



CERTIFICATE OF PERMISSION

Certificate No: 201207298-DL

Municipality: Essex

Site of Activity: Connecticut River east of Thatchbed Island

Certificate Holder: Town of Essex Harbor Management Commission
Essex Town Hall
29 West Avenue
Essex, CT 06426

Pursuant to section 22a-363b of the Connecticut General Statutes ("CGS") and in accordance with section 401 of the Federal Clean Water Act, as amended, CGS sections 22a-359 to 22a-363g, 22a-98, and the Connecticut Water Quality Standards effective February 25, 2011, a certificate of permission ("certificate") is hereby granted to remove derelict structures to improve navigation as is more specifically described below in the SCOPE OF AUTHORIZATION. The work performed shall conform to the terms and conditions of this certificate.

*******NOTICE TO CERTIFICATE HOLDERS AND CONTRACTORS*******

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE CERTIFICATE HOLDER ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS CERTIFICATE. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS CERTIFICATE MAY SUBJECT THE CERTIFICATE HOLDER AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

SCOPE OF AUTHORIZATION

The Certificate Holder is hereby authorized to conduct the following work as described in application number 201207298-DL, including seven (7) sheets of plans dated September 28, 2012, submitted by the Certificate Holder to the Commissioner of Energy and Environmental Protection ("Commissioner") and attached hereto:

1. Install a turbidity curtain anchored by steel pipes around the perimeter of the "North Rock Pile" and the "South Rock Pile" shown on sheets 2-3 of the attached plans;

2. Remove approximately 200-500 cubic yards of stone from the rock piles to the surrounding grade as specifically shown on sheets 2-7 of the attached plans using a barge mounted excavator;
3. Remove the turbidity curtains once sediments have settled out within the work areas.

SPECIAL TERMS AND CONDITIONS

1. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Certificate Holder shall submit to the Commissioner, on the form attached hereto as Appendix A, 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.
2. The Certificate Holder shall give a copy of this certificate to the contractor(s) who will be carrying out the activities authorized herein prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Certificate Holder's contractor(s) shall conduct all operations at the site in full compliance with this certificate and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this certificate. At the work area the contractor(s) shall, whenever work is being performed, make available for inspection a copy of this certificate and the final plans for the work authorized herein.
3. No machinery or equipment shall operate within 600 feet of any active bald eagle nesting site or winter roosting site during the period of December 31st through August 1st.
4. All work authorized herein shall be conducted during periods of higher water to minimize sedimentation.
5. The Certificate Holder shall ensure that any barge or vessel utilized in the execution of the work authorized herein shall not rest on, or come in contact with, the substrate at any time.
6. The Certificate Holder shall ensure that excavation does not exceed beyond the rock piles authorized for removal and that excavation of surrounding sediments is minimized to the fullest practicable extent.
7. Except as specifically authorized by this certificate, 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, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
8. The Certificate Holder shall dispose of aquatic sediments in accordance with the terms and conditions of this permit. All waste material generated by the performance of the work authorized herein shall be disposed of by the Certificate Holder at an upland site approved for the disposal of such waste material, as applicable.
9. All waste material generated by the performance of the work authorized herein shall be disposed of by the Certificate Holder at an upland site approved for the disposal of such waste material, as applicable.

10. On or before ninety (90) days after completion of the work authorized herein, the Certificate Holder shall submit to the Commissioner an "as-dredged" survey of the work area showing contours, bathymetries, and tidal datums. 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.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this certificate shall be completed within three (3) years from date of issuance of this certificate ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Certificate Holder 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 thirty (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. It shall be the Commissioner's sole discretion to grant or deny such request.
 - b. Any work authorized herein 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. In conducting the work authorized herein, the Certificate Holder shall not deviate from the attached plans, as may be modified by this certificate. The Certificate Holder shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Certificate Holder may not conduct work waterward of the coastal jurisdiction line or in tidal wetlands at this certificate 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-28 et. seq.
4. In undertaking the work authorized hereunder, the Certificate Holder shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this certificate, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
5. Upon completion of any work authorized herein, 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.
6. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set forth in this certificate. No change in 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.

7. The Certificate Holder shall allow any representative of the Commissioner to inspect the work authorized hereunder at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this certificate.
8. 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. The Certificate Holder's obligations under this certificate shall not be affected by the passage of title to the certificate site to any other person or municipality until such time as a transfer is authorized by the Commissioner.
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:

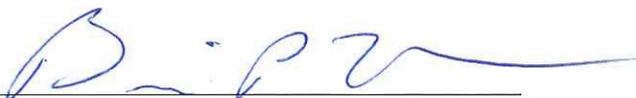
Permit Section
Office of Long Island Sound Programs
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054
10. The date of submission to the Commissioner of any document required by this certificate shall be the date such document 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 (3) 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. 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 Certificate Holder 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."
12. 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 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 certificate may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.

13. 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. Neither the Certificate Holder's representations nor the issuance of this certificate 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 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.
15. This certificate may be revoked, suspended, or modified in accordance with applicable law.
16. 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.
17. 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.

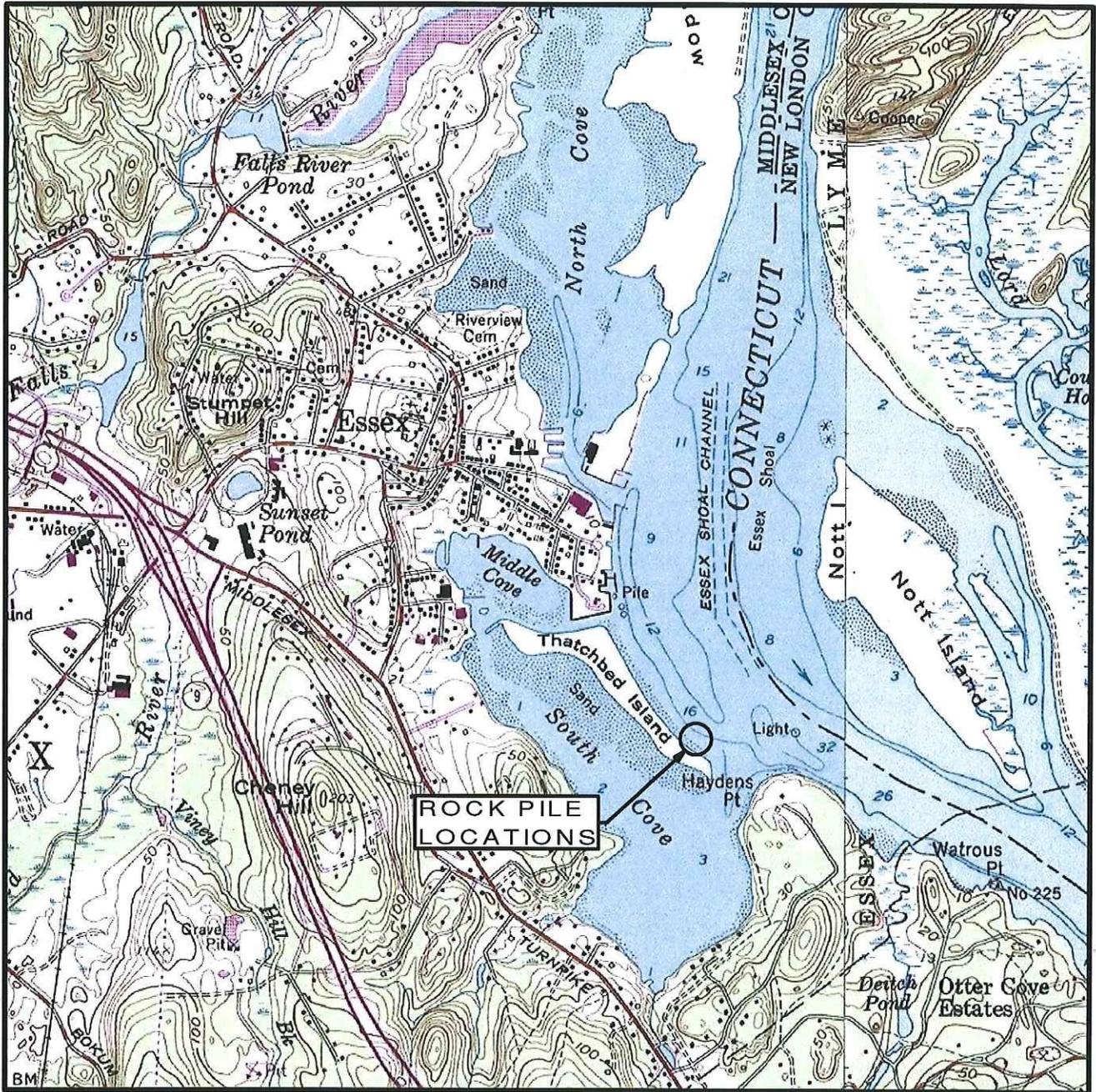
Issued on December 14, 2012.

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION



Brian P. Thompson, Director
Office of Long Island Sound Programs
Bureau of Water Protection and Land Reuse

Certificate of Permission No. 201207298-DL
Town of Essex Harbor Management Commission



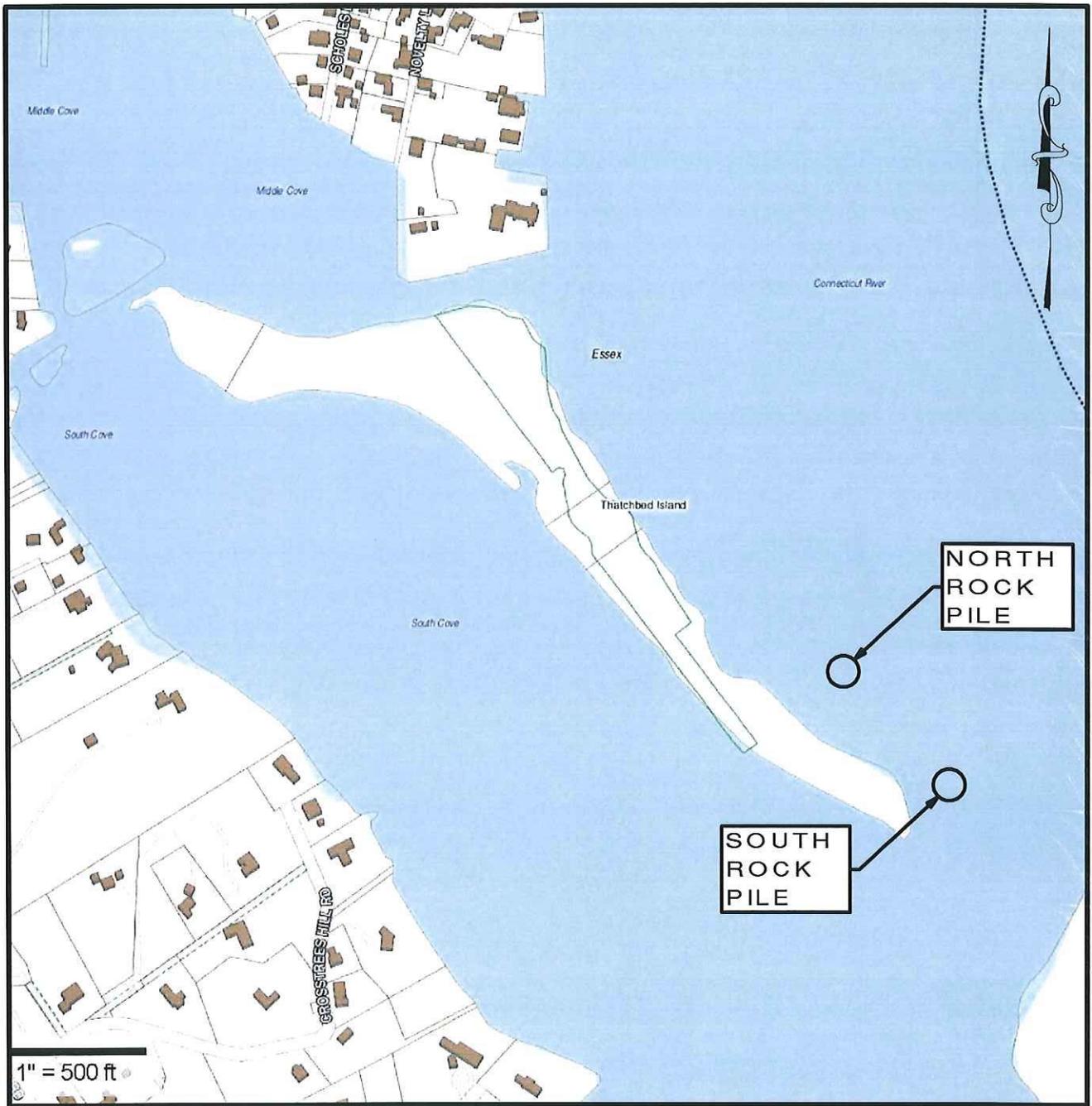
Coastline Consulting & Development
 5-B Old Post Road, Madison, CT 06443
 (203) 245-8138

FIGURE 1 OF 7
 SITE LOCATION MAP

ESSEX HARBOR COMMISSION
 ROCK PILE REMOVAL PROJECT
 CONNECTICUT RIVER
 ESSEX, CONNECTICUT

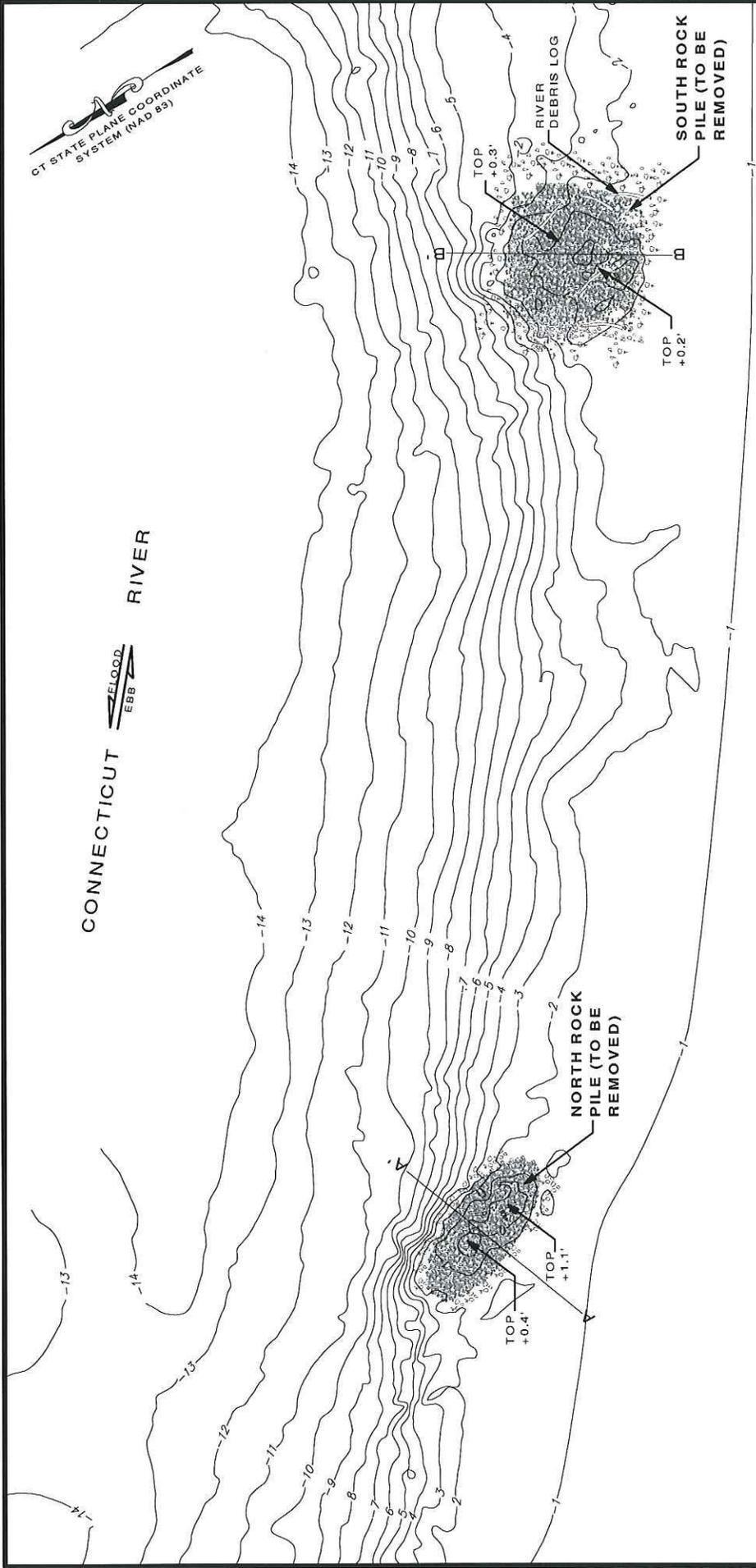
SEPTEMBER 28, 2012 SCALE: 1 = 12,000

NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.

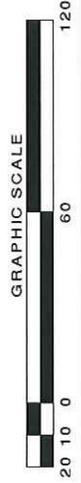


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FIGURE 2 OF 7 SITE PLAN VIEW	
ESSEX HARBOR COMMISSION ROCK PILE REMOVAL PROJECT CONNECTICUT RIVER ESSEX, CONNECTICUT	
SEPTEMBER 28, 2012	SCALE: 1 = 500'

NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.



THATCHED ISLAND

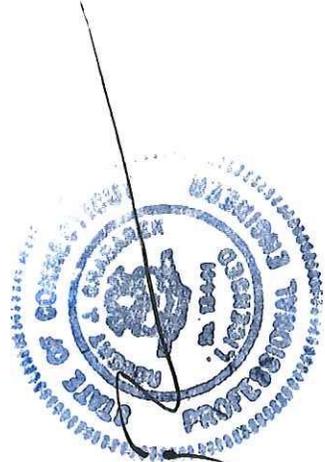


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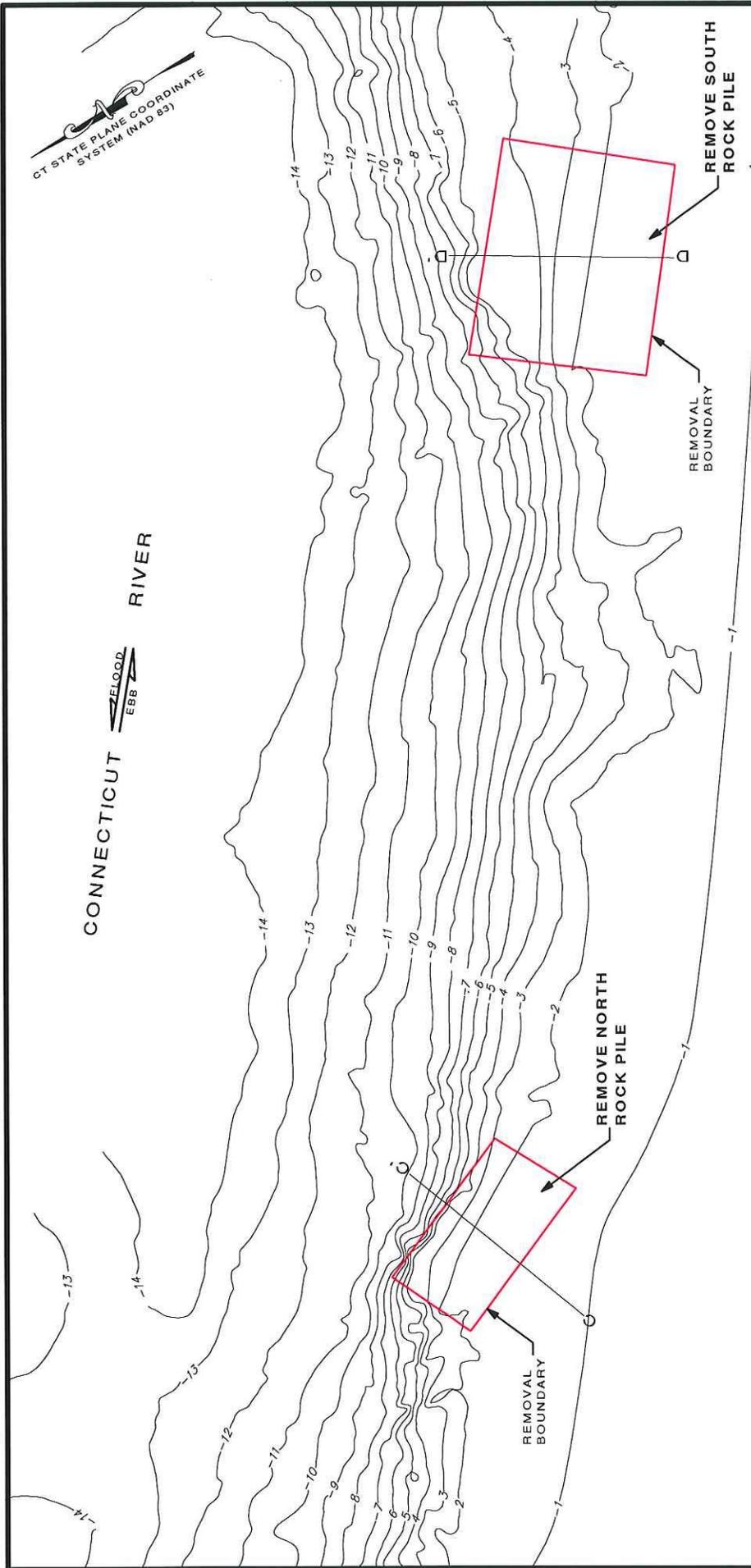
FIGURE 3 OF 7
 SITE CONDITIONS

ESSEX HARBOR COMMISSION
 ROCK PILE REMOVAL PROJECT
 CONNECTICUT RIVER
 ESSEX, CONNECTICUT

SEPTEMBER 28, 2012 SCALE: 1" = 60'



NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.



CT STATE PLANE COORDINATE SYSTEM (NAD 83)

CONNECTICUT RIVER



THATCHED ISLAND



LEGEND

CONTOUR LINE

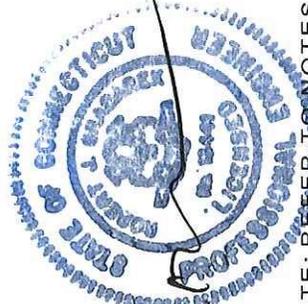
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FIGURE 4 OF 7
 PROPOSED CONDITIONS

ESSEX HARBOR COMMISSION
 ROCK PILE REMOVAL PROJECT
 CONNECTICUT RIVER
 ESSEX, CONNECTICUT

SEPTEMBER 28, 2012 SCALE: 1" = 60'



NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.

A' _____

NORTH ROCK PILE

C.L. = 4.5'
M.H.W. = 3.0'
M.L.W. = 0.0'

ROCKS & SEDIMENT
LOOSE ROCKS (TYP)

MUD

EXISTING CONDITIONS

C' _____

REMOVE ROCK PILE

C.L. = 4.5'
M.H.W. = 3.0'
M.L.W. = 0.0'

PROPOSED REMOVAL BOUNDARY

REMOVE LOOSE ROCKS

MUD

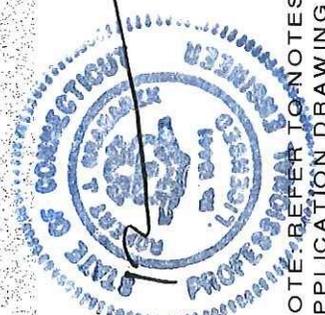
PROPOSED CONDITIONS

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FIGURE 5 OF 7
NORTH ROCK PILE
CROSS-SECTIONS

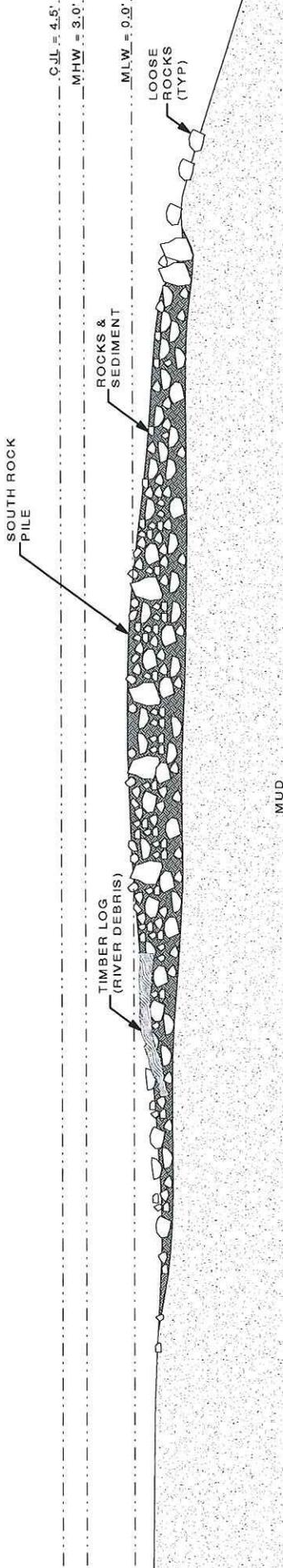
ESSEX HARBOR COMMISSION
ROCK PILE REMOVAL PROJECT
CONNECTICUT RIVER
ESSEX, CONNECTICUT

SEPTEMBER 28, 2012
SCALE: 1 = 10'



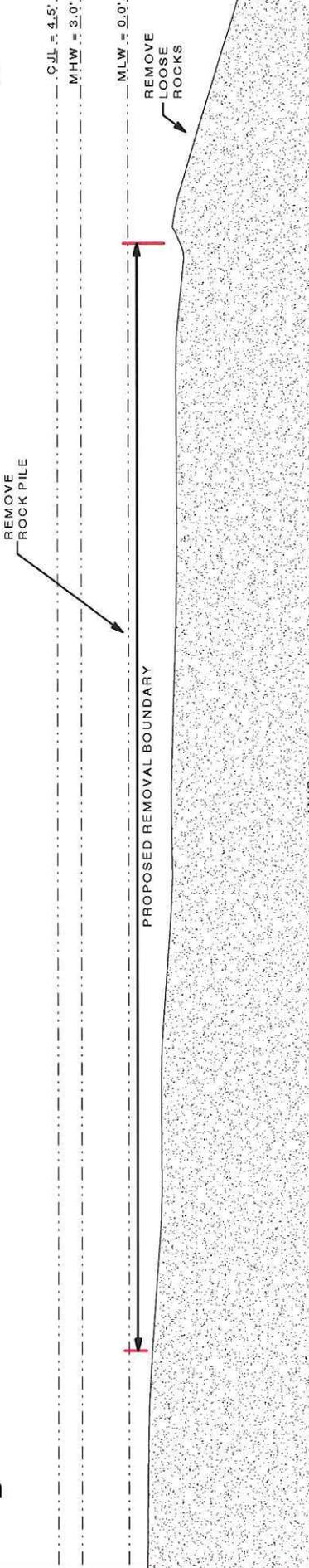
NOTE: REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.

B ————— B'



EXISTING CONDITIONS

D ————— D'



PROPOSED CONDITIONS

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FIGURE 6 OF 7
 SOUTH ROCK PILE
 CROSS-SECTIONS

ESSEX HARBOR COMMISSION
 ROCK PILE REMOVAL PROJECT
 CONNECTICUT RIVER
 ESSEX, CONNECTICUT

SEPTEMBER 28, 2012
 SCALE: 1 = 10'

NOTE REFER TO NOTES FOR THIS FIGURE IN APPLICATION DRAWING NOTES ON FIGURE 7 OF 7.



APPLICATION DRAWING NOTES

FIGURE 1 OF 7 SITE LOCATION MAP

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

FIGURE 2 OF 7 SITE PLAN VIEW

1. THE CONDITIONS ARE APPROXIMATE AND ARE BASED UPON ESSEX, CT GIS MAPPING, TAKEN FROM <http://www.mapgeo.com/EssexCT/> AND FIELD OBSERVATIONS.

FIGURES 3 - 6 OF 7 SITE CONDITIONS, PROPOSED CONDITIONS, & CROSS-SECTIONS

1. THESE APPLICATION DRAWINGS WERE PREPARED FROM RECORDED RESEARCH, OTHER MAPS, FIELD OBSERVATIONS COLLECTED ON 8/7/2012 AND OTHER SOURCES.
2. REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - A. FOR FIGURE 3 OF 7: "HYDROGRAPHIC SURVEY, ROCK PILES IN ESSEX HARBOUR, ESSEX, CONNECTICUT", PREPARED FOR TOWN OF ESSEX, ESSEX, CONNECTICUT, DATED MAY 14, 2012, SCALE 1" = 30', PREPARED BY HYDRO DATA, INC. CHESTER, CT.
 - B. FOR FIGURE 4 OF 7: "FIGURE 3 OF 7, SITE CONDITIONS, ESSEX HARBOR COMMISSION, ROCK PILE REMOVAL PROJECT, CONNECTICUT RIVER, ESSEX, CT", SCALE 1" = 60', PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
 - C. FOR FIGURES 5 & 6 OF 7: "FIGURE 4 OF 7, PROPOSED CONDITIONS, ESSEX HARBOR COMMISSION, ROCK PILE REMOVAL PROJECT, CONNECTICUT RIVER, ESSEX, CT", SCALE 1" = 60', PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC.
3. CONTOURS ARE IN FEET, AND REFERENCED TO THE MEAN LOW WATER (MLW) TIDAL DATUM BASED ON NAVD88 VERTICAL DATUM.
4. THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR BID DOCUMENTS, STRUCTURAL DESIGN, OR CONSTRUCTION. 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
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FIGURE 7 OF 7
APPLICATION DRAWING NOTES

ESSEX HARBOR COMMISSION
ROCK PILE REMOVAL PROJECT
CONNECTICUT RIVER
ESSEX, CONNECTICUT

SEPTEMBER 28, 2012

FILE NO.: 12-076

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

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

Certificate Holder: Town of Essex Harbor Management Commission
Essex Town Hall
29 West Avenue
Essex, CT 06426

Certificate No: 201207298-DL, east of Thatchbed Island, Essex

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)