

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-2015-00821-WOM
Issue Date: August 26, 2015
Expiration Date: September 25, 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Town of Cortlandt
1 Heady Street
Cortlandt Manor, New York 10567

ACTIVITY: Construction of a concrete anchor slab and installation of a seasonal aluminum gangway and pile-anchored floating platform.

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.

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

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In addition to any required 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

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>.



for: Christopher S. Mallery, Ph.D.
Acting Chief, Regulatory Branch

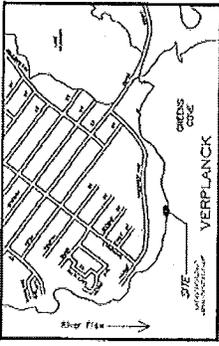
Enclosures

WORK DESCRIPTION

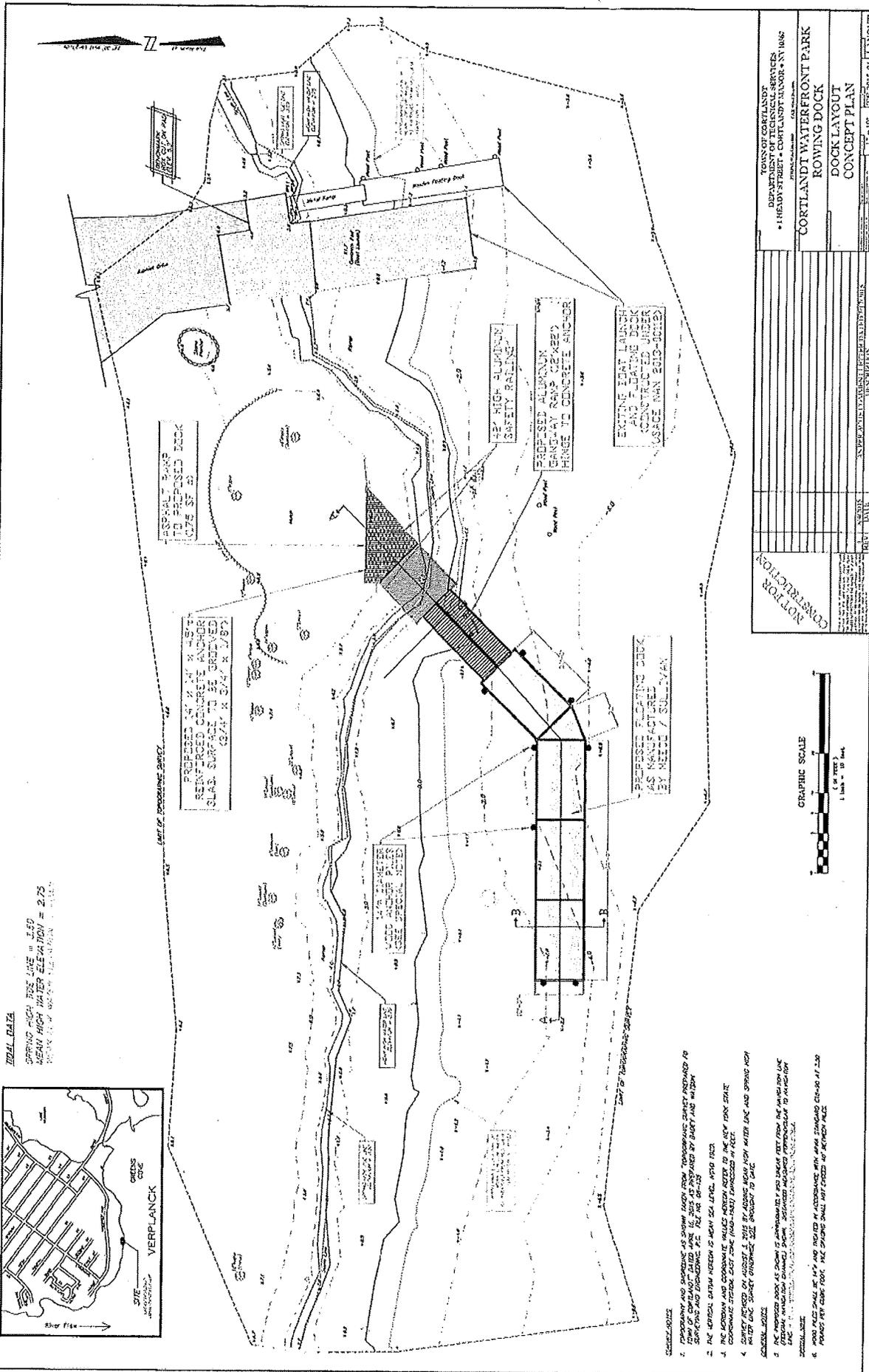
The applicant, the Town of Cortlandt, has requested Department of the Army authorization for the construction of a concrete anchor slab and installation of a seasonal aluminum gangway and pile-anchored floating platform within the Hudson River, in the Town of Cortlandt, Westchester County, New York.

The work would involve the placement of concrete along the shoreline within the existing stone embankment. The concrete anchor slab would be 14-feet wide by 14-feet long by 4.5-feet deep for a total of 196 square feet, of which 65 square feet would be below the spring high tide line. The concrete slab would anchor a seasonal aluminum gangway to the shore. The 12-foot wide by 22-foot long (264 square feet) aluminum gangway would be located below the mean high water line and would rise and fall with the tide. Lastly, a 12-foot wide by 80-foot long (960 square feet) seasonal floating platform would be installed at the end of the gangway. Floats would support the platform and the platform would be anchored by eight (8), 14-inch diameter wood piles (machine driven) spaced 20 feet apart. In the adjacent upland area, an asphalt ramp would lead from the structure to the existing parking lot. A turbidity curtain would be installed around all activities prior to construction and would be removed at the completion of construction activities.

The stated purpose of this project is to provide river access for non-motorized recreational vessels, including 20- to 60-foot long rowing boats. The floating platform would be used for launching purposes only; no boats would be anchored at the site.



LOCAL DATA
 SPRING HIGH TIDE LINE = 149
 MEAN HIGH WATER ELEVATION = 2.75
 TIDE GAUGE NO. 204



- GENERAL NOTES**
1. PROPOSED AND EXISTING DOCK SHALL BE CONSTRUCTED AS SHOWN EXCEPT FOR DIMENSIONS SHOWN OTHERWISE. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 2. THE APPROXIMATE LOCATION OF THE DOCK SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
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TOWN OF CORTLANDT DEPARTMENT OF TECHNICAL SERVICES 1 HESLO STREET • CORTLANDT TOWN • NY 10847	
CORTLANDT WATERFRONT PARK ROWING DOCK DOCK LAYOUT CONCEPT PLAN	
DATE	11/10/15
SCALE	1" = 10'
PROJECT NO.	NAN-2015-00821-WOM
DESIGNER	VERPLANCK
CLIENT	TOWN OF CORTLANDT
DATE	11/10/15
SCALE	1" = 10'
PROJECT NO.	NAN-2015-00821-WOM
DESIGNER	VERPLANCK
CLIENT	TOWN OF CORTLANDT

USACE PROJECT FILE NUMBER: NAN-2015-00821-WOM
 TOWN OF CORTLANDT

