

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-2012-00446
Issue Date: November 19, 2012
Expiration Date: December 19, 2012

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: Minisceongo Yacht Club
81 Grassy Point Road – Box 572
Stony Point, NY 10980

ACTIVITY: Ten year maintenance dredging with upland disposal.

WATERWAY: Hudson River

LOCATION: Town of Stony Point, Rockland 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.

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 affect any

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MEMORANDUM FOR THE RECORD

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. 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 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, 41 State Street, 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) 790-8425 and ask for Larry Young.

In order for us to better serve you, please complete our Customer Service Survey located at: <http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey>.

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 permit applicant, Minisceongo Yacht Club, has requested Department of the Army authorization to perform 10-year maintenance dredging in Hudson River at the Town of Stony Point, Rockland County, New York, with upland placement of all dredged materials at a State-approved placement site.

The regulated work would involve maintenance dredging a 55,000 square-foot-area to the maximum depth of 8-feet-below the plane of Mean Low Water, including 2 feet of allowable overdepth dredging. The proposed activity would result in approximately 10,000 cubic yards of dredged material initially. All dredged material would be placed upland, and retained landward of the Spring High Tide Line.

Subsequent maintenance dredging would be undertaken when necessary, if a 10-year permit is issued. Future dredged material would be placed at a State-approved upland placement site.

The permit applicant has stated that they avoided, minimized and mitigated for impacts that may result from their proposal to the maximum extent practicable by limiting dredging to the smallest area practicable.

The stated purpose of this regulated work is to restore channel and berth depths.

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PEEKSKILL HARBOUR
The centre of Peekskill Harbour is 4 feet deep and 1,100 feet in length, which is 1 foot in a mile width of 50 feet from the lower wharf to the upper wharf and 3 feet for a width of 100 feet from the wharves.



SMALLMO
12 lbs. gen. popular for the larger bass its eye rocky lakes fish insect



LARGEMO
20 lbs. and above of it. Prefers that these are largemouth

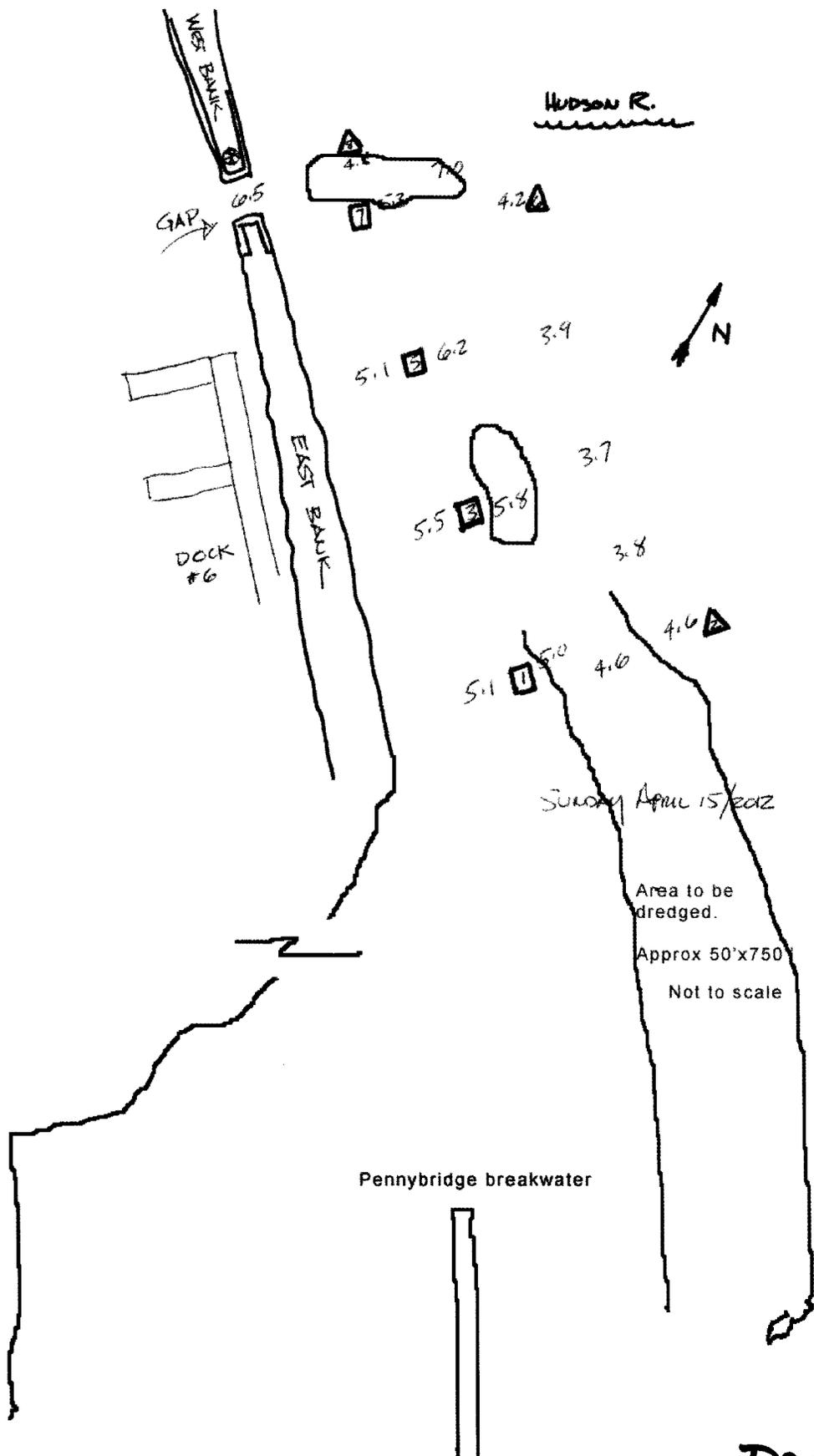
*Muniscoongo
Yacht Club*

Hyatt's Waterproof Chart 4.1, The Hudson River is a compilation of the most up-to-date NOAA charts available as of 2/2/99 #12327 Edition 88, 8/5/95 #12341 Edition 2/2/99 #12343 Edition 16, 5/5/99 #12344 Edition 11/95 and #12348 Edition 32, 9/10/94. The charts were then updated using the Local Notice to Mariners, to 1996. All charts should be updated with the latest Notices to Mariners issued by the Coast Guard.

The Mercator projection used for each of the charts is different and may result in the charts not matching exactly. There may be other differences in the charts that will not be mentioned. The greatest discrepancy is in the depth

DRAWING 1 of 7

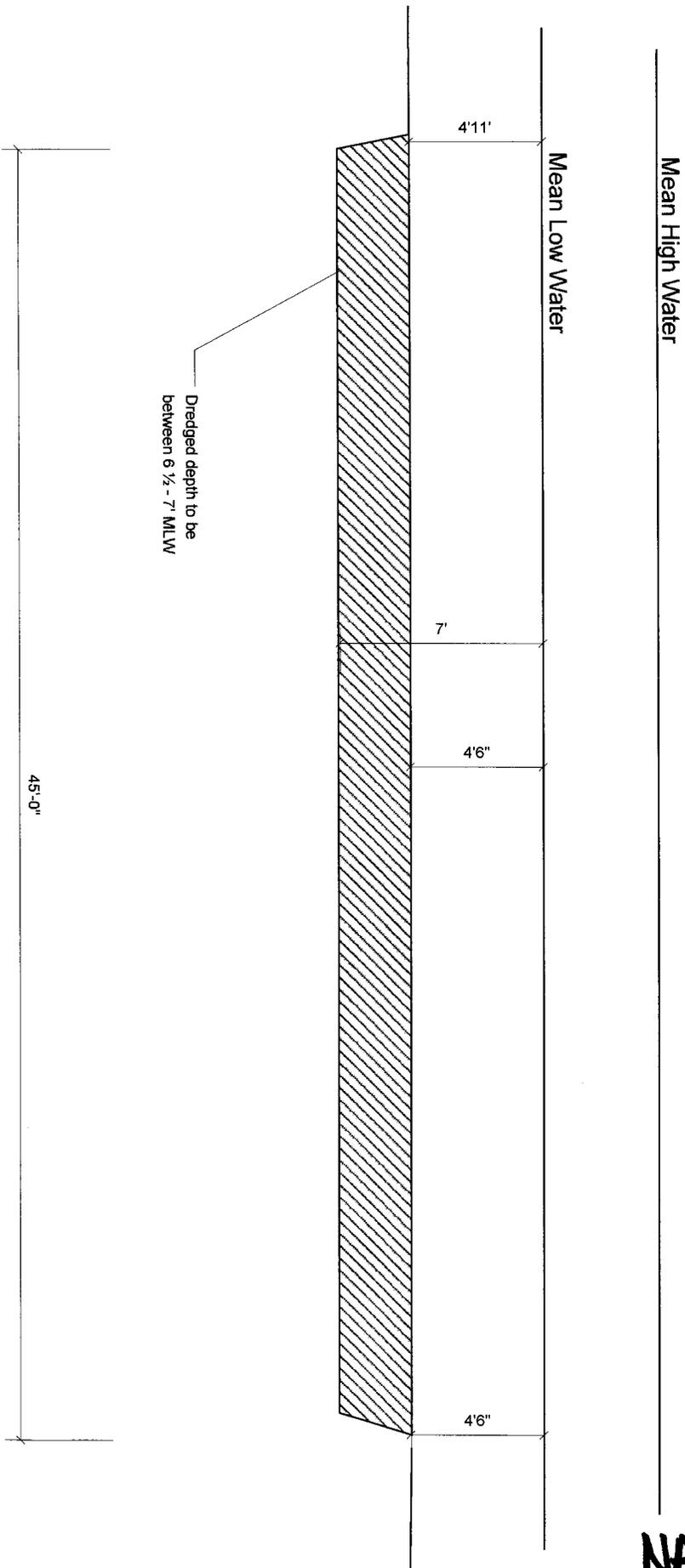
NAN-2012-00446-EYO



DRAWING 2 OF 7

NAN-2012-00446-EYD

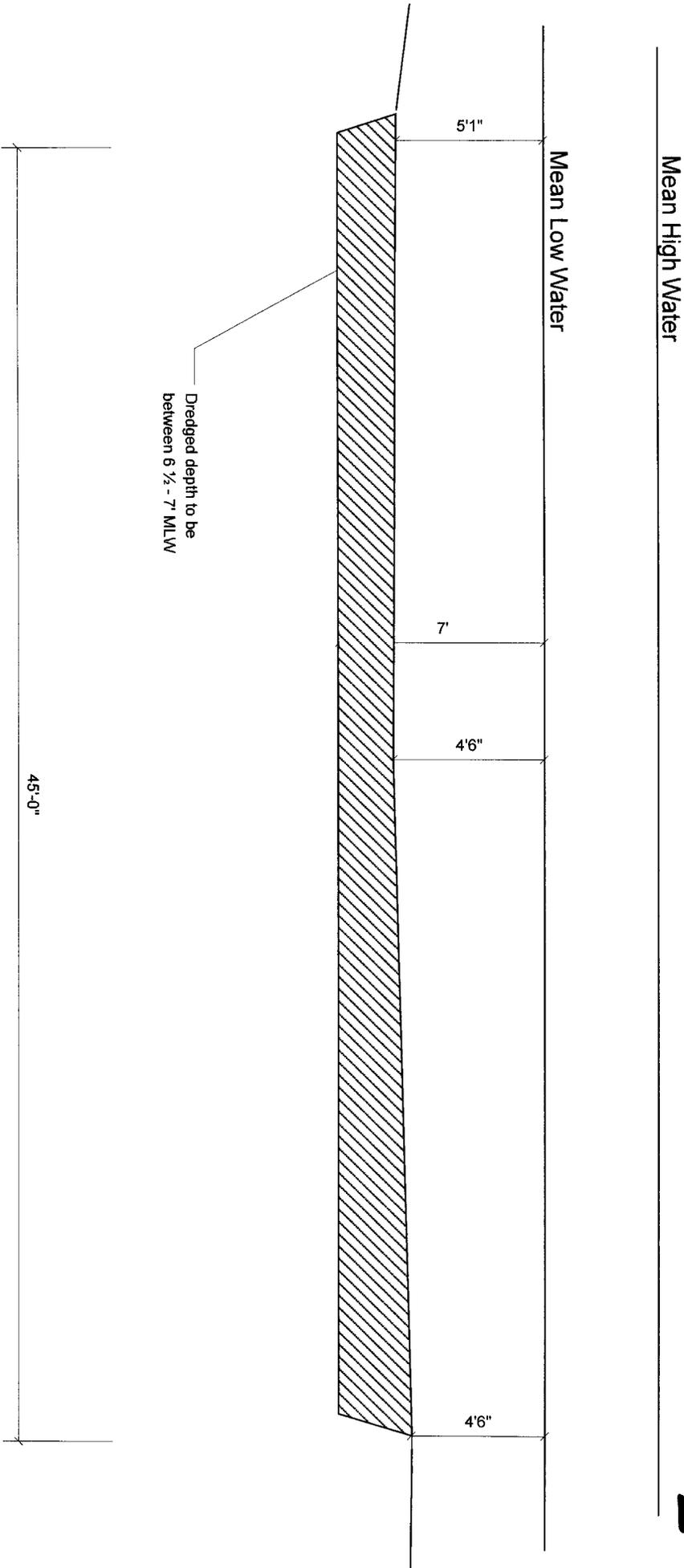
Cross Section of existing Channel in front of Penny Bridge and proposed dredging depths



Drawing 3 of 7

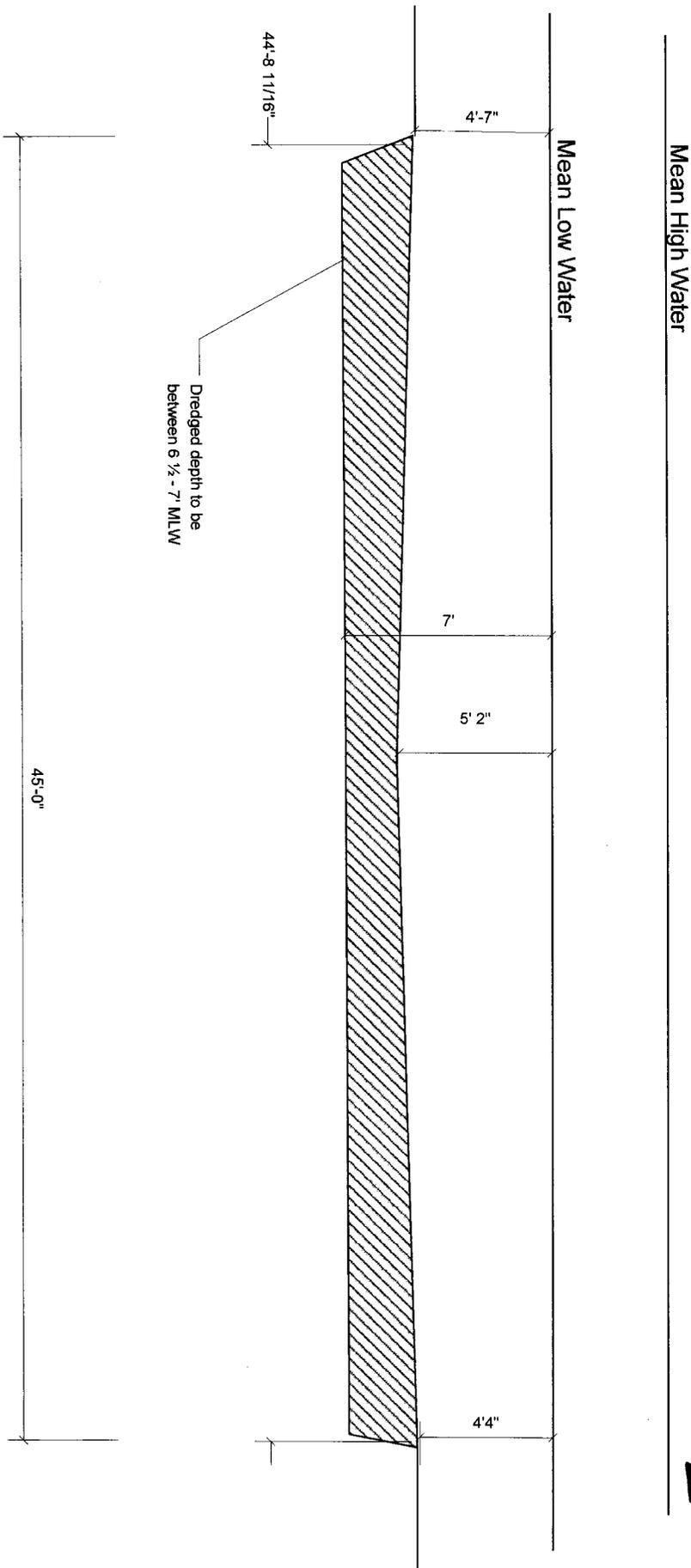
NAN-2012-00446-E40

Cross Section of existing Channel by Buoy # 1 and proposed dredging depths



Drawing 4 of 7
NAN-2012-00446-EYO

Cross Section of existing Channel by Buoy #3 and proposed dredging depths

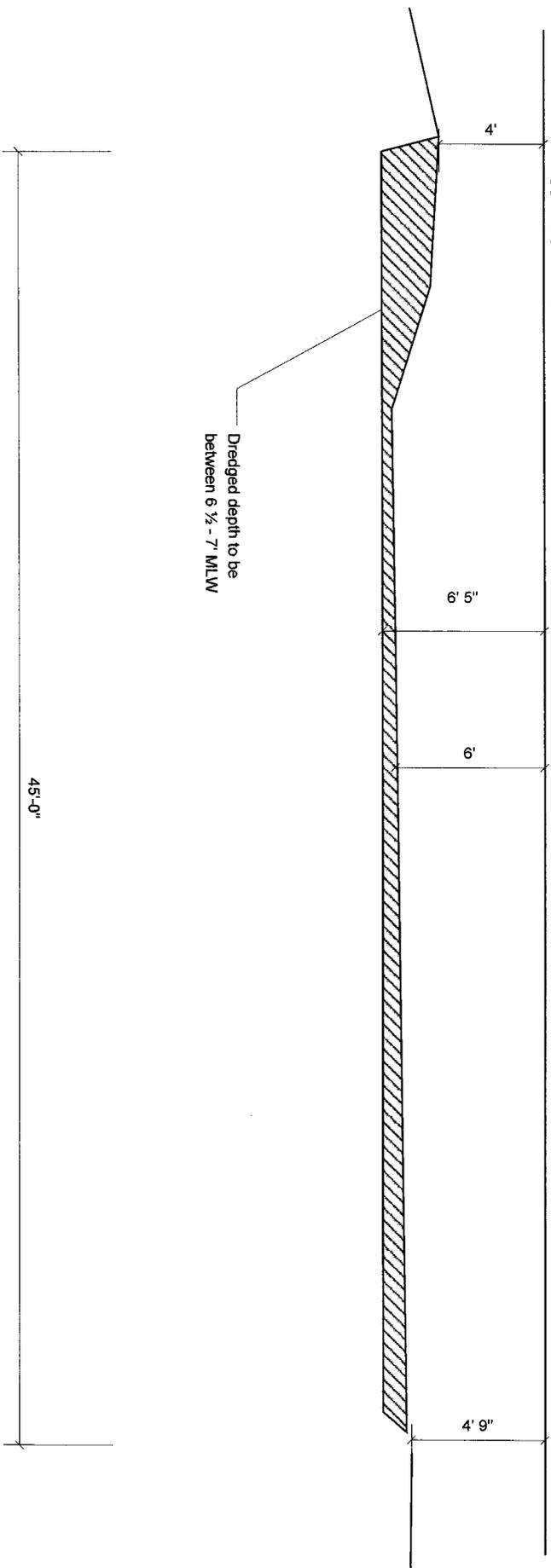


Drawing 5 of 7
NAN-2012-00446-EYC

Cross Section of existing Channel by buoy # 5 and proposed dredging depths

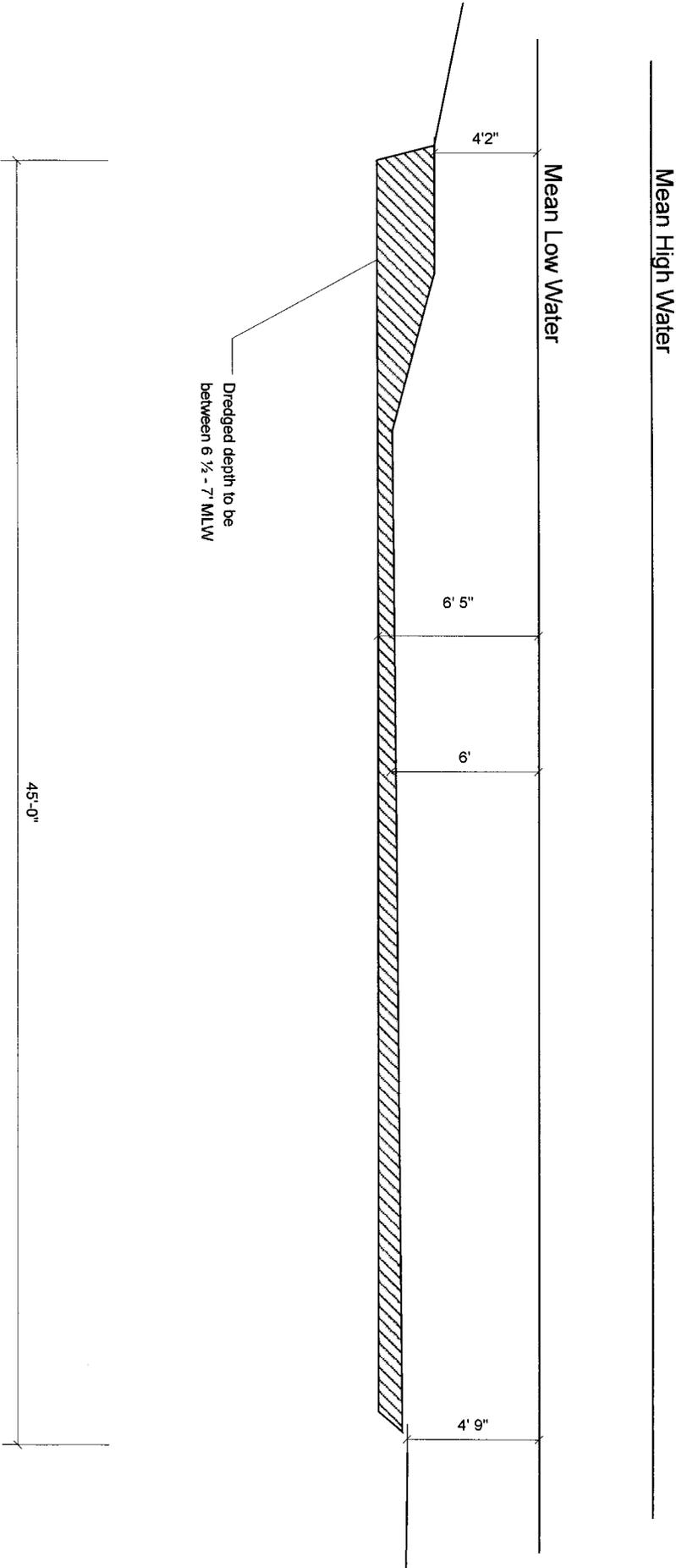
Mean High Water

Mean Low Water



Drawing 6 of 7
NAN-2012-00446-EYD

Cross Section of existing Channel by buoy # 7 and proposed dredging depths



Drawing 7 of 7
NAN-2012-00446-EYO