



PUBLIC NOTICE

US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Date: May 20, 2008
Comment Period Ends: June 20, 2008
File Number: NAE-2008-1380
In Reply Refer To: Paula Kullberg
Or by e-mail: paula.g.kullberg@usace.army.mil

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.

Don's Dock proposes to expand an existing commercial marina. The proposed work includes removal of existing docks and finger piers currently providing for 80 boat slips, and replacement of same with a collection of piers, ramps and floats providing access to 200 boat slips.

A detailed description and plans of the activity are attached.

This work is proposed in Lambert Cove off of Stonington Harbor at 228 North Water Street, Stonington, CT 06378

The proposed location on the USGS Mystic quadrangle sheet is at UTM coordinates 256706.8319 N and 4580849.7552 E or 41.342418 degrees N, -71.907791 degrees 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

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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 **3.16** acres of Essential Fish Habitat (EFH) for Atlantic cod (adults), Atlantic sea herring (adults), bluefish (juveniles, adults), king mackerel (all life stages), Spanish mackerel (all life stages), cobia (all life stages), sand tiger shark (larvae), blue shark (larvae, adults), dusky shark (juveniles), and bluefin tuna (adults). This habitat consists of silty sand. Loss of this habitat may adversely affect the species listed above as a result of increased turbidity, noise, and pollution from increased boater traffic. 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.

SECTION 106 COORDINATION

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 (IF APPLICABLE)

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 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 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.
- () Permit from Local Wetland Agency or Conservation Commission.
- () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

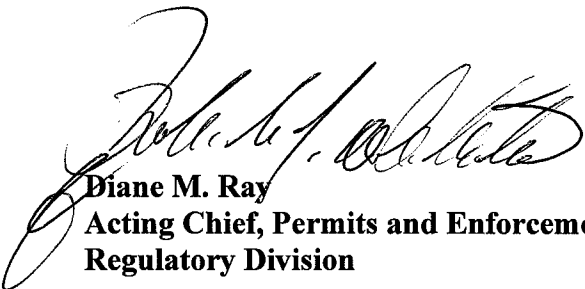
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Paula Kullberg at (978) 318-8170, or (800) 343-4789.

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.



Diane M. Ray
Acting 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.

NAME: _____
ADDRESS: _____

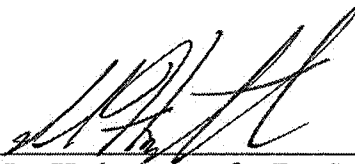
PROPOSED WORK AND PURPOSE

The work includes work in navigable waters for expansion of an existing commercial marina. Don's Dock proposes to remove existing piers and floats that have a present capacity of 80 boat slips, and to install and maintain a collection of piers, ramps and floats with a new capacity of 200 boat slips. Specifically, the applicant proposes to install and maintain an approximately 237'-long by 8'-wide main access float with 20' by 20' access ramp, plus approximately 1,212 linear feet of 6'-wide main floats with 102 four (4)'-wide finger floats, a 175 (+/-)' by 6'-wide work float, two 72 (+/-)'-long by 8'-wide launch/service floats with associated ramp and 24 (+/-)'-long by 6'-wide fixed landing, a 55 (+/-)'-long by 25'-wide fixed wood pile and timber forklift pier, and a 54 (+/-)'-long by 25'-wide concrete plank launch ramp. All structures will have associated ramps and restraint pilings. The furthestmost waterward structures shall extend approximately 410 feet beyond Mean High Water (MHW).

The work is described on the enclosed plans entitled "DOCK EXPANSION; TOWN OF STONINGTON, NEW LONDON COUNTY, CONNECTICUT; LAMBERT COVE; DON'S DOCK," on five (5) sheets, and dated "JUNE 26, 2007."

COASTAL ZONE CONSISTENCY STATEMENT

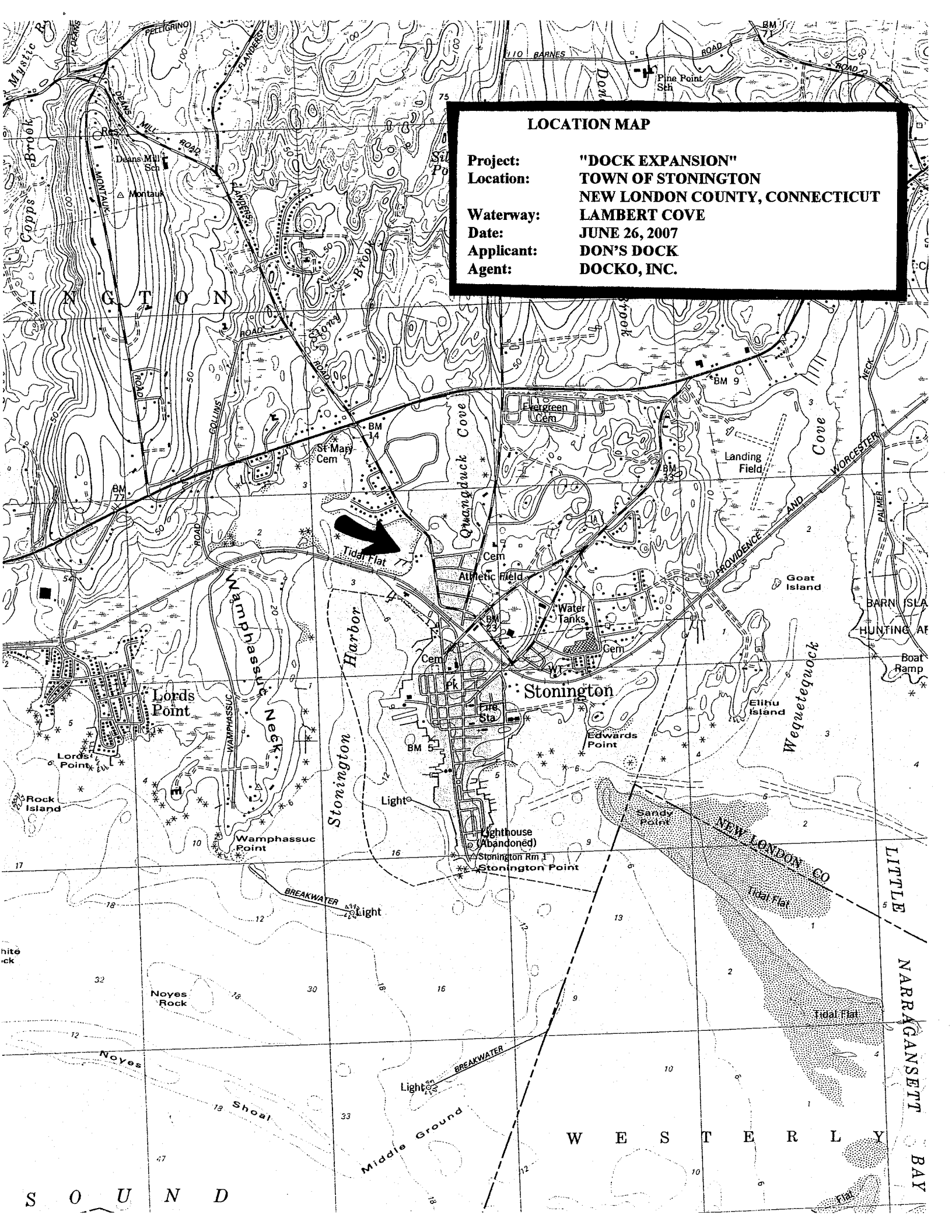
Don's Dock, LLC certifies to the best of its knowledge and belief that the proposed dock expansion as depicted on drawings dated June 26, 2007, prepared by Docko, Inc. for us, complies with the Connecticut Coastal Zone Management program and all activities associated with the project will be conducted in a manner consistent with the program guidelines.

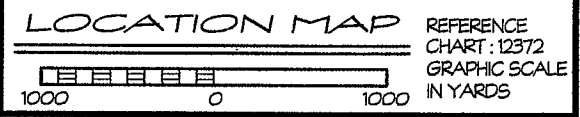
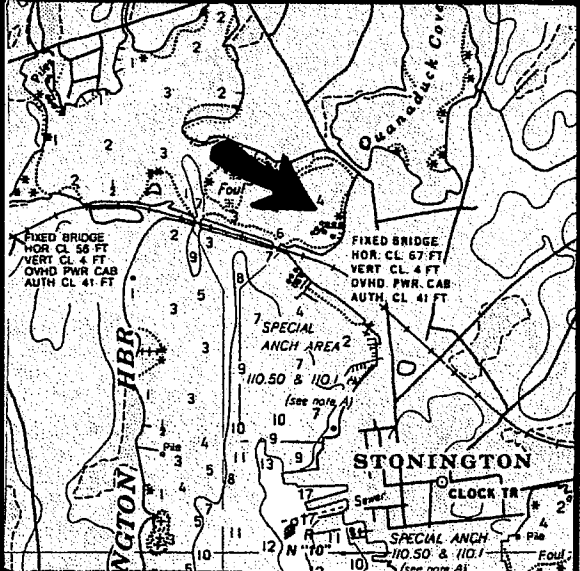
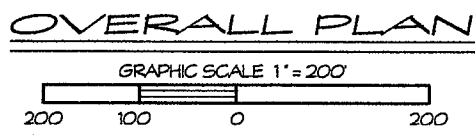
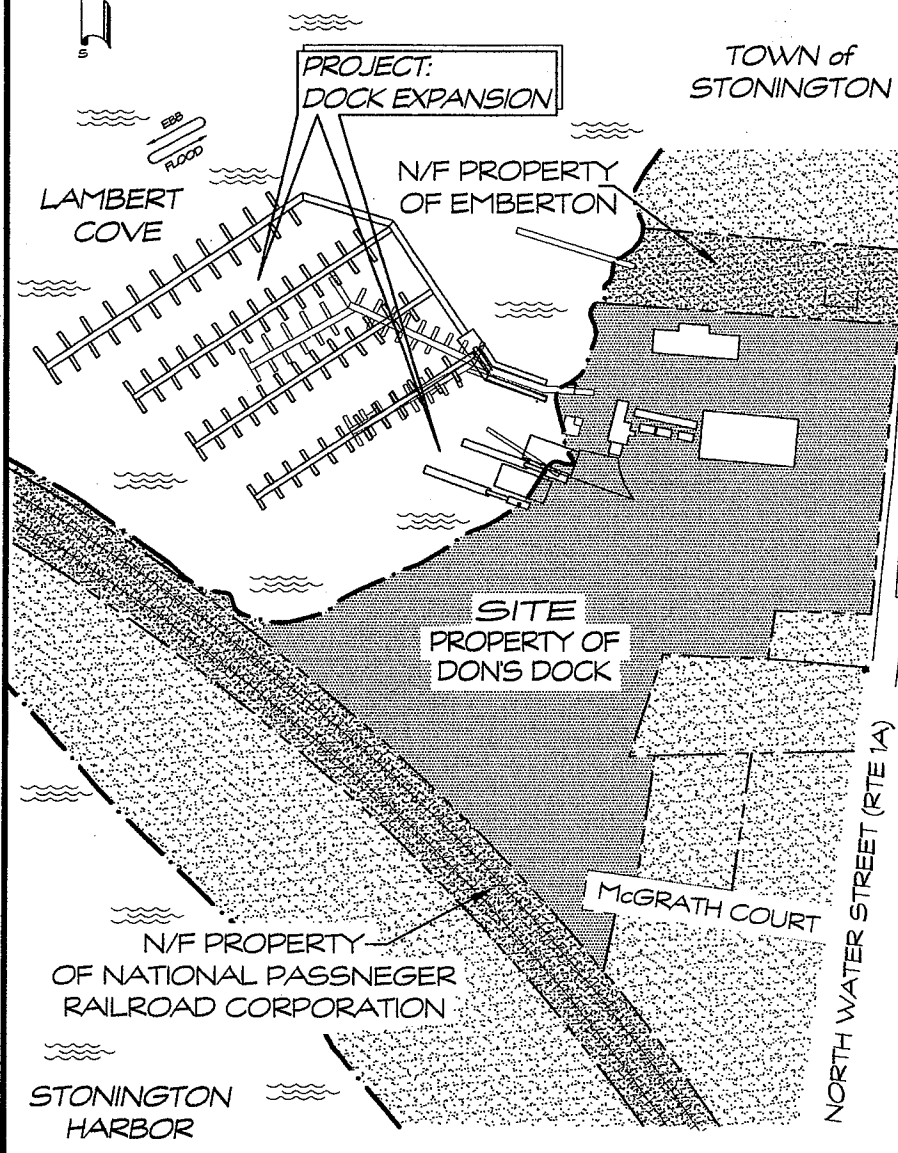
A handwritten signature in black ink, appearing to read 'Ian Hetherington', is written over a horizontal line.

Ian Hetherington for Don's Dock, LLC

LOCATION MAP

Project: "DOCK EXPANSION"
Location: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
Waterway: LAMBERT COVE
Date: JUNE 26, 2007
Applicant: DON'S DOCK
Agent: DOCKO, INC.





- NOTES:
- ELEVATION DATUM IS MEAN LOW WATER.
 - TIDE DATA IS TAKEN FROM 2006 NOAA TIDE TABLES REFERENCE : STONINGTON.
 - PROJECT DESCRIPTION:
CONSTRUCT 237±LF OF 8-FT WIDE MAIN ACCESS FLOAT WITH A 20' X 20' RAMP LANDING FLOAT, 1,212 ±LF OF 6-FT WIDE MAIN FLOATS WITH 102 4-FT WIDE FINGER FLOATS, 175±LF OF 6-FT WIDE WORK FLOAT, TWO 8-FT WIDE X 72±LF LAUNCH/SERVICE FLOATS WITH ASSOCIATED RAMP AND A 6-FT WIDE X 24±LF FIXED LANDING, 55 ±LF OF 25-FT WIDE FIXED WOOD PILE AND TIMBER FORKLIFT PIER, AND 54 ±LF OF 25-FT WIDE PRE-CAST CONCRETE PLANK LAUNCH RAMP WITH 125±CY OF GRAVEL FILL OVER 1,500±SF, ALL AT OR WATERWARD OF THE HIGH TIDE LINE. ALL WITH ASSOCIATED RAMPS AND RESTRAINT PILINGS
 - PROJECT PURPOSE:
THIS IS A COMMERCIAL MARINA FOR RECREATIONAL BOATING.
 - THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.

6. ADJOINING PROPERTY OWNERS:

| | |
|------------------------|-----------------------------------|
| NORTH: | SOUTH: |
| WILLIAM T. EMBERTON | NATIONAL RAILROAD PASSENGER CORP. |
| 232 NORTH WATER STREET | 30th MARKET STREET |
| STONINGTON, CT 06378 | PHILADELPHIA, PA 19104 |

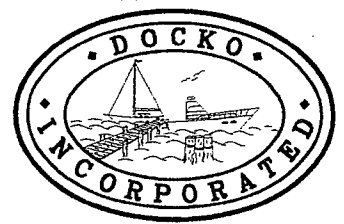
PROJECT: DOCKO EXPANSION

LOCATION: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: LAMBERT COVE
DATE: JUNE 26, 2007
APPLICANT: DON'S DOCK

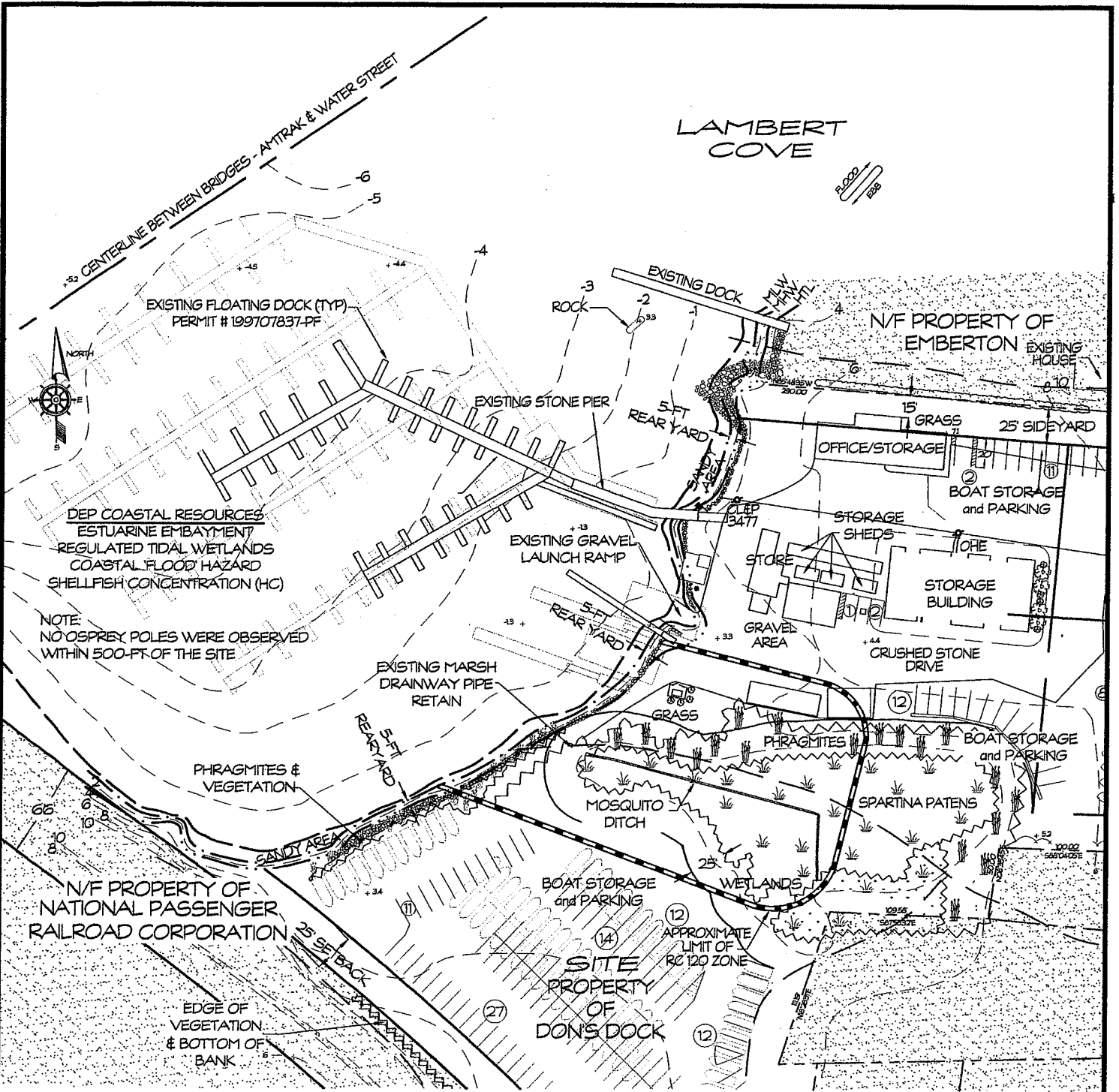
AGENT: SHEET 1 OF 5
DOCKO, INC.

Keith B. Nelson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net



DWG 00-001-1057





SURVEY: by J. DEMPSEY & ASSOCIATES

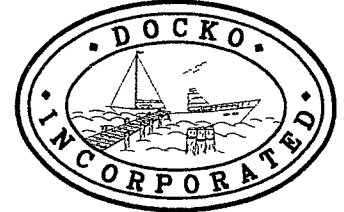
EXISTING CONDITIONS

PROJECT: DOCK EXPANSION

LOCATION: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

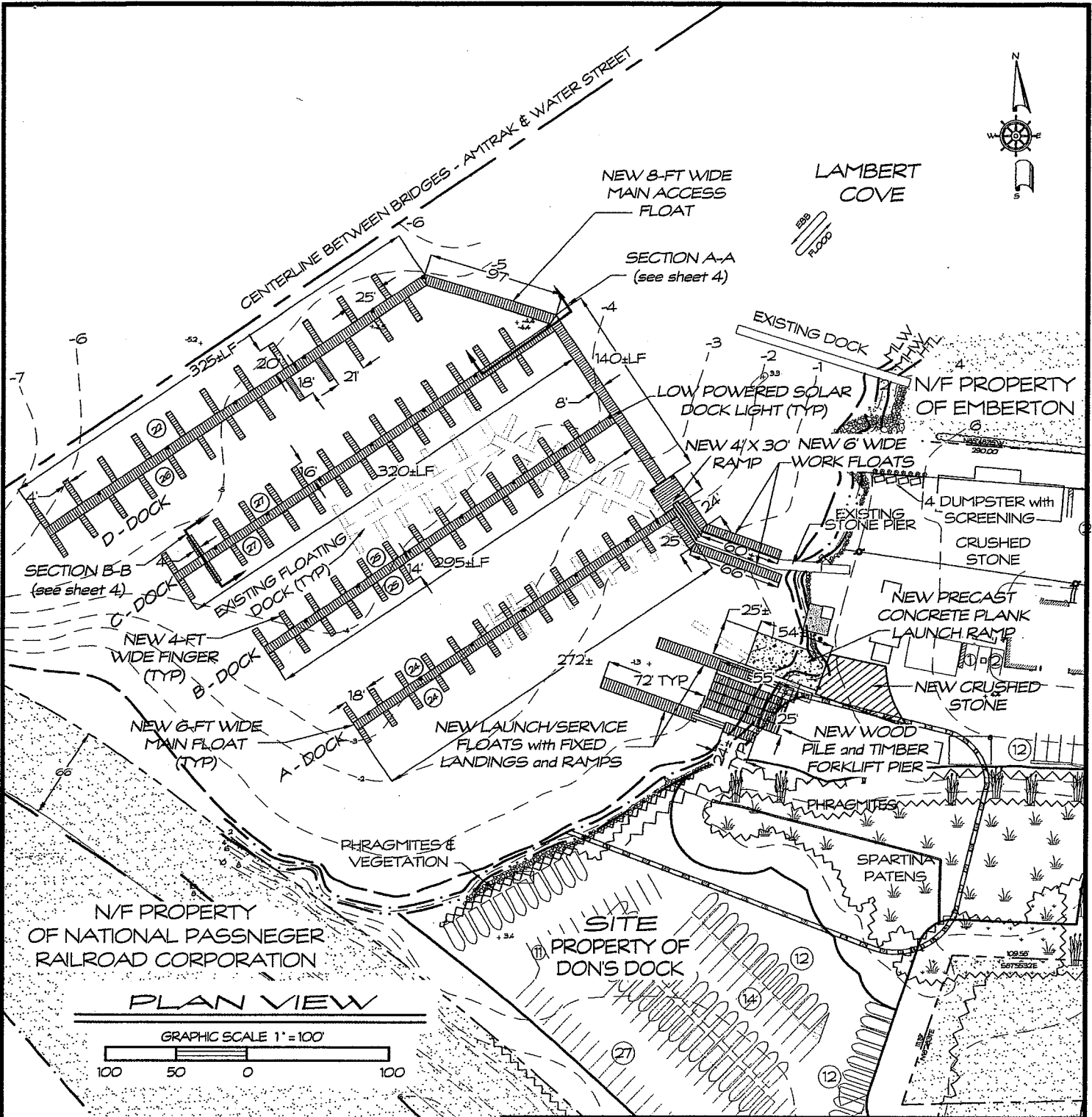
WATERWAY: LAMBERT COVE
DATE: JUNE 26, 2007
APPLICANT: DON'S DOCK

AGENT: SHEET 2 OF 5
DOCKO, INC.
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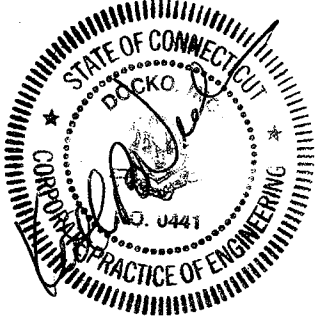


DWG





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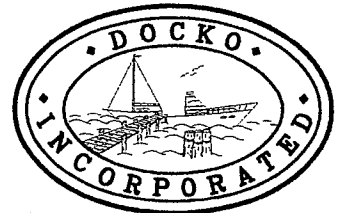
PROJECT: DOCK EXPANSION

LOCATION: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

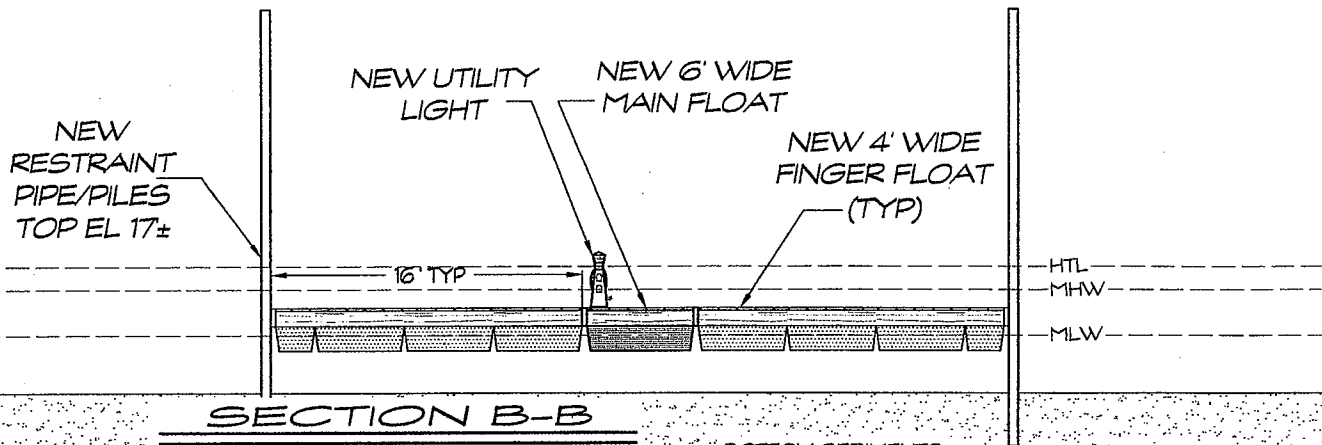
WATERWAY: LAMBERT COVE
DATE: JUNE 26, 2007
APPLICANT: DON'S DOCK

AGENT: SHEET 3 OF 5
DOCKO, INC.

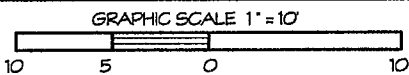
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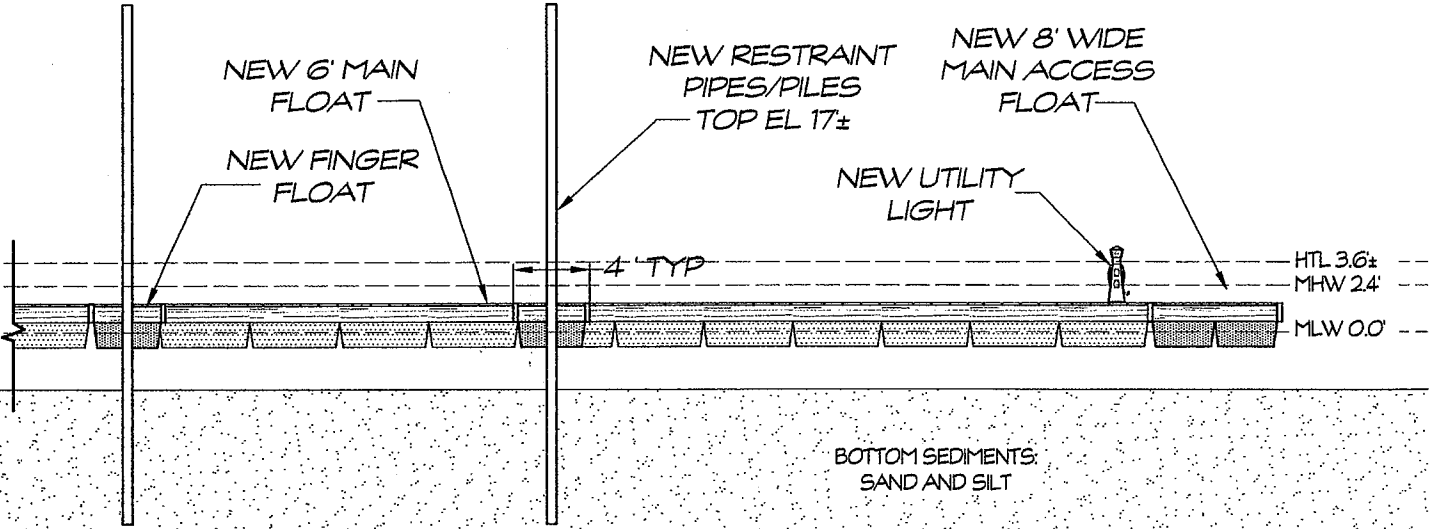
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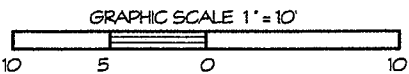
SECTION B-B



BOTTOM SEDIMENTS:
SAND AND SILT

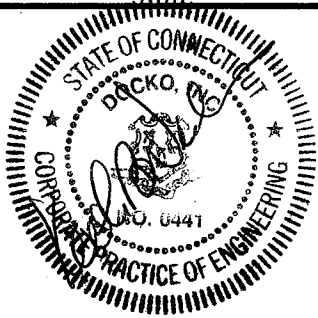


FLOAT SECTION A-A

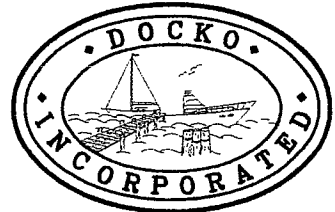


BOTTOM SEDIMENTS:
SAND AND SILT

SURVEY : by J. DEMPSEY & ASSOCIATES



PROJECT: DOCK EXPANSION
 LOCATION: TOWN OF STONINGTON
 NEW LONDON COUNTY, CONNECTICUT
 WATERWAY: LAMBERT COVE
 DATE: JUNE 26, 2007
 APPLICANT: DON'S DOCK
 AGENT: SHEET 4 OF 5
DOCKO, INC.
 Keith B. Nelson, PE
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 EMAIL: docko@snet.net



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NEW PRECAST
CONCRETE PLANK
LAUNCH RAMP
SLOPED AT 12% - 13%

NEW CRUSHED
STONE TO EL 5±
125±CY OVER 1,500±SF

-HTL 3.6±
-MHW 2.4'
-MLW 0.0'

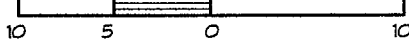
BOTTOM SEDIMENTS:
GRAVEL, SAND AND SILT

EXISTING RAMP

EXISTING GRADE

RAMP PROFILE

GRAPHIC SCALE 1" = 10'



NOTE: RAMPS NOT SHOWN
FOR CLARITY OF PIER
CONSTRUCTION

NEW 8' x 54'
LAUNCH FLOAT
NEW SUPPORT
PILING (TYP)

NEW 24±LF
LANDING
DECK EL 5±

NEW DECK
STRINGER AND CAP
STRINGER (TYP)

NEW TIMBER
WHEEL STOP (TYP)

NEW 24±LF FIXED
LANDING (TYP)
DECK EL 5±

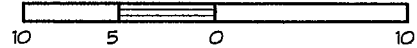
NEW 8' x 72'
SERVICE FLOAT

-HTL 3.6±
-MHW 2.4'
-MLW 0.0'

BOTTOM SEDIMENTS:
GRAVEL, SAND and SILT

PIER END VIEW

GRAPHIC SCALE 1" = 10'



NEW FIXED
FORKLIFT PIER
DECK EL 4±

NEW TIMBER
WHEELSTOP (TYP)

NEW TIMBER DECK
STRINGER (TYP)

NEW SUPPORT
PILES (TYP)

EXISTING STONE
WALL EL 4±
TO REMAIN

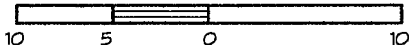
NEW CAP
STRINGER (TYP)

-HTL
-MHW
-MLW

BOTTOM SEDIMENTS:
GRAVEL, SAND and SILT

PIER PROFILE

GRAPHIC SCALE 1" = 10'



SURVEY : by J. DEMPSEY & ASSOCIATES

PROJECT: DOCK EXPANSION

LOCATION: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: LAMBERT COVE

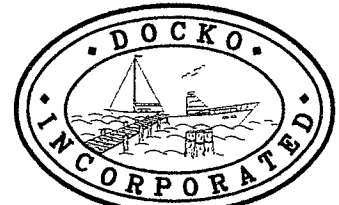
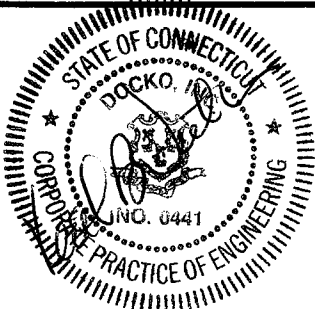
DATE: JUNE 26, 2007

APPLICANT: DON'S DOCK

AGENT: SHEET 5 OF 5

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