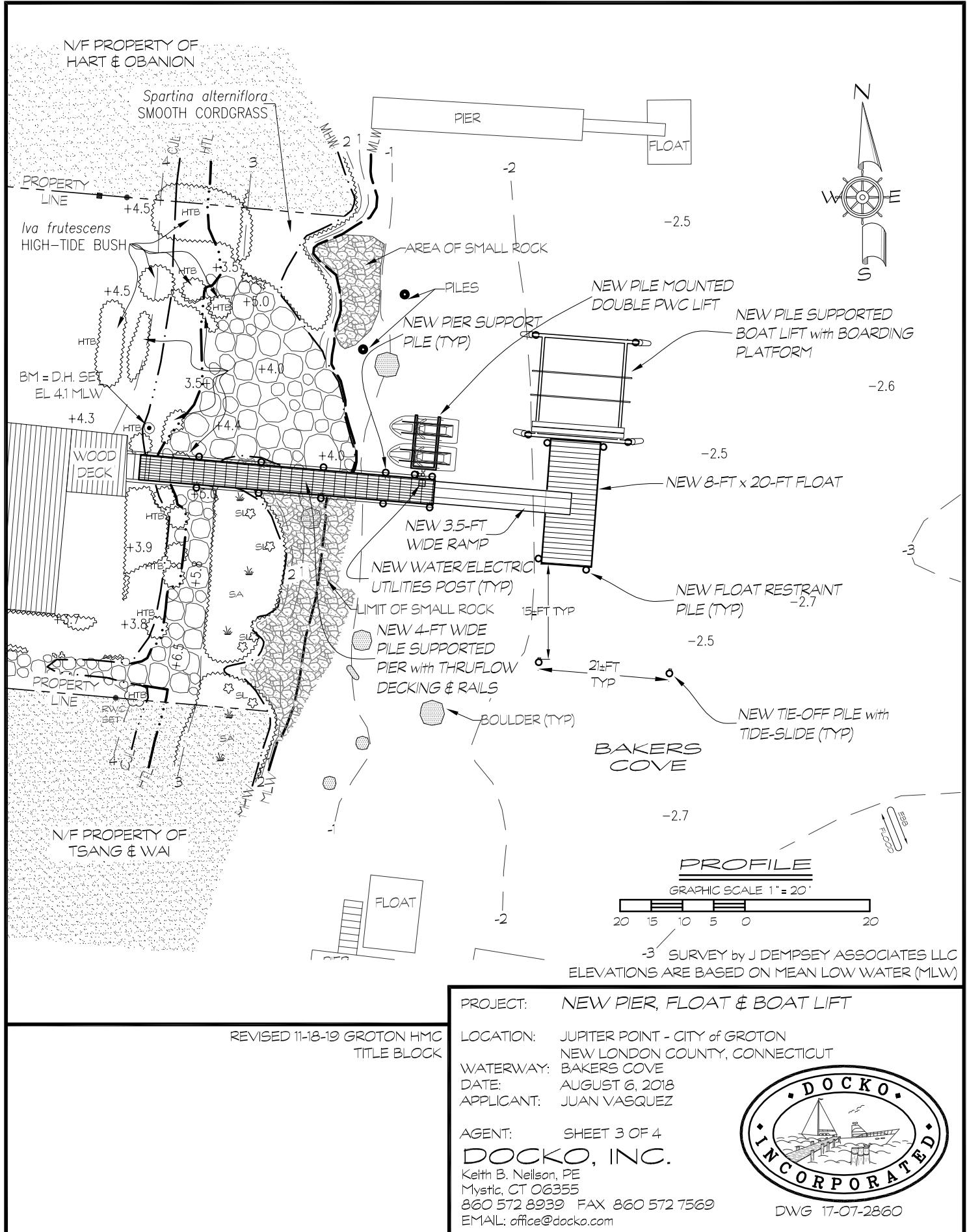
860 572 8939 FA  
EMAIL: office@decker.com

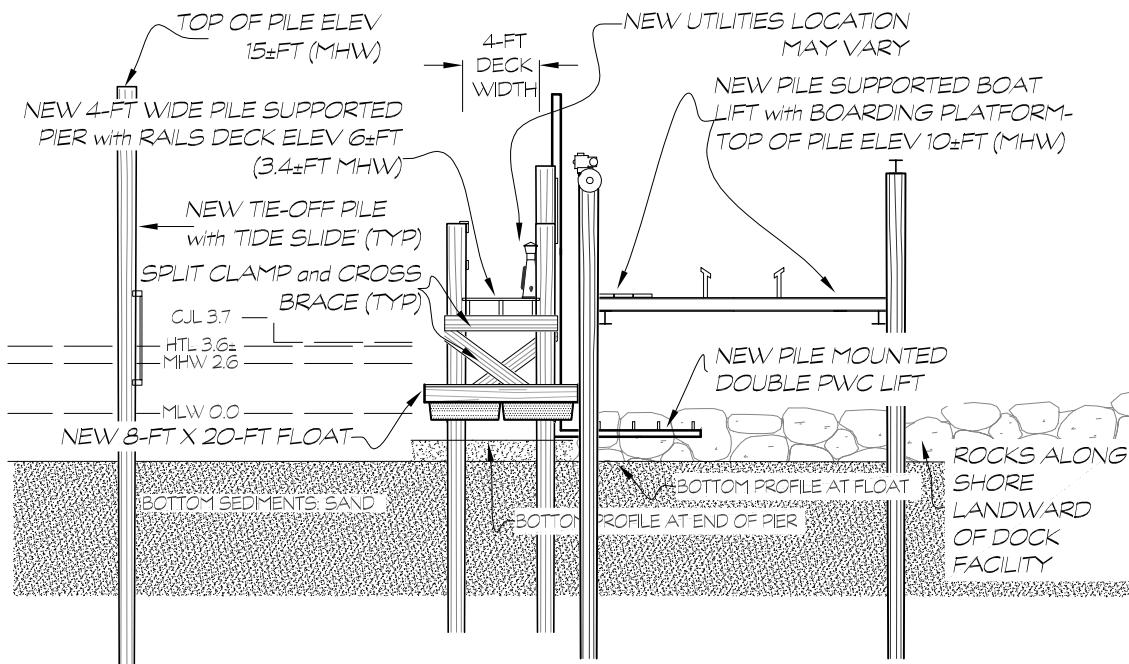
EMAIL: office@docko.com

Yessayer, Deck & Boatlift Benefit, 2 Bldgs.



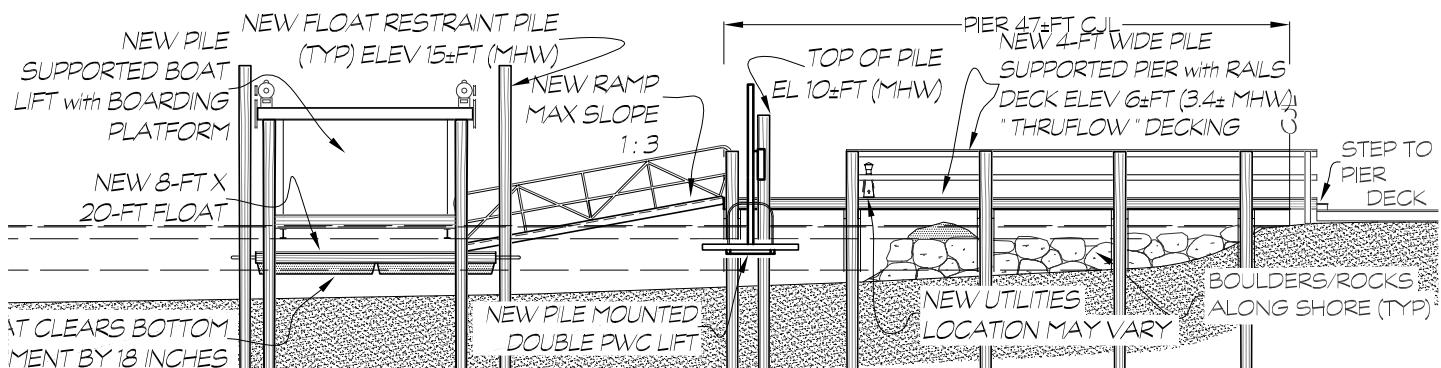
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PROFILE

GRAPHIC SCALE 1" = 10'



PROFILE

GRAPHIC SCALE 1" = 16'



ELEVATIONS ARE BASED ON MEAN LOW WATER (MLW)

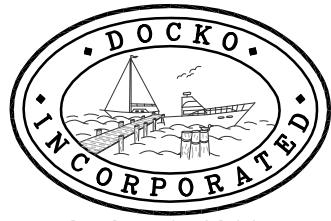
PROJECT: NEW PIER, FLOAT & BOAT LIFT

LOCATION: JUPITER POINT - CITY of GROTON  
NEW LONDON COUNTY, CONNECTICUT  
WATERWAY: BAKERS COVE  
DATE: AUGUST 6, 2018  
APPLICANT: JUAN VASQUEZ

AGENT: SHEET 4 OF 4

DOCKO, INC.

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