

# 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-2015-00024-UCO  
Issue Date: April 14, 2015  
Expiration Date: May 14, 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: Gaines Marina and Services, Inc.  
141 Lake Street  
Rouses Point, New York 12979

ACTIVITY: To maintain, as previously completed, and expand an existing marina

WATERWAY: Lake Champlain

LOCATION: Village of Rouses Point, Clinton 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 John Connell AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO [john.r.connell@usace.army.mil](mailto:john.r.connell@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.

According to the list of Federally-listed species on the website for the New York Field Office of the U.S. Fish and Wildlife Service one endangered species, the Indiana bat (*Myotis sodalis*), and the Northern Long-eared bat (*Myotis septentrionalis*), a species that is listed as threatened effective on May 4, 2015, may occur in the vicinity of the project site. However, because the project site is located well over 40 miles from the closest known Indiana bat hibernaculum, and the proposal would not involve the removal of any trees on the site, our determination is that the activity for which authorization is sought herein will have no effect on 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), 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.

According to the CorpsMaps GIS database there are no sites listed on the National Register of Historic Places within the area of potential effect of the project. However, based upon information provided by the applicant, 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.

The applicant has obtained or requested the following governmental authorization for the activity under consideration:

- Article 15, Title 5 permit from New York State Department of Environmental Conservation
- Use of State-owned lands underwater from NYS Office of General Services

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 John Connell of this office at (518) 266-6357.

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

  
b7c  
Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

## WORK DESCRIPTION

The applicant, Gaines Marina and Services, Inc., has requested Department of the Army (DA) authorization for the maintenance of structures previously placed in Lake Champlain, and for the placement of new structures. The site is located at 141 Lake Street, in the Village of Rouses Point, Clinton County, New York.

A marina facility has been operating at the project site for several years. On November 25, 2011, this office issued DA Permit No. NAN-2011-00253 to the applicant for the maintenance of the previously completed marina facility, and additional improvements including the construction of a rock breakwater, establishment of a mooring field and reconfiguration perimeter, and placement of floating wave attenuators. The purpose of this work was to expand the existing marina to a total permanent mooring capacity of approximately 235 vessels.

In the last three years, the applicant further expanded the facility to its current alignment and capacity. In 2012, they added 14 mooring buoys to the mooring field to total the 49 moorings that currently exist. In 2014, the applicant modified and extended some of the floating docking facilities, including extending and adding finger slips and constructing a 20' wide by 30' long viewing platform dock, to increase the non-transient docking capacity from 200 vessels to the existing non-transient capacity of 205 vessels and 8 slips for gas and/or services. The applicant has indicated the total current non-transient mooring capacity of the marina is 254 vessels.

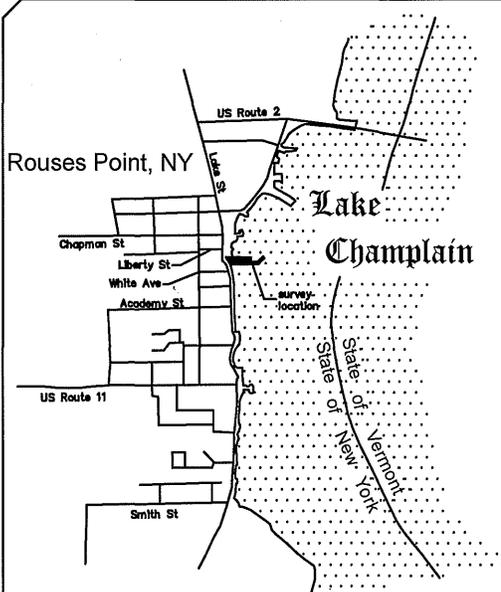
The project would maintain the previously completed expansions performed at the facility, including by extending the authorized 10.1-acre reconfiguration perimeter to the north and east, which would result in an 11.8-acre perimeter. Also, the proposal would extend the authorized 10.7-acre limits of the mooring field to the east and south, resulting in a 23.2-acre mooring field. Further, the applicant proposes to expand the existing non-transient maximum docking potential to 211 boat slips and 49 moorings, and add 19 transient slips and 11 transient moorings, for a total mooring capacity of 290 vessels. To accommodate the increased non-transient docking capacity, the applicant also proposes to extend the existing 8' wide by 120' long floating wave attenuator by adding another 8' wide by 60' long section. To accommodate the increased mooring field capacity, the applicant also proposes to expand the existing T-shaped dinghy dock, which consists of three 8' wide by 20' long sections attached to two 8' wide by 20' long T-sections and attached to the shore by a 40' long ramp, by adding two more 8' wide by 20' long sections. In addition, the associated 3' wide by 60' long floating wave attenuator is proposed to be expanded by adding two 3' wide by 20' long sections.

The stated purpose of this project is to maintain and expand an existing marina.

— DHL —  
**Dean H. Lashway, L.S., P.C.**

Boundary Surveys - Residential & Commercial Subdivisions  
 Topographic & Construction Surveying  
 2788 Miner Farm Rd  
 Altona, New York 12910  
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 Email - DHLSurveying@AOL.com

JOB Gaines Marina and Services, Inc.  
 Sheet No. 1 Of 16  
 Drawn By JOG Date 02/20/15  
 Checked By DHL Date 02/23/15  
 Scale None



General Location Map

**Drawing Index**

- 1 - General Location Map and Drawing Sheet Index
- 2- 2010 Dock Plan A, Permit No. 2010-00253
- 3- 2010 Dock Plan B, Permit No. 2010-00253
- 4- 2010 Mooring Plan, Permit No. 2010-00253
- 5- Combined 2010 Dock Plan & Existing Dock Plan A
- 6- Combined 2010 Dock Plan & Existing Dock Plan B
- 7- Proposed Mooring Plan
- 8 - Overall Dock Plan
- 9 - Existing Dock Plan A
- 10 - Existing Dock Plan B
- 11 - Existing Dock Plan C
- 12 - Proposed Dock Plan with Transient dock expansion
- 13 - Floating Breakwater Detail
- 14 - Boat Mooring Detail
- 15 - Dinghy Extension Detail
- 16 - Dinghy Floating Breakwater

**Legend**

- Proposed Mooring
- Permit Mooring
- — — — — Proposed Reconfiguration Limits
- - - - - Existing Reconfiguration Limits
- - - - - Existing Mooring Limits
- - - - - Proposed Mooring Limits

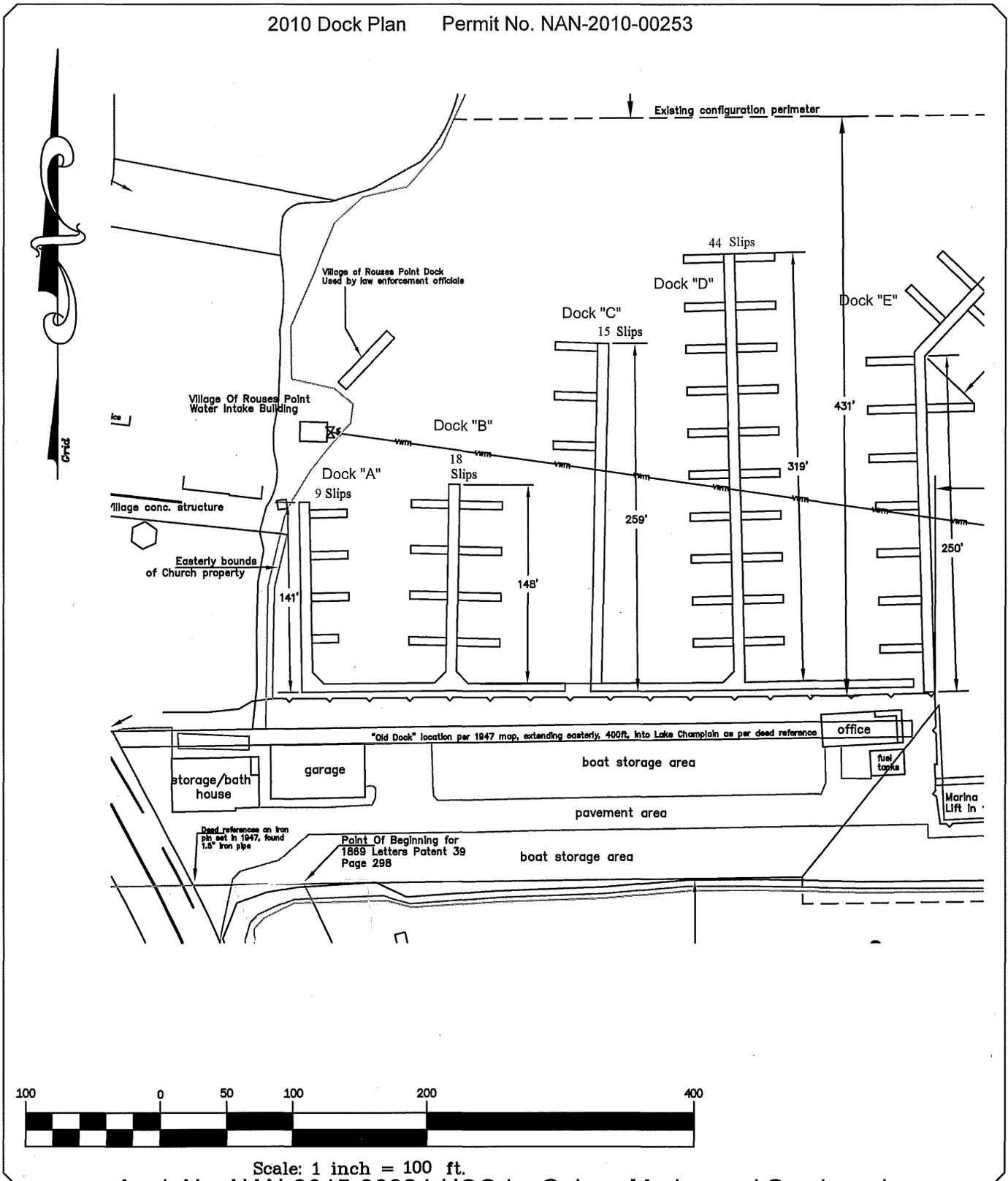
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### 2010 Dock Plan Permit No. NAN-2010-00253



Scale: 1 inch = 100 ft.

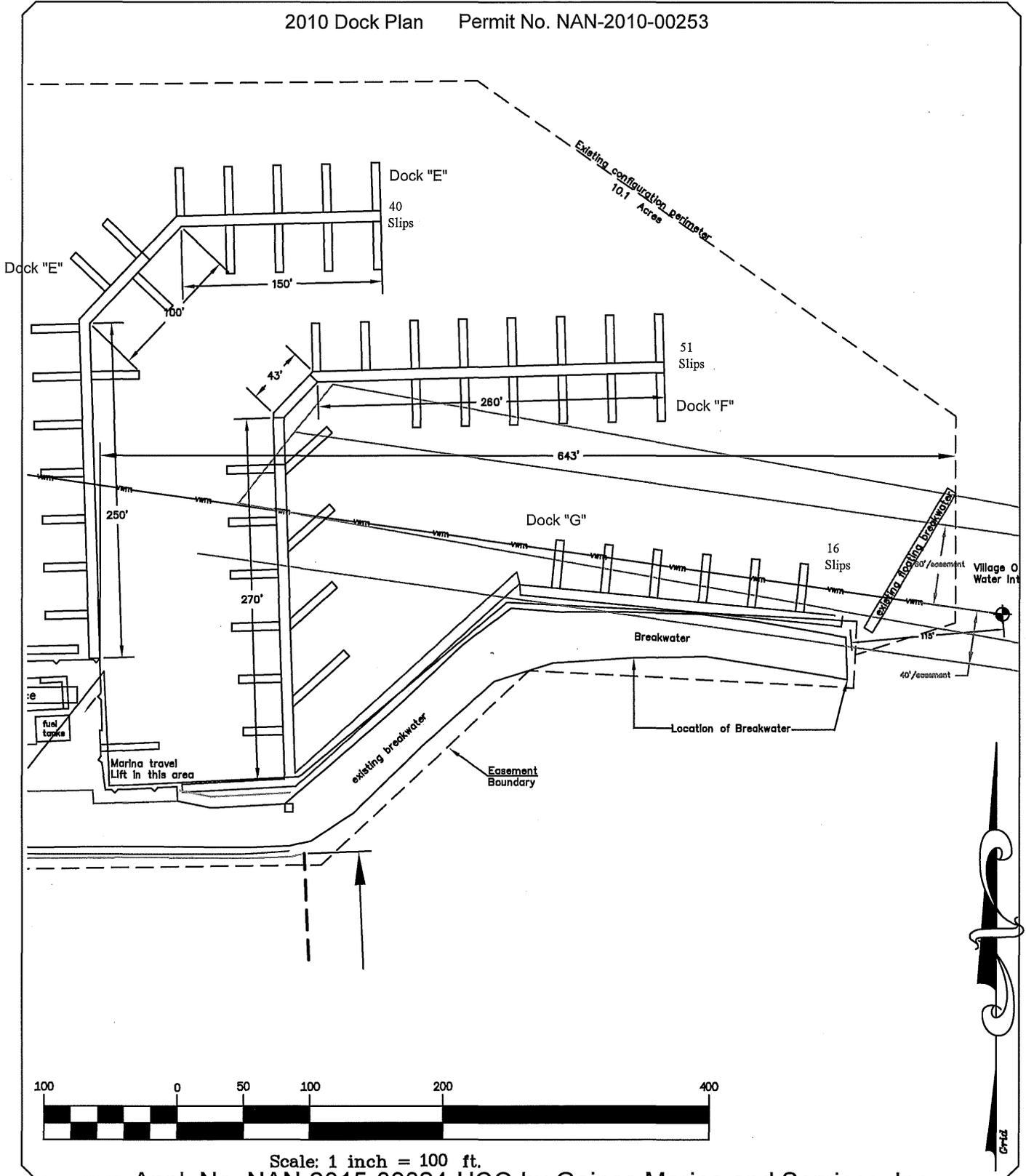
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**2010 Dock Plan Permit No. NAN-2010-00253**



Scale: 1 inch = 100 ft.

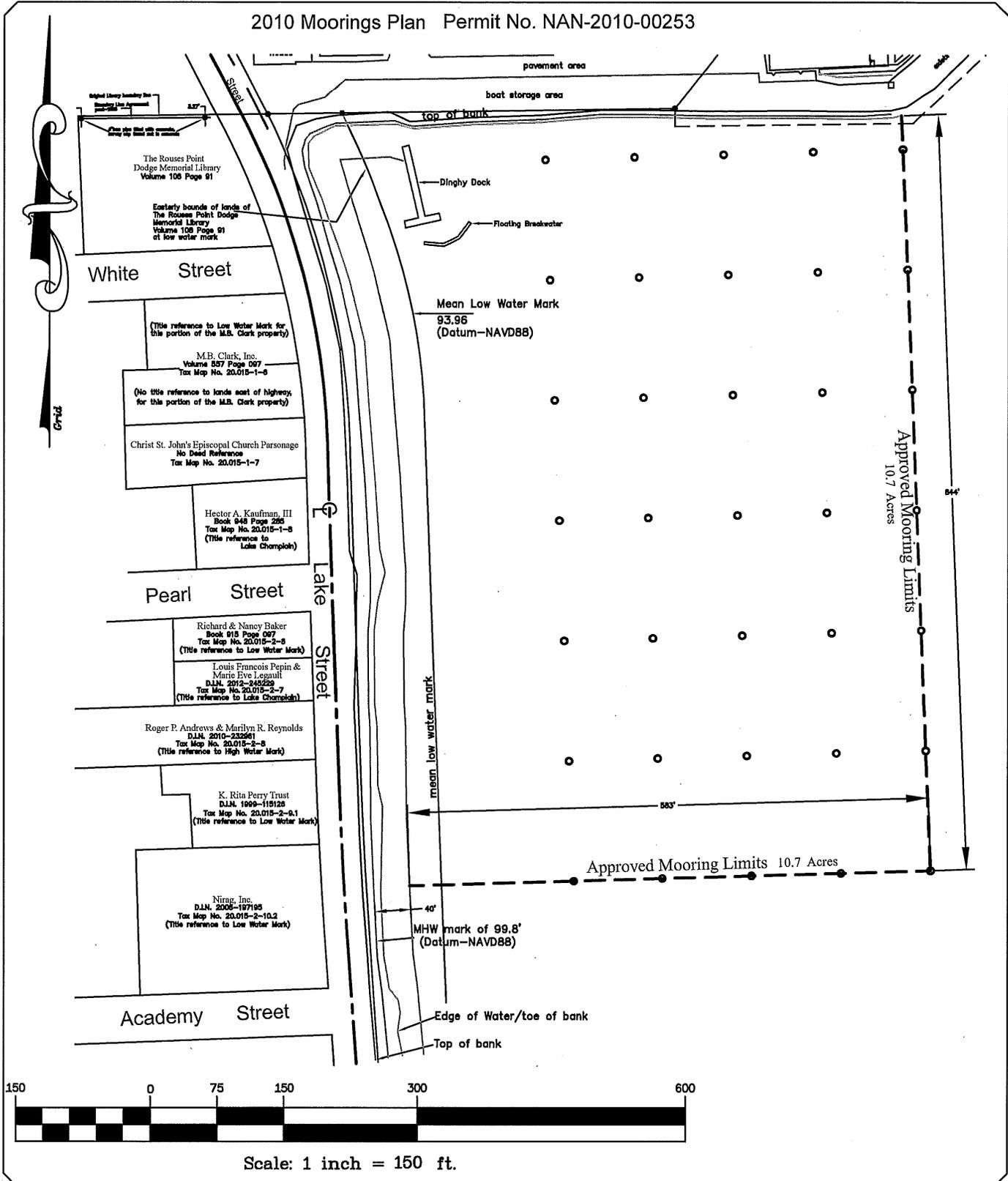
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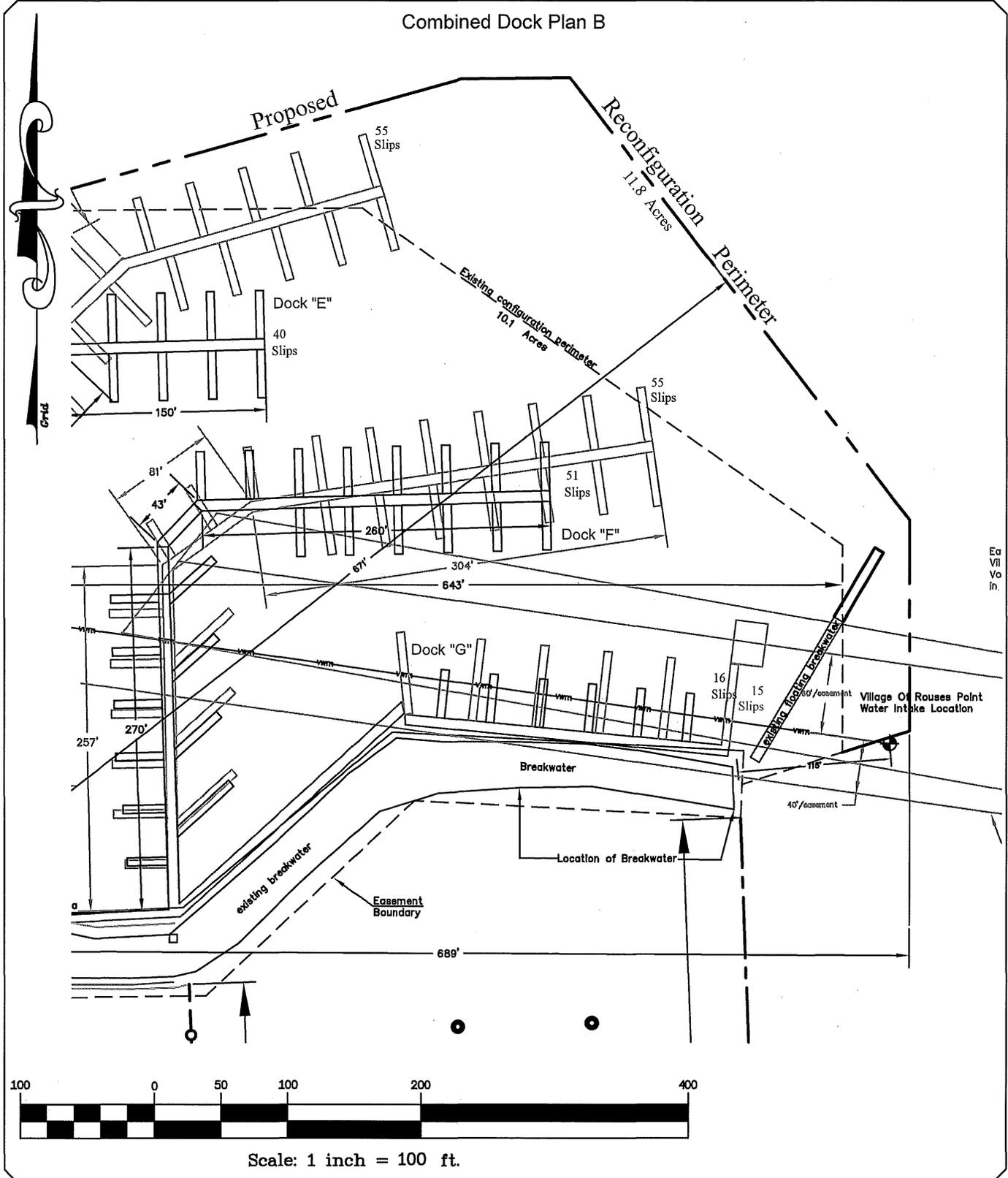


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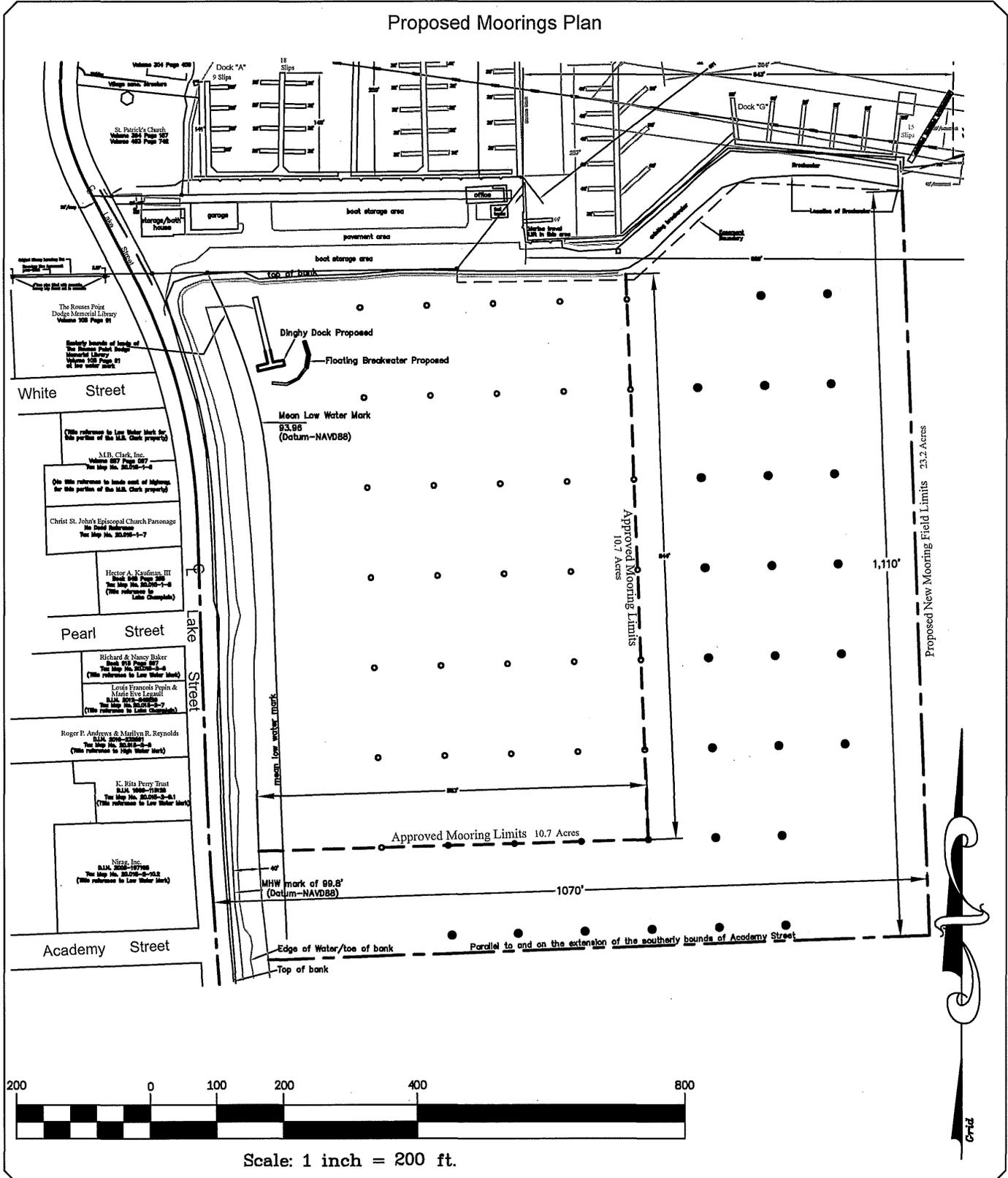
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### Proposed Moorings Plan



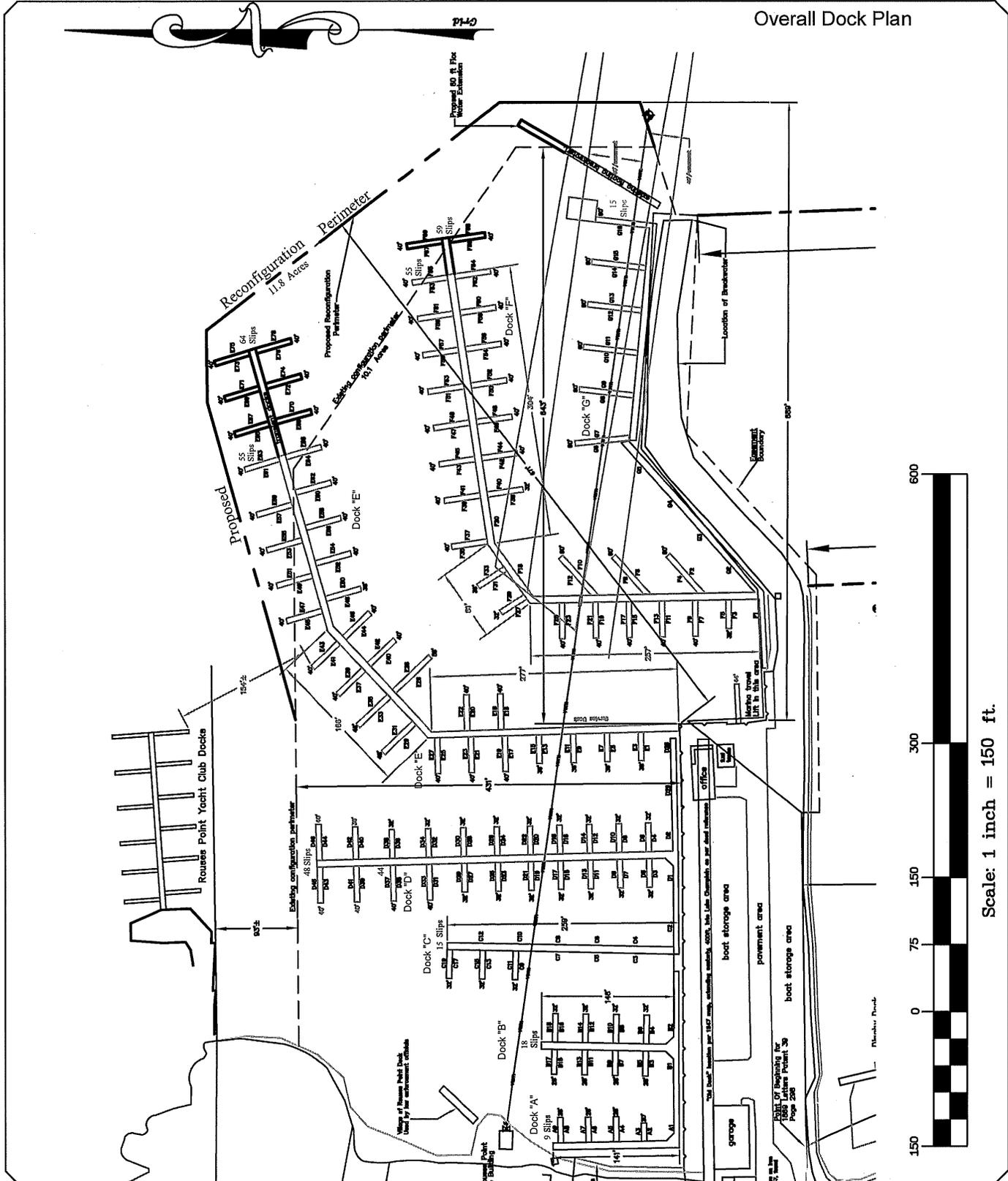
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Overall Dock Plan



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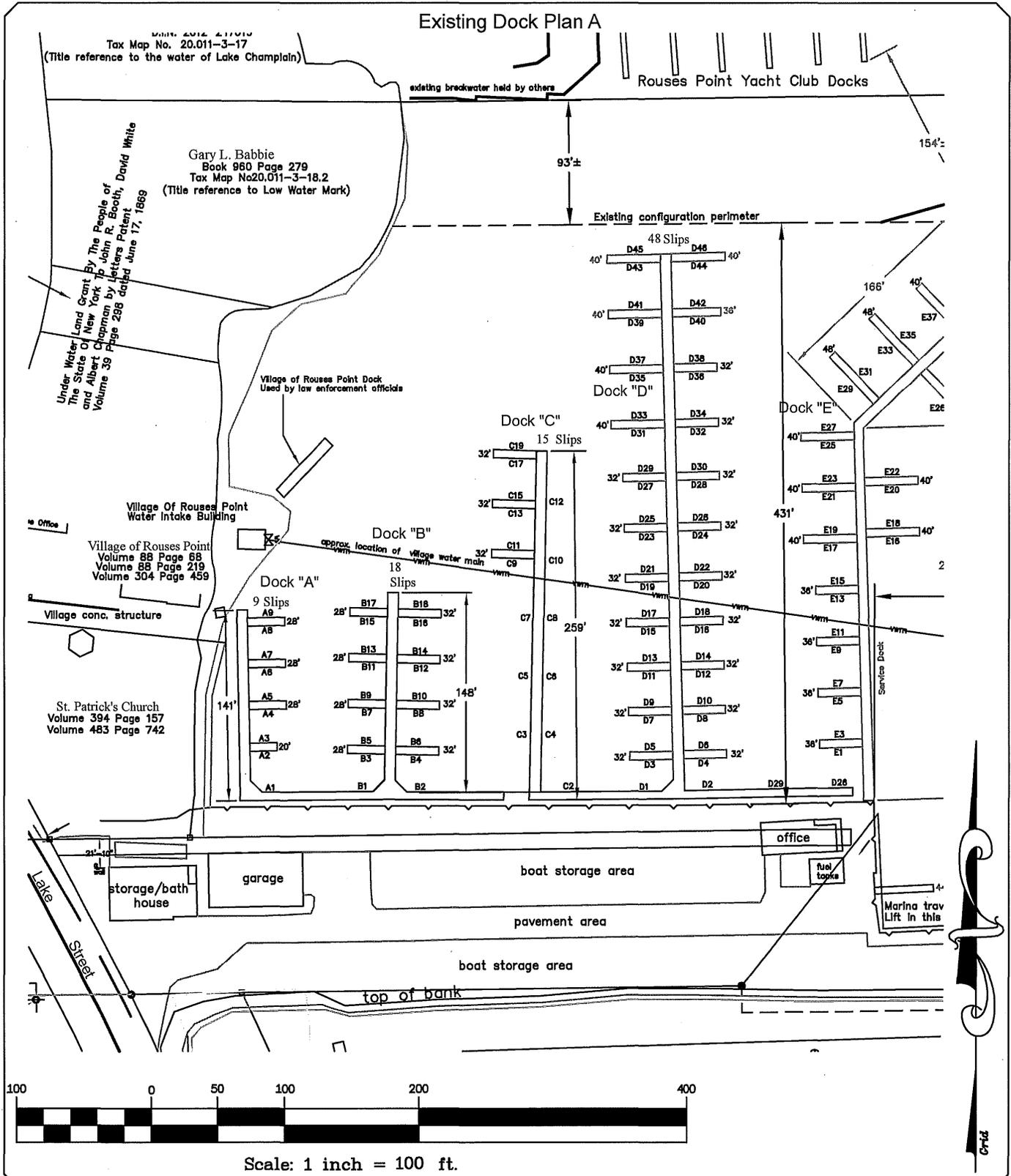
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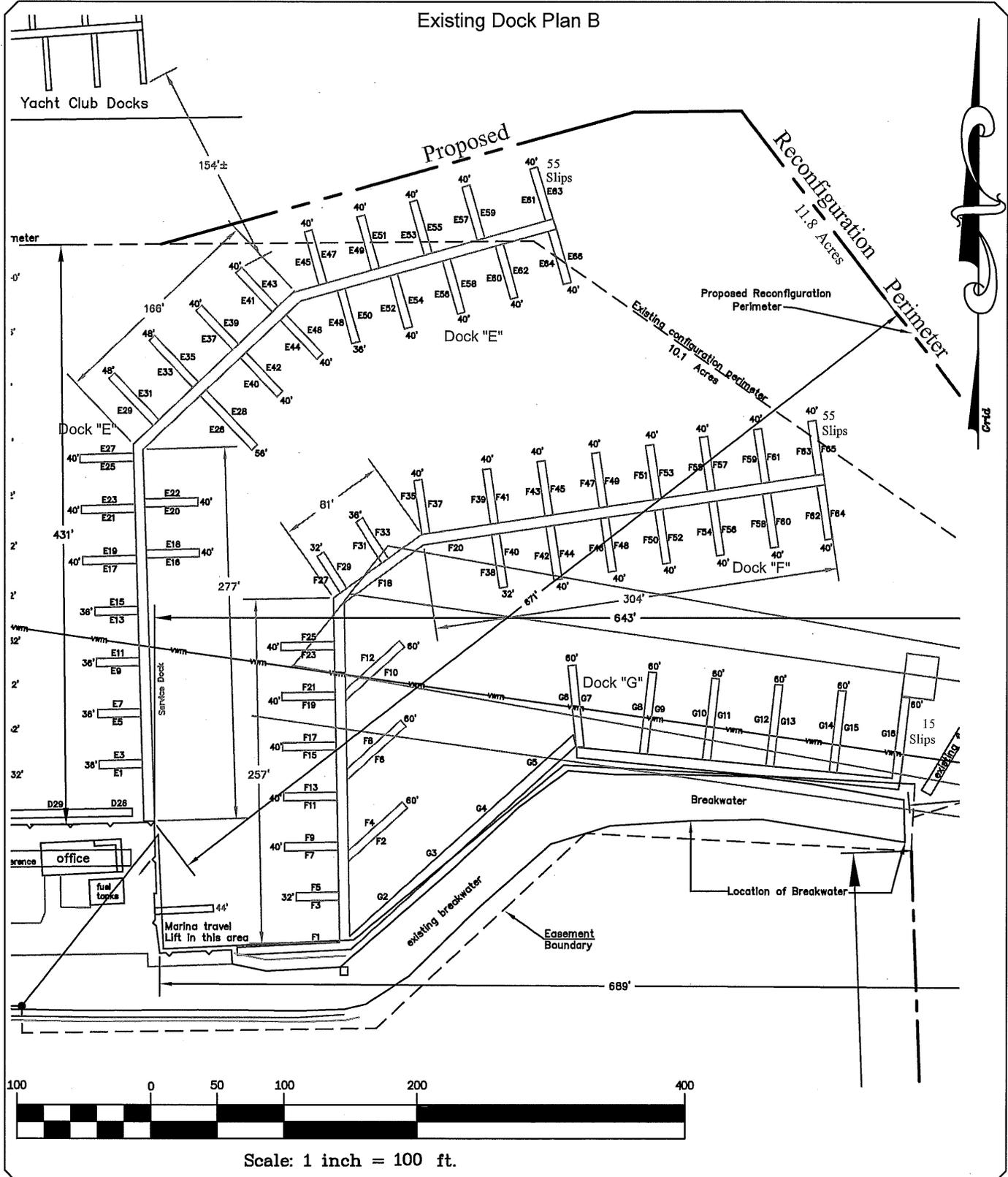


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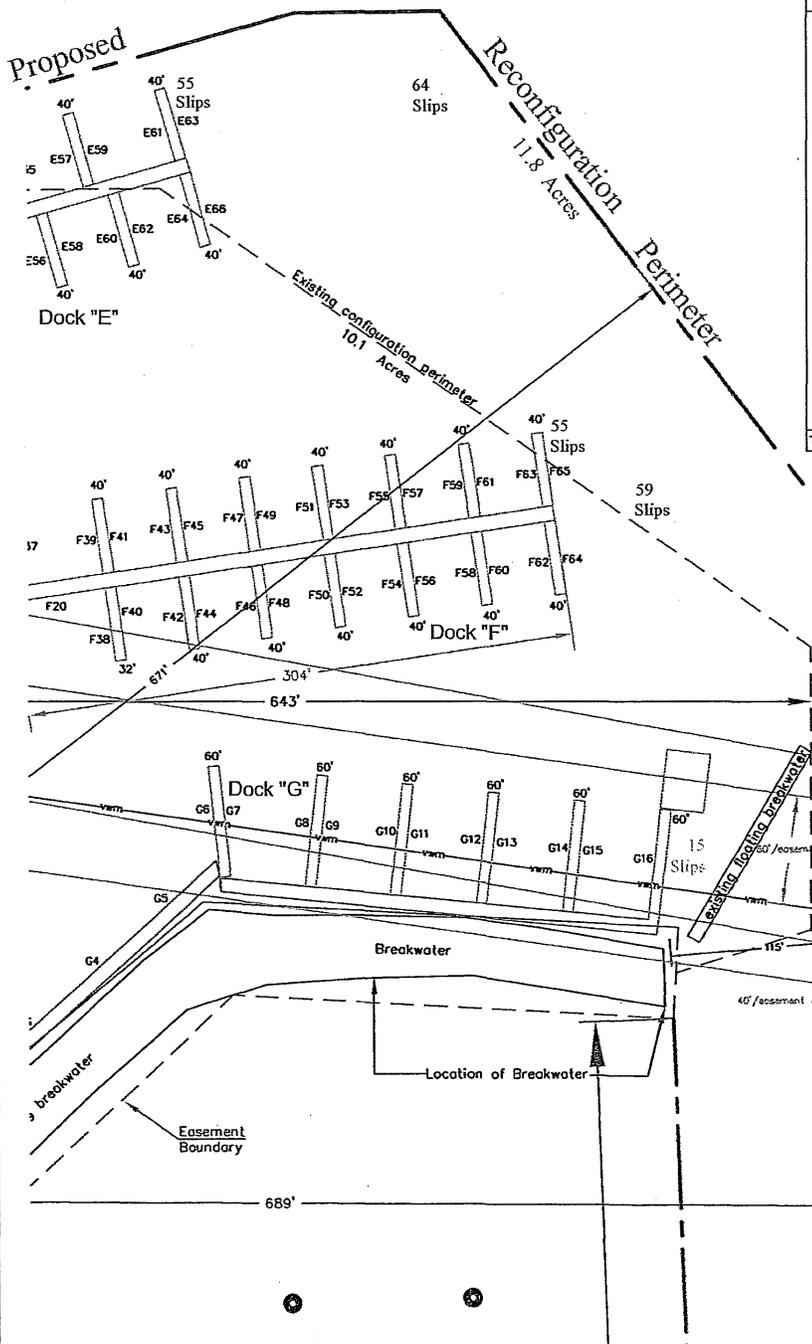
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Existing Dock Plan C

Proposed



BERTHING SCHEDULE					
DOCK	LENGTH	BEAM	NO. OF SLIPS	LINEAR FEET	SQ FEET
A	28	9	7	196	1764
A	20	9	2	40	360
B	28	9	9	252	2268
B	32	10	9	288	2880
C	32	12	7	224	2688
C	50	15	8	400	6000
D	32	12	36	1152	13824
D	36	13	2	72	936
D	40	15	10	400	6000
E	36	14	10	360	5040
E	40	15	48	1920	28800
E	48	16	4	192	3072
E	56	16	2	112	1792
F	32	10	5	160	1600
F	36	12	2	72	864
F	40	15	46	1840	27600
F	60	16	6	360	5760
G	50	15	5	250	3750
G	60	16	10	600	9600
TLW	40	15	1	40	600
<b>TOTAL</b>			<b>229</b>	<b>8930</b>	<b>125198</b>

Easement granted to the Village of Rouses Point, dated May 19, 1964 Volume 15 of Misc. Deeds and Title Papers, in the Department of State

Village Easement limits using referenced distances from existing water line



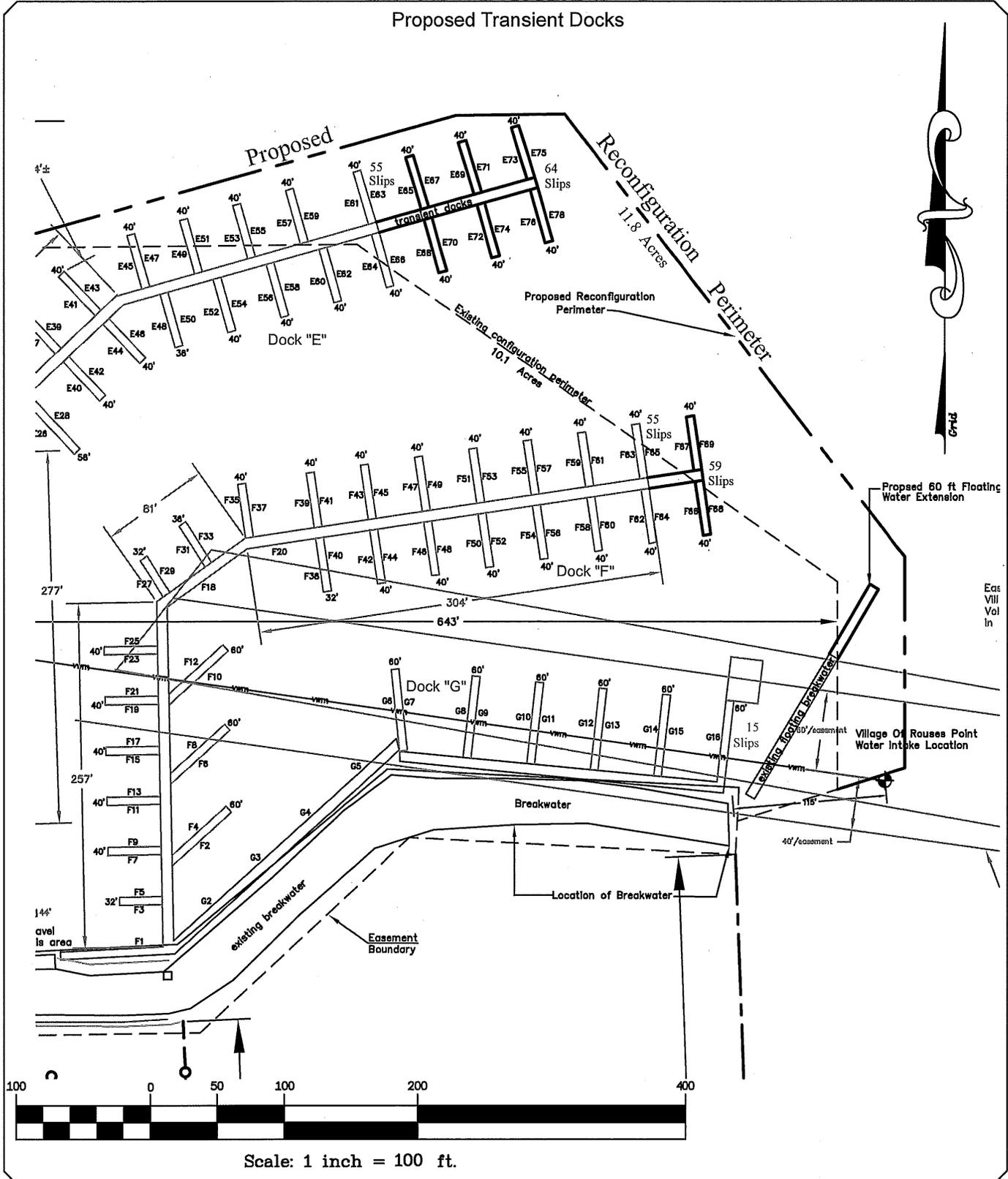
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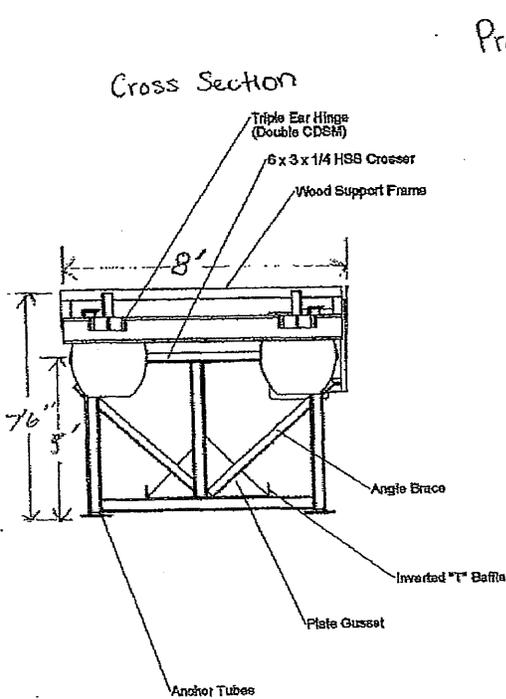


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Floating Breakwater Detail



Proposed Floating Breakwater  
 for Dock Expansion  
 Gaines Marina

Each section is 60 ft long x 8 ft wide

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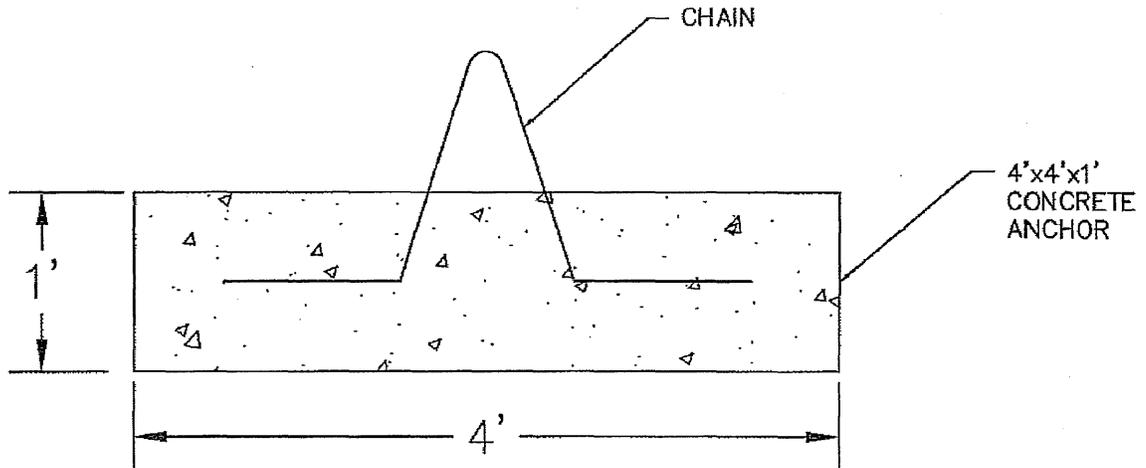
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Boat Mooring Detail



CONCRETE ANCHOR DETAIL

GAINES MARINA

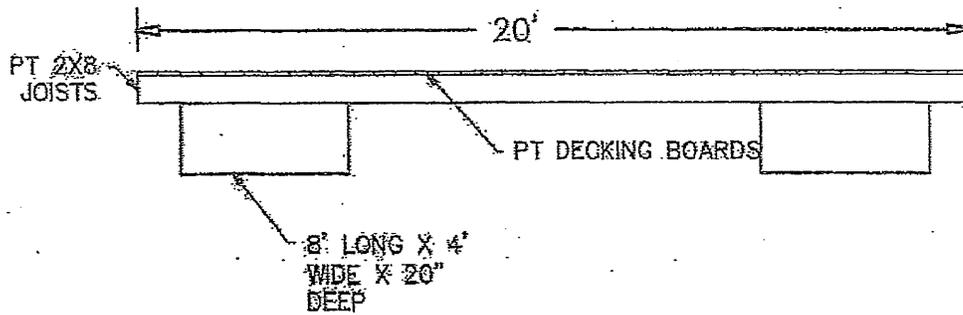
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Dinghy Dock Detail



DINGHY DOCK  
SECTION

GAINES MARINA

SCALE = 1" = 4'-0"

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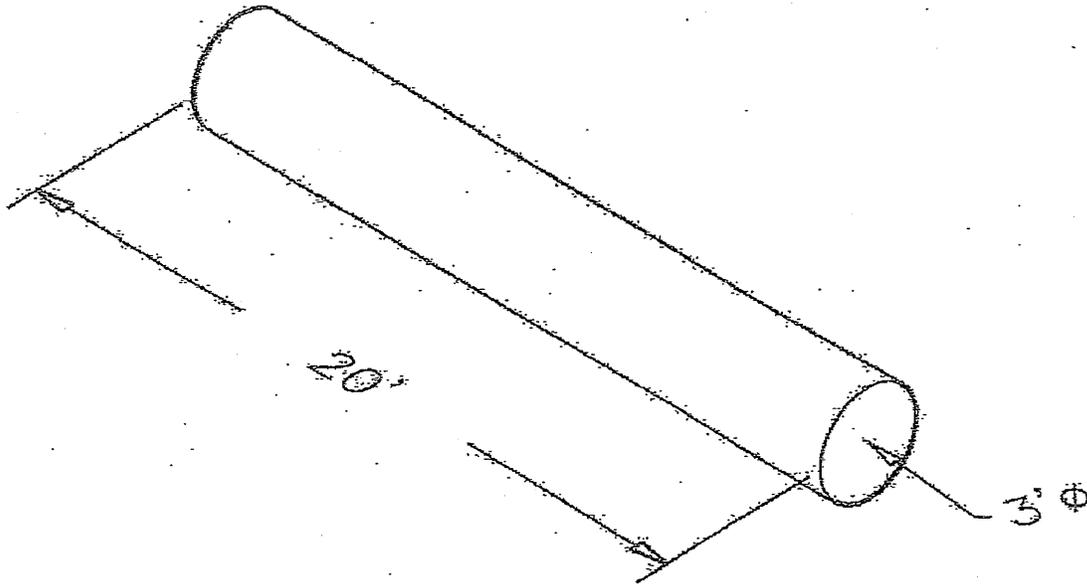
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Scale 1"=100'

Dinghy Floating Breakwater Detail



FLOATING BREAKWATER AT DINGHY DOCK

- NOT ASSESSABLE TO PUBLIC
- CONCRETE ANCHORS AT EACH END TO HOLD IN PLACE

GAINES MARINA

SCALE = 1" = 4'-0"