



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: 2003-01117-YN
Issue Date: 3 June 2004
Expiration Date: 6 July 2004

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 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Columbia Companies
302 Washington Avenue Extension
Albany, NY 12203

ACTIVITY: Discharge fill material into waters of the United States to expand parking and construct a stormwater management area at the Shaker Farms Office Building.

WATERWAY: Unnamed tributary to Shakers Creek (Mohawk River Watershed)

LOCATION: Town of Colonie, Albany 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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. 2003-01117-YN

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 United States Fish and Wildlife Service (FWS) has determined that the activity for which authorization is sought is not likely to adversely affect the Karner blue butterfly (*Lycaeides melissa samuelis*) or its critical habitat. The activity is not likely to affect any other 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, we have determined that the Watervliet Shaker Historic District is located in the project area. The New York State Office of Parks, Recreation and Historic Preservation (SHPO) has determined that the proposed undertaking would have no adverse effect on the listed historic district provided previously agreed to conditions are met. The New York District will continue to coordinate with SHPO to ensure that the requirements of Section 106 of the National Historic Preservation Act of 1966 are satisfied. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

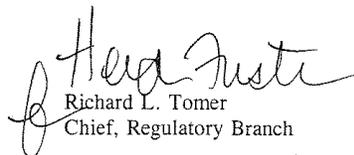
Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorizations for the activity under consideration:

New York State Department of Environmental Conservation - Article 24 Permit
Town of Colonie - Site Plan Amendment and SEQR Approval

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 (518) 273-7420 and ask for Christine Delorier.

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


Richard L. Tomer
Chief, Regulatory Branch

Enclosures

**CENAN-OP-RW
PUBLIC NOTICE NO. 2003-01117-YN**

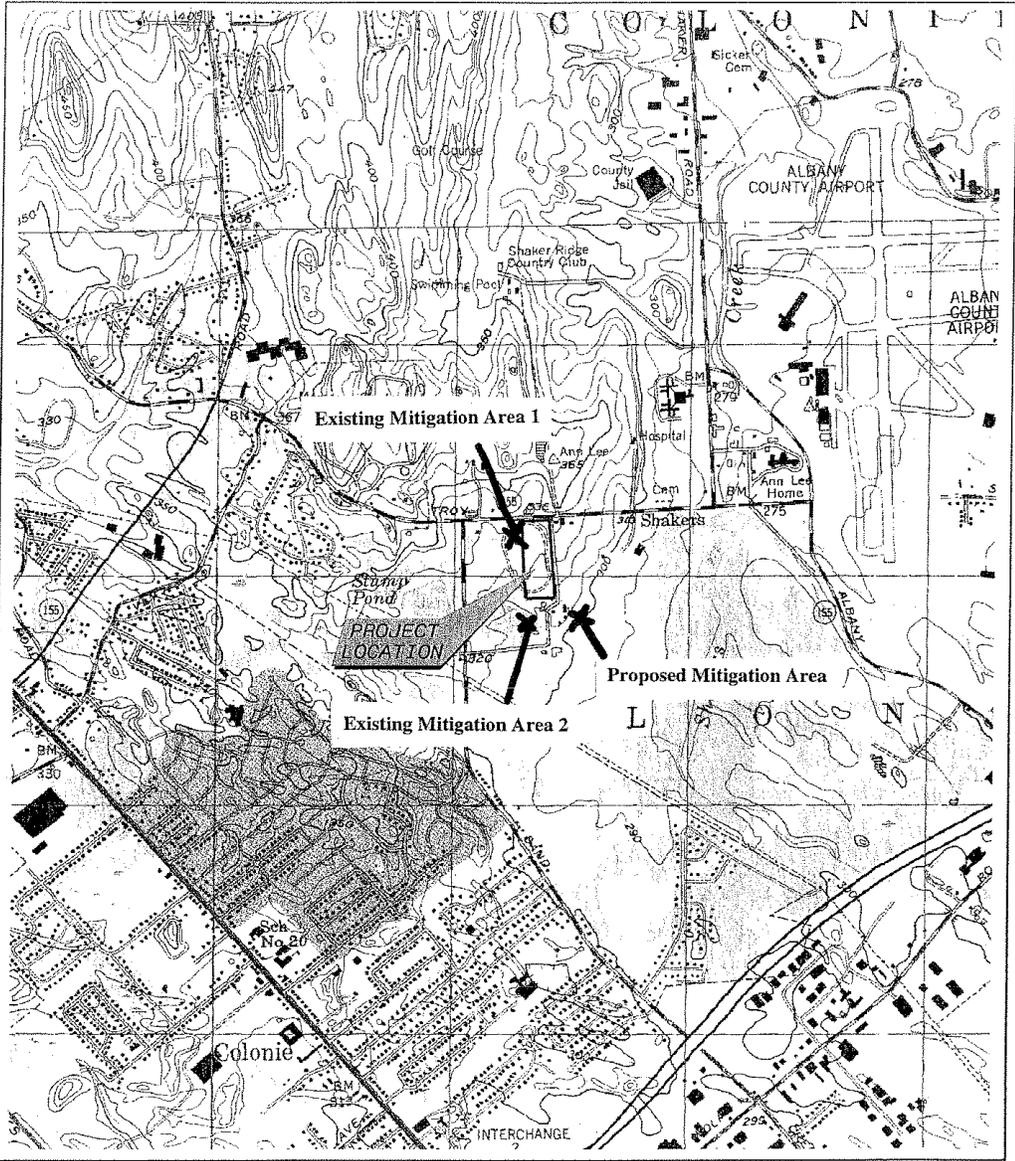
WORK DESCRIPTION

The applicant, Columbia Companies, has requested Department of the Army authorization to discharge fill material into waters of the United States to expand parking and construct a stormwater management area at the Shaker Farms Office Building. The site is approximately 3.1 acres, and is located at 900 Watervliet Shaker Road in the Town of Colonie, Albany County, New York.

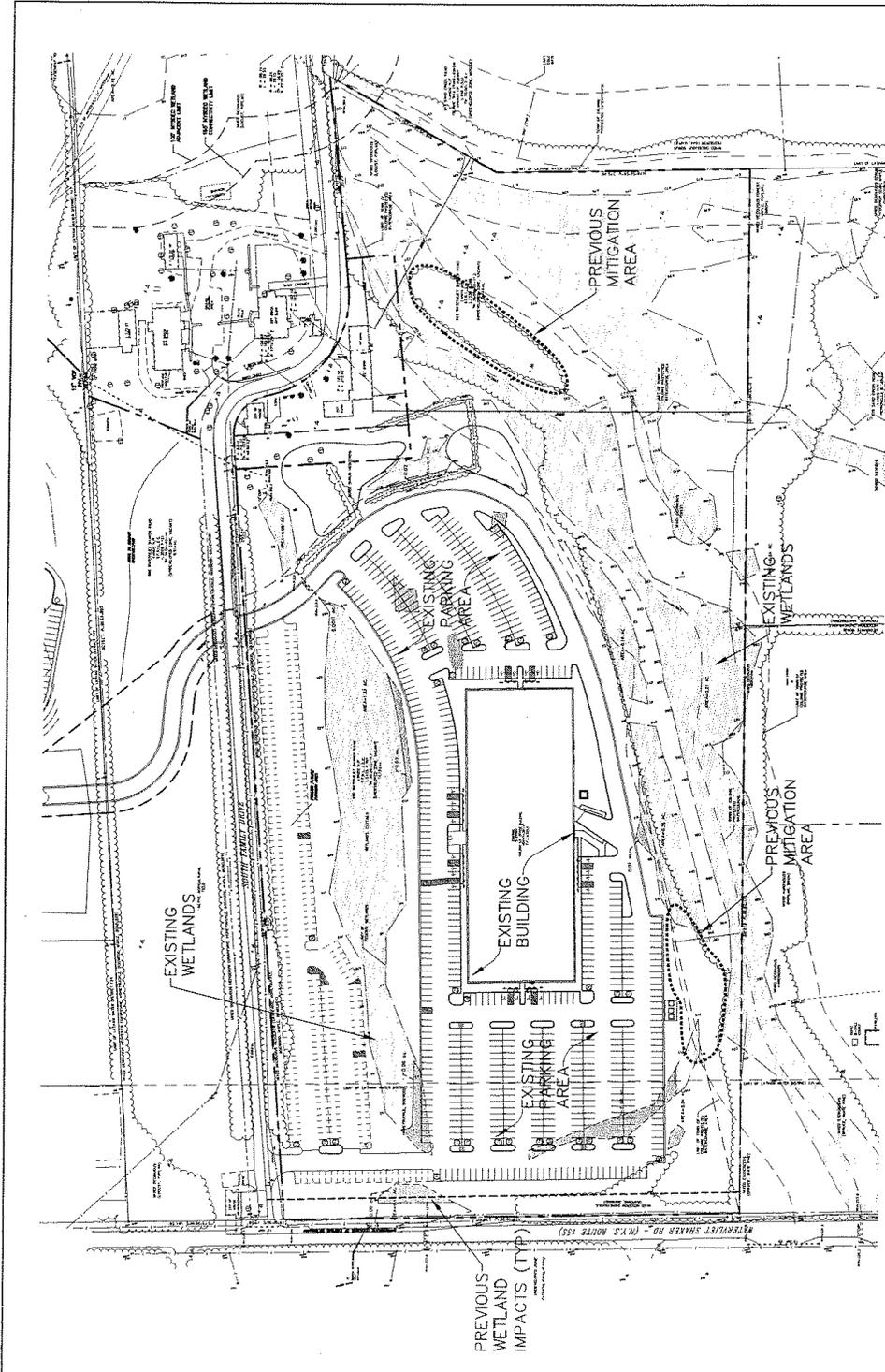
The construction of the existing office complex was pursued by the applicant under Department of the Army Nationwide Permit Numbers 12, 33, and 39 and was completed in June 2002. The work involved the discharge of fill material into 0.17 acre of wet meadow wetlands to facilitate the construction of a 140,800 square foot office building and 650 parking spaces. Temporary impacts to 0.014 acre of wetlands and 20 linear feet of an unnamed tributary to Shakers Creek occurred for the installation of a sewer line. An additional 0.016 acre of wetlands were permanently filled to stabilize the stream at the utility line crossing. Mitigation for the impacts included the creation of 0.41 acre of wet meadow and shrub scrub wetlands at two locations on the project site. Fill material was temporarily placed in 0.025 acre of wetlands to facilitate access to Mitigation Area 1. To this date, the temporary access road to Mitigation Area 1 and the berm built at Mitigation Area 2 have not been removed. The applicant indicates that both areas would be restored by the end of Spring 2004. The original plans also designated a location for proposed future parking spaces immediately east of the location that is currently proposed. The former future parking location was in uplands.

The applicant now proposes to move the additional parking area closer to the office building and construct a stormwater management area to the south of this area. A total of 222 new parking spaces would be provided. The new construction would result in the discharge of fill material into 1.33 acres of wet meadow/emergent wetlands that are adjacent to an unnamed tributary to Shakers Creek. The gravel from the location where the original parking expansion was proposed would be removed and the area seeded with an upland meadow mix. As mitigation for the loss of wetlands, the applicant proposes to create 1.89 acres of wet meadow wetlands at 3 locations adjacent to an existing wetland. The 3 mitigation areas are located on a property southeast of the project site that is not owned by the applicant.

The stated purpose of the proposed work is to provide additional parking to meet tenant needs and to relocate the parking area so that it is closer to the office building.



<i>Columbia Companies</i>		
	 CLOUGH, HARBOUR & ASSOCIATES LLP <small>ENGINEERS, SURVEYORS, PLANNERS & LANDSCAPE ARCHITECTS</small>	Project Location Map Application No: 2003-01117 Drawing 1 of 13
	Scale 1" = 2000'	CHA File No: 11597.1007.1101



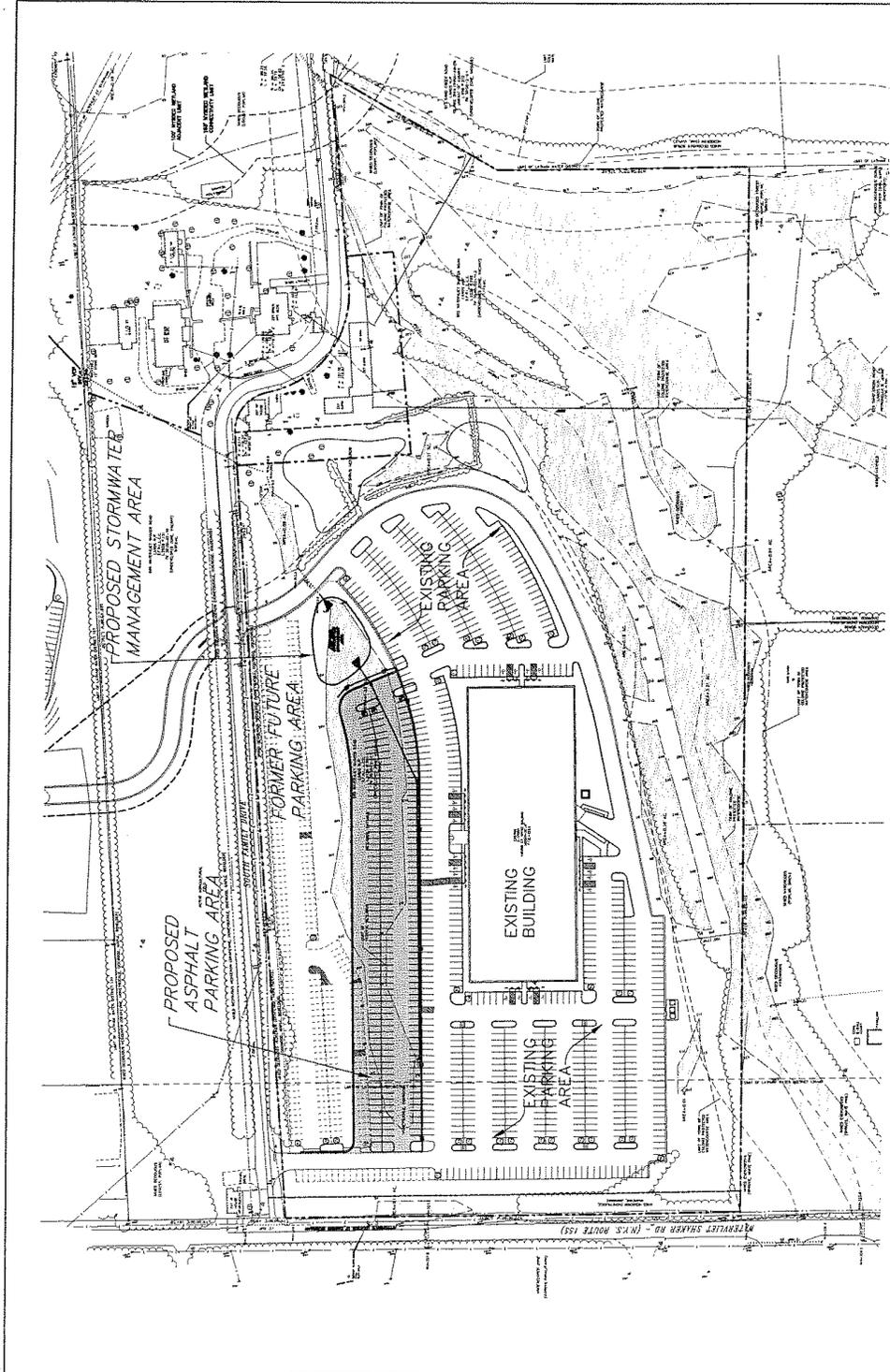
Application No. 2003-01117 Sheet 2 of 13



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GRAPHIC CONSULTANTS
CLOUGH, HARBOUR & ASSOCIATES LLP
ENGINEERS, SURVEYORS, PLANNERS & LANDSCAPE ARCHITECTS
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Columbia Companies

SHAKER FARMS
 PARKING EXPANSION AREA
 EXISTING CONDITIONS



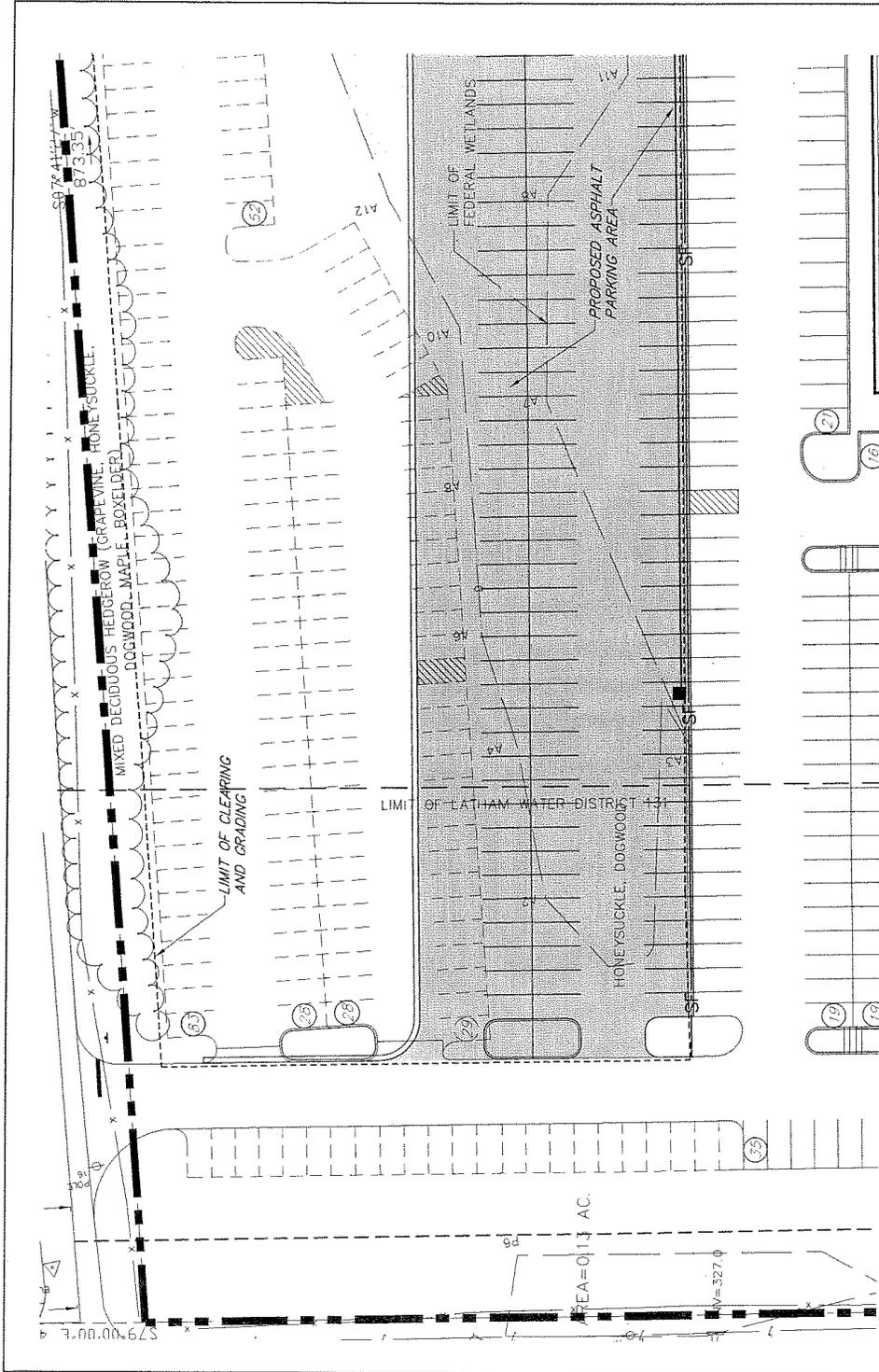
Application No. 2003-0117 Sheet 3 of 13

Columbia Companies

SHAKER FARMS
PARKING EXPANSION AREA
PROPOSED CONDITIONS



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SCALE: 1" = 300'



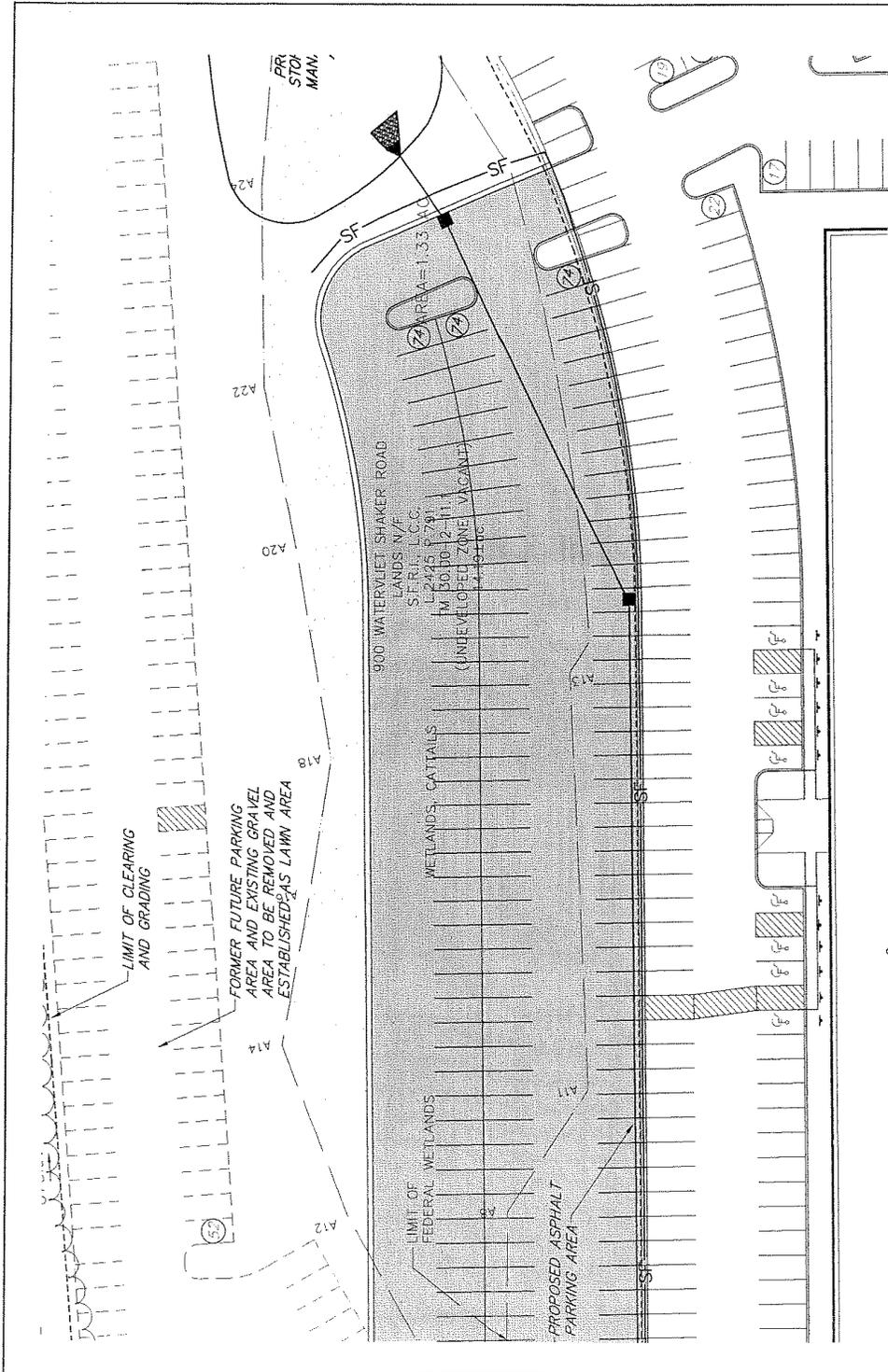
Application No. 2003-01117, Sheet 4 of 13

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Columbia Companies

SHAKER FARMS
 PARKING EXPANSION AREA
 PROPOSED CONDITIONS AREA-1



Application No. 2003-0117 Sheet 5 of 13



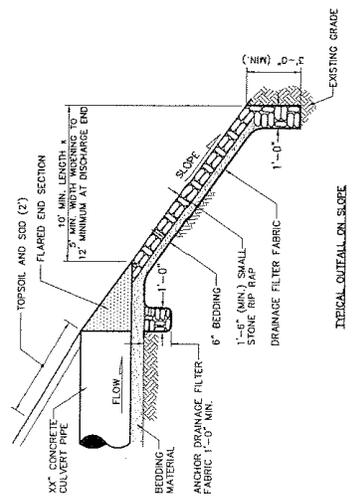
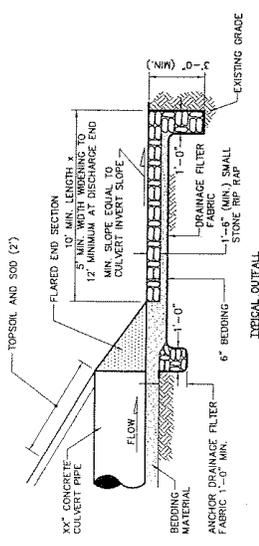
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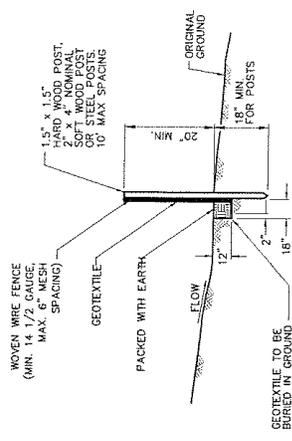
SHAKER FARMS
 PARKING EXPANSION AREA
 PROPOSED CONDITIONS AREA-2

SCALE: 1" = 50'

DATE: 10.11.02



X TYPICAL CULVERT OUTFALL RIP RAP
SCALE: N.T.S.



- NOTES:
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 2. FILTER CLOTH TO BE FASTENED SECURELY TO TOP AND MID SECTION.
 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
 4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND REMOVED WHEN 'BULGES' DEVELOP IN THE SILT FORCE.
- EXISTIS: STEEL, EITHER 'U' TYPE, OR 2" HARDWOOD
- FENCE: WOVEN WIRE, 14 1/2 GA., 6" MESH OPENING
- FILTER CLOTH: FILTER X, MIRAFT 100X STABILUMKA T140W OR APPROVED EQUAL
- RECYCLED, UNL. GEOFAB., ENVIRONMENT, OR APPROVED EQUAL

X SILT FENCE
SCALE: N.T.S.

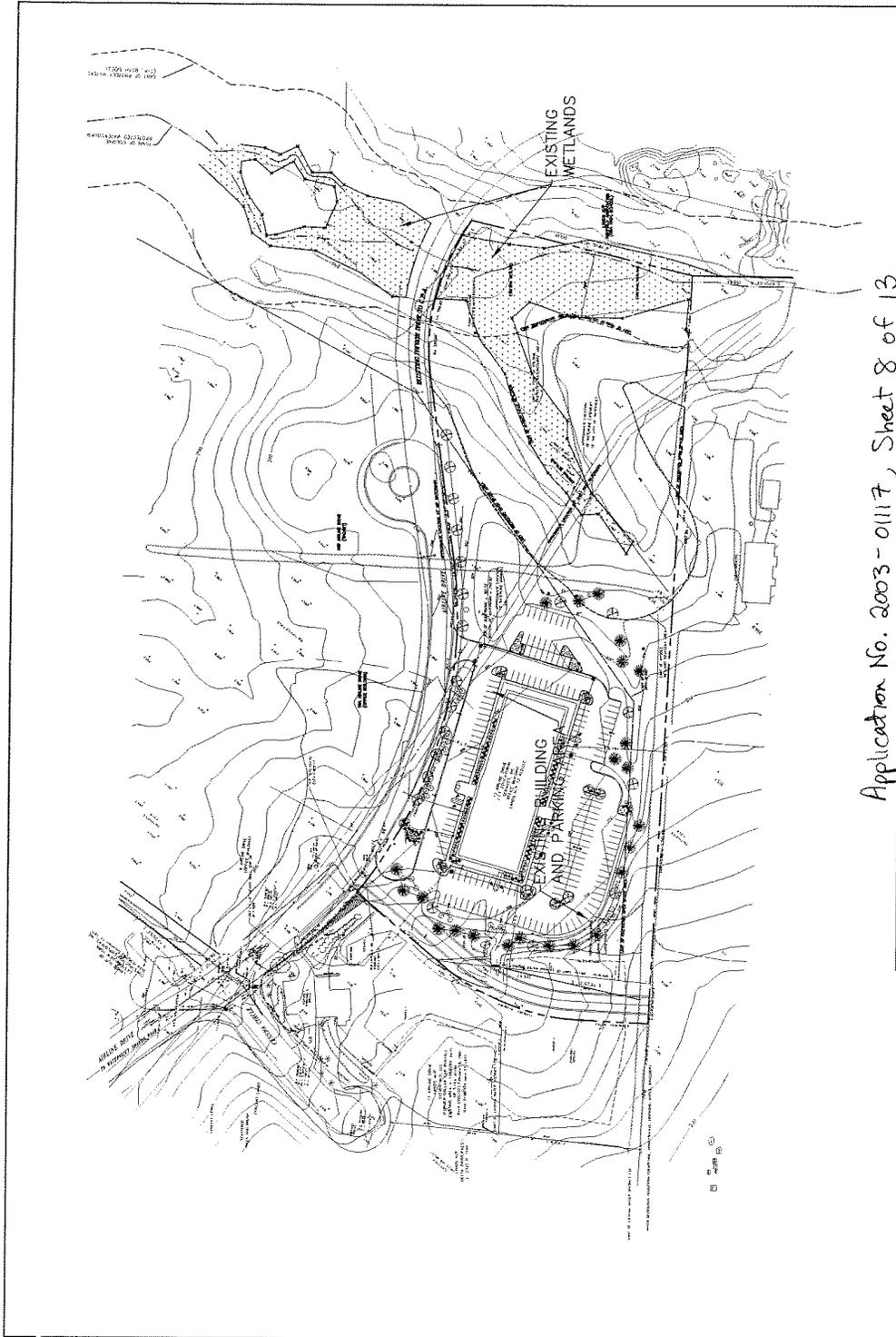
Application No. 2003-0117 Sheet 7 of 13



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Columbia Companies
SHAKER FARMS
PARKING EXPANSION AREA
DETAIL SHEET

SCALE: DATE: 10.14.02



Application No. 2003-01117, Sheet 8 of 13

Columbia Companies

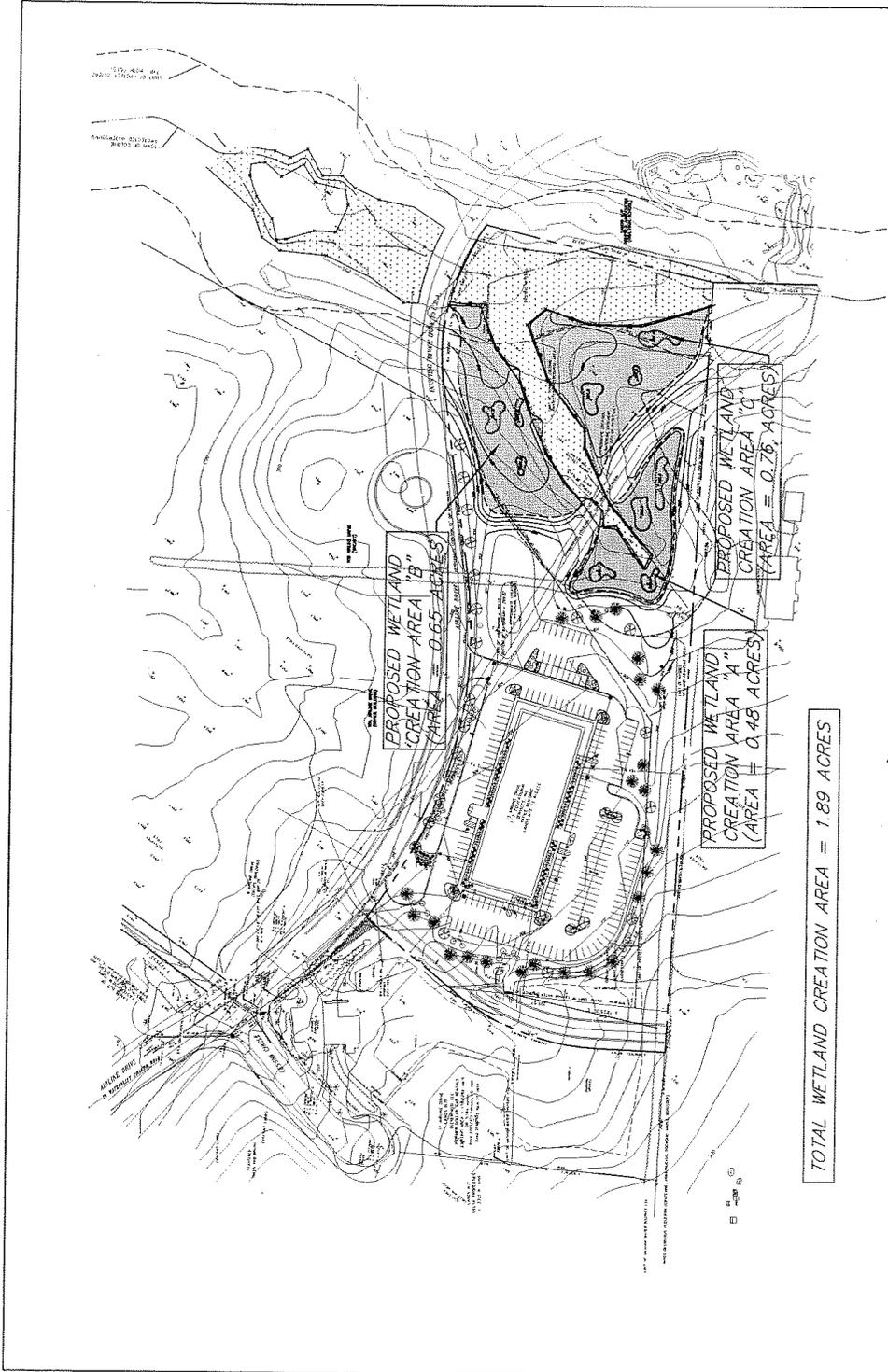
SHAKER FARMS
WETLAND MITIGATION
EXISTING CONDITIONS PLAN

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ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS

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SCALE: 1" = 200' DATE: 10.10.07





TOTAL WETLAND CREATION AREA = 1.89 ACRES

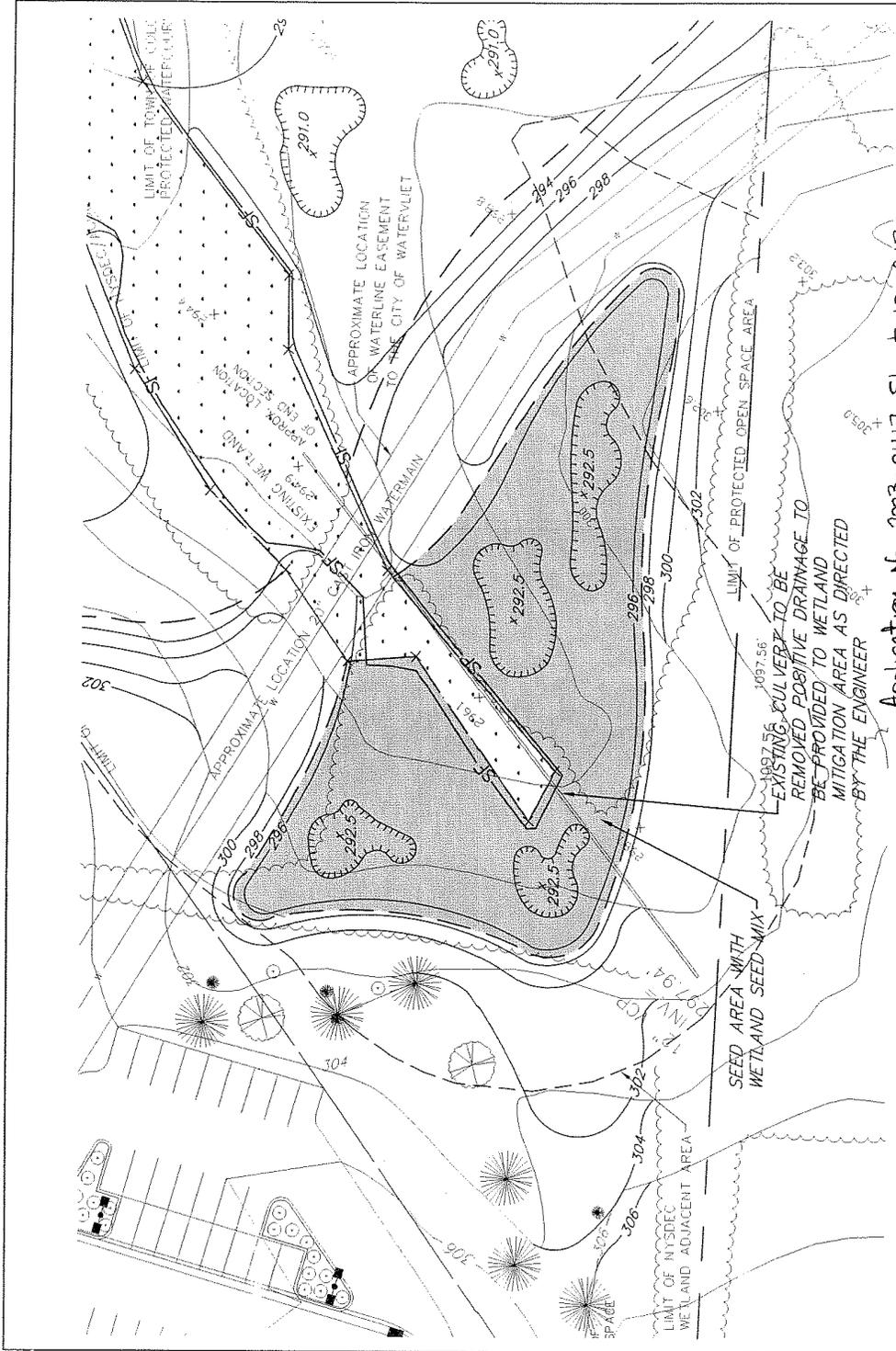
Application No. 2003-01117 Sheet 9 of 13



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SHAKER FARMS
 WETLAND MITIGATION PLAN



Application No. 2003-0117 Sheet 10 of 13

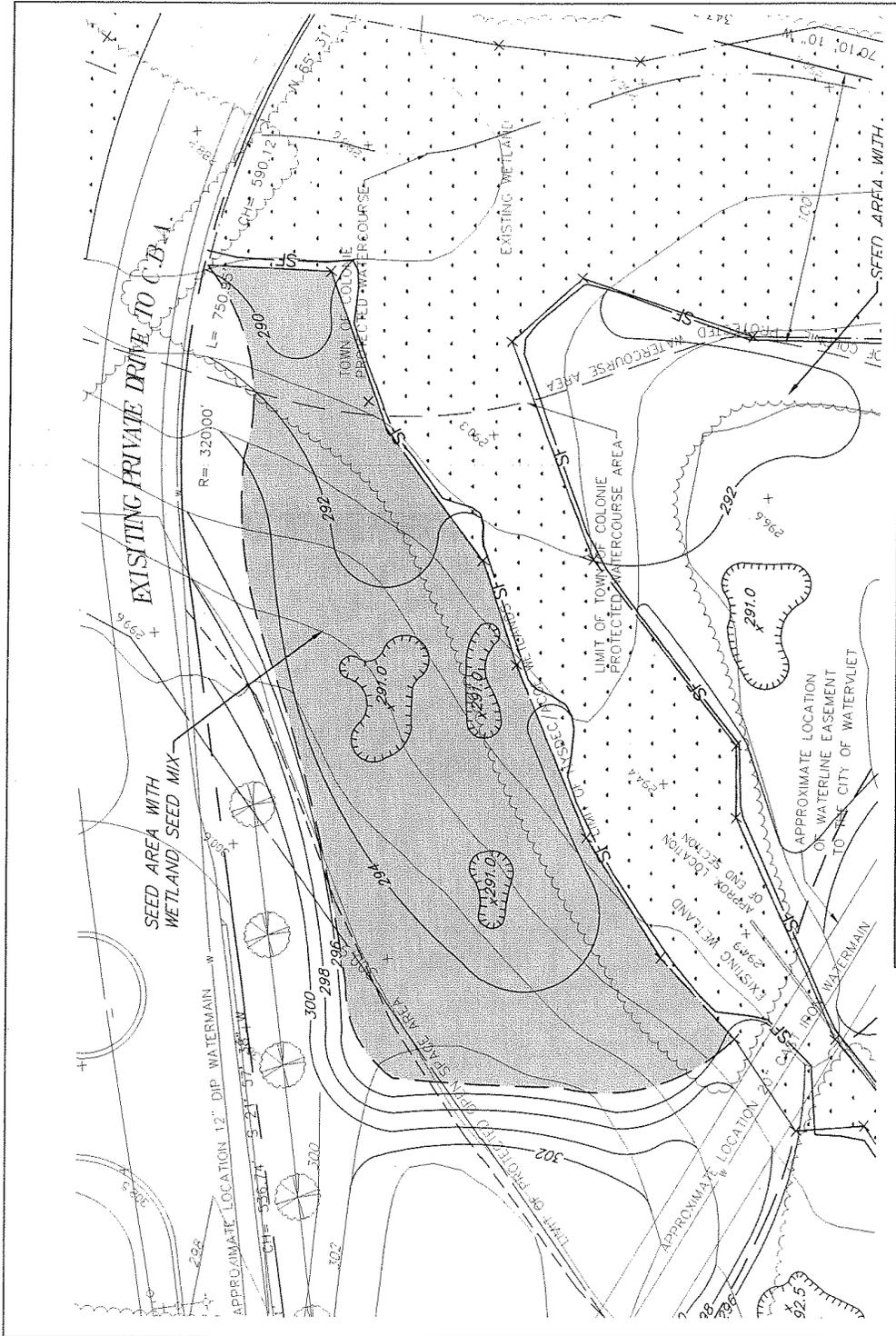
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SCALE: 1" = 50'

DATE: 06.11.07

Columbia Companies
 SHAKER FARMS
 WETLAND MITIGATION AREA A



Columbia Companies, Sheet 11 of 13
 SHAKER FARMS
 WETLAND MITIGATION AREA B

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THE SEED MIX SELECTED FOR THE WETLAND MITIGATION AREAS HAVE KNOWN WETLAND AND WILDLIFE VALUES. SPECIES CHOSEN ARE INDIGENOUS TO THE WETLAND IMPACTED AREAS. THE EMERGENT SPECIES SELECTED FOR THIS AREA ARE TOLERANT OF IRREGULAR SURFACE INUNDATION AND ARE EXPECTED TO SURVIVE IN SATURATED SOIL CONDITIONS. THE FOLLOWING WETLAND SEED MIXTURE WILL BE USED TO ENCOURAGE THE ESTABLISHMENT OF A UNIFORM HERBACEOUS COVER.

WETLAND SEED MIX

PERCENT BY NUMBER OF SEEDS (NOT BY WEIGHT)	SCIENTIFIC NAME	COMMON NAME
26.66%	<i>Eupatorium perfoliatum</i>	Boneset
20.80%	<i>Verbena hastata</i>	Blue Vervain
19.75%	<i>Panicum dichotomiflorum</i>	Smooth Panic Grass
8.89%	<i>Solidago rugosa</i>	Wrinkled Goldenrod
8.74%	<i>Eupatorium maculatum</i>	Joe-Pye Weed
6.65%	<i>Euthamia graminifolia</i>	Grass-Leaf Goldenrod
4.59%	<i>Polygonum pennsylvanicum</i>	Pennsylvania Smartweed
2.80%	<i>Aster novae-angliae</i>	New England Aster
0.79%	<i>Bidens cernua</i>	Nodding Beggar's Tick
0.21%	<i>Asclepias incarnata</i>	Swamp Milkweed
0.12%	<i>Iris versicolor</i>	Blue Flag

NOTES:

1. AMENDED ORGANIC SOIL SHALL CONSIST OF 20% ORGANIC MATTER AND 80-85% OF GRANULAR MIXTURE BY WEIGHT AND SHALL HAVE THE FOLLOWING GRADATION AND STRUCTURAL PROPERTY:

SIEVE	GRADATION % PASSING	STRUCTURAL PROPERTY (PERCENT BY WEIGHT)
2"	100	
1"	85-100	60% CLAY
1/4"	65-100	30% SILT
No. 200	20-80	10% SAND

AMENDED ORGANIC SOIL TO PLACED 6" DEEP

2. APPLICATION RATE OF WETLAND SEED MIX SHALL BE 0.15 LBS/1000 SF

3. PLANTINGS TO OCCUR IN SEPTEMBER OR UNTIL OCTOBER 15th.

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Columbia Companies, Sheet 13 of 13
 SHAKER FARMS
 MITIGATION NOTES