



PUBLIC NOTICE

**US Army Corps
of Engineers** ®
New England District
11 Lincoln Street, Room 210
Essex Junction, Vermont 05452

Comment Period Begins: August 20, 2013
Comment Period Ends: September 20, 2013
File Number: NAE-2008-2790
In Reply Refer To: Michael S. Adams
Phone: (802) 872-2893 or (978) 318-8485
E-mail: michael.s.adams@usace.army.mil

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

APPLICANT: Bay Harbor Marina, Inc., ATTN: Mark Saba, 278 West Lakeshore Drive, Colchester, Vermont 05446

ACTIVITY: Place and maintain a new docking system, travel lift, moorings and bank stabilization at an existing commercial marina in Malletts Bay of Lake Champlain off West Lakeshore Road in Colchester, Vermont. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Malletts Bay of Lake Champlain at 278 West Lakeshore Road in Colchester, Vermont. The site coordinates are: Latitude 44.5470979 N, Longitude 73.2198475 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.

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.

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 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. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

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

- (X) Permit, License or Assent from State.
- () Permit from Local Wetland Agency or Conservation Commission.
- (X) 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 S. Adams at (802) 872-2893 or (978) 318-8485.

CENAE-R
FILE NO. NAE-2008-2790

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.

FDG
Frank J. DelGiudice
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. 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: _____

PROPOSED WORK AND PURPOSE

The project includes work in navigable waters for the reconfiguration and expansion of an existing docking facility, the replacement of an existing travel lift, relocation of existing moorings, retention of an existing dinghy dock and the placement of bank stabilization at an existing commercial marina in Malletts Bay of Lake Champlain. The proposed work involves the following:

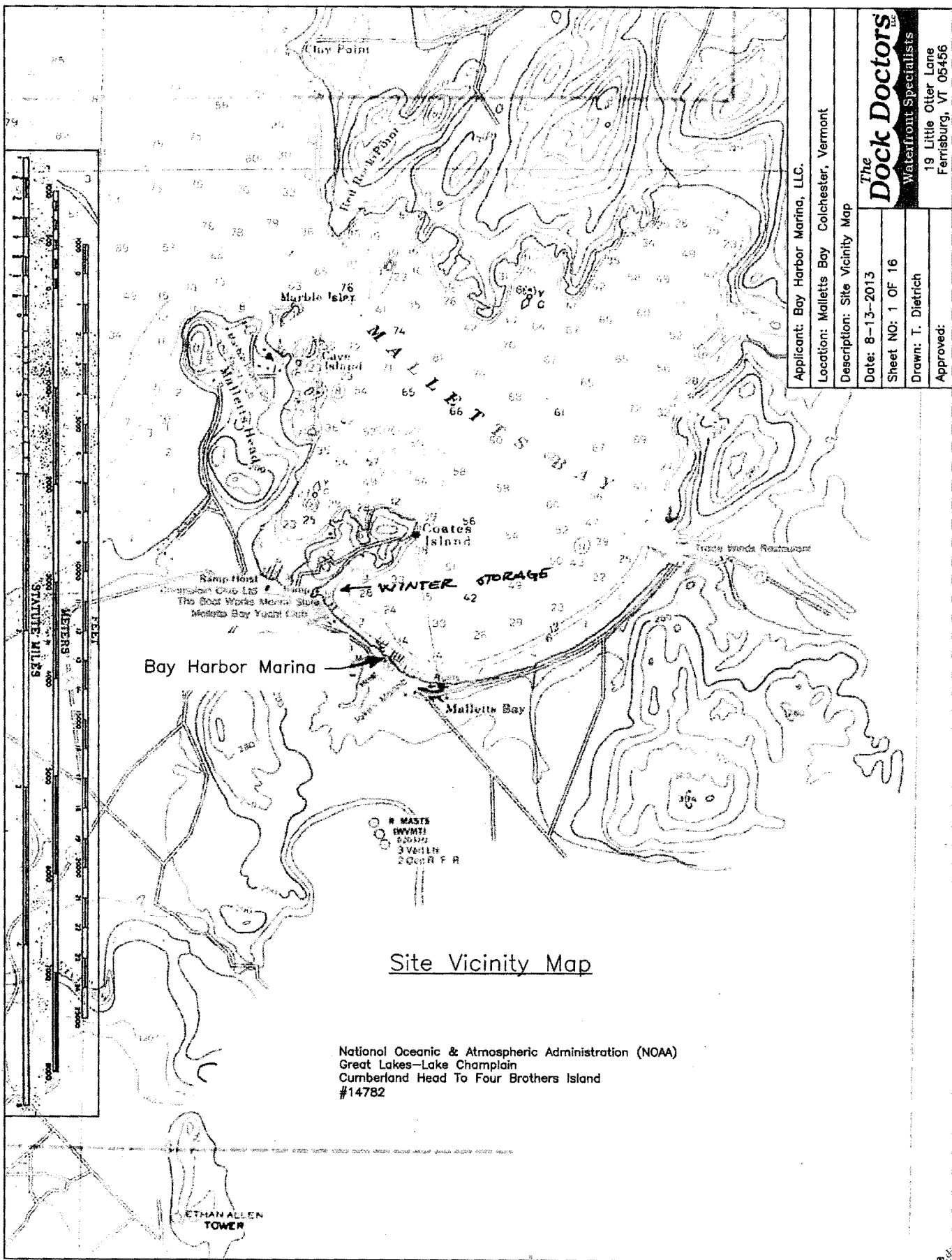
- a. Reconfigure and expand the existing docking facility. This will consist of a 699' long, 8' wide floating main dock with a 337' long, 10' wide floating wave attenuator at the lakeward end, extending a maximum of 709' beyond Ordinary High Water (OHW). Off the western side of the main dock will be four 163' long, 8' wide floating T docks - two with ten 32' long, 4'-6' wide floating fingers and two with twelve 24'-28' long, 4' wide floating fingers - and one 163' long, 8' wide floating L dock with six 24' long, 4' wide floating fingers. Off the east side of the main dock will be one 147' long, 8' wide floating T dock with eight 32' long, 4'-6' wide floating fingers; one 183' long, 8' wide floating T dock with ten 32' long, 4'-6' wide floating fingers; one 207' long, 8' wide floating T dock with twelve 28' long, 4'-6' wide floating fingers; and one 202' long, 8' wide floating L dock with seven 24' long, 4' wide floating fingers. Eight 40' long, 4'-6' wide floating fingers will be placed off the wave attenuator. A 72' long, 20' wide floating service dock accessed by a 28' long, 8' wide floating dock will be placed off the lakeward side of the wave attenuator. The entire docking system will extend a maximum of 809' beyond OHW. The entire system will be anchored with fifty 5,400 lb. concrete blocks, fifty 8,100 lb. concrete blocks and eighteen 10,600 lb concrete blocks. The existing docking system will be removed from the lake.
- b. Retain and maintain a 136' long, 7.5' wide floating dinghy dock extending a maximum of 50' beyond OHW.
- c. Replace and maintain an existing travel lift with a new 60' long, 16' wide travel lift extending a maximum of 72' beyond OHW. The lift will be supported with eleven 16" diameter steel and concrete piles. A concrete bulkhead, extending 4' beyond OHW will be constructed along the shoreline to support the lift. This will impact about 120 sq. ft. of lake bottom and will involve the placement of about 9 cy of fill below OHW. The 2.5' wide travel lift ramps will have 3' wide cantilevered walkways on either side. A port-a-dam will be installed around the work area to perform the concrete work in the dry.
- d. Place and maintain 410 linear feet of riprap extending a maximum of 8' beyond OHW in front (lakeward) of an existing steel retaining wall. About 364 cy of riprap will be placed below OHW and about 3,280 sq. ft. (0.08 acre) of lake bottom will be filled.
- e. Relocate and maintain seventeen moorings extending a maximum of 1533' beyond OHW. The moorings will be concrete blocks with Elastic Rodes.
- f. Place and maintain the docks during the non-boating season in a 362' x 142' area extending about 147' to 159' beyond OHW off the southeast side of Coates Island. The dock will be anchored with two 5,000 lb concrete blocks.

The purpose of the project is to provide improved recreational boating access to Lake Champlain at an existing facility.

CENAE-R
FILE NO. NAE-2008-2790

The work is described on the enclosed plans entitled "Bay Harbor Marina, LLC." on seventeen sheets, and dated "8-13-2013".

The work involves the reconfiguration and expansion of an existing docking facility, the replacement of an existing travel lift, relocation of existing moorings, retention of an existing dinghy dock and the placement of bank stabilization at an existing commercial marina in Malletts Bay of Lake Champlain. The project is water dependent. There are no practicable off-site alternatives. The only alternatives to the bank stabilization would be the "no-build" alternative or the replacement of the existing bulkhead in the same footprint. The "no-build" alternative does not allow the applicant to achieve the project purpose of providing improved shoreline protection of the site. Reconstruction of the existing bulkhead in the same footprint would involve a considerable amount of excavation into the fill material behind the wall. Additionally, a new bulkhead will continue to deflect waves back towards the docking facility. The riprap in front of the bulkhead will prevent erosion at the bottom of the wall and will help absorb the waves. Impacts of the project have been minimized to the maximum extent practicable. The Corps has determined that compensatory mitigation is not necessary.



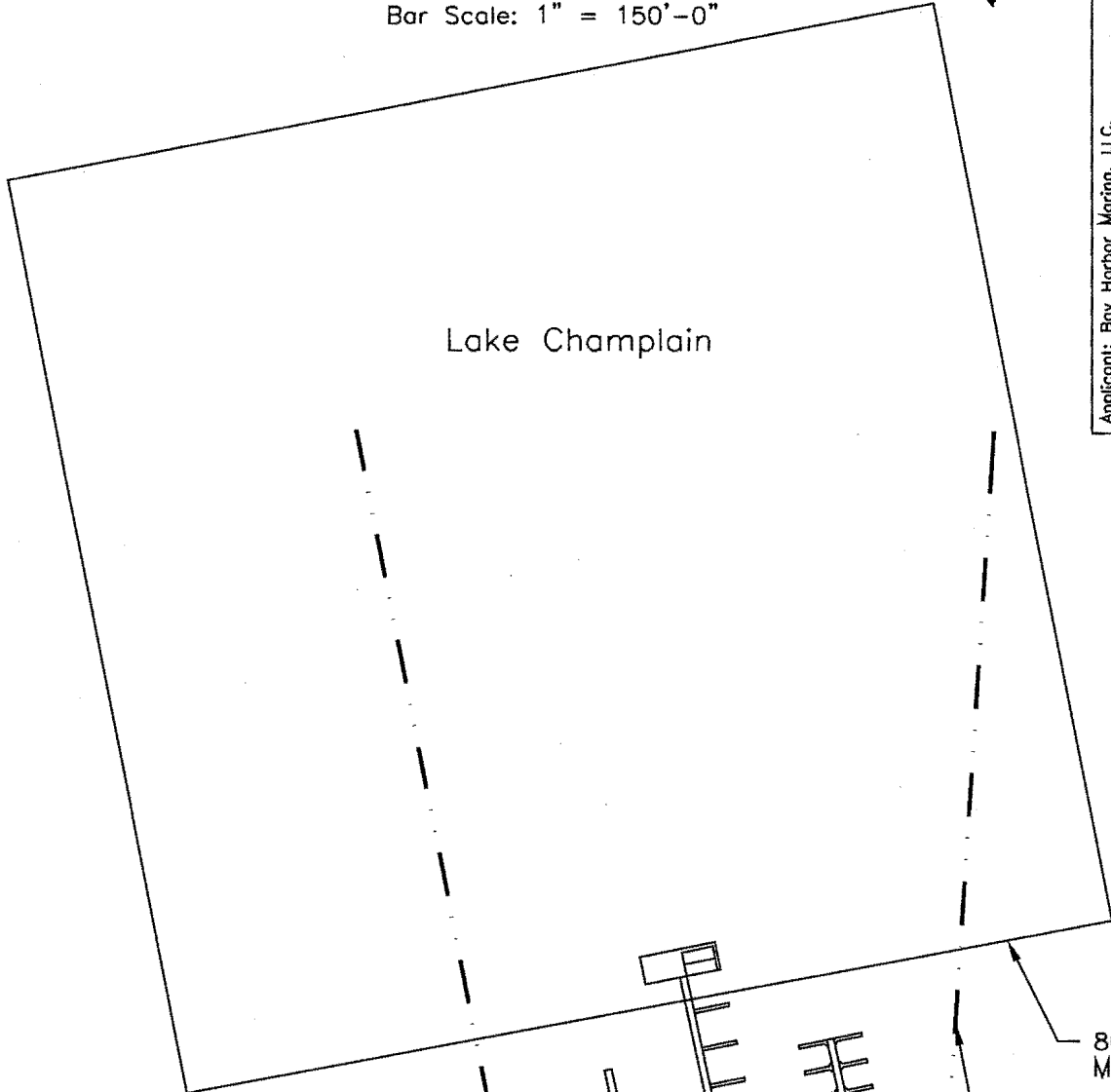
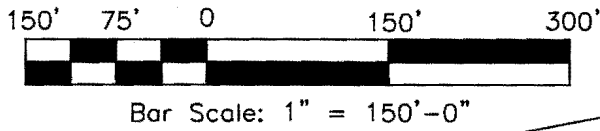
Applicant: Bay Harbor Marina, LLC.
 Location: Malletts Bay Colchester, Vermont
 Description: Site Vicinity Map
 Date: 8-13-2013
 Sheet NO: 1 OF 16
 Drawn: T. Dietrich
 Approved:

The Dock Doctors^{LLC}
 Waterfront Specialists
 19 Little Otter Lane
 Ferrisburg, VT 05456

Site Vicinity Map

National Oceanic & Atmospheric Administration (NOAA)
 Great Lakes-Lake Champlain
 Cumberland Head To Four Brothers Island
 #14782

ETHAN ALLEN TOWER



Lake Champlain

800' x 800'
Mooring Field

Scanned Extension of
Property Line Into Lake
By Colonial Method
April 1980

Scanned Extension of
Property Line Into Lake
By Colonial Method
April 1980

Existing Ramp

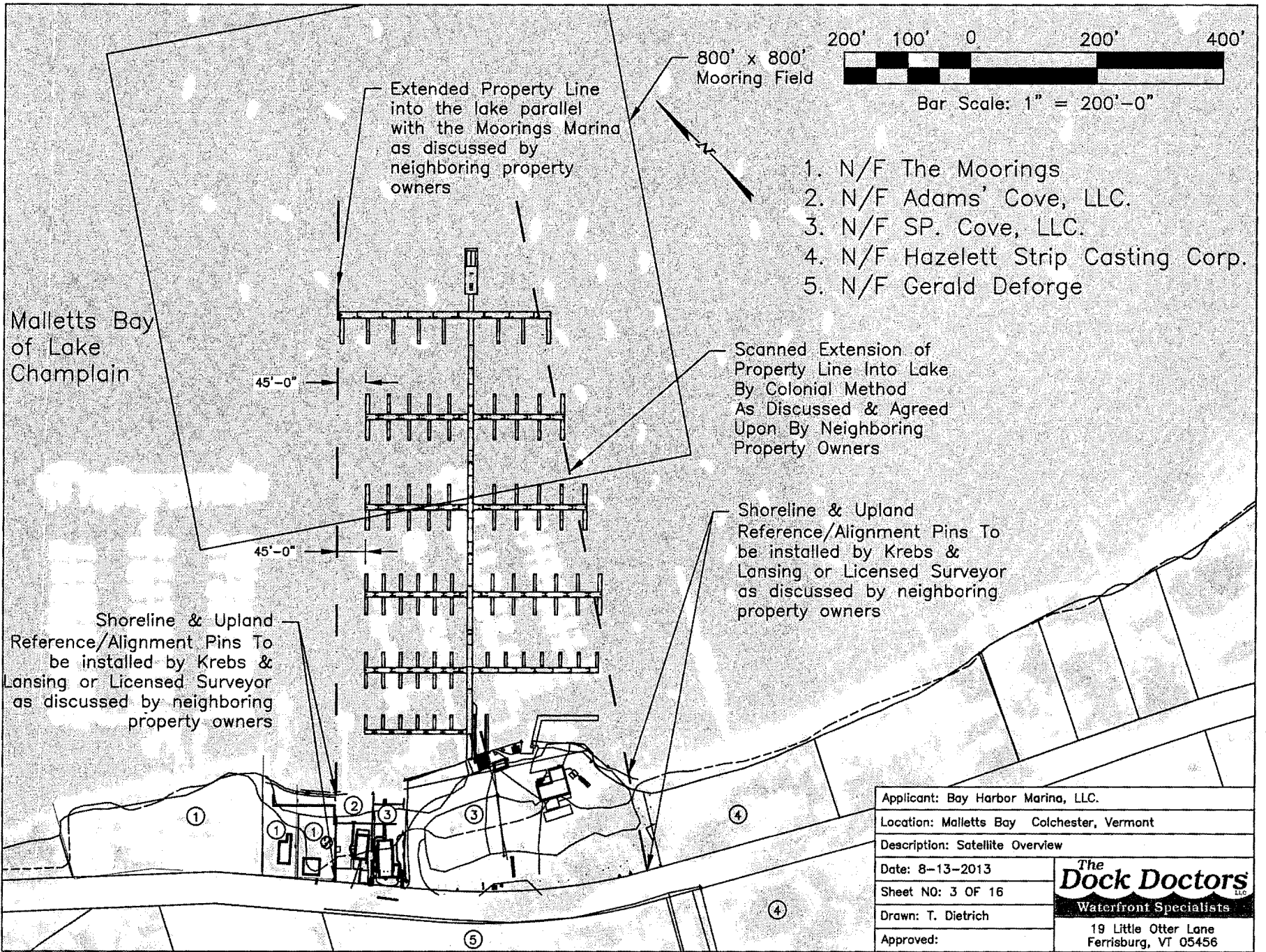
Existing Dingy Dock

Ordinary High Water
(98'± ASL) is Along
the Existing Vertical
Steel Seawall

Existing
Travel
Lift

Applicant: Boy Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Existing Marina Plan	
Date: 8-13-2013	
Sheet NO: 2 OF 16	
Drawn: T. Dietrich	
Approved:	

The Dock Doctors LLC
Waterfront Specialists
19 Little Otter Lane
Ferrisburg, VT 05456

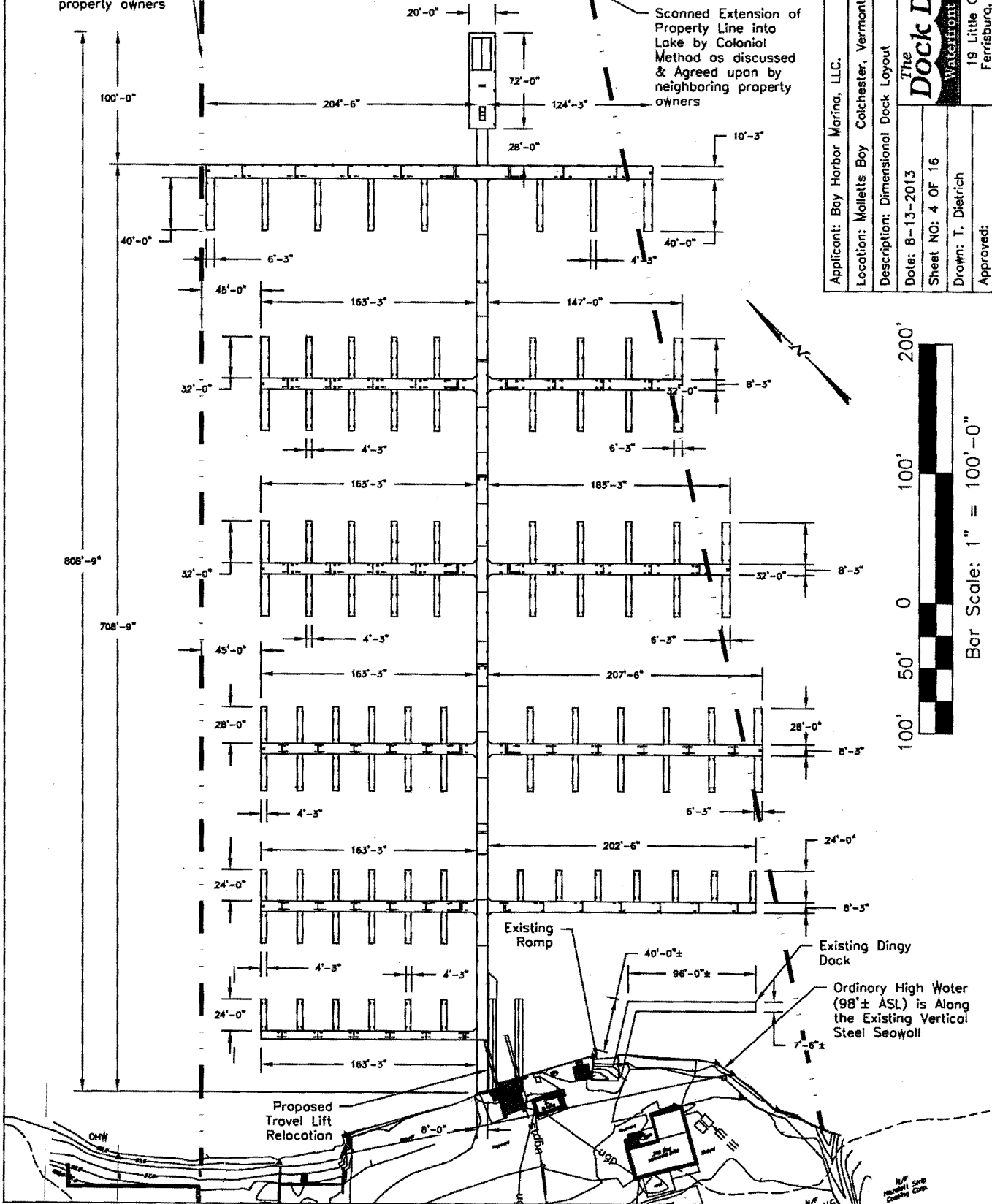


Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Satellite Overview	
Date: 8-13-2013	
Sheet NO: 3 OF 16	
Drawn: T. Dietrich	19 Little Otter Lane Ferrisburg, VT 05456
Approved:	

Extended Property Line into the lake parallel with the Moorings Morino as discussed by neighboring property owners

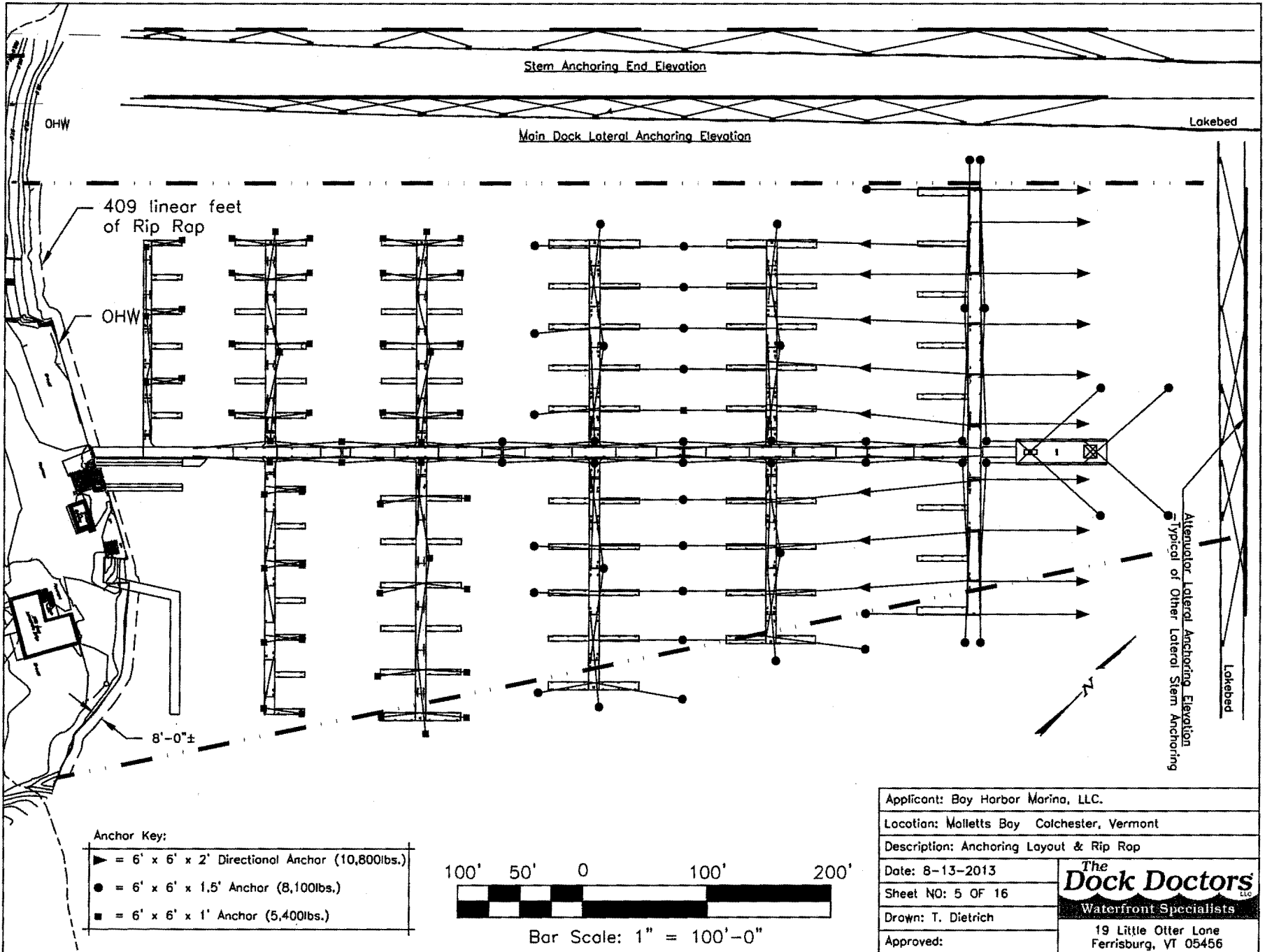
Lake Champlain

Scanned Extension of Property Line into Lake by Colonial Method as discussed & Agreed upon by neighboring property owners



Applicant: Bay Harbor Marina, LLC.
Location: Malletts Bay Colchester, Vermont
Description: Dimensional Dock Layout
Date: 8-13-2013
Sheet NO: 4 OF 16
Drawn: T. Dietrich
Approved:

The Dock Doctors^{INC}
 Waterfront Specialists
 19 Little Otter Lane
 Ferrisburg, VT 05456



409 linear feet of Rip Rap

OHW

Stem Anchoring End Elevation

Main Dock Lateral Anchoring Elevation

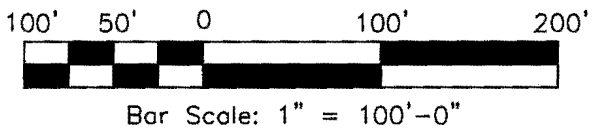
Lakebed

8'-0"±

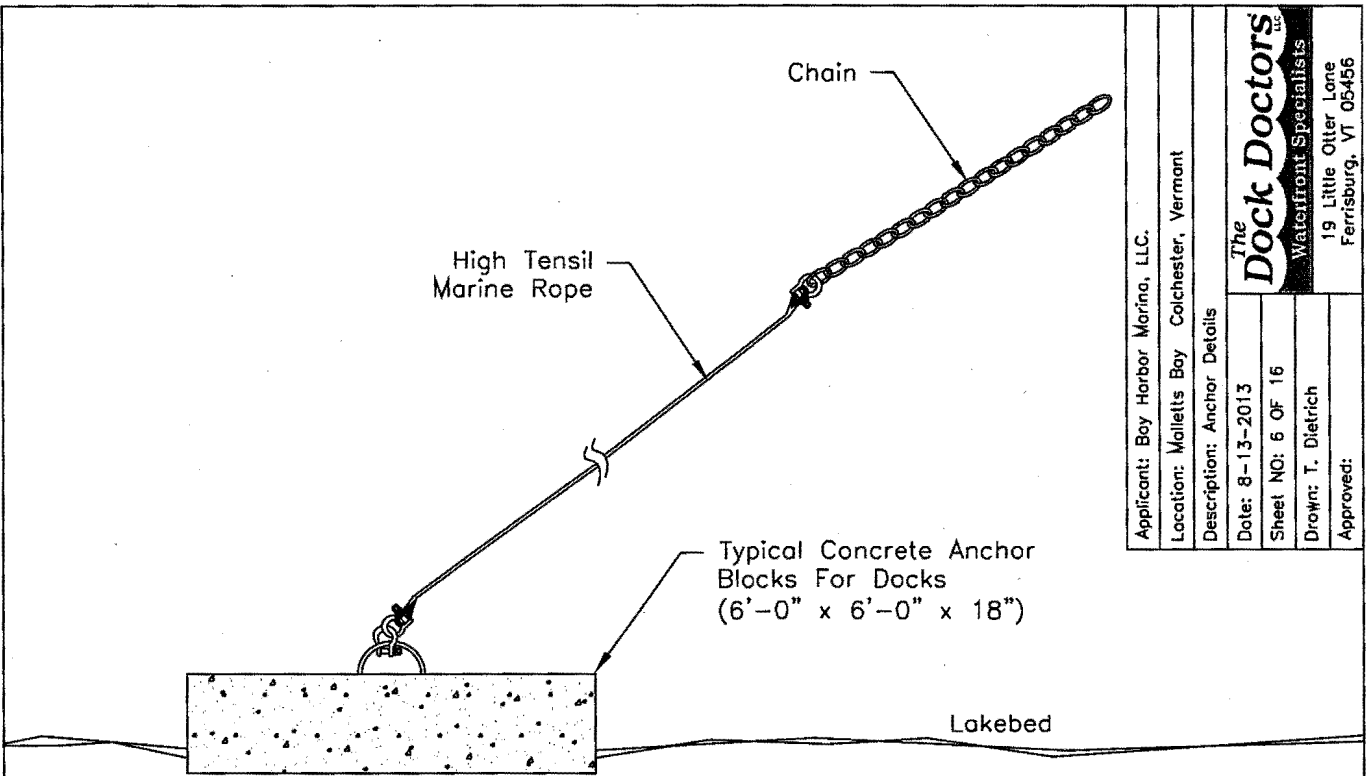
Attenuator Lateral Anchoring Elevation
- Typical of Other Lateral Stem Anchoring

Anchor Key:

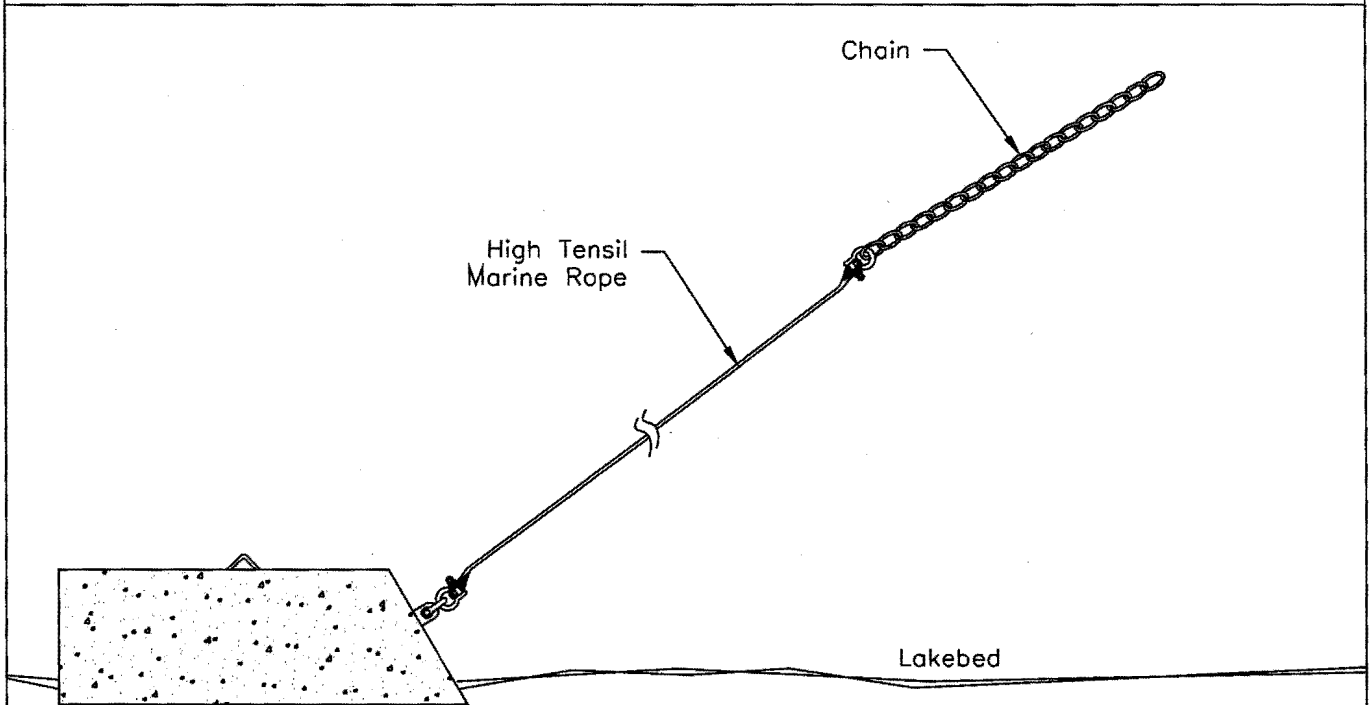
▶	= 6' x 6' x 2' Directional Anchor (10,800lbs.)
●	= 6' x 6' x 1.5' Anchor (8,100lbs.)
■	= 6' x 6' x 1' Anchor (5,400lbs.)



Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Anchoring Layout & Rip Rap	
Date: 8-13-2013	
Sheet NO: 5 OF 16	
Drawn: T. Dietrich	19 Little Otter Lane Ferrisburg, VT 05456
Approved:	

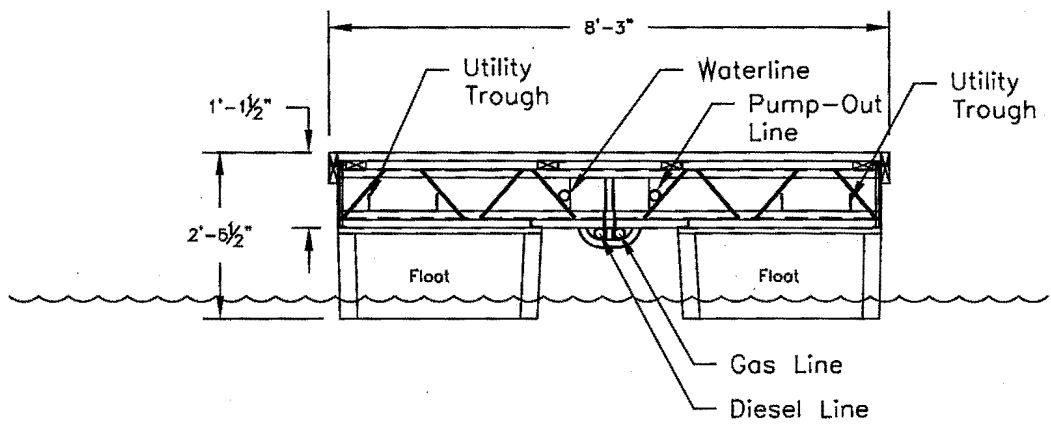


Typical Anchor Block Detail
 Scale: $\frac{3}{8}$ " = 1'-0"



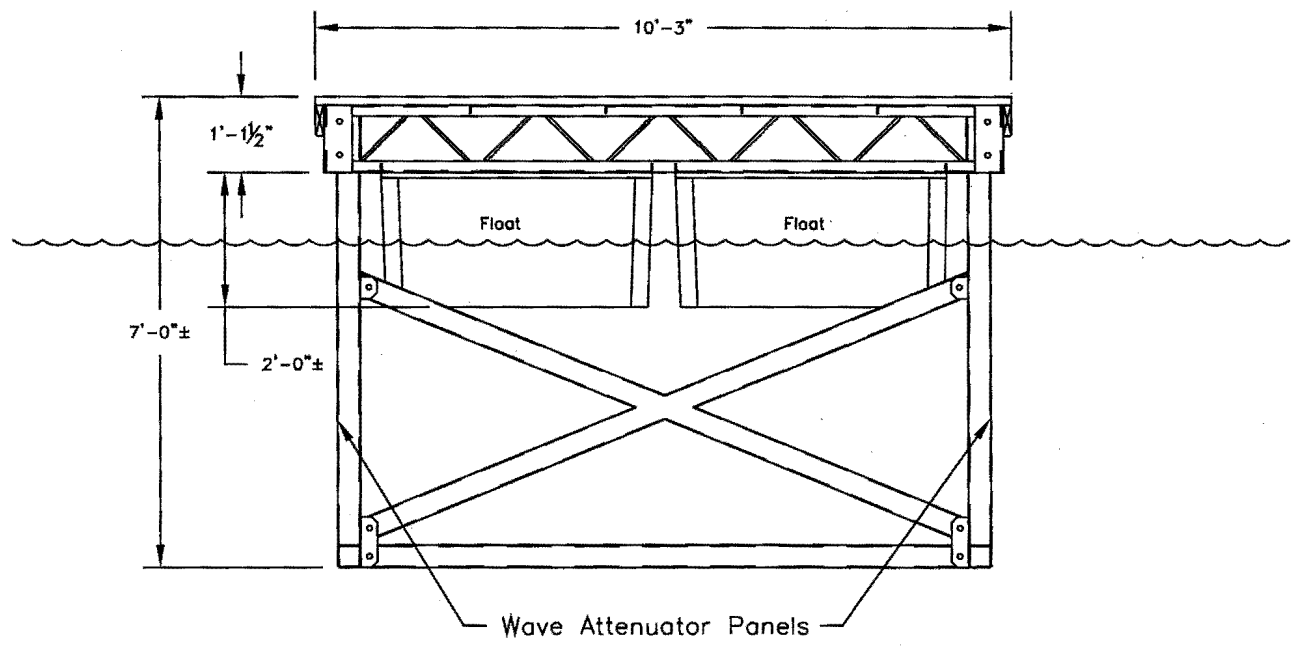
Typical Attenuator Anchor Block Detail
 Scale: $\frac{3}{8}$ " = 1'-0"

Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Anchor Details	
Date: 8-13-2013	The Dock Doctors Waterfront Specialists 19 Little Otter Lane Ferrisburg, VT 05456
Sheet NO: 6 OF 16	
Drawn: T. Dietrich	Approved:



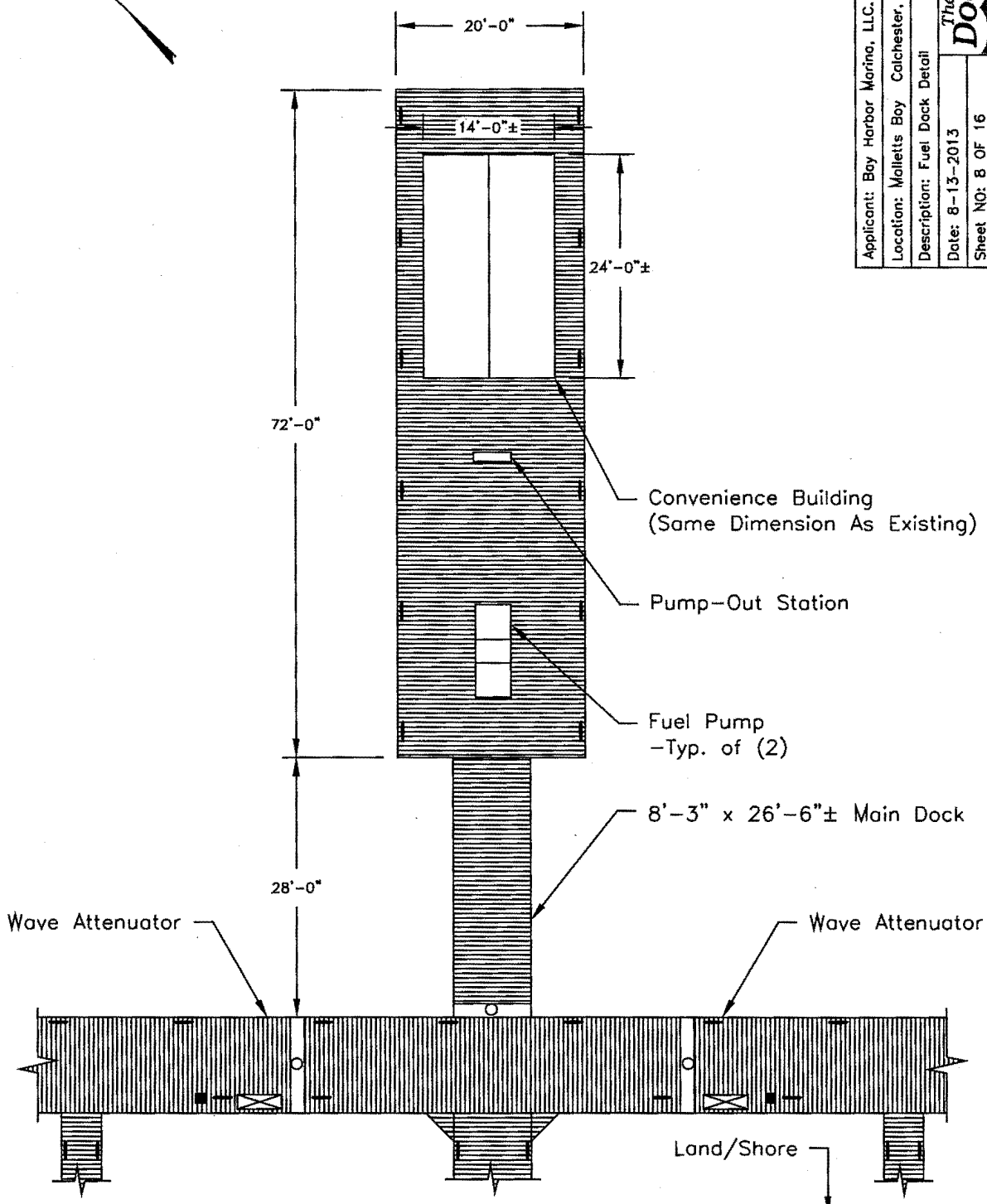
Typical 8'-3" Wide Main Dock Cross Section
 Scale: $\frac{3}{8}" = 1'-0"$

Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Cross Sections	
Date: 8-13-2013	The Dock Doctors Waterfront Specialists 19 Little Otter Lane Ferrisburg, VT 05456
Sheet NO: 7 OF 16	
Drawn: T. Dietrich	
Approved:	



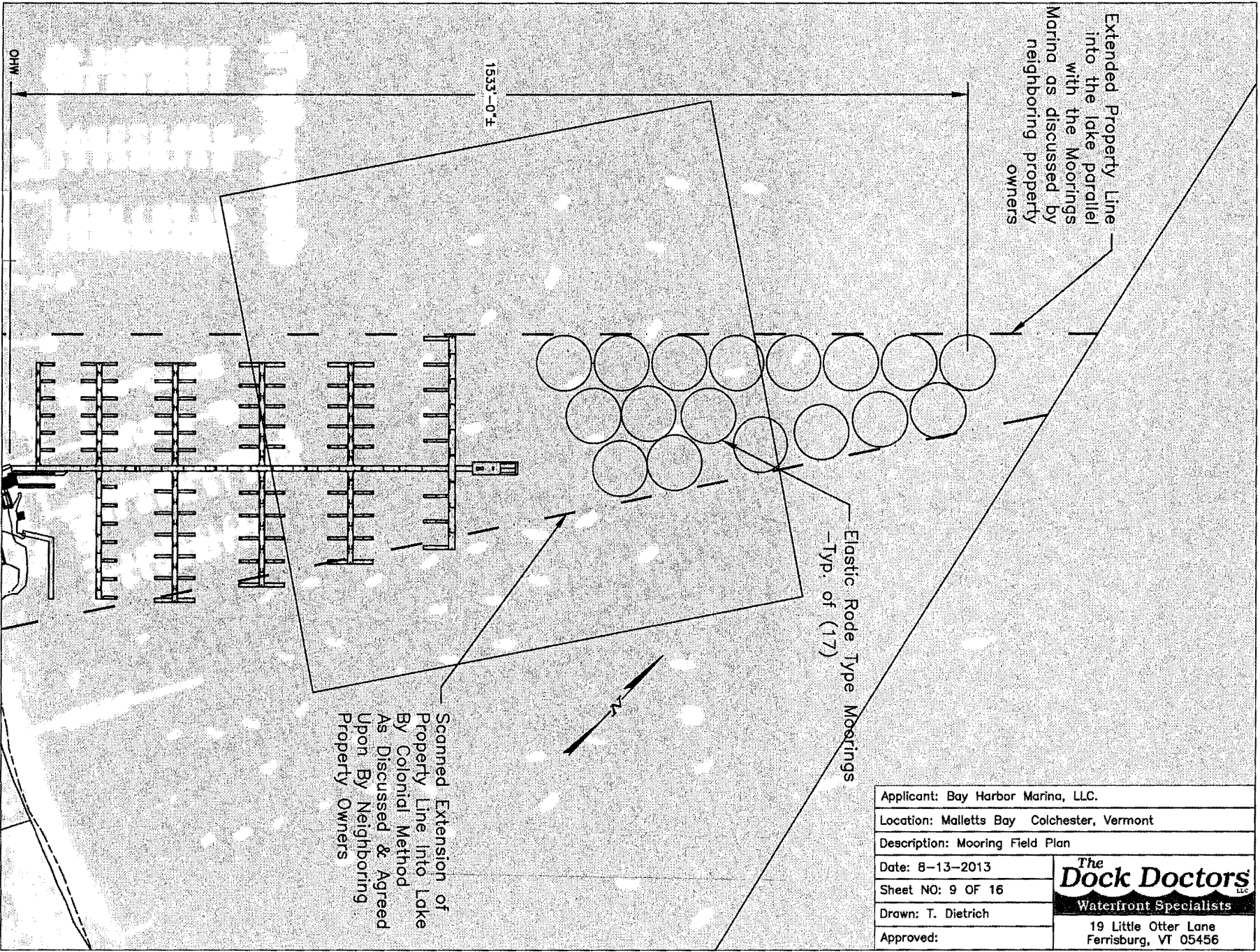
Wave Attenuator Cross Section
 Scale: $\frac{3}{8}" = 1'-0"$

Lake Champlain



Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Fuel Dock Detail	
Date: 8-13-2013	The Dock Doctors Waterfront Specialists 19 Little Otter Lane Ferrisburg, VT 05456
Sheet NO: 8 OF 16	
Drawn: T. Dietrich	
Approved:	

Convenience Floating Dock Plan
Scale: 1/8" = 1'-0"



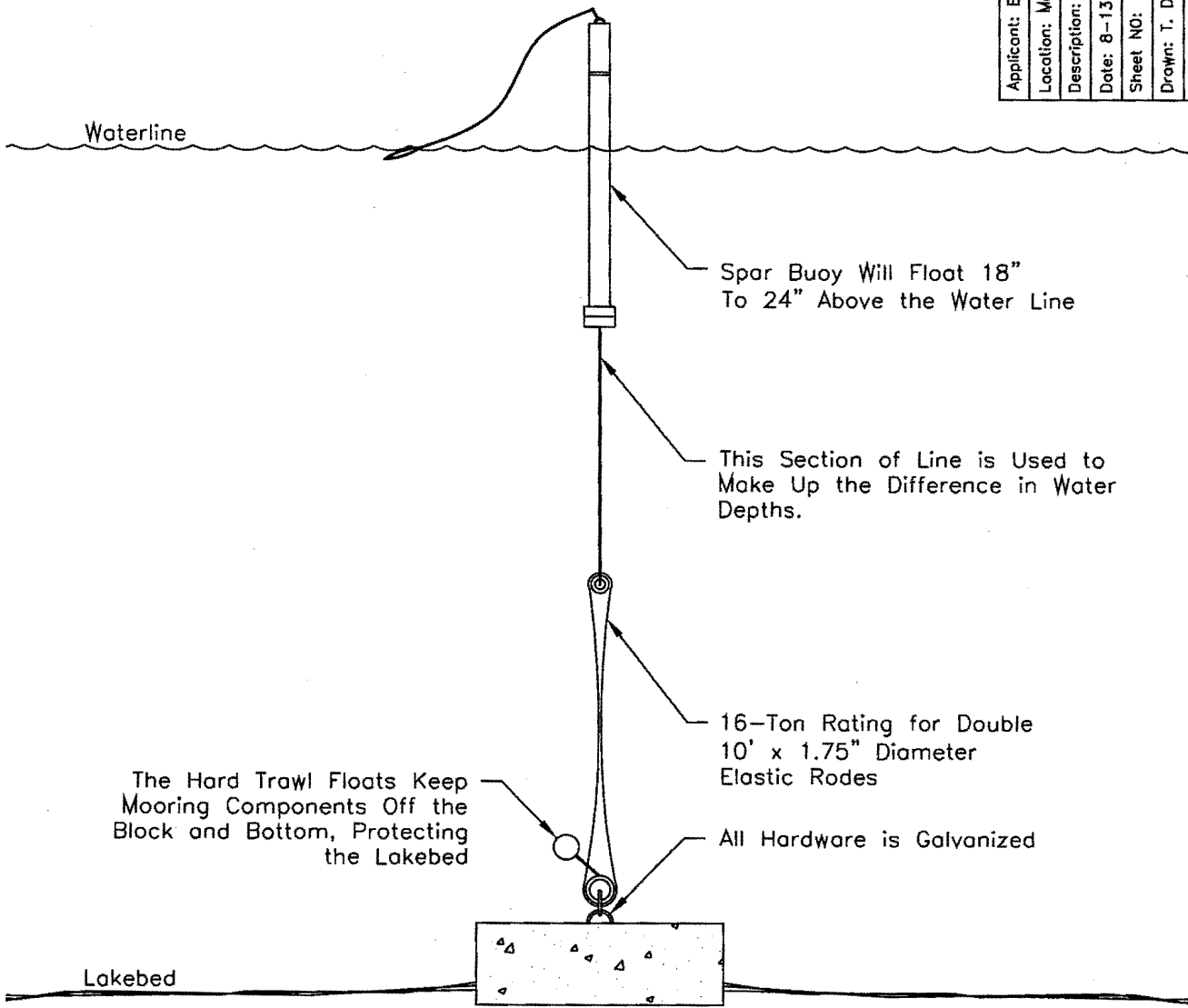
Extended Property Line
into the lake parallel
with the Moorings
Marina as discussed by
neighboring property
owners

Elastic Rode Type Moorings
-Typ. of (17)

Scanned Extension of
Property Line Into Lake
By Colonial Method
As Discussed & Agreed
Upon By Neighboring
Property Owners

Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Mooring Field Plan	
Date: 8-13-2013	The Dock Doctors <small>LLC</small> Waterfront Specialists
Sheet NO: 9 OF 16	
Drawn: T. Dietrich	19 Little Otter Lane Ferrisburg, VT 05456
Approved:	

Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Mooring Cross Section	
Date: 8-13-2013	The Dock Doctors Waterfront Specialists
Sheet NO: 10 OF 16	19 Little Otter Lane Ferrisburg, VT 05456
Drawn: T. Dietrich	
Approved:	



Waterline

Spar Buoy Will Float 18"
To 24" Above the Water Line

This Section of Line is Used to
Make Up the Difference in Water
Depths.

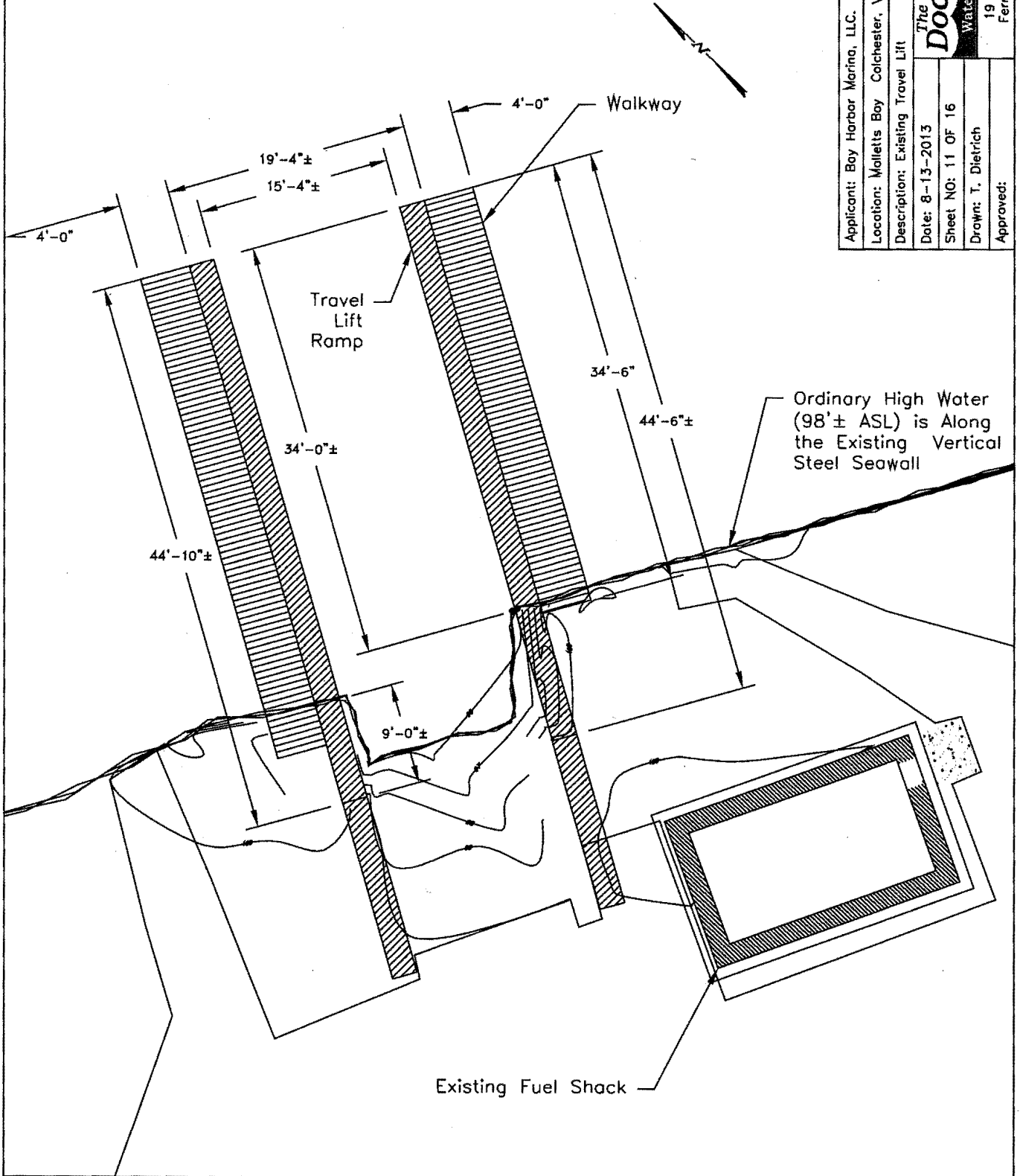
16-Ton Rating for Double
10' x 1.75" Diameter
Elastic Rodes

The Hard Trawl Floats Keep
Mooring Components Off the
Block and Bottom, Protecting
the Lakebed

All Hardware is Galvanized

Lakebed

Lake Champlain

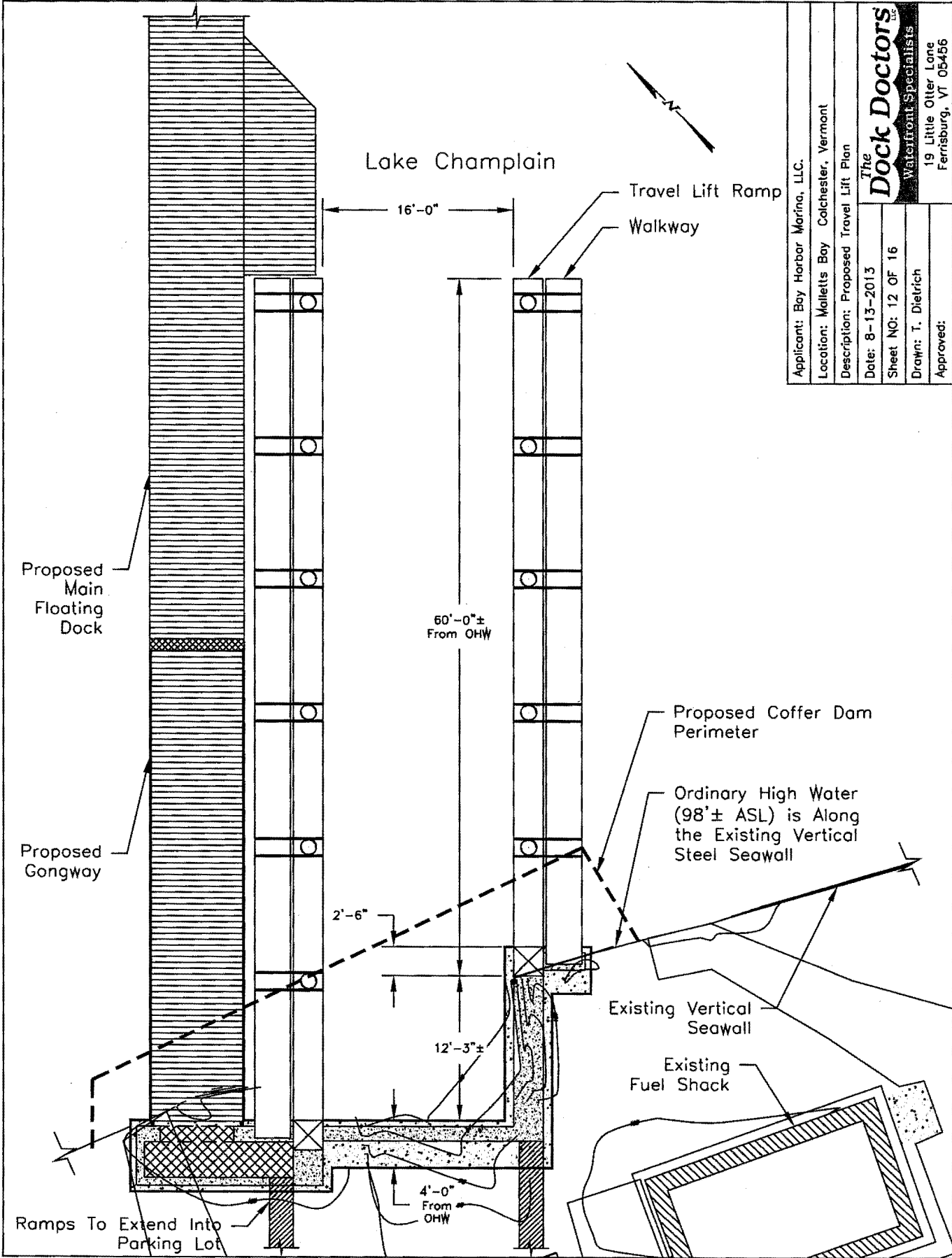


Applicant: Bay Harbor Marina, LLC.
Location: Malletts Bay Colchester, Vermont
Description: Existing Travel Lift
Date: 8-13-2013
Sheet NO: 11 OF 16
Drawn: T. Dietrich
Approved:

The Dock Doctors
Waterfront Specialists
19 Little Otter Lane
Ferrisburg, VT 05456

Ordinary High Water (98'± ASL) is Along the Existing Vertical Steel Seawall

Existing Fuel Shack



Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Proposed Travel Lift Plan	
Date: 8-13-2013	
Sheet NO: 12 OF 16	
Drawn: T. Dietrich	
Approved:	

The Dock Doctors
 Waterfront Specialists
 19 Little Otter Lane
 Ferrisburg, VT 05456

Applicant: Bay Harbor Marina, LLC.

Location: Malletts Bay Colchester, Vermont

Description: Typ. Side Elevation of Cofferdam

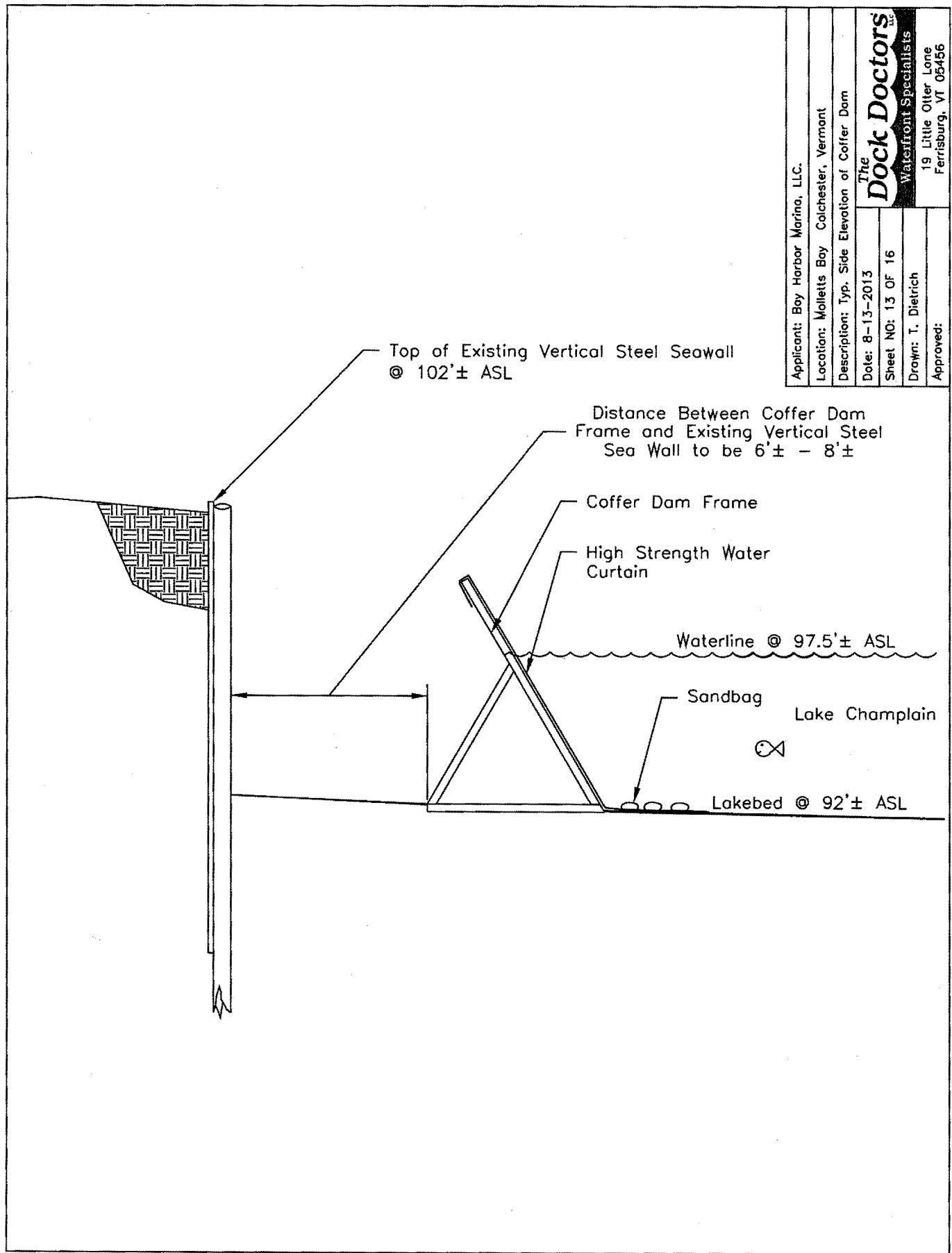
Date: 8-13-2013

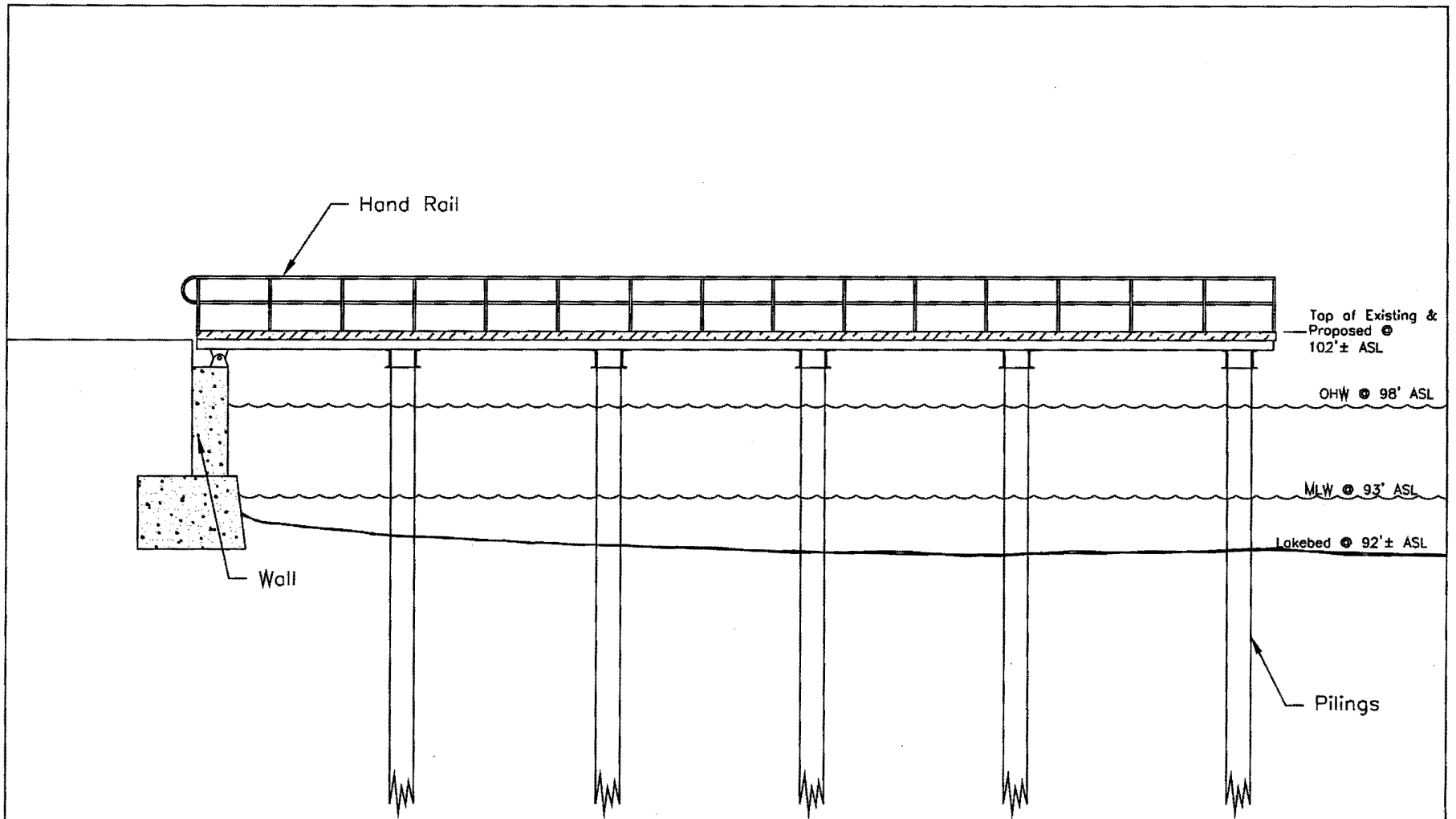
Sheet NO: 13 OF 16

Drawn: T. Dietrich

Approved:

The Dock Doctors
Waterfront Specialists
19 Little Otter Lane
Ferrisburg, VT 05456

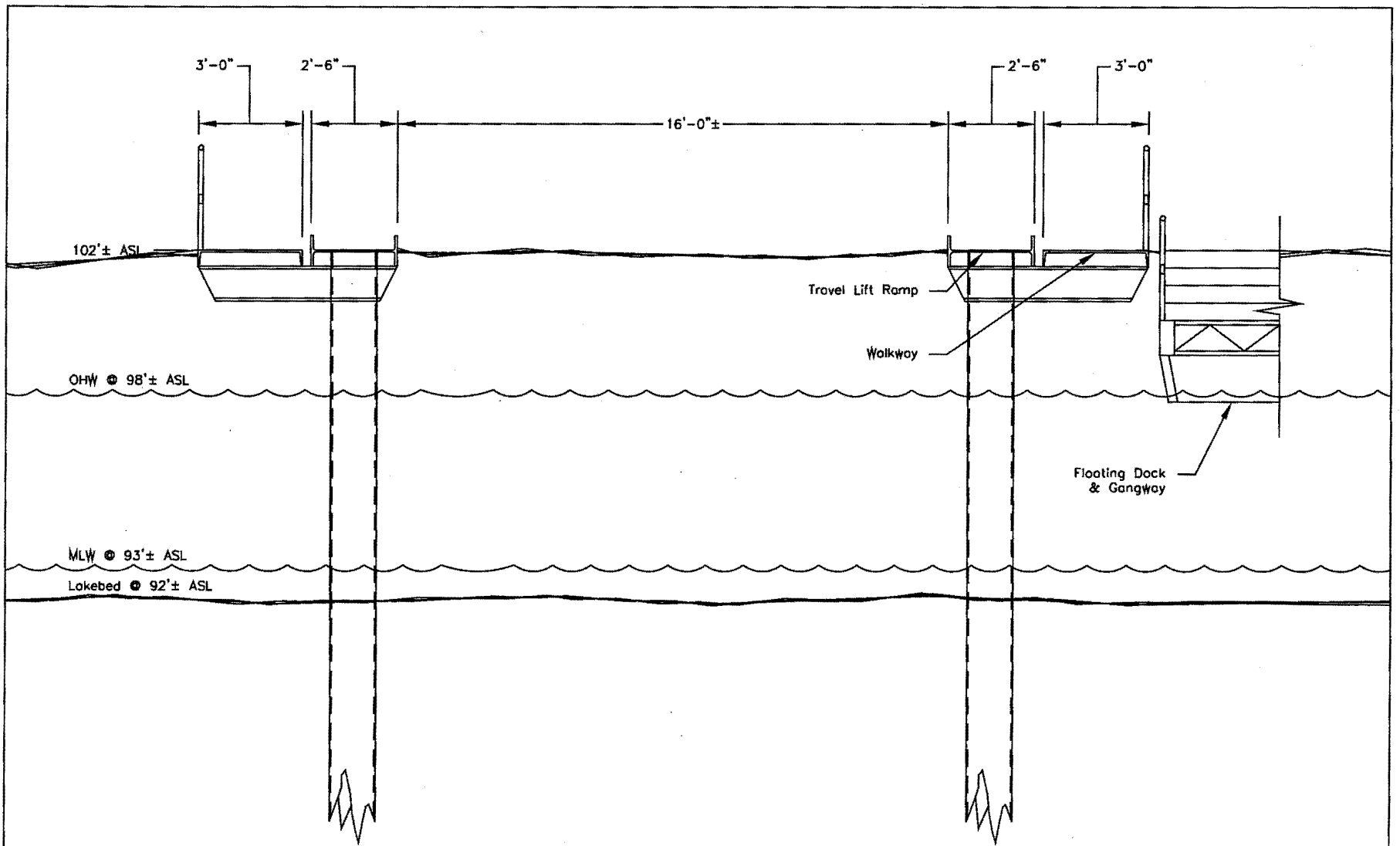




Travel Lift Elevation Detail

Scale: 1/8" = 1'-0"

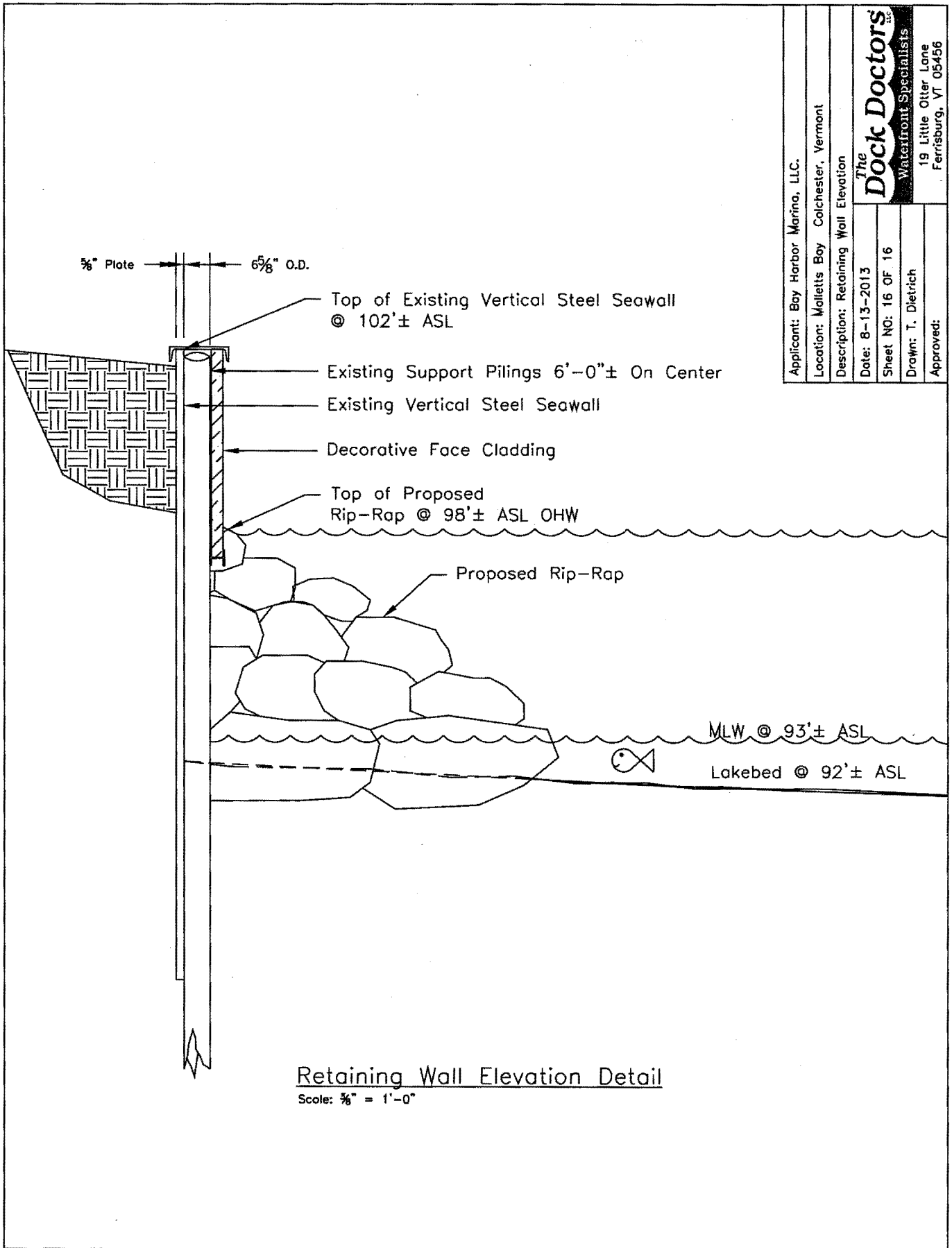
Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Travel Lift Side Elevation	
Date: 8-13-2013	The Dock Doctors <small>LLC</small> Waterfront Specialists
Sheet NO: 14 OF 16	
Drawn: T. Dietrich	19 Little Otter Lane Ferrisburg, VT 05456
Approved:	



Travel Lift Elevation Detail

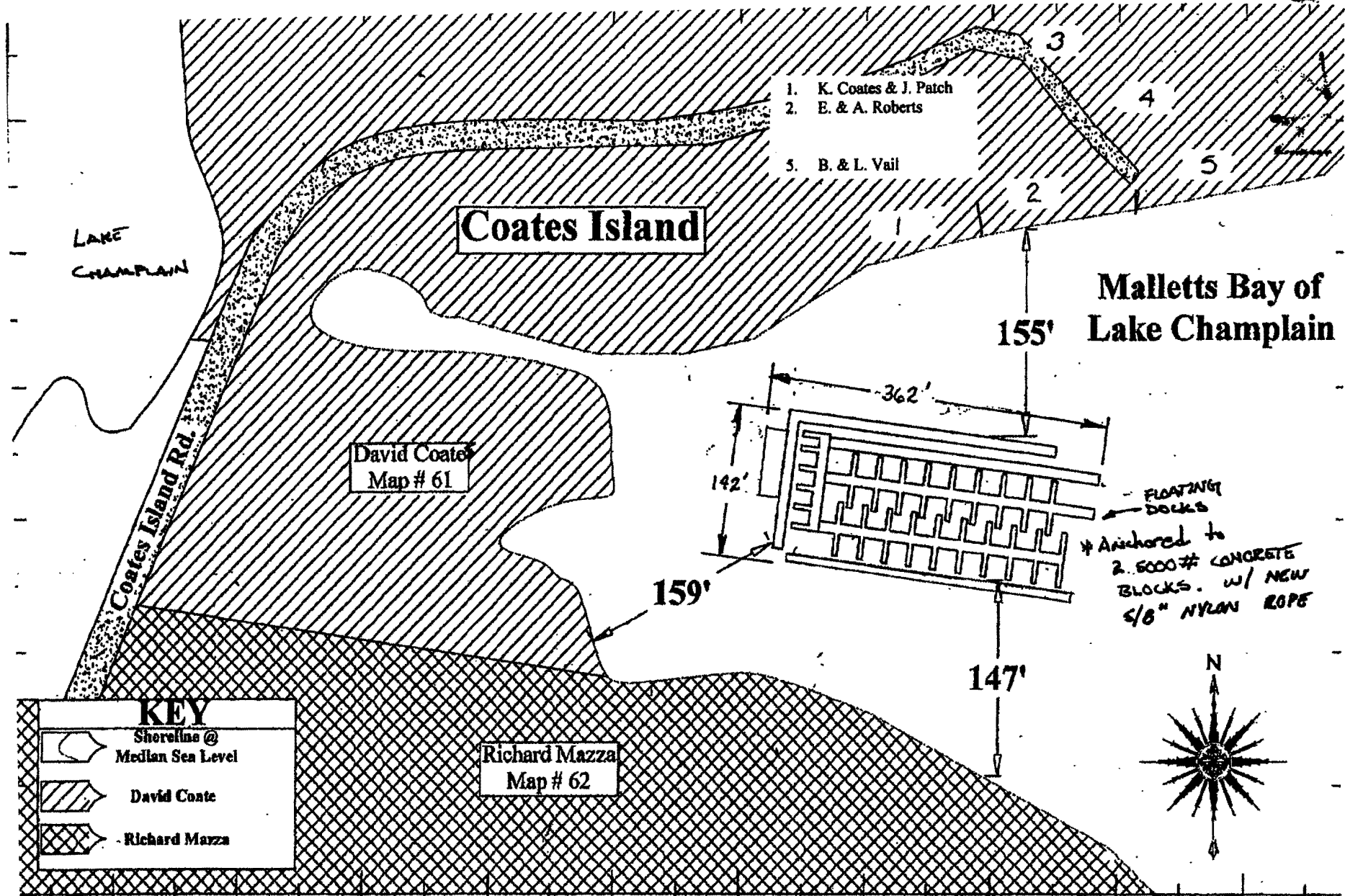
Scale: 1/4" = 1'-0"

Applicant: Bay Harbor Marina, LLC.	
Location: Molletts Bay Colchester, Vermont	
Description: Travel Lift Front Elevation	
Date: 8-13-2013	
Sheet NO: 15 OF 16	
Drawn: T. Dietrich	19 Little Otter Lane Ferrisburg, VT 05456
Approved:	



Applicant: Bay Harbor Marina, LLC.	
Location: Malletts Bay Colchester, Vermont	
Description: Retaining Wall Elevation	
Date: 8-13-2013	The Dock Doctors Waterfront Specialists 19 Little Otter Lane Ferrisburg, VT 05456
Sheet NO: 16 OF 16	
Drawn: T. Dietrich	
Approved:	

Retaining Wall Elevation Detail
 Scale: 3/8" = 1'-0"



1. K. Coates & J. Patch
2. E. & A. Roberts
5. B. & L. Vail

Coates Island

**Malletts Bay of
Lake Champlain**

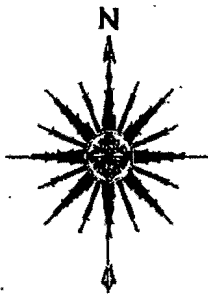
David Coates
Map # 61

Richard Mazza
Map # 62

KEY

- Shoreline @ Median Sea Level
- David Coates
- Richard Mazza

← FLOATING DOCKS
 * Anchored to
 2,500# CONCRETE
 BLOCKS. w/ NEW
 5/8" NYLON ROPE



Applicants Name: Bay Harbor Marine, LLC
 Applicants Address: 278 W. Lake Shore Dr. Colchester Vt. 05448

100'

SCALE: 1" = 100'

**Dock Storage Area in Winter
 Relative Distances From Median Sea Level
 Malletts Bay, Vermont**

Date: 8-13-2013

Drawing #