



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

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: January 5, 2007
Comment Period Ends: January 20, 2007
File Number: NAE-2005-4021
In Reply Refer To: Ms. Diane M. Ray
Or by e-mail: diane.m.ray@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.

APPLICANT: New Harbor Marina

ACTIVITY: Marina expansion, including dredging with disposal at either Cornfield Shoals Disposal Site or at the Central Long Island Sound Disposal and new structures.

A detailed description and plans of the applicant's activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in **75 Waterside Lane, Clinton, Connecticut**. The proposed location on the USGS Hamburg quadrangle sheet is at UTM coordinates 4571469 N and 707595 E.

AUTHORITY

Permits are required pursuant to:

Section 10 of the Rivers and Harbors Act of 1899

Section 404 of the Clean Water 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

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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.

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.

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).

The dredging portion of this project will impact approximately 59,000 square feet of Essential Fish Habitat (EFH) for the species life stages listed below. Habitat at this site can be described as silty sand with submerged aquatic vegetation. Loss of this habitat may adversely affect the species life stages listed below by removal of the EFH, alteration of the deposition patterns, increases in the pollution loading from vessel berthing and handling. The applicant has not provided any mitigation plans to address these losses. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial and recommends that no dredging or disposal operations be conducted from February 1 through September 30 of any year to protect the resources of concern. By this public notice, we are requesting concurrence to the proposed time of year restriction by the National Marine Fisheries Service.

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.

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e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

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 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.

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.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

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



Robert J. DeSista
Chief, Permits & 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 proposed work includes work in navigable waters for the expansion of an existing marina facility and is described as follows:

1. Perform new dredging within an approximately 59,000 square foot area. A total of approximately 13,100 cubic yards of material will be dredged mechanically to -6' mean low water and disposed of at either the Cornfield Shoals Disposal Site or at the Central Long Island Sound Disposal Site.

The dredged material has undergone physical and chemical analysis. It is our preliminary determination that the material is acceptable for disposal at the requested disposal sites.

2. Remove an existing pile and timber wave fence.
3. Install and maintain a new 8' wide x 308' long floating dock with seventeen 4' wide finger docks extending from the existing "C" Dock forming an "L".
4. Install and maintain a new fixed breakwater, 150' long and 315' long seaward of the new floating dock.

The existing slip capacity of the marina is 104 slips. This proposal will add 30 slips to the marina resulting in a total of 134.

The work is described on the enclosed plans entitled "Existing Improvements, Old Harbor Marina, Hammock River, New Harbor Marina, Clinton, CT, Middlesex County" in six sheets, dated, "July 21, 2005".

Central Long Island Sound Disposal Site

The Central Long Island Sound Disposal Site is frequently used for disposal of bottom sediments from various harbors along the eastern New York, northern Long Island, and central and western Connecticut coasts. An average of approximately 400,000 cubic yards of suitable sediments (suitability determined through case-by-case analyses) have been deposited at this site annually. The site has been monitored through the Corps' Disposal Area Monitoring System (DAMOS) program. DAMOS studies show that the site is a low energy environment such that sediment deposited at this location will remain within the site's boundaries. Levels of metals and organics in the sediments within the disposal site are generally above background levels, indicative of the industrial nature of the areas dredged that utilize the site. Areas outside the disposal site have not been found to be affected by sediment deposited within the site.

Cornfield Shoals Disposal Site

The Cornfield Shoals Disposal Site is periodically used for disposal of bottom sediments from various harbors located along, and near the mouth of, the Connecticut River. This is the least-used site in Long Island Sound; an average of less than 100,000 cubic yards of suitable

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sediments (suitability determined through case-by-case analyses) are deposited at this site annually. The site has been monitored through the Corps' Disposal Area Monitoring System (DAMOS) program. Studies have shown that the energy regime at this site is the highest of all the dredged material disposal sites in Long Island Sound. Consequently, the Cornfield Shoals site is a dispersal site, where the site characteristics promote transport of sediments away from the site. This is in contrast to other Long Island Sound disposal sites where sediments remain on site. The sediments that have been permitted for disposal at the Cornfield Shoals site generally have low to moderate levels of contaminants. Areas outside the disposal site are not known to have been adversely affected by sediments deposited at this site.

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

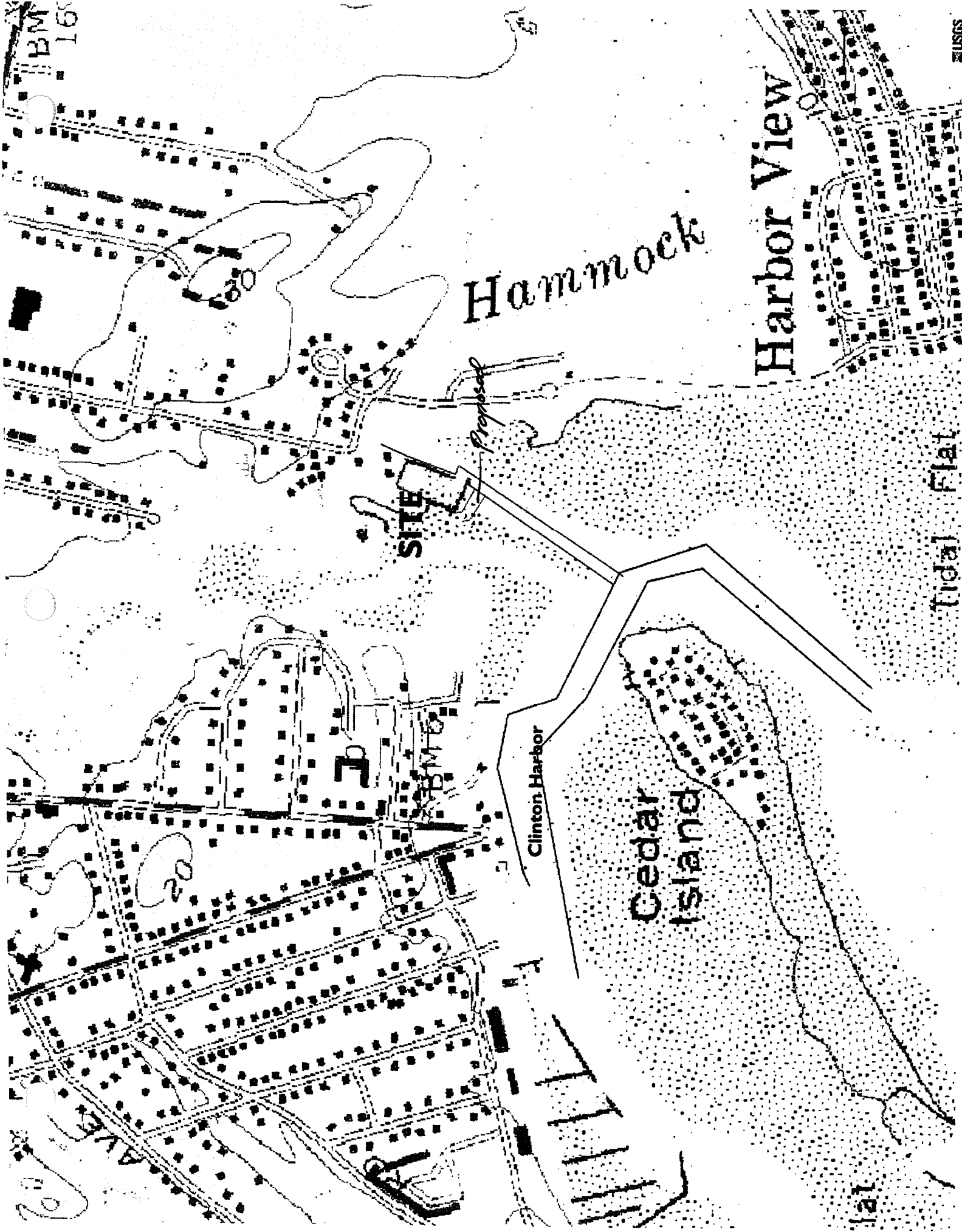
Square Description (i.e. habitat, landmarks, coastline markers): The waters within the Connecticut River estuary within the square south of the following: Guilford, CT., East River, CT., and Madison, CT., from Guilford Point past the East River entrance, past Hogshead Pt., Hamonasset Beach, Hamonasset 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
Atlantic cod (<i>Gadus morhua</i>)				
haddock (<i>Melanogrammus aeglefinus</i>)				
pollock (<i>Pollachius virens</i>)			X	X
whiting (<i>Merluccius bilinearis</i>)				X
offshore hake (<i>Merluccius albidus</i>)				
red hake (<i>Urophycis chuss</i>)	X		X	X
white hake (<i>Urophycis tenuis</i>)				
redfish (<i>Sebastes fasciatus</i>)	n/a			
witch flounder (<i>Glyptocephalus cynoglossus</i>)				
winter flounder (<i>Pleuronectes americanus</i>)				
yellowtail flounder (<i>Pleuronectes ferruginea</i>)				

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windowpane flounder (<i>Scopthalmus aquosus</i>)	X	X	X	X
American plaice (<i>Hippoglossoides platessoides</i>)				
ocean pout (<i>Macrozoarces americanus</i>)				
Atlantic halibut (<i>Hippoglossus hippoglossus</i>)				
Atlantic sea scallop (<i>Placopecten magellanicus</i>)				
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
monkfish (<i>Lophius americanus</i>)				
bluefish (<i>Pomatomus saltatrix</i>)			X	X
long finned squid (<i>Loligo pealei</i>)	n/a	n/a		
short finned squid (<i>Illex illecebrosus</i>)	n/a	n/a		
Atlantic butterfish (<i>Peprilus triacanthus</i>)				
Atlantic mackerel (<i>Scomber scombrus</i>)				
summer flounder (<i>Paralichthys dentatus</i>)				
scup (<i>Stenotomus chrysops</i>)	n/a	n/a		
black sea bass (<i>Centropristus striata</i>)	n/a			
surf clam (<i>Spisula solidissima</i>)	n/a	n/a		
ocean quahog (<i>Artica islandica</i>)	n/a	n/a		
spiny dogfish (<i>Squalus acanthias</i>)	n/a	n/a		
tilefish (<i>Lopholatilus chamaeleonticeps</i>)				
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		

BM 165



Hammock

Harbor View

SITE

Proposed

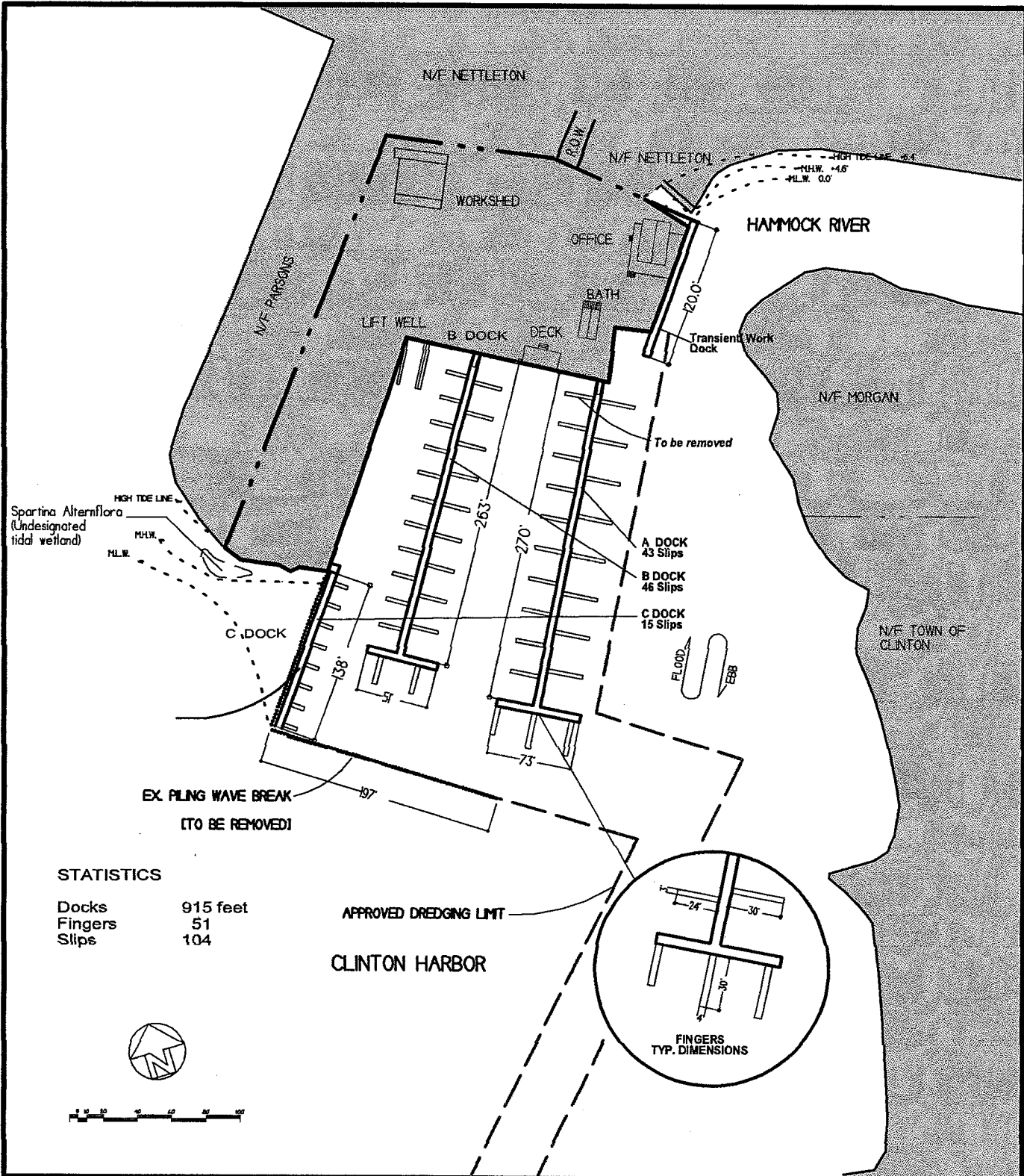
Clinton Harbor

Cedar Island

Tidal Flat

2 USGS

lat



STATISTICS

Docks	915 feet
Fingers	51
Slips	104

APPROVED DREDGING LIMIT
CLINTON HARBOR

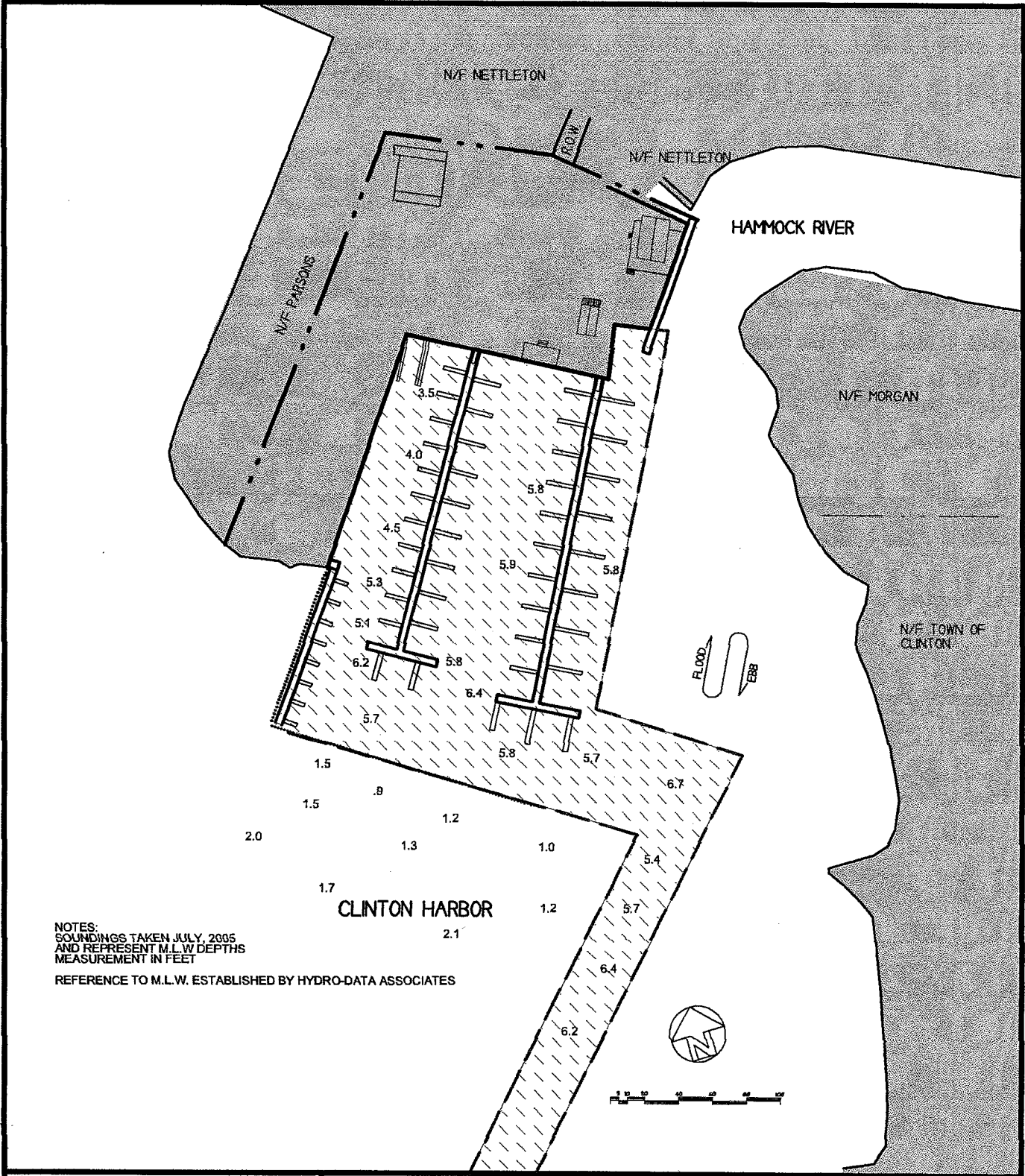
**EXISTING IMPROVEMENTS
OLD HARBOR MARINA**

ADJOINING OWNERS:
 Robert & Jane Nettleton
 77 Waterside Lane
 Clinton, CT 06413
 Elizabeth Parsons
 75 Waterside Lane
 Clinton, CT 06413
 Spencer & Charlotte Morgan
 57 Cedar Island Avenue
 Clinton, CT 06413
 Town of Clinton
 54 E. Main Street
 Clinton, CT 06413

HAMMOCK RIVER
 NEW HARBOR MARINA
 CLINTON, CT
 MIDDLESEX COUNTY

APPLICANT:
 NEW HARBOR MARINA LLC
 79 WATERSIDE LANE
 CLINTON, CT 06413

A 1 OF 6
 PREPARED BY:
 RALPH D. SMALLEY, MANAGING MEMBER
 NEW HARBOR MARINA LLC T/A OLD HARBOR MARINA
 JULY 21, 2005



NOTES:
 SOUNDINGS TAKEN JULY, 2005
 AND REPRESENT M.L.W DEPTHS
 MEASUREMENT IN FEET

REFERENCE TO M.L.W. ESTABLISHED BY HYDRO-DATA ASSOCIATES

**EXISTING DREDGED AREA
 OLD HARBOR MARINA**

ADJOINING OWNERS:

Robert & Jane Nettleton
 77 Waterside Lane
 Clinton, CT 06413

Spencer & Charlotte Morgan
 57 Cedar Island Avenue
 Clinton, CT 06413

Elizabeth Parsons
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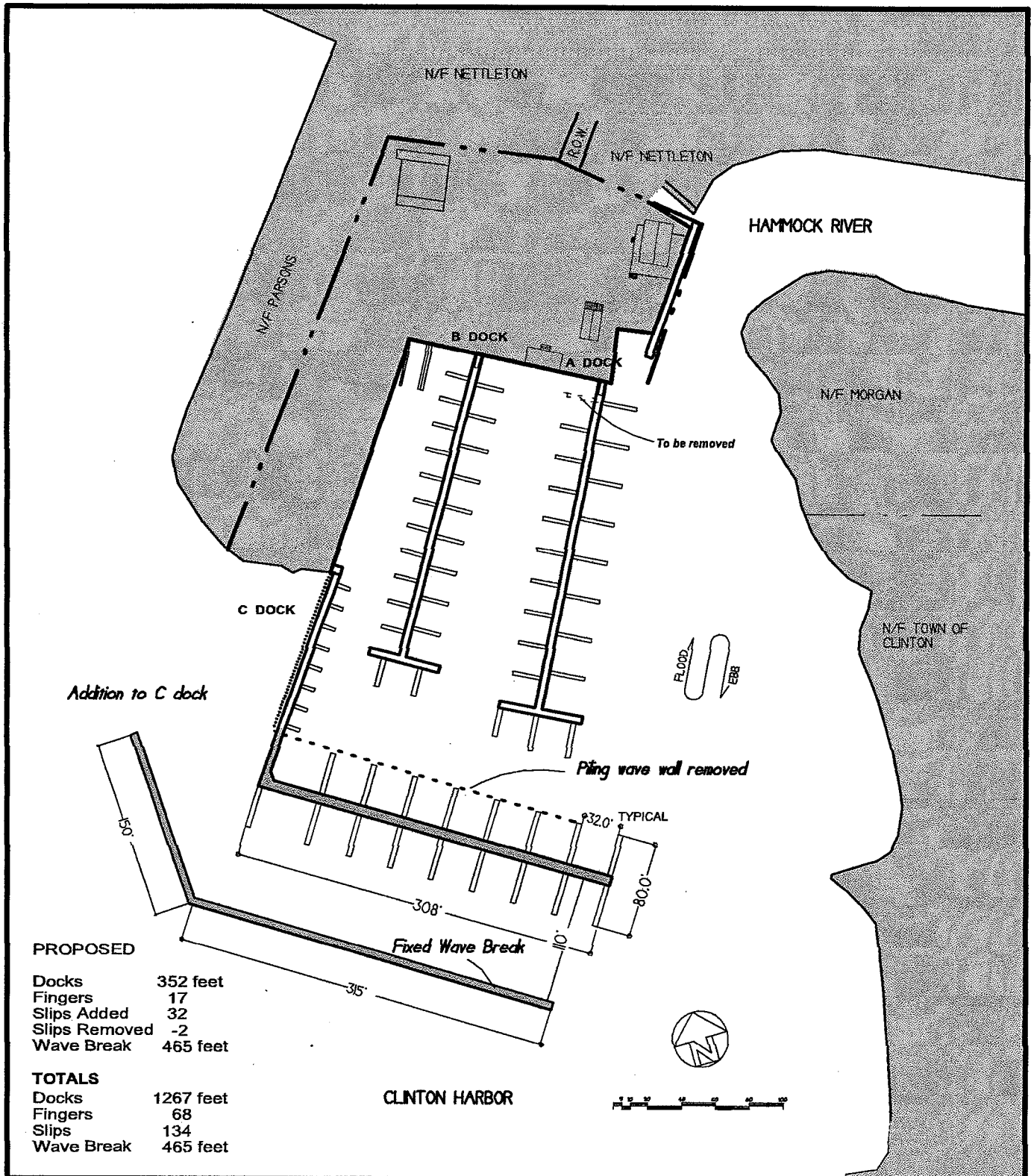
Town of Clinton
 54 E. Main Street
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 CLINTON, CT
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B 2 OF 6

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 JULY 21, 2005



PROPOSED

Docks	352 feet
Fingers	17
Slips Added	32
Slips Removed	-2
Wave Break	465 feet

TOTALS

Docks	1267 feet
Fingers	68
Slips	134
Wave Break	465 feet

**PROPOSED IMPROVEMENTS
OLD HARBOR MARINA**

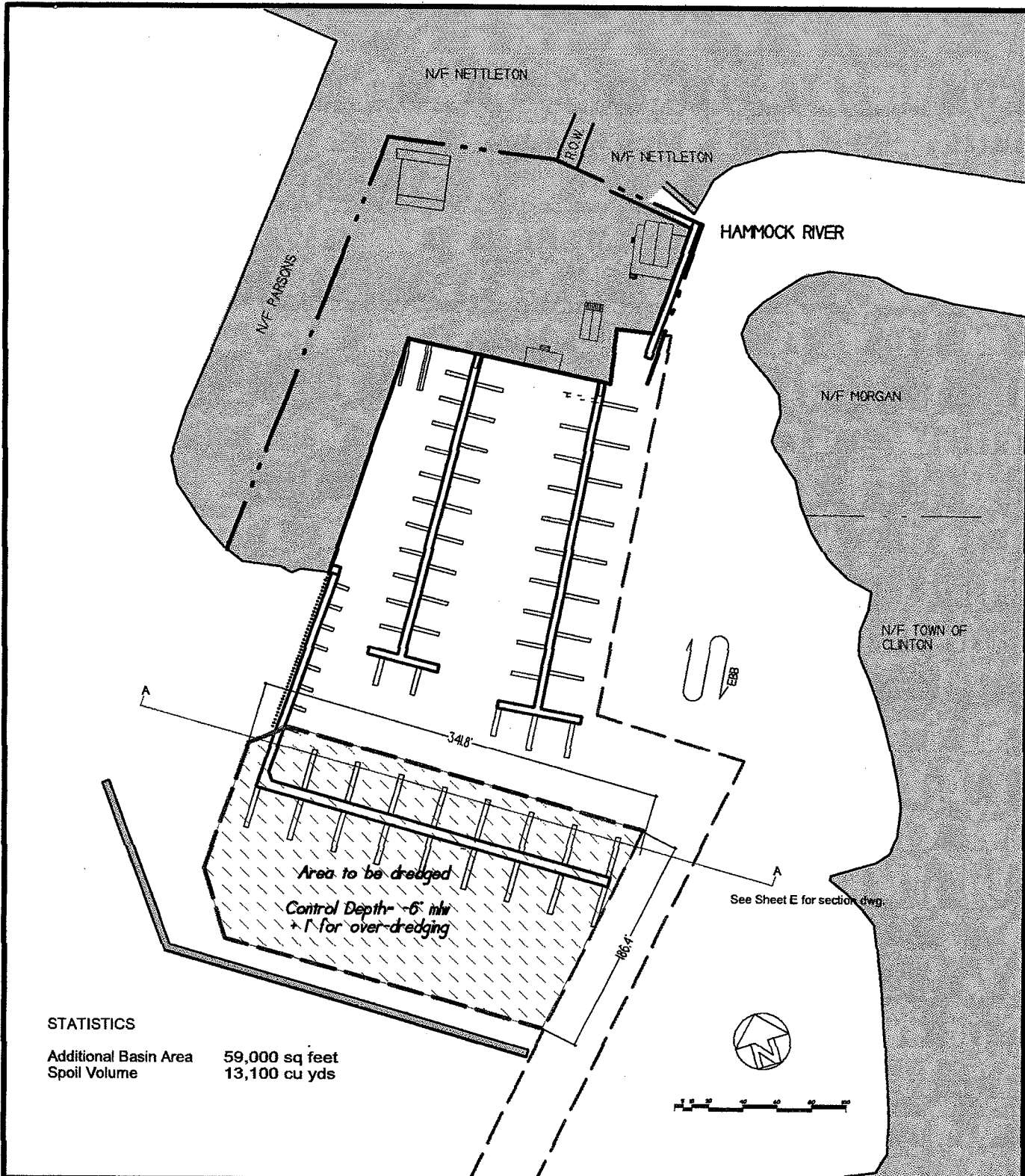
ADJOINING OWNERS:

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Elizabeth Parsons 75 Waterside Lane Clinton, CT 06413	Town of Clinton 54 E. Main Street Clinton, CT 06413

HAMMOCK RIVER
NEW HARBOR MARINA
CLINTON, CT
MIDDLESEX COUNTY

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79 WATERSIDE LANE
CLINTON, CT 06413

PREPARED BY :
RALPH D. SMALLEY, MANAGING MEMBER
NEW HARBOR MARINA LLC T/A OLD HARBOR MARINA
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STATISTICS

Additional Basin Area 59,000 sq feet
 Spoil Volume 13,100 cu yds

**PROPOSED DREDGING
 OLD HARBOR MARINA**

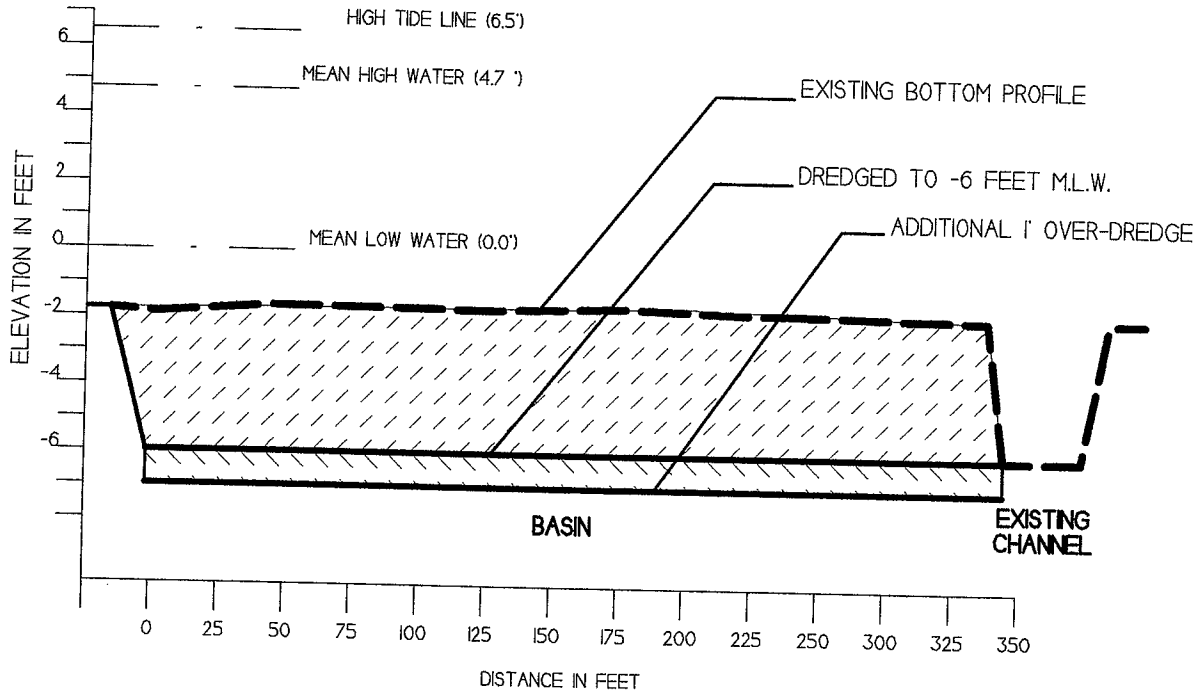
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HAMMOCK RIVER
 NEW HARBOR MARINA
 CLINTON, CT
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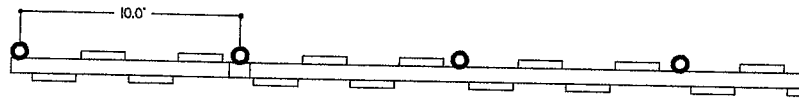
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 JULY 21, 2005

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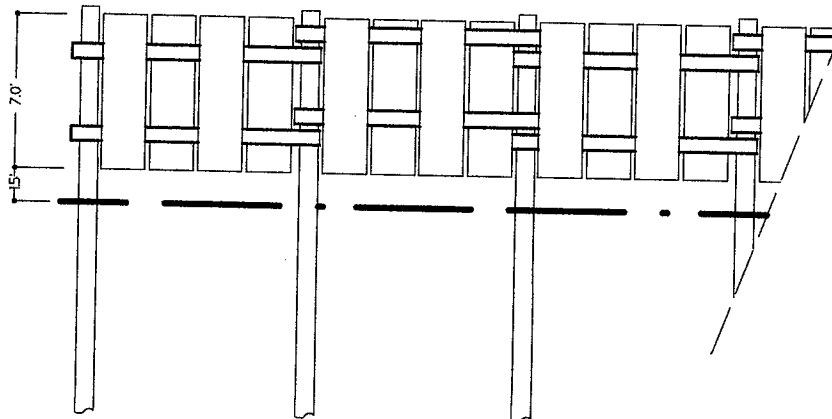


DREDGING PROFILE

PLAN VIEW



ELEVATION



WAVE BREAK

NOTES:
 Wave break strainers are 6x8 pressure treated #2 SYP or better with vinyl or timber sheathing, max 2' wide, mounted on alternate sides as shown.

All fastenings galvanized.

Openings area between sheathing and bottom to be 50% or better.

DETAIL
OLD HARBOR MARINA

HAMMOCK RIVER
 NEW HARBOR MARINA
 CLINTON, CT
 MIDDLESEX COUNTY

APPLICANT:
 NEW HARBOR MARINA LLC
 79 WATERSIDE LANE
 CLINTON, CT 06413

PREPARED BY:
 RALPH D. SMALLEY, MANAGING MEMBER
 NEW HARBOR MARINA LLC T/A OLD HARBOR MARINA
 JULY 21, 2005

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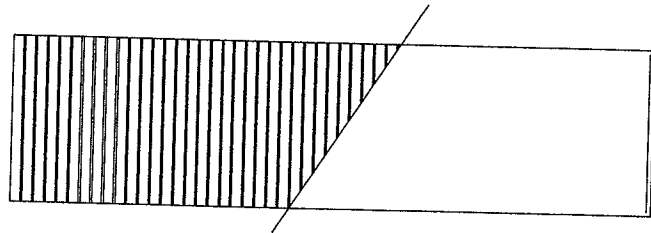
ADJOINING OWNERS:

[Redacted] & Jane Nettleton
 Waterside Lane
 Clinton, CT 06413

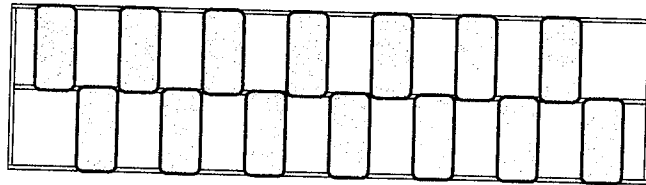
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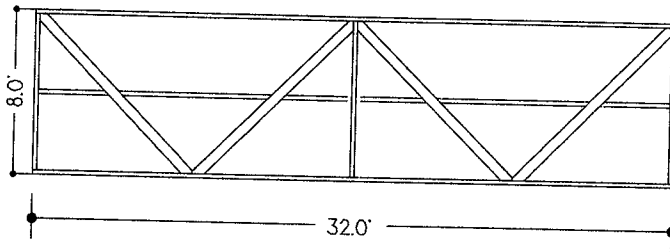
Town of Clinton
 54 E. Main Street
 Clinton, CT 06413



DECKING

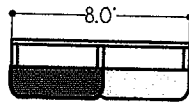


FLOTATION PATTERN

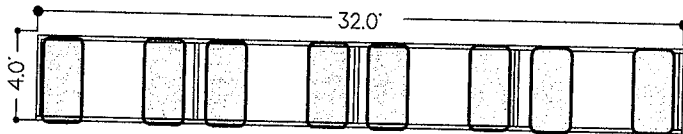


STRUCTURE

MAIN DOCK
TYPICAL UNIT



MAIN DOCK
SECTION VIEW



FINGER DOCK
TYPICAL UNIT

NOTES:

All construction of #2 syp or better, galvanized fittings throughout.
Deck to be SYP stained or better.
Flotation to be skirted, closed cell or encapsulated.



SCALE

DETAILS

OLD HARBOR MARINA

DINING OWNERS:

Robert & Jane Nettleton
77 Waterside Lane
Clinton, CT 06413

Spencer & Charlotte Morgan
57 Cedar Island Avenue
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Elizabeth Parsons
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