



## 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 reply refer to:**

Public Notice Number: 2004-00105-YR  
Issue Date: August 19, 2004  
Expiration Date: September 17, 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: Town of Clarkstown  
Department of Environmental Control  
10 Maple Ave  
New City, NY 10956-5013

ACTIVITY: Widen/deepen channel, install gabions & box culverts

WATERWAY: Kill Von Beast, Hackensack River

LOCATION: Town of Valley Cottage, 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 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.

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

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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.

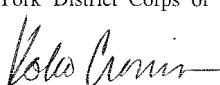
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application 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:

- New York State Department of Environmental Conservation Permit

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 (212) 264-3912 and ask for Craig Spitz.

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-RE  
PUBLIC NOTICE NO. 2004-00105-YR**

**WORK DESCRIPTION**

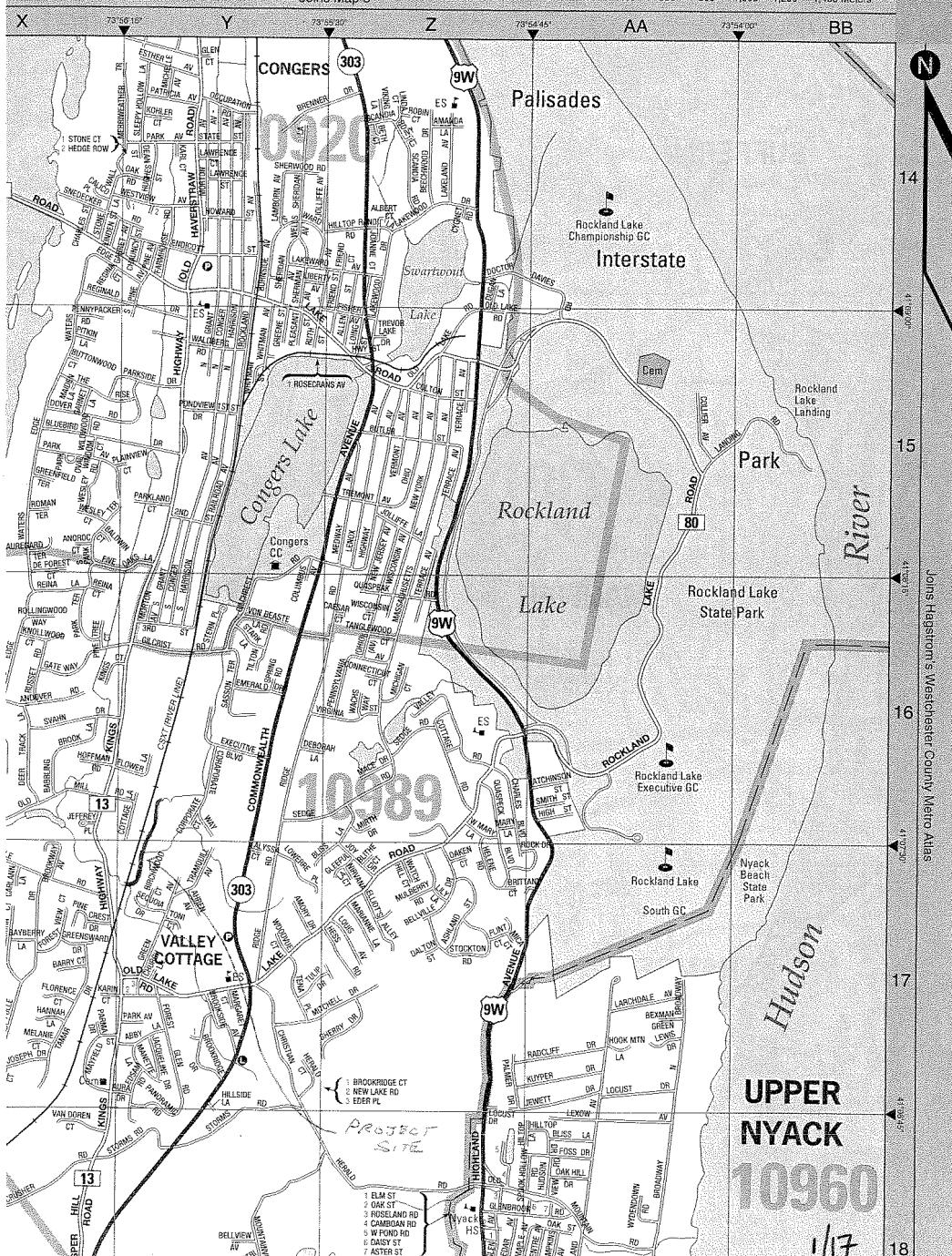
The applicant, the Town of Clarkstown, has requested Department of the Army authorization to widen/deepen a stream channel, and install gabions and box culverts in Kill Von Beast, Hackensack River at the Town of Valley Cottage, Rockland County, New York.

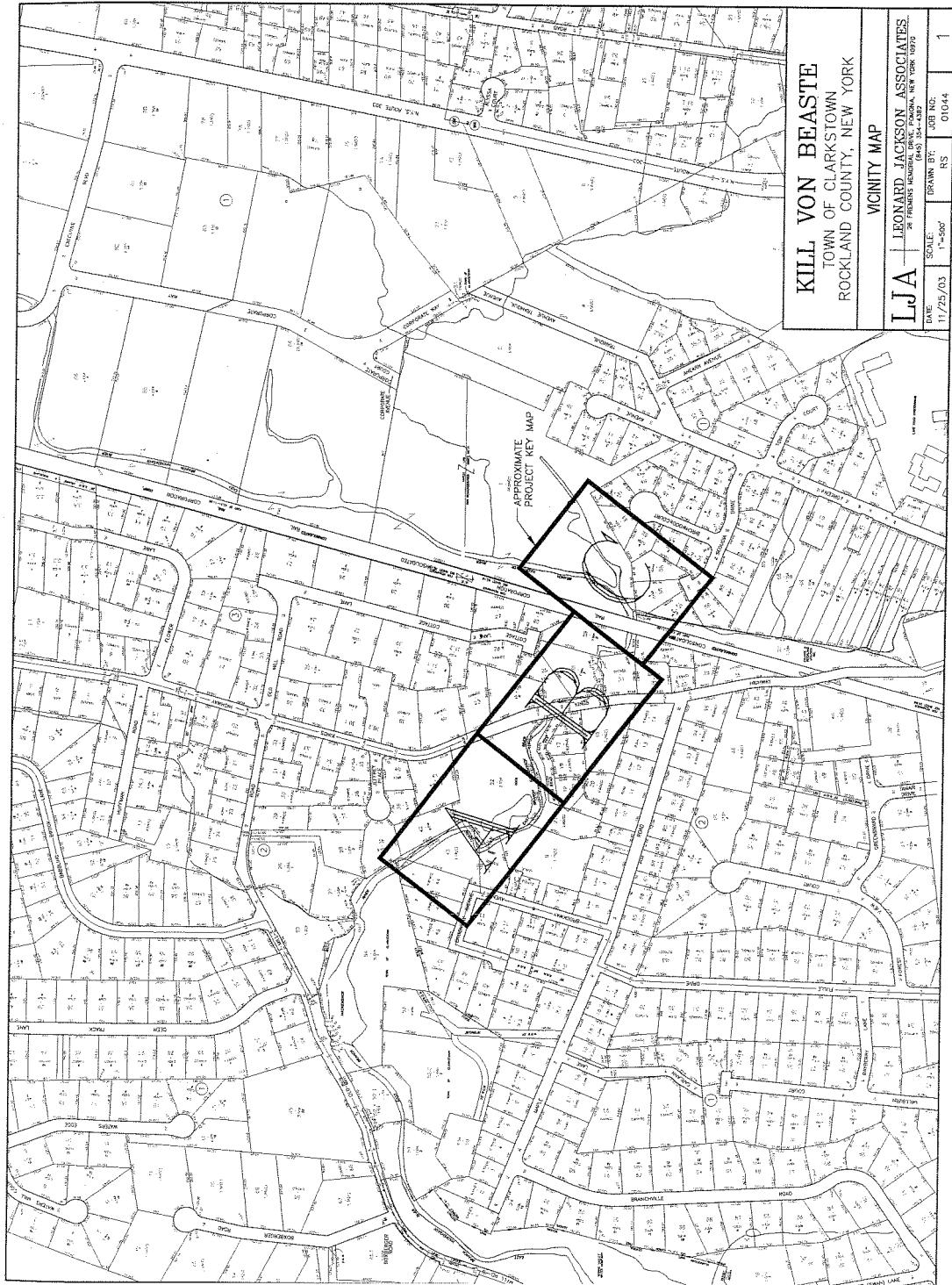
The work would involve the excavation of approximately 2,500 cubic yards of material below the ordinary water line to realign and deepen by 2 additional feet, approximately 1,400 linear feet of the stream bed. The excavated material would be placed upland and graded so as not to reenter the waterway. Approximately 100 cubic yards of rip-rap would be placed at the upstream extent of the waterway to prevent erosion. Gabions would be installed at the existing railroad bridge. An existing 7-foot wide by 20-foot long box culvert at Kings Highway would be replaced with twin 8.2-foot wide by 20-foot long box culverts. The culvert bottoms would be covered with approximately 1-foot of the natural substrate material.

The stated purpose of this project is to ameliorate flooding to the homes adjacent to the waterway.

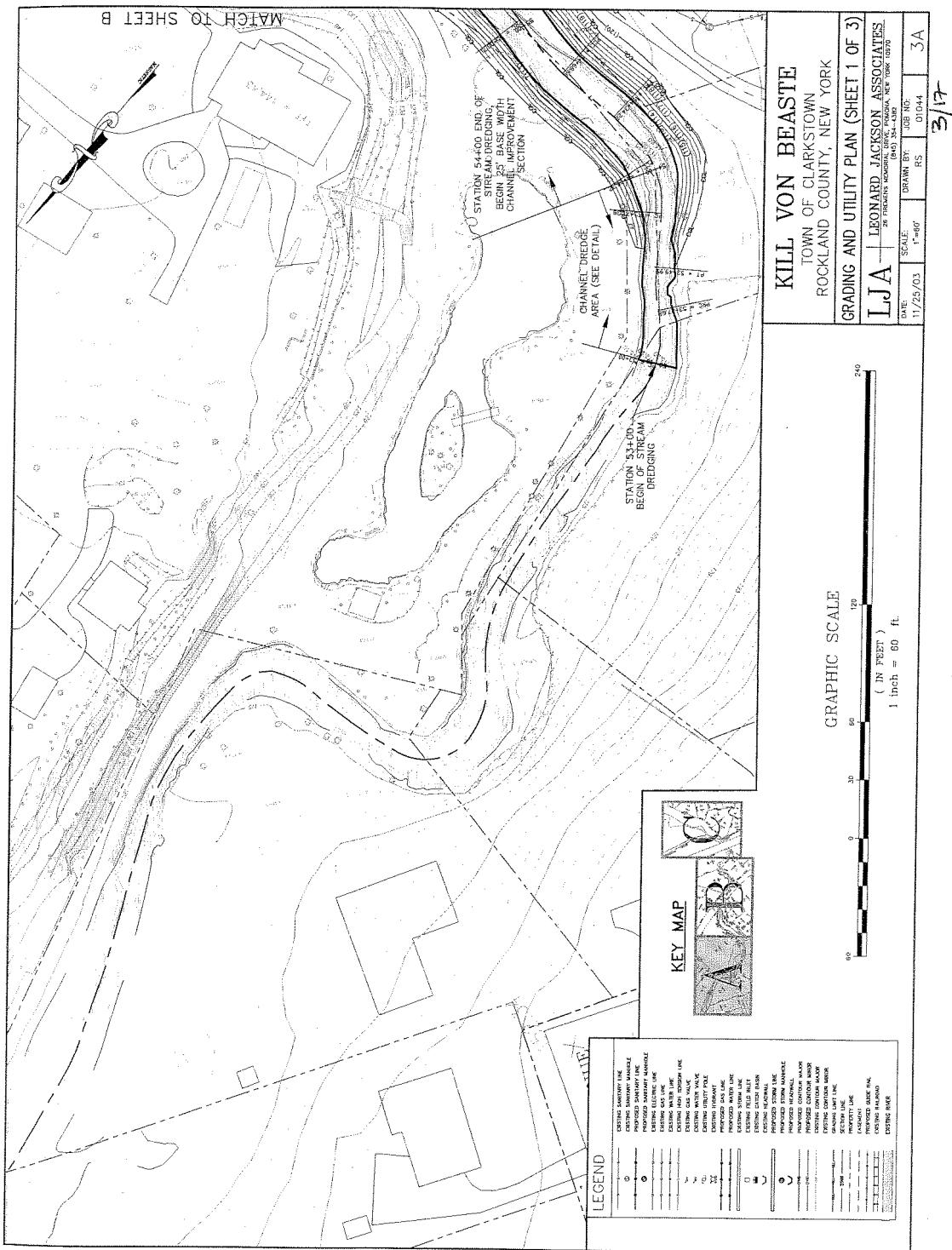
Map  
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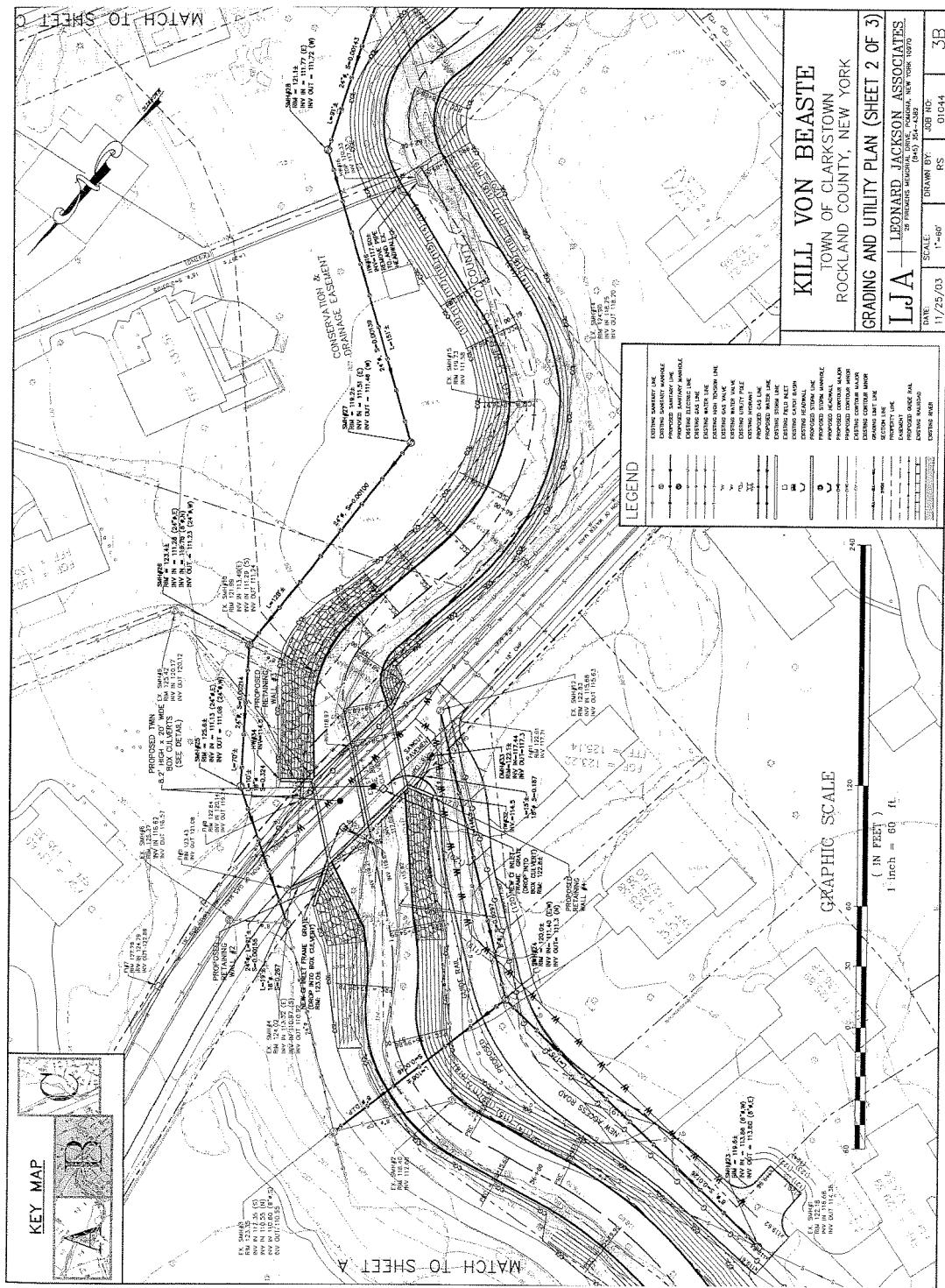
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0 200 400 600 800 1,000 1,200 1,400 Meters

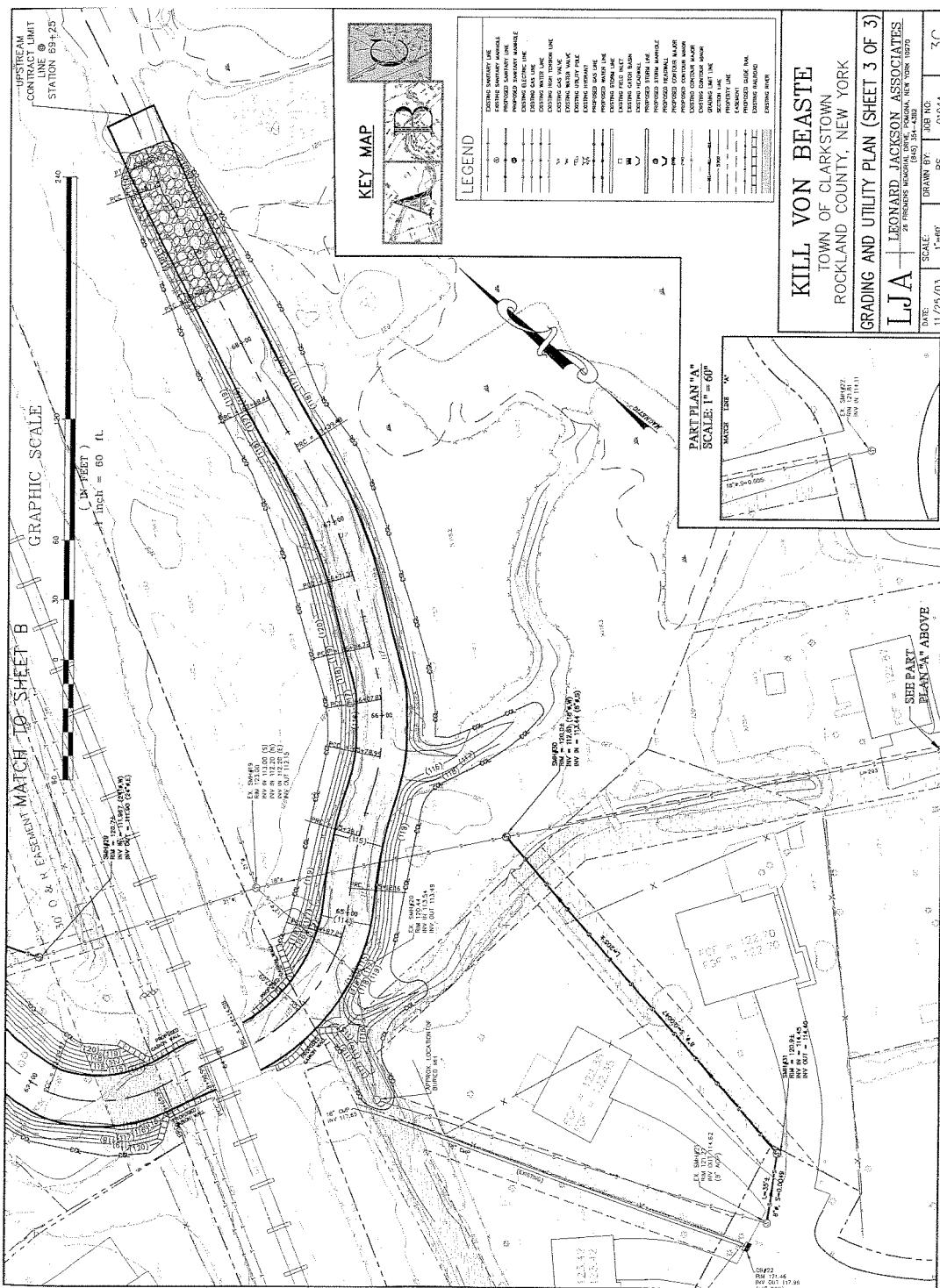




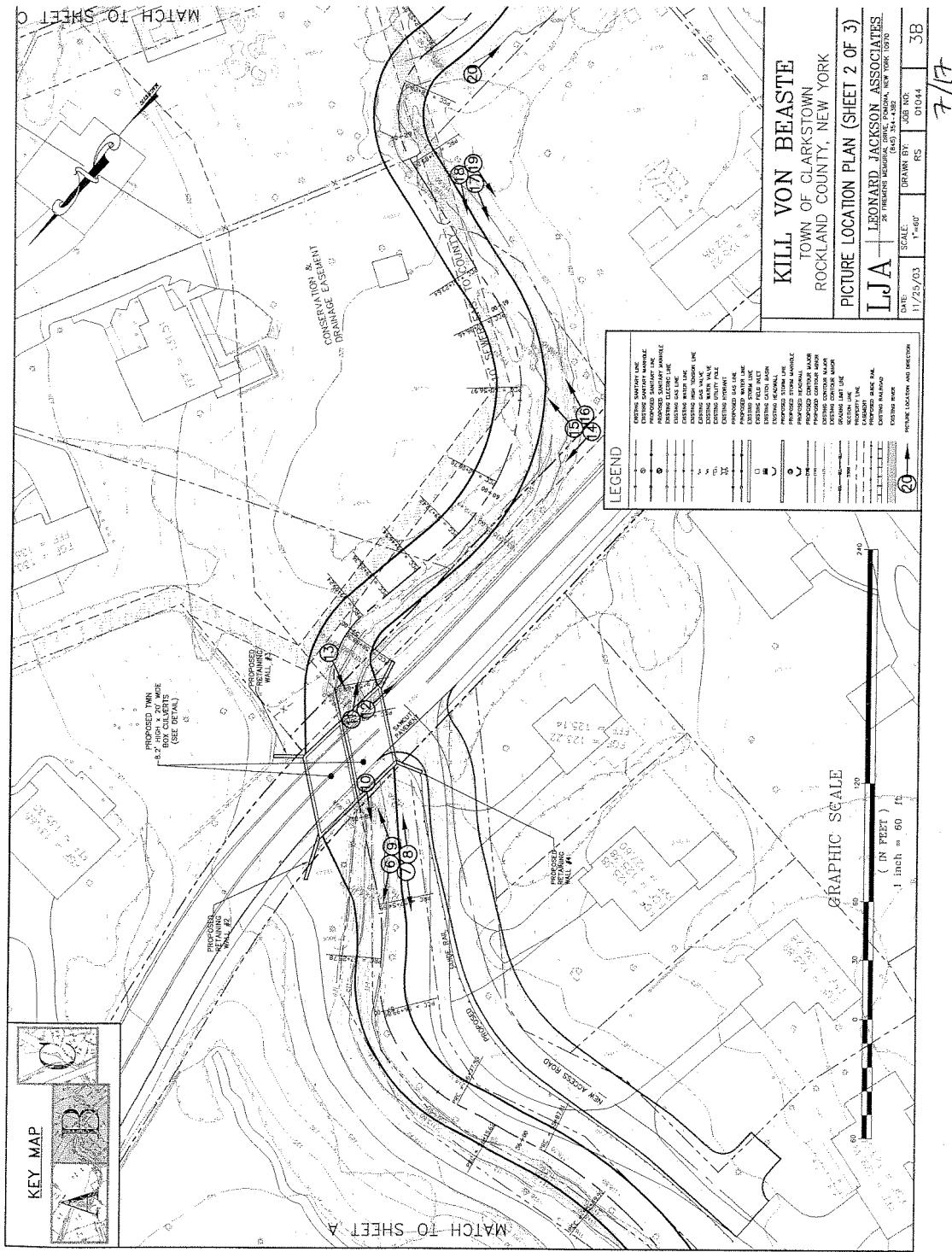
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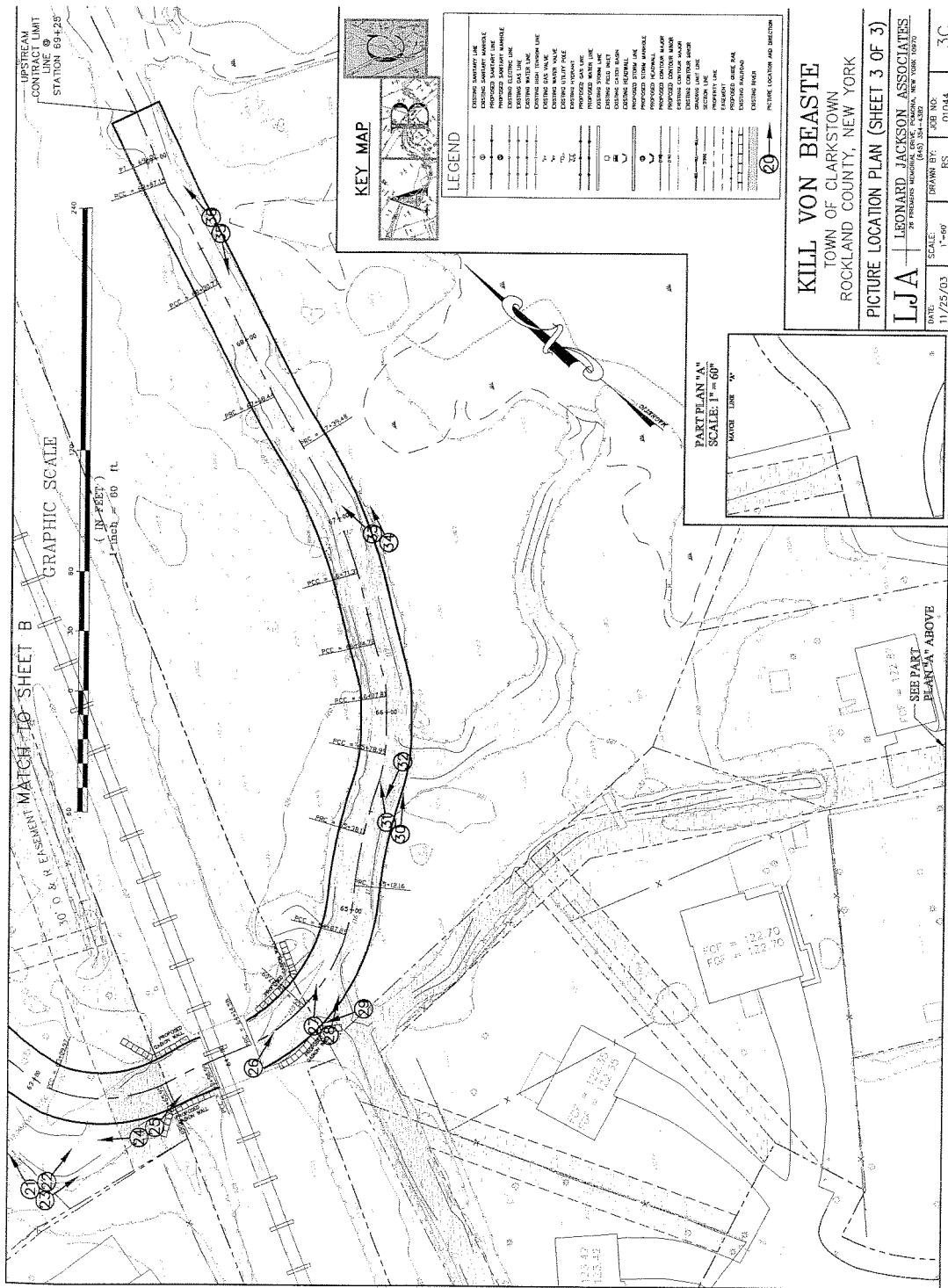


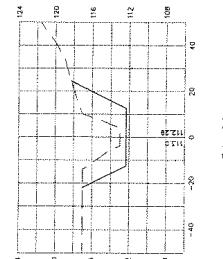
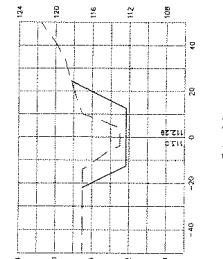
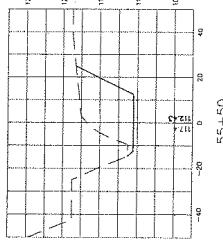
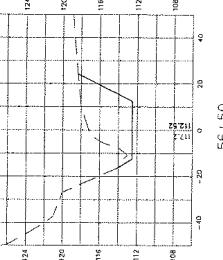
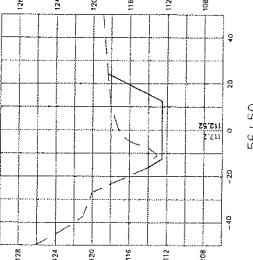
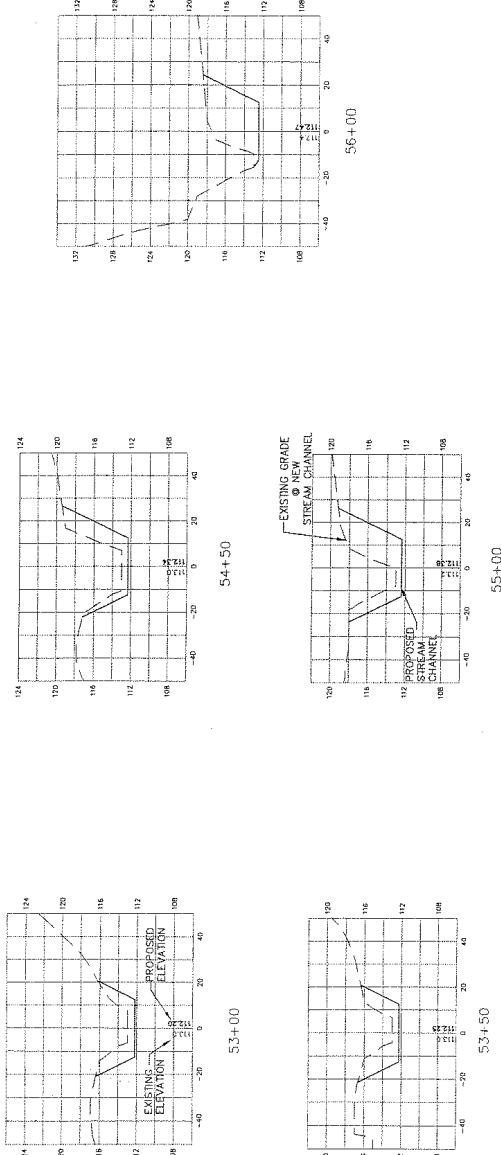








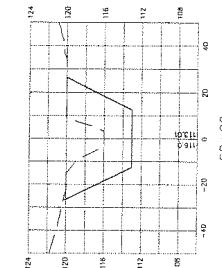
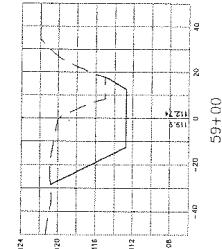
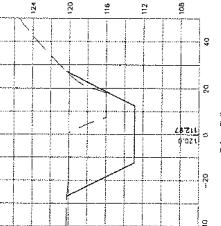
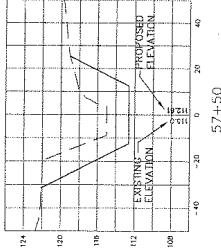
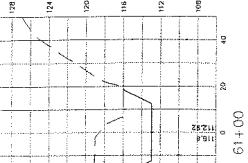
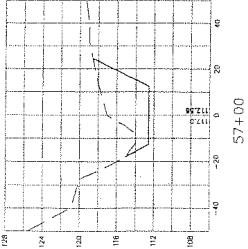




KILL VON BEASTE			
TOWN OF CLARKSTOWN			
ROCKLAND COUNTY, NEW YORK			
RIVER CROSS SECTIONS (SHEET 1 OF 4)			
LJA	LEONARD JACKSON ASSOCIATES		
26 YEARS EXPERIENCE IN ENGINEERING, PLANNING, AND DESIGN			
DATE	SCALE	DRAWN BY	8A
04/13/04	1:48	RS	01044

*9/17*

\*\*ALL SECTIONS LOOKING UPSTREAM\*\*

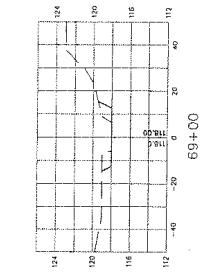
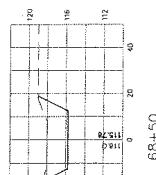
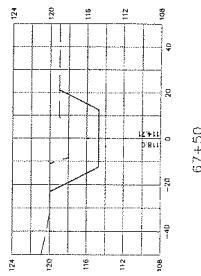
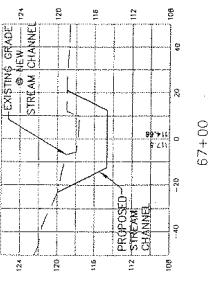


KILL VON BEASTE			
TOWN OF CLARKSTOWN			
ROCKLAND COUNTY, NEW YORK			
RIVER CROSS SECTIONS (SHEET 2 OF 4)			
LJA	LEONARD JACKSON, ASSOCIATES		
24 EAST MAIN STREET, CLARKSTOWN, NEW YORK 10513			
649-354-4302			
DATE	SCALE	DRAWN BY	JOB NO.
04/13/04	1" = 50'	RS	01044
			8B

\*\* ALL SECTIONS LOOKING UPSTREAM \*\*

10/17





**KILL VON BEASTE**  
TOWN OF CLARKSTOWN  
ROCKLAND COUNTY, NEW YORK

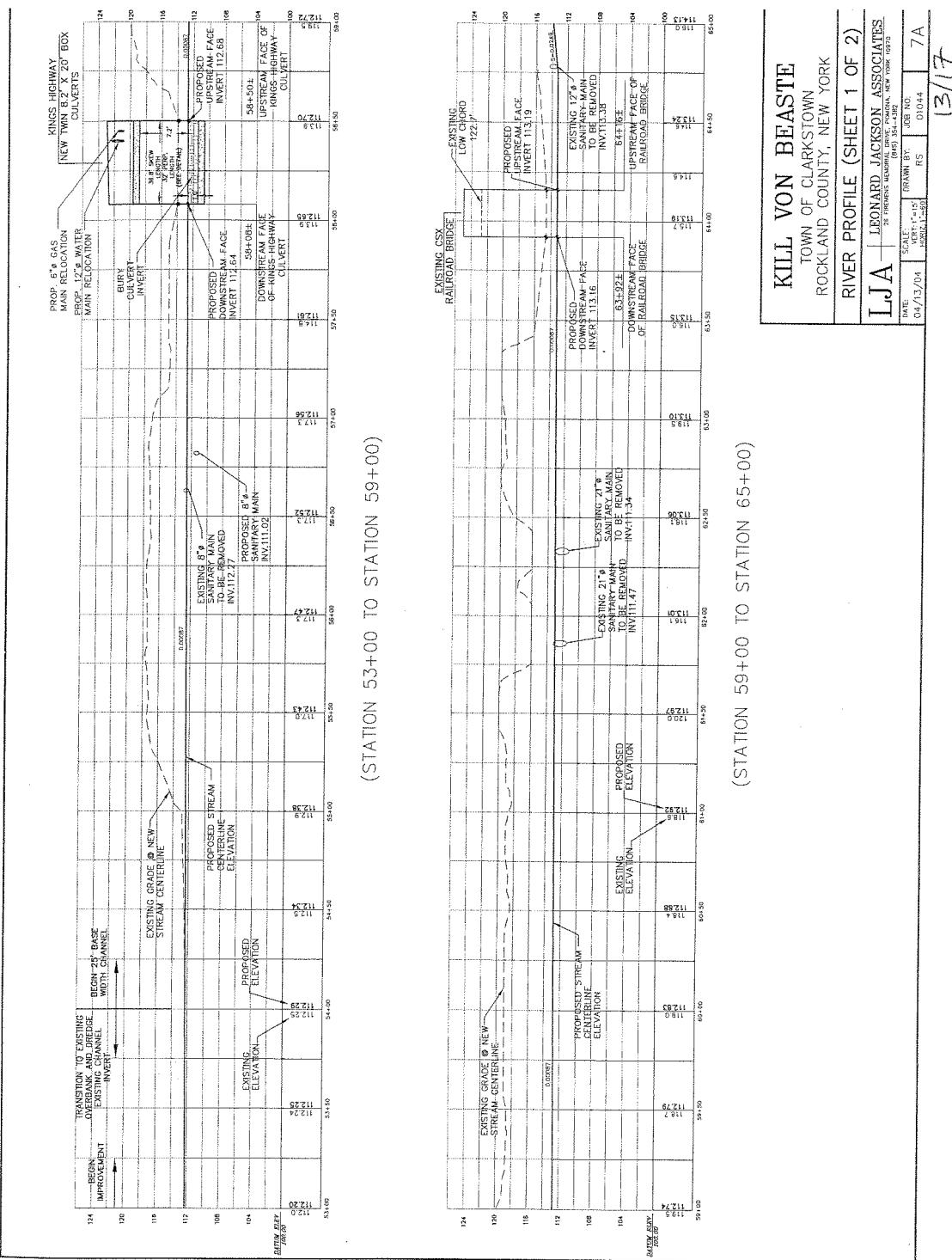
RIVER CROSS SECTIONS (SHEET 4 OF 4)

LJAJA | LEONARD JACKSON ASSOCIATES  
24 Westchester Avenue, White Plains, New York 10606  
(914) 273-2382

DATE: 04/13/04 DRAWN BY: RS DRAWN IN: 04/13/04 JOB NO: 01044 8D

\*\*ALL SECTIONS LOOKING UPSTREAM\*\*

12/17



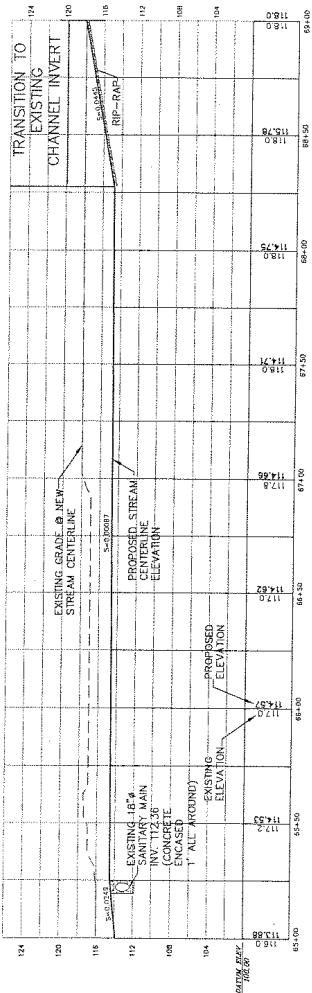
**KILL VON BEASTE**  
TOWN OF CLARKSTOWN  
ROCKLAND COUNTY, NEW YORK

RIVER PROFILE (SHEET 1 OF 2)

LJA | LEONARD JACKSON ASSOCIATES  
26 FIFTH AVENUE, NEW YORK, NEW YORK 10019  
(212) 534-4040

DATE: 04/13/04	SCALE: 1" = 15'	DRAWN BY: RS	JOB NO.: 01044	7A
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(3/17)



(STATION 65+00 TO STATION 69+00)

