



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

# PUBLIC NOTICE

**Comment Period Begins:** September 6, 2022  
**Comment Period Ends:** September 21, 2022  
**File Number:** NAE-2007-01330  
**In Reply Refer To:** Ms. Cori Rose  
**Phone:** (978) 318-8306  
**E-mail:** cori.m.rose@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from **KNOLLWOOD BEACH ASSOCIATION, INC. C/O DONALD HUNT, 14 BEACHWOOD ROAD, OLD SAYBROOK, CONNECTICUT.** This work is proposed in waters of Long Island Sound in the vicinity of Maple Avenue intersection with Atlantic Avenue, Old Saybrook, Connecticut. The site coordinates for the project are Latitude 41.26427 North and -72.37288 West.

The work proposed for approval includes after-the-fact retention and maintenance of sand placed as beach nourishment in 2018 below the high tide line (HTL) over an area of approximately 3,000 square feet without a valid permit. In addition to retention of previously placed material, the applicant seeks authorization for new placement and long-term (ten-years) annual maintenance of material for beach nourishment along a 702 linear foot section of beach established in 1929. The project will include the discharge of approximately 595.4 cubic yards of one-quarter inch rounded stone to a depth of approximately 7.5 inches over an area of approximately 25,722 square feet between the HTL at elevation +2.9 feet and -1.0 feet North American Vertical Datum (NAVD) 1988. The material will be placed along the shoreline between the existing easterly stone jetty and the existing westerly concrete pier. In addition to the work subject to Federal regulation, work at the site will also include the placement of brick sand (556 cubic yards over an area of approximately 24,013 square feet) above the high tide line and outside of Federal jurisdiction.

The work is shown on the enclosed plans entitled "BEACH SAND NOURISHMENT PLAN PREPARED FOR KNOLLWOOD BEACH ASSOCIATION," on 2 sheets, and dated "APRIL 20, 2022."

The project does not propose compensatory mitigation for the work at the impact is considered temporary. To minimize the adverse effect of the proposed project the type of material placed below the HTL has been modified from fine beach sand to one-quarter inch stone which is anticipated to minimize resuspension and movement into the waterway and may reduce the amount of material that will need to be placed on the beach in the future.

## 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 U.S. Army Corps of Engineers, New England District (USACE), 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 USACE 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 approximately 25,722 square feet of EFH. This habitat consists of coarse sand between the high tide line and mean low water water on a manmade beach between constructed groins. Modification of this habitat may temporarily 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 Officer(s).

The USACE 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.

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:

- 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.

**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 Ms. Cori M. Rose at (978) 318-8306, (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 USACE 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.

**CENAE-R**  
**FILE NO. NAE-2007-01330**

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.**

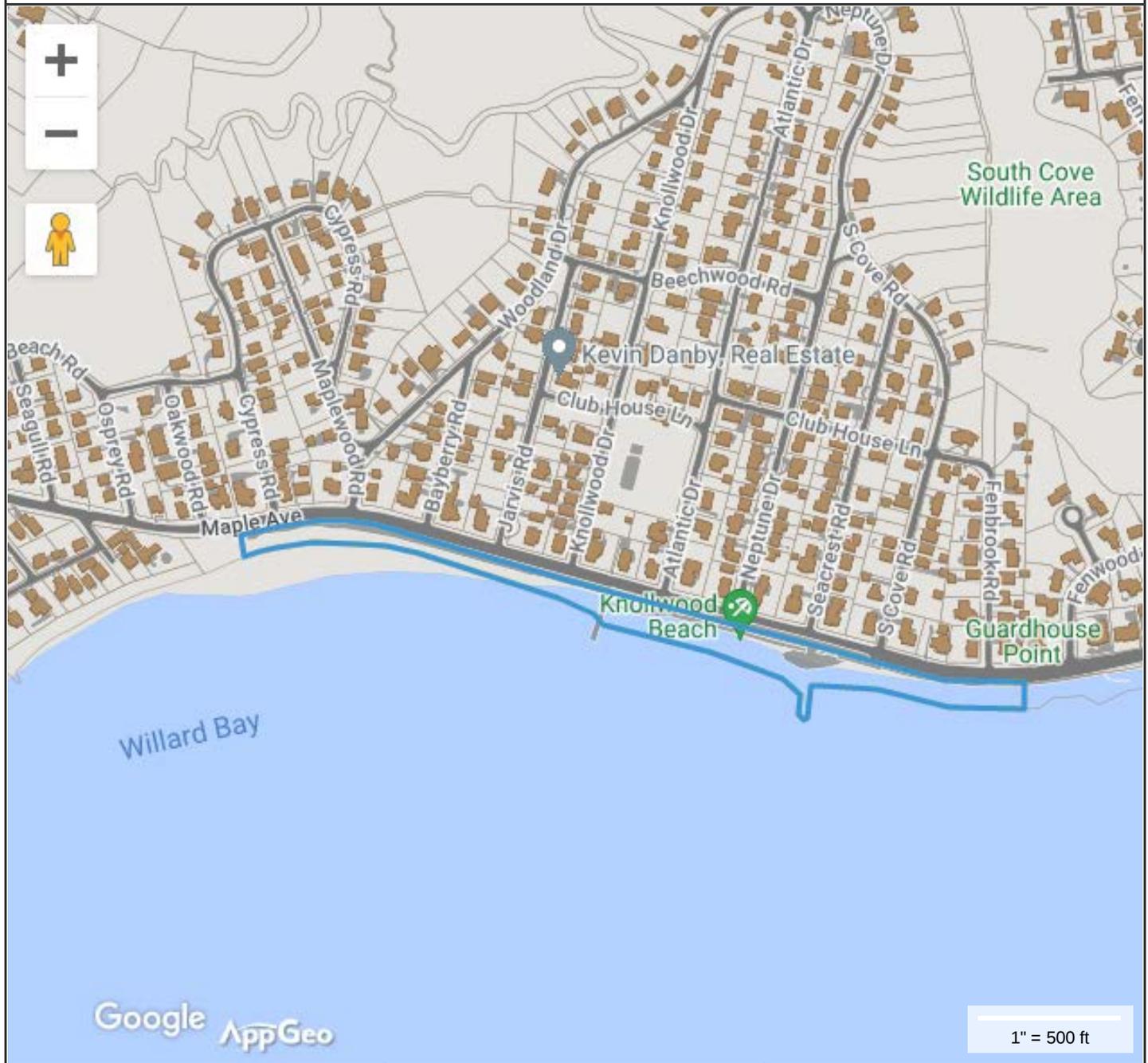
*Kevin R Kotelly*

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

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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).

### Vicinity Map - Knollwood Beach Association



**Property Information**

Property ID 004/311-0000  
 Location MAPLE AVE  
 Owner KNOLLWOOD BEACH ASSOC



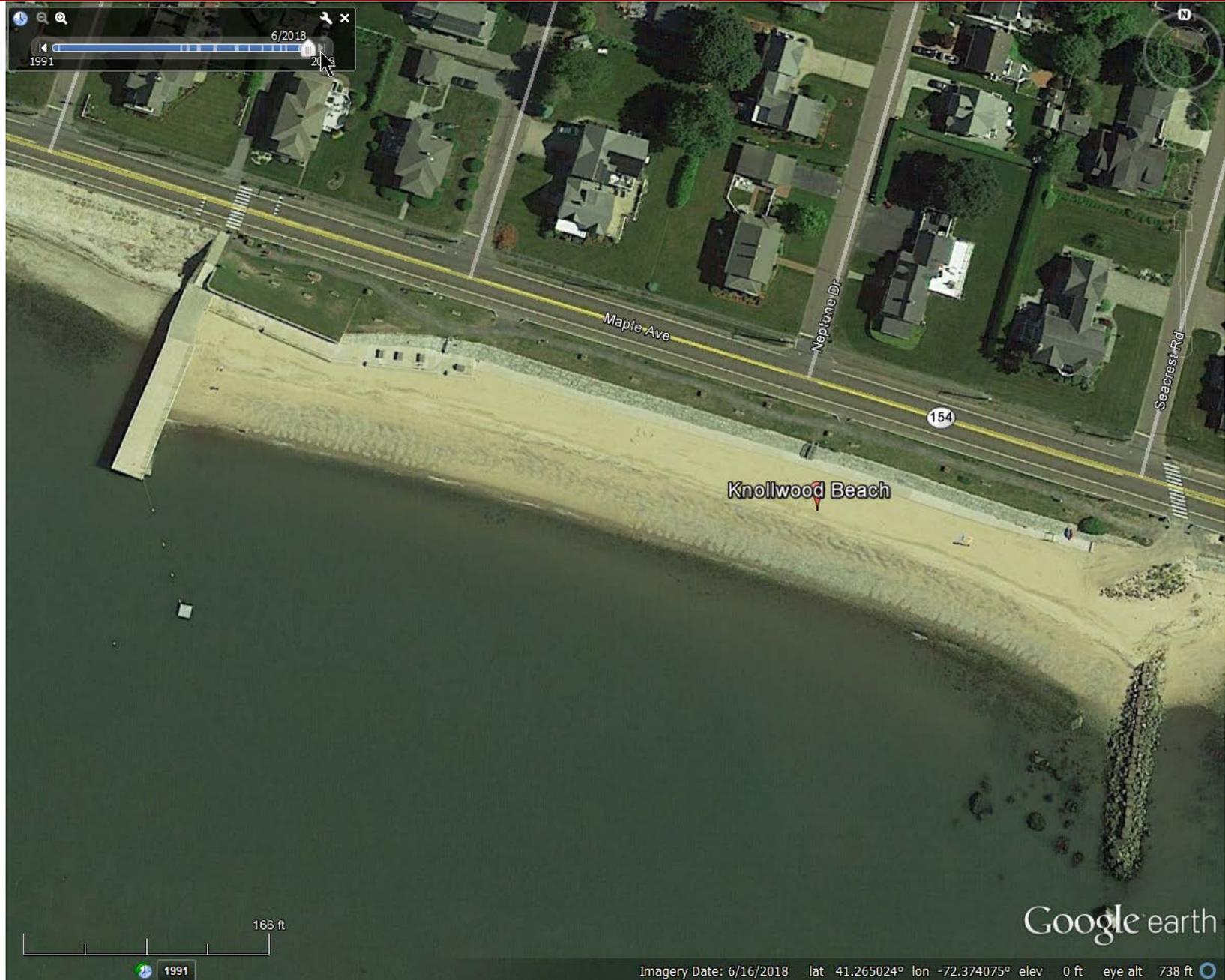
**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

Town of Old Saybrook, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 8/30/2021  
 Data updated 2021

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

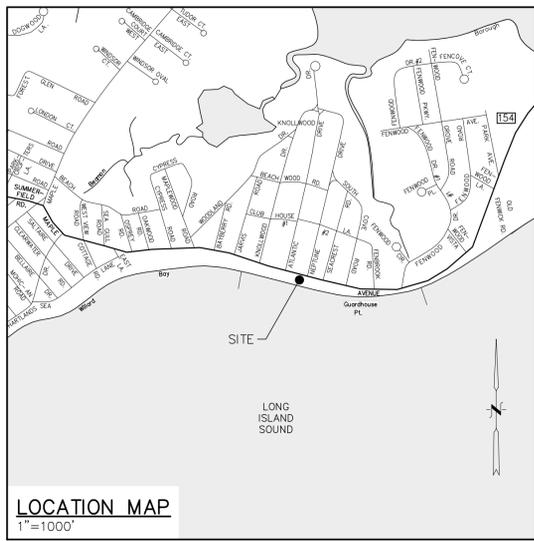
KNOLLWOOD BEACH ASSOCIATION NAE-2007-01330  
JUNE 16, 2018 BEACH CONFIGURATION



Source: Google Earth

Accessed: September 18, 2018

Created by: Cori M. Rose, USACE



**GENERAL NOTES:**

- THIS PLAN WAS COMPILED USING THE FOLLOWING REFERENCE INFORMATION:
  - A CLASS A-2 SURVEY MAP ENTITLED "TOPOGRAPHIC BEACHFRONT AREA FROM ATLANTIC DRIVE EASTERLY TO FENBROOK ROAD, MAPLE AVENUE, OLD SAYBROOK, CONNECTICUT", SCALE: 1"=30', DATED: NOVEMBER 30, 2021 WITH REVISIONS THROUGH APRIL 13, 2022, PREPARED BY ANGUS MCDONALD GARY SHARPE & ASSOCIATES, INC.
  - RESOURCES FOR TIDAL AND NAVIGABLE WATERS IN CONNECTICUT, 2012.
  - THE APPLICANT IS KNOLLWOOD BEACH ASSOCIATION OF 14 BEECHWOOD RD., OLD SAYBROOK, CT 06475.
  - THE SUBJECT PARCEL IS IDENTIFIED AS LOT 311 ON TAX ASSESSOR'S MAP 4. THE DEED REFERENCE OF THE PROPERTY IS VOLUME 140 PAGE 2. THE AREA OF THE PARCEL IS 217,800± S.F. OR 5 ACRES.
  - THE APPLICANT IS PROPOSING TO PLACE SAND TO NOURISH THE EXISTING BEACH.
  - THE PURPOSE OF THIS PLAN IS FOR REVIEW BY THE USACE FOR AUTHORIZATIONS OF ENG FORM 4345.
  - ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD-88 DATUM PER REF. MAP A.

**CONSTRUCTION NOTES:**

- THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON FIELD LOCATIONS AND ALL INFORMATION PROVIDED BY OTHERS. THEIR ACTUAL LOCATION MAY VARY FROM THOSE INDICATED AND ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. THE CONTRACTOR SHALL CONTACT "CALL BEFORE YOU DIG" AT 800-922-4455 TO MARK OUT ALL UNDERGROUND UTILITIES A MINIMUM OF 3 BUSINESS DAYS PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITY. CONTRACTOR SHALL VERIFY ALL LOCATIONS, DIMENSIONS AND ELEVATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL ADHERE TO ALL APPLICABLE TOWN OF OLD SAYBROOK STANDARDS AND REGULATIONS.
- ALL PROPERTY LINES SHALL BE VERIFIED IN THE FIELD. NO PRIVATE PROPERTY SHALL BE DISTURBED UNLESS PROPER RIGHTS ARE OBTAINED PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CONFIRM AND ABIDE BY ANY APPLICABLE "NO HAMMER" TIME PERIODS OF THE BEACH COMMUNITY.
- THE CONTRACTOR SHALL OBTAIN, REVIEW AND ADHERE TO ALL REQUIREMENTS AND ANY CONDITIONS OF APPROVAL OF THE TOWN OF OLD SAYBROOK, USACE AND DEEP.



**LEGEND**

|       |                               |
|-------|-------------------------------|
| ---   | EXISTING PROPERTY/STREET LINE |
| - - - | EXISTING CONTOUR              |
| —○—   | HIGH TIDE LINE                |
| ---   | MEAN HIGH WATER               |
| ---   | MEAN LOW WATER LINE           |
| □     | CONCRETE MONUMENT             |

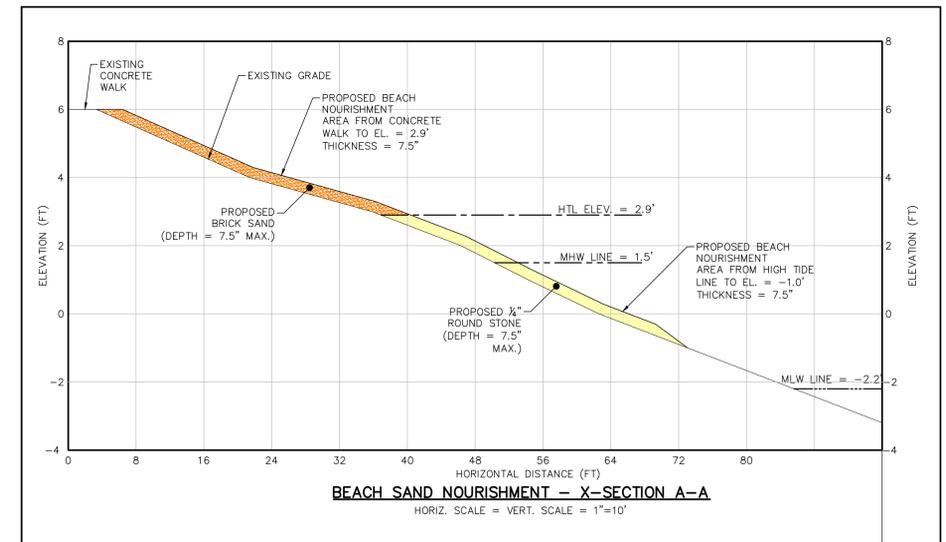
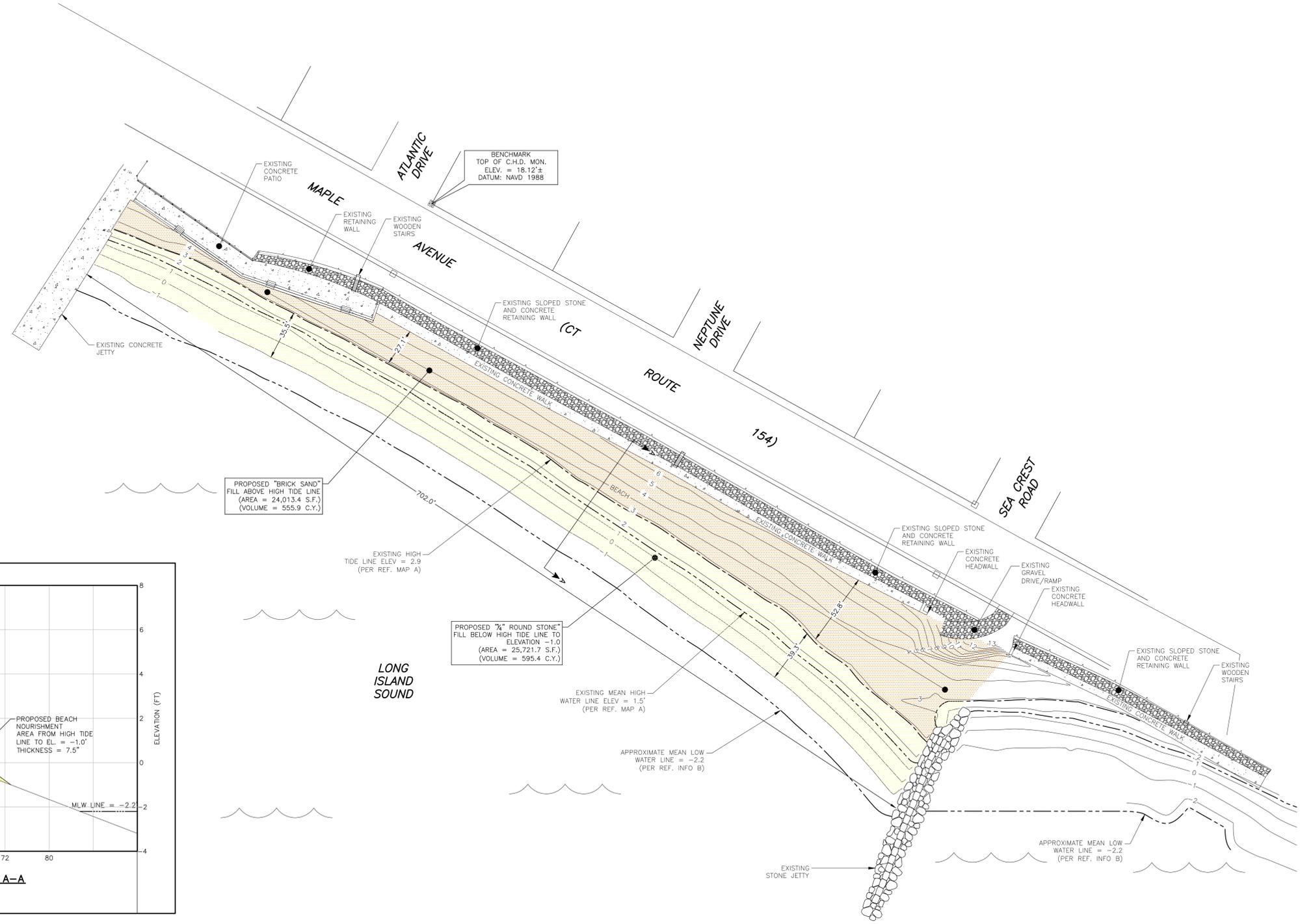
**BRICK SAND SIEVE ANALYSIS**

| SIEVE | WT. RET. | % RETAINED | TOTAL % RET. | % PASSING |
|-------|----------|------------|--------------|-----------|
| #4    | 0        | 0.00%      | 0.00%        | 100.00%   |
| #8    | 10.82    | 0.92%      | 0.92%        | 99.08%    |
| #16   | 157.17   | 13.33%     | 14.25%       | 85.75%    |
| #30   | 263.03   | 22.31%     | 36.56%       | 63.44%    |
| #50   | 317.35   | 26.92%     | 63.48%       | 36.52%    |
| #100  | 221.71   | 18.81%     | 82.29%       | 17.71%    |
| #200  | 154.96   | 13.14%     | 95.43%       | 4.57%     |
| PAN   | 53.82    |            |              |           |
| TOTAL | 1178.86  |            |              |           |

F.M. = 1.98

**1/4" ROUND STONE SIEVE ANALYSIS**

| SIEVE | WT. RET. | % RETAINED | TOTAL % RET. | % PASSING |
|-------|----------|------------|--------------|-----------|
| 1/2"  | 0        | 0.00%      | 0.00%        | 100.00%   |
| 3/8"  | 0        | 0.00%      | 0.00%        | 100.00%   |
| #4    | 172.2    | 9.41%      | 9.41%        | 90.59%    |
| #8    | 1116.1   | 60.97%     | 70.38%       | 29.62%    |
| #16   | 526.4    | 28.76%     | 99.14%       | 0.86%     |
| PAN   | 15.8     | 0.86%      |              |           |
| TOTAL | 1830.5   |            |              |           |



PLAN PREPARED BY:  
 INDIGO LAND DESIGN, LLC  
 JOSEPH WREN, P.E.  
 44 REG. NO. 21090  
 OLD SAYBROOK, CT 06475  
 PHONE: (860) 388-9343  
 FAX: (860) 391-8854



| # | DATE | DESCRIPTION |
|---|------|-------------|
|   |      |             |
|   |      |             |
|   |      |             |
|   |      |             |

**BEACH SAND NOURISHMENT PLAN**  
 PREPARED FOR KNOLLWOOD BEACH ASSOCIATION  
 MAPLE AVE, MAP 4 LOT 311  
 OLD SAYBROOK, CONNECTICUT

DATE: APRIL 20, 2022  
 SCALE: 1"=40'  
 DRAWN BY: ST  
 CHECKED BY: JW  
 DWG. NO.: BSNP-1  
 SHEET NO.: 1 of 1  
 JOB NO.: 2021-766