



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

PUBLIC NOTICE

15-DAY

Date: April 24, 2007

Comment Period Ends: May 9, 2007

File Number: NAE-2006-2972

In Reply Refer To: Ms. Diane M. Ray

Or by e-mail: diane.m.ray@usace.army.mil

696 Virginia Road
Concord, MA 01742-2751

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT: Port Clinton Marina

ACTIVITY: Dock expansion and wetland mitigation

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Clinton Harbor at 33 Indian Drive, Clinton, Connecticut. The proposed location on the USGS Clinton quadrangle sheet is at UTM coordinates 457140 N and 07070 E.

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.

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 a total of approximately 21,176 square feet of Essential Fish Habitat (EFH) for the species and their life stages as shown on the attachment. This habitat consists of silt and sand. Loss of this habitat may adversely affect the species and their life stages as shown on the attachment. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Any permit issued will contain a time of year restriction to prevent potential impacts to winter flounder, migrating anadromous fish and spawning shellfish in the area. 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

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 proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our 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

CENAE-R
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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 BA determination.

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.

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. 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.

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.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

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. 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.

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FILE NO. NAE-2006-2972

NAME: _____
ADDRESS: _____

PROPOSED WORK AND PURPOSE

To perform the following work at an existing marina facility:

1. Modify A-Dock as follows:

- a. remove an approximately 9' x 156' section of an existing 9' x 198' fixed pier parallel to and on the western side of A-Dock resulting in a remaining 9' x 42' fixed pier;
- b. replace the seaward 115' of the existing 6' x 200' long main float with wave attenuator floats;
- c. remove approximately 10' from the existing 68' long T-head at the seaward end of the existing A-Dock and the work dock, including a 4' long structure that extends within the Federal Anchorage, resulting in a 6' wide by 58' long fixed T-head and relocate it at the seaward end of the proposed main float described in 1.b. above;
- d. retain and maintain a 3' x 57' floating section of the existing work dock located parallel to the western side of A-Dock extending into the lift well;
- e. install and maintain off of the western side, four 4' wide finger floats, one 20' long, one 25' long and two 30' long, secured by battered pile clusters and tie-off piles;
- f. remove the existing access ramp and create new access from the end of the fixed pier modified as described in 1.a. above, consisting of a 4' x 20' ramp and an 11' x 25' landing float; and
- g. install a 4' x 95' float that will extend parallel to the shoreline between the base of A and B docks with five 30" x 12' finger floats for use as a small boat dock which will require removing a 3' x 20' finger and reducing length of a 3' wide finger from 20' to 12' on the eastern side of the existing A-Dock..

2. Modify B-Dock as follows:

- a. remove a 3' x 20' finger float from the western side of the existing B-Dock to facilitate construction of the small boat dock as described by 2.g. above;
- b. install and maintain a 6' x 107' section of wave attenuator floats 8' to the west and waterward of the existing approximately 6' x 280' pile-secured float which will be connected by a triangular landing float from the existing float;
- c. remove the waterward 98' of the existing main float and replace with wave attenuator floats;
- d. install and maintain four, pile-supported finger floats on the eastern side of the extension as described in 2.b. above, of which the three landwardmost finger floats will be 4' wide and seaward finger float will be 6' wide;
- e. install and maintain a 5' x 40' finger float secured by a battered pile on the western side of the dock extension described in 2.b. above;
- f. install and maintain a 5' x 17' dock extension secured by a battered pile to an existing 4' x 23' finger float on the landward end of the western side of the dock extension described in 2.b. above;
- g. install and maintain a 4' x 22' finger float secured by a battered pile on the waterward end of the western side of the extension described in 2.a. above; and
- h. install and maintain a new tie-off pile between the floats described in 2.e., 2.f. and 2.g. above.

3. Modify C-Dock as follows:
 - a. increase the length of the 6' x 280' pile-secured float by 176';
 - b. install and maintain six 25' long, pile-supported finger floats on the eastern side of the extension described in 3.a. above, of which the landward five finger floats will be 4' wide and the seaward finger float will be 6' wide;
 - c. install and maintain five 4' wide finger floats on the western side of the extension described in 3.a. above of which the landward three finger floats will be 20' long and each secured by a pile and the seaward two finger floats will be 30' long and secured by battered piles; and
 - d. install and maintain a 4' x 35' pile-supported finger float on the western side of the landward end of the existing dock;

4. Repair, retain and maintain the following structures:
 - a. an existing 17' x 33' pile-supported marina building and associated utilities of which an approximately 154 square foot section is located beyond mean high water;
 - b. an approximately 25' long, 5' high, 1' wide horizontal timber sheet pile at the western end of the site, landward of the western portion of the marina support building described in 5.a. above;
 - c. an approximately 19' long, 5' high, 2" wide concrete block bulkhead;

5. Excavate approximately 30 cubic yards of fill along the shore between the landward ends of B and C Docks to create 480 square feet of tidal wetland vegetation. The excavated material will be disposed of and dewatered on the adjacent upland parking lot. The excavated area will be planted with tidal vegetation.

The work is described on the enclosed plans entitled "Port Clinton Marina, 33 Indian Drive, Clinton, Connecticut" in 9 sheets, dated, "May 2003"

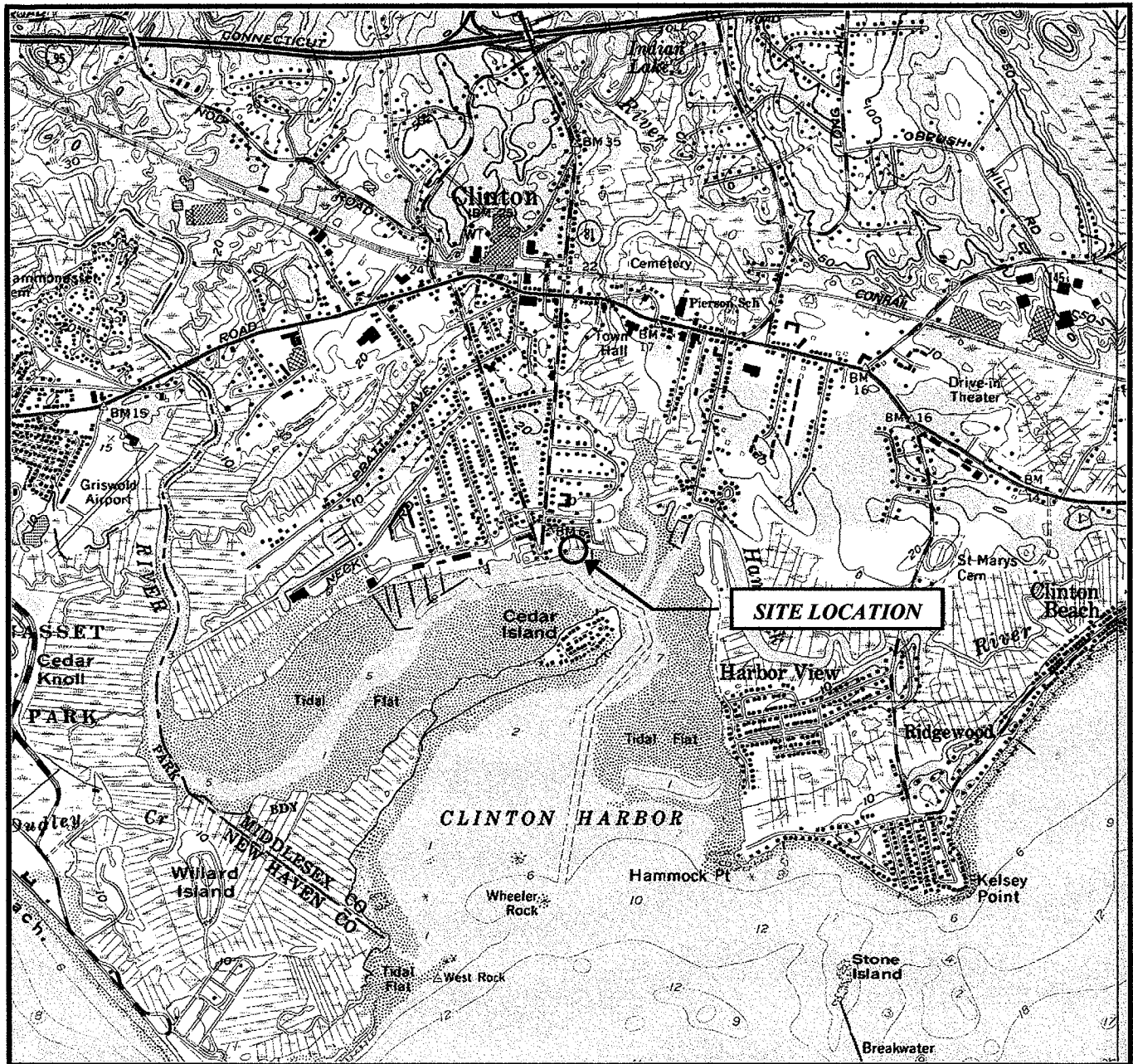
Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	72° 30.0 W	41° 10.0' N	72° 40.0 W

Square Description (i.e. habitat, landmarks, coastline markers): The waters within the Connecticut River estuary within the square south of the following: Guilford, CT., East River, CT., and Madison, CT., from Guilford Point past the East River entrance, past Hogshead Pt., Hamonasset Beach, Hamonasset Point, Hamonasset River, past Clinton Harbor, Hammock Pt., and Kelsey Pt. to just west of Kelsey Pt. These waters also affect Falkner I., Kimberly Reef, and western Six Mile Reef. Lobster Rock, Half Acre Rock, Charles Reef, Madison Reef, Tuxis I., and Stone I. Reef.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
whiting (<i>Merluccius bilinearis</i>)				X
red hake (<i>Urophycis chuss</i>)	X		X	X
windowpane flounder (<i>Scophthalmus aquosus</i>)	X	X	X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
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		



SCALE: 1 = 24,000

MAP TAKEN FROM 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE CLINTON, CONNECTICUT QUADRANGLE, 1960 (PHOTOINSPECTED 1976, PHOTOREVISED 1984).

Coastline Consulting, LLC

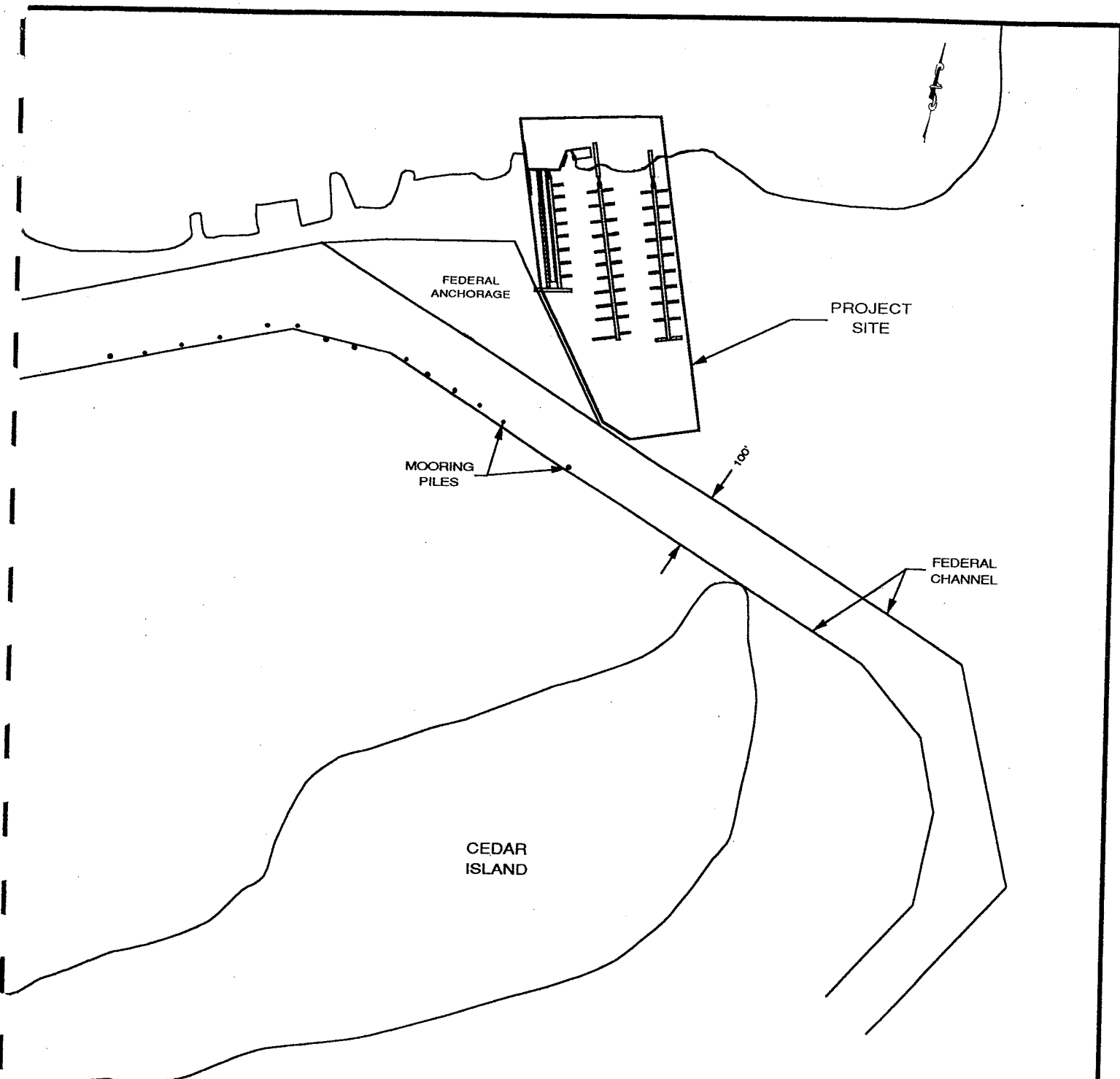
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(203) 245-8138

FIGURE 1
SITE LOCATION MAP

PORT CLINTON MARINA
33 INDIAN DRIVE
CLINTON, CONNECTICUT

DATE:
May 2003

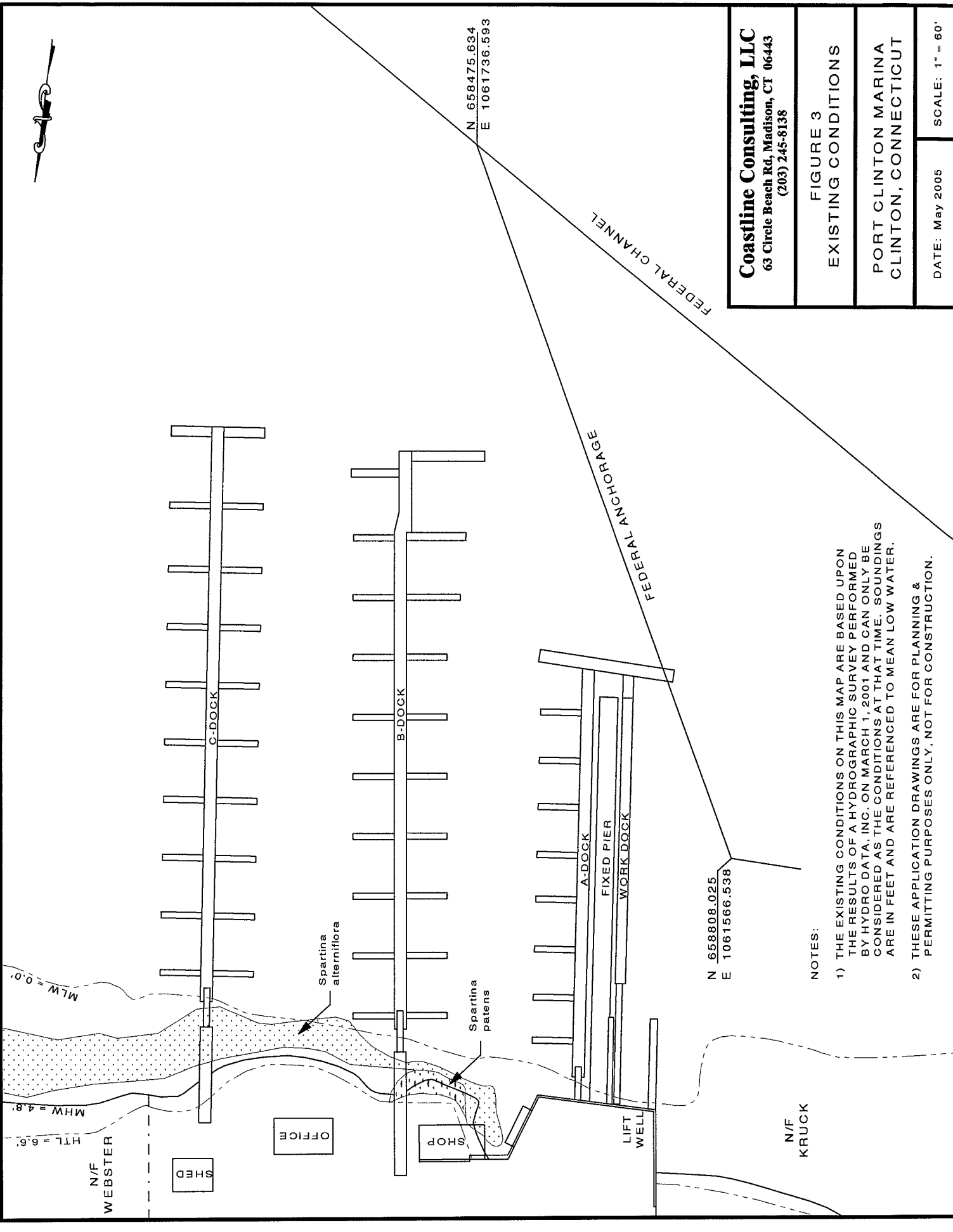
FILE NO.:
01-03



NOTES:

- 1) THIS DRAWING IS BASED IN PART UPON THE ARMY CORP OF ENGINEERS SHEET A.V.L. 5/96, CLINTON HARBOR, CONNECTICUT.
- 2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY, NOT FOR BID DOCUMENTS OR CONSTRUCTION.

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<p>FIGURE 2 SITE PLAN VIEW</p>	
<p>PORT CLINTON MARINA CLINTON, CONNETICUT</p>	
<p>DATE: May 2003</p>	<p>SCALE: 1" = 300'</p>



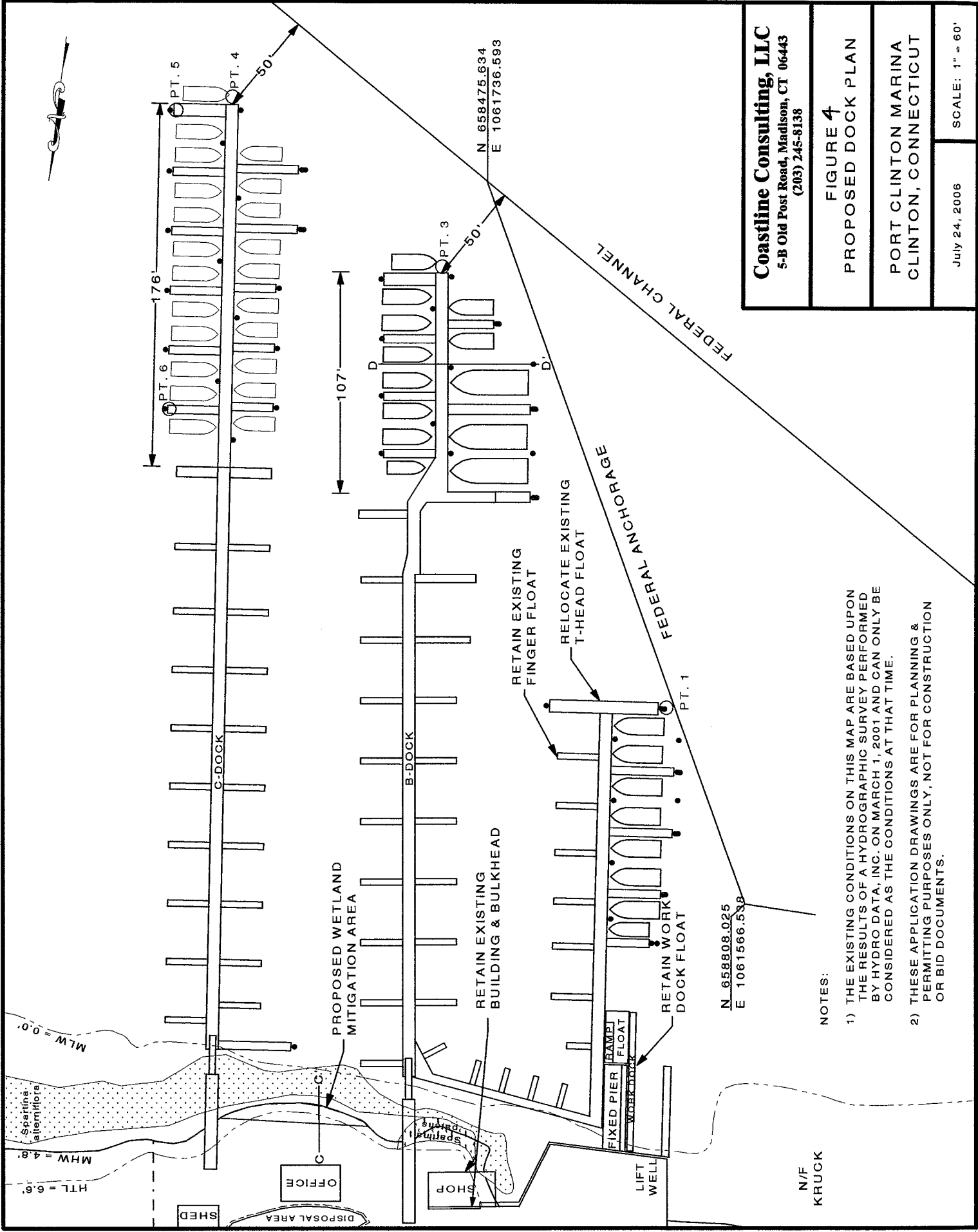
N 658475.634
E 1061736.593

N 65808.025
E 1061566.538

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FIGURE 3 EXISTING CONDITIONS	
PORT CLINTON MARINA CLINTON, CONNECTICUT	
DATE: May 2005	SCALE: 1" = 60'

NOTES:

- 1) THE EXISTING CONDITIONS ON THIS MAP ARE BASED UPON THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON MARCH 1, 2001 AND CAN ONLY BE CONSIDERED AS THE CONDITIONS AT THAT TIME. SOUNDINGS ARE IN FEET AND ARE REFERENCED TO MEAN LOW WATER.
- 2) THESE APPLICATION DRAWINGS ARE FOR PLANNING & PERMITTING PURPOSES ONLY, NOT FOR CONSTRUCTION.



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FIGURE 4
PROPOSED DOCK PLAN

PORT CLINTON MARINA
CLINTON, CONNECTICUT

July 24, 2006 SCALE: 1" = 60'

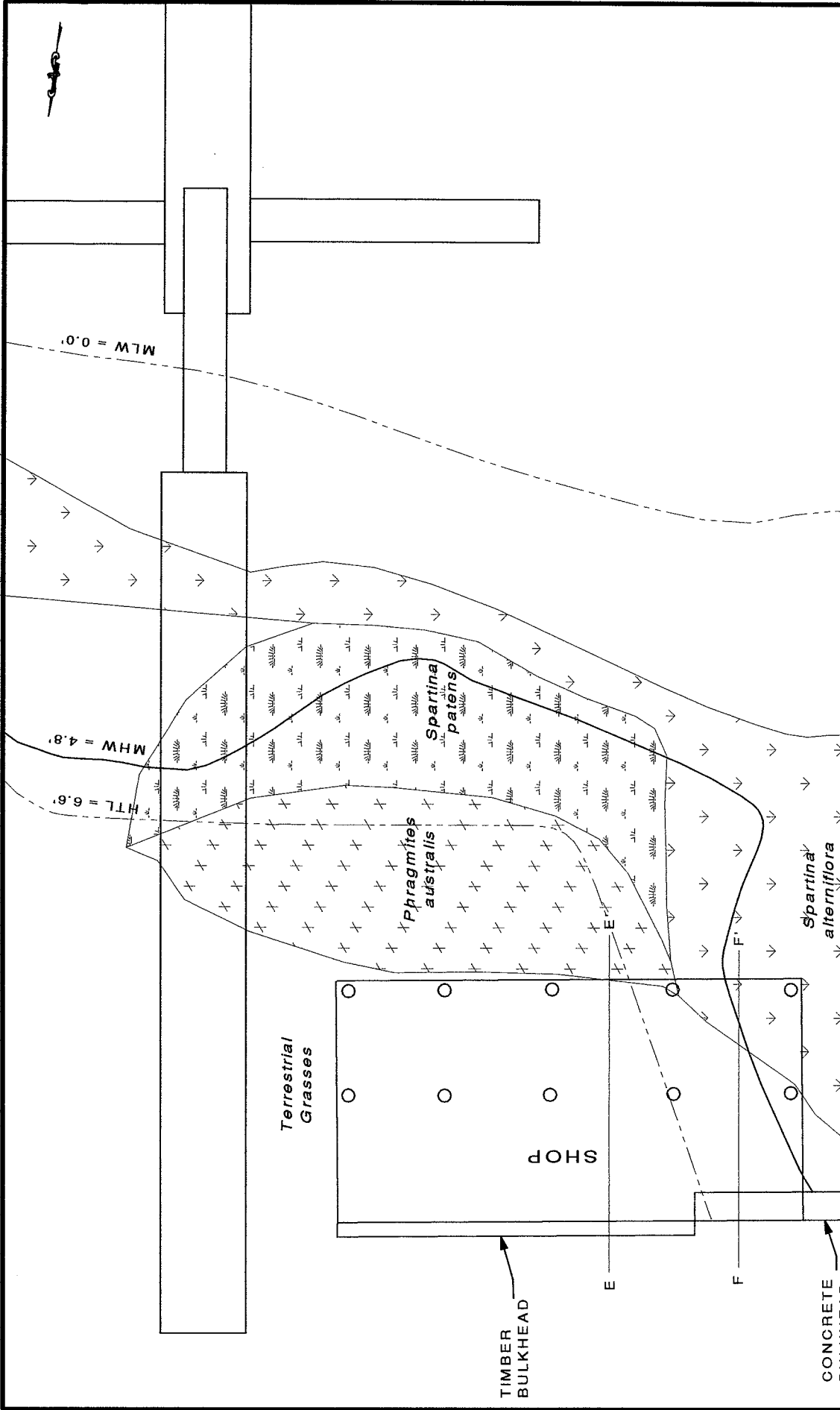
- NOTES:
- 1) THE EXISTING CONDITIONS ON THIS MAP ARE BASED UPON THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON MARCH 1, 2001 AND CAN ONLY BE CONSIDERED AS THE CONDITIONS AT THAT TIME.
 - 2) THESE APPLICATION DRAWINGS ARE FOR PLANNING & PERMITTING PURPOSES ONLY, NOT FOR CONSTRUCTION OR BID DOCUMENTS.

N/F
 KRUCK

N 658808.025
 E 1061566.538

N 658475.634
 E 1061736.593

HTL = 6.6'
 MHW = 4.8'
 MLW = 0.0'



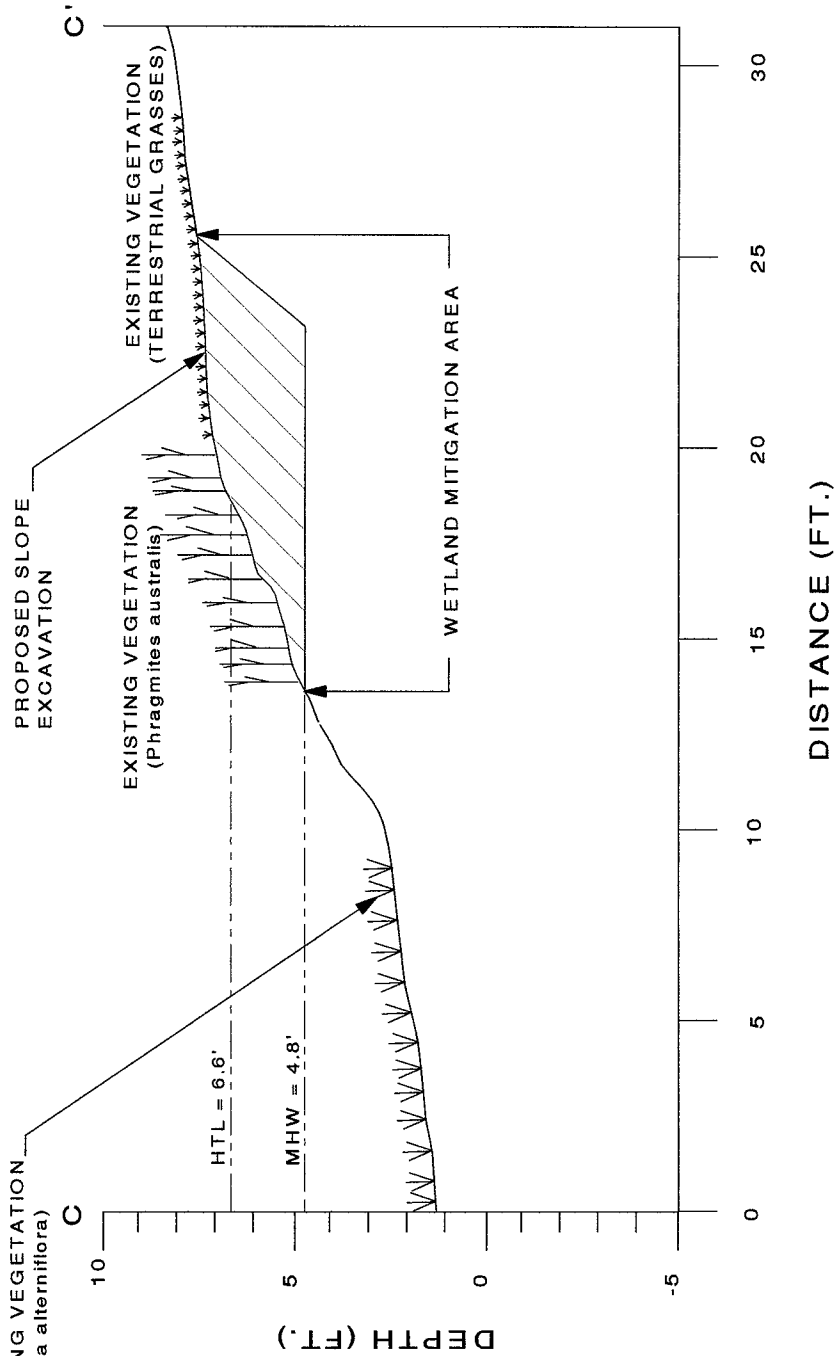
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FIGURE 5
 WORK SHOP PLAN VIEW

PORT CLINTON MARINA
 CLINTON, CONNECTICUT

DATE: May 2005 SCALE: 1" = 10'

- NOTES:
- 1) THE EXISTING CONDITIONS ON THIS MAP ARE BASED UPON THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON MARCH 1, 2001 AND CAN ONLY BE CONSIDERED AS THE CONDITIONS AT THAT TIME.
 - 2) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO MEAN LOW WATER BASED UPON USGS BENCH MARK #2 LOCATED ON COMMERCE STREET. THE BENCHMARK HAS AN ELEV. OF 7.39 FEET ABOVE MLW.



NOTES:

- 1) ALL ELEVATIONS ARE IN FEET AND REFERENCED TO MEAN LOW WATER DATUM.
- 2) THE PROPOSED MITIGATION PLAN HAS AN IRREGULAR SHAPED FOOTPRINT WITH A MAXIMUM LENGTH OF 62' AND A MAXIMUM WIDTH OF 10'. THE TOTAL MITIGATION AREA IS APPROXIMATELY 480 SQUARE FEET.
- 3) THE PROPOSED MITIGATION PLAN HAS BEEN DESIGNED TO DISPLACE PHRAGMITES AUSTRALIS/TERRRESTRIAL GRASSES AND ENCOURAGE THE GROWTH OF SPARTINA ALTERNIFLORA. ALL PROPOSED VEGETATION WILL BE SELF-SEEDING.

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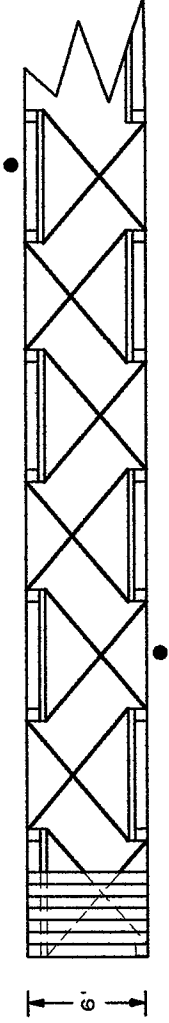
FIGURE 6
 WETLAND MITIGATION (C-C')

PORT CLINTON MARINA
 CLINTON, CONNECTICUT

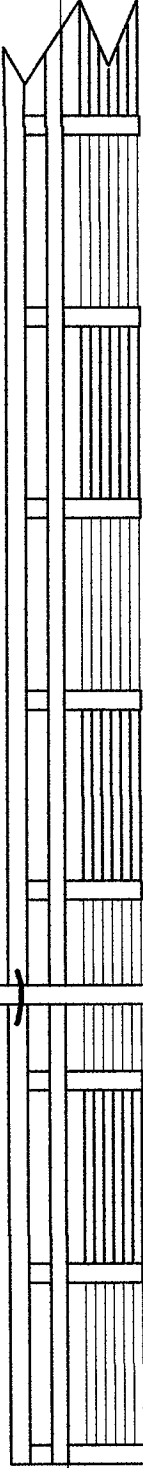
DATE: July 24, 2006

SCALE: 1" = 5'

PLAN VIEW



CROSS-SECTION D-D'



EXISTING GRADE

NOTES:

- 1) DESIGN FOR PLANNING PURPOSES ONLY, NOT FOR CONSTRUCTION.
- 2) ALL TIDAL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER DATUM.

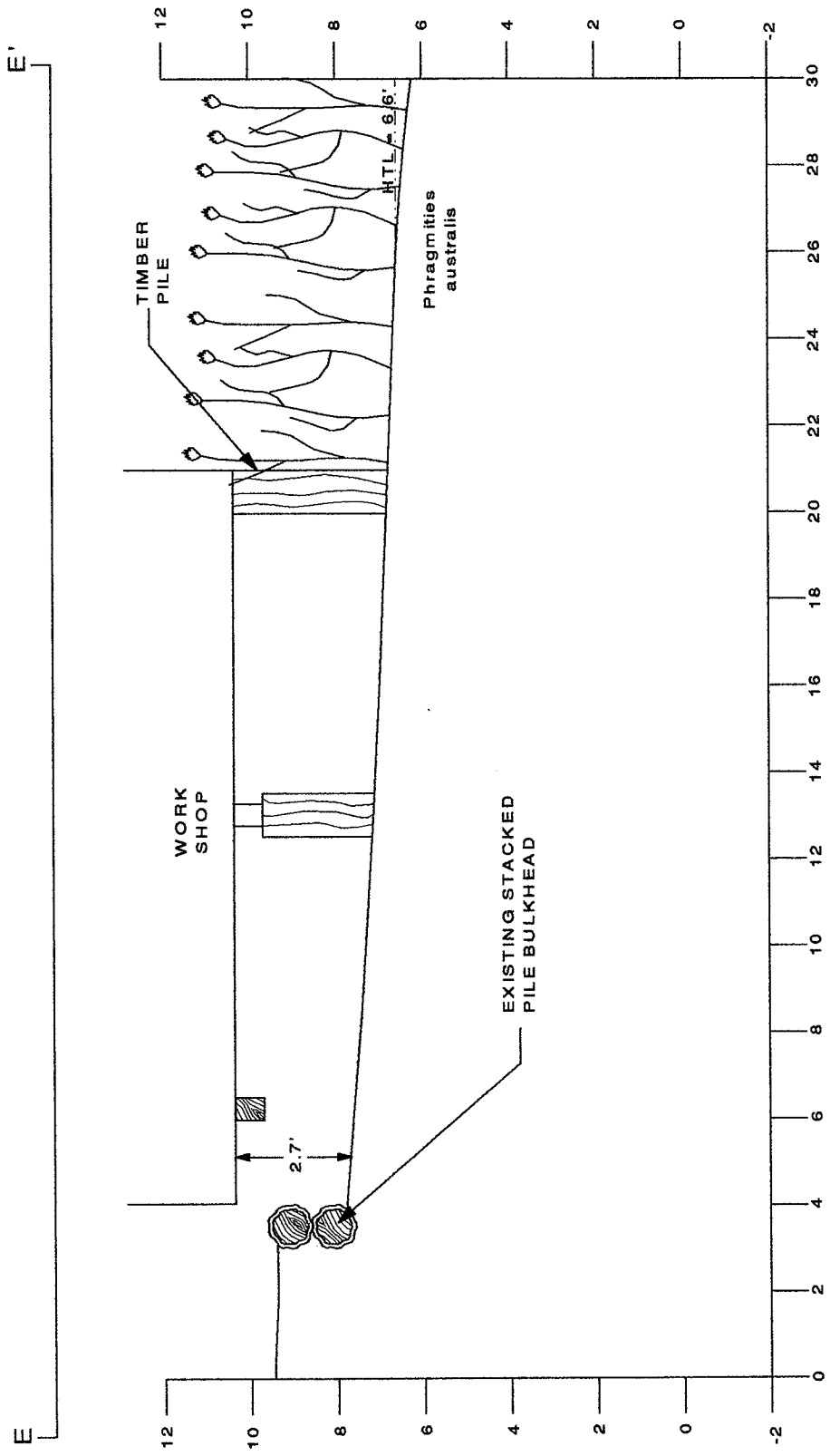
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FIGURE 7
DOCK CROSS-SECTION (D-D')

PORT CLINTON MARINA
CLINTON, CONNECTICUT

DATE: May 2005

SCALE: 1" = 10'



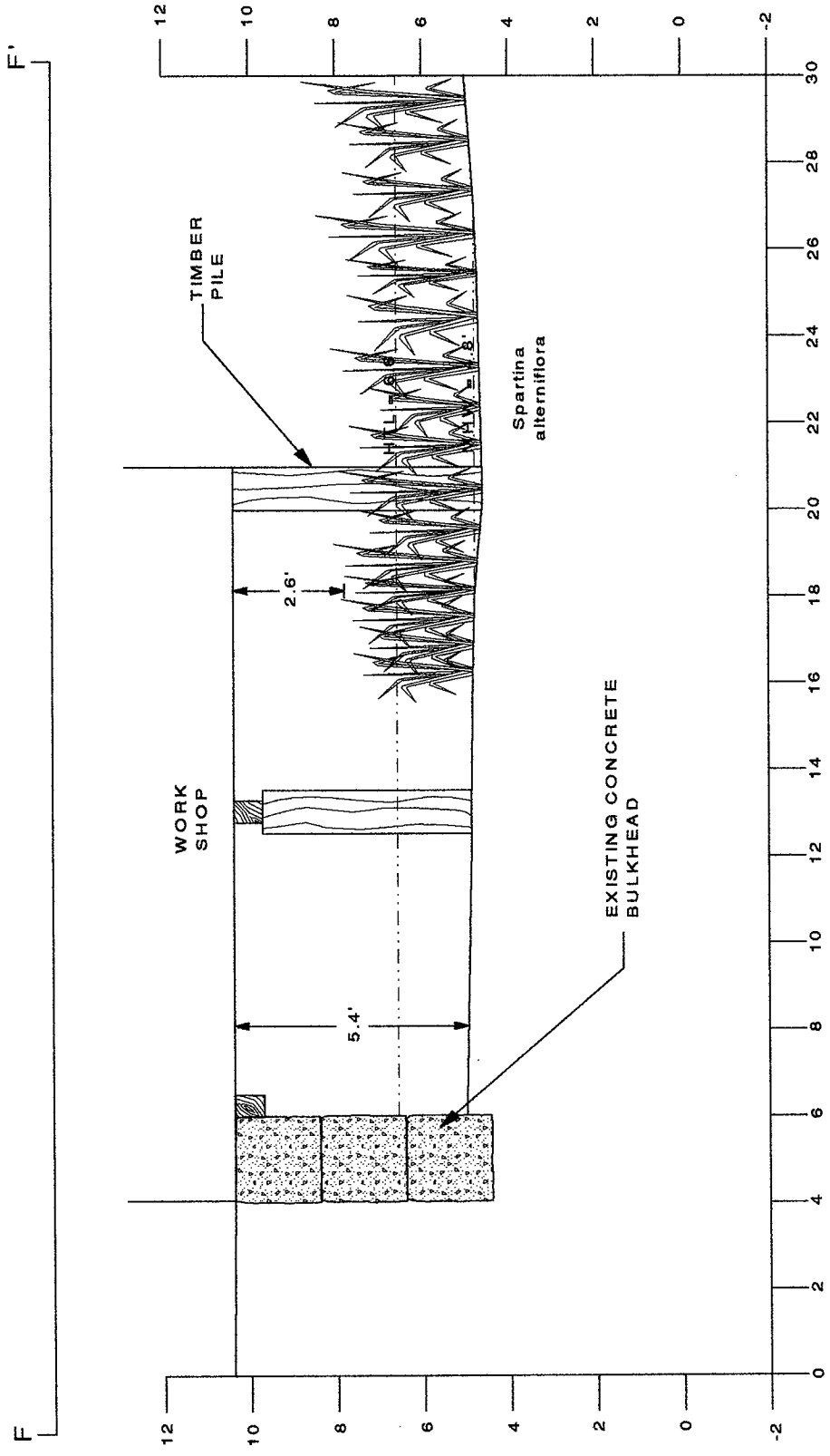
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FIGURE 8
 CROSS-SECTION E-E'

PORT CLINTON MARINA
 CLINTON, CONNECTICUT

DATE: May 2005 SCALE: 1" = 4'

- NOTES:
- 1) THE EXISTING CONDITIONS ON THIS MAP ARE BASED UPON THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON MARCH 1, 2001 AND CAN ONLY BE CONSIDERED AS THE CONDITIONS AT THAT TIME.
 - 2) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO MEAN LOW WATER BASED UPON USGS BENCH MARK #2 LOCATED ON COMMERCE STREET. THE BENCHMARK HAS AN ELEV. OF 7.39 FEET ABOVE MLW.



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FIGURE 9
 CROSS-SECTION F-F'

PORT CLINTON MARINA
 CLINTON, CONNECTICUT

DATE: May 2005 SCALE: 1" = 4'

- NOTES:
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