

# 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-2013-01453  
Issue Date: February 9, 2015  
Expiration Date: March 11, 2015

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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: Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591

ACTIVITY: Dredging of approximately 7,500 cubic yards of sediment from the Hudson River in the area of the Tarrytown emergency services pier, adjacent to the Tarrytown Marina, with disposal of the resulting dredged material at a state-approved upland disposal site.

WATERWAY: Hudson River

LOCATION: Town of Tarrytown, 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

**CENAN-OP-RW**  
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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.

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 adversely affect federally endangered or threatened species, or their critical habitat. 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 dredging. 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.

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.

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 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

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

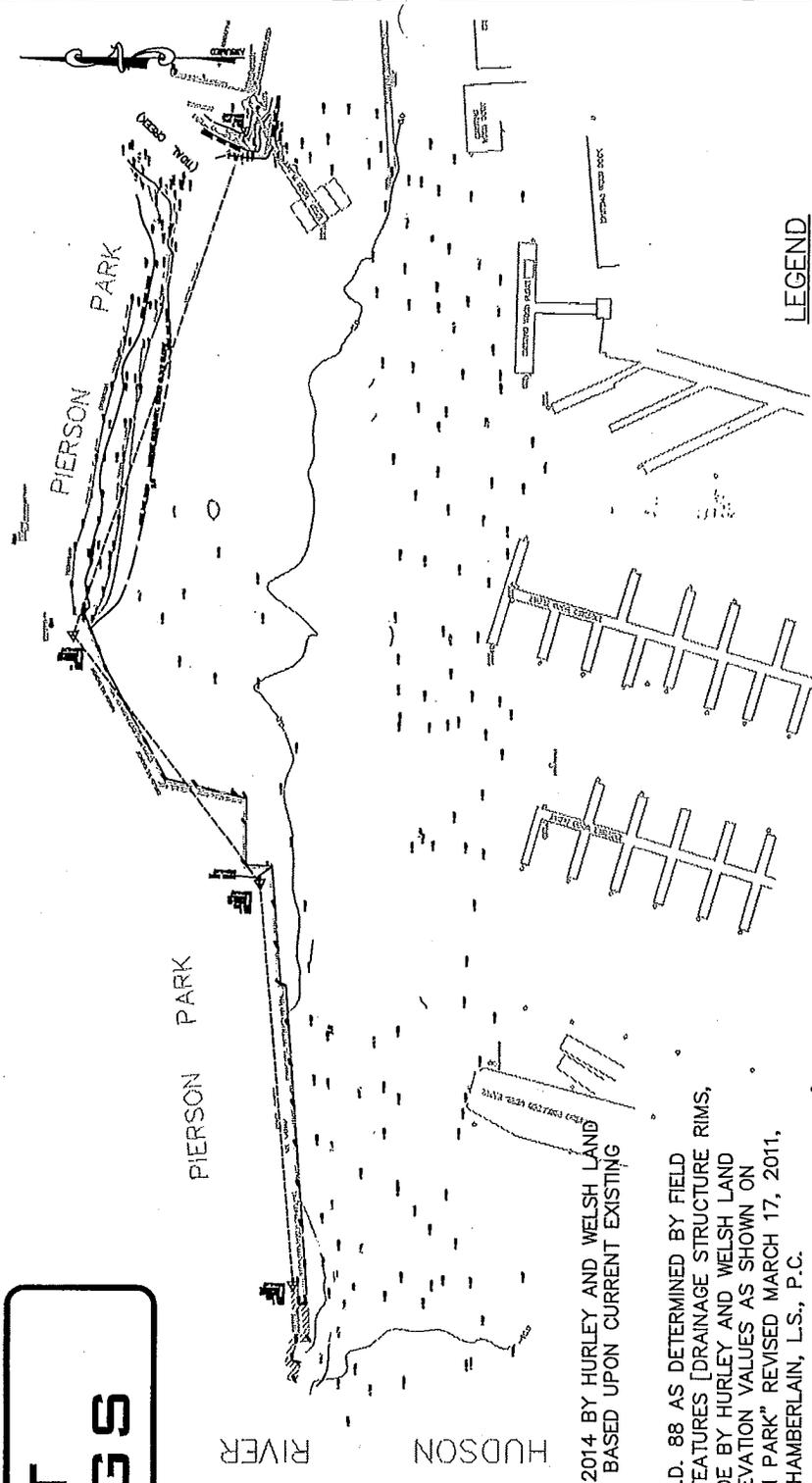
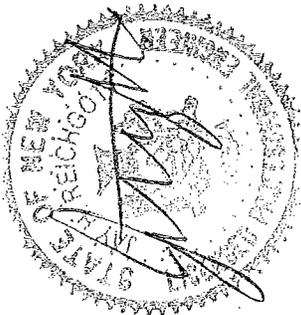
**WORK DESCRIPTION**

The applicant, Village of Tarrytown, has requested Department of the Army authorization for dredging within the Hudson River, in the Town of Tarrytown, Westchester County, New York, with disposal of the resulting dredged material at a state-approved upland disposal site.

The proposed work includes dredging approximately 7,500 cubic yards of sediment from an irregular-shaped area measuring 46,500 square feet, to a depth of 10 feet below the plane of mean low water (as well as a 2-foot allowable over-dredge). The dredging would be accomplished from a water-borne vessel using a clamshell bucket, environmental bucket, or cutter/suction dredge. All dredged material would be placed into a sealed scow or hopper barge and decanted for a minimum of 24 hours; then, the supernatant water would be pumped back into the river. The dredged material would be disposed of at an off-site state-approved upland facility. No stockpiling of the dredged material prior to transfer to the disposal facility is proposed, nor is reuse of any dredged material. Turbidity curtains, extending from the water surface to the bottom of the work area, would be installed during the proposed work to minimize release of sediment and other debris outside the work area. The proposed dredge area is located outside the Federal Navigation Channel.

The stated purpose of this project is to improve access to and use of the Tarrytown emergency vessel pier by water-borne emergency vessels, especially during low tide during which time the area is currently impassible.

# PERMIT DRAWINGS



**GENERAL NOTES**

1. SURVEY WAS PERFORMED JUNE - JULY, 2014 BY HURLEY AND WELSH LAND SURVEYING & ENGINEERING, PLLC, AND ARE BASED UPON CURRENT EXISTING CONDITIONS.
2. ALL ELEVATIONS SHOWN REFER TO N.A.V.D. 88 AS DETERMINED BY FIELD SURVEY MEASUREMENTS OF EXISTING SITE FEATURES [DRAINAGE STRUCTURE RIMS, SPOT ELEVATIONS ON PAVEMENT, ETC.] MADE BY HURLEY AND WELSH LAND SURVEYING & ENGINEERING, PLLC USING ELEVATION VALUES AS SHOWN ON PROVIDED "TOPOGRAPHIC SURVEY... PIERCION PARK" REVISED MARCH 17, 2011, SCALE 1" = 40', PREPARED BY SCOTT T. CHAMBERLAIN, L.S., P.C.
3. ALL ELEVATIONS SHOWN - BOTH ABOVE TIDE AND BELOW TIDE LEVEL - ARE IN THE SAME DATUM.
4. LINES SHOWN DELINEATING MEAN HIGH WATER [+1.76 FT.] AND MEAN LOW WATER [-1.47 FT.] ARE BASED UPON TIDAL DATUM BENCH MARK REFERENCES AS DETERMINED FROM NOAA TIDAL STATION "HAVERSTRAW", NATIONAL OCEAN SURVEY STATION NO. 851-8924.
5. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID COPY.

**EXISTING CONDITIONS PLAN**  
SCALE: N.T.S.

**LEGEND**

- MEAN HIGH WATER [ELEV. +1.76 FEET]
- MEAN LOW WATER [ELEV. -1.47 FEET]
- 10'- MAJOR CONTOUR
- MINOR CONTOUR
- ==== RETAINING WALL/BULKHEAD
- o o WOOD PILES
- △ SURVEY CONTROL STATION
- x 5.15 SPOT ELEVATION [ELEVATION GROUND]
- x -2.15 SOUNDING [ELEVATION OF BOTTOM]

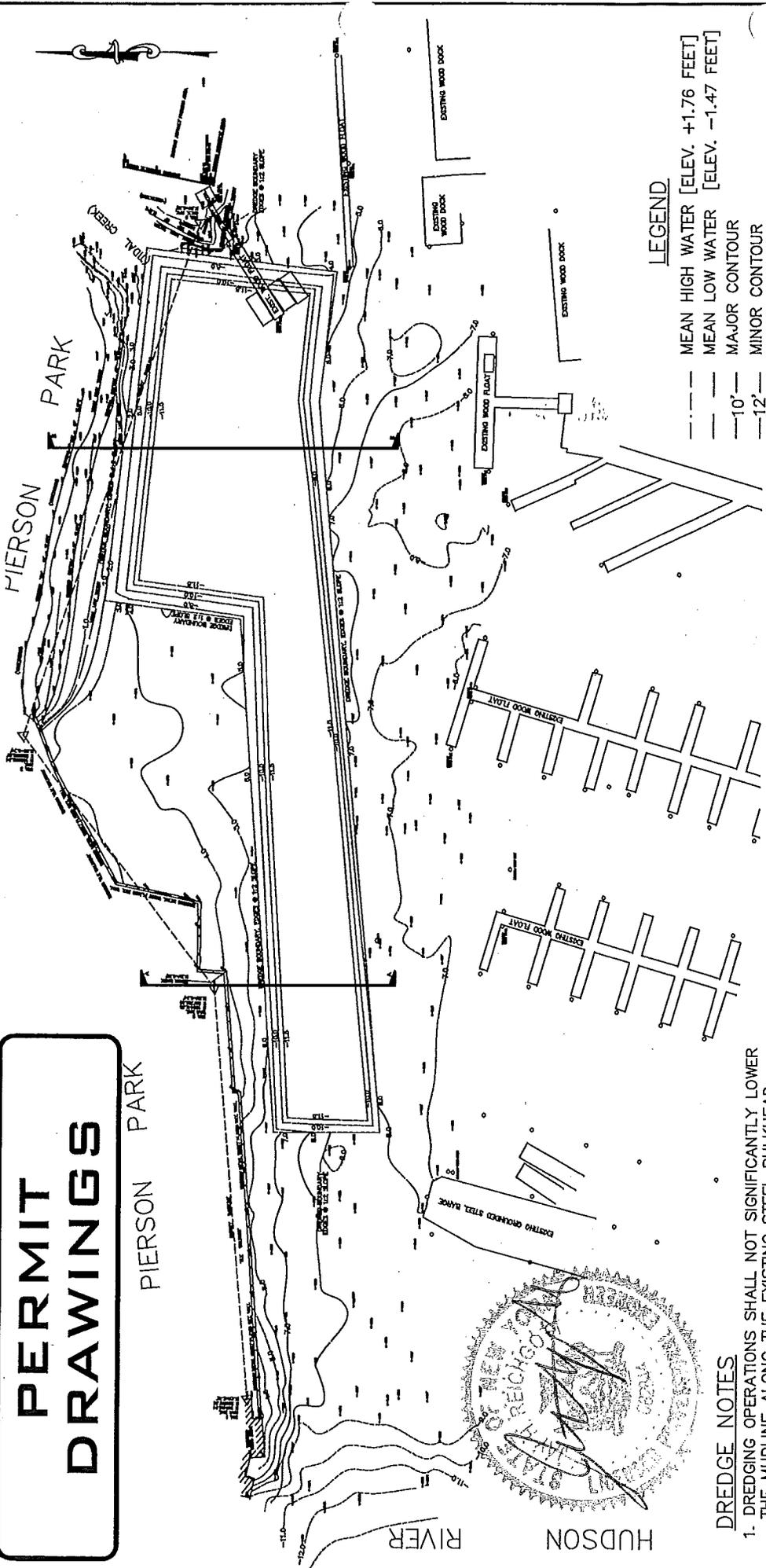
**REICHGOTT ENGINEERING, LLC**  
98 POMONA ROAD  
SUFFERN, NEW YORK 10901  
845-354-1544  
WWW.REICHGOTT.COM

DRAFTING SERVICES PROVIDED BY:  
**RY DESIGN SERVICES, LLC**  
DRAFTING COLLABORATIVELY - WWW.RYDS-LLC.COM

PERMIT SET - NOT FOR CONSTRUCTION		TARRYTOWN, NEW YORK	
TARRYTOWN DREDGE PERMIT			
TARRYTOWN DREDGE EXISTING CONDITIONS			
SIZE	APPROVED	DWG NO.	REV
A	JHR	PMT-01	REV
DESIGN: JHR	DRAWN: RLY	CHECKED: JHR	DATE: 08/14/14
ISSUED FOR ARMY CORP OF ENG. SUBMITTAL	DATE	APPRVD	JHR
0	10/04/14	JHR	JHR
REV	REVISIONS	DATE	APPRVD
SCALE	NOT TO SCALE	SHEET	1 OF 2

# PERMIT DRAWINGS

PIERSON PARK



**DREDGE NOTES**

- DREDGING OPERATIONS SHALL NOT SIGNIFICANTLY LOWER THE MUDLINE ALONG THE EXISTING STEEL BULKHEAD.
- DREDGE DESIGN PARAMETERS ARE AS FOLLOWS:  
 DREDGE AREA: 46,500 SF  
 DESIGN DREDGING PROFILE: --- 5,575 CY  
 OVERDREDGE ALLOWANCE (2'): - 1,925 CY  
 MAXIMUM PROPOSED: ----- 7,500 CY

**PROPOSED WORK PLAN**  
SCALE: N.T.S.

**LEGEND**

- MEAN HIGH WATER [ELEV. +1.76 FEET]
- - - MEAN LOW WATER [ELEV. -1.47 FEET]
- 10'- MAJOR CONTOUR
- 12'- MINOR CONTOUR
- ==== RETAINING WALL/BULKHEAD
- ○ WOOD PILES
- △ SURVEY CONTROL STATION
- x 5.15 SPOT ELEVATION [ELEVATION GROUND]
- x -2.15 SOUNDING [ELEVATION OF BOTTOM]

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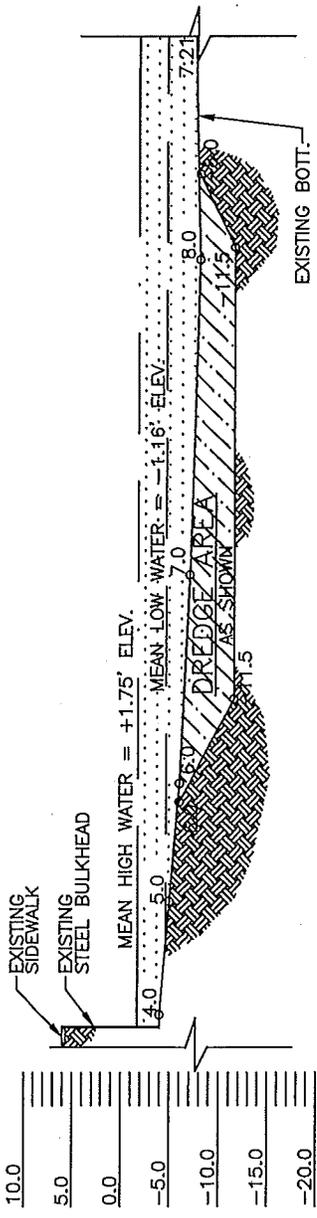
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 DRAFTING COLLABORATIVELY - WWW.RYDS-LLC.COM

3	REVISED DREDGE NOTES	1/22/15	JHR		PERMIT SET - NOT FOR CONSTRUCTION
2	REVISED DREDGE DEPTH TO -11.5	1/8/2015	JHR		TARRYTOWN, NEW YORK
1	ADDED DREDGE CROSS SECTIONS	11/18/14	JHR		TARRYTOWN DREDGE PERMIT
0	ISSUED FOR ARMY CORP OF ENG. SUBMITTAL	10/04/14	JHR		TARRYTOWN DREDGE PROPOSED WORK
REV	REVISIONS	DATE	APPRVD	SIZE	APPROVED
				A	JHR
				DWG NO.	PMT-02
				REV	REV
DESIGN: JHR	DRAWN: RLY	CHECKED: JHR	DATE: 08/14/14	SCALE: NOT TO SCALE	SHEET: 2 OF 5

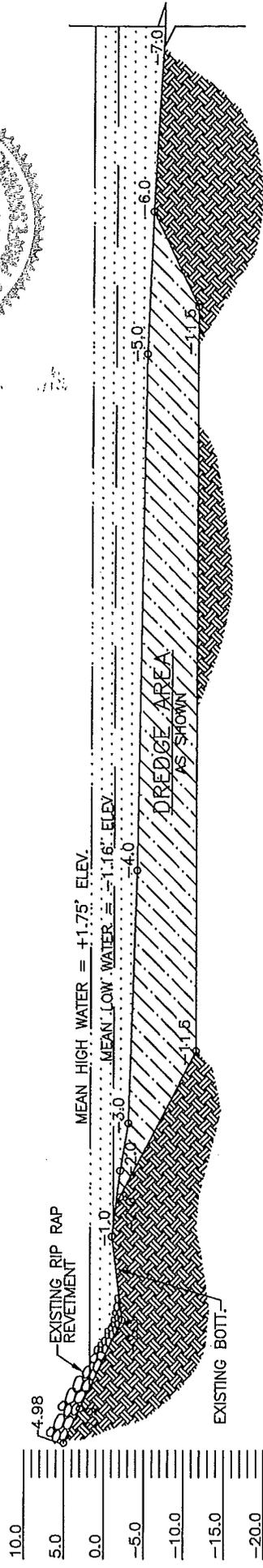
# PERMIT DRAWINGS

## GENERAL NOTES

1. DREDGING OPERATIONS SHALL NOT SIGNIFICANTLY LOWER THE MUDLINE ALONG THE EXISTING STEEL BULKHEAD.
2. ALL DREDGE BOUNDARIES SHALL BE ON A 2:1 SLOPE.



CROSS SECTION A-A  
SCALE: N.T.S.



CROSS SECTION B-B  
SCALE: N.T.S.

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PERMIT SET - NOT FOR CONSTRUCTION		TARRYTOWN, NEW YORK	
TARRYTOWN DREDGE PERMIT			
TARRYTOWN DREDGE DREDGE CROSS SECTIONS			
SIZE	APPROVED	DWG. NO.	REV
A	JHR	PMT-03	
DESIGN: JHR	DRAWN: RLY	CHECKED: JHR	DATE: 08/14/14
1	REVISED DREDGE DEPTH TO -11.5	1/8/2015	JHR
0	ISSUED FOR ARMY CORP OF ENG. SUBMITTAL	11/18/14	JHR
REV	REVISIONS	DATE	APPRVD
SCALE: NOT TO SCALE		SHEET 3 OF 3	

**GENERAL NOTES**

1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH TERMS AND CONDITIONS OF ALL PERMITS ISSUED BY ANY REGULATING AGENCY HAVING JURISDICTION OVER THE WORK OF THIS PROJECT. CONTRACTOR IS RESPONSIBLE FOR CONFORMING WITH ALL PERMIT REQUIREMENTS AND IS RESPONSIBLE FOR POSTING ALL NOTICES, PERMITS, AND MODIFICATIONS.
  2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE OSHA REGULATIONS AND SAFETY PROCEDURES TO ENSURE PERSONNEL HEALTH AND SAFETY. THE CONTRACTOR MUST MAINTAIN A SAFE AND CLEAN WORKING ENVIRONMENT AND SHALL ASSURE PROPER PERSONAL PROTECTIVE EQUIPMENT AT ALL TIMES. IN AREAS WHERE PEDESTRIAN AND/OR VEHICULAR TRAFFIC MAY BE AFFECTED BY THE WORK, THE CONTRACTOR SHALL CORDON OFF THE WORK AREA.
  3. THE CONTRACTOR SHALL EXERCISE EXTREME CARE TO PREVENT DAMAGE TO EXISTING STRUCTURES BY OR AS A RESULT OF HIS OPERATIONS. ANY DAMAGE RESULTING FROM THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED AT NO ADDITIONAL COST TO THE OWNER.
  4. ALL DEBRIS AS RESULT OF OR IN THE IMMEDIATE VICINITY OF THE WORK SHALL BE RECOVERED AND PROPERLY DISPOSED OF BY THE CONTRACTOR.
  5. CONTRACTOR'S STORAGE AREA: STAGING/LAYDOWN AREAS, AS APPROVED BY THE OWNER'S REPRESENTATIVE, SHALL BE RESTORED BY THE CONTRACTOR TO THE EXISTING CONDITION PRIOR TO THE CONTRACTOR'S DEMOBILIZATION FROM THE SITE.
  6. CONTRACTOR WILL ENSURE THAT ALL PIPES, CATCH BASINS, MANHOLES, SWALES, ETC. WITHIN AND NEAR TO THE AREA OF WORK ARE KEPT FREE FROM MATERIAL THAT COULD HAMPER THE PERFORMANCE OF THE DRAINAGE SYSTEMS.
- WORK AREA ISOLATION**
1. THE CONTRACTOR SHALL EMPLOY ALL BEST PRACTICES, INCLUDING, BUT NOT LIMITED TO, TURBIDITY CURTAINS, TO ENSURE NO SEDIMENT OR OTHER DEBRIS LEAVES THE WORK AREA AND ENTERS INTO THE ADJACENT WATERWAY.
  2. TURBIDITY CURTAINS SHALL EXTEND FROM THE WATER SURFACE TO THE BOTTOM OF THE WORK AREA AND SHALL BE SECURED AT THEIR ENDS TO ISOLATE THE DREDGING AREA.



**DEPOSITION OF DREDGE SPOILS**

1. ALL DREDGE SPOILS SHALL BE DISPOSED OF AT AN APPROPRIATELY CERTIFIED UPLAND FACILITY
2. PRIOR TO THE START OF ANY FIELD WORK, THE CONTRACTOR SHALL SUBMIT A SPOILS DEPOSITION PLAN. AT A MINIMUM THIS PLAN WILL IDENTIFY:
  - a. THE NAME AND LOCATION OF THE RECEIVING FACILITY.
  - b. THE METHOD OF TRANSPORT AND TREATMENT OF THE SPOILS.
  - c. THE PROCEDURE FOR THE TRACKING AND VERIFICATION OF ALL SPOILS FROM DREDGE SITE TO FINAL DISPOSAL LOCATION.
3. NO FIELD WORK SHALL BE STARTED UNTIL THE SPOILS DEPOSITION PLAN HAS BEEN APPROVED BY THE VILLAGE OF TARRYTOWN, THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, AND ANY OTHER AGENCY WITH JURISDICTION OVER THE PROJECT.

**PERMIT DRAWINGS**

PERMIT SET - NOT FOR CONSTRUCTION		TARRYTOWN, NEW YORK	
TARRYTOWN DREDGE PERMIT			
TARRYTOWN DREDGE DREDGE NOTES AND DATA			
REV	ISSUED FOR ARMY CORP OF ENG. SUBMITTAL	DATE	APPRVD
1	ADDED DREDGE NOTES AND DATA	01/22/15	JHR
0	ISSUED FOR ARMY CORP OF ENG. SUBMITTAL	10/04/14	JHR
REV	REVISIONS	DATE	APPRVD
DESIGN: JHR	DRAWN: RLY	CHECKED: JHR	DATE: 08/14/14
		SCALE	NOT TO SCALE
		SHEET	24 OF 5

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