



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, New York 12189-4000

**In replying refer to:**

Public Notice Number: NAN-2013-01078

Issue Date: July 10, 2014

Expiration Date: August 9, 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Maxon ALCO Holdings, LLC  
695 Rotterdam Industrial Park  
Schenectady, New York 12306

**ACTIVITY:** Dredge and discharge of fill material below the ordinary high water mark of the Mohawk River to facilitate the creation of an embayment, and the widening and stabilization of the river, and the installation of seasonal pier assemblies.

**WATERWAY:** Mohawk River

**LOCATION:** City of Schenectady, Schenectady 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 THE ATTENTION OF BRAD SHERWOOD AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO [Brad.Sherwood@usace.army.mil](mailto:Brad.Sherwood@usace.army.mil), TO REACH THIS OFFICE BY 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 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 will not affect Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), if new information warrants, the District Engineer will consult with the appropriate Federal agency to determine the presence of and any potential impacts to listed species or their critical habitat in the project area.

Based upon a review of the GIS resources map on the N.Y.S. Office of Parks, Recreation and Historic Preservation (SHPO) website, the project site is located within areas identified by the SHPO as "Archeo Sensitive Areas". Further consultation with SHPO regarding these "Archeo Sensitive Areas" is being conducted and will be concluded prior to the final decision.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation Article 15
- New York State Canal Corporation

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 Brad Sherwood of this office at (518) 266-6355.

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

  
For and in behalf of

Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

## WORK DESCRIPTION

The applicant, Maxon ALCO Holdings, LLC, has requested a Department of the Army permit for the discharge of fill material below the ordinary high water mark of the Mohawk River to facilitate the excavation of an embayment, and the stabilization and widening of the river, all in association with the construction of a mixed-use development, in the Mohawk River watershed, in the City of Schenectady, Schenectady County, New York.

The work would involve the installation of temporary water tight sheet piling along approximately 3,400 linear feet of the riverbank. This work will be conducted in 200-foot sections, ensuring that all work that is conducted in association with the widening and stabilization of the river, and the excavation of the embayment, will be conducted within dewatered areas. The river would be widened to generate excess fill material to raise approximately 50 acres above the 100-year floodplain elevation to support a mixed-use residential and commercial development, and create additional flood control capacity within the Mohawk River. At the completion of the earthwork, approximately 11,500 cubic yards of rip-rap, and native vegetation and trees will be installed along the revised riverbank for stabilization and erosion control. The work would also involve the mechanical dredging of approximately 1,319 cubic yards of material from below the ordinary high water mark of the Mohawk River utilizing a clamshell bucket, in association with the excavation of an upland area, to construct a 5.5 acre embayment that would be then connected to the Mohawk River. Following the excavation of the embayment, approximately 1,650 linear feet of permanent sheet piling will be installed around the edge of the embayment. All work associated with the embayment, both the excavation and installation of the sheet piling, would be conducted in the dry while the temporary water tight sheet piling is in place. In addition, to provide access to the commercial development to boaters, a seasonal pier assembly consisting of a 70 foot long by 10 foot wide floating pier would be anchored parallel to the riverbank, with three gangways providing access to the floating pier. Within the embayment, a seasonal pier assembly consisting of a 200 foot long by 12 foot wide floating pier would extend out into the embayment with twelve (12) 30 foot long by 5 foot wide floating finger piers extending perpendicular off the main floating pier, six (6) on each side, allowing access to a maximum of fifty boats. The 200 foot long by 12 foot wide floating pier would be attached to the shoreline via a 30 foot long by 12 foot wide gangway. In addition, seasonal pier assemblies would be attached to the outside of the embayment, an approximate 375 foot long by 12 wide section and an approximate 500 foot long by 12 foot wide section. Each of these two sections would be accessed by three 30 foot long gangways. The seasonal pier assemblies located within the embayment would allow for a total of 50 boats, and would primarily allow for visiting boaters to access the commercial development. However, a portion of the boat slips may be set aside in the future for private use for the residents of the development.

The applicant has stated that they have avoided and minimized proposed impacts to the maximum extent practicable by limiting the amount of work along the riverbank to the smallest area practicable while still allowing enough excavation to raise the site above the 100-year floodplain elevation, and creating additional flood control capacity within the Mohawk River. In addition, all work would be conducted in the dry, within temporary water tight sheet piling.

The stated purpose of this project is to construct a mixed-use residential and commercial development along the Mohawk River waterfront.

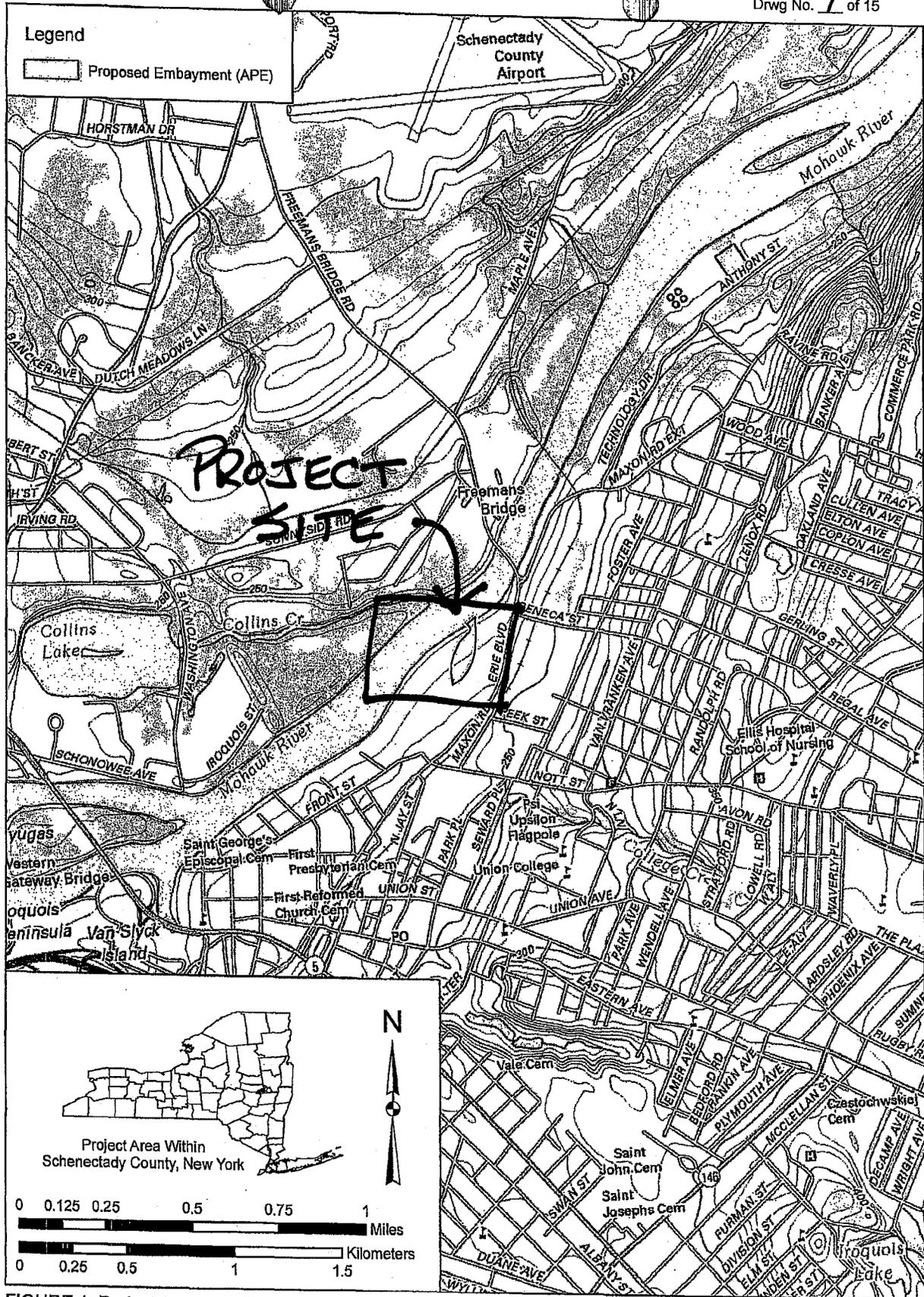
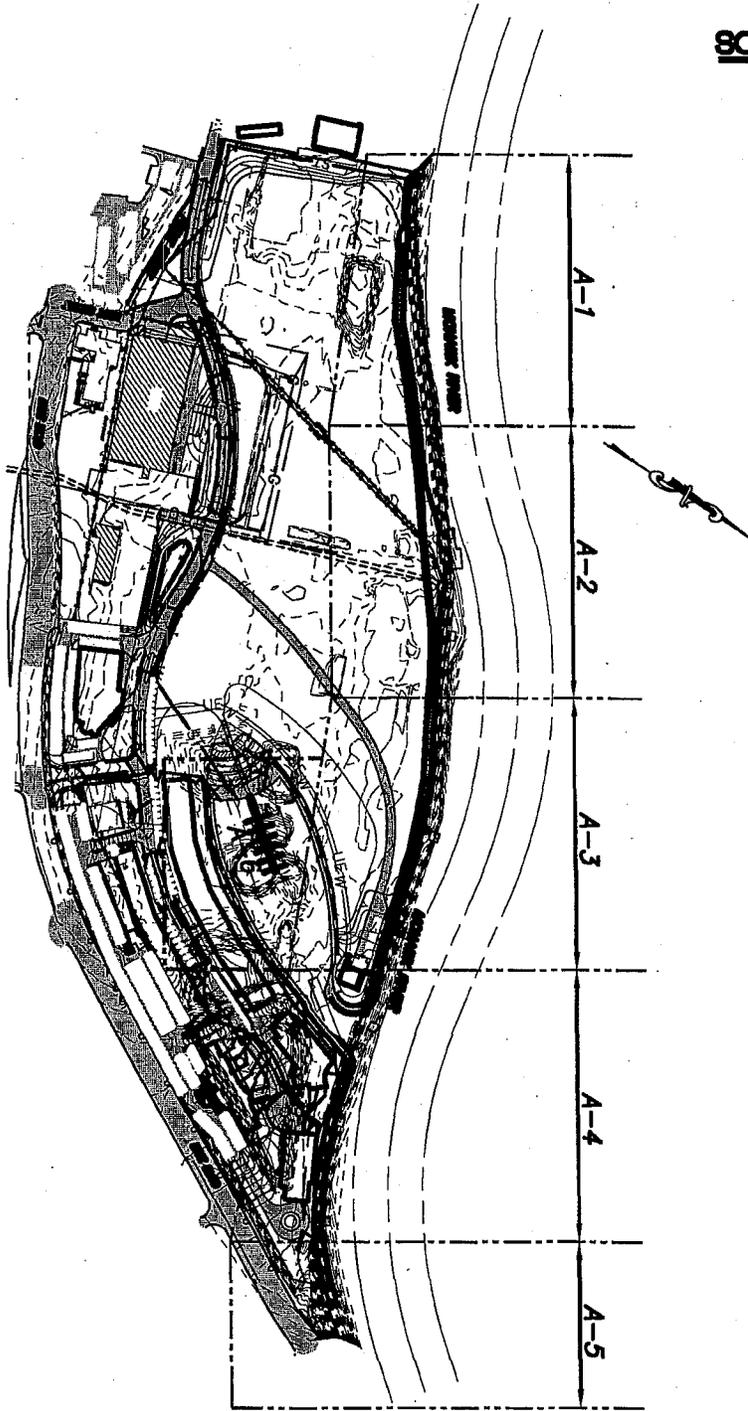


FIGURE 1: Project Area Location

SOURCE: USGS 2013

**SCHEDULE OF DRAWINGS**

- SHEET A-1
- SHEET A-2
- SHEET A-3
- SHEET A-4
- SHEET A-5
- SHEET A-6



Consulting Engineers  
and Land Surveyors

18 Locust Street  
Albany, New York 12203

**MOHAWK RIVER BANK FOR  
ALCO SITE, MAXON ROAD CITY OF SCHENECTADY  
COUNTY OF SCHENECTADY STATE OF NEW YORK**

ALTERATION OF THIS DOCUMENT, EXCEPT BY A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, IS ILLEGAL

REVISIONS: 2-24-2014, 3-3-2014, 3-17-2014, 4-11-2014, 4-15-2014, 5-8-2014

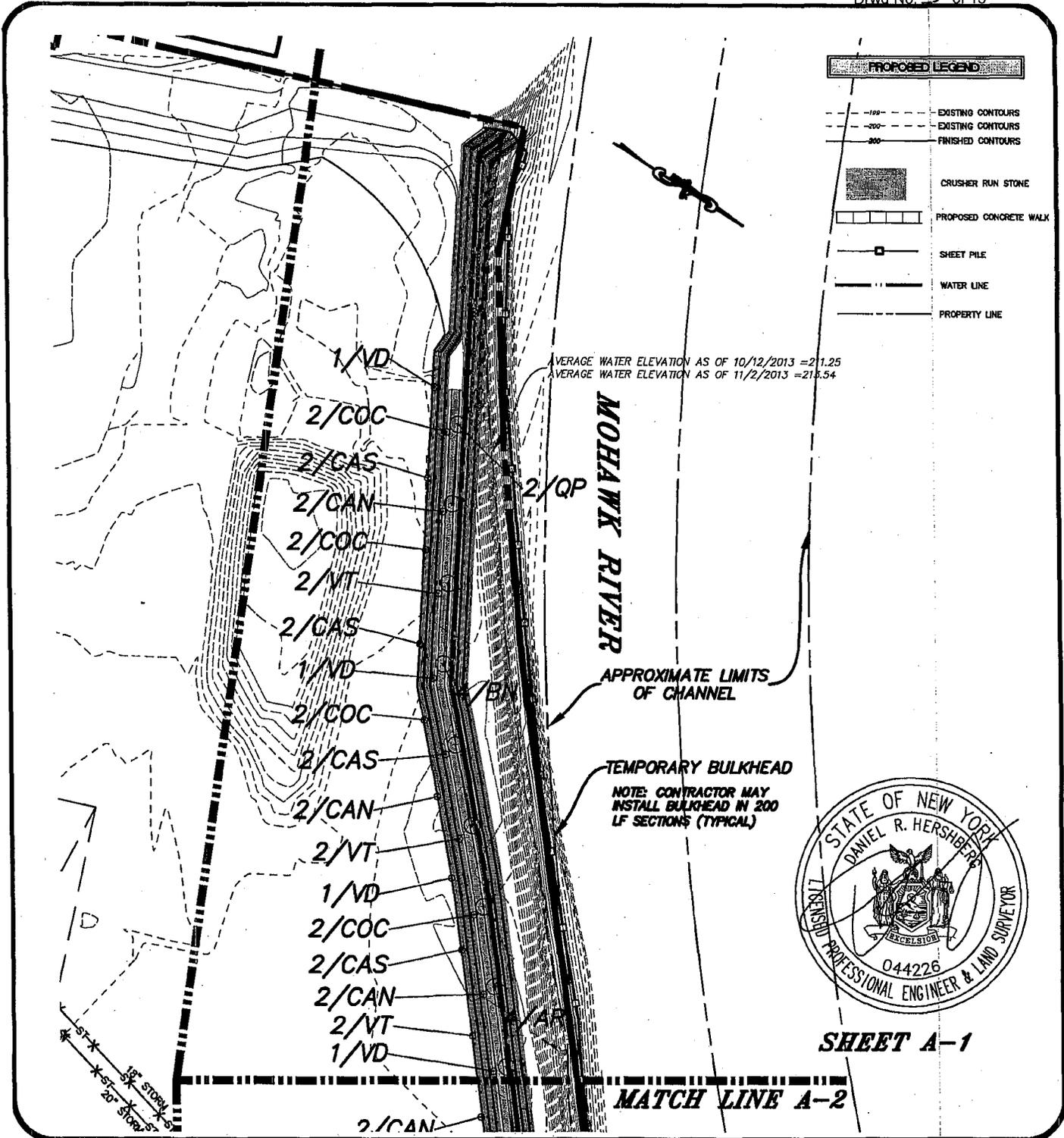
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SCALE: 1"=500'

BY: SMcC

CHK: DRH

MAP No.: 2012-0158-A



**SHEET A-1**



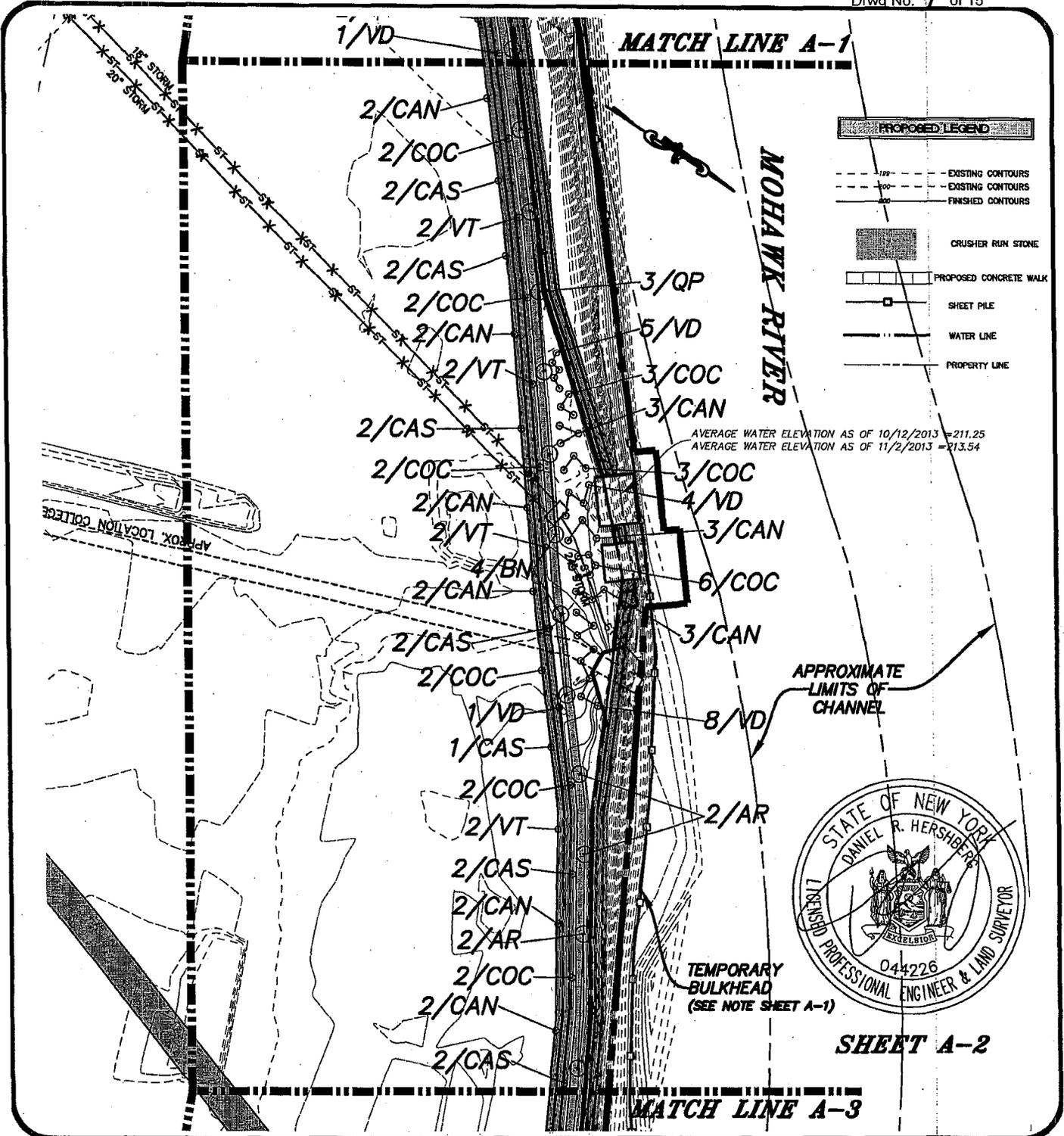
**HERSHBERG & HERSHBERG**  
 Consulting Engineers  
 and Land Surveyors  
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 Albany, New York 12203

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DATE: 12/4/2013    SCALE: 1"=100'    BY: SMcC    CHK: DRH    MAP No.: 2012-0158-A1



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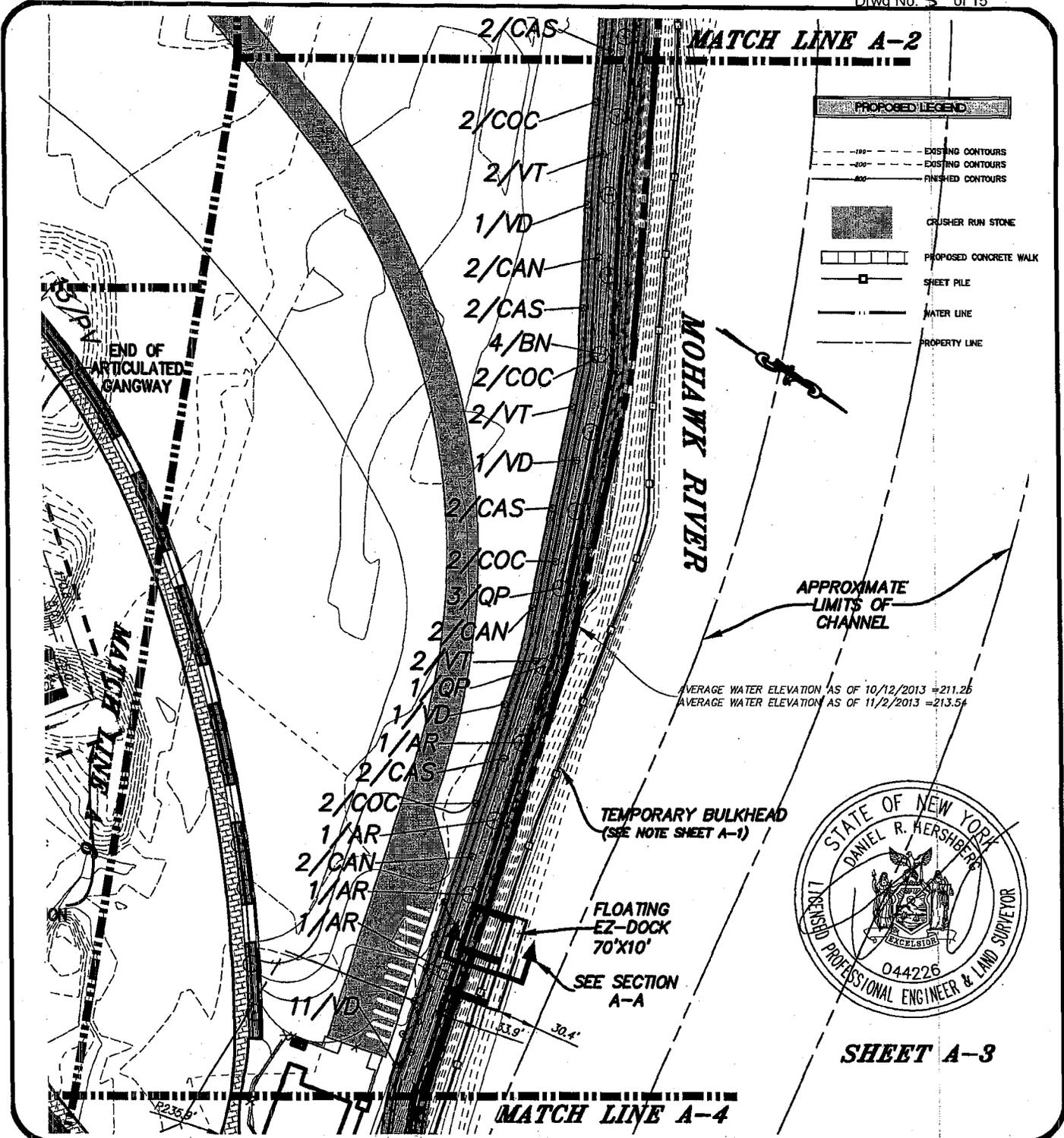
DATE: 12/4/2013

SCALE: 1"=100'

BY: SMcC

CHK: DRH

MAP No.: 2012-0158-A2



**SHEET A-3**



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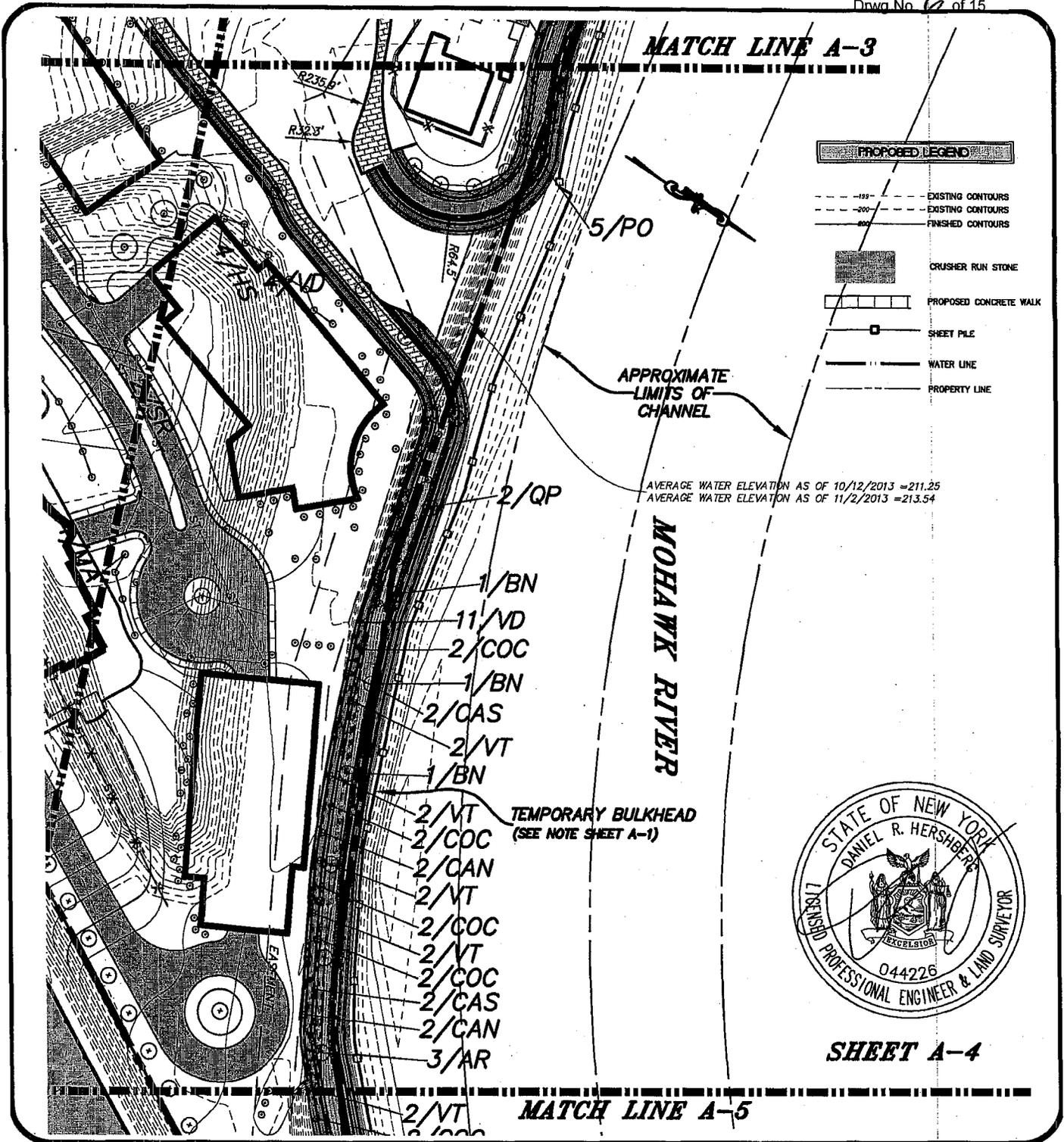
DATE: 12/4/2013

SCALE: 1"=100'

BY: SMcC

CHK: DRH

MAP No.: 2012-0158-A3



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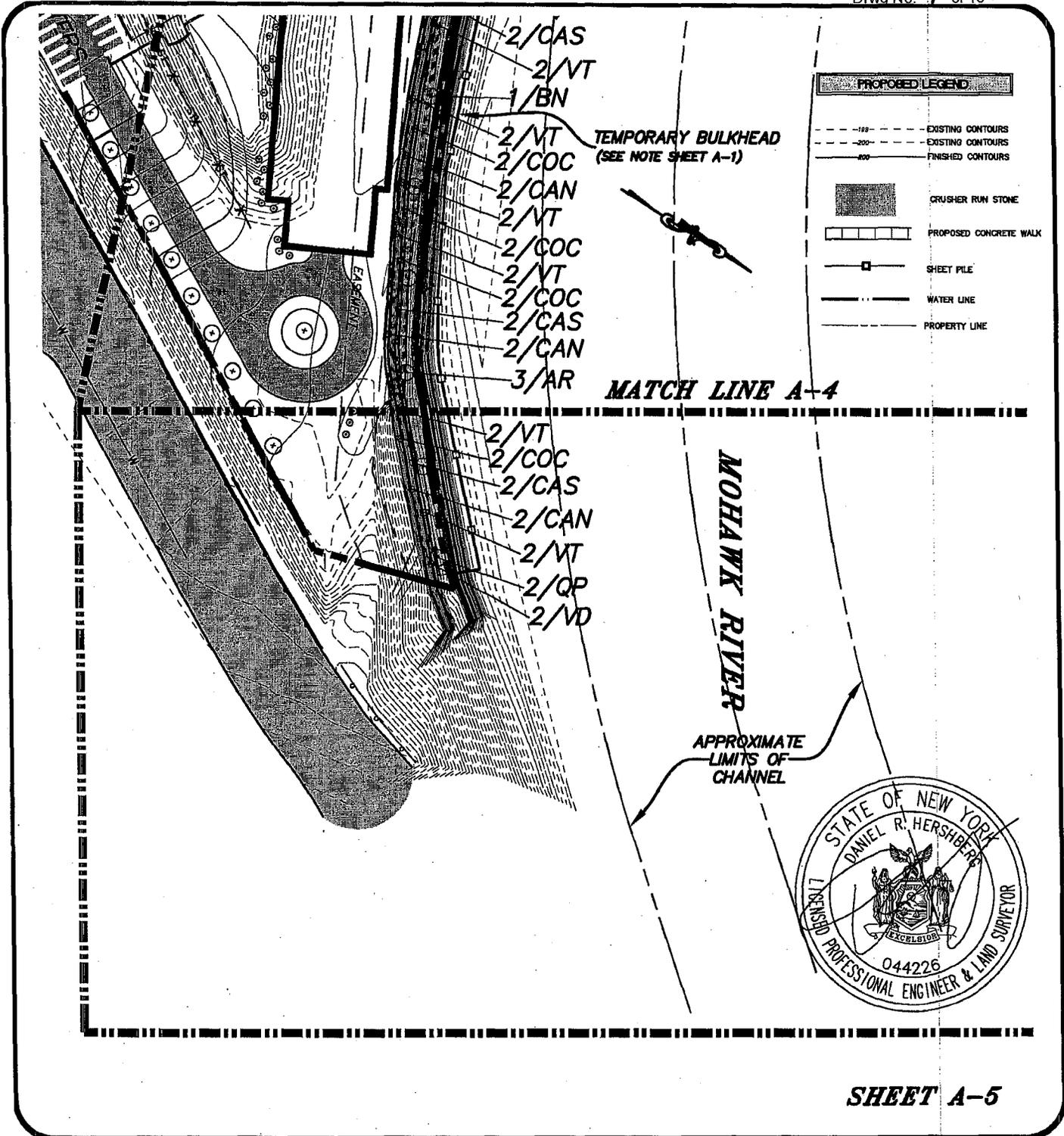
DATE: 12/4/2013

SCALE: 1"=100'

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CHK: DRH

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**SHEET A-5**



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DATE: 12/4/2013

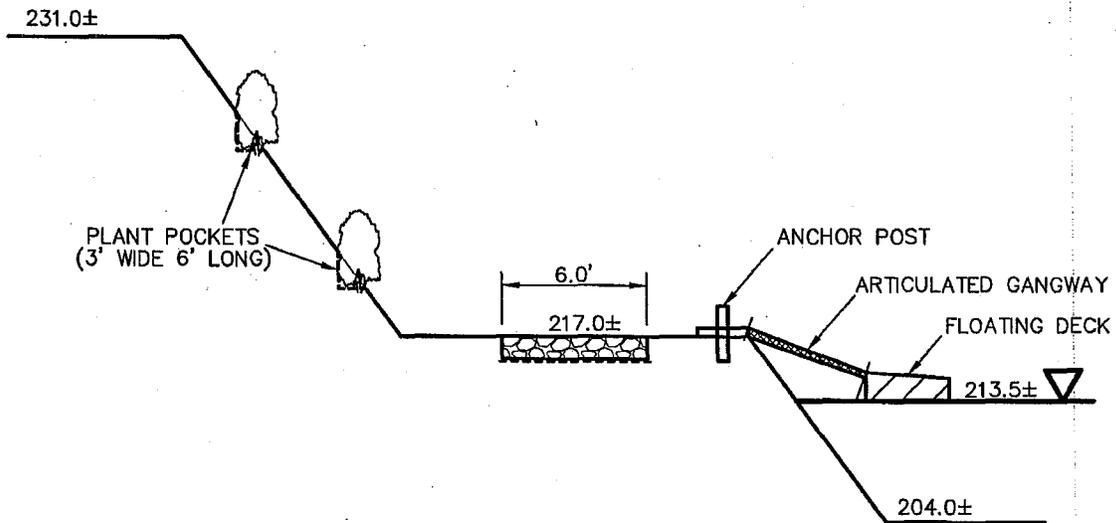
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BY: SMcC

CHK: DRH

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## SECTION VIEW FLOATING DOCK DETAIL

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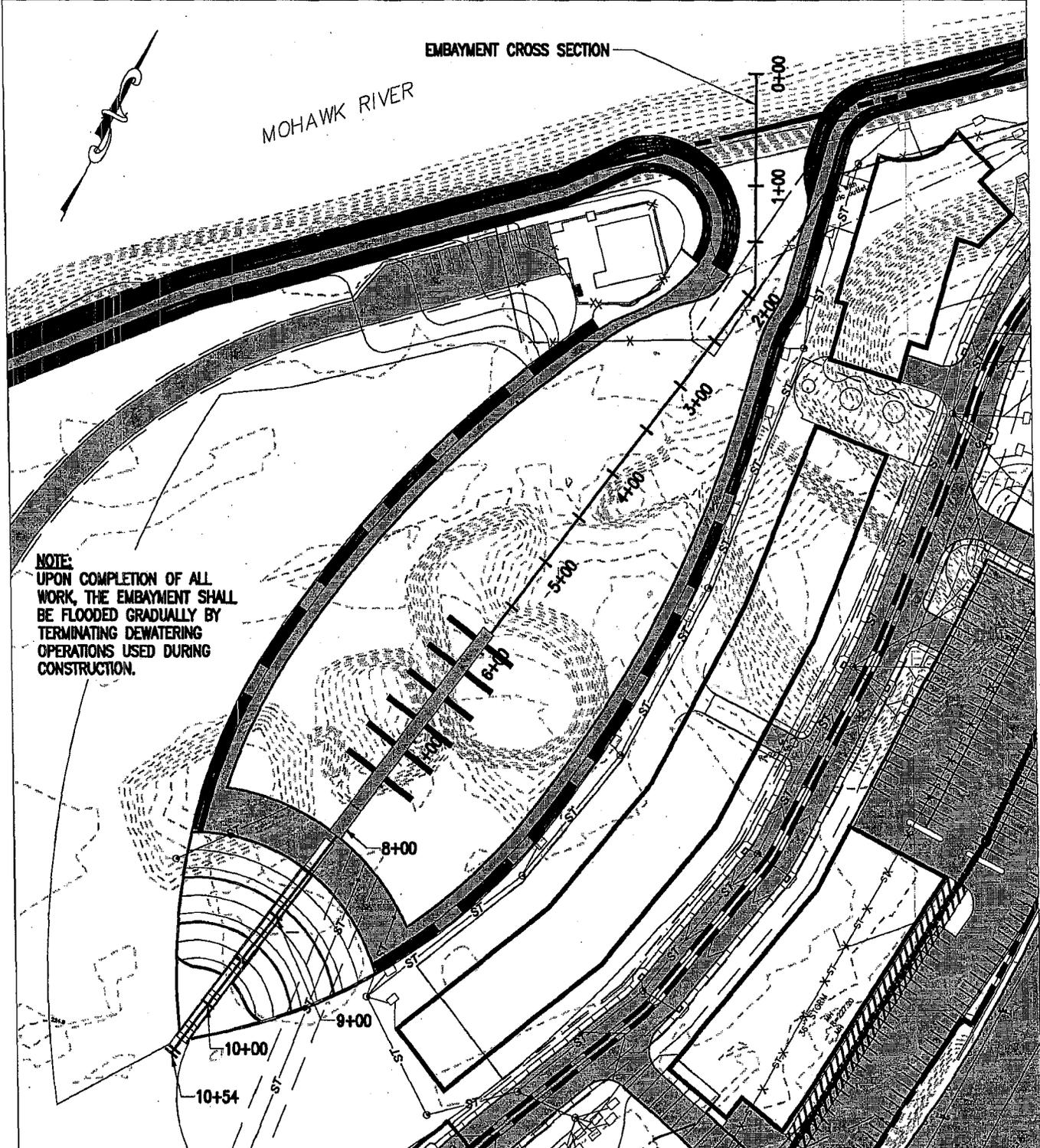
CHK: DRH

MAP No.: 2012-0158-FD

# Bergmann associates

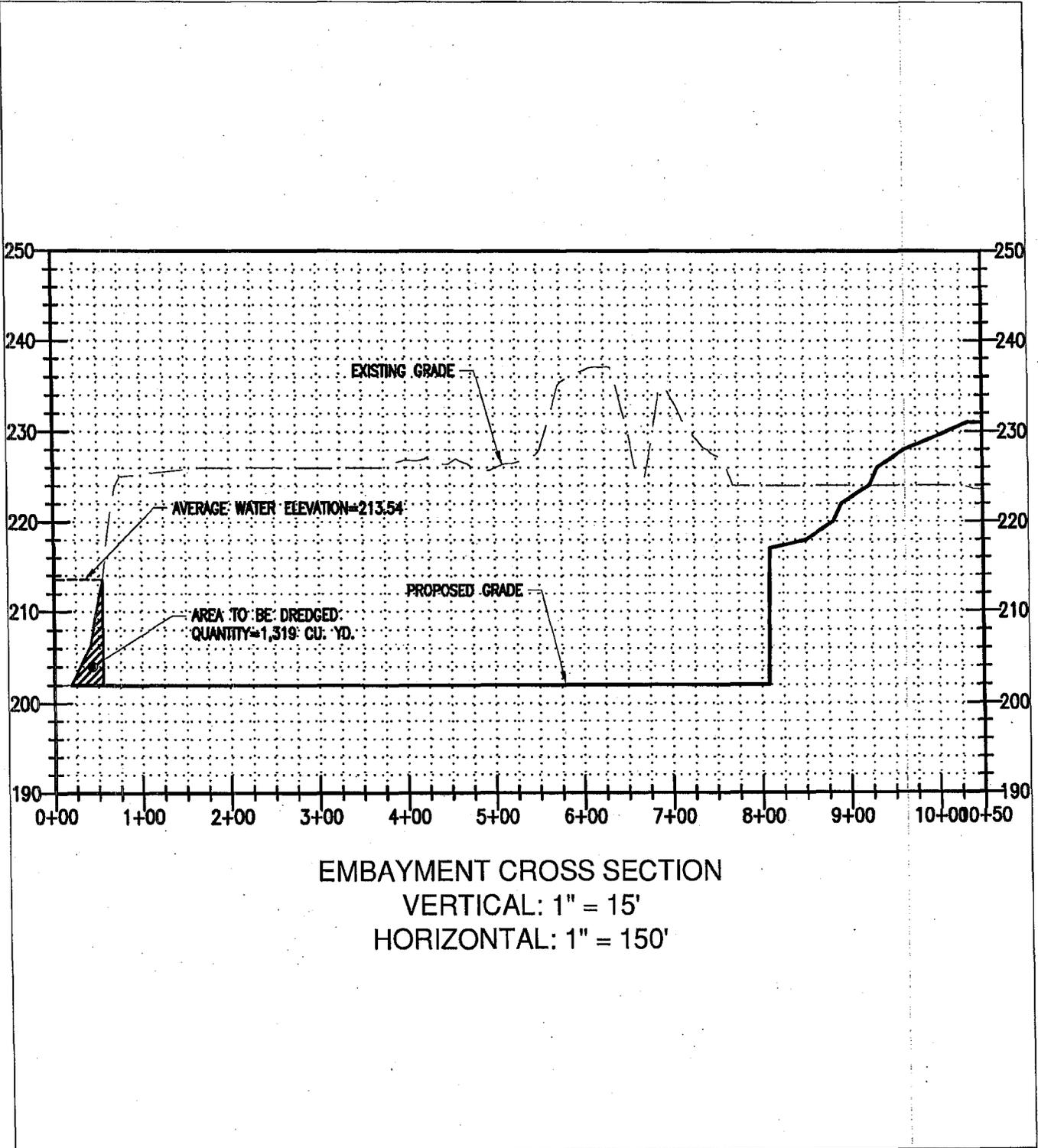
architects // engineers // planners

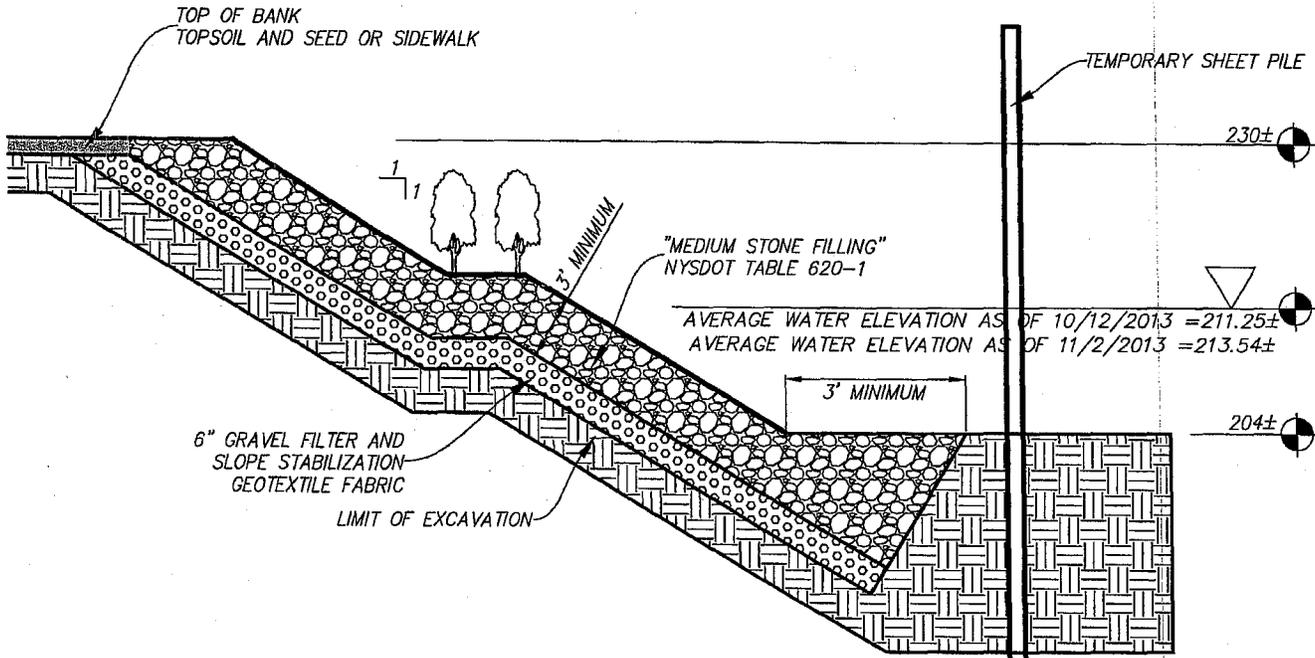
Drawn By: E. REDDING, PE	Checked By: S. BOISVERT, PE	Date Issued: MAY 9, 2014	Project Number: 9546.01	Drawing Number: 1 OF 2
Project Name: ALCO Redevelopment	Drawing Title: EMBAYMENT CROSS SECTION	File Name:	Scale: 1" = 120'	





Drawn By: E. REDDING, PE	Checked By: S. BOISVERT, PE	Date Issued: MAY 9, 2014	Project Number: 9546.01	Drawing Number: 2 OF 2
Project Name: ALCO Redevelopment	Drawing Title: EMBAYMENT CROSS SECTION PLAN 2	File Name:	Scale: AS NOTED	





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## TYPICAL RIPRAP SLOPE PROTECTION DETAIL

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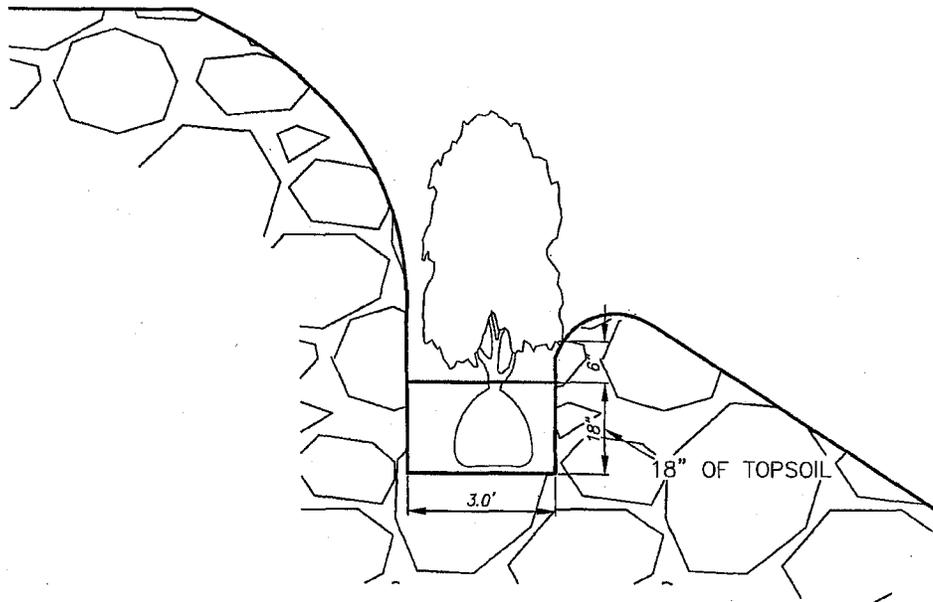
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BY: SMcC

CHK: DRH

MAP No.: 2012-0158-RR



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## PLANT POCKET DETAIL

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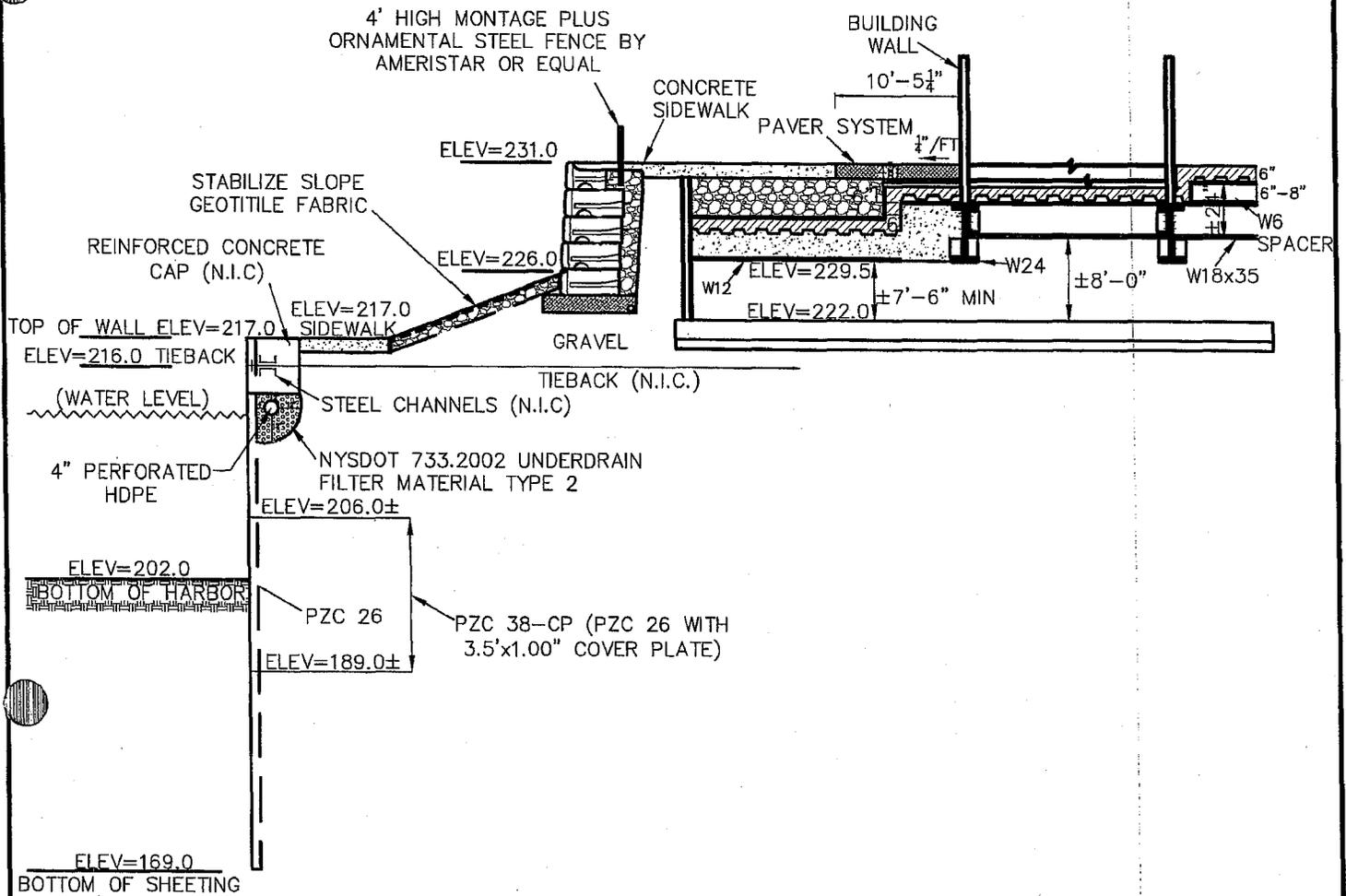
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SCALE: NOT TO SCALE

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CHK: DRH

MAP No.: 2012-0158-PP



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## HARBOR WALL DETAIL

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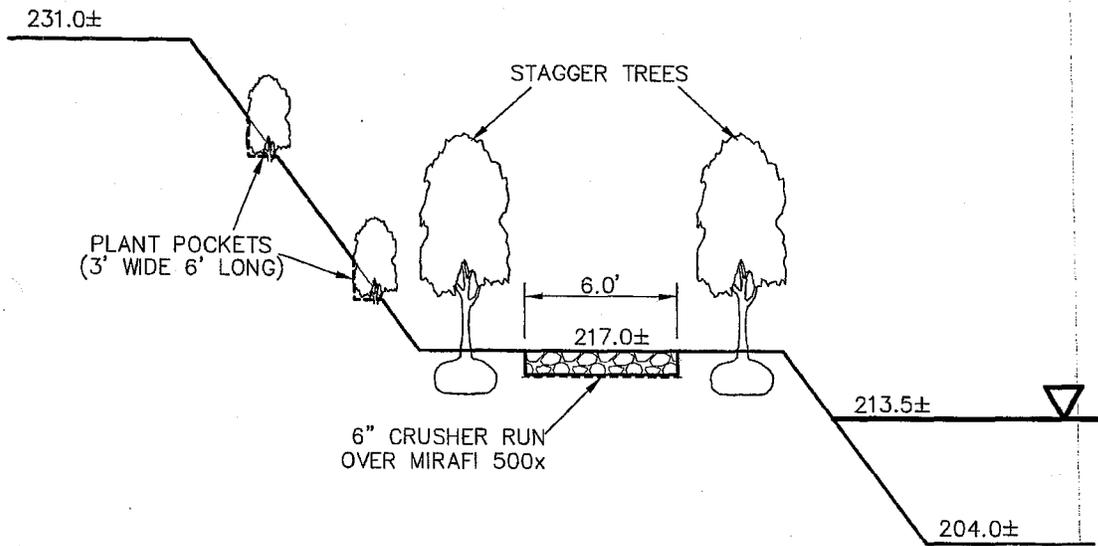
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CHK: DRH

MAP No.: 2012-0158-HW



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## PLANTING DETAIL

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