

PUBLIC NOTICE

US Army Corps of Engineers New York District, CENAN-OP-R Upstate Regulatory Field Office 1 Buffington Street, Bldg. 10, 3rd Floor Watervliet, New York 12189-4000

In replying refer to:

Public Notice Number: NAN-2017-00049-USH

Issue Date: AUG 7, 2017 Expiration Date: SEP 6, 2017

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:

City of Troy - Engineering Department

433 River Street, Suite 5001 Troy, New York 12180

ACTIVITY:

Discharge of material below the mean high tide elevation of the Hudson River to

facilitate the repair and reconstruction of an existing seawall, and the dredging

with upland disposal and return flow back to the waterway

WATERWAY:

Hudson River

LOCATION:

City of Troy, Rensselaer 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 BRAD SHERWOOD AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO <u>Brad.Sherwood@usace.army.mil</u>, 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 submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, 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.

The Federal Emergency Management Agency (FEMA) is the lead Federal agency for this project. As the lead agency, FEMA is responsible for coordinating the review of the project in accordance with the National Environmental Policy Act (NEPA). This coordinated review will be conducted pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), and Section 106 of the National Historic Preservation Act of 1966 (NHPA), as well as other applicable Federal regulations. The District will continue to coordinate with the FEMA during its review of the Department of the Army permit application for the project.

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.

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 – Article 15, Title 5
 Excavation & Fill in Navigable Waters

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 Brad Sherwood of this office at (518) 266-6355.

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, the City of Troy, has requested Department of the Army permit for the discharge of fill material below the mean high tide elevation of the Hudson River to facilitate the repair of an existing seawall, along the Hudson River, in the City of Troy, Rensselaer County, New York.

The work would involve the discharge of approximately 2,640 cubic yards of material below the mean high tide elevation of the Hudson River to facilitate the repair of approximately 3,400 linear feet of existing seawall. A portion of the wall, approximately 1,770 feet, would be repaired in-kind and in-place by grouting to fill voids and prevent further damage. Another portion, approximately 1,175 feet of the seawall wall, would require the installation of pre-cast concrete panels in front of the existing wall and tied back into the existing wall and bedrock. These concrete panels would be approximately two (2) feet waterward of the existing seawall. The remaining portion of the seawall, approximately 336 feet, would require the installation of concrete drilled shafts, supporting steel walers and precast concrete panels. These concrete shafts would be drilled into bedrock, in front of the existing seawall, and would support steel walers and tieback system. The precast concrete panels would be placed in front of the waler structure, and the concrete panels would be approximately five (5) feet waterward of the existing seawall. In addition, approximately 540 cubic yards of heavy stone will be discharged below the mean high tide elevation of the river against the entire base of this portion of the wall to provide additional support. This heavy stone will extend a maximum of 5 feet waterward from the base of the newly installed wall. The existing platform stairs, a 45-foot long by 5-foot wide floating gangway, that provides access to the City of Troy Fire Department Boat would be relocated approximately 800 feet upriver from their present location, and would be installed parallel to the seawall, and therefore projecting approximately 5 feet waterward from the seawall.

Additional work would occur at the mouth of the Poesten Kill, approximately 3,800 linear feet down river from the end of the seawall repair. This work would involve the mechanical dredging of approximately 100 cubic yards of accumulated debris from a 900 square foot area, utilizing a barge or land mounted excavator.

Prior to the commencement of work, a turbidity curtain will be installed along the length of the work area. All construction activities would be performed from barges or accessed directly from the top of the existing wall. It is estimated that 2 barges would be operating at the same time, and each barge would be approximately 100 feet long by 20-30 feet wide.

The stated purpose of this project is to repair the existing seawall, while stabilizing, protecting, and maintaining the structural integrity of the seawall and the adjacent businesses and infrastructure along the Hudson River.



TROY SEAWALL STABILIZATION PROJECT CITY OF TROY, RENSSELAER COUNTY HGMP # 4085-0011

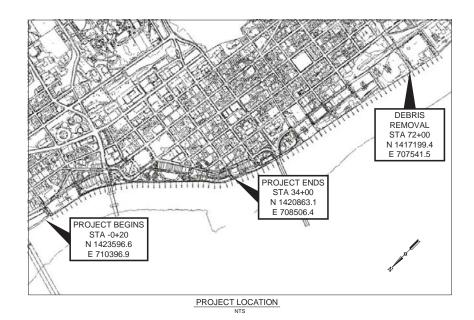
PROJECT LOCATION

PROJECT LOCATION:

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THE PROPOSES PROJECT IS LOCATED IN THE CITY OF TROY IN RENSSELARE COUNTY ALONG THE EAST BANK OF THE HUDSON RIVER. THE PROJECT SEGIONAL THITTON STREET.

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PREPARED AND RECOMMENDED BY

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CHA PROJECT NO.: 29425



FEBRUARY 2017

III Winners Circle, PO Box 5269 Albany, NY 12205-0269 518.453.4500 www.chacompanies.com

