

# 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-2015-01552-WOM  
Issue Date: February 3, 2016  
Expiration Date: March 4, 2016

## 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: Shattemuc Yacht Club  
1 Westerly Road  
PO Box 29  
Ossining, New York 10562

ACTIVITY: Expansion of an existing marina and mooring field, and installation of floating wave attenuators.

WATERWAY: Hudson River

LOCATION: Town of Ossining, 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

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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 is not likely to adversely 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.

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

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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 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 and In behalf of**

Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Shattemuc Yacht Club, has requested Department of the Army authorization for the expansion of an existing marina and mooring field and the installation of a floating wave attenuator around the marina, within the Hudson River, in the Town of Ossining, Westchester County, New York.

The work would involve the replacement and expansion of the existing marina's westernmost timber floating platform and finger piers, as well as the installation of floating concrete wave attenuators with finger piers, resulting in an additional 32 slips interior to the marina and 14 berths on the exterior of the wave attenuator. The work would bring the total available docking spaces for the marina to 135 units, 32 of which would be reserved for transient vessels, per the Federal Boating Infrastructure Grant partially funding the project. The remaining marina units would be reserved for Shattemuc Yacht Club members. The existing eastern, center, and southern floating platforms and associated finger piers would remain in place. The replacement timber floating platforms, new finger piers, and wave attenuators would increase the existing 19,952 square foot area of the marina to approximately 30,052 square feet, an expansion of approximately 10,100 square feet.

Seventeen (17) of the replacement and new finger piers from the western platform and wave attenuators would be approximately 4-feet-wide by 35-feet-long, and seven (7) of the piers would be approximately 4-feet-wide by 45-feet-long. The western platform's replacement timber platforms would be approximately 6-feet-wide by 383-feet-long. The floating wave attenuators would be approximately 12.5-feet-wide at most, and approximately 649-feet-long in total, with the northernmost attenuator placed at the end of the marina's existing timber pier and bulkhead, which represents the northern boundary of the marina area. The first attenuator would be connected to the pier by a 4.5-foot-wide by 72-foot-long gangway and would extend approximately 195 feet waterward. The second attenuator, placed at a 90 degree angle at the westernmost end of the first, would extend approximately 324 feet to the south along the western edge of the marina, and the third attenuator, extending diagonally to the southeast from the end of the second attenuator, would total approximately 130 feet in length. The attenuators would be positioned to reduce wind-driven wave effects from the north, west, and south. The applicant has proposed floating wave attenuators, rather than fixed attenuators, to protect the marina against wave-driven damage, while still allowing the flow of water currents and tides, as well as movement of wildlife within the water column. The attenuators would have a draft of approximately 3.9 feet and would float a minimum of 3.3 feet above the substrate at mean lower low tide. All other floats would remain at least two feet above the substrate at mean lower low tide.

Each of the marina's finger piers would be stabilized at the end by a 12-inch diameter timber pile, totaling 24 piles in the replacement and expansion area of the marina. The floating platforms and wave attenuators would be secured by up to 84 elastic mooring lines with chains and 64-square-foot concrete anchor blocks, 56 of which would secure the attenuators. The concrete anchor blocks would impact up to 5,376 square feet of substrate. The concrete blocks would provide the necessary stability for the floating platforms and attenuators during storm events. The applicant considered pilings, as well as helical anchors, as alternatives to the blocks, but determined, through sediment boring and testing, that pilings or other anchor systems would not provide adequate stabilization because of the type of substrate in the area.

Prior to installation, the timber floating platforms and finger piers would be fabricated at an on-site upland area. The concrete floating wave attenuator sections would be constructed off-site before installation. Placement of the anchors would be performed from a barge, and installation of the platforms, piers, and attenuators would be performed from a barge or from the land. Piling

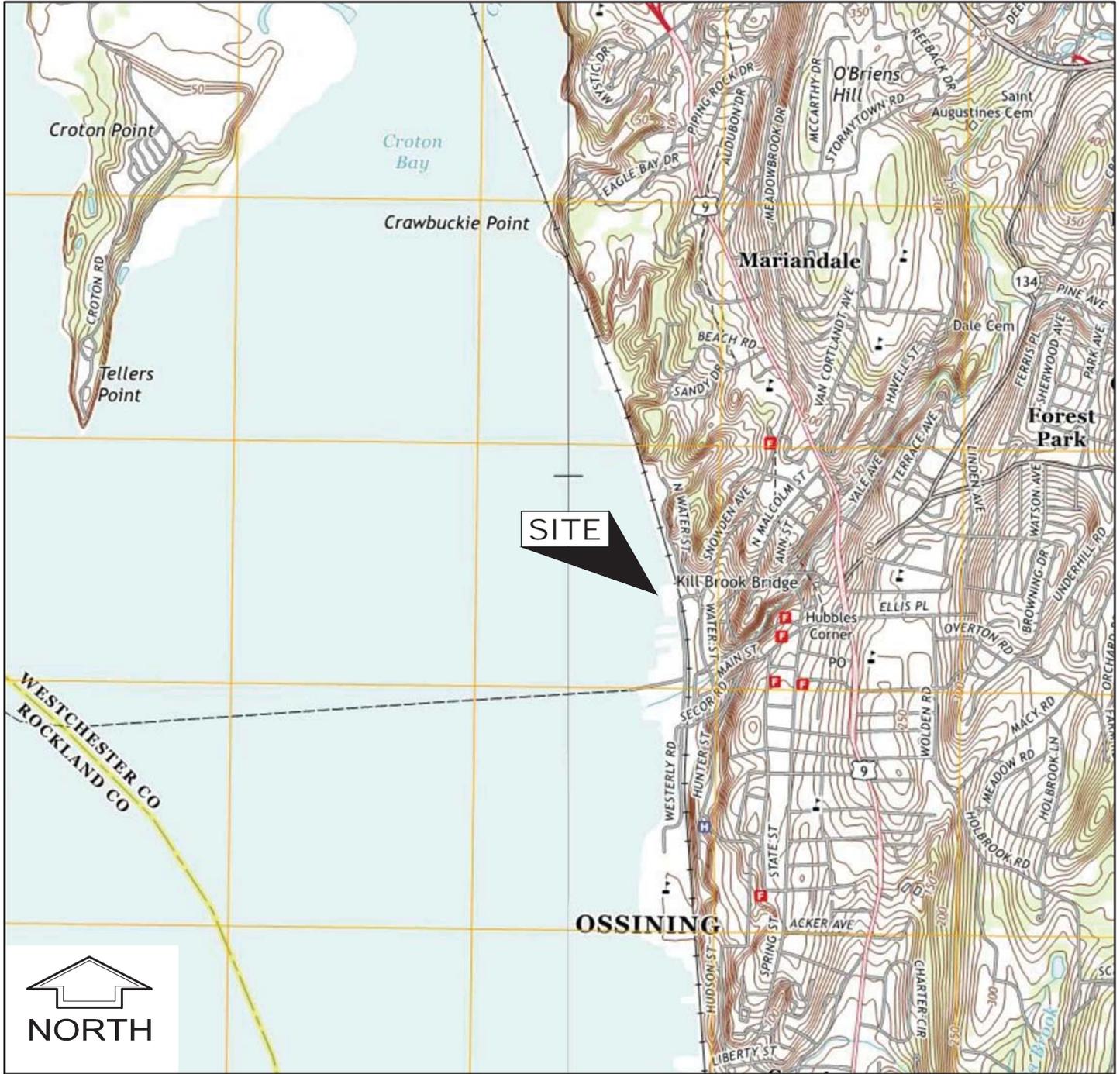
**CENAN-OP-RW**  
**PUBLIC NOTICE NO. NAN-2015-01552-WOM**

installation would be conducted via vibratory hammer, though an impact hammer may be used if conditions such as obstructions or hard driving conditions require it. Construction, installation, and finishing of the marina work would take approximately 12 weeks to accomplish.

In addition to the marina work, the existing nine (9) moorings located west and north of the marina would be removed and 25 new moorings would be installed in the area. Five (5) of the moorings would have a swing radius of 105 feet and 20 of the moorings would have a 90-foot swing radius. Seventeen (17) of the moorings would accommodate transient vessels, per the Federal Boating Infrastructure Grant. The remaining moorings would be reserved for Shattemuc Yacht Club members. The mushroom anchors that are currently used for the existing nine mooring locations, ranging from 250 to 1,000 pounds each, would be reused in new locations for the expansion of the mooring field. The remaining new mooring locations would be anchored by 500 pound mushroom anchors with chains. A workboat/float with winch system would be used to set the anchors, and they would remain in place year round, once set. The mooring field expansion would increase the existing approximately 2.5 acre mooring area to approximately 20.3 acres in size. This expansion would not impact the federal navigation channel, as it is approximately 5,000 feet from the channel, nor would it hinder access to the river for neighboring properties.

Please note that the following additional project work would occur as part of the proposed project, though it would not require authorization from the Department of Army prior to commencement: three (3) sunken barges, currently used as wave attenuators for the marina, would be removed from the Hudson River. The barges are currently in poor condition, are failing structurally, and are no longer providing the necessary wave attenuation required by the marina. Rather than being left in place, they would be removed to facilitate safe access to and use of the marina. During removal, the barges would be cut into sections and pulled out of the River by a clamshell bucket operated from a barge. A containment boom would be utilized during removal.

The stated purpose of this project is to increase public access to the waterfront, providing a positive economic impact to the community and enhancement of water-dependent activities along the Hudson River.



USGS HAVERSTRAW QUADRANGLE NEW YORK  
 7.5-MINUTE SERIES HAVERSTRAW, NY 2013  
 USGS OSSINING QUADRANGLE NEW YORK-WESTCHESTER CO.  
 7.5-MINUTE SERIES OSSINING, NY 2013

**VICINITY MAP**



SCALE 1"=2000'-0"

FOR PERMIT USE ONLY  
 NOT FOR CONSTRUCTION

REV. 1 1/15/16

DATUM: MLLW  
 APPLICATION BY: SHATTEMUC YACHT CLUB  
 APPLICATION NO.: 3-5542-00025/00016  
 AGENT: OCEAN AND COASTAL  
 CONSULTANTS ENGINEERING, P.C.

PROPOSED DOCK FACILITY IMPROVEMENTS  
 HUDSON RIVER  
 TOWN OF OSSINING  
 COUNTY OF WESTCHESTER  
 STATE OF NEW YORK

DATE: 09/28/15

SHEET 1 OF 6



HUDSON RIVER

**NOTES:**

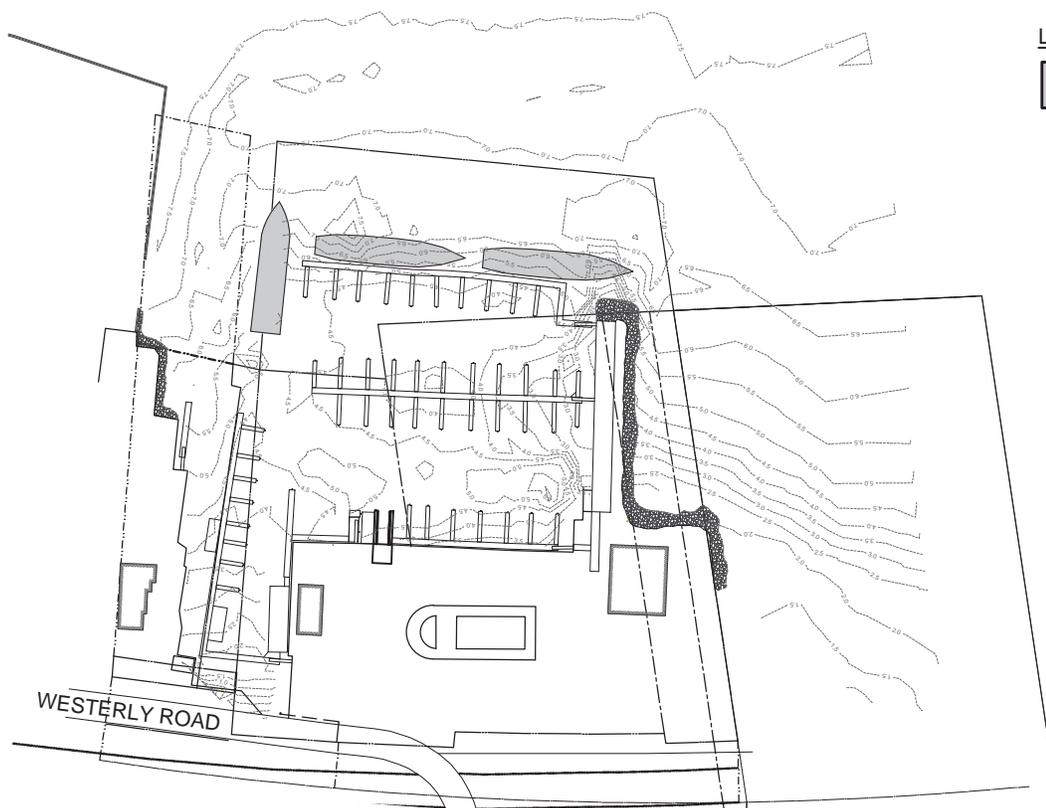
1. PROPERTY LINES OBTAINED FROM REFERENCE DRAWING ENTITLED STATE OF NEW YORK, OFFICE OF GENERAL SERVICES, MAP PREPARED IN THE APPLICATION FOR "THE SHATTAMUC YACHT CLUB" FOR A GRANT OF LAND UNDER THE WATERS OF THE HUDSON RIVER SITUATE IN THE TOWN/VILLAGE OF OSSINING WESTCHESTER COUNTY, NEW YORK PREPARED BY JRL LAND SURVEYING P.C. MAHOPAC, NY, DATED MARCH 25, 2010.
2. CLAMSHELL BUCKETS MAY BE USED TO REMOVE SUNKEN BARGES. DISTURBANCE SHALL BE LIMITED TO BETWEEN SEPTEMBER 1st AND NOVEMBER 15th OF ANY GIVEN YEAR TO PREVENT IMPACTS TO STURGEON UNLESS A TURBIDITY CURTAIN IS EMPLOYED AROUND THE WORK AREA AND MAINTAINED. A WORK PLAN FOR BARGE REMOVAL OUTSIDE OF THIS WINDOW THAT INCLUDES A TURBIDITY CURTAIN MUST BE SUBMITTED AND APPROVED BY NYSDEC PRIOR TO INITIATION.
3. LARGE CRANES USED FOR BARGE REMOVAL SHALL BE EQUIPPED WITH BIRD PERCH DETERRENTS ON THE APEX SUCH AS FLAGS OR OTHER METHODS TO PREVENT IMPACTS TO BALD EAGLES. WORK SHALL NOT OCCUR FROM DECEMBER 1st THROUGH MARCH 31st OF ANY GIVEN YEAR TO THE EXTENT POSSIBLE.

**LEGEND:**

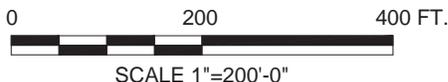
INDICATES STRUCTURES TO BE REMOVED

TIDE ELEVATIONS	
M.H.H.W.	+3.68'
M.H.W.	+3.23'
M.L.W.	+0.17'
M.L.L.W.	0.00'

DATUM ELEVATIONS ABOVE ARE LOCATED ALONG FACE OF EXISTING BULKHEAD. SEE PROPOSED SECTIONS ON SHEET 6.



**EXISTING AND DEMOLITION SITE PLAN**



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NOT FOR CONSTRUCTION

REV. 1 1/15/16

DATUM: MLLW

APPLICATION BY: SHATTEMUC YACHT CLUB

APPLICATION NO.: 3-5542-00025/00016

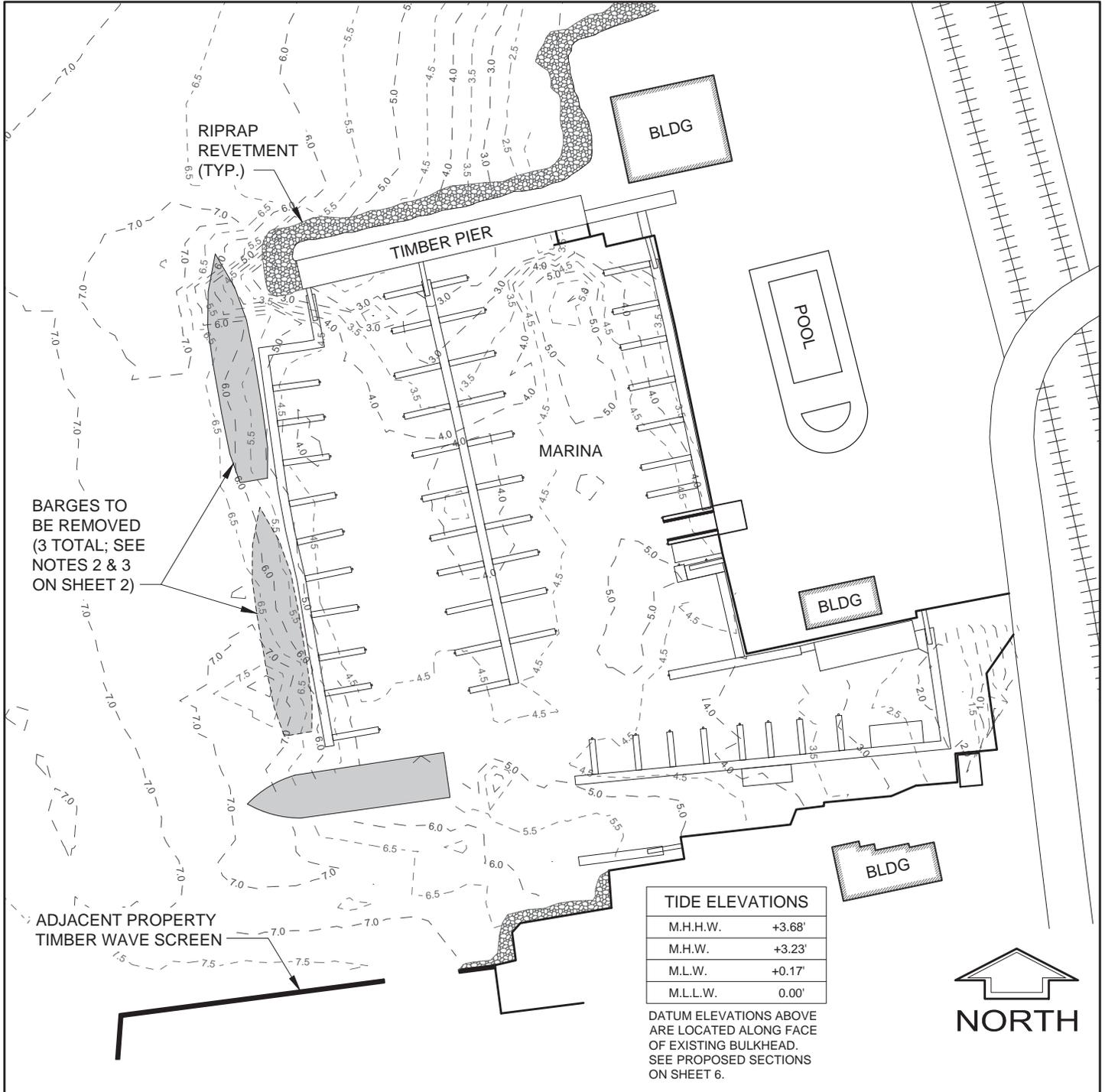
AGENT: OCEAN AND COASTAL  
CONSULTANTS ENGINEERING, P.C.

PROPOSED DOCK FACILITY IMPROVEMENTS

HUDSON RIVER  
TOWN OF OSSINING  
COUNTY OF WESTCHESTER  
STATE OF NEW YORK

DATE: 09/28/15

SHEET 2 OF 6



### EXISTING AND DEMOLITION PARTIAL SITE PLAN



SCALE 1"=100'-0"

FOR PERMIT USE ONLY  
NOT FOR CONSTRUCTION

REV. 1 1/15/16

DATUM: MLLW

APPLICATION BY: SHATTEMUC YACHT CLUB

APPLICATION NO.: 3-5542-00025/00016

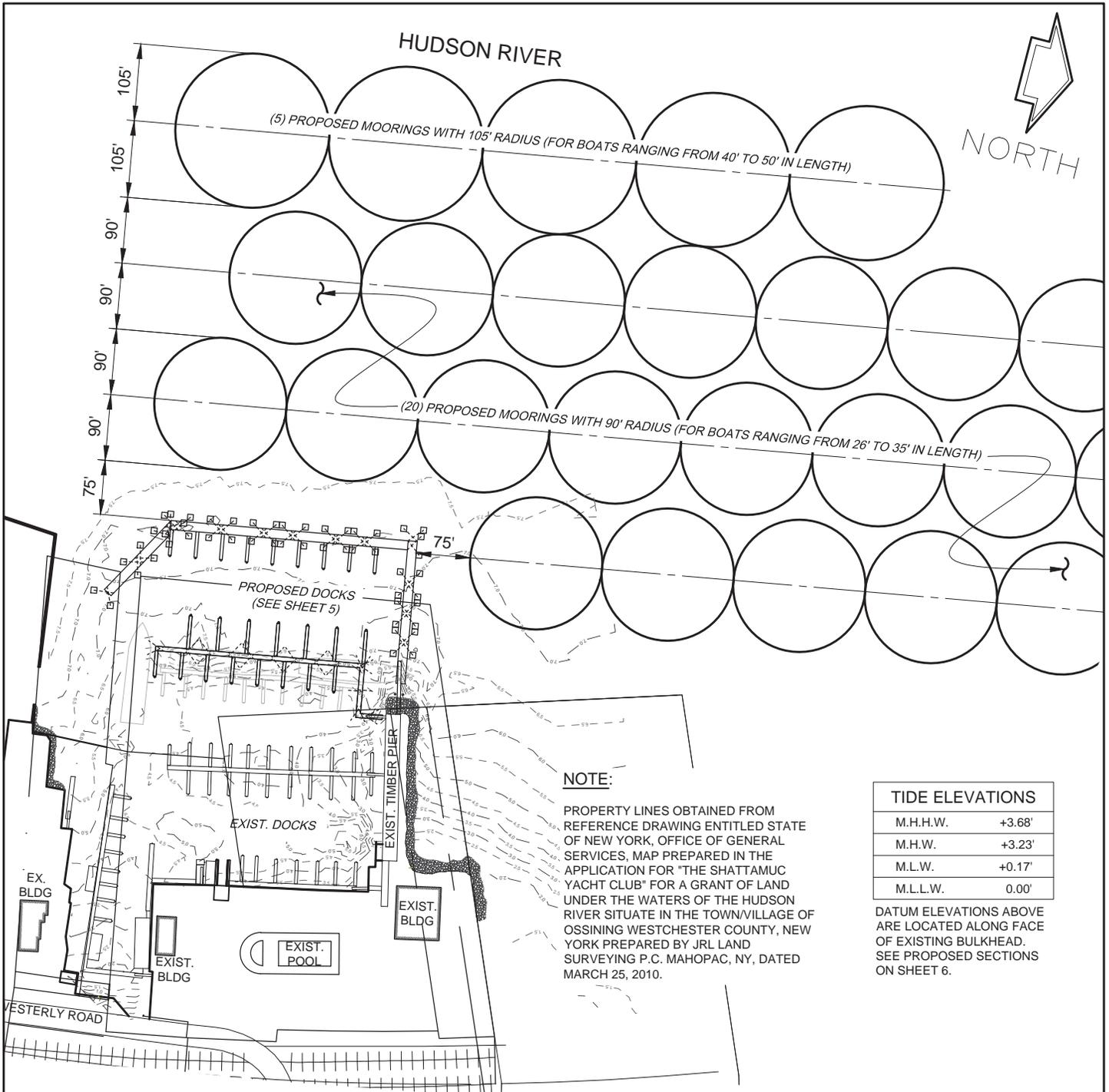
AGENT: OCEAN AND COASTAL  
CONSULTANTS ENGINEERING, P.C.

PROPOSED DOCK FACILITY IMPROVEMENTS

HUDSON RIVER  
TOWN OF OSSINING  
COUNTY OF WESTCHESTER  
STATE OF NEW YORK

DATE: 09/28/15

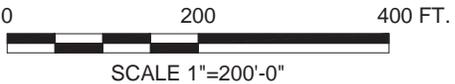
SHEET 3 OF 6



TIDE ELEVATIONS	
M.H.H.W.	+3.68'
M.H.W.	+3.23'
M.L.W.	+0.17'
M.L.L.W.	0.00'

DATUM ELEVATIONS ABOVE ARE LOCATED ALONG FACE OF EXISTING BULKHEAD. SEE PROPOSED SECTIONS ON SHEET 6.

**PROPOSED SITE PLAN**

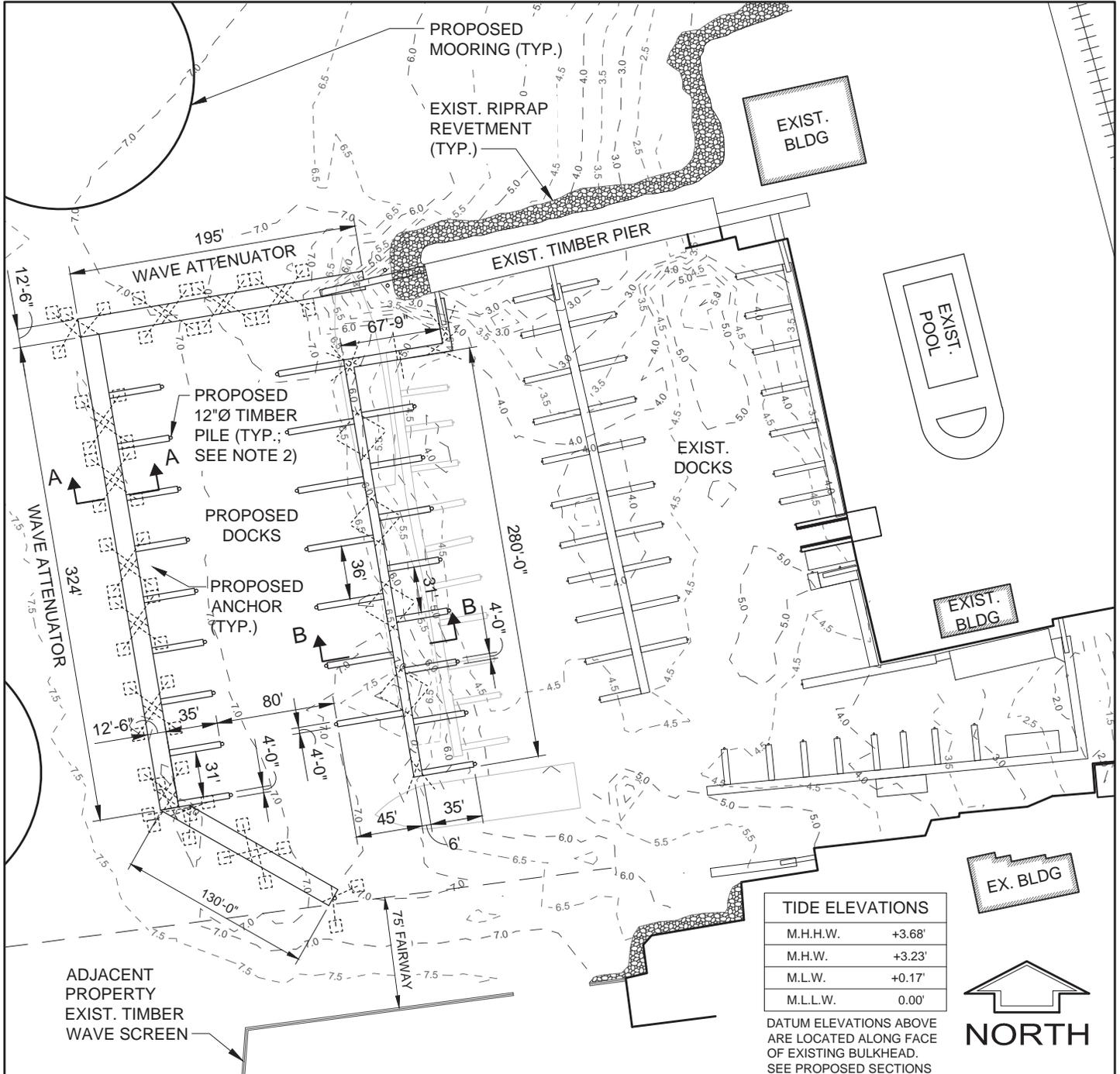


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 NOT FOR CONSTRUCTION

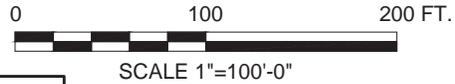
REV. 1 1/15/16

DATUM: MLLW  
 APPLICATION BY: SHATTEMUC YACHT CLUB  
 APPLICATION NO.: 3-5542-00025/00016  
 AGENT: OCEAN AND COASTAL  
 CONSULTANTS ENGINEERING, P.C.

PROPOSED DOCK FACILITY IMPROVEMENTS  
 HUDSON RIVER  
 TOWN OF OSSINING  
 COUNTY OF WESTCHESTER  
 STATE OF NEW YORK  
 DATE: 09/28/15  
 SHEET 4 OF 6



### PROPOSED PARTIAL SITE PLAN



#### NOTES:

- LAYOUT AND QUANTITY OF PROPOSED ANCHORS ARE APPROXIMATE.
- PILES SHALL BE DRIVEN USING VIBRATORY HAMMER RATHER THAN IMPACT HAMMER TO THE EXTENT POSSIBLE TO AVOID IMPACTS TO STURGEON AND OTHER FISHERY RESOURCES.

TIDE ELEVATIONS	
M.H.H.W.	+3.68'
M.H.W.	+3.23'
M.L.W.	+0.17'
M.L.L.W.	0.00'

DATUM ELEVATIONS ABOVE ARE LOCATED ALONG FACE OF EXISTING BULKHEAD. SEE PROPOSED SECTIONS ON SHEET 6.



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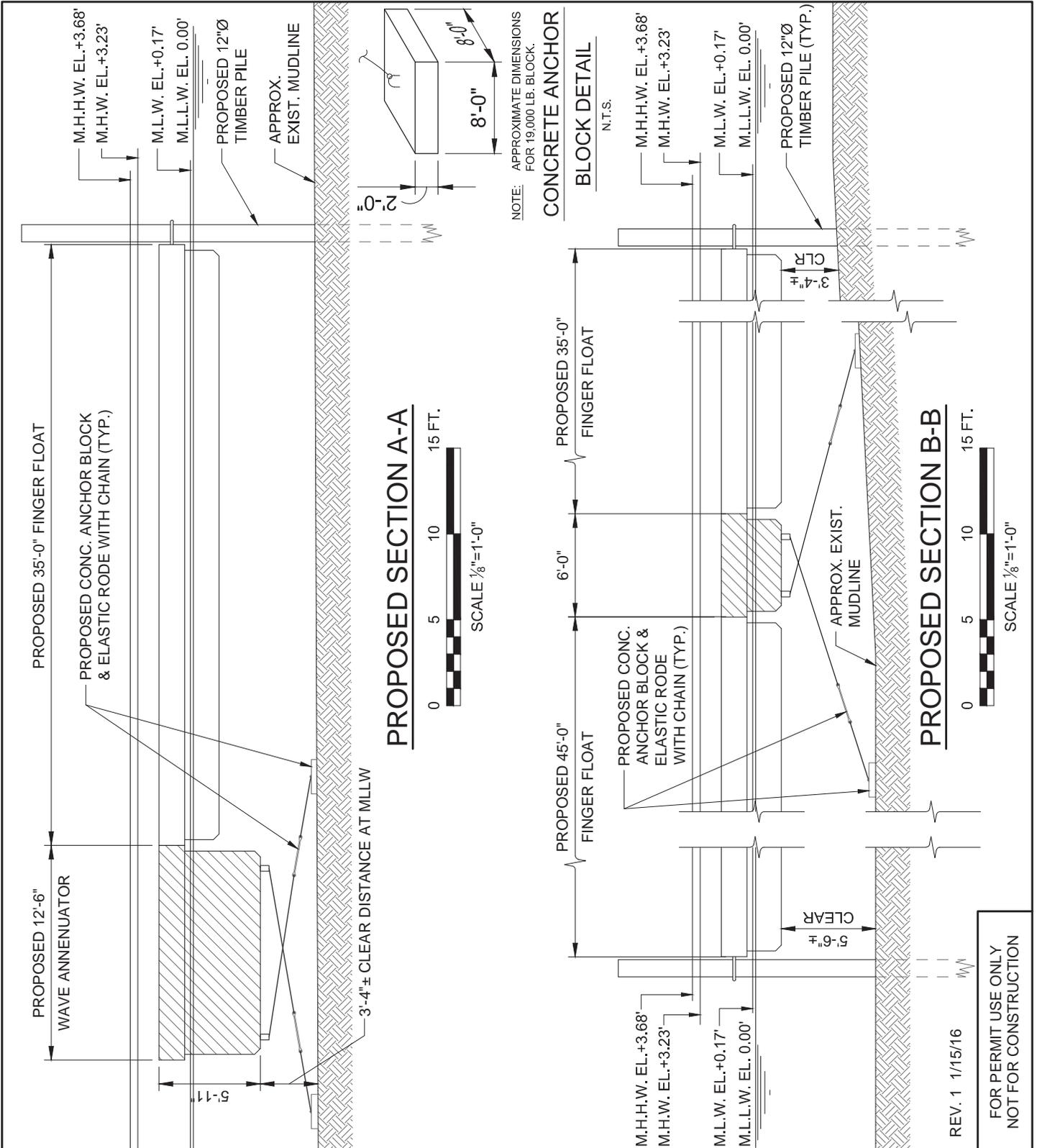
REV. 1 1/15/16

DATUM: MLLW  
APPLICATION BY: SHATTEMUC YACHT CLUB  
APPLICATION NO.: 3-5542-00025/00016  
AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED DOCK FACILITY IMPROVEMENTS  
HUDSON RIVER  
TOWN OF OSSINING  
COUNTY OF WESTCHESTER  
STATE OF NEW YORK

DATE: 09/28/15

SHEET 5 OF 6



**PROPOSED SECTION A-A**



**PROPOSED SECTION B-B**



DATUM: MLLW

APPLICATION BY: SHATTEMUC YACHT CLUB

APPLICATION NO.: 3-5542-00025/00016

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

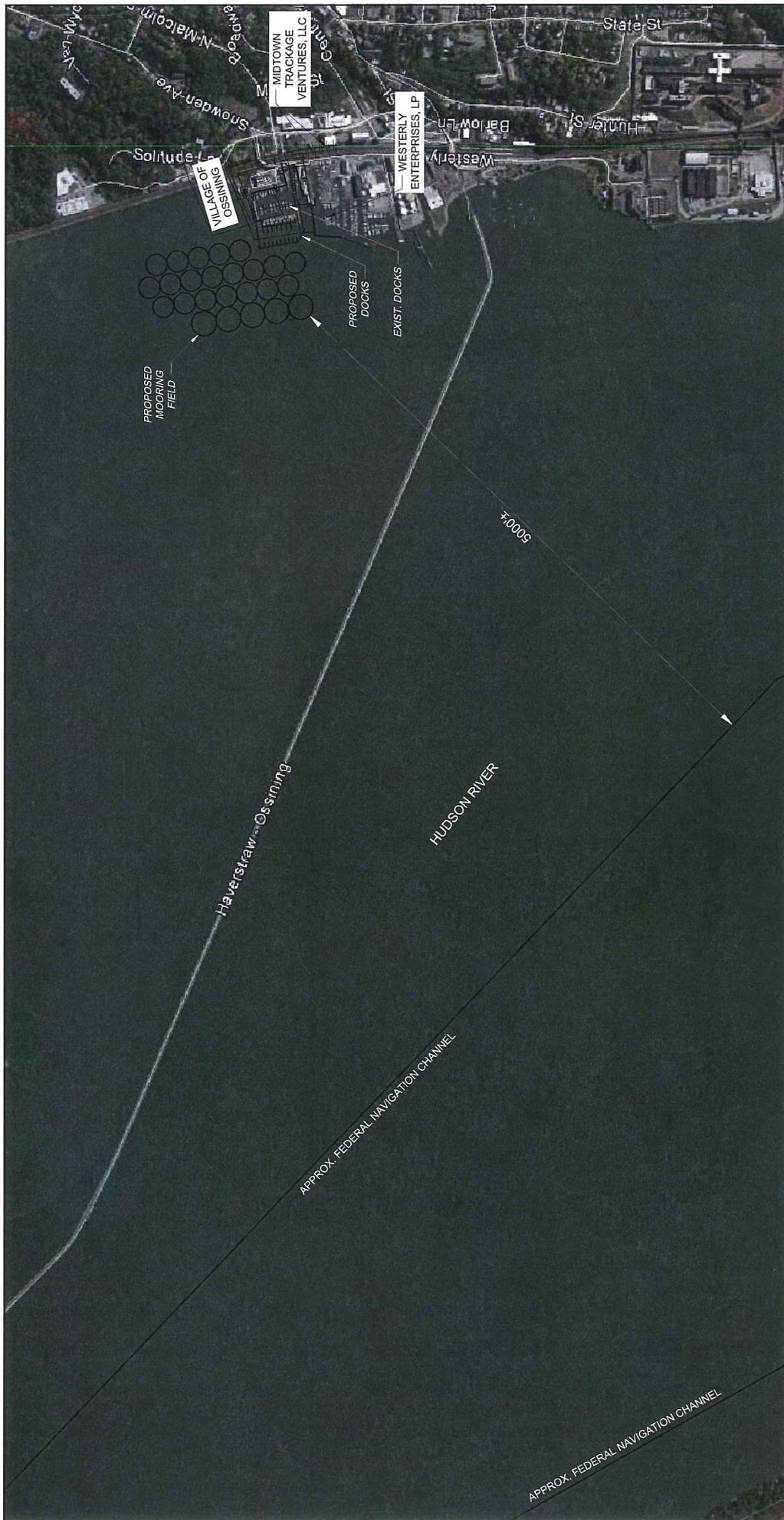
PROPOSED DOCK FACILITY IMPROVEMENTS

HUDSON RIVER  
TOWN OF OSSINING  
COUNTY OF WESTCHESTER  
STATE OF NEW YORK

DATE: 09/28/15

SHEET 6 OF 6

REV. 1 1/15/16  
FOR PERMIT USE ONLY  
NOT FOR CONSTRUCTION



PROPOSED DOCK FACILITY IMPROVEMENTS  
 HUDSON RIVER  
 TOWN OF OSSINING  
 COUNTY OF WESTCHESTER  
 STATE OF NEW YORK  
 DATE: 12/15/2015  
 SHEET 1 OF 1

APPLICATION BY: SHATTEMUC YACHT CLUB  
 USAGE APPLICATION NO.: NAN2015-01552-WOM  
 DEC APPLICATION NO.: 3-5542-00025/0016  
 AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

**PROPOSED SITE PLAN**  
 0 800 1600 FT.  
 SCALE 1"=600'-0"

**NOTE:**  
 PROPERTY LINES OBTAINED FROM REFERENCE DRAWING ENTITLED STATE OF NEW YORK, OFFICE OF GENERAL SERVICES, MAP PREPARED IN THE APPLICATION FOR PERMIT TO CONSTRUCT UNDER THE WATERS OF THE HUDSON RIVER SITELINE IN THE TOWN/VILLAGE OF OSSINING WESTCHESTER COUNTY, NEW YORK PREPARED BY JRL LAND SURVEYING P.C. MAHOPAC, NY, DATED MARCH 25, 2010.

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 NOT FOR CONSTRUCTION  
 014070009\A071308\CAD\Task\_3\Permit\01.dwg Permit\01 Carrie Waller Tue, 15 Dec 2015 - 12:13pm

APPROX. FEDERAL NAVIGATION CHANNEL  
 APPROX. FEDERAL NAVIGATION CHANNEL