



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: 1998-09560-YS
Issue Date: August 17, 2005
Expiration Date: September 16, 2005

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 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Troy Motor Boat & Canoe Club
763 1st Avenue
P. O. Box 216
Troy, NY 12182

ACTIVITY: Maintain as Completed and Reconfigure Portions of an Existing Marina

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 REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

**CENAN-OP-RW
PUBLIC NOTICE NO. 1998-09560-YS**

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 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.

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.

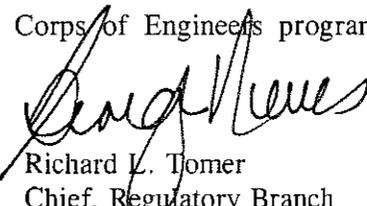
Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or 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: Permit from the 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 Steven A. Schumach.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

FOR 
Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Troy Motor Boat & Canoe Club, has requested Department of the Army authorization to maintain as completed and reconfigure portions of a marina in the Hudson River at 763 1st Avenue, City of Troy, Rensselaer County, New York.

The applicant proposes to reconfigure a floating pier assembly, as follows:

Remove the 6 foot by 112 foot northern end of an existing inner north-south floating pier,

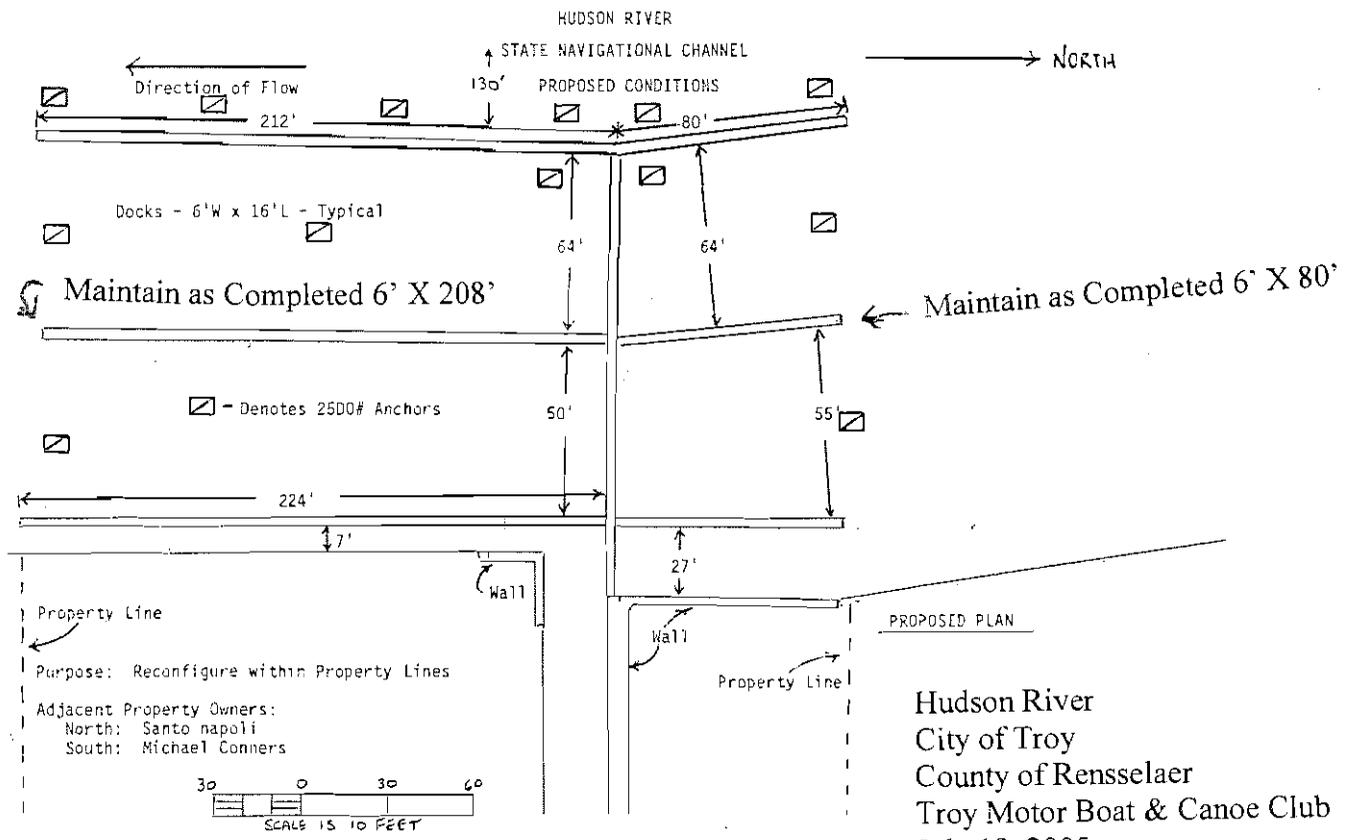
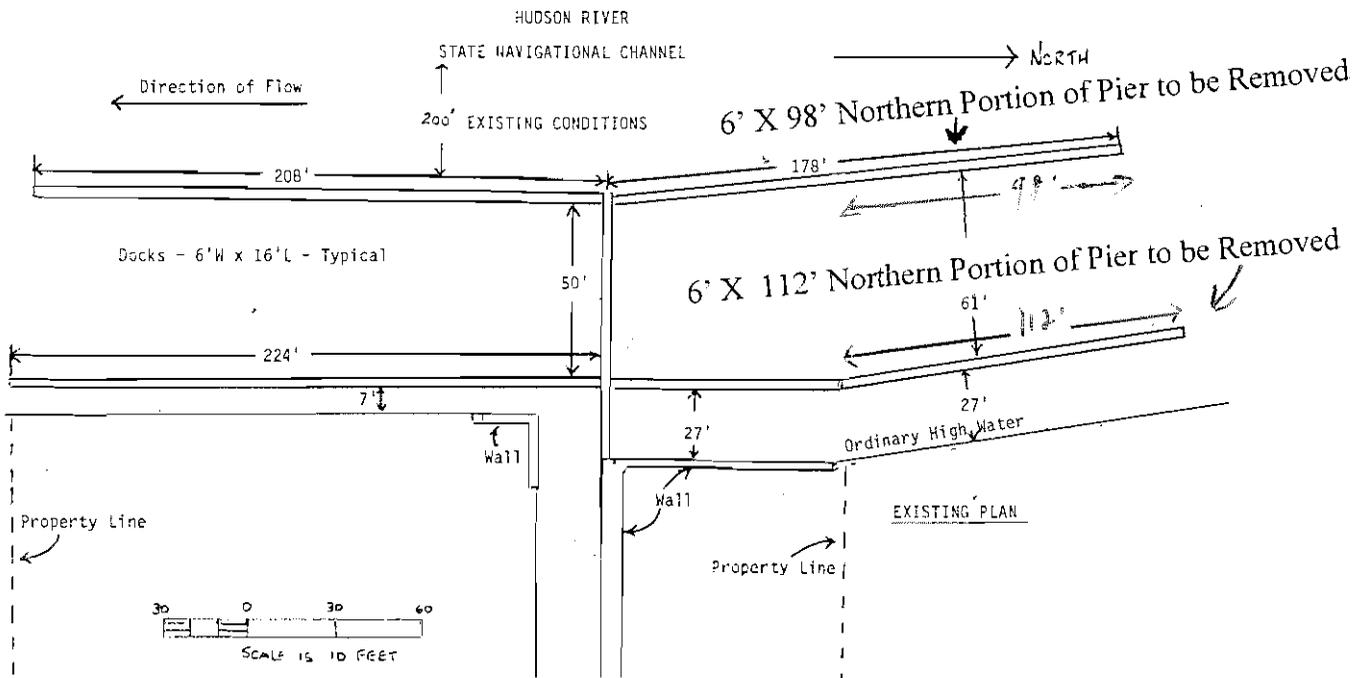
Remove the 6 foot by 98 foot northern end and maintain as completed the remaining 6 foot by 80 foot northern portion and 6 foot by 208 foot southern portion of the second floating pier,

Reconfigure the removed floats by installing a new third outer floating pier of 6 feet by 212 feet and 6 feet by 80 feet with a connecting 6 foot by 64 foot floating pier.

The floating piers consist of connected individual floats generally of 6 feet by 16 feet each and would be secured by anchors and chains. The number of boats slips would change from 33 to 36. The stated purpose of the marina reconfiguration is to move the floats so they will be within the applicant's extended property lines.

The applicant also requests Department of the Army authorization to maintain as completed the placement of approximately 100 cubic yards of riprap along 120 feet of shoreline for bank stabilization.

The second floating pier and riprap were built without prior Department of the Army authorization. The New York District, U.S. Army Corps of Engineers, having reviewed the matter, has declined at this time to initiate legal proceedings for the undertaking of the unauthorized work. The decision as to whether or not to grant approval rests with an evaluation of the probable impact on the public interest of either allowing the work to remain constructed, or requiring its modification.

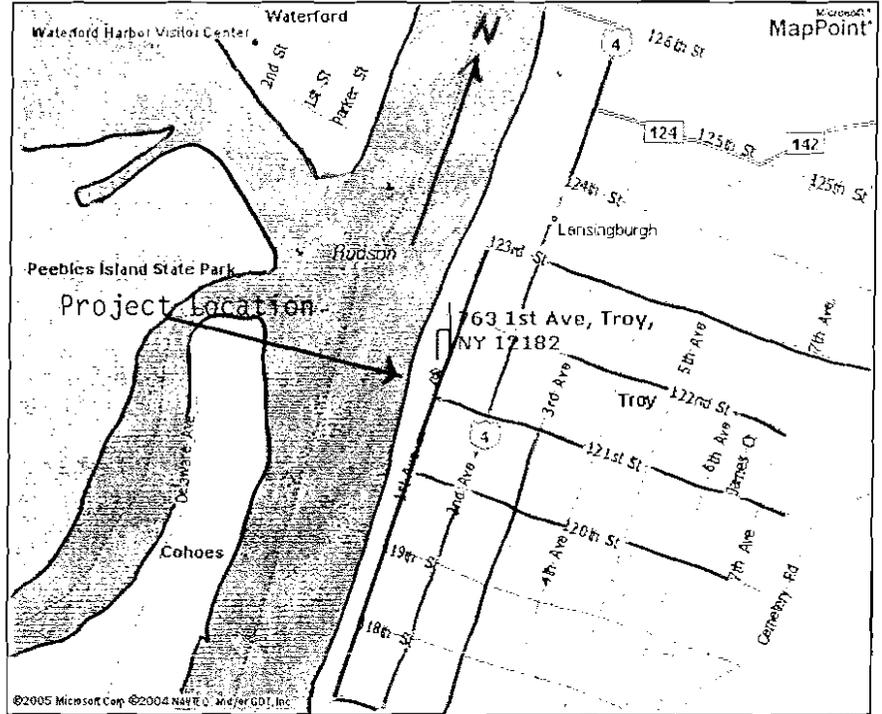


Purpose: Reconfigure within Property Lines

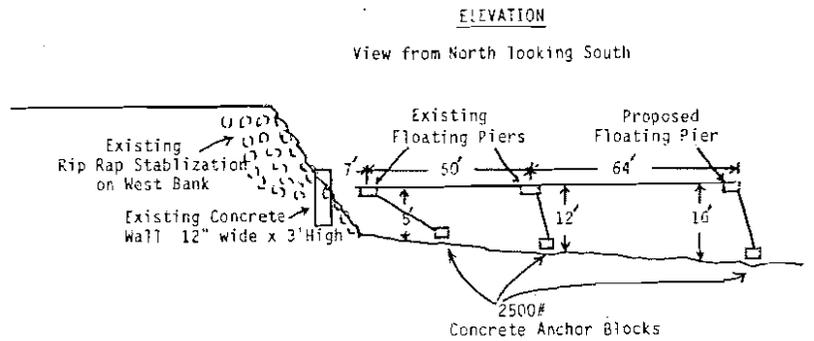
Adjacent Property Owners:
North: Santo napoli
South: Michael Connors

Hudson River
City of Troy
County of Rensselaer
Troy Motor Boat & Canoe Club
July 19, 2005
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763 1st Ave, Troy, NY 12182

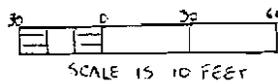


VICINITY MAP From MSN MapPoint

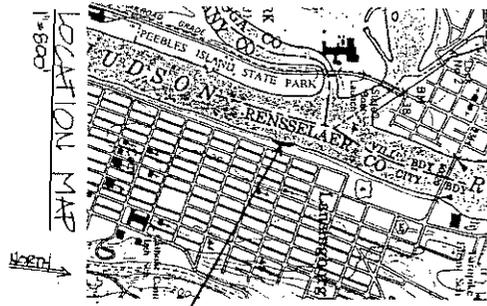


Purpose: Reconfigure within Property Lines PROPOSED PLAN

Adjacent Property Owners:
North: Santo Napoli
South: Michael Conners

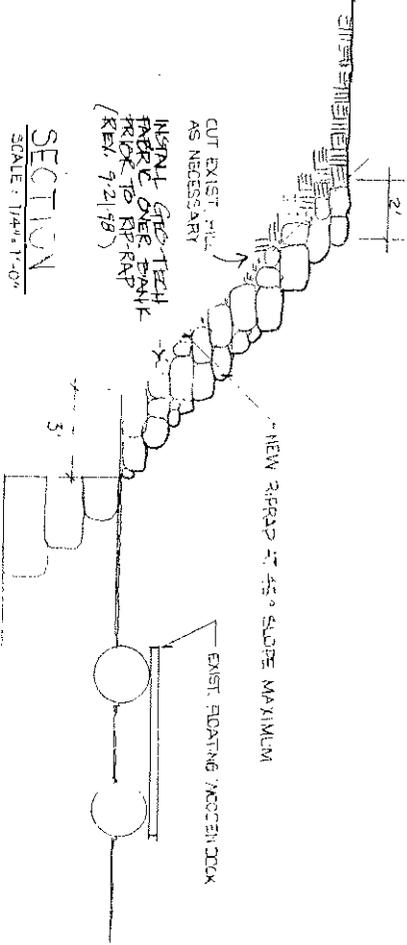


Hudson River
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Sheet 2 of 3

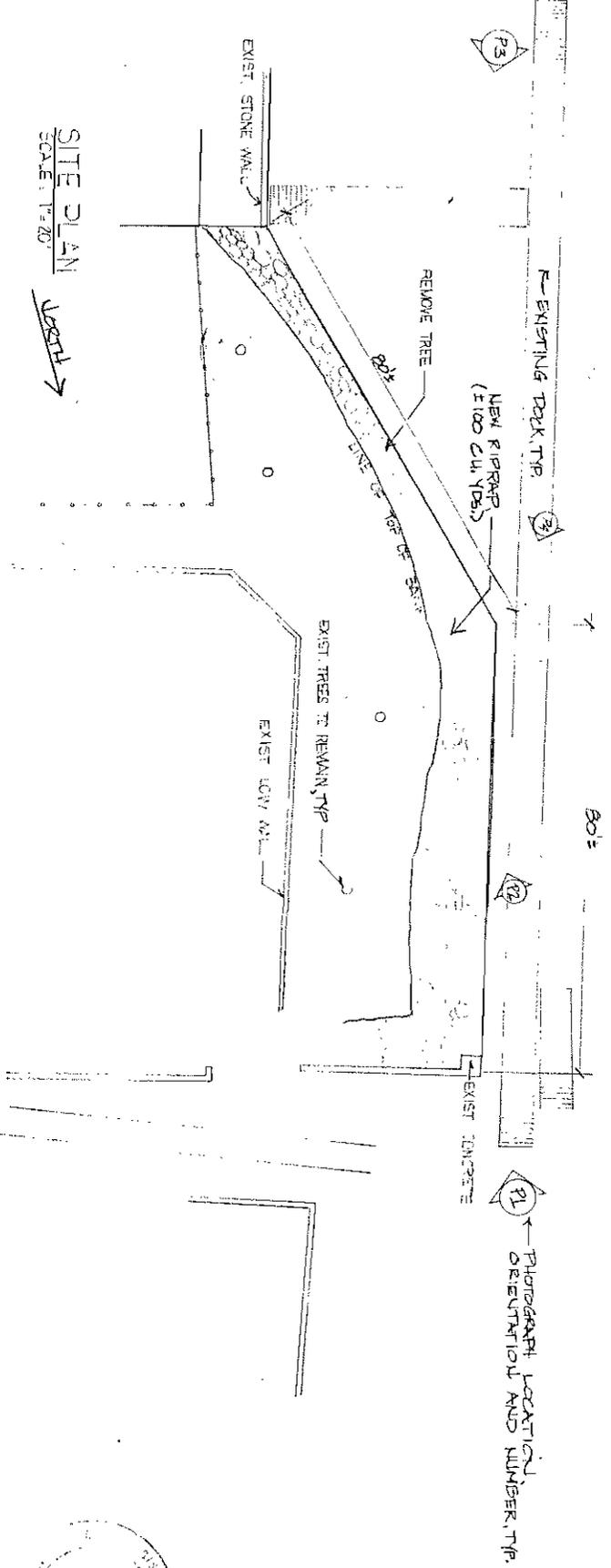


NOTE: LEGS PERIOD OF RECORDED 1946 - PRESENT SHOWS MINIMUM STRENGTH HIGH TIDE TO BE 26.74 ABOVE SEA LEVEL ON 12/31/48

ELEV: 20'
 ABOVE SEA LEVEL AS SHOWN ON LEGS MAP



SECTION
 SCALE: 1/4" = 1'-0"



SITE PLAN
 SCALE: 1/4" = 20'

Hudson River
 City of Troy
 County of Rensselaer
 Troy Motor Boat & Canoe Club
 July 19, 2005
 Sheet 3 of 3



Troy
 TROY ARCHITECTURAL PROGRAM
 TAP INC.
 210 RIVER ST.
 TROY, NY 12180
 518-274-3050
 FAX 274-3185

PROJECT	BANK STABILIZATION	
DATE: MAY 11, 1998	FOR: TROY BOAT CLUB	JOB: 914 059
REV. 7/29/98	BY: GH	