



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-2015-00311-WOM
Issue Date: April 21, 2015
Expiration Date: May 21, 2015

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: Trinity Cruise Company, LLC
PO Box 129
Peekskill, New York 10566

ACTIVITY: Installation of an approximately 40 foot long by 4 foot wide seasonal ramp, leading to an approximately 976 square foot docking structure comprised of two seasonal floating dock platforms, the first measuring approximately 40 feet by 10 feet, and the second measuring approximately 36 feet by 16 feet. The structure would be secured by four 12 inch diameter wood pilings.

WATERWAY: Hudson River

LOCATION: City of Peekskill, 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

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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.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments, including names and addresses, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 would not 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 and potential shading impacts of the structure. 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 during installation and would be able to use the structure for shelter once it is completed. 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 occur. 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

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regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

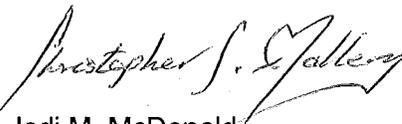
In addition to any required coastal zone management program concurrence, the applicant has obtained the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation Permit ID: 3-5512-00149/00004

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) 790-8417 and ask for Melanie O'Meara.

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>.

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



Jodi M. McDonald
Chief, Regulatory Branch



Enclosures

WORK DESCRIPTION

The applicant, Trinity Cruise Company, LLC, has requested Department of the Army authorization for installation of a floating dock platform to accommodate a 46-foot cruise vessel and ticketing kiosk within the Hudson River, in the City of Peekskill, Westchester County, New York.

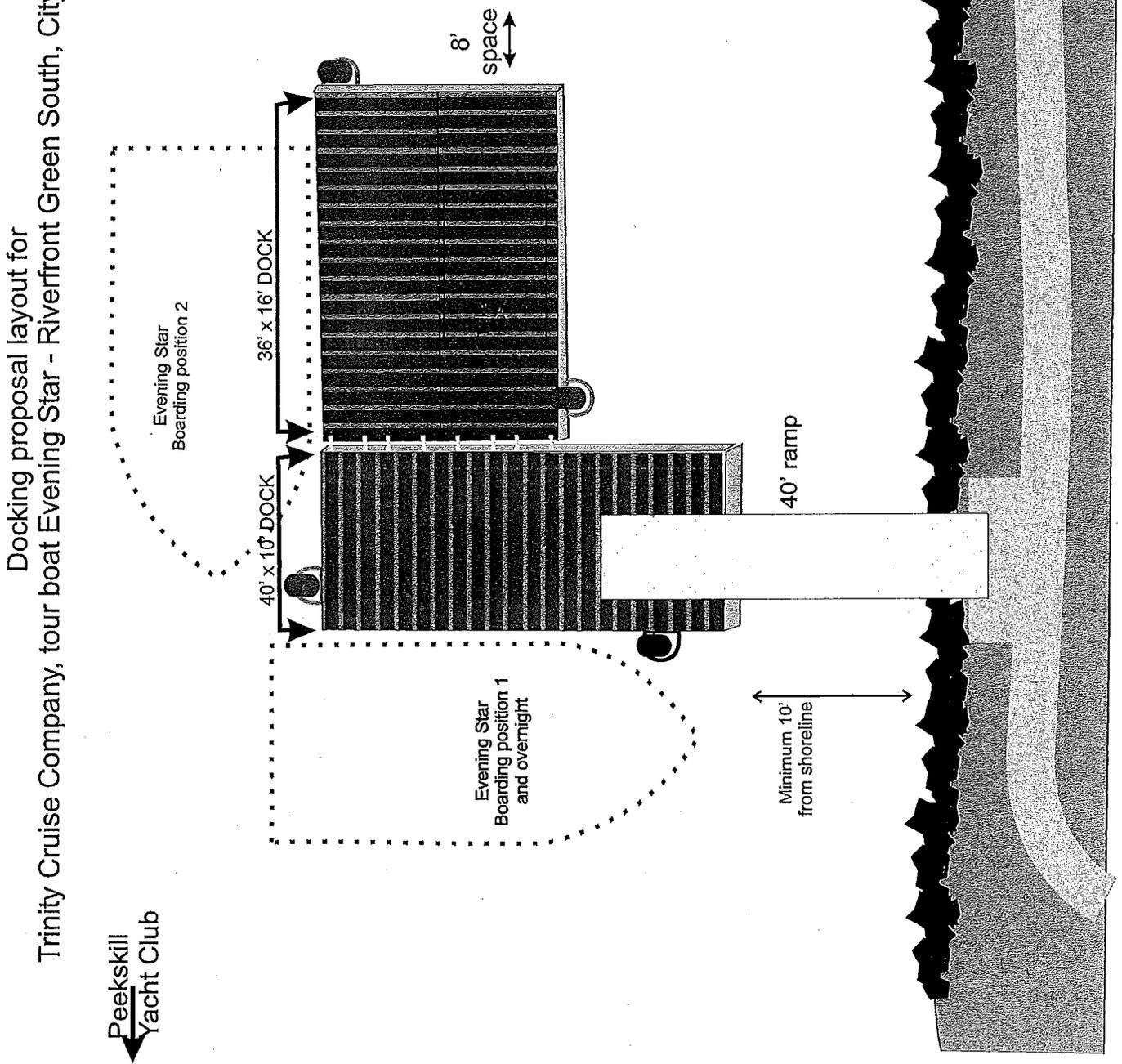
The work would involve the installation of four 12-inch diameter wood pilings, using a vibratory method, and two floating platforms secured to the pilings. The platforms, one measuring 40 feet by 10 feet, and the other measuring 36 feet by 16 feet, would be bound together to form a single floating dock. The 400 square foot platform would be secured perpendicular to the shoreline, at least 10 feet from the shore, and the 576 square foot platform would be secured perpendicular to the first platform, creating an "L" shaped structure. Dock floats, measuring three feet by four feet by 24 inches, would support the dock resulting in less than eight inches of draft. A 40 foot long American Disabilities Act-accessible ramp would provide access to the floating dock. The platforms, made of wooden frames and planking, would provide docking for a 46 foot long vessel, as well as a space for a ticketing kiosk. The pilings would remain in the Hudson River permanently; however, the floating platforms would be in place seasonally, from approximately May 15th through October 31st each year.

The stated purpose of this project is to provide safe, accessible boarding of the cruise vessel.

Trinity Cruise Company, tour boat Evening Star - Riverfront Green South, City of Peekskill

Peekskill
Yacht Club

North
Peekskill
Public
Boat Ramp



Tour Boat Evening Star - side view

46ft length x 16ft breadth

