



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2014-00037-EYA
Issue Date: April 4, 2014
Expiration Date: May 4, 2014

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: Moncor Development Corp.
238 Kings Ferry Road
Montrose, NY 10548

ACTIVITY: Dredging of Marina and Boat Channel

WATERWAY: Hudson River

LOCATION: Town of Cortlandt, Westchester County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the

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CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2014-00037-EYA

permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at: <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790 - 8092 and ask for Jun Yan.

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2014-00037-EYA

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



Jodi M. McDonald
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

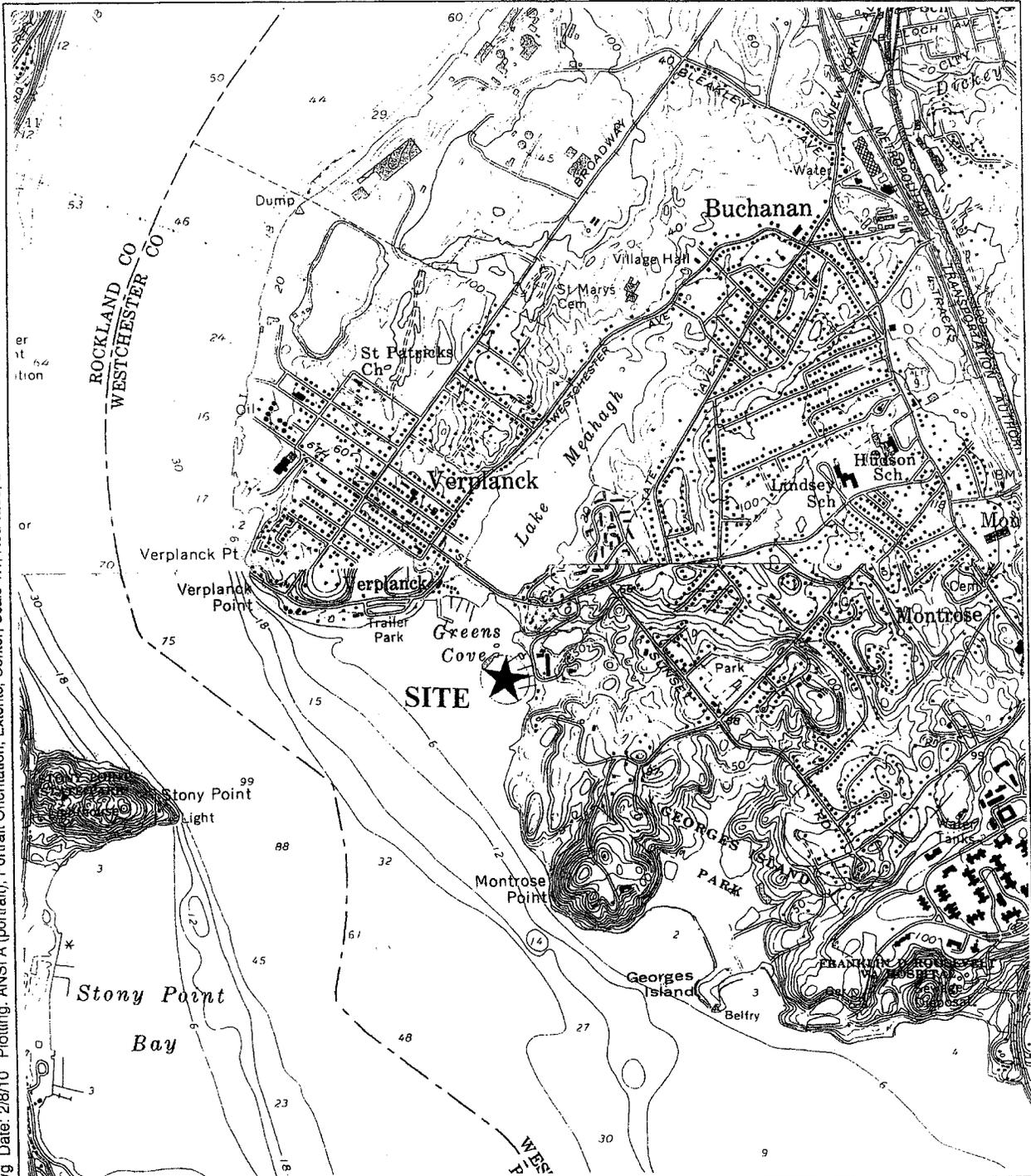
The applicant, Moncor Development Corp., has requested Department of the Army authorization for dredging of an existing Marina and boat channel in the Hudson River, in the Town of Cortlandt, Westchester County, New York.

The work would involve dredging of an existing marina, a 120-foot wide main channel and a 20-foot wide jet ski channel to a depth of 6 feet below the plane of the mean low water line over an approximately 5.86 acres to remove approximately 24,000 cubic yards of dredged material for disposal at an approved upland location.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by using turbidity curtains around the dredging area, using environmental sealed excavator buckets, and performing the dredging activity during a 4-6 week period from late October to early December.

The stated purpose of this project is to provide safe navigation for recreational use.

C:\cycloreports\cyclocation020810.dwg Date: 2/8/10 Plotting: ANSI A (portrait), Portrait Orientation, Extents, Center, Scale 1:1, Red 0256, Blue 0197



Base Map: USGS Peekskill and Haverstraw Quadrangle Maps

NAN-2014-00037-EYA
1 of 4

Scale:
1:24,000
(1 inch=2,000 feet)

**MWO Environmental
Engineering &
Consulting, P.C.**
17 Maple Lane Monroe, NY 10950
(845) 774-2355

CORTLANDT YACHT CLUB
238 Kings Ferry Road
Montrose, NY 10548
Site Location Map

Figure
1

HUDSON RIVER
"GREEN'S COVE"

ISLAND
THE WEST WALL AS LOCATED
ON JAN. 1, 1997

JET SKI CHANNEL

MAIN CHANNEL

MARINA

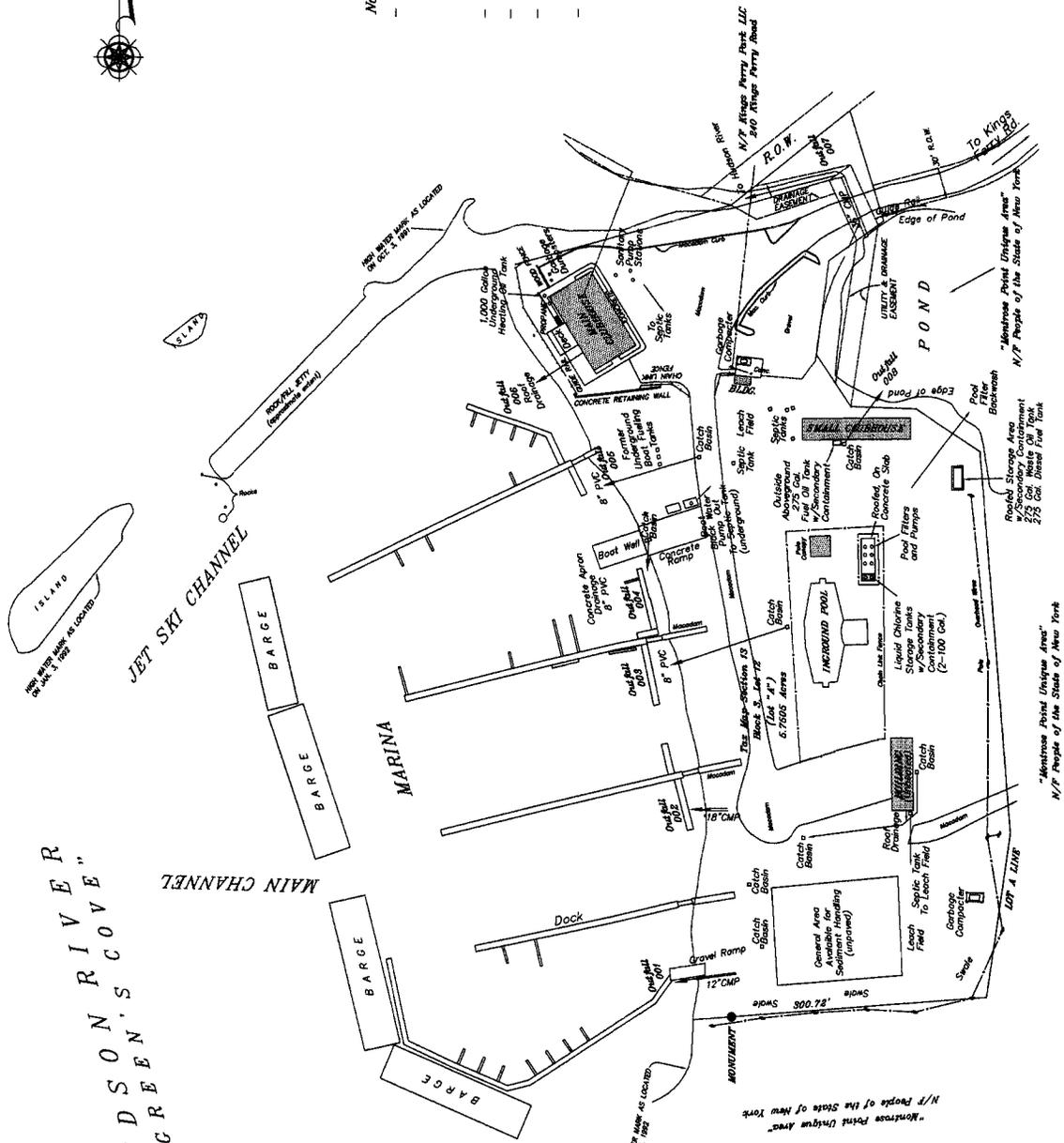
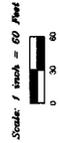
NAN-2014-00037-EYA

2 of 4



Notes:

- Base Map is "Survey of Property Prepared for Monaco Development Corporation, Known As "Cortlandt Yacht Club", Dated April 18, 1997, by Donald J. Donnelly, L.S., Yorktown Heights, N.Y., File No. 4520-13-P/O - 12 "CORTYH"
- Outfalls shown are stormwater discharge outfalls
- Marina Sediment Volume Estimate is provided in Drawing No. 2
- Main Channel and Jet Ski Channels to be dredged are shown on Drawing No. 3, including sediment volume estimates
- Revision 1 Changes: 1) indicated adjacent property owners to the north and to the south/east; 2) indicated area available for sediment handling



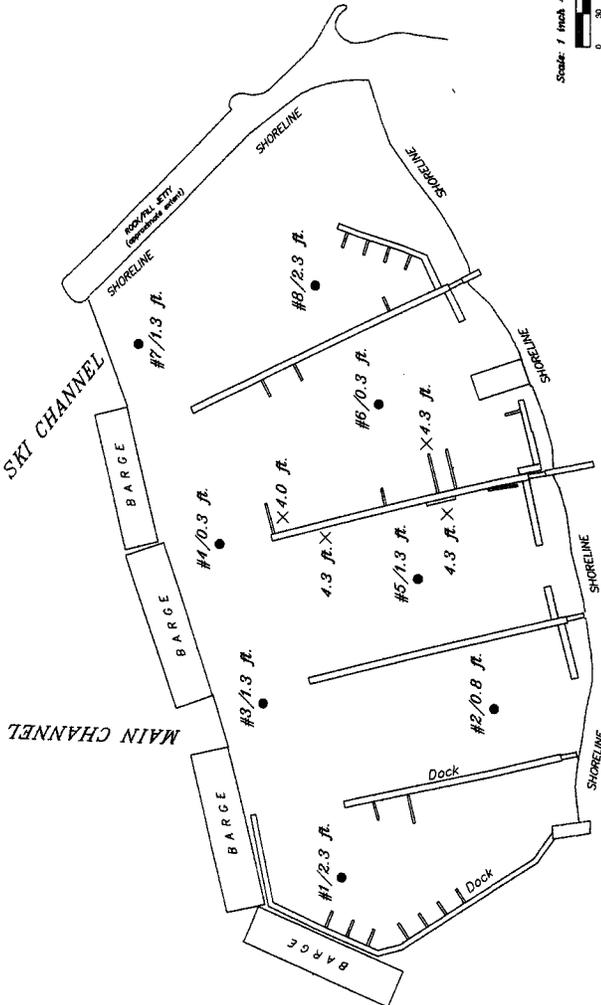
Revision	Date	Description
1	02/13	Issue for Construction
0	02/13	Issue for Construction

MWO Environmental
Engineering &
Consulting, P.C.
17 Maple Lane Monrovia, NY 10950
(845) 714-2385

DRAWING
NO.
1

MONCOR DEVELOPMENT CORP.
238 KINGS FERRY ROAD MONROSE, NY
JOINT APPLICATION FOR SEDIMENT DREDGING
Site Plan

Base map is "Survey of Property Prepared for Monaco Development Corporation, Known As "Cortlandt Yacht Club", Dated April 18, 1997, by Donald J. Donnelly, L.S., Yorktown Heights, N.Y., File No. 4520-13-P/O - 12 "CORTYH"



Notes:

- Sediment soundings were performed on February 10, 2012 between 2:15 and 3:15 p.m. Tide was approximately 2.3 ft. above Mean Low Water (at Haverstraw, NY)
- Dredging to be performed to achieve 6 ft. water to top of sediment at Mean Low Water
- #1/2.3 ft. - Marina Sediment Sample Number/Thickness (ft.) of Sediment to Be Removed
- × 4.0 ft. - Thickness (ft.) of Sediment to Be Removed Around Docks
- Proposed extent of dredging is all sediment within the marina, bound by the Shoreline indicated on the north and east, the southernmost dock on the south, and the line formed by the barges on the west

Scale: 1 inch = 60 Feet
0 30 60

Total Marina Area = approximately 5.36 acres = 233,480 sq. ft.
 Area of Shallower Sediment Around Docks (25 ft. on each side) = approximately 65,750 sq. ft.; however, assume half this area as shallow sediments are between docked boats, or 32,875 sq. ft.
 Average Thickness of Sediment to be Removed Around Docks = 4.2 ft.
 Volume of Sediment to be Removed Around Docks = 138,075 cu. ft. in-place = 5,100 cu. yd. in-place
 Remaining Area of Marina = 233,480 - 32,875 = 200,600 sq. ft.
 Average Thickness of Other Sediment to be Removed = 1.25 ft.
 Volume of Other Sediment to be Removed = 250,750 cu. ft. = 9,300 cu. yd. in-place
 Total Sediment Volume to be Removed = 14,400 cu. yd. in-place

NAN-2014-00037-EYA
3 of 4

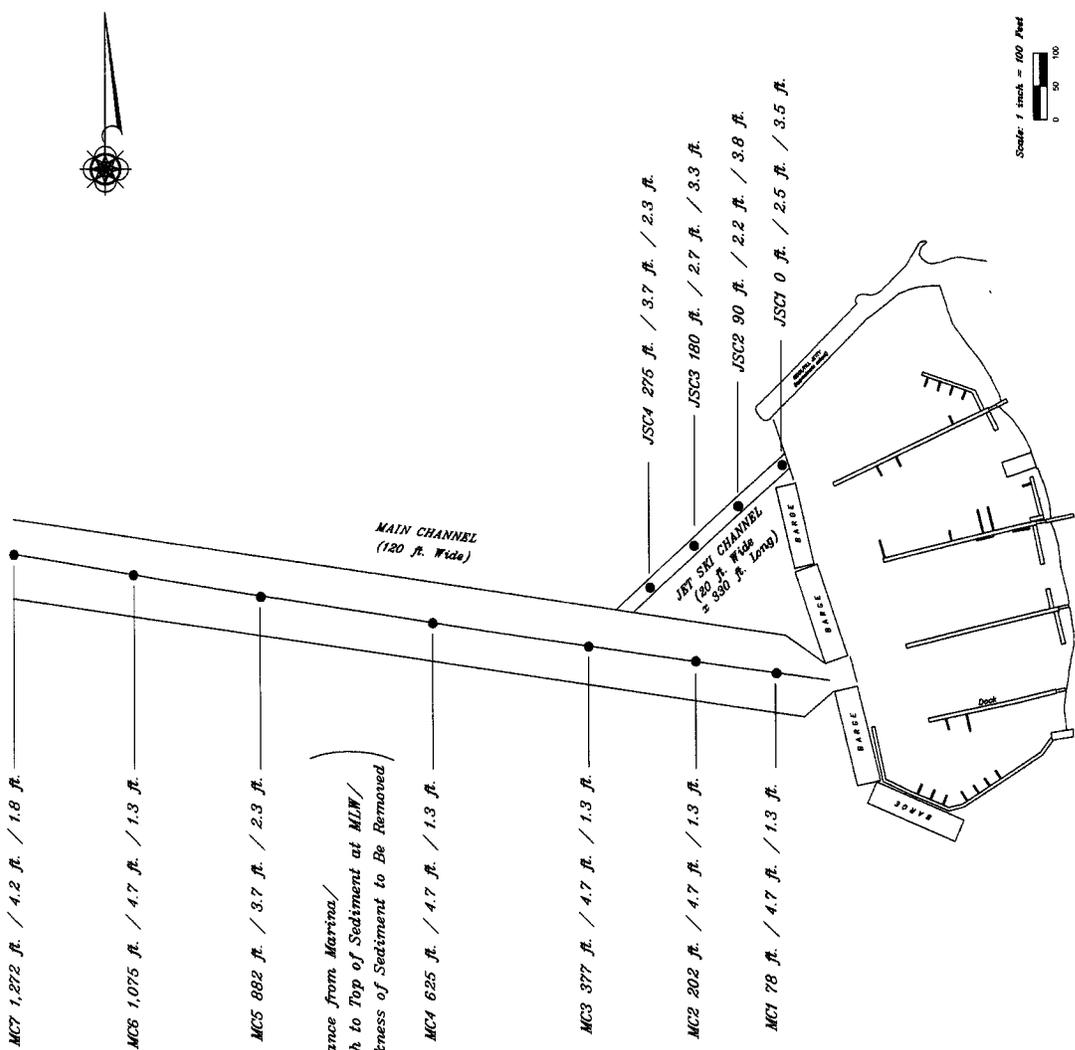
Revision	Date	Description
0	4/9/12	Initial Joint Application for Dredging
1	10/23/12	Revised to describe extent of proposed dredging

MWO Environmental Engineering & Consulting, P.C.
 17 Maple Lane Monroe, NY 10850
 (845) 774-2565

MONCOR DEVELOPMENT CORP.
 238 KINGS FERRY ROAD MONTROSE, NY
JOINT APPLICATION FOR SEDIMENT DREDGING
 Marina Sediment Volume

DRAWING NO. 2

Base map is "Survey of Property Prepared for Moncor Development Corporation, 1998" by James M. Gorman, dated 1998, recorded in County of Westchester, N.Y., Book 1000, Page 1000. L.S. 914-882-2215; P.M. No. 8550-15-PO-12-CORP-98



Notes:
 - Sediment soundings were performed on February 10, 2012 between 2:15 and 3:15 p.m. Tide was approximately 2.3 ft. above Mean Low Water (at Haverstraw, NY)
 - Dredging to be performed to achieve 6 ft. water to top of sediment at Mean Low Water

Main Channel:
 Area = 1,275 ft. x 120 ft. = 153,000 sq. ft.
 Average Thickness of Sediment to be Removed: 1.5 ft.
 Volume of Sediment to be Removed = 229,500 cu. ft. = 8,500 cu. yd. in-place

Jet Ski Channel:
 Area = 330 ft. x 20 ft. = 6,600 sq. ft.
 Average Thickness of Sediment to be Removed: 3.2 ft.
 Volume of Sediment to be Removed = 21,120 cu. ft. = 780 cu. yd. in-place

Total Channel Sediment Volume to Be Removed = 9,300 cu. yd. in-place

(Distance from Marina/
 Depth to Top of Sediment at M/LW/
 Thickness of Sediment to Be Removed)

NAN-2014-00037-EYA
 4 of 4

Revision	Date	Description
1	03/12	Initial Joint Application for Dredging

MWO Environmental Engineering & Consulting, P.C.
 17 Maple Lane, Monroe, NY 10950
 (845) 774-2526

MONCOR DEVELOPMENT CORP.
 288 KINGS FERRY ROAD MONTROSE, NY
JOINT APPLICATION FOR SEDIMENT DREDGING
 Channel Sediment Volumes

DRAWING NO. 3

Basemap is "Survey of Property Prepared for Moncor Development Corporation, (now Downey Land Surveying, P.C., 1800 Commerce St., Yorktown Heights, NY, 91482-2115, File No. 450-15-P/O 12/08/11"