



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

# PUBLIC NOTICE

696 Virginia Road  
Concord, MA 01742-2751

**Date: December 9, 2008**  
**Comment Period Ends: January 9, 2009**  
**File Number: NAE-2008-2923**  
**In Reply Refer To: Ms. Diane M. Ray**  
**Or by e-mail: [diane.m.ray@usace.army.mil](mailto: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: Walker's Dock, David Victoria/George A. Avery et al**

**ACTIVITY: Retain and maintain existing boating facility and proposed dock modifications**  
A detailed description and plans of the activity are attached.

## **WATERWAY AND LOCATION OF THE PROPOSED WORK**

This work is proposed in Wequetequock Cove at 54 Island Road, Stonington, Connecticut. The proposed location on the USGS Mystic quadrangle sheet is at UTM Zone 19; coordinates: 258119 X and 450390 Y.

**AUTHORITY:** Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899.

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.

**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 proposed new structures will impact approximately 3,130 s.f. of Essential Fish Habitat (EFH) for the 20 species and their life stages listed on the attached table. This habitat consists of a sandy silt substrate. Loss of this habitat may adversely affect those species. 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**

On his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

The State of Connecticut has an approved **Coastal Zone Management Program**. 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.

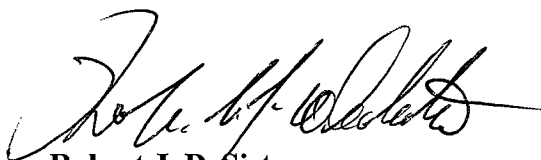
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Ms. Diane M. Ray at (978) 318-8831, (800) 343-4789 or (800) 362-4367, if 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](mailto: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 structures at this location originally received a Department of the Army permit in May of 1959. However, through the 1960s the configuration was modified and expanded to what now exists.

The applicants proposed to retain and maintain the existing configuration as well as perform the following work as shown on the attached plans, entitled, "Walker's Dock", town of Stonington, New London County, Connecticut, Wequetequock Cove" in four sheets, dated, "September 29, 2008"

Floating Dock "A" – Remove the existing 6' x 20' T-float and add a new 6' x 37' extension to the existing main floating dock and add two new 6' x 20' finger floats at the seaward end. Relocate 3' x 20' finger floats as shown on sheet 3 of 4 of the attached plans.

Floating Dock "B" – Remove the existing 6' x 20' T-float and add a new 6' x 32' extension to the existing main floating dock and add two new 6' x 20' finger floats at the seaward end. Relocate 3' x 20' finger floats as shown on sheet 3 of 4 of the attached plans.

This is a commercial docking facility for recreational boating.

**Summary of Essential Fish Habitat (EFH) Designation**

**10' x 10' Square Coordinates:**

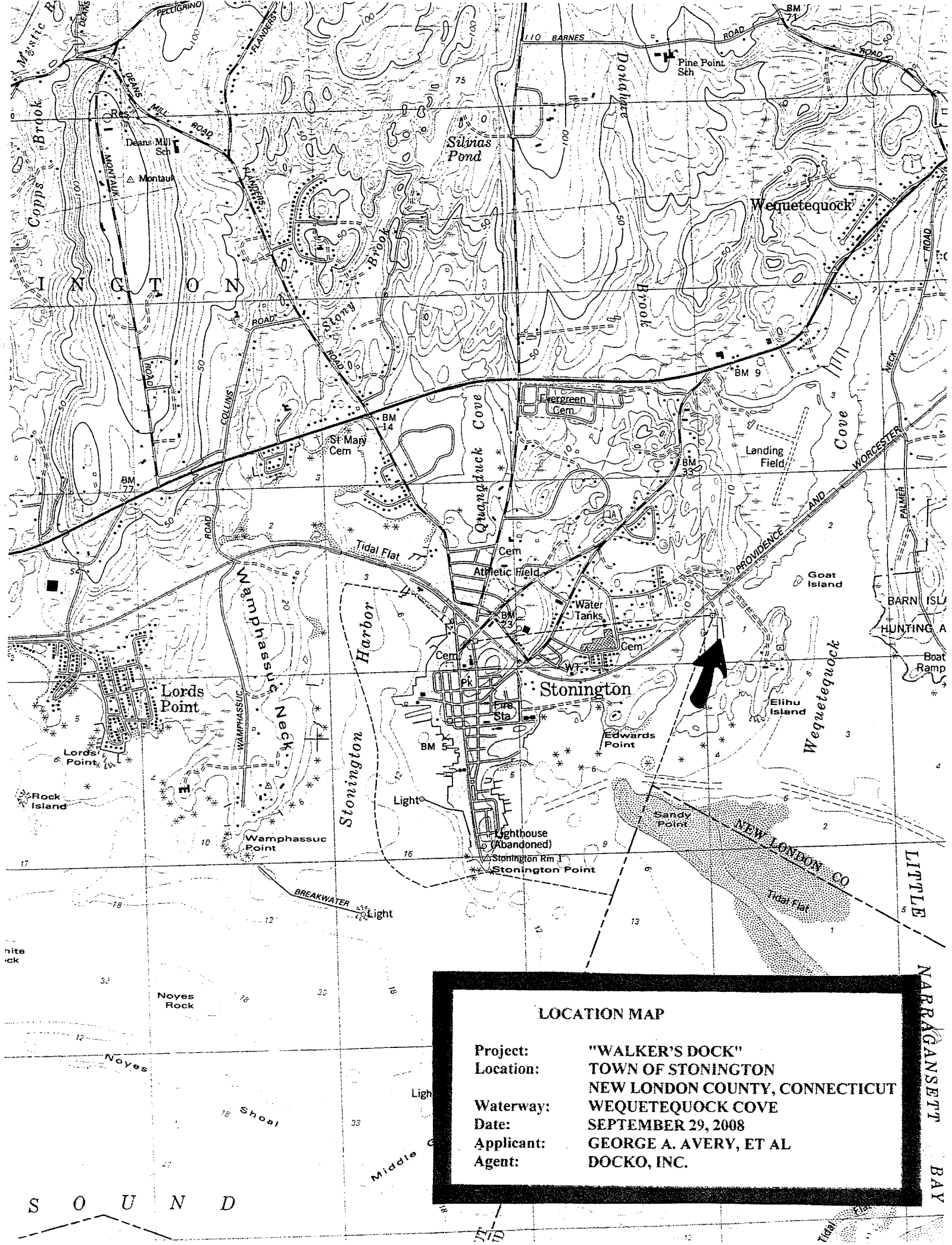
|            |             |             |             |             |
|------------|-------------|-------------|-------------|-------------|
| Boundary   | North       | East        | South       | West        |
| Coordinate | 41° 20.0' N | 72° 00.0' W | 41° 10.0' N | 72° 10.0' W |

**Square Description (i.e. habitat, landmarks, coastline markers):** The waters within the square within the Connecticut River estuary affecting the following: the northeast tip of Plum I., Great Gull I., Little Gull I., the western third of Fishers I., Flat Hammock, South Dumpling, and North Dumpling. These waters also affect the following south of Groton, CT., from Groton Long Point to Millstone Point just east of Niantic Bay, including south of the entrance to New Long Harbor, and south of the following: Mumford Point, Poquonock Point, Avery East Point, Eastern Point, and Goshen Point. In addition, these waters affect the following: western Fishers Island Sound, North Hill and Hay Harbors, New London Harbor, western West Harbor, Silver Eel Cove, Mumford Cove, and the entrance to the Thames River. Finally, the following features are affected: Constellation Rock, Old Silas Rock, Valiant Rock, Little Goshen Reef, Twotree I., Twotree I. Channel, Bartlett Reef, Goshen Ledge, Rapid Rock, Flat Rock, High Rock, Cormorant Rock, Sarah Ledge, Black Ledge, Vixen Ledge, New London Ledge, Black Ledge, Pine I., Pine I. Channel, Frank Ledge, Black Rock, Jordan Cove, and Pleasure Beach, along with a dumping ground just south of New London Harbor.

| Species   | Eggs | Larvae | Juveniles | Adults |
|---|------|--------|-----------|--------|
| Atlantic salmon ( <i>Salmo salar</i> )              |      |        | X         | X      |
| red hake ( <i>Urophycis chuss</i> )                 |      |        | X         | X      |
| winter flounder ( <i>Pleuronectes americanus</i> )  | X    | X      | X         | X      |
| Windowpane flounder ( <i>Scopthalmus aquosus</i> )  | X    | X      | X         | X      |
| Atlantic sea herring ( <i>Clupea harengus</i> )     |      |        | X         | X      |
| Bluefish ( <i>Pomatomus saltatrix</i> )             |      |        | X         | X      |
| Atlantic butterfish ( <i>Peprilus triacanthus</i> ) |      |        | X         | X      |
| Atlantic mackerel ( <i>Scomber scombrus</i> )       |      |        | X         | X      |
| Summer flounder ( <i>Paralichthys dentatus</i> )    |      | X      | X         | X      |
| scup ( <i>Stenotomus chrysops</i> )                 |      |        | X         | X      |

|   |   |   |   |   |
|---|---|---|---|---|
| black sea bass ( <i>Centropristus striata</i> )     |   |   | X | X |
| spiny dogfish ( <i>Squalus acanthias</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 | X | X |
| dusky shark ( <i>Charcharinus obscurus</i> )        |   |   | X | X |
| bluefin tuna ( <i>Thunnus thynnus</i> )             |   |   |   | X |
| Little skate ( <i>Raja erinacea</i> )               |   |   | X | X |
| Winter skate ( <i>Raja ocellata</i> )               |   |   | X | X |

The notation "N/A" in the tables indicates that a species either lacks sufficient data on the designated lifestage or those lifestages are not present in the species' reproductive cycle. For instance; redfish reproduction does not include the release of eggs,

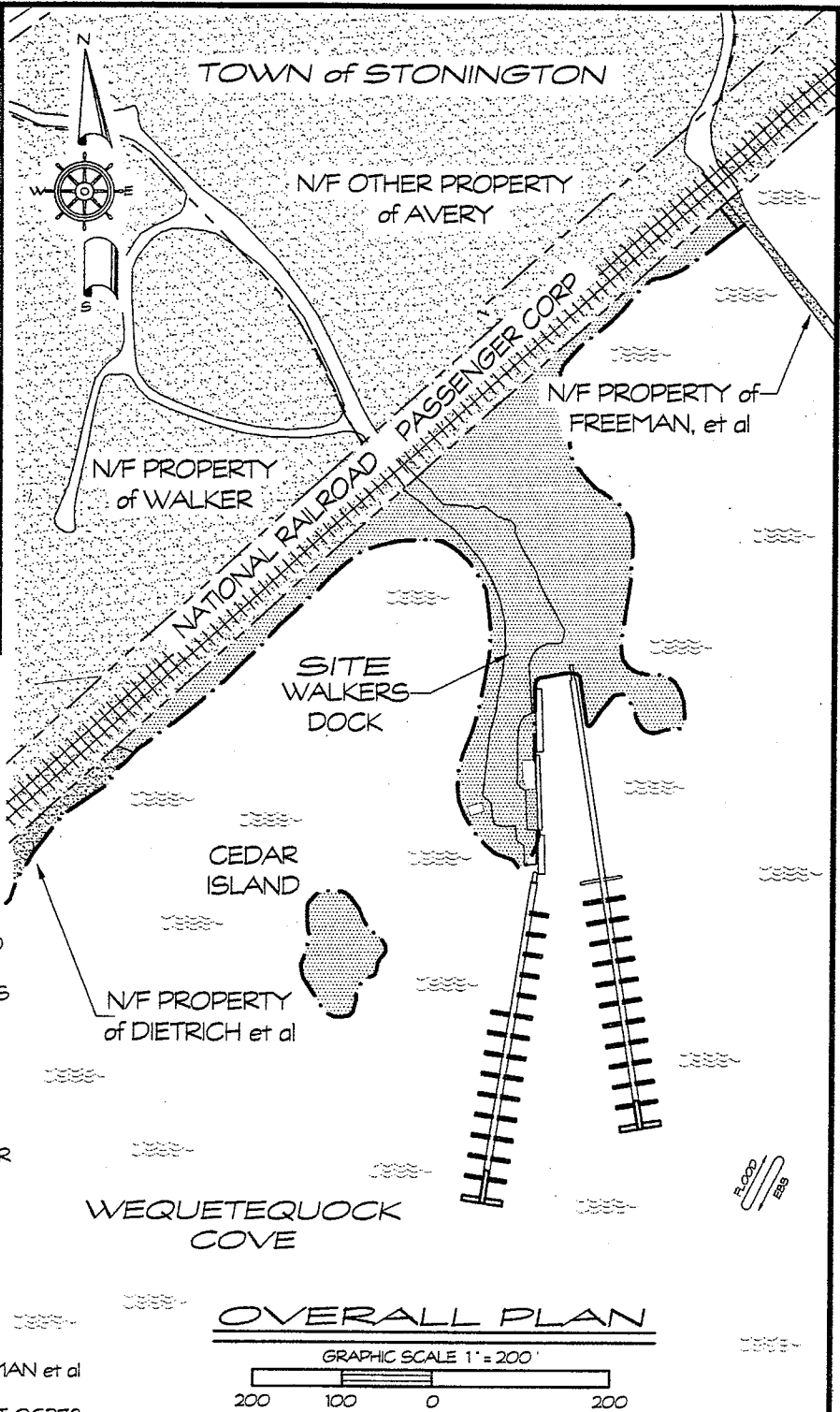
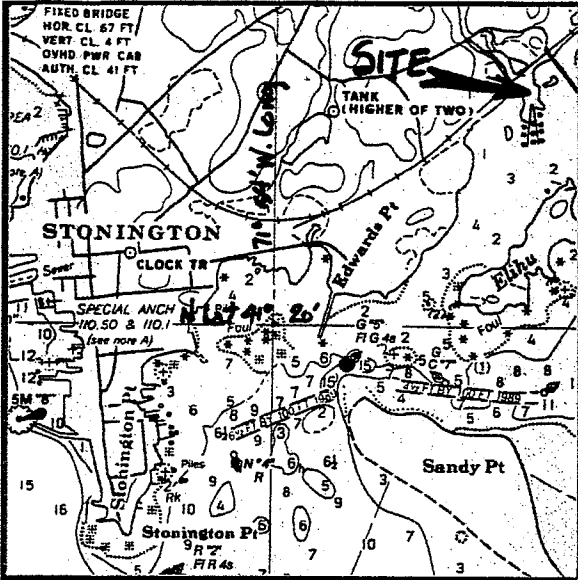


**LOCATION MAP**

**Project:** "WALKER'S DOCK"  
**Location:** TOWN OF STONINGTON  
 NEW LONDON COUNTY, CONNECTICUT  
**Waterway:** WEQUETEQUOCK COVE  
**Date:** SEPTEMBER 29, 2008  
**Applicant:** GEORGE A. AVERY, ET AL  
**Agent:** DOCKO, INC.

S O U N D

NARRAGANSETT BAY



**NOTES:**

1. ELEVATION DATUM IS MEAN LOW WATER.
2. TIDE DATA IS TAKEN FROM 2008 NOAA TIDE TABLES REFERENCE : STONINGTON and WEQUETEQUOCK COVE.
3. PROJECT DESCRIPTION:  
RETAIN THE EXISTING DOCK FACILITIES. EXTEND FLOATING DOCK-A 37±LF AND DOCK-B 32±LF TO ACCOMMODATE NEW FINGER FLOAT SPACING. REPLACE TWO EXISTING 6-FT X 20-FT T FLOATS WITH FOUR NEW 6-FT X 20-FT END FINGER FLOATS. WATERWARD OF THE HIGH TIDE LINE.
4. PROJECT PURPOSE:  
AUTHORIZE EXISTING STRUCTURES FOR A COMMERCIAL DOCK FACILITY SERVING RECREATIONAL BOATING AND AUTHORIZE MINOR MODIFICATIONS TO THE DOCK FACILITY.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.
6. ADJOINING PROPERTY OWNERS:  
WEST: RICHARD DIETRICH JR et al  
1337 ART SCHOLL ROAD  
CHESTER SPRINGS, PA 19425  
EAST: WINIFIELD FREEMAN et al  
PO BOX 166  
STONINGTON, CT 06378

PROJECT: WALKERS DOCK

LOCATION: TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: WEQUETEQUOCK COVE

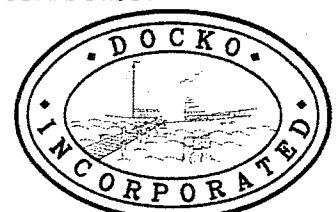
DATE: SEPTEMBER 29, 2008

APPLICANT: GEORGE AVERY et al

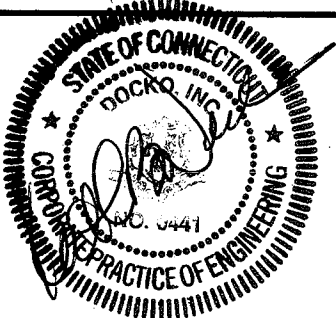
AGENT: SHEET 1 OF 4

**DOCKO, INC.**

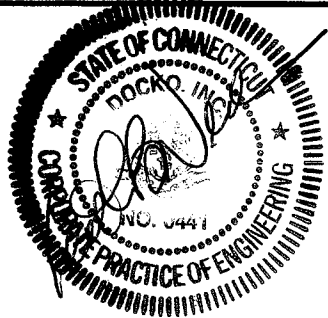
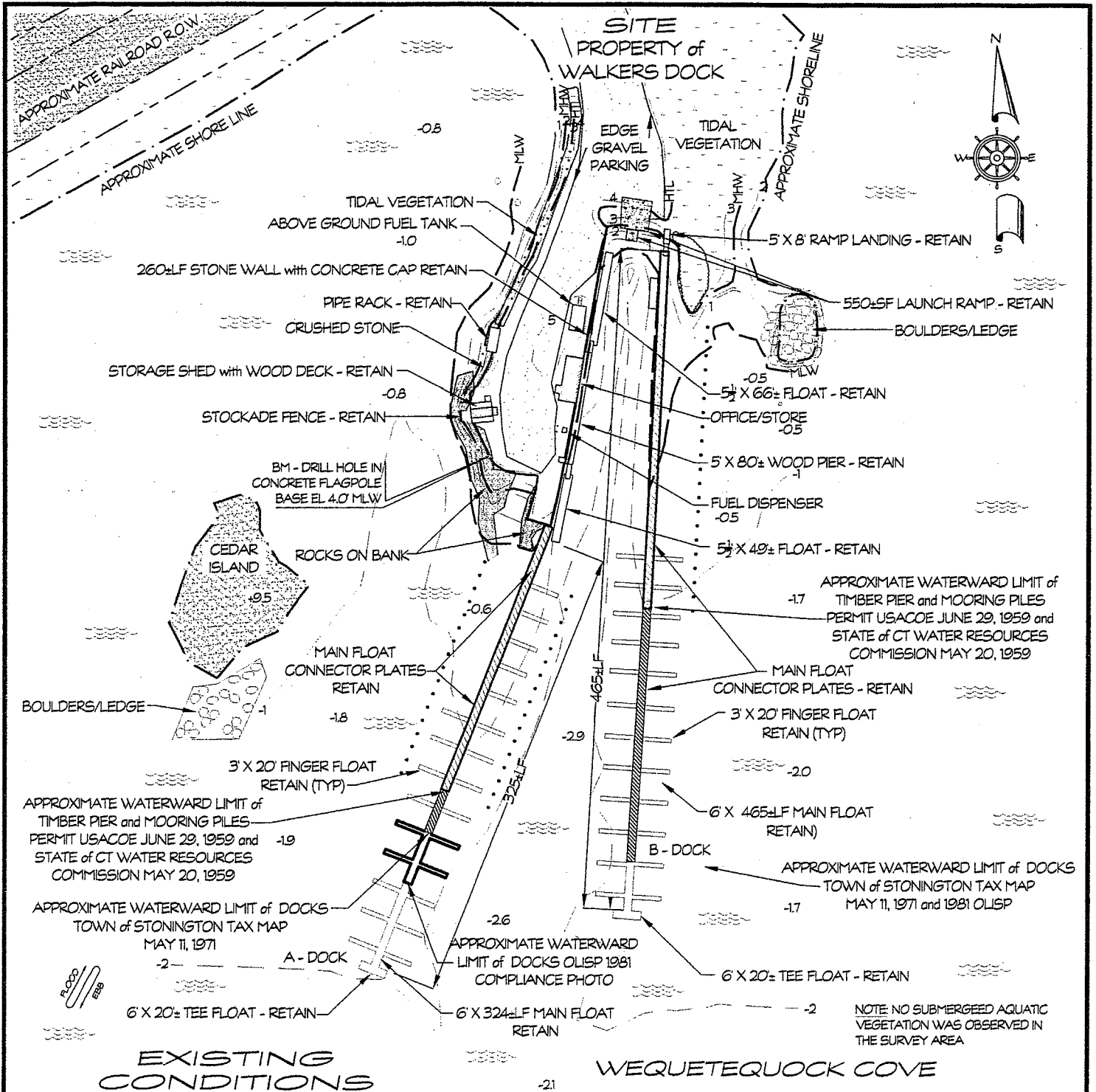
Keith E. Neilson, PE  
Mystic, CT 06355  
860 572 8939 FAX 860 572 7569  
EMAIL: docko@snet.net

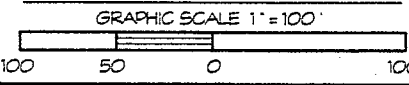
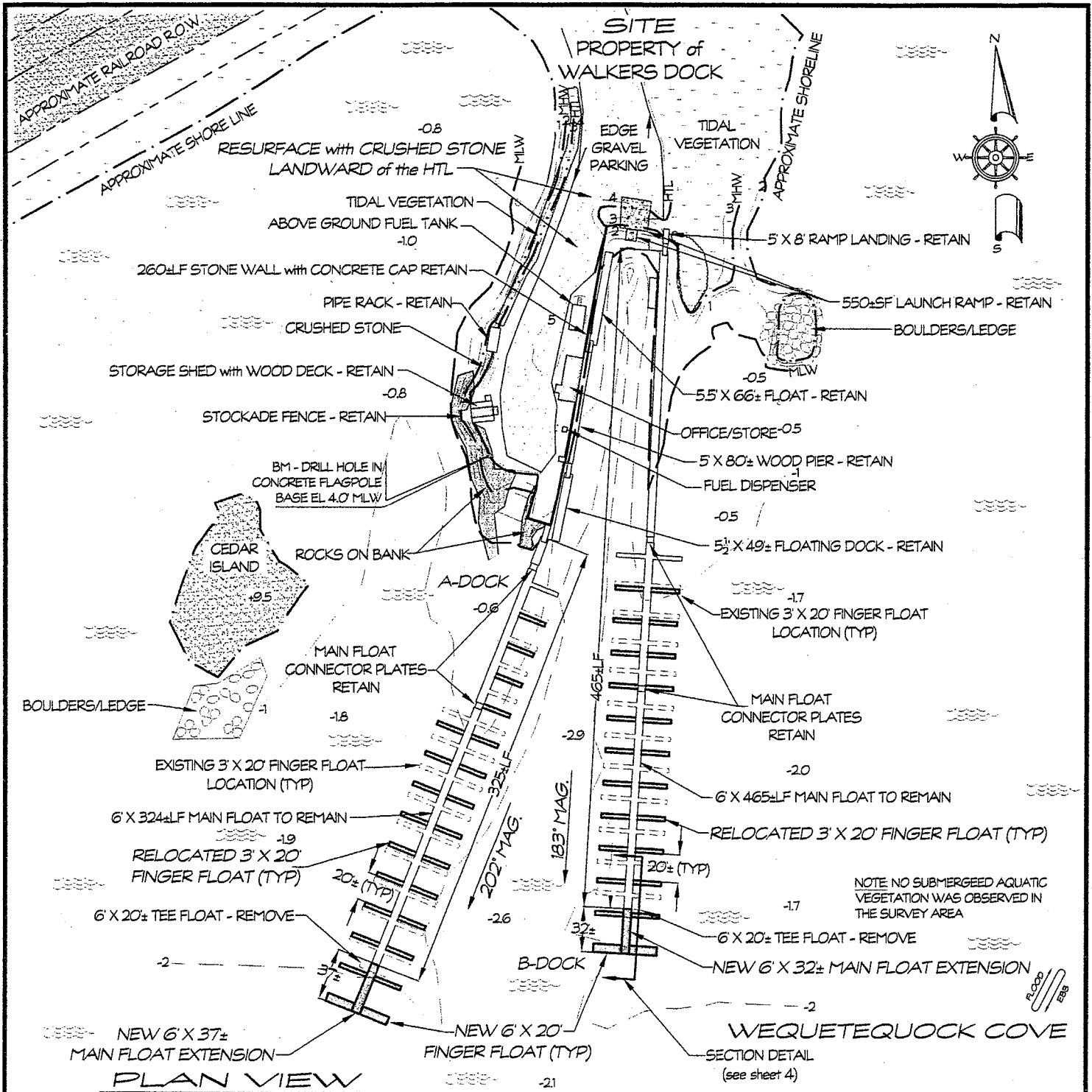


DWG 08-07-2066









PROJECT: WALKERS DOCK

LOCATION: TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: WEQUETEQUOCK COVE

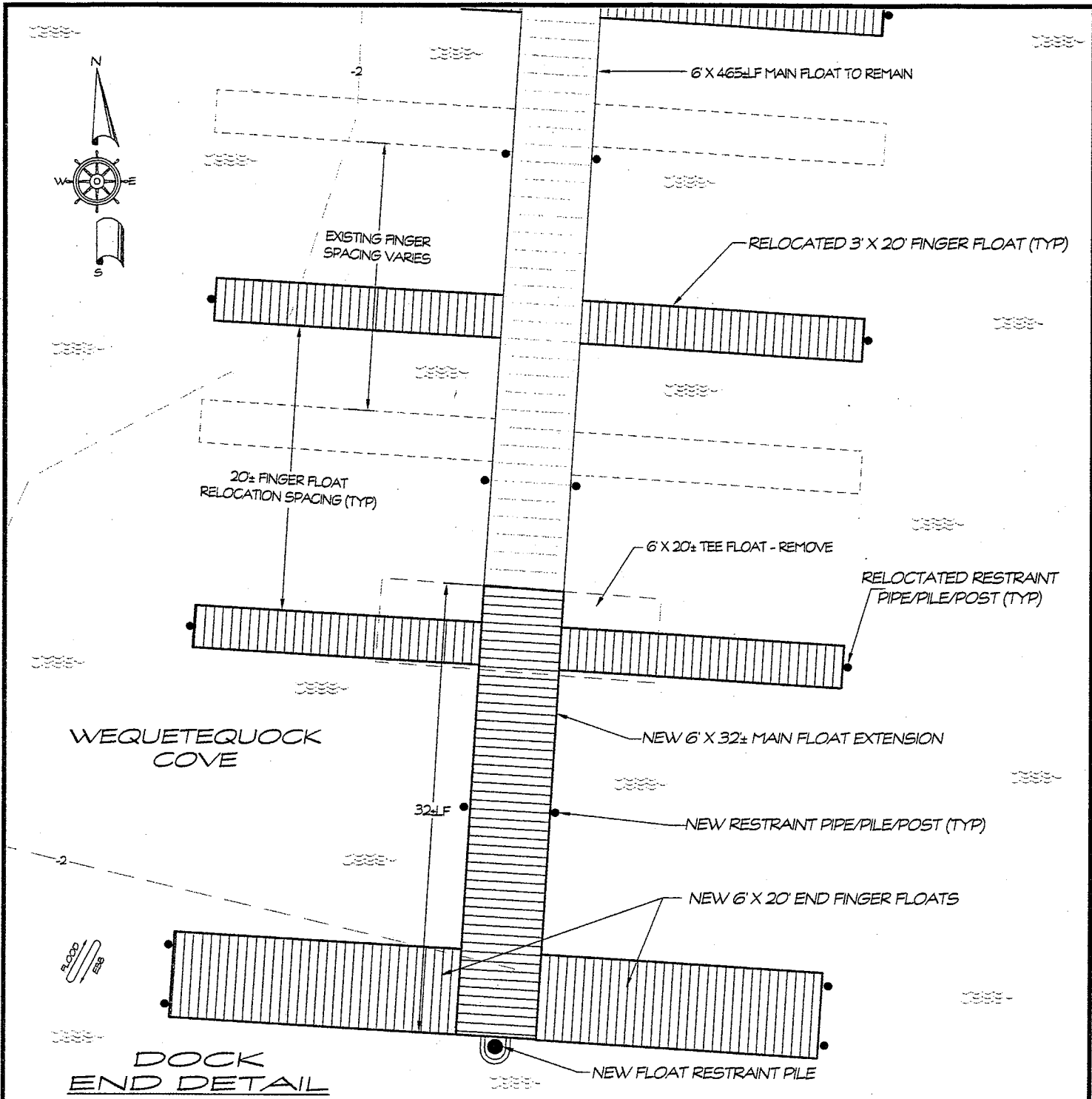
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APPLICANT: GEORGE A. AVERY et al

AGENT: SHEET 3 OF 4

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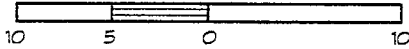
DWG 08-07-2066



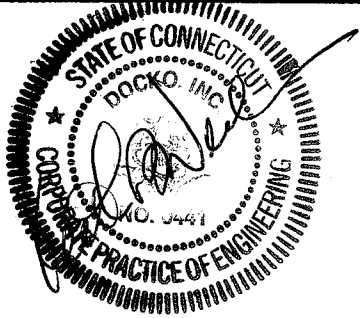
WEQUETEQUOCK COVE

**DOCK  
END DETAIL**

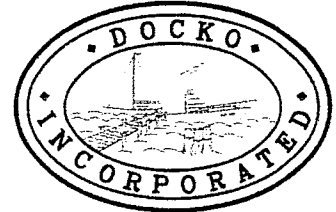
GRAPHIC SCALE 1" = 10'



SURVEY by J DEMPSEY ASSOCIATES LLC



PROJECT: WALKERS DOCK  
 LOCATION: TOWN of STONINGTON  
 NEW LONDON COUNTY, CONNECTICUT  
 WATERWAY: WEQUETEQUOCK COVE  
 DATE: SEPTEMBER 29, 2008  
 APPLICANT: GEORGE A. AVERY et al  
 AGENT: SHEET 4 OF 4  
**DOCKO, INC.**  
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 Mystic, CT 06355  
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 EMAIL: docko@snet.net



DWG 08-07-2066