



TOWN OF OLD LYME

**FOUR MILE RIVER – NAVIGABLE CHANNEL
DREDGING PROJECT**

Old Lyme, Connecticut

PROPOSED SEDIMENT SAMPLING & ANALYSIS PLAN

January 8, 2014

Prepared For:

Town of Old Lyme
Memorial Town Hall
52 Lyme Street
Old Lyme, CT 06371

Prepared By:

Coastline Consulting & Development, LLC
5-B Old Post Road
Madison, CT 06443

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PERMITS (1964, 1993, 2007)

1. 1964 – State of Connecticut Water Resources Commission certificate #2219 (Raymond Stanhope)
2. 1993 – DEEP certificate #COP-93-162-GW (Four Mile River Marina, Inc.)
3. 2007 – DEEP permit #200700229-CE (Four Mile River Marin, Inc.)

NEARSHORE DISPOSAL LOCATION

Hammonasset Beach, Madison, CT

1.0 INTRODUCTION

The Town of Old Lyme is proposing to create an authorized navigation channel in the Four Mile River. This waterbody provides access to Long Island Sound for recreational boaters throughout the state, many of whom utilize the public launch ramp located on the river, and also supports several commercial marina operations. As is typical in any tidally influenced waterbody, siltation has occurred in the Four Mile River, leading to progressively shallower water depths that become particularly problematic at lower portions of the tide cycle. If allowed to persist, this condition threatens both the navigability of the river as well as the economic viability of the marina situated within it.

In an effort to mitigate these concerns, the Town of Old Lyme is proposing to dredge and create a navigable channel within the Four Mile River. The proposed dredge channel footprint is approximately 4,000 linear feet, beginning at the head of the river near the Four Mile River Marina and terminating approximately 1,000 feet south of the railroad bridge into Long Island Sound. The proposed channel will maintain a width of 30' from the head of the river until the south side of the railroad bridge. This footprint will abut the toe of the State of Connecticut boat launch ramp in order to provide for launching/retrieval of public vessels at all tides. For the remainder of the channel, a width of 60' is proposed. The channel is proposed to a depth of -3.0' MLW (+1.0' overdredge). A total of 9,787 cubic yards of material is proposed to be dredged.

Based on preliminary grain size sampling/testing, dredge material disposal operations are proposed for open water disposal at the Central Long Island Sound or New London Disposal Site for the material located north of the railroad bridge (silt), and nearshore disposal at the Hammonasset Nearshore Disposal Area for the material located south of the bridge (sand). The Hammonasset Nearshore Disposal Area was previously approved for sandy material disposal from the outer Patchogue River Federal Navigation dredging project, as well as the Indian Town Association entrance channel dredging project.

This proposed Sediment Sampling & Analysis Plan is being submitted to the US Army Corps of Engineers (USACE) and the Department of Energy & Environmental Protection (DEEP) in preparation to conduct a sediment coring and analytical testing program of the facility basins and entrance channel. The Plan is designed to evaluate the physical and chemical quality of the marine sediments proposed to be dredged from this area.

2.0 EXISTING CONDITIONS

In order to determine the existing depths present in the Four Mile River, Coastline conducted hydrographic and topographic surveys of the predetermined project area. The following is a description of the hydrographic conditions present in the proposed dredge area.

2.1 *Four Mile River*

The study area in the Four Mile River extends approximately 4,000 linear feet, beginning near the head of the river and continuing south, past the State of Connecticut public launch ramp under the railroad bridge and into Long Island Sound.

Hydrographic Conditions – Hydrographic surveys of this area conducted in January-February 2013 show that the contour of the naturally deepest water meanders for the length of the study area and is most likely a function of the geology of the river, as well as the strength of the current. Depths immediately south of the railroad bridge and along Rocky Neck State Park in Long Island Sound average around -2.5' MLW at low tide. Once north of the bridge, depths within the river proper are as shallow as -1.1' MLW at low tide. These shallow areas persist until the river reaches the northern extent of the study, where depths immediately adjacent to the Four Mile River Marina and the State of Connecticut Boat Launch are as shallow as -0.5' MLW. These shallow depths at the launch render it useless at low tide, forcing all users to launch and retrieve at high tide, causing congestion and deterring boaters from utilizing this otherwise viable point of boating access.

Currently, the width of the approximate navigation area north of the bridge is only around 30' at low tide. The shallow water between the open water in Long Island Sound and the Four Mile River Marina present challenges for recreational vessels at low tide, and impair the functionality of the Four Mile River.

2.2 *Local Outfalls*

At the time of the January-February 2013 hydrographic/topographic surveys of the proposed dredge area, no outfall pipes were observed.

2.3 *Spill History*

In order to determine if any local spills or releases have occurred within the vicinity of the proposed dredge footprint, Coastline Consulting & Development, LLC (Coastline) conducted a search of the United States Coast Guard National Response Center spill database. The search yielded no reported incidents of spills in the vicinity of the dredge footprint or within the Four Mile River itself. Therefore, based on our review, no known/reported spills or releases have occurred within the immediate vicinity of the project site.

3.0 SUMMARY OF PERMIT HISTORY

Coastline conducted a search of DEEP and USACE records to determine the nature of any dredging that has been authorized in the Four Mile River. Those authorizations that were on file are outlined below and are included within the Permit History Section of this report.

On February 24, 1964 State of Connecticut Water Resources Commission issued Certificate #2219 to Raymond Stanhope, to dredge an area 30' x 75' and an area 40' x 400' to a depth of 3' at mean low water in the Four Mile River, approximately 2,500' north of the New York, New Haven and Hartford Railroad trestle. This would appear to be what is now the Four Mile River Marina basin. Disposal of the material was approved on the property above mean high water.

On November 4, 1993 the DEP issued Certificate #COP-93-162-GW to Four Mile River Marina, Inc., to maintenance dredge a 15' x 25' area located within the existing boat basin to a depth of -3' at mean low water and dispose of the material on the upland.

On March 13, 2009 the DEEP issued Permit #200700229-CE to Four Mile River Marina, Inc. to dredge a total of 1,945 cubic yards from various points within the existing marina basin to a depth of 3' at mean low water.

Conclusion

The issuance of dredging approvals in the Four Mile River indicates that the regulatory bodies have considered dredging to be an acceptable activity to facilitate recreational boating in this waterbody. The proposed dredge channel is consistent with the intent of past dredging approved in this river, as they facilitate recreational boating use within the waterbody. However, as no dredging has been approved within the proposed channel footprint itself, it is apparent that the proposed channel represents new dredging, which must be authorized through a Structures, Dredging, and Fill individual permit application.

4.0 PROJECT DESCRIPTION

The proposed dredge channel footprint is approximately 4,000 linear feet, beginning at the head of the river near the Four Mile River Marina and terminating approximately 1,000 feet south of the railroad bridge into Long Island Sound. The proposed channel will maintain a width of 30' from the head of the river until the south side of the railroad bridge. This footprint will abut the toe of the State of Connecticut boat launch ramp in order to provide for launching/retrieval of public vessels at all tides. For the remainder of the channel, a width of 60' is proposed. The channel is proposed to a depth of -3.0' MLW (+1.0' overdredge).

A total of approximately 9,787 cubic yards of material will be required for removal from the proposed channel footprint. Dredging and disposal operations are proposed to be conducted using the mechanical clamshell method. Dredge material disposal operations are proposed for open water disposal at the Central Long Island Sound or New London Disposal Site for the material located north of the railroad bridge (silt), and nearshore disposal at the Hammonasset Nearshore Disposal Area for the material located south of the railroad bridge (sand). All dredging activities will be conducted within an approved DEEP and ACOE dredging window.

5.0 SEDIMENT SAMPLING INVESTIGATION

The Town of Old Lyme proposes to conduct a Sediment Sampling Investigation within the dredge footprints in order to characterize the physical and chemical quality of marine sediments. This Sediment Sampling Investigation will consist of two components: Sediment Coring and Laboratory Testing. The proposed sediment coring and analytical testing program has been designed to evaluate the suitability of dredged sediments to be disposed of at an approved upland disposal site. Each of these components is discussed below.

5.1 *Sediment Coring & Sampling*

Coastline proposes that sediment coring be performed at a total of four (4) locations within the proposed dredge footprint. The proposed core locations have been located throughout the proposed dredge footprint as shown in Sheets 4 through 6 of 7. Sediment will be collected to a depth of -4.0' mean low water (-3.0' proposed dredge depth + 1.0' overdredge).

It is expected that sediment coring will be performed using a gravity corer. Geologic constraints or other conditions may require the use of the Model 2000 Vibratory Portable Corer, which is capable of penetrating coarser-grained sediments to greater depths.

An experienced environmental scientist will prepare the sediment samples for laboratory submittal. Sediment cores will be photographed and geologic stratigraphy logged prior to sample preparation. Sample collection and transfer to the laboratory for analytical testing will be conducted in accordance with regulatory testing and chain of custody protocols.

5.2 *Laboratory Testing*

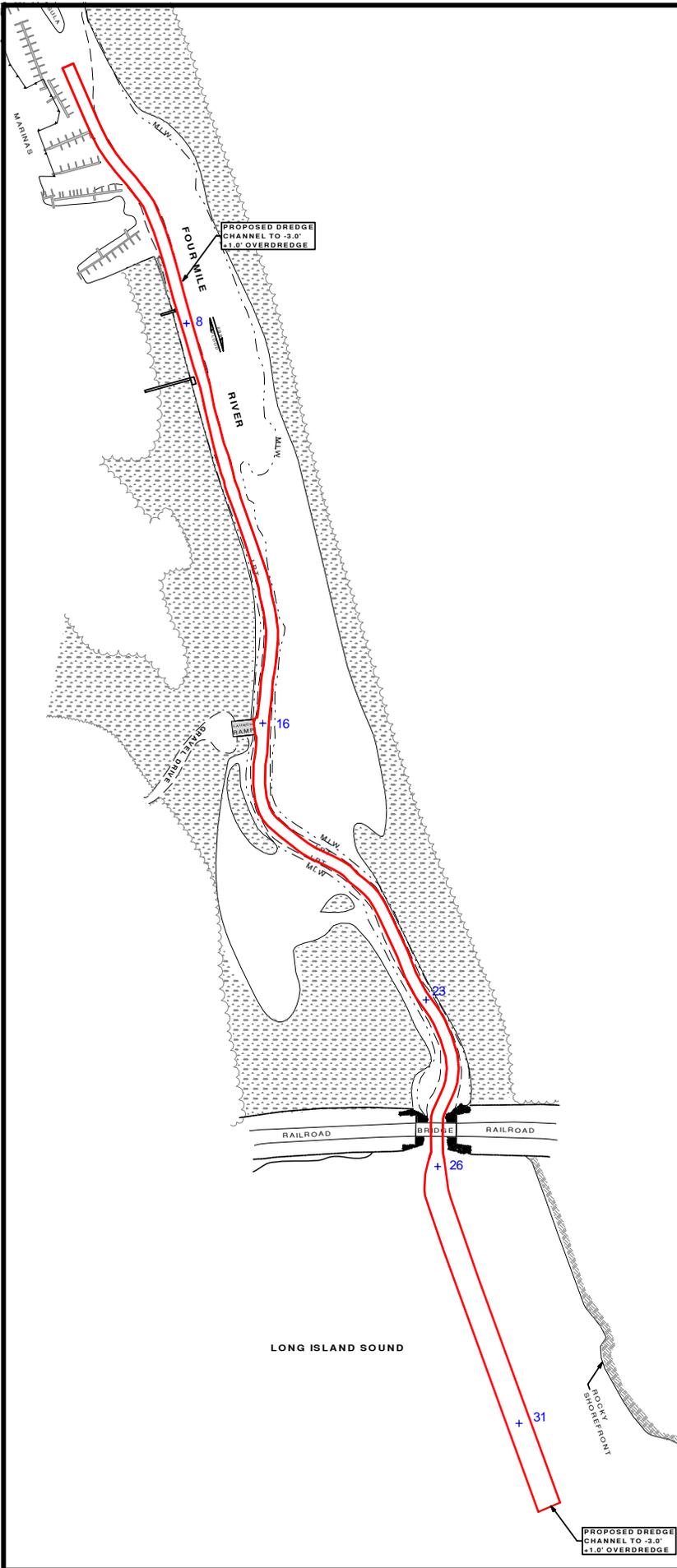
Sediment samples collected during the sediment coring & sampling program will be submitted to a qualified laboratory for analytical testing. The selected laboratory will perform the required/requested physical and chemical analytical testing in accordance with protocols, method detection limits, and analytical methods specified in the 2004 "Regional Implementation Manual for the Evaluation of Dredged Material Proposed for Disposal in New England Waters". The following physical and chemical analyses will be performed on each sediment sample submitted for laboratory testing:

Bulk Sediment Testing Parameters

<u>Parameter</u>	<u>Reporting Limit (ppm)</u>
Metals	
Arsenic	0.4
Cadmium	0.07
Chromium	0.5
Copper	0.5
Lead	0.5
Mercury	0.02
Nickel	0.5
Zinc	1.0
PCBs	
(Total by NOAA summation of congeners)	0.001
Pesticides	
	0.001
Aldrin	Heptachlor epoxide
cis- & tran-Chlordane	Hexachlorobenzene
4,4'-DDT, DDD, DDE	gamma-BHC (Lindane)
Dieldrin	Methoxychlor
α & β Endosulfan	cis- & trans-Nonachlor
Endrin	Oxychlordane
Heptachlor	Toxaphene
	0.025
Polyaromatic Hydrocarbons (PAHs)	
Acenaphthene	Chrysene
Acenaphthylene	Dibenzo (a, h) anthracene
Anthracene	Fluoranthene
Benzo (a) anthracene	Fluorene
Benzo (a) pyrene	Indeno (1, 2, 3-cd) pyrene
Benzo (b) fluoranthene	Naphthalene
Benzo (k) fluoranthene	Phenanthrene
Benzo (g, h, i) perylene	Pyrene
	0.01
Physical Analyses	
Total Organic Carbon (TOC)	0.1%
Percent Moisture	1.0%
Grain size (Wet Sieve #4, 10, 40, 200)	

PRELIMINARY GRAIN SIZE

CT STATE PLANE COORDINATE
SYSTEM (NAD 83)



LEGEND

+ 32 = SAMPLE LOCATION



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5-B Old Post Road, Madison, CT 06443
(203) 245-8138

FOUR MILE RIVER
PRELIMINARY GRAIN SIZE
SAMPLE LOCATIONS

PREPARED FOR
THE TOWN OF OLD LYME
NAVIGABLE WATERWAYS STUDY
OLD LYME, CONNECTICUT

OCTOBER 31, 2013

SCALE: 1" = 400'

Date Samples Received: 09/27/13

Client Name : Coastline Consulting	CTL Lab No. : 0913449
Report Date : 10/02/13	PO/ Job No. : 13-062 Four Mile River

RESULTS OF ANALYSIS

Washed Sieve Analysis

ASTM D-422/ D-1140

Date Analyzed: 09/29/13

Matrix Type : S S S S
CTL Sample No.: 14607 14608 14609 14610
Field ID : Four Mile #8 Four Mile #16 Four Mile #23 Four Mile #26

	Sieve Size				
Percent by Wt. Passing	No. 4	100.0	96.4	97.9	90.5
	No. 10	99.9	93.9	96.6	83.1
	No. 40	99.1	72.7	63.0	40.2
	No. 200	83.6	65.0	49.4	16.0

Matrix Type : S
CTL Sample No.: 14611
Field ID : Four Mile #31

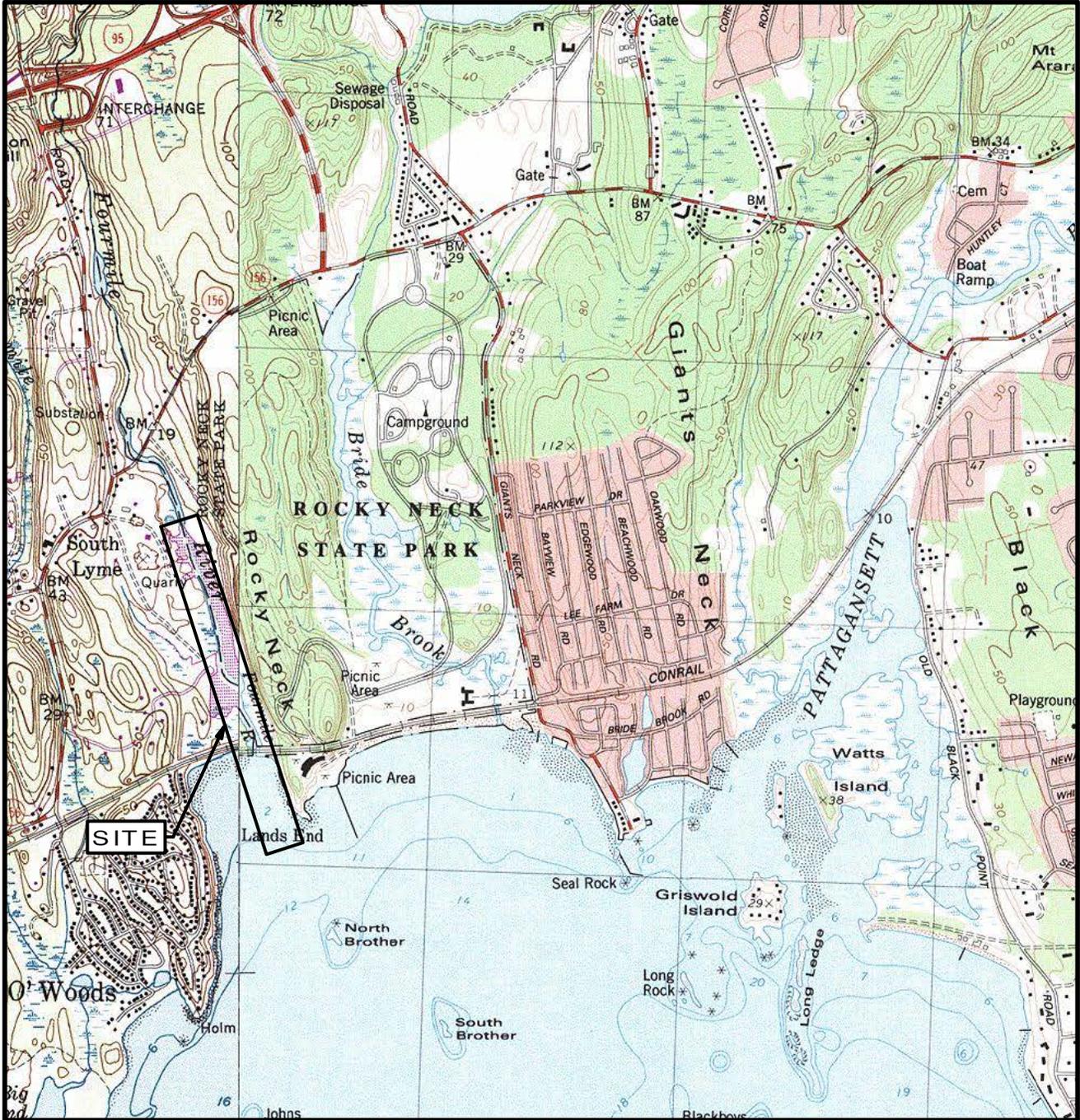
	Sieve Size				
Percent by Wt. Passing	No. 4	100.0			
	No. 10	100.0			
	No. 40	99.6			
	No. 200	17.9			

RL= Reporting Limit ND= Not Detected

Matrix Type: W= Water/Aqueous S= Soil/Solid O= Oil/Hydrocarbon

**Connecticut Testing Laboratories, Inc.
165 Gracey Avenue / Meriden, CT 06451
(203) 634-3731 (Fax) 630-1336
Certification CT-PH0547/ MA-CT035**

DRAWINGS



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SHEET 1 OF 7
 PROPOSED NAVIGATION CHANNEL
 SAMPLING & ANALYSIS PLAN
 SITE LOCATION MAP

FOUR MILE RIVER
 OLD LYME, CONNECTICUT

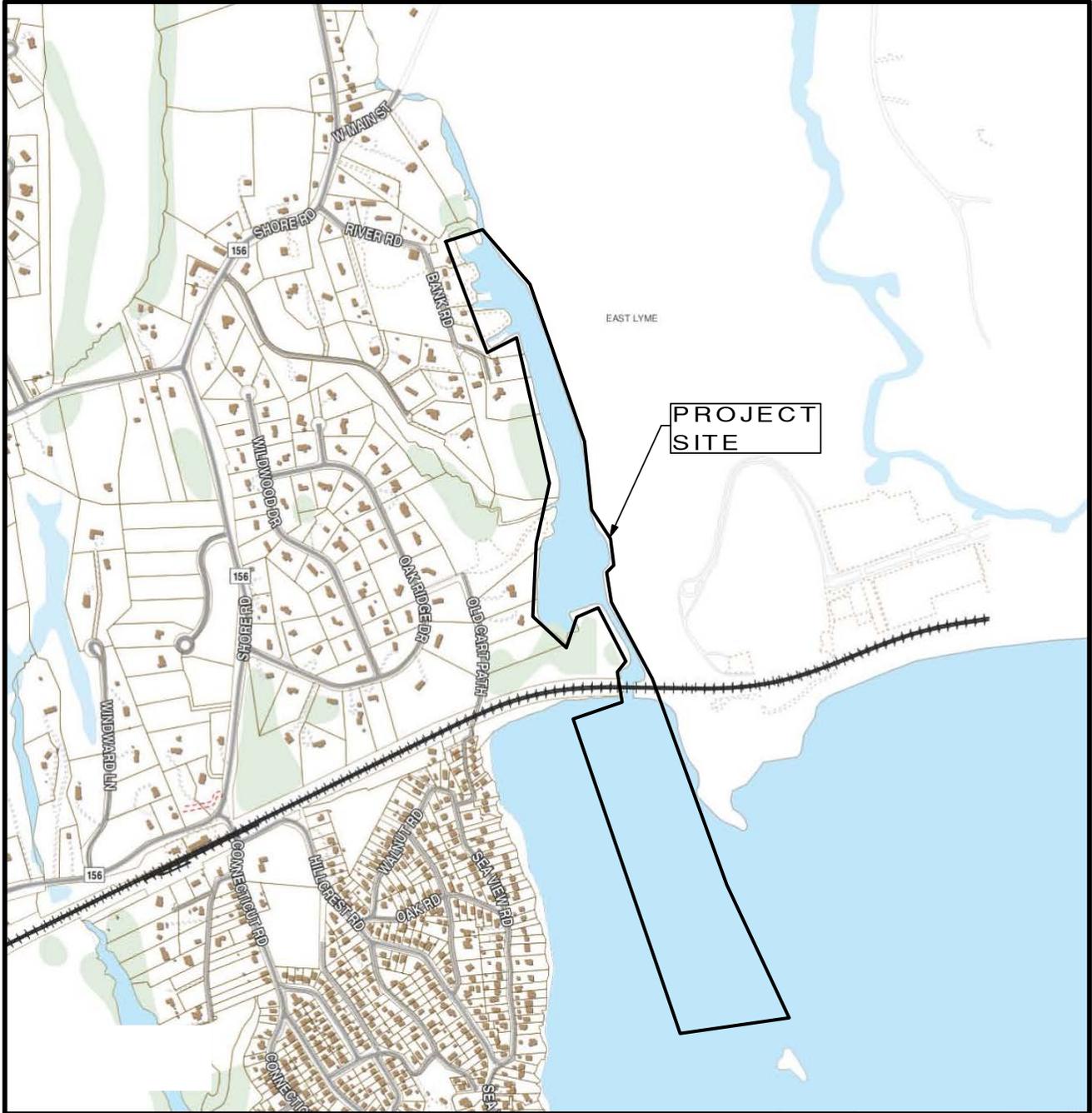
JANUARY 8, 2014

SCALE: 1 = 24,000

GRAPHIC SCALE



NOTE: REFER TO NOTES FOR THIS SHEET IN
 SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.



PROJECT
SITE

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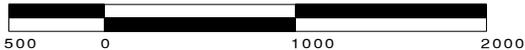
SHEET 2 OF 7
 PROPOSED NAVIGATION CHANNEL
 SAMPLING & ANALYSIS PLAN
 SITE PLAN VIEW

FOUR MILE RIVER
 OLD LYME, CONNECTICUT

JANUARY 8, 2014

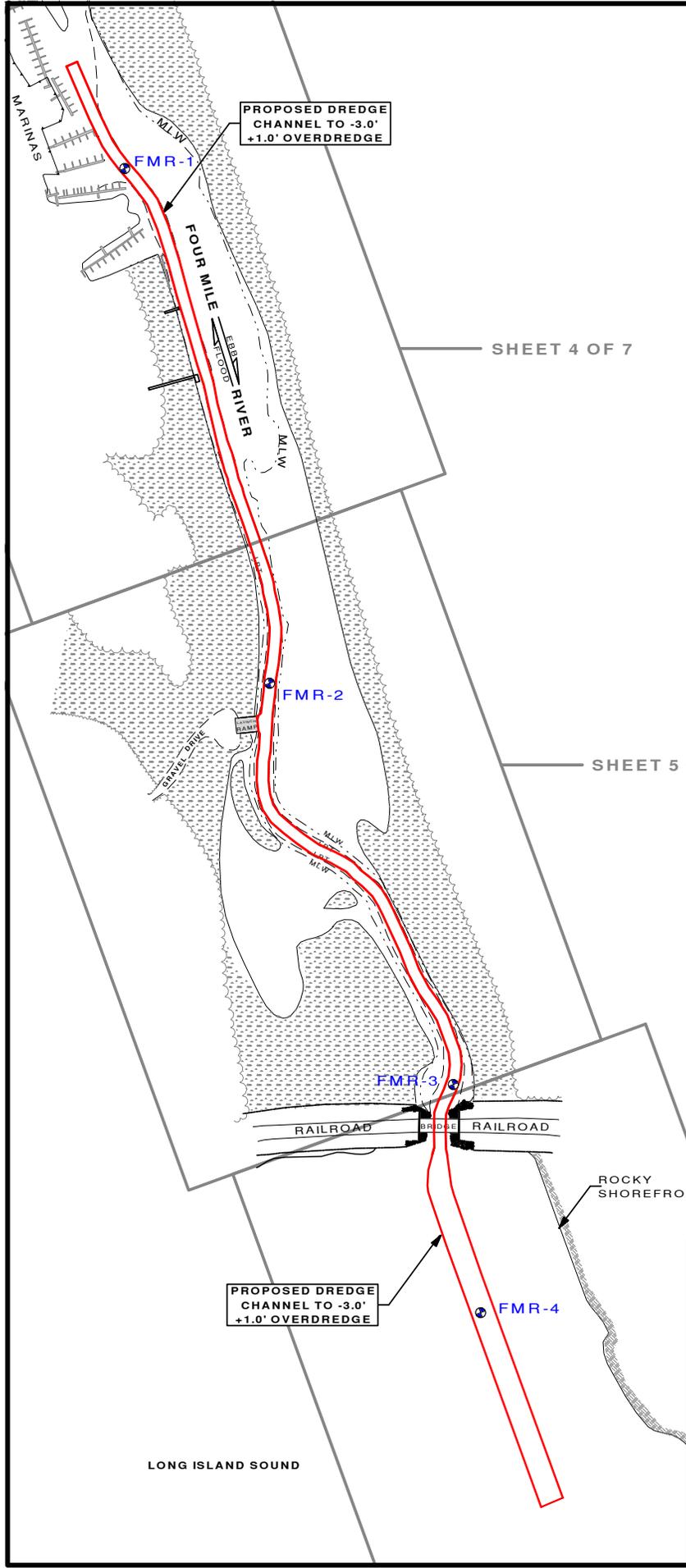
SCALE: 1" = 1000'

GRAPHIC SCALE



NOTE: REFER TO NOTES FOR THIS SHEET IN
 SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.

CT STATE PLANE COORDINATE
SYSTEM (NAD 83)

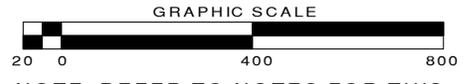


PROPOSED DREDGE
CHANNEL TO -3.0'
+1.0' OVERDREDGE

PROPOSED DREDGE
CHANNEL TO -3.0'
+1.0' OVERDREDGE

LEGEND

N/F	= NOW/FORMERLY
TYP	= TYPICAL
LPT	= LOWEST PREDICTED TIDE
MLW	= MEAN LOW WATER
MHW	= MEAN HIGH WATER
CJL	= COASTAL JURISDICTION LINE
[Stippled pattern]	= MARSH GRASS
[Wavy line]	= TREE LINE
[Cross-hatched pattern]	= ROCKY SHORE FRONT



NOTE: REFER TO NOTES FOR THIS SHEET IN SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.

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SHEET 3 OF 7
PROPOSED NAVIGATION CHANNEL
SAMPLING & ANALYSIS PLAN
SITE INDEX MAP

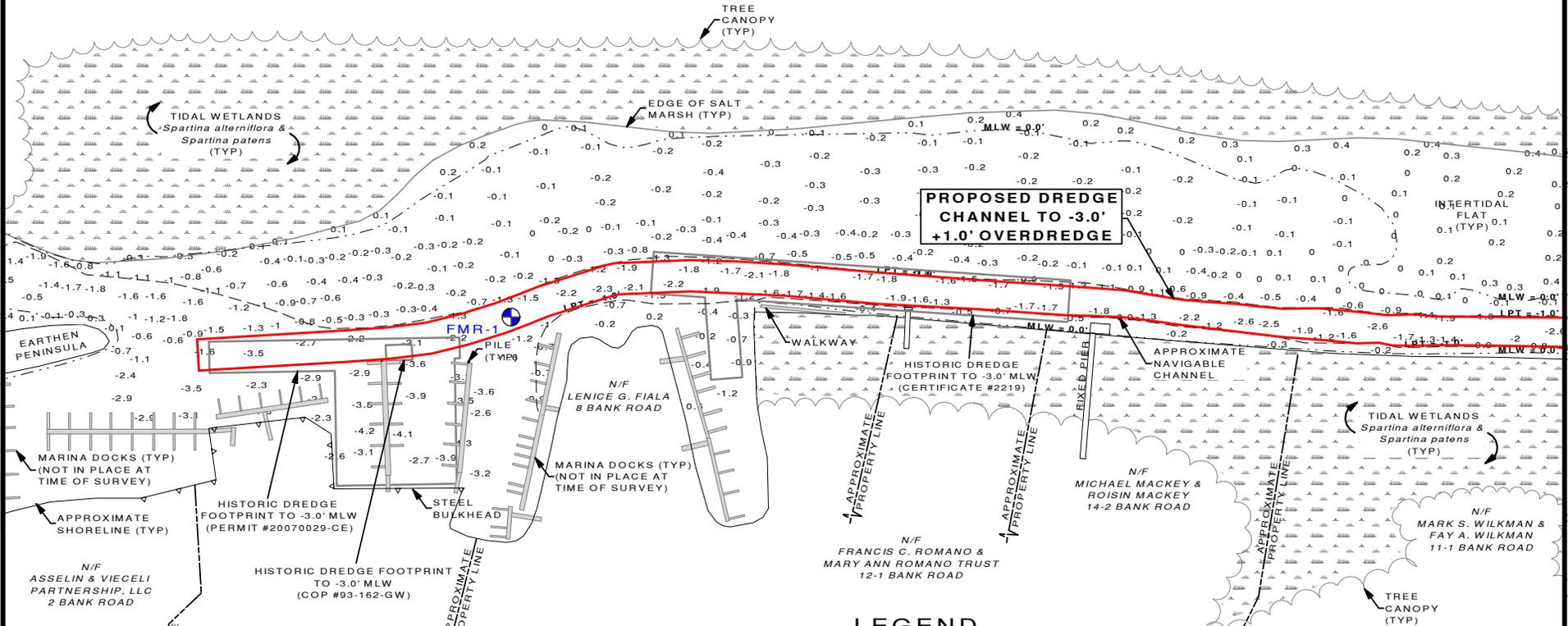
FOUR MILE RIVER
OLD LYME, CONNECTICUT

JANUARY 8, 2014

SCALE: 1" = 400'

CT STATE PLANE COORDINATE SYSTEM (NAD 83)

N/F
STATE OF CONNECTICUT
"ROCKY NECK STATE PARK"
EAST LYME, CT



LEGEND

- 1.2 = SOUNDINGS IN FEET
- +7.3 = UPLAND ELEVATION
- N/F = NOW/FORMERLY
- TYP = TYPICAL
- MLW = MEAN LOW WATER
- LPT = LOWEST PREDICTED TIDE
- = CORE SAMPLE LOCATION

-2.1
NOTE: MEASURING POINT FOR INDIVIDUAL SOUNDINGS IS LOCATED AT THE DECIMAL POINT

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SHEET 4 OF 7
PROPOSED NAVIGATION CHANNEL
SAMPLING & ANALYSIS PLAN
PROPOSED SAMPLE LOCATIONS

FOUR MILE RIVER
OLD LYME, CONNECTICUT

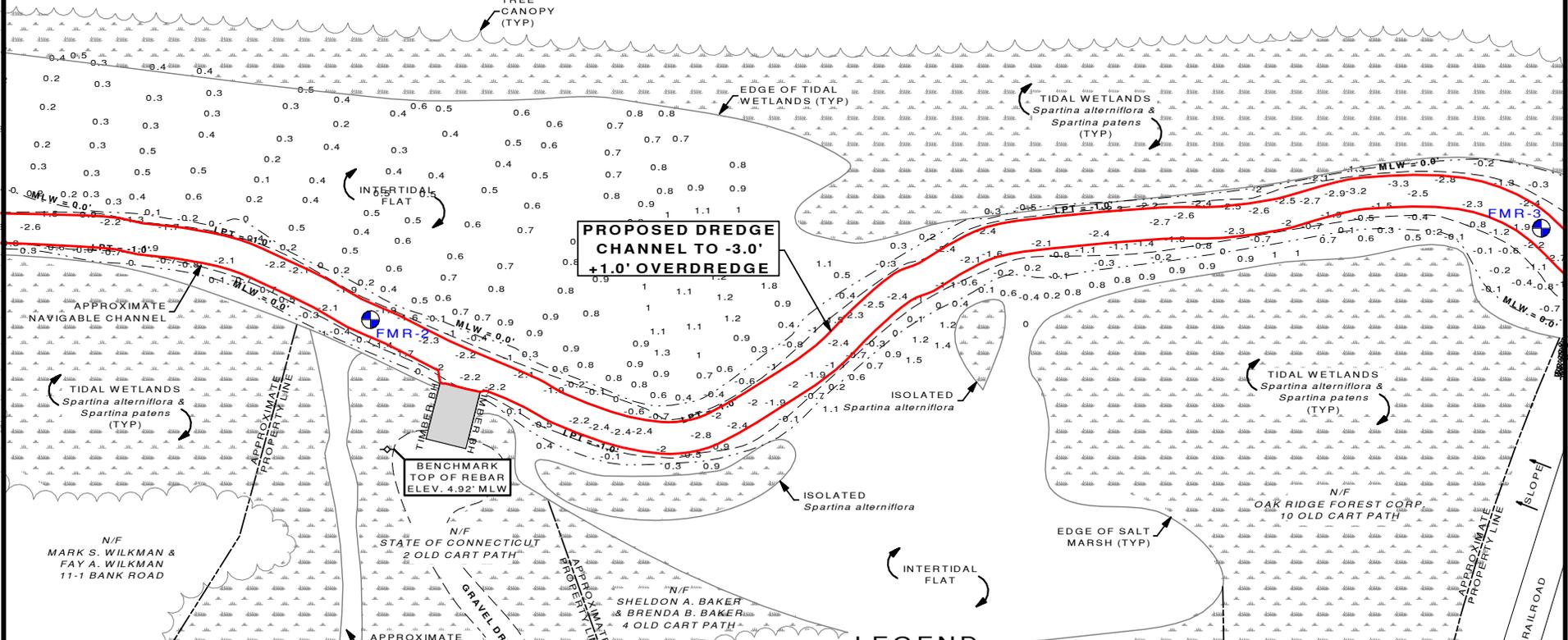
JANUARY 8, 2014 SCALE: 1" = 150'



NOTE: REFER TO NOTES FOR THIS SHEET IN SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.

CT STATE PLANE COORDINATE SYSTEM (NAD 83)

N/F
STATE OF CONNECTICUT
"ROCKY NECK STATE PARK"
EAST LYME, CT



PROPOSED DREDGE CHANNEL TO -3.0' +1.0' OVERDREDGE

LEGEND

- 1.2 = SOUNDINGS IN FEET
- +7.3 = UPLAND ELEVATION
- N/F = NOW/FORMERLY
- TYP = TYPICAL
- MLW = MEAN LOW WATER
- LPT = LOWEST PREDICTED TIDE
-  = CORE SAMPLE LOCATION
- FMR-1

NOTE: MEASURING POINT FOR INDIVIDUAL SOUNDINGS IS LOCATED AT THE DECIMAL POINT

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SHEET 5 OF 7
PROPOSED NAVIGATION CHANNEL
SAMPLING & ANALYSIS PLAN
PROPOSED SAMPLE LOCATIONS

FOUR MILE RIVER
OLD LYME, CONNECTICUT

JANUARY 8, 2014

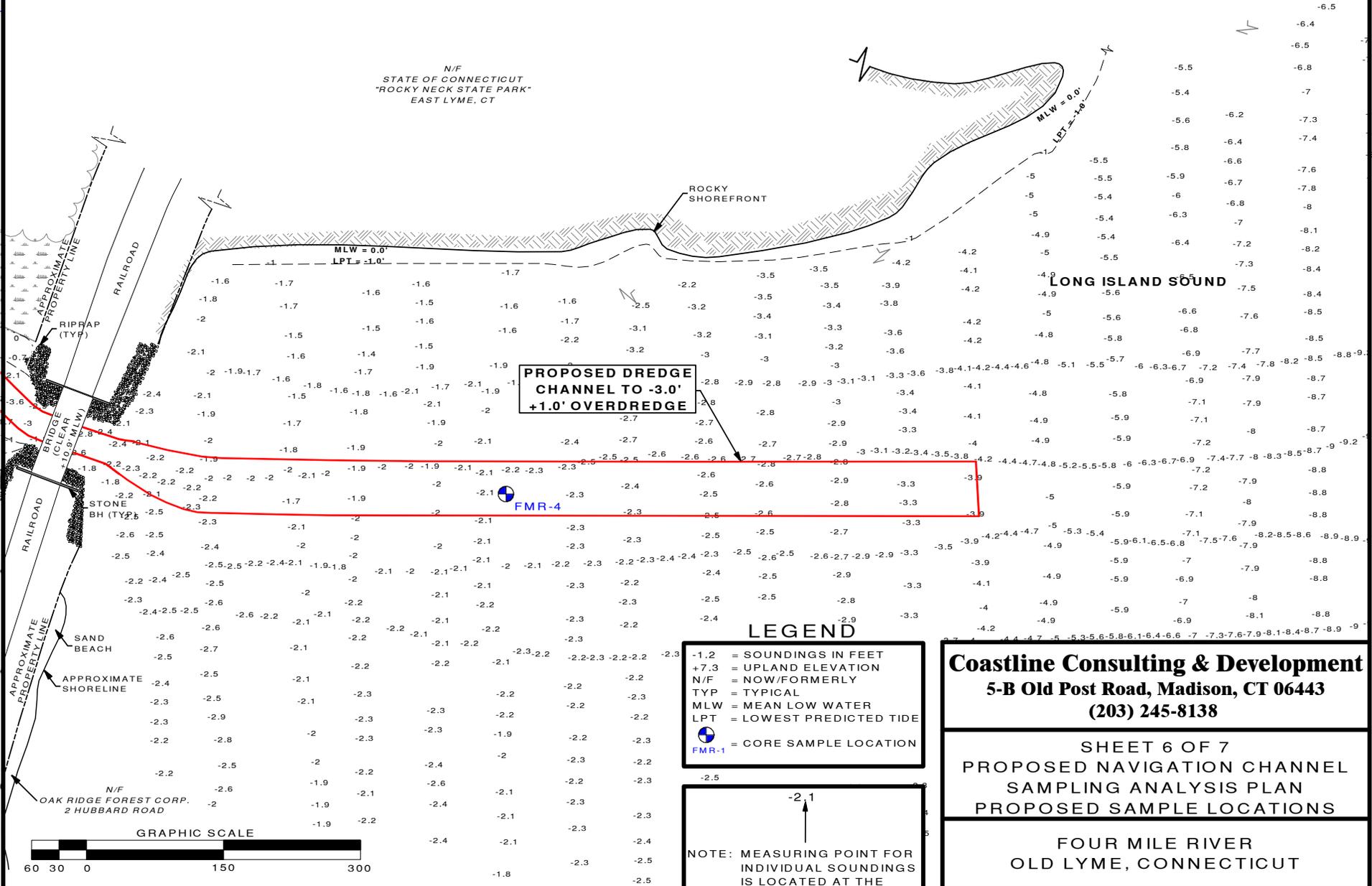
SCALE: 1" = 150'



NOTE: REFER TO NOTES FOR THIS SHEET IN SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.

CT STATE PLANE COORDINATE SYSTEM (NAD 83)

N/F
STATE OF CONNECTICUT
"ROCKY NECK STATE PARK"
EAST LYME, CT



PROPOSED DREDGE CHANNEL TO -3.0' +1.0' OVERDREDGE

FMR-4

LEGEND

- 1.2 = SOUNDINGS IN FEET
- +7.3 = UPLAND ELEVATION
- N/F = NOW/FORMERLY
- TYP = TYPICAL
- MLW = MEAN LOW WATER
- LPT = LOWEST PREDICTED TIDE
- = CORE SAMPLE LOCATION
- FMR-1

NOTE: MEASURING POINT FOR INDIVIDUAL SOUNDINGS IS LOCATED AT THE DECIMAL POINT

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SHEET 6 OF 7
PROPOSED NAVIGATION CHANNEL
SAMPLING ANALYSIS PLAN
PROPOSED SAMPLE LOCATIONS

FOUR MILE RIVER
OLD LYME, CONNECTICUT

JANUARY 8, 2014

SCALE: 1" = 150'

NOTE: REFER TO NOTES FOR THIS SHEET IN SAMPLING PLAN DRAWING NOTES ON SHEET 7 OF 7.

SAMPLING & ANALYSIS PLAN DRAWING NOTES

SHEET 1 OF 7 SITE LOCATION MAP

1. MAP TAKEN FROM TOPO, INC., 7.5 MINUTE USGS TOPOGRAPHIC MAPS OF THE OLD LYME, CONNECTICUT, QUADRANGLE, 1960 (PHOTO INSPECTED 1976, PHOTO REVISED 1984).

SHEET 2 OF 7 SITE PLAN VIEW

1. THE CONDITIONS ARE APPROXIMATE AND ARE BASED OLD LYME, CT GIS MAPPING, TAKEN FROM "<http://www.mapgeo.com/oldlymect/>" ON JANUARY 17, 2013, AND FIELD OBSERVATIONS.

SHEETS 3 OF 6 PROPOSED SAMPLE LOCATIONS

1. THESE DRAWINGS WERE PREPARED FROM RECORDED RESEARCH, OTHER MAPS, FIELD OBSERVATIONS COLLECTED ON 1/10/2013, 1/11/2013 & 1/15/2013 AND OTHER SOURCES.
2. REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - A. A CLASS T-2 SURVEY TITLED "FOUR MILE RIVER, TOPOGRAPHIC SURVEY, HYDROGRAPHIC CONDITIONS, PREPARED FOR THE TOWN OF OLD LYME, NAVIGABLE WATERWAYS STUDY, OLD LYME, CONNECTICUT", SCALE 1" = 100', DATED JANUARY 31, 2013, AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC, CERTIFIED BY JAMES NAGLE, LS. LIC. NO. 15195.
 - B. AN AERIAL IMAGE OF THE PROJECT SITE TAKEN FROM "GOOGLE EARTH" ON JANUARY 17, 2013.
3. BENCHMARK, TIDE LINES, AND SOUNDINGS ARE IN FEET, FIELD-LOCATED BY COASTLINE CONSULTING & DEVELOPMENT, LLC, AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NAVD88 VERTICAL DATUM. SPECIFIC ELEVATIONS FOR TIDE LINES WERE TAKEN FROM TIDAL DATA FOR THE LONG ISLAND SOUND, EAST CENTRAL, "OLD LYME" AS NOTED IN THE "CONNECTICUT ASSOCIATION OF LAND SURVEYORS, RESOURCES FOR TIDAL AND NAVIGABLE WATERS IN CONNECTICUT, BY JOHN J. DOODY, PS & PE, OCTOBER 15, 2012"..
4. THESE DRAWINGS ARE FOR PLANNING PURPOSES ONLY. ANY PROPERTY LINES ARE DEPICTED GRAPHICALLY ONLY, AND DO NOT REPRESENT ANY PROPERTY/BOUNDARY OPINION. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.
5. SITE MAY BE SUBJECT TO AND/OR TOGETHER WITH CERTAIN LITTORAL, RIPARIAN, OR OTHER RIGHTS AS PER THE RECORD MAY APPEAR
6. ANY UNDERGROUND AND/OR UNDERWATER UTILITY, STRUCTURE, AND FACILITY LOCATIONS DEPICTED AND/OR NOTED HEREON MAY HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE LOCATIONS OF WHICH ARE UNKNOWN TO COASTLINE CONSULTING & DEVELOPMENT, LLC. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION. CALL BEFORE YOU DIG: 1-800-922-4455.

Coastline Consulting & Development
5-B Old Post Road, Madison CT 06443
(203) 245-8138

SHEET 7 OF 7
PROPOSED NAVIGATION CHANNEL
SAMPLING PLAN DRAWING NOTES

FOUR MILE RIVER
OLD LYME, CONNECTICUT

JANUARY 8, 2014

FILE NO.: 13-062

PERMITS

February 24, 1964

C E R T I F I C A T E

No. 2219

Mr. Raymond L. Stanhope
P.O. Box 11
South Lyme, Connecticut

*Work Completed
July 14, 1964
letter certified*

Gentlemen:

This refers to your application for a permit dated November 29, 1963 together with the accompanying plans, to dredge an area, 30 feet x 75 feet and one 40 feet x 400 feet to a depth of 3 feet at mean low water,

in the Four Mile River, approximately 2500 feet north of the New York, New Haven and Hartford Railroad trestle,

at South Lyme, Town of Old Lyme, Connecticut

Dredged material to be deposited on property of application above mean high water.

The Commission, after investigation, has considered your application with due regard for the matters enumerated in Section 1, Public Act No. 569 of the 1963 Legislature and is of the opinion that the proposed work is in conformance with the purposes of this Act and is not in violation of any of its provisions or regulations. This letter, therefore, will be considered the Certificate or Permit required by Section 3 of Public Act No. 569, 1963 Legislature.

If the structure or work herein authorized is not completed on or before the 24th day of February, 1967, this Certificate, if not previously revoked or specifically extended, shall cease and be null and void. Furthermore, this Certificate is issued under the condition that the Commission shall be notified when the work is completed.

This Certificate is subject to and in no way derogates any present or future property or other rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Very truly yours,

WATER RESOURCES COMMISSION

By _____
William S. Wise, Director

cc: Army Engineers

Front Road
to Pt 156
500 ft

Cemetery

Residence

W → Z

Elevation 6 to 8 ft
Dredging to be done here

Salt Marsh - Meadow

To be dredged
7 ft

Area to be dredged
40 x 400 ft

Property of R. L. Stankovic
Town of 3 1/2 mi
Salt Lym
Conn

Four Mile River
Channel



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CERTIFICATE OF PERMISSION



Certificate No.: COP-93-162-GW

Municipality: Old Lyme

Site of Activity: 2-4 Bank Road

Certificate Holder: Four Mile River Marina, Inc.

Pursuant to section 22a-361 of the General Statutes, the Commissioner of Environmental Protection (Commissioner) has considered your application COP-93-162-GW to conduct regulated activities in tidal, coastal or navigable waters of the state in the Four Mile River off property located at 2-4 Bank Road. In accordance with section 401 of the Federal Clean Water Act, as amended, section 22a-98 and sections 22a-359 to 22a-363f of the General Statutes, and the Connecticut Water Quality Standards dated January 1992, a certificate of permission (certificate) is hereby granted to maintenance dredge approximately 20 cubic yards of sediment from an approximately 375 square foot existing basin for a commercial marina and is more specifically described below in the SCOPE OF AUTHORIZATION. The work performed shall conform to the terms and conditions of that which is authorized by your Certificate #2219 except as may be specifically modified by this certificate of permission.

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS CERTIFICATE MAY SUBJECT THE CERTIFICATE HOLDER TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES, AS PROVIDED BY LAW.

SCOPE OF AUTHORIZATION

- A. You are hereby authorized to conduct the following work as shown on four sheets of plans, submitted by the Certificate Holder to the Commissioner and attached hereto, dated August 4, 1993 and as described in application materials received through October 22, 1993:

Maintenance dredge a 15' x 25' area by backhoe to a depth of -3.0 feet MLW in an existing boat basin. The dredged sediment will be placed in a water tight structure on a small scow, transported to shore and the structure will be placed in a dump truck and taken to the upland disposal site across from the marina where the dredged material will be deposited on the upland.

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE CERTIFICATE HOLDER ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS CERTIFICATE.

SPECIAL TERMS AND CONDITIONS

1. Unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited between April 1 and September 30, inclusive of any year in order to protect anadromous fisheries and spawning shellfish in the area.
2. Dragging the bottom with a spoil barge, scow, vessel, beam or similar equipment outside of the area authorized by this certificate to be dredged or excavated is prohibited.
3. Sidecasting or in-water rehandling of dredged or excavated material is prohibited.
4. Except as specifically authorized by this permit, no equipment or material associated with the work authorized herein, including but not limited to, fill, construction material, excavated materials or debris, shall be deposited, placed or stored in any wetland or water course on or off-site, nor shall any wetland, or watercourse be used as a staging area or accessway other than as provided herein.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this certificate shall be completed within three years from date of issuance of this certificate.
 - a. The Certificate Holder may request a one year extension of the work completion date specified above. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, what work still needs to be completed and the reason for such extension. Such request shall be subject to the Commissioner's sole discretion.
 - b. Any work authorized hereunder conducted after said work completion date or any authorized one year extension thereof is a violation of this certificate and may subject the Certificate Holder to enforcement action, including penalties, as provided by law.
2. All work authorized hereunder shall be undertaken in accordance with the plans identified in the SCOPE OF AUTHORIZATION and no change from such plans shall be implemented without the prior written approval of the Commissioner.
3. Prior to the commencement of any work authorized hereunder, the Certificate Holder shall cause a copy of this certificate to be given to any contractor(s) employed to conduct such work. The Certificate Holder shall have, on the site and available for inspection whenever work is being performed, a copy of this certificate and the final plans for the work authorized hereunder.
4. Not later than two weeks prior to the commencement of any work authorized hereunder, the Certificate Holder shall submit to the Commissioner, on the form attached hereto as

Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.

5. The Certificate Holder shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized hereunder no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
6. On or before (a) 90 days after completion of the work authorized hereunder, or (b) upon expiration of the work completion date identified in paragraph 1 of the GENERAL TERMS AND CONDITIONS, or any authorized one year extension thereof, whichever is earlier, the Certificate Holder shall submit to the Commissioner an "as dredged" survey of the certificate site showing contours, bathymetries, and tidal datums.
7. Other than the disposal of aquatic sediments as authorized by this certificate, the Certificate Holder shall dispose of all waste material generated by the performance of the work authorized hereunder at an upland site approved for the disposal of such waste material, as applicable.
8. Upon completion of any work authorized hereunder, the Certificate Holder shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
9. Any document required to be submitted to the Commissioner under this certificate or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(203) 566-3740
Fax # (203) 566-5488
10. The date of submission to the Commissioner of any document required by this certificate shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this certificate, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this certificate, the word "day" as used in this certificate means calendar day. Any document or action which is required by this certificate to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
11. Prior to the abandonment of any work authorized hereunder, the Certificate Holder shall notify the Commissioner in writing of the intent to abandon. If ordered by the Commissioner, the Certificate Holder shall remove any remaining structures or facilities and restore the certificate site to the specifications of the Commissioner.

12. a. No change in the purpose or use of the authorized work or facilities as set forth in this certificate may occur without the prior written authorization of the Commissioner. The Certificate Holder shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this certificate, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change. Except as authorized by this certificate, any change in the use or purpose of a regulated structure, facility, filled area or dredged basin, without prior written authorization of the Commissioner shall constitute a violation of this certificate and of sections 22a-361 of the General Statutes, and may subject the Certificate Holder to all applicable enforcement actions.
 - b. The Certificate Holder shall submit an application pursuant to sections 22a-361 of the General Statutes when the proposed changes in use or purpose may diminish or adversely affect water-dependent uses as defined by section 22a-93(16) of the General Statutes. Such application shall be processed in accordance with the applicable provisions of the General Statutes in effect at the time of review.
13. This certificate may be revoked, suspended, or modified in accordance with applicable law.
14. This certificate is not transferable without prior written authorization of the Commissioner. A request to transfer a certificate shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. Until such time as a transfer is authorized by the Commissioner, the Certificate Holder shall remain responsible and shall retain all liabilities associated with this certificate. Nothing in this condition shall be construed as limiting the liability of any other person.
15. The Certificate Holder shall allow representatives of the Commissioner to inspect the authorized activity at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this certificate.
16. In granting this certificate, the Commissioner has relied on all representations of the Certificate Holder, including information and data provided in support of the Certificate Holder's application and those representations as to the structural integrity of the design of any structures authorized hereunder and the issuance of this certificate shall not be construed to constitute an assurance or assumption of liability by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of the design authorized hereunder.
17. In the event that the Certificate Holder becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this certificate or of any document required hereunder, the Certificate Holder shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Certificate Holder shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Certificate Holder shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Certificate Holder shall not excuse noncompliance or delay and the

Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

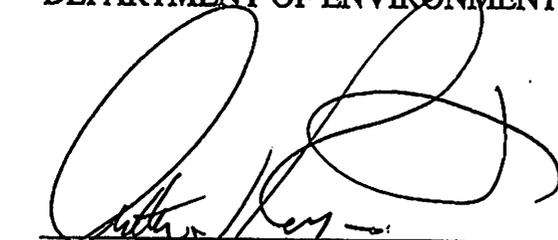
18. In evaluating the application for this certificate the Commissioner has relied on information and data provided by the Certificate Holder and on the Certificate Holder's representations concerning site conditions, design specifications and the proposed purpose and use of proposed work, including but not limited to the commercial, public or private nature of the facility/structure, the water-dependency of the proposed regulated activities, its availability to the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this certificate may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
19. Any dredging or the placement of any structures, fill, obstructions, encroachments, or any work incidental thereto, waterward of the high tide line as defined by section 22a-359 of the General Statutes which is not specifically identified and authorized herein at this site, shall constitute a violation of this certificate and may result in its modification, suspension or revocation, and shall also constitute a violation of state law which may subject the Certificate Holder to an injunction and penalties under Chapters 439 and 446i of the General Statutes.
20. The issuance of this certificate does not relieve the Certificate Holder of his obligations to obtain any other approvals required by applicable federal, state and local law.
21. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this certificate shall be signed by a responsible corporate officer of the Certificate Holder, as such term is defined in section 22a-430-3(b)(2) of the Regulations of the Connecticut State Agencies and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
22. This certificate is subject to and does not derogate any present or future property rights or powers of the state of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

*******NOTICE TO CONTRACTORS*******

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS CERTIFICATE MAY SUBJECT THE CERTIFICATE HOLDER TO ENFORCEMENT ACTION FOR NONCOMPLIANCE WITH THIS CERTIFICATE AND SECTION 22a-361 OF THE GENERAL STATUTES AND MAY SUBJECT THE CONTRACTOR TO ENFORCEMENT ACTION FOR VIOLATION OF SECTION 22a-361. ENFORCEMENT ACTION MAY INCLUDE PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.

Issued on November 4, 1993.

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Arthur J. Rocque, Jr.
Assistant Commissioner

Certificate of Permission No. COP-93-162-GW
Four Mile River Marina, Inc.
Certified Mail # _____

lh

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

**TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127**

**CERTIFICATE HOLDER: Four Mile River Marina, Inc.
27 Rochelle Street
West Springfield, MA 01089**

Certificate No.: COP-93-162-GW

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

CERTIFICATE HOLDER: _____

(signature)

_____ (date)



BANK ROAD
FOUR MILE RIVER MARINA
DREDGING LOCATION
DREDGE DISPOSAL SITE

FOUR MILE RIVER MARINA
SOUTH LYME, CT.

(NIANTIC)
6566 1 SW
VIANTIC 3.2 MI.

4578

4576

4575

17°30"

4574

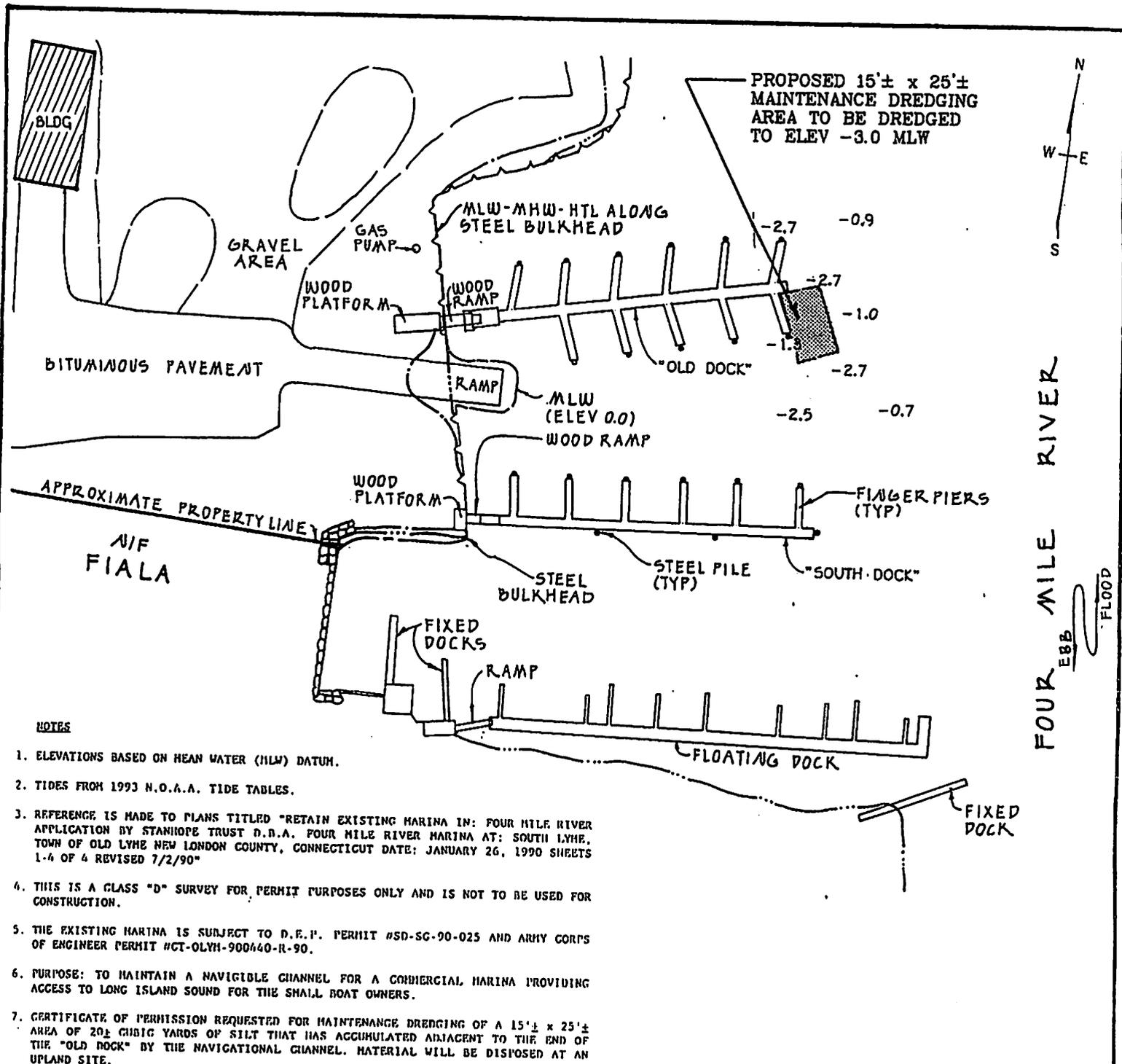
4573

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32

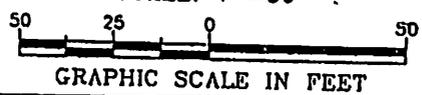
(25)



NOTES

1. ELEVATIONS BASED ON MEAN WATER (MLW) DATUM.
2. TIDES FROM 1993 N.O.A.A. TIDE TABLES.
3. REFERENCE IS MADE TO PLANS TITLED "RETAIN EXISTING MARINA IN: FOUR MILE RIVER APPLICATION BY STAMHOPE TRUST D.B.A. FOUR MILE RIVER MARINA AT: SOUTH LYME, TOWN OF OLD LYME NEW LONDON COUNTY, CONNECTICUT DATE: JANUARY 26, 1990 SHEETS 1-4 OF 4 REVISED 7/2/90"
4. THIS IS A CLASS "D" SURVEY FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
5. THE EXISTING MARINA IS SUBJECT TO D.F.P. PERMIT #SD-SC-90-025 AND ARMY CORPS OF ENGINEER PERMIT #CT-OLYH-900440-R-90.
6. PURPOSE: TO MAINTAIN A NAVIGIBLE CHANNEL FOR A COMMERCIAL MARINA PROVIDING ACCESS TO LONG ISLAND SOUND FOR THE SMALL BOAT OWNERS.
7. CERTIFICATE OF PERMISSION REQUESTED FOR MAINTENANCE DREDGING OF A 15'± x 25'± AREA OF 20± CUBIC YARDS OF SILT THAT HAS ACCUMULATED ADJACENT TO THE END OF THE "OLD DOCK" BY THE NAVIGATIONAL CHANNEL. MATERIAL WILL BE DISPOSED AT AN UPLAND SITE.

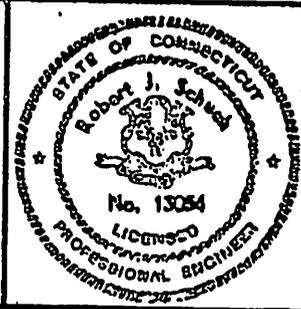
SCALE: 1"=50'

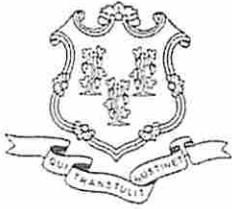


PLAN VIEW

PROPOSED MAINTENANCE DREDGING
 IN: FOUR MILE RIVER
 APPLICATION BY: FOUR MILE RIVER MARINA, INC.
 AT: SOUTH LYME, TOWN OF OLD LYME
 NEW LONDON COUNTY, CONNECTICUT
 AUGUST 4, 1993 SHEET 1 OF 1
 JOB #89-11-80.4

Total Technology
 CONSULTING ENGINEERS / LAND SURVEYORS
 459 WILLIAMS STREET
 NEW LONDON, CT. 06320
 (203) 447-0020





STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PERMIT

Permit No: 200700229-CE

Municipalities: Town of Old Lyme

Work Area: Four Mile River off of property located at 2 Bank Road.

Permittee: Four Mile River Marina, Inc.
c/o Robert Asselin
P.O. Box 65
South Lyme, CT 06376

Pursuant to Connecticut General Statutes ("CGS") sections 22a-359 through 22a-363f and sections 22a-28 through 22a-32, in accordance with CGS section 22a-98, section 401 of the Federal Clean Water Act, as amended, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to dredge and install a floating dock to enhance boat operation and berthing space in an existing marina as is more specifically described below in the SCOPE OF AUTHORIZATION, in the Four Mile River, off property identified as the "work area" above.

*****NOTICE TO PERMITTEES AND CONTRACTORS*****

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work, all waterward of the high tide line ("HTL") and as described in application 200700229-CE including, sheet 1 of 1 revised on October 07, 2008 entitled "Existing Conditions & Upland Disposal Locations," table data revised on October 7 2008 entitled "Existing Conditions Site References," plan sheet 1 of 2 dated January 23, 2008 entitled "Hydrographic survey Four Mile River Marina," plan sheet 2 of 2 revised on December 30, 2008 showing dredging locations and floating dock location entitled "Hydrographic survey Four Mile River Marina," plan sheets 1 through 5 of 6 revised on September 14, 2008 showing the proposed dredging footprints and plan sheet 6 of 6 showing the containment dewatering berm and plan sheet 1 of 1 dated April 8, 2008 entitled "New Dock-Proposed"; submitted by the Permittee to the Commissioner and attached hereto:

- A. The applicant is hereby authorized to conduct dredging by mechanical means of a total of (+/-) 1,945 Cubic Yards ("C.Y.") of sediment for upland disposal from five different locations within the above-referenced marina basin in accordance with the plans attached herein and as is more specifically described below:

1. Dredge from an area measuring 120' X 20' identified in the plans attached herein as "South Dock-South Side" to a water depth of 3' mean low water ("MLW") with a maximum one-foot allowable overdredge to remove a total of (+/-) 267 C.Y. of sediment.
 2. Dredge from an area measuring 120' X 60' identified in the plans attached herein as "Old Dock-South Side" to a water depth of 3' MLW with a maximum one-foot allowable overdredge to remove a total of (+/-) 667 C.Y. of sediment.
 3. Dredge from an area measuring 120' X 20' identified in the plans attached herein as "Old Dock-East End" to a water depth of 3' MLW with a maximum one-foot allowable overdredge to remove a total of (+/-) 222 C.Y. of sediment.
 4. Dredge from an area measuring 120' X 35' identified in the plans attached herein as "Old Dock-North Side" to a water depth of 3' MLW with a maximum one-foot allowable overdredge to remove a total of (+/-) 389 C.Y. of sediment.
 5. Dredge from an area measuring 120' X 30' identified in the plans attached herein as "Front Dock- East End" to a water depth of 3' MLW with a maximum one-foot allowable overdredge to remove a total of (+/-) 400 C.Y. of sediment.
- B. Install a 3' X 12' ramp, a 4' X 10' landing deck supported by four (4) single pilings, a 100' X 3' main floating dock with water service with six (6) 2' X 16' finger piers all waterward of the HTL and in accordance with the plans attached herein.

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

SPECIAL TERMS AND CONDITIONS

1. Except as specifically authorized by the approval, no equipment or material including, but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any tidal wetland or tidal watercourse on or off-site, nor shall any tidal wetland or tidal watercourse be used as a staging area or accessway other than as provided herein.
2. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work .

3. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any one year extension thereof, which ever is earlier, the Permittee shall submit to the Commissioner "as built" and "as dredged" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums and structures.
4. The Permittee must restore all regulated areas impacted by construction, or used as a staging area or accessway in connection with the work authorized herein, to their condition prior to the commencement of work authorized herein.
5. The Permittee shall ensure that any barge utilized in the execution of the activities authorized pursuant to the SCOPE OF AUTHORIZATION above, shall access the work site only during periods of high water and in accordance with the "Dredging and Upland Management Plan" attached herein. Any such barge must move to deeper waters during periods of low water. It shall not be a defense to this provision for the Permittee to assert that it has no control over the operation of the barge.
6. Unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited from June 1st through September 30th, inclusive, of any year in order to protect spawning shellfish.
7. Unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited from April 1st through June 30th of any year in order to protect anadromous fish migration.
8. The Permittee shall post signage prohibiting the use of the structures authorized herein for fueling, exterior painting, cleaning or other boat repair or maintenance activities which could produce any discharges to the river while berthed at the docks in the marina. Photographs showing such signage shall be submitted to the Commissioner within 90 days of completion of the activity authorized in Part B of the SCOPE OF AUTHORIZATION above. Such signage shall be maintained and serviceable for the life of the facility.
9. The Permittee shall dispose of the dredged sediment authorized pursuant to the SCOPE OF AUTHORIZATION above in accordance with the "Dredging & Upland Disposal Management Plan" attached herein and in accordance with the following:
 - a. The approximately 1,945 cubic yards of sediment authorized pursuant to the SCOPE OF AUTHORIZATION paragraph A above are NOT suitable for on-site upland disposal unless they successfully pass a Synthetic Precipitation Leaching Procedure ("SPLP") test on lead, barium, chromium, copper, nickel, vanadium, and zinc to determine the leachability of these metals. The results of this test shall be submitted to Mr. William Warzecha of the DEP remediation division for his review and sediment suitability determination.

- b. In the event that the results of the SPLP testing pursuant to SPECIAL TERMS AND CONDITIONS # 9a above, indicate that the sediment is unsuitable for on-site upland disposal, the applicant shall provide the Commissioner with written documentation prior to transporting the sediment to an offsite facility demonstrating that said facility is authorized to, and agree to accept the dredged materials.
10. The dewatering of the dredged sediment authorized pursuant to the SCOPE OF AUTHORIZATION above shall be conducted in accordance with SPECIAL TERMS AND CONDITIONS No.9 above, and in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as revised, established pursuant to CGS Section 22a-328, and any appropriate permit or authorization for dewatering pursuant to CGS section 22a-430 or 22a-6k.
11. The floating docks authorized pursuant to the SCOPE OF AUTHORIZATION above shall be secured with galvanized steel pipes and as shown on the application plans attached herein.
12. Dragging the bottom with a spoil barge, scow, vessel, beam or similar equipment outside of the areas authorized pursuant to the SCOPE OF AUTHORIZATION above by this permit to be dredged or excavated is prohibited. Spoil barges or scows shall be loaded, navigated and offloaded in a manner, which prevents uncontrollable motion or spillage and washout of dredged or excavated materials.
13. Sidecasting or in-water re-handling of dredged or excavated material is prohibited.
14. Sediment dredged pursuant to this authorization shall not be sold nor shall any fee for its use be charged without the express prior written authorization of the Commissioner and payment of a \$4.00 per yard royalty to the State of Connecticut Department of Environmental Protection, pursuant to section 22a-361(e) of the Connecticut General Statutes.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.

- b. Any work authorized herein conducted after said work completion date or any authorized one-year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
4. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
5. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
6. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
7. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

8. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
9. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
10. This permit may be revoked, suspended, or modified in accordance with applicable law.
11. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
12. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
13. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
14. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing

by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

15. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
16. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
17. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
18. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
19. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on 3/13, 2009.

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Gina McCarthy
Commissioner

Permit No. 200700229-CE
Town of Old Lyme

Certified Mail # _____

CE/

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

**TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127**

**PERMITTEE: Four Mile River Marina, Inc.
c/o Robert Asselin
P.O. Box 65
South Lyme, CT 06376**

Permit No: 200700229-CE, Town of Old Lyme

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

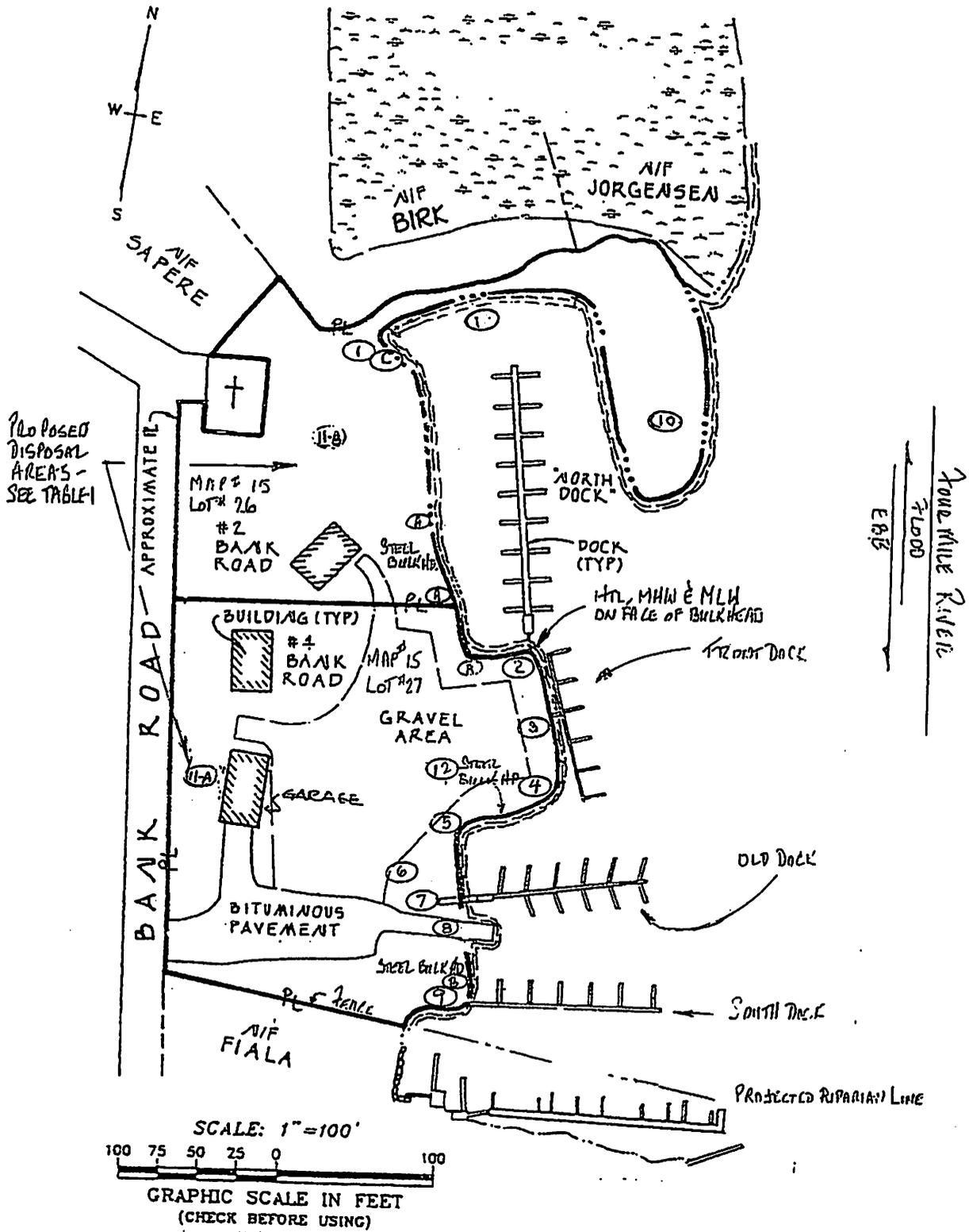
Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

PERMITTEE: _____
(signature) (date)

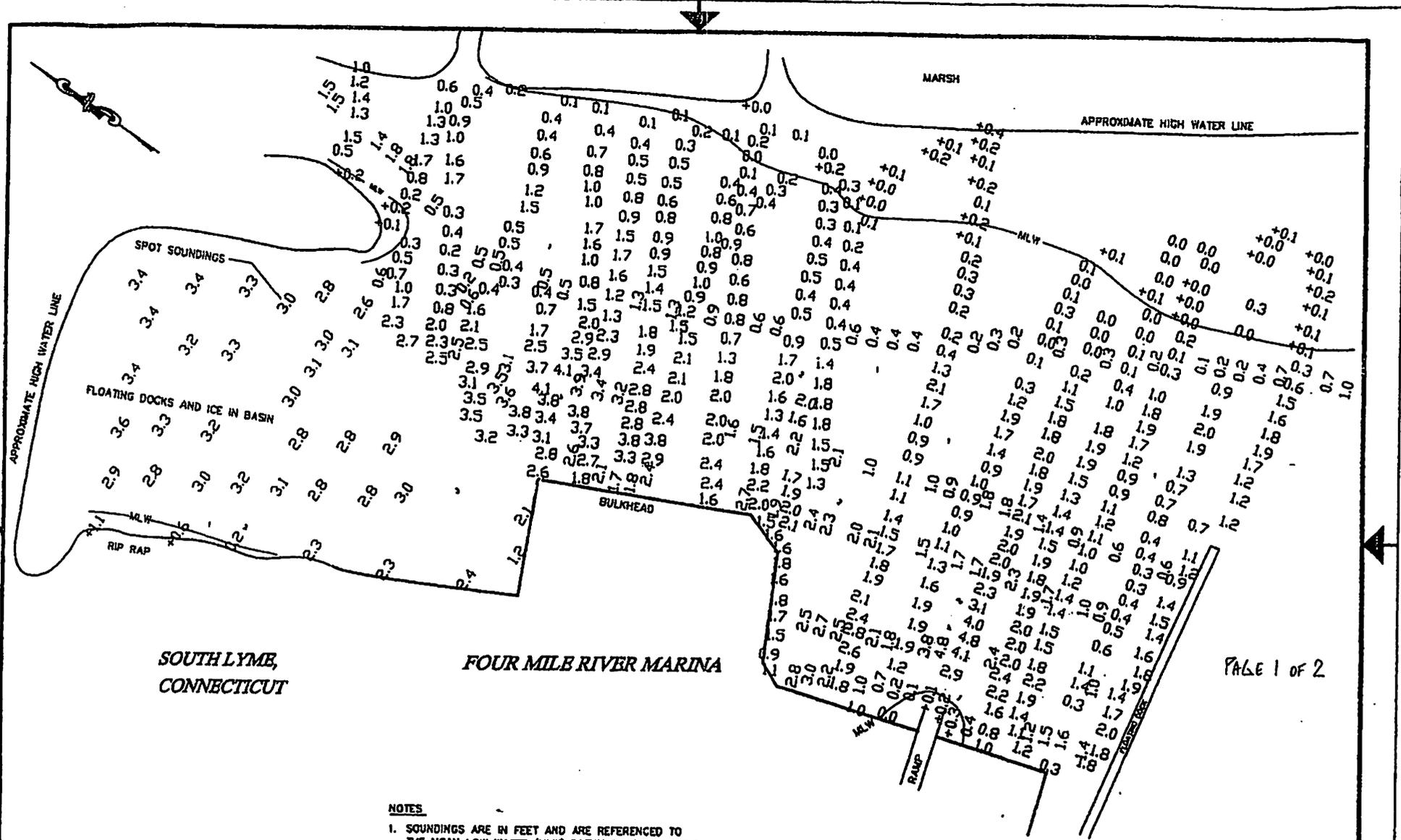


Purpose: Plan View: Existing Conditions & Upland Disposal Locations		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug. 15, 2006	Datum: None	Scale: See Drawing
Prepared by: Rob Shickel	Revisions: 4-15-08, 10-07-08	Page: 1 of 1

Table 1: Site Map References	
1	"New Dock" Main float 3' x 100' with water service, one 3' x 12' ramp, one 4' x 10' landing float, access ramp 3' x 12', six 2' x 16' finger piers. This structure also the subject of Consent Order #LIS-2007-082-V. See plans as Page 1 of 1, 'New Dock' – Proposed.
2	Landing platform and ramp, unchanged from DEP Permit #SD-SG-90-025
3	Landing platform and ramp, unchanged from DEP Permit #SD-SG-90-025
4	Gazebo 10' x 20' with electric light
5	Fish prep shack, 8' x 8' with electric & water, well
6	Gas pump, unchanged from DEP Permit #SD-SG-90-025
7	Landing platform and ramp, unchanged from DEP Permit #SD-SG-90-025
8	Boat launch, unchanged from DEP Permit #SD-SG-90-025
9	Landing platform and ramp, unchanged from DEP Permit #SD-SG-90-025
10	Lighthouse with electric, approx 6' x 6' x 12'
11	Proposed on-site disposal locations, see plans as Page 6 of 6 for #11-A. #11-A is Primary disposal site, #11-B is Secondary disposal site
12	Steel sheet pile bulkhead, unchanged from DEP Permit #SD-SG-90-025
13	Well

Table 2: Tidal Vegetation	
A	Common reed: <i>Phragmites australis</i>
B	High tide bush: <i>Iva frutescens</i>
C	<i>Spartina alterniflora</i>

Purpose: Table Data: Existing Conditions Site References		
Applicant: Four Mile River Marina		
Location: 2 Bank Road, South Lyme, CT 06376		
Date: April 8, 2008	Datum: None	Scale: None
Prepared by: Rob Shickel	Revs: 5-2-08, 10-07-08	Page: 1 of 1



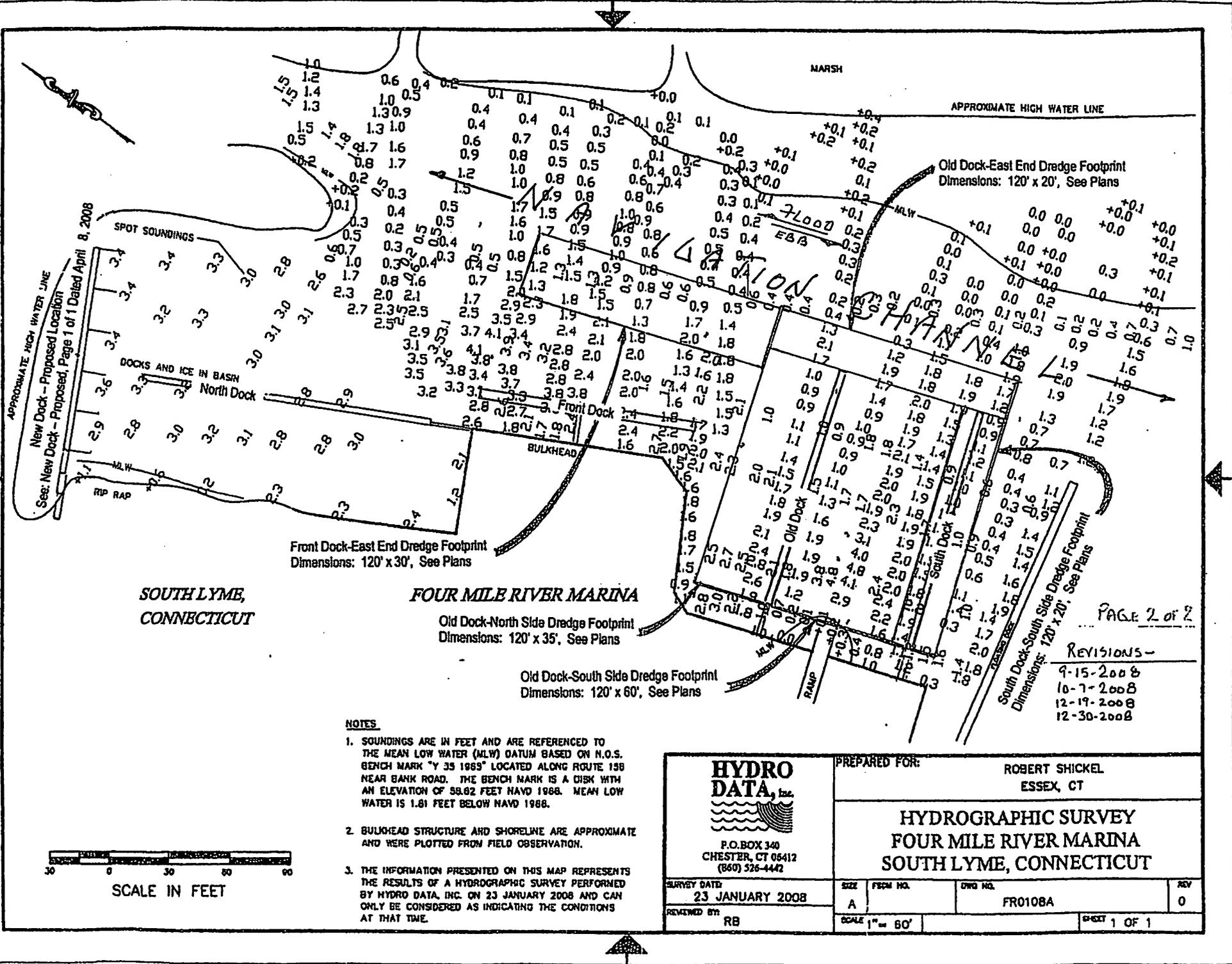
PAGE 1 OF 2

NOTES

1. SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM BASED ON N.O.S. BENCH MARK "Y 35 1985" LOCATED ALONG ROUTE 198 NEAR BANK ROAD. THE BENCH MARK IS A DISK WITH AN ELEVATION OF 58.62 FEET NAVD 1988. MEAN LOW WATER IS 1.81 FEET BELOW NAVD 1988.
2. BULKHEAD STRUCTURE AND SHORELINE ARE APPROXIMATE AND WERE PLOTTED FROM FIELD OBSERVATION.
3. THE INFORMATION PRESENTED ON THIS MAP REPRESENTS THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON 23 JANUARY 2008 AND CAN ONLY BE CONSIDERED AS INDICATING THE CONDITIONS AT THAT TIME.



 P.O. BOX 340 CHESTER, CT 06412 (860) 526-4442	PREPARED FOR:		ROBERT SHICKEL ESSEX, CT	
	HYDROGRAPHIC SURVEY FOUR MILE RIVER MARINA SOUTH LYME, CONNECTICUT			
SURVEY DATE: 23 JANUARY 2008	SIZE: A	FORM NO.:	DWG NO.:	REV.:
REVISION BY: RB	SCALE 1" = 60'		FRD108A	0
			SHEET 1 OF 1	



Front Dock-East End Dredge Footprint
Dimensions: 120' x 30', See Plans

FOUR MILE RIVER MARINA

Old Dock-North Side Dredge Footprint
Dimensions: 120' x 35', See Plans

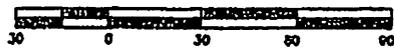
Old Dock-South Side Dredge Footprint
Dimensions: 120' x 60', See Plans

South Dock-South Side Dredge Footprint
Dimensions: 120' x 20', See Plans

**SOUTH LYME,
CONNECTICUT**

NOTES

1. SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM BASED ON N.O.S. BENCH MARK "Y 35 1989" LOCATED ALONG ROUTE 159 NEAR BANK ROAD. THE BENCH MARK IS A DISK WITH AN ELEVATION OF 38.82 FEET NAVD 1988. MEAN LOW WATER IS 1.81 FEET BELOW NAVD 1988.
2. BULKHEAD STRUCTURE AND SHORELINE ARE APPROXIMATE AND WERE PLOTTED FROM FIELD OBSERVATION.
3. THE INFORMATION PRESENTED ON THIS MAP REPRESENTS THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRO DATA, INC. ON 23 JANUARY 2008 AND CAN ONLY BE CONSIDERED AS INDICATING THE CONDITIONS AT THAT TIME.



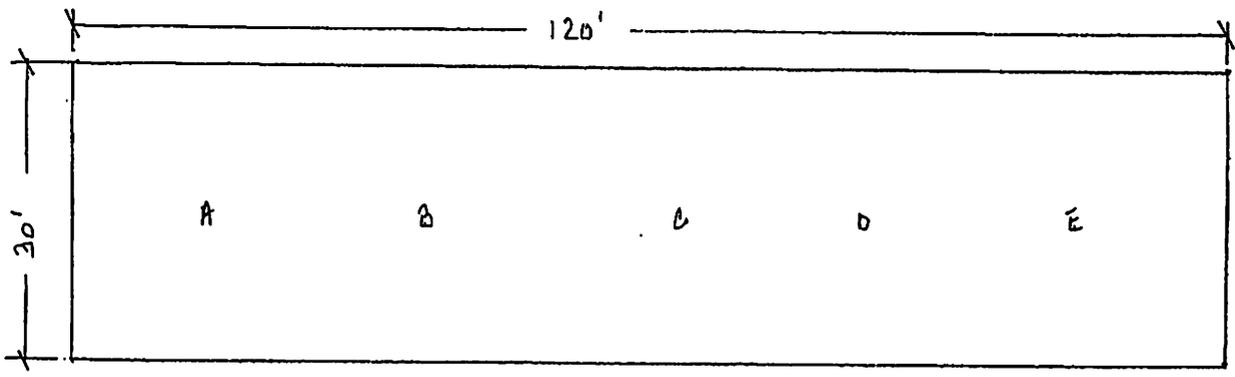
SCALE IN FEET

PAGE 2 of 2

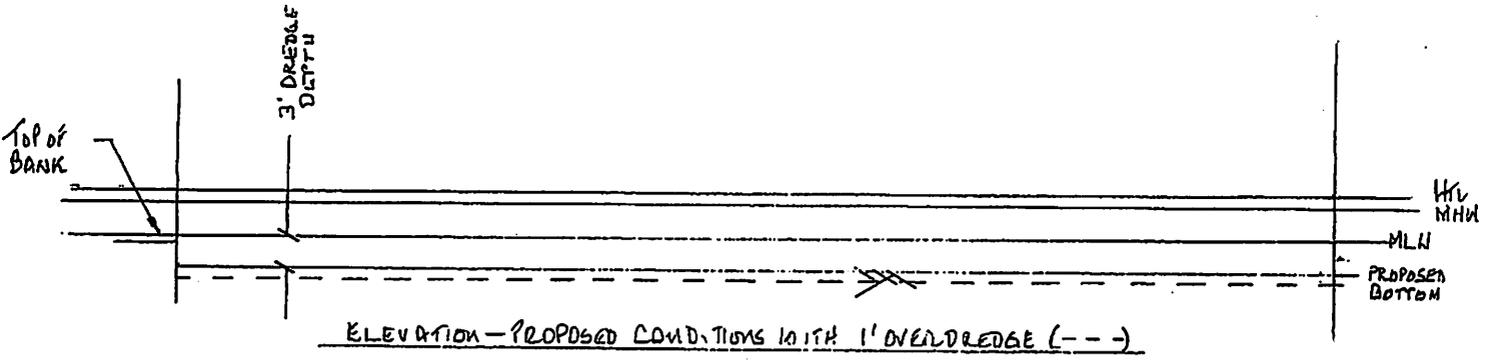
REVISIONS -

9-15-2008
10-7-2008
12-19-2008
12-30-2008

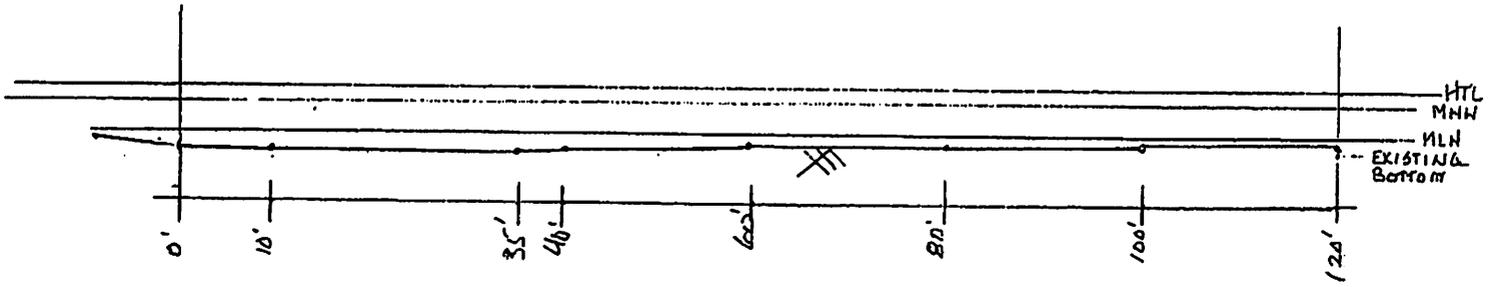
<p>P.O. BOX 340 CHESTER, CT 06412 (860) 526-4442</p>	PREPARED FOR:		ROBERT SHICKEL ESSEX, CT	
	<p>HYDROGRAPHIC SURVEY FOUR MILE RIVER MARINA SOUTH LYME, CONNECTICUT</p>			
SURVEY DATE: 23 JANUARY 2008	SIZE: A	FORM NO.:	DWG NO.:	REV: 0
REVIEWED BY: RB	SCALE: 1" = 60'		FR0108A	SHEET 1 OF 1



PLAN VIEW - FRONT DOCK EAST END
SAMPLE LOCATIONS - A, B, C, D, E



ELEVATION - PROPOSED CONDITIONS WITH 1' OVERDREDGE (---)

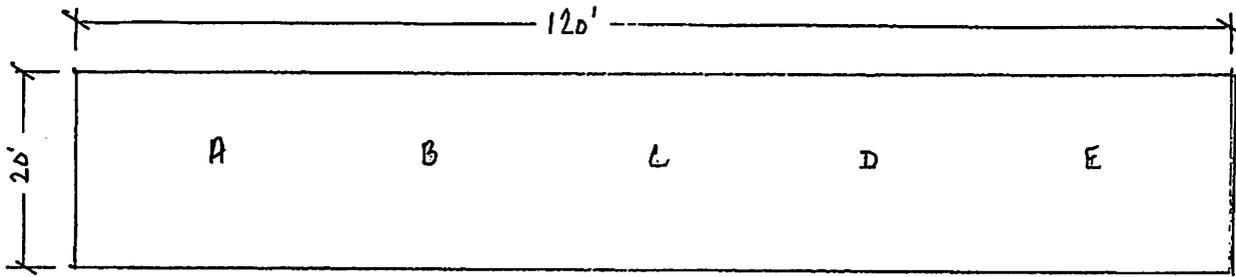


ELEVATION - EXISTING CONDITIONS - SEE SURVEY & TABLE BELOW

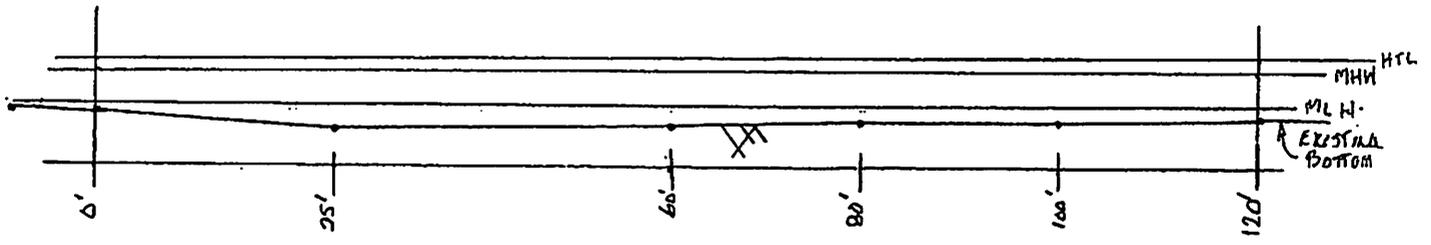
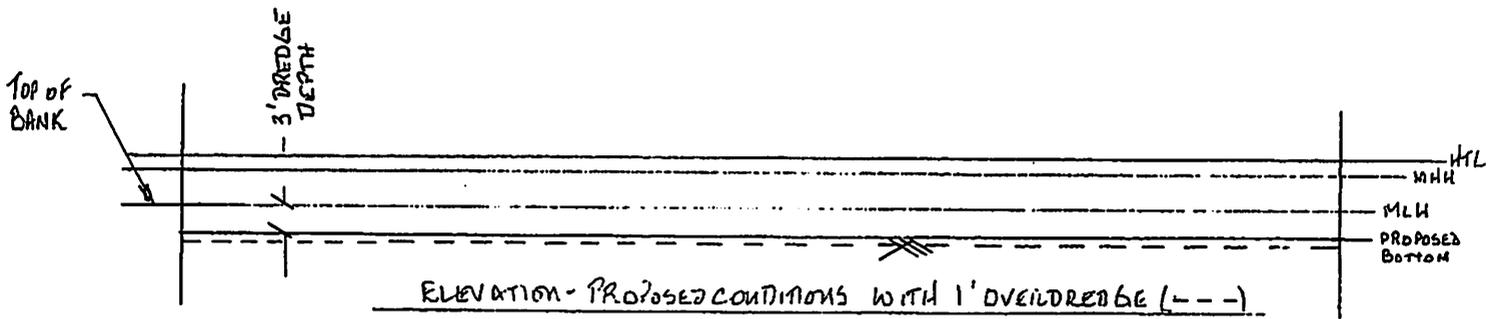
Location - See Survey, Front Dock-East End	0'	10'	35'	40'	60'	80'	100'	120'
Bathymetry Survey Elevation Ref. to MLW	-2.0'	-1.3'	-1.8'	-1.5'	-0.7'	-0.9'	-0.4'	-0.4'

Purpose: Plan View - Sample Locations. Elevation Views of Existing & Proposed Conditions: Front Dock - East End (Dredge Location #1)		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9-14-2006	Page: 1 of 6

Datum = MLW
HTL = 4.7'
MHW = 3.1'
MLW = 0.0'



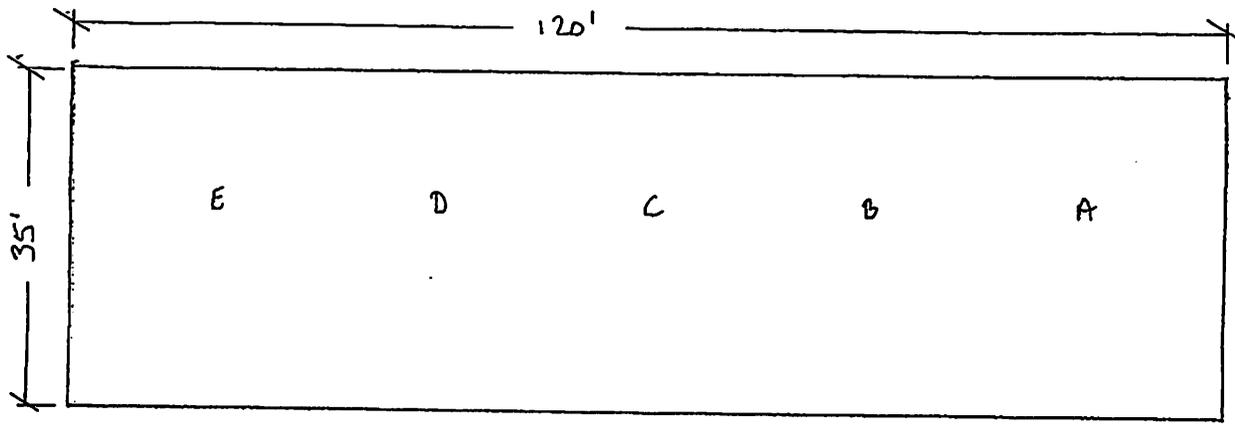
PLAN VIEW - OLD DOCK EAST END
 SAMPLE LOCATIONS - A, B, C, D, E



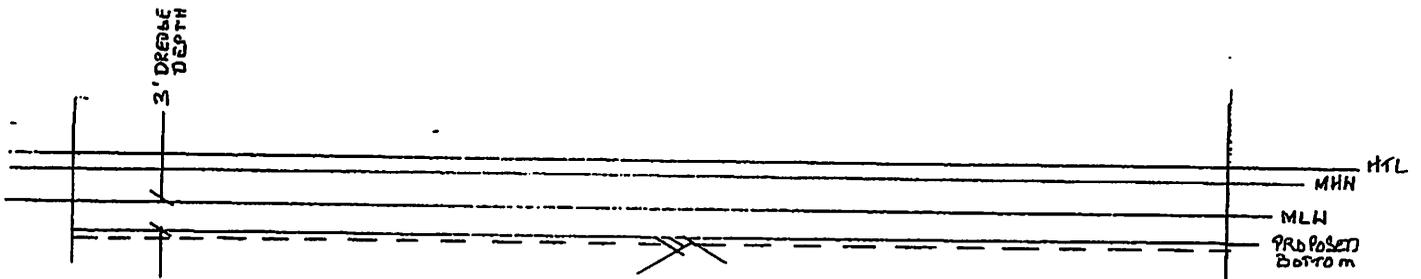
Location - See Survey, Old Dock-East End	0'	25'	60'	80'	100'	120'
Bathymetry Survey Elevation Ref. to MLW	-0.4'	-2.1'	-1.9'	-1.8'	-1.9'	-1.2'

Purpose: Plan View - Sample Locations, Elevation Views of Existing & Proposed Conditions: Old Dock - East End (Dredge Location #2)		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9-14-2008	Page: 2 of 6

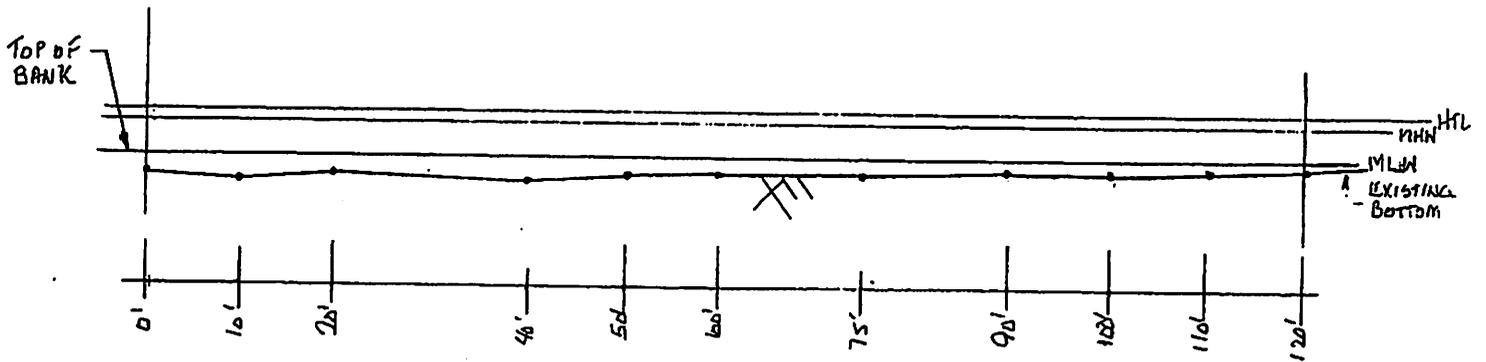
Datum = MLW
HTL = 4.7'
MHW = 3.1'
MLW = 0.0'



PLAN VIEW - OLD DOCK NORTH SIDE
SAMPLE LOCATIONS - A, B, C, D, E



ELEVATION - PROPOSED CONDITIONS WITH 1' OVERBRIDGE (---)

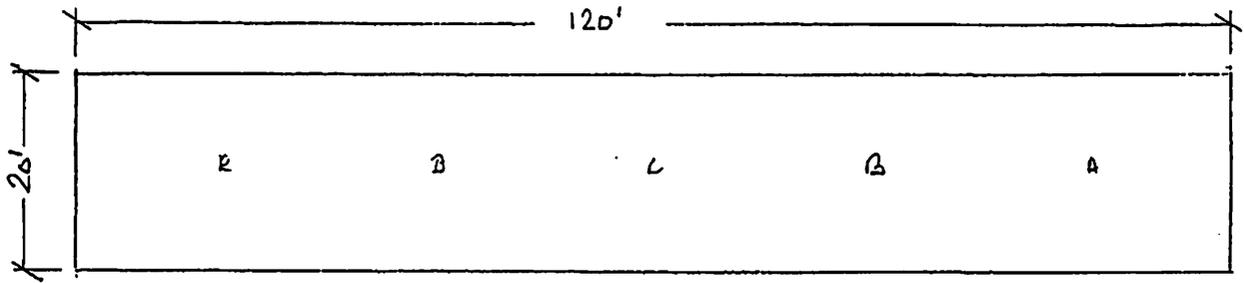


ELEVATION - EXISTING CONDITIONS - SEE SURVEY & TABLE BELOW

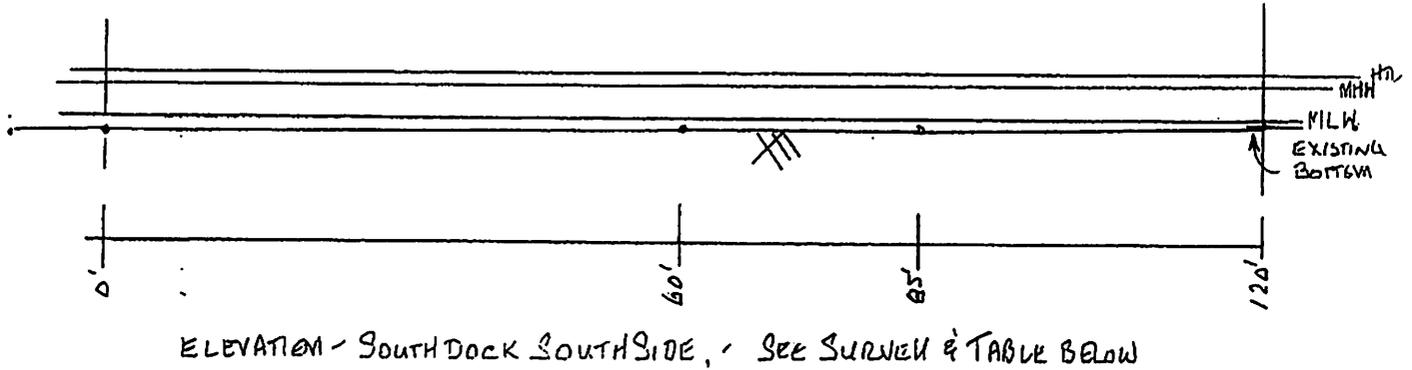
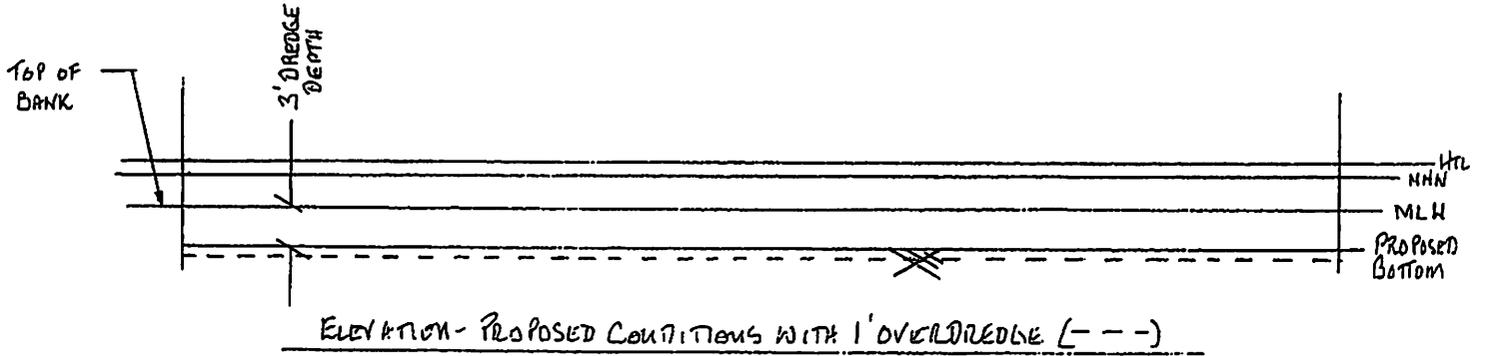
Location - See Survey, Old Dock-North Side	0'	10'	20'	40'	50'	60'	75'	90'	100'	110'	120'
Bathymetry Survey Elevation Ref. to MLW	-1.9'	-2.6'	-2.8'	-2.1'	-1.9'	-1.7'	-1.4'	-1.1'	-0.9'	-0.9'	-1.0'

Purpose: Plan View - Sample Locations. Elevation Views of Existing & Proposed Conditions: Old Dock - North Side (Dredge Location #3)		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9-14-2008	Page: 3 of 6

Datum = MLW
HTL = 4.7'
MHW = 3.1'
MLW = 0.0'



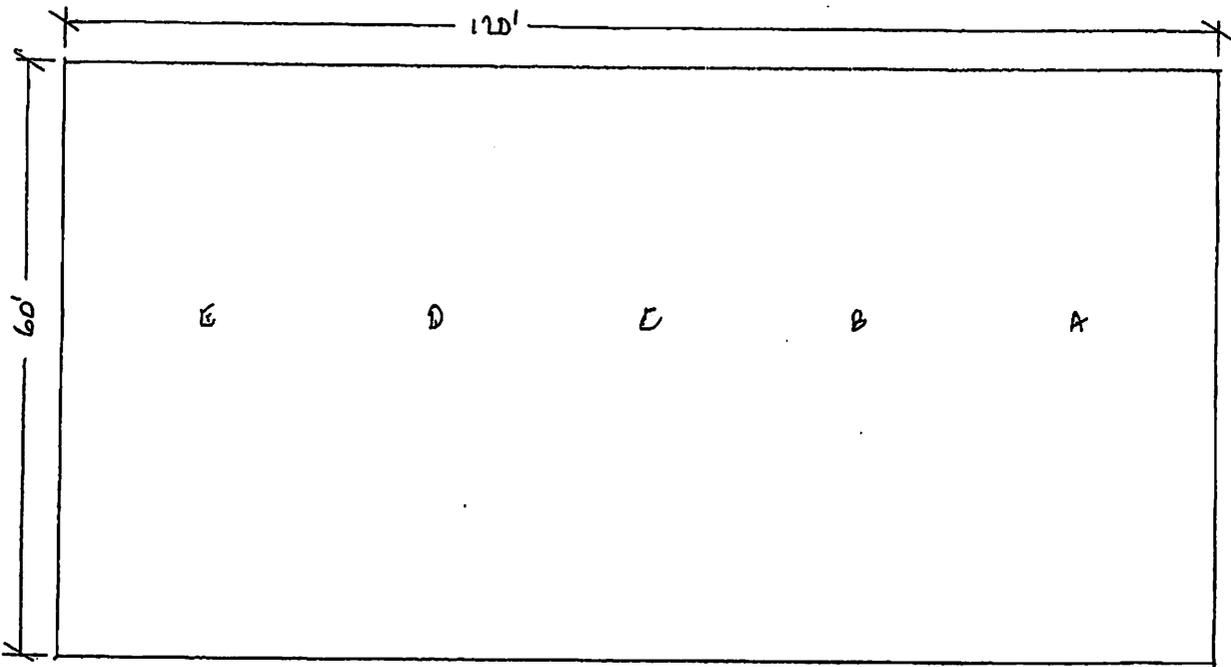
PLAN VIEW - SOUTH DOCK SOUTHSIDE
 SAMPLE LOCATIONS - A, B, C, D, E



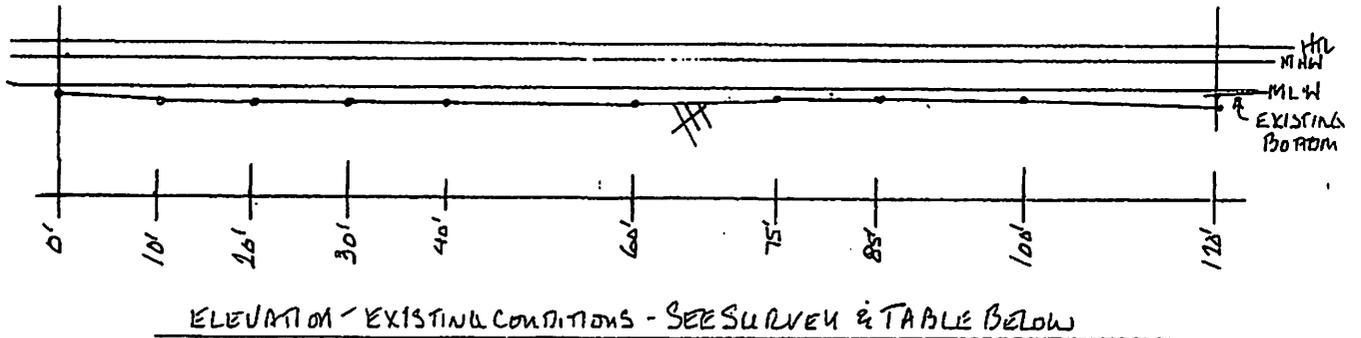
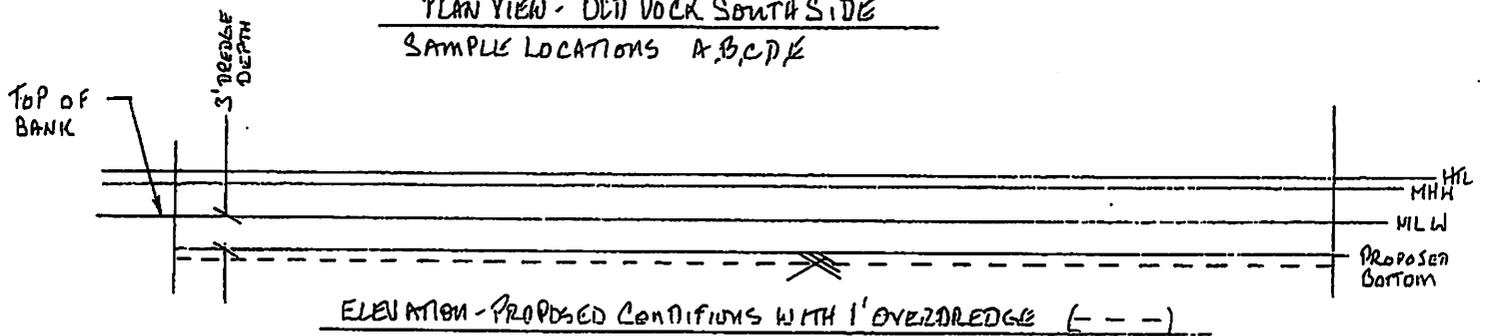
Location - See Survey, South Dock-South Side	0'	60'	85'	120'
Bathymetry Survey Elevation Ref. to MLW	-1.5'	-1.0'	-0.6'	-0.9'

Purpose: Plan View - Sample Locations. Elevation Views of Existing & Proposed Conditions: South Dock - South Side (Dredge Location #5)		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9.14.2008	Page: 4 of 6

Datum = MLW
HTL = 4.7'
MHW = 3.1'
MLW = 0.0'



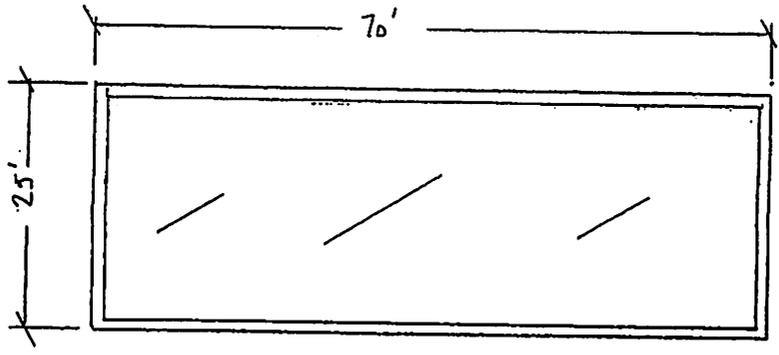
PLAN VIEW - OLD DOCK SOUTH SIDE
SAMPLE LOCATIONS A, B, C, D, E



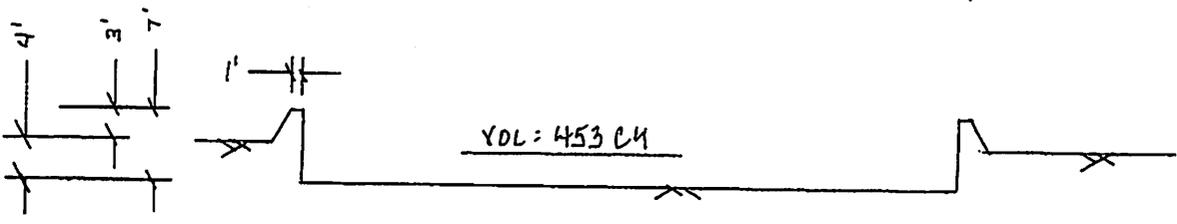
Location - See Survey, Old Dock-South Side	0'	10'	20'	30'	40'	60'	75'	85'	100'	110'	120'
Bathymetry Survey Elevation Ref. to MLW	-0.2'	-1.2'	-1.9'	-1.9'	-1.9'	-1.3'	-1.0'	-0.9'	-0.9'	-1.4'	-1.7'

Purpose: Plan View - Sample Locations. Elevation Views of Existing & Proposed Conditions: Old Dock - South Side (Dredge Location #4)		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9-14-2008	Page: 5 of 6

Datum = MLW
MHH = 4.7'
MHW = 3.1'
MLW = 0.0'

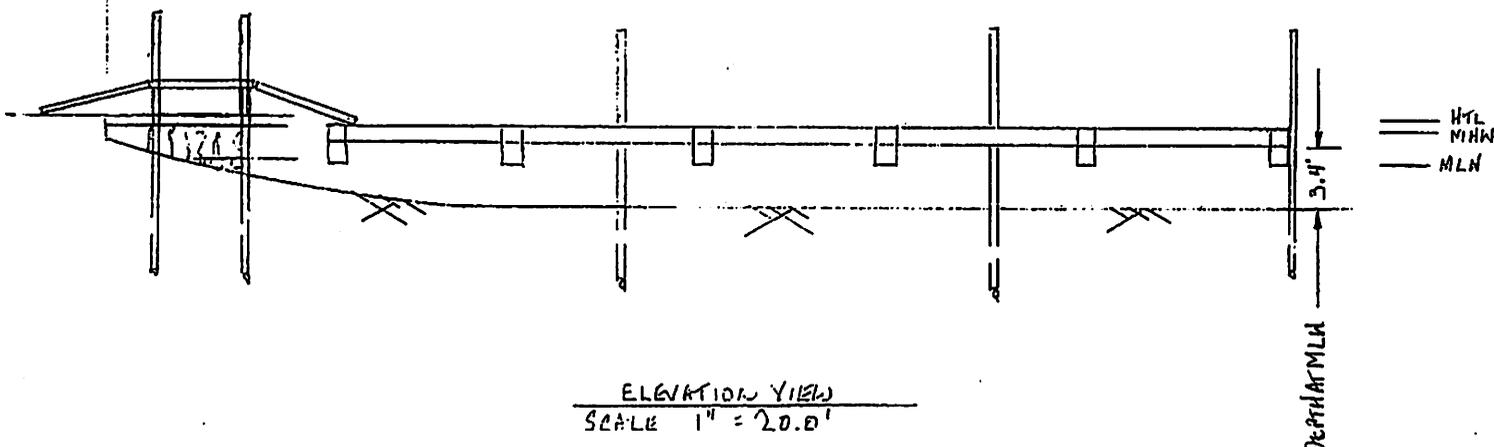
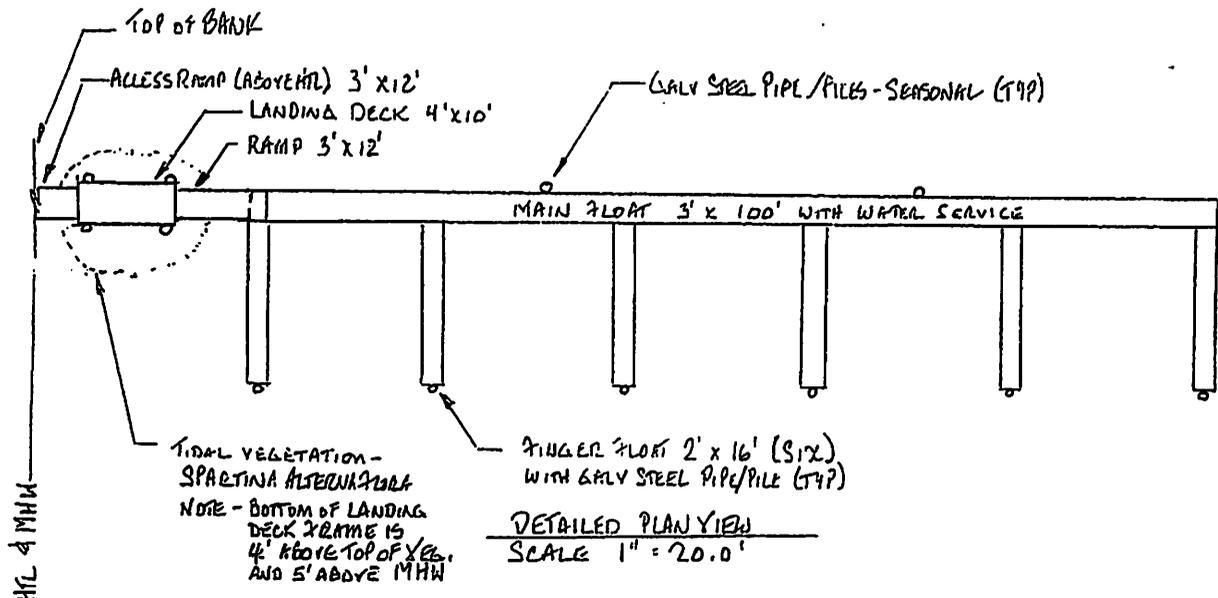


PLAN VIEW CONTAINMENT-DEWATER BERM



ELEVATION CONTAINMENT-DEWATER BERM

Purpose: Plan View & Elevation: Containment/Dewater Berm		
Applicant: Four Mile River Marina		
Location: PO Box 65, 2 Bank Road, South Lyme, CT 06376		
Date: Aug 15, 2006	Datum: MLW	Scale: 1" = 20.0'
Prepared by: Rob Shickel	Revisions: 9-14-2006	Page: 6 of 6



Notes:

1. Pipes/piles at the finger floats have been deleted only in this drawing for clarity.
2. Wetlands vegetation is per Carlos Esguerra of the DEP
3. This floating dock to be located at the North-end of the marina.
4. Datum = MLW 0.0'
HTL = 4.7'
MHW = 3.1'
MLW = 0.0'

Purpose: New Dock - Proposed		
Applicant: Four Mile River Marina		
Location: 2 Bank Road, South Lyme, CT 06376		
Date: April 8, 2008	Datum: None	Scale: None
Prepared by: Rob Shickel	Revisions:	Page: 1 of 1

EIGI Corporation

PO Box 846, Essex, Connecticut 06426

Phone: 860-767-2269

FAX: 860-767-7621

E-Mail: zeetilc@netscape.net

Dredging & Upland Disposal Management Plan

Summary: This plan provides for the dredging and upland disposal of dredged materials at Four Mile River Marina in South Lyme, CT. The anticipated duration is three years beginning in the 2008-2009 dredge season and is expected to proceed as follows:

1. All dredging will take place in the period three hours before MHW through three hours after MHW. See "Plan View: Existing Conditions & Upland Disposal Locations" at Page 1 of 1 rev 10-07-08; also see "Hydrographic Survey, Four Mile River Marina, South Lyme, Connecticut" by Hydro Data, dated 23 January 2008, page 2 of 2 revised 10-07-08 of the application materials.
2. All dredging will be by mechanical means, i.e. a barge mounted crane with clamshell bucket, which will remove the dredged materials and allow the excess water to drain back into the Four Mile River before being deposited into a dredge scow for upland disposal.
3. Upland disposal will occur by the dredge scow being berthed alongside the existing steel sheet bulkhead and the dredged materials being off-loaded by a land based excavator and driven the 50 yds (approx.) distance to the upland disposal pit. The disposal pit will be filled to its capacity. See the drawing the "Plan View & Elevation: Containment/Dewater Berm" at Page 6 of 6 of the application materials for details of the pit.
4. The upland disposal pit shown as #11-A in the drawing at Page 6 of 6 to be constructed to prohibit run-off from leaving the disposal pit. No dredged material will be loaded into the disposal pit over the top of the detention berm.
5. After the dredged material has been dewatered, estimated at approximately six (6) months minimum, the dredged material will be sampled and analyzed in accordance with CT DEP SPLP testing criteria. Thereafter, the test results will be submitted to the CT DEP for evaluation.
6. If the dredged materials are deemed by the CT DEP to be acceptable for on-site upland disposal they will be removed from the disposal pit and distributed on-site for parking lot remediation and over-topped with processed gravel. This sequence will be repeated each year until the dredging operation as permitted hereunder has been completed.
7. If the dredged materials are deemed by the CT DEP to be not-acceptable for on-site upland disposal they will be removed from the disposal pit and transported to an off-site location that (1) will accept the dredged materials as tested above and (2) which is approved by the CT DEP to accept the said dredged materials.
8. It is not possible in advance to determine the quality of the dredged materials before dredging and post-dewater testing. Pursuant to #7 hereof, an off-site disposal location can only be determined after completion of the testing and evaluation as above in #5 & #7.

DEPARTMENT OF THE ARMY
NEW ENGLAND DIVISION, CORPS OF ENGINEERS
424 TRAPELO ROAD
WALTHAM, MASSACHUSETTS 02254-9149



SENT TO
ATTENTION OF

September 29, 1993

Regulatory Division
CENED-OD-R-17-93-02032

Four Mile River Marina, Inc.
Attn: Bob Asselin
27 Rochelle Street
W. Springfield, MA 01089

Dear Mr. Asselin:

This letter is in reference to your application to dredging an approximately 400 square foot area to -3' mean low water at your existing marina facility in the Four Mile River at South Lyme, Connecticut. Approximately 20 c.y. of material will be dredged mechanically and disposed of at an upland, abandoned quarry west of the project site.

That work is permitted under Title 33 Code of Federal Regulations, Part 330 App A, 35, Nationwide Permits, as published in the November 22, 1991 Federal Register and does not require further processing.

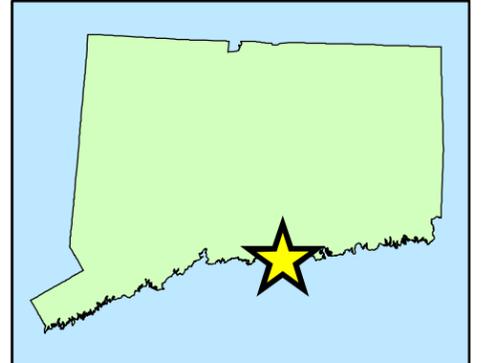
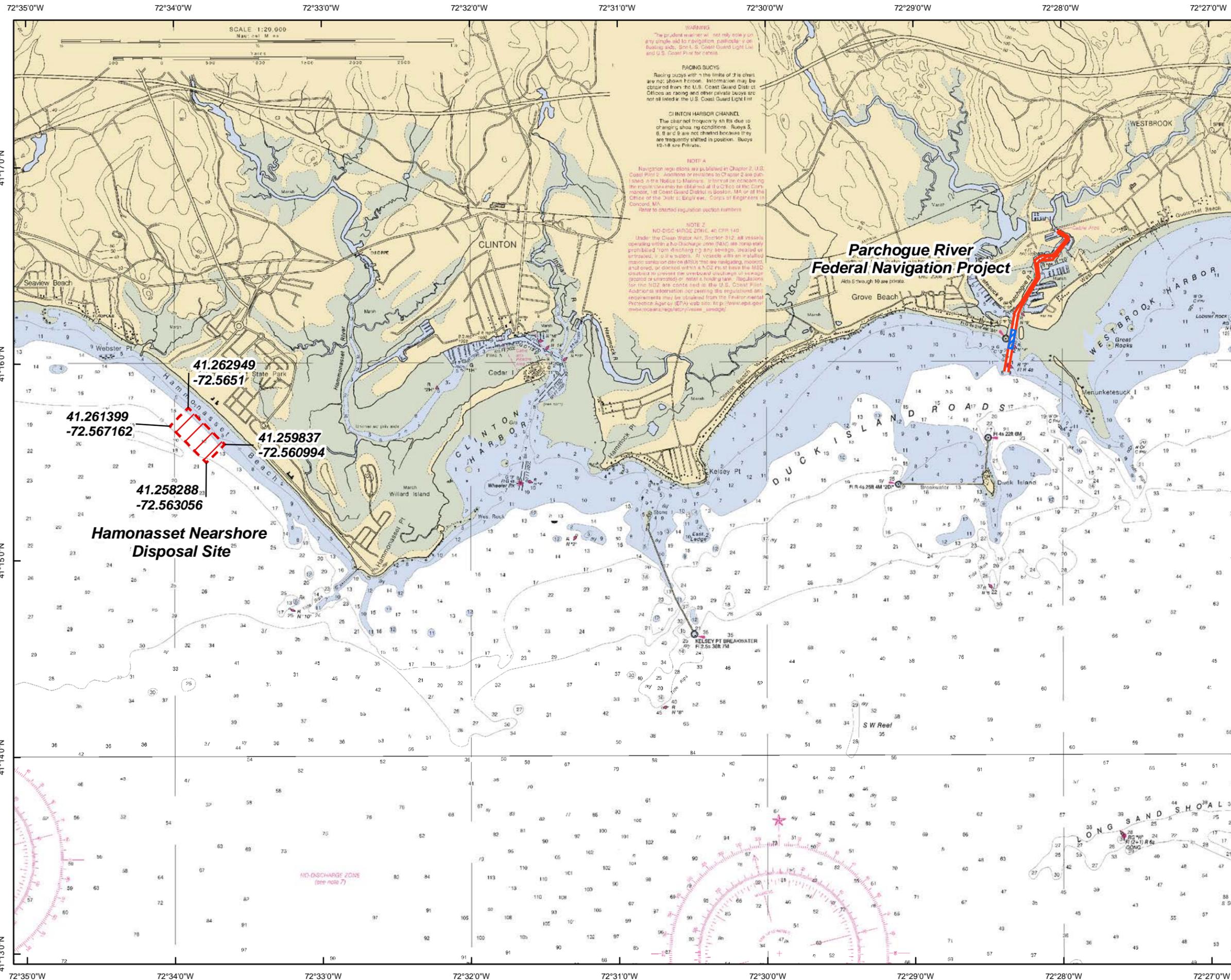
This authorization is made in accordance with the attached plans entitled, "PROPOSED MAINTENANCE DREDGING, IN: FOUR MILE RIVER, AT: SOUTH LYME, TOWN OF OLD LYME, NEW LONDON COUNTY, CONNECTICUT" dated, "AUGUST 4, 1993" and subject to the attached conditions.

However, this approval does not constitute an authorization to proceed with the regulated activities. This Nationwide Permit authorization becomes the approval to proceed only after the Connecticut Department of Environmental Protection (DEP) conducts a detailed review of your application and issues to you all applicable State permits, a 401 Water Quality Certificate, and a determination of consistency with the Connecticut Coastal Management Act as applicable to conduct the previously identified activities. In the event that the DEP denies any one of the necessary State permits or certifications, this authorization becomes null and void.

This verification will be valid for a period of no more than two years from the date of this letter, unless the Nationwide Permit is modified, suspended, or revoked, such that the activity would no longer comply with the terms and conditions of the Nationwide Permit.

002518

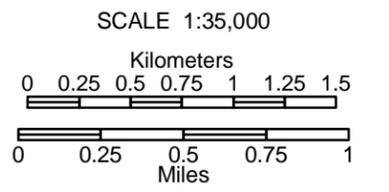
NEARSHORE DISPOSAL LOCATION



ATTACHMENT NO. 2
PATCHOGUE RIVER AND NEARSHORE DISPOSAL SITE WESTBROOK AND MADISON, CT



US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT



Background Image from NOAA Chart 12374
Coordinate System: GCS North American Datum 1983

Legend:

- Federal Navigation Project**
- Dredge Area**
- Nearshore Disposal Site**