



Connecticut Department of Energy and Environmental Protection License*

Structures, Dredging & Fill and Tidal Wetlands Permit Section 401 Water Quality Certification

Licensee(s): Gwenmor Marina, Inc., c/o

Christian McGugan

Licensee Address(s): 12 Roseleah Drive

Mystic, CT 06355

License Number(s): 202108780-SDF TW WQC

Municipality: Town of Stonington

Project Description: Conduct new dredging with off-site upland disposal, install new

floating docks and establish a perimeter for a water dependent use.

Project Address/Location: 12 Roseleah Drive

Waters: Mystic River

Authorizing CT Statute(s) CGS Section 22a-359 to 363g; CGS Section 22a-28 to 35; CGS

and/or Federal Law: Section 22a-90 to 112; Section 401 CWA (33 USC 1341)

Applicable Regulations of 22a-426-1 to 9, 22a-30-1 to 17

CT State Agencies:

Agency Contact: Land & Water Resources Division,

Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Five (5) years from the date of issuance of this license.

Project Site Plan Set: Six (6) sheets of plans prepared by Docko dated June 1, 2023,

Sheet 1 of 5 revised November 13, 2024, Sheet 3 of 5 revised September 11, 2025 and a plan entitled "DREDGE MATERIAL DISPOSAL NEW BULKHEAD BACKFILL THAMES RIVER,"

dated November 1, 2022.









^{*}Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."

License Enclosures: LWRD Dredging and General Conditions; LWRD Dredging

Report; Land Record Filing; LWRD Work Commencement Form;

LWRD Compliance Certification Form; Site Plan Set

Authorized Activities:

The Licensee is hereby authorized to conduct the following work as described in application # 202108780-SDF TW WQC and as depicted on any site plan sheets / sets cited herein:

- 1. conduct new dredging by mechanical means, approximately 7,000 cubic yards of sediment from an approximately 32,000 square foot area to a depth of -6.0' mean low water (MLW);
- 2. construct an 8' wide by 16' long fixed pile and timber pier with open-grate decking, a 4' wide by 24' long access ramp to an 8' wide by 273' long floating dock, eight (8) 4' wide by 20' long finger floats located on the southern side of the floating dock, six (6) 4' wide by 24' long finger floats located on the northern side of the floating dock, associated float restraint piles and timber tie-off piles and utilities; and
- 3. establish a perimeter around the floating docks identified above as shown on Sheet 3 of 5 and reconfigure existing structures within the aforementioned perimeter.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

- 1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
- 2. Prior to the commencement of any work authorized pursuant to a General Permit for Coastal Maintenance or Minor Coastal Structures conducted within the established perimeter authorized herein, the Licensee shall download a copy of the General Permit from the Department website https://portal.ct.gov/DEEP/Permits-and-Licenses/Land-and-Water-Resource-Division-LWRD-Applications and provide a copy of the General Permit and this license to contractor(s) who will be carrying out the authorized activities.
- 3. Unconfined in-water excavation, dredging, filling or the removal of debris or other material is prohibited from June 1st through August 30th, inclusive, of any calendar year to protect spawning shellfish in the area unless otherwise authorized in writing from the Commissioner.
- 4. All unconfined dredging is prohibited from February 1st through May 15th, inclusive of any calendar year to protect spawning winter flounder and migratory anadromous finfish in the area unless otherwise authorized in writing from the Commissioner.
- 5. The work authorized herein shall be conducted using water-based equipment during periods of high water. At no time shall any barge or vessel utilized in the execution of the work authorized herein be stored over intertidal flats, submerged aquatic vegetation, or tidal wetland vegetation or in a location that interferes with navigation. In the event any barge associated with the work authorized herein is grounded, no dragging or prop dredging shall occur to free the barge. The barge must wait for the next high-water event

- to be removed from the substrate. It shall not be a defense to this provision for the Licensee to assert that it has no control over the operation of the barge.
- 6. The Licensee shall dredge to the depth authorized herein. In the area of authorized dredging, an over dredge <u>not to exceed</u> -1', 1,500 cubic yards, is permissible to account for the operational accuracy limitations of the dredging equipment and process, and variable sediment conditions. Best efforts shall be made to minimize over dredge. Excessive over dredge may result in enforcement action.
- 7. The Licensee shall place the sediment authorized to be dredged herein at the property owned by Mohawk Northeast located at 1 Eastern Avenue, New London, CT in accordance with permit #202006410-SDF TW WQC, issued to Mohawk Northeast, Inc. on February 14, 2023.
- 8. Dredged material and dewatering effluent shall be placed in accordance with all federal, state and local requirements, including Chapter 446k Water Pollution Control, Chapter 445 Hazardous Waste, and Chapter 446d Solid Waste of the Connecticut General Statutes.
- 9. Prior to the commencement of the work authorized herein, the Licensee shall obtain any appropriate license for dewatering pursuant to CGS section 22a-430 or 22a-6k.
- 10. Prior to the commencement of the work authorized herein the Licensee shall obtain all appropriate state, local and federal authorizations.
- 11. All waste material generated by the performance of the work authorized herein shall be placed by the Licensee at an upland site approved for the placement of such waste material, as applicable. The Licensee shall not allow any waste to enter the Mystic River and must immediately remove any debris that enters the water.
- 12. The Licensee shall install and maintain the 16 linear feet of open-grate decking on the section of fixed pier that spans the existing tidal wetland vegetation. The Licensee shall maintain the open-grate decking in optimal condition for the life of the pier.
- 13. The Licensee shall construct the timber pier authorized herein with a top of deck elevation of +6.0' NAVD88.

	6 ,
Date	Emma Cimino
	Deputy Commissioner
	Department of Energy & Environmental Protection

Issued under the authority of the Commissioner of Energy and Environmental Protection on:



LWRD Dredging and General Conditions

- 1. Time-of-Year Restriction. Unless otherwise noted in the License, unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited, inclusive, in any year from June 1 through September 30 in order to protect spawning shellfish in the area unless otherwise authorized in writing by the Commissioner.
- 2. **Dredging Report.** Not later than two (2) weeks subsequent to the completion of any dredging activity authorized herein, the Licensee shall submit to <u>DEEP.LWRDRegulatory@ct.gov</u> a completed Dredging Report. A separate form shall be submitted by the Licensee for each distinct dredging activity conducted pursuant to this license.
- 3. **Bottom Disturbance.** Dragging the bottom with a spoil barge, scow, vessel, beam or similar equipment outside of any authorized area is prohibited.
- 4. Material Handling. Sidecasting or in-water rehandling of dredged or excavated material is prohibited.
- 5. Barge Control. Spoil scows or barges shall be loaded and navigated in a manner which prevents uncontrollable motion or spillage and washout of dredged or excavated materials.
- 6. Sale of Sediment. Sediment dredged pursuant to the license 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 Energy & Environmental Protection, pursuant to CGS section 22a-361(e).
- 7. **Sediment Disposal.** The Licensee shall dispose of aquatic sediments in accordance with the terms and conditions of the license.
- 8. Submission of As-Dredged Plans. On or before ninety (90) days after completion of the work authorized herein, the Licensee shall submit to DEEP.LWRDRegulatory@ct.gov an "asdredged" survey of the work area showing contours, bathymetries, tidal datums and structures, as applicable. Such survey shall be the original one and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut.

Open Water Disposal, if authorized in Project Description

- 1. Material Disposal. The Licensee shall dispose of dredged or excavated material in accordance with the requirements of the United States Army Corps of Engineers-New England District, except that if the authorized disposal site is modified, the Licensee shall submit a request for modification of the location to the Commissioner and shall not dispose of the material until such location modification has been approved in writing by the Commissioner.
- 2. **Disposal Site / Use Modification.** The Commissioner may modify the authorized disposal site



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and direct dredged sediment to an alternate site for use as cap material, provided that no modification will take effect if such modification imposes uncompensated additional costs solely attributable to such modification on the Licensee.

- 3. **Disposal Monitoring.** The Licensee shall not dispose of dredged or excavated material unless said disposal is supervised and witnessed by an on-board inspector or documented by an automated disposal monitoring program approved by the United States Army Corps of Engineers-New England District.
- 4. **Barge Navigation.** Spoil scows or barges used by the Licensee for disposal of dredged or excavated material shall travel to and from the authorized disposal site utilizing sea lanes defined by the United States Army Corps of Engineers-New England District.
- 5. **Point Dumping.** The Licensee shall point-dump dredged or excavated materials at a specified buoy or set of coordinates identified by United States Army Corps of Engineers-New England District within the authorized disposal site.

LWRD General Conditions

- 1. Land Record Filing. The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to DEEP.LWRDRegulatory@ct.gov no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
- 2. Contractor Notification. The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
- **3.** Work Commencement. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to DEEP.LWRDRegulatory@ct.gov, on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
 - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
 - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity

commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.

- **4. License Notice.** The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
- **5. Unauthorized Activities.** Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means "wetland" as defined by section 22a-29 and "freshwater wetlands and watercourses" means "wetlands" and "watercourses" as defined by section 22a-38.
- **6. Excavated Materials.** Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
- 7. Best Management Practices. The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, "pollution" means "pollution" as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the Connecticut Guidelines for Soil Erosion and Sediment Control as revised, 2004 Connecticut Stormwater Quality Manual, Department of Transportation's ConnDOT Drainage Manual as revised, and the Department of Transportation Standard Specifications as revised.
- 8. In-Water Work Vessel Staging and Storage. (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only). For any barge, vessel, skiff or floating work platform ("work vessels") utilized in the execution of the work authorized herein, the Licensee shall ensure that such work vessels:
 - do not rest on, or come in contact with, the substrate at any time, unless specifically authorized in the license.
 - are not stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any work vessel is grounded, no dragging or prop dredging shall occur to free it.
- **9.** Work Site Restoration. Upon completion of any authorized work, the Licensee 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.
- **10. Inspection.** The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.

11. Change of Use. (Applies only if a use is specified within the License "Project Description")

- a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
- b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
- 12. **De Minimis Alteration.** The Licensee shall not deviate from the authorized activity without prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that individually and cumulatively has minimal additional environmental impact and does not substantively alter the project as authorized.
 - For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.
- 13. Extension Request. The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to DEEP.LWRDRegulatory@ct.gov at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. The Commissioner may extend the expiration date of this license for a period of up to one year, in order for the Licensee to complete the authorized activities. It shall be at the Commissioner's sole discretion to grant or deny such request. No more than three (3) one-year extensions will be granted under this license.
- **14.** No Work After License Expiration. Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.
- **15. License Transfer.** The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee's obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.
- **16. Document Submission.** Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

DEEP.LWRDRegulatory@ct.gov or

Regulatory Section
Land & Water Resources Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
860-424-3019

- 17. Date of Document Submission. The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, 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 (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word "day" as used in the license means calendar day. Any document or action which is required by the license 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.
- 18. Certification of Documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee 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. Accuracy of Documentation. In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee's representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, 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, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- **20. Limits of Liability.** In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee's application. Neither the Licensee's representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- **21. Reporting of Violations.** In the event that the Licensee becomes aware that they did not or

may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the agency contact specified within the license 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 agency contact, the Licensee shall provide, for the agency's review and written approval, a report including the following information:

- a. the provision(s) of the license that has been violated;
- b. the date and time the violation(s) was first observed and by whom;
- c. the cause of the violation(s), if known;
- d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
- f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
- g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the Commissioner.

- **22. Revocation/Suspension/Modification.** The license may be revoked, suspended, or modified in accordance with applicable law.
- **23. Other Required Approvals.** License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.
- **24. Rights.** The license 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.
- **25. Condition Conflicts.** In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.

Bureau of Water Protection & Land Reuse Land & Water Resources Division

79 Elm Street • Hartford, CT 06106-5127

To: Regulatory Section

LICENSEE:

(Signature)

portal.ct.gov/DEEP

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LWRD Work Commencement Form

Department of Energy and Environmental Protection Land & Water Resources Division 79 Elm Street Hartford, CT 06106-5127 , c/o Christian McGugan **Licensee Name:** Municipality in which the project is occurring: DEEP License No(s): ______ **CONTRACTOR(s):** # 1 Name: _____ Address: Telephone: E-mail: # 2 Name: Address: Telephone: E-mail: # 3 Name: Address: Telephone: E-mail: Date Contractor(s) received a copy of the license and approved plans: EXPECTED DATE OF COMMENCEMENT OF WORK: EXPECTED DATE OF COMPLETION OF WORK:

(Date)



LWRD DREDGING REPORT

(To be completed by Licensee)

. ,	
Address of Dredging Activity:	
Contact Person:	
Dates Dredged: Total Volume Dredged during this Disposal Volume(s) and Location(s)	period:
	terials was used in a beneficial manner, please identify the beneficial use type toration, landfill cap, construction materials), volume of dredged material al usage.
and certify that based on reasonable obtaining the information, the subn	n familiar with the information submitted in this document and all attachments investigation, including my inquiry of those individuals responsible for nitted information is true, accurate and complete to the best of my knowledge y false statement made in this document or its attachments may be punishable
Signature of Licensee	Date
If you have any questions pertainin 424-3034.	g to this form, please contact the Land & Water Resources Division at 860-
Return to:	
<u>DEEP.LWRDRegulatory@ct.gov</u> Cand & Water Resources Division	or and the second secon
	Energy & Environmental Protection
79 Elm Street	
Hartford, CT 06106-5127	







79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

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Compliance Certification Form

The following certification must be signed by the licensee working in consultation with a Connecticut-licensed design professional and must be submitted to the address indicated at the end of this form within ninety (90) days of completion of the authorized work.

1.	Licensee Name:				
	DEEP License Number(s):				
	Municipality in which project is occurring:				
2.	Check one:				
	(a) "I certify that the final site conditions and / or structures are in general conformance with the approved site plans". Identify and describe any deviations and attach to this form.				
	(b) "The final site conditions and / or structures are not in general conformance with the approved site plans. The enclosed "as-built" plans note the modifications".				
3. "I understand that any false statement in this certification is punishable as a criminal offence under section 53a-157b of the General Statutes and under any other applicable law."					
13,	to of the General Statutes and ander any other approach				
Sig	nature of Licensee	Date			
Naı	me of Licensee (print or type)				
	nature of CT Lineared Design Professional	Date			
Sigi	nature of CT-Licensed Design Professional	Date			
Naı	me of CT-Licensed Design Professional (print or type)				
Pro	ofessional License Number (if applicable)	Affix Stamp Here			
 As-built plans shall include: elevations or tidal datums, as applicable, and structures, including any proposed elevation views and cross sections included in the approved license plans. Such as-built plans shall be the original ones and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut. 					
The Licensee will be notified by staff of the Land and Water Resources Division (LWRD) if further compliance review is necessary. Lack of response by LWRD staff does not imply compliance.					
Submit this completed form to: Regulatory Section Department of Energy and Environmental Protection Land & Water Resources Division 79 Elm Street Hartford, CT 06106-5127					











