

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-2015-00969-WOM
Issue Date: October 29, 2015
Expiration Date: November 28, 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: Jeffrey & Victoria Maggard
8 Oak Lane
Larchmont, New York 10538

ACTIVITY: Installation of an approximately 11-foot-long by 4-foot-wide ramp to an approximately 34-foot-long by 4-foot-wide fixed pier that would widen to approximately 5.5 feet for the last 2.5 feet of the pier. Attached to the fixed structure would be an approximately 44-foot-long by 4-foot-wide gangway leading to an approximately 20-foot-long by 8-foot-wide floating platform. Three two-pile bents would support the fixed portion of the structure, and the floating platform would be secured by two submerged mushroom anchors.

WATERWAY: Larchmont Harbor, Long Island Sound

LOCATION: Village of Larchmont, 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.

**CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2015-00969-WOM**

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.

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.

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

**CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2015-00969-WOM**

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.

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>.

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

Enclosures

WORK DESCRIPTION

The applicants, Jeffrey and Victoria Maggard, have requested Department of the Army authorization for installation of a fixed structure leading to a floating platform to accommodate residential recreational access to Larchmont Harbor in the Long Island Sound, in the Village of Larchmont, Westchester County, New York.

The work would involve the installation of an approximately 11-foot-long by 4-foot-wide ramp in the upland area that would lead to an approximately 34-foot-long by 4-foot-wide fixed pier. The final 2.5 feet of the pier would widen to approximately 5.5 feet. An approximately 44-foot-long by 4-foot-wide gangway would be attached to the fixed structure and would lead to an approximately 20-foot-long by 8-foot-wide floating platform. Three two-pile bents would support the fixed portion of the structure, and the floating platform would be secured by two submerged mushroom anchors. The six piles would consist of concrete and would be 18-inches in diameter. The fixed portion of the structure would be greater than 4.5 feet above the substrate of the harbor and the floating platform would remain in at least two feet of water during low tide.

Though most of the proposed work area is rock/rip-rap, the proposed structure would cross over an area of *Spartina* (primarily *Spartina patens*). No construction work would occur within the *Spartina*, and the area would be fenced off during construction activities. No heavy machinery would enter the intertidal zone, nor would any construction debris.

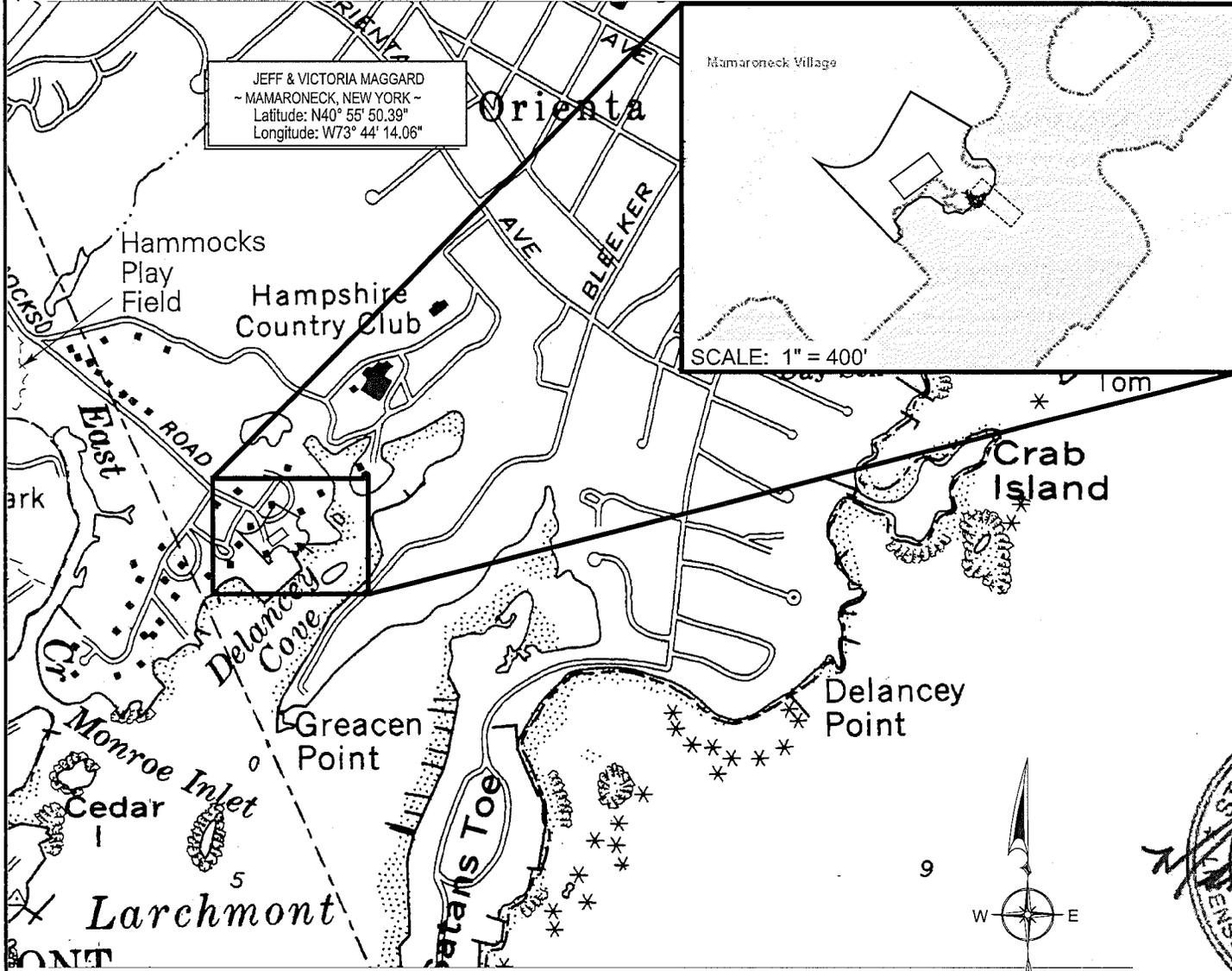
There is no federal navigation channel or anchorage area in the vicinity of the project.

The stated purpose of this project is to provide safe access to Larchmont Harbor for residential recreational purposes.

NOT FOR CONSTRUCTION

(FOR ILLUSTRATIVE PURPOSES ONLY)

JEFF & VICTORIA MAGGARD
 ~ MAMARONECK, NEW YORK ~
 Latitude: N40° 55' 50.39"
 Longitude: W73° 44' 14.06"



DRAWING INDEX:

- SD-01 - VICINITY MAP & DRAWING INDEX
- SD-02 - BASED UPON NOTES
- SD-03 - EXISTING CONDITIONS SITE PLAN
- SD-04 - PROPOSED CONDITIONS SITE PLAN
- SD-04a - EXISTING/PROPOSED CONDITIONS OVERLAY
- SD-05 - RECONFIGURATION PERIMETER

- D-01 - SECTION
- D-02 - DETAIL



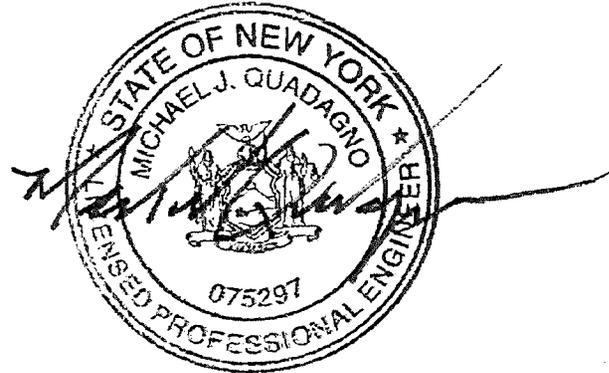
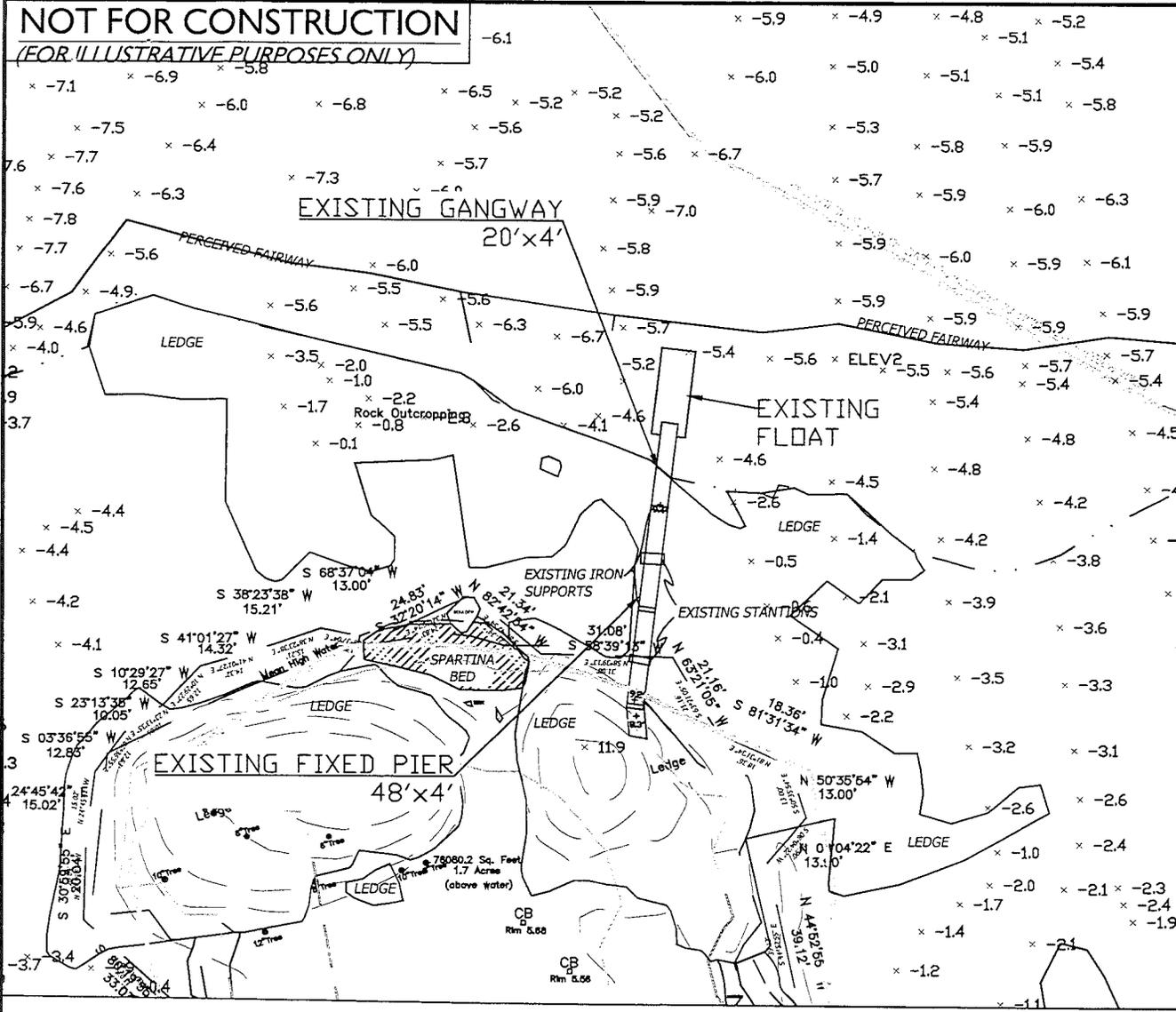
BASED UPON, NOTES, AND DATUM:
 SEE SHEET SD-01 TITLED VICINITY MAP & DRAWING INDEX, AND SHEET SD-02 BASED UPON NOTES.

SCALE: 1" = 2000'

| | | | | |
|---|--|--|---|--|
| <p>CLIENT: JEFF & VICTORIA MAGGARD Situate at 8 OAK LANE VILLAGE OF MAMARONECK, TOWN OF MAMARONECK COUNTY OF WESTCHESTER, STATE OF NEW YORK</p> | <p>OWNER'S REPRESENTATIVE: <u>MICHAEL J. QUADAGNO, P.E.</u></p> | <p>DRAWING TITLE: VICINITY MAP & DRAWING INDEX</p> | <p>DATE: 07/22/15 REVISIONS:</p> | <p>SCALE: as shown PREPARED BY: MICHAEL J. QUADAGNO, P.E. CHECKED BY: MJQ CADD BY: BDB FILE: I:\Drawings\Maggard\2015-06-22_Maggard</p> <p style="font-size: 2em; font-weight: bold;">SD-01</p> |
|---|--|--|---|--|

NOT FOR CONSTRUCTION

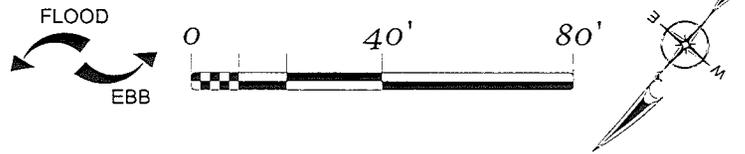
(FOR ILLUSTRATIVE PURPOSES ONLY)



NOTES:

1. IN-WATER AND UPLAND TOPOGRAPHIC INFORMATION SHOWN IN NAVD88 DATUM.
2. TIDAL WETLAND GRASSES HAVE BEEN MAPPED WITHIN PROJECT AREA.
3. LOCATIONS AND DIMENSIONS OF PROPOSED FIXED PIER, GANGWAY, PILES, AND OTHER PROJECT COMPONENTS SUBJECT TO ADJUSTMENT AND MINOR FIELD MODIFICATIONS AND/OR RELOCATION DUE TO FIELD CONDITIONS, LOGISTICS, MATERIAL AVAILABILITY, CONTRACTOR AND/OR FABRICATION CONSIDERATIONS TO ENSURE THE INTEGRITY OF THE RESPECTIVE PROJECT COMPONENTS IN FULL COMPLIANCE WITH THE REGULATORY APPROVALS. QUANTITY OF PILES WILL REMAIN CONSTANT. FLOATING DOCK WIDTH DIMENSIONS DO NOT INCLUDE FASCIA WOOD AND RUBBER RUB RAILS.

BASED UPON, NOTES, AND DATUM:
SEE SHEET SD-01 TITLED VICINITY MAP & DRAWING INDEX, AND SHEET SD-02 BASED UPON NOTES.



CLIENT:
JEFF & VICTORIA MAGGARD
Situate at
8 OAK LANE
VILLAGE OF MAMARONECK, TOWN OF MAMARONECK
COUNTY OF WESTCHESTER, STATE OF NEW YORK

OWNER'S REPRESENTATIVE:
MICHAEL J. QUADAGNO, P.E.

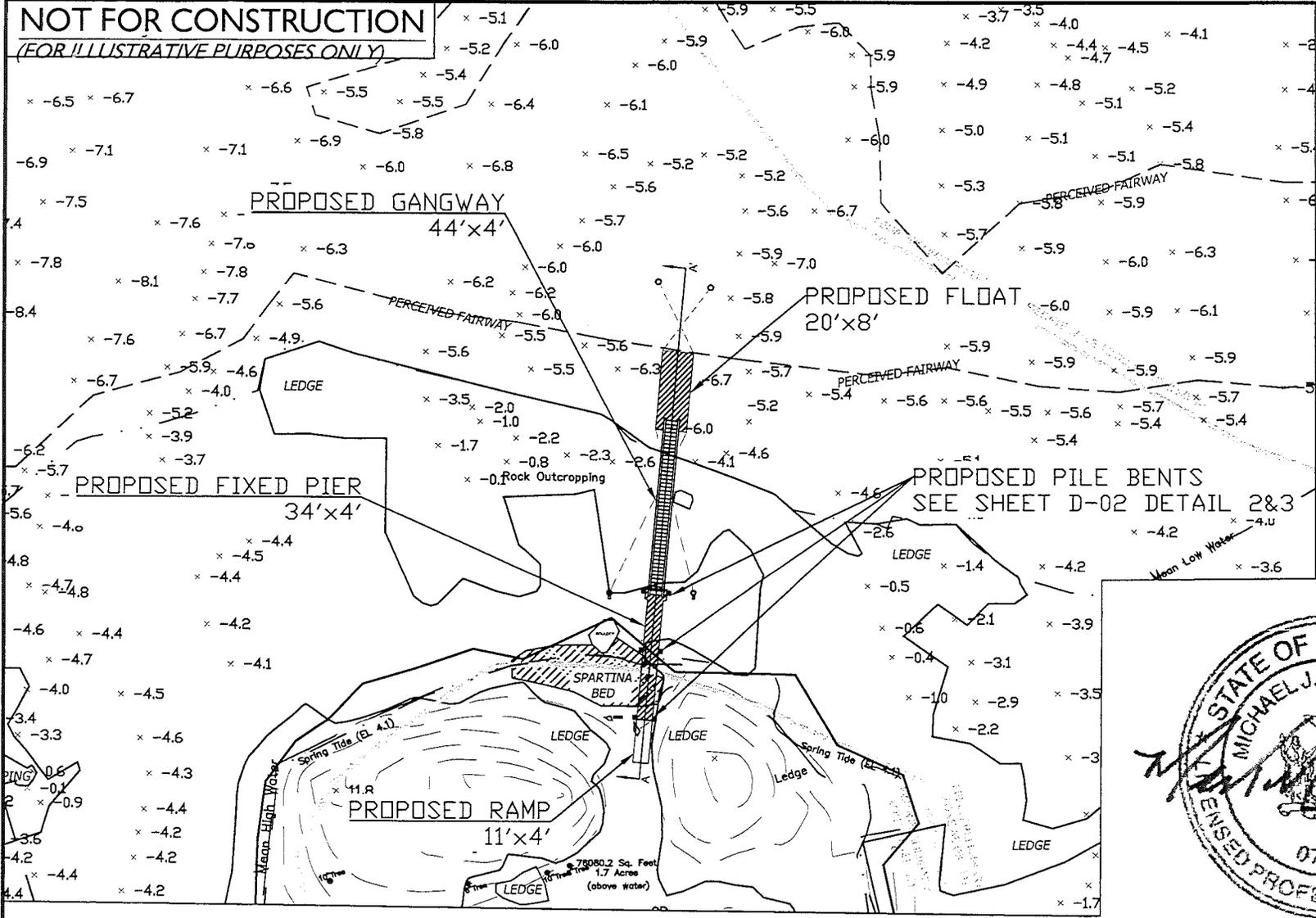
DRAWING TITLE:
**EXISTING
CONDITIONS**

DATE: 07/22/15
REVISIONS:

SCALE: as shown
SHEET:
PREPARED BY:
MICHAEL J. QUADAGNO, P.E.
CHECKED BY: M.J.O.
CADD BY: BBB
SD-03
FILE: \Drawings\Maggard\2015-06-22_Maggard

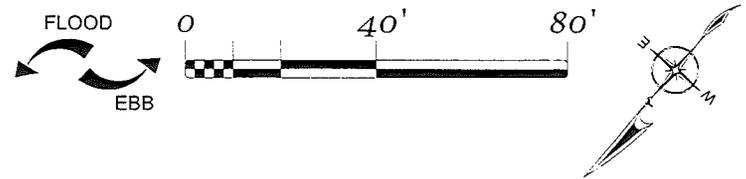
NOT FOR CONSTRUCTION

(FOR ILLUSTRATIVE PURPOSES ONLY)



NOTES:

1. IN-WATER AND UPLAND TOPOGRAPHIC INFORMATION SHOWN IN NAVD89 DATUM.
2. TIDAL WETLAND GRASSES HAVE BEEN MAPPED WITHIN PROJECT AREA.
3. LOCATIONS AND DIMENSIONS OF PROPOSED FIXED PIER, GANGWAY, PILES, AND OTHER PROJECT COMPONENTS SUBJECT TO ADJUSTMENT AND MINOR FIELD MODIFICATIONS AND/OR RELOCATION DUE TO FIELD CONDITIONS, LOGISTICS, MATERIAL AVAILABILITY, CONTRACTOR AND/OR FABRICATION CONSIDERATIONS TO ENSURE THE INTEGRITY OF THE RESPECTIVE PROJECT COMPONENTS IN FULL COMPLIANCE WITH THE REGULATORY APPROVALS. QUANTITY OF PILES WILL REMAIN CONSTANT. FLOATING DOCK WIDTH DIMENSIONS DO NOT INCLUDE FASCIA WOOD AND RUBBER RUB RAILS.



BASED UPON, NOTES, AND DATUM:
SEE SHEET SD-01 TITLED VICINITY MAP & DRAWING INDEX, AND SHEET SD-02 BASED UPON NOTES.

CLIENT:
JEFF & VICTORIA MAGGARD
Situate at
8 OAK LANE
VILLAGE OF MAMARONECK, TOWN OF MAMARONECK
COUNTY OF WESTCHESTER, STATE OF NEW YORK

OWNER'S REPRESENTATIVE:
MICHAEL J. QUADAGNO, P.E.

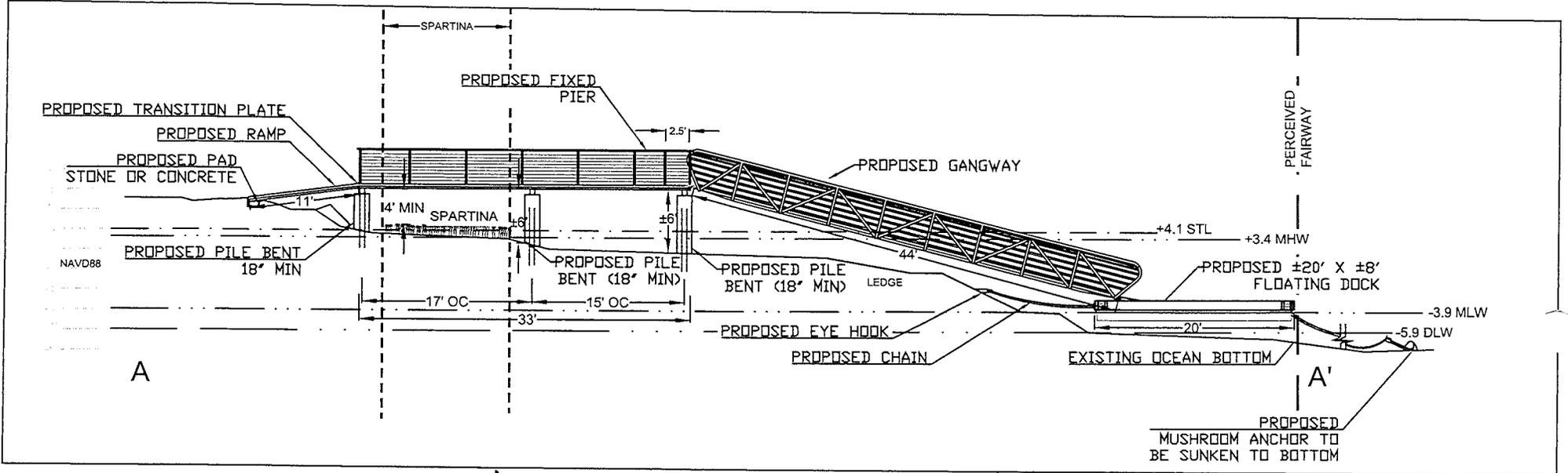
DRAWING TITLE:
**PROPOSED
CONDITIONS**

DATE: 07/22/15
REVISIONS:

SCALE: as shown
SHEET:
SD-04
PREPARED BY:
MICHAEL J. QUADAGNO, P.E.
CHECKED BY: MJQ
CADD BY: BDB
FILE: D:\Drawings\Maggard\2015-06-22_Maggard

NOT FOR CONSTRUCTION

(FOR ILLUSTRATIVE PURPOSES ONLY)



NOTES:

Gangway to be installed at the outboard end of the fixed pier using galvanized or stainless steel slot brackets minimum 3/4 inch wide and 3/8 inch thick.

Fixed pier to have either:

1. galvanized steel rectangular tubing minimum 3/8 inch thick frame on all four sides with composite decking running perpendicular to the path of travel at a minimum 1" thick. Decking to be secured with stainless steel screws to marine treated wood or galvanized steel stringers running parallel to the path of travel, secured with lag screws to galvanized steel brackets running perpendicular to the path of travel. The galvanized steel rectangular tubing for the pier is to be welded securely to welded galvanized steel bent running between the two concrete piles. The concrete piles for the pile bents for the pier shall not have an elevation higher than the fixed pier assembly; Or

2. aluminum gangway in a horizontal position.

The fixed pier shall have horizontal stainless steel wire fencing with stanchion or aluminum equivalent. The elevation of the fixed pier walking surface shall not exceed approximated 9.4 NAVD88



PROPOSED CONDITIONS SECTION



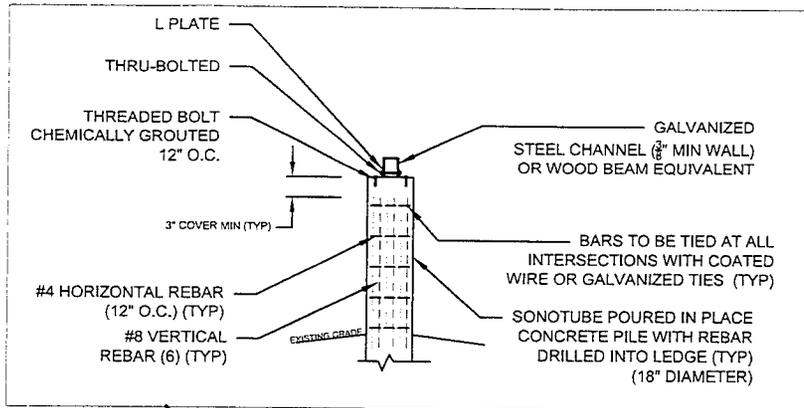
BASED UPON, NOTES, AND DATUM:

SEE SHEET SD-01 TITLED VICINITY MAP & DRAWING INDEX, AND SHEET SD-02 BASED UPON NOTES.

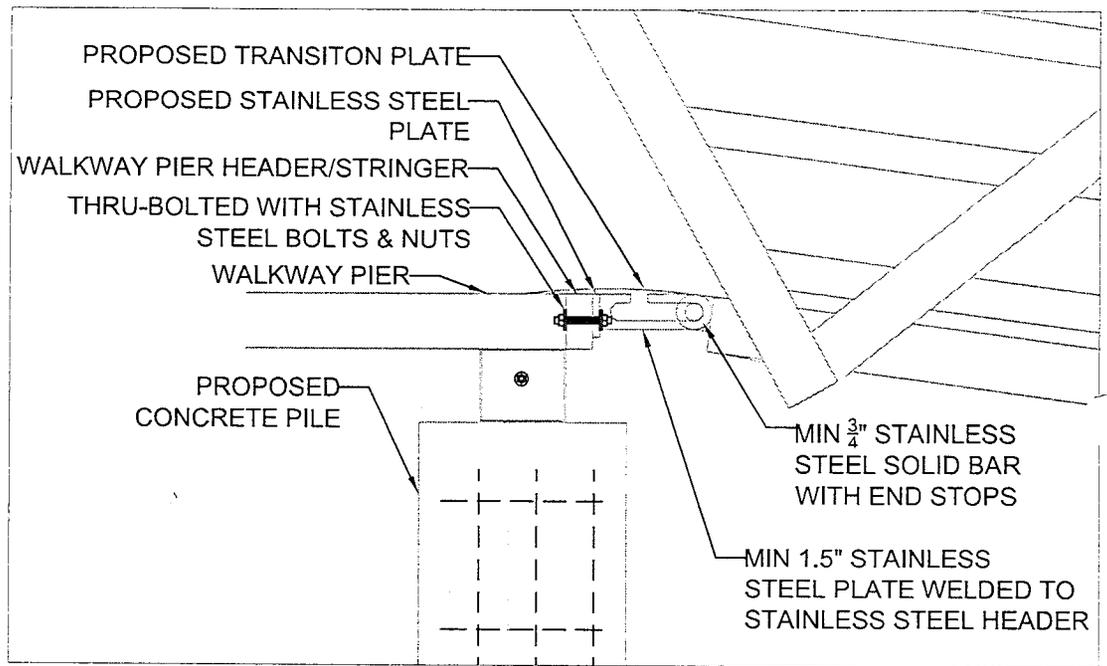
| | | | | | |
|--|---|---------------------------|---|---|-------------|
| CLIENT: JEFF & VICTORIA MAGGARD Situate at 8 OAK LANE VILLAGE OF MAMARONECK, TOWN OF MAMARONECK COUNTY OF WESTCHESTER, STATE OF NEW YORK | OWNER'S REPRESENTATIVE: <u>MICHAEL J. QUADAGNO, P.E.</u> | DRAWING TITLE: SECTION | DATE: 07/22/15 | SCALE: as shown | SHEET: |
| | | | REVISIONS: | PREPARED BY: MICHAEL J. QUADAGNO, P.E. | D-01 |
| | | | CHECKED BY: MJO | | |
| | | | CADD BY: BDB | | |
| | | | FILE: \\Drawings\Maggard\2015-06-22_Maggard | | |

NOT FOR CONSTRUCTION

(FOR ILLUSTRATIVE PURPOSES ONLY)



2 CONCRETE PILE DETAIL
NTS



3 GANGWAY BRACKET
NTS

NOTES:

Gangway to be installed at the outboard end of the fixed pier using galvanized or stainless steel slot brackets minimum 3/4 inch wide and 3/8 inch thick.

Fixed pier to have either:

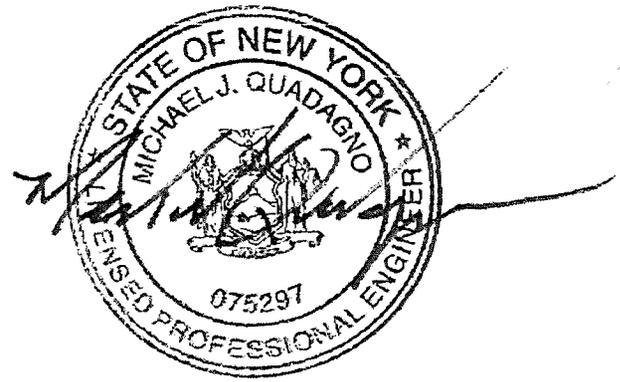
1. galvanized steel rectangular tubing minimum 3/8 inch thick frame on all four sides with composite decking running perpendicular to the path of travel at a minimum 1" thick. Decking to be secured with stainless steel screws to marine treated wood or galvanized steel stringers running parallel to the path of travel, secured with lag screws to galvanized steel brackets running perpendicular to the path of travel. The galvanized steel rectangular tubing for the pier is to be welded securely to welded galvanized steel bent running between the two concrete piles. The concrete piles for the pile bents for the pier shall not have an elevation higher than the fixed pier assembly; Or

2. aluminum gangway in a horizontal position.

The fixed pier shall have horizontal stainless steel wire fencing with stanchion or aluminum equivalent. The elevation of the fixed pier walking surface shall not exceed approximated 9.2 NAVD88

BASED UPONS, NOTES, AND DATUM:

SEE SHEET SD-01 TITLED VICINITY MAP & DRAWING INDEX, AND SHEET SD-02 BASED UPON NOTES.



| | | | | | |
|--|---|---|---------------------------------|--|---------------|
| CLIENT: JEFF & VICTORIA MAGGARD Situate at 8 OAK LANE VILLAGE OF MAMARONECK, TOWN OF MAMARONECK COUNTY OF WESTCHESTER, STATE OF NEW YORK | OWNER'S REPRESENTATIVE: <u>MICHAEL J. QUADAGNO, P.E.</u> | DRAWING TITLE: <p style="text-align: center;">DETAILS</p> | DATE: 07/22/15 | SCALE: as shown | SHEET: |
| | | | REVISIONS: | PREPARED BY: MICHAEL J. QUADAGNO, P.E. | <h1>D-02</h1> |
| | | | CHECKED BY: MJO CADD BY: BDB | FILE: \Drawings\Maggard\2015-06-22_Maggard | |