



# 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-2012-00919  
Issue Date: December 3, 2012  
Expiration Date: January 2, 2013

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: Rampersaud Madho  
17 Hearthside Drive  
Ballston Lake, New York 12019

ACTIVITY: Dredge with 10 years maintenance and upland disposal

WATERWAY: Great Sacandaga Lake

LOCATION: Town of Northampton, Fulton 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 KEVIN BRUCE AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO [kevin.j.bruce@usace.army.mil](mailto:kevin.j.bruce@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

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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 will not affect 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.

The applicant received a letter from N.Y.S. Office of Parks, Recreation and Historic Preservation (SHPO) dated August 16, 2012, which stated SHPO's opinion that the project would have No Effect upon cultural resources in or eligible for the inclusion in the National Register of Historic Places. 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.

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

- New York State Department of Environmental Conservation Water Quality Certification and Article 15 Title 5 Permit for Excavation & Fill in Navigable Waters
- Hudson River Black River Regulating District Permit

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://per2.nwp.usace.army.mil/survey.html>

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 Kevin Bruce of this office at (518) 266-6358.

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

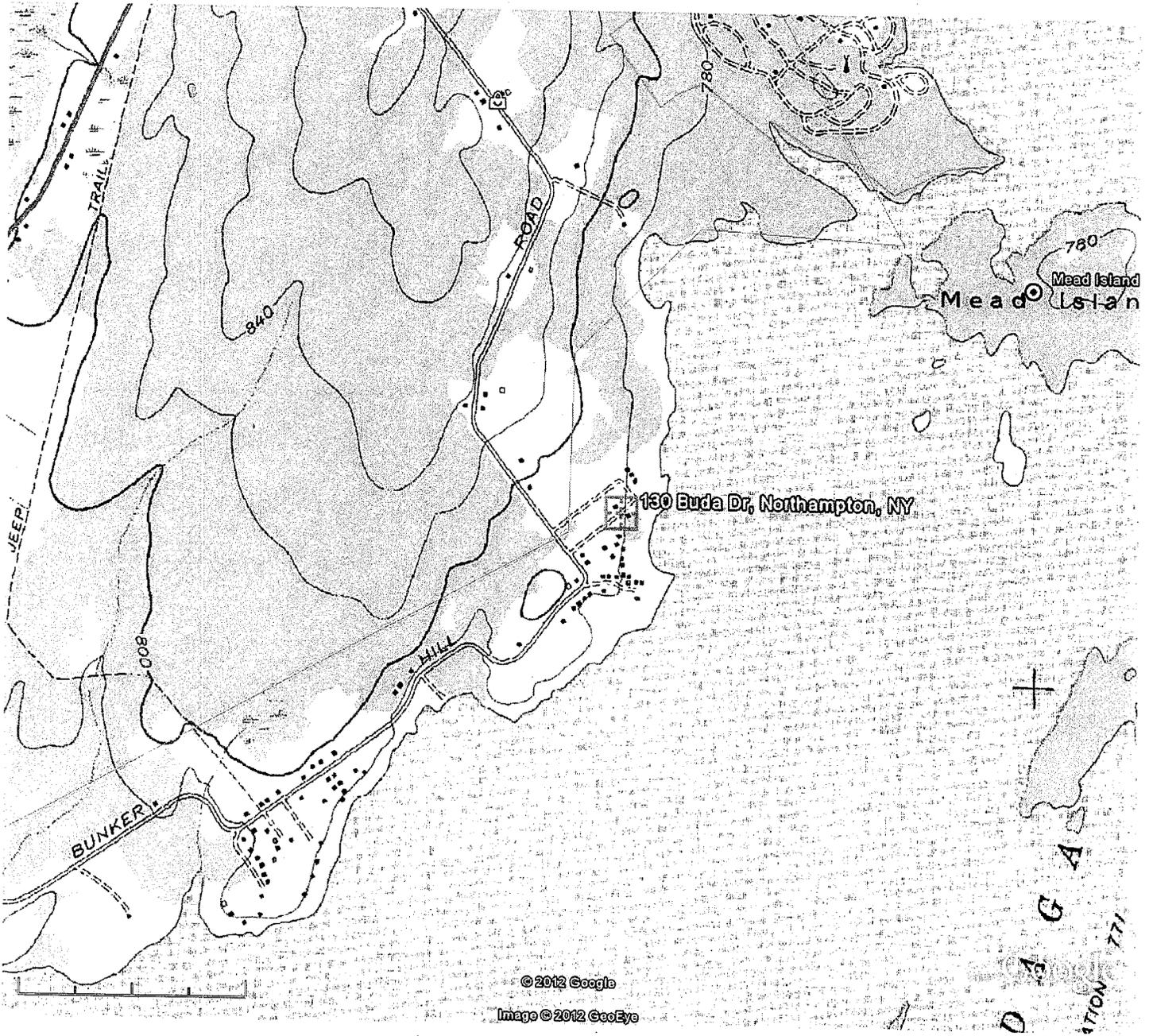
The applicant, Rampersaud Madho, has requested a Department of the Army permit to dredge, with ten years maintenance, in the Great Sacandaga Lake, with upland disposal. The site is located in the vicinity of 130 Buda Drive, in the Town of Northampton, Fulton County, New York. The stated purpose of the project is to create a safe and suitable recreational area for swimming and boat access.

The work would involve the mechanical dredging of an approximately 4,000 square foot trapezoidal area and a 4,500 square foot rectangular area, to a depth of approximately 2 feet below the plane of the ordinary high water mark (OHWM). Approximately 629 cubic yards of silt loam sediment would be removed from these areas by a rubber-wheeled tractor with a bucket/back hoe, loaded into a dump trailer pulled by a truck, and deposited in uplands a minimum of 300 feet from the lake. The work would be conducted when the lake level is below the work area and there would be no return flow to the waterway. Additional work would include the construction of a 12 foot by 20 foot temporary access ramp consisting of pre-formed 2 feet by 3 feet concrete pavers to support the dredging equipment. This ramp would be completely removed from the waterway upon the completion of each dredging operation.

The trapezoidal area will be used for recreation, including swimming and boat access. The purpose of the rectangular area is to allow the lake-water to drain from the trapezoidal area when the lake recedes from its upper reaches.

The applicant proposes to maintain these depths each year over the ten year life of a permit. A maximum of 629 cubic yards of materials, dredged each year over the ten year period if necessary, would be deposited in upland disposal areas with no return flow to the waterway.

The applicant has stated that they have avoided and minimized proposed impacts to the maximum extent practicable by minimizing the size of the dredge areas and by redesigning the dredge area to avoid wetlands and vegetated shallows.



Revised 11/20/12, Drawing of proposed Madho excavation on Great Sacandaga Lake, Town of Northampton, prepared by Rampersaud Madho, Drawing not to scale

