

# 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: 2004-00735-YN  
Issue Date: October 8, 2004  
Expiration Date: November 8, 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 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

**APPLICANT:** Thomas and Cynthia Bechard  
8 Fraser Drive  
Acton, MA 01720

**ACTIVITY:** Construction of a commercial marina.

**WATERWAY:** Lake Champlain

**LOCATION:** Town of Chazy, Clinton 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 particularity, the reasons why a public hearing should be held. It should be noted that information

**CENAN-OP-RW**  
**PUBLIC NOTICE NO. 2004-00735-YN**

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.

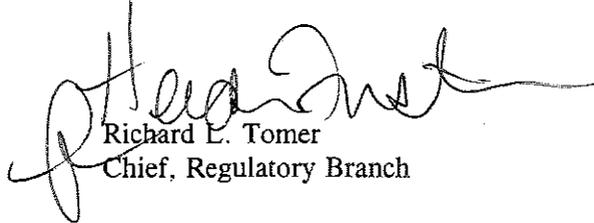
Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

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

**Town of Chazy - Building 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 (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

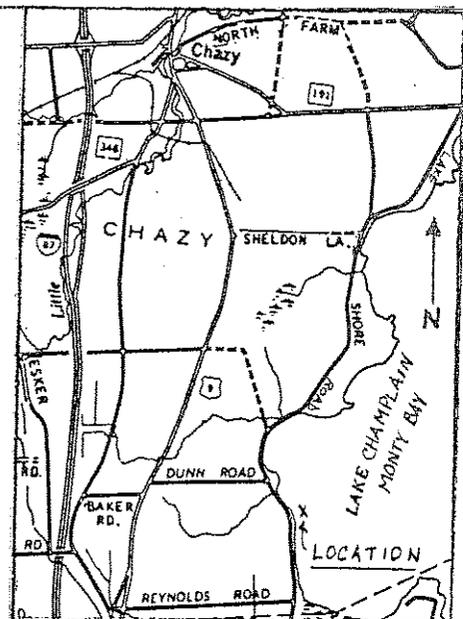
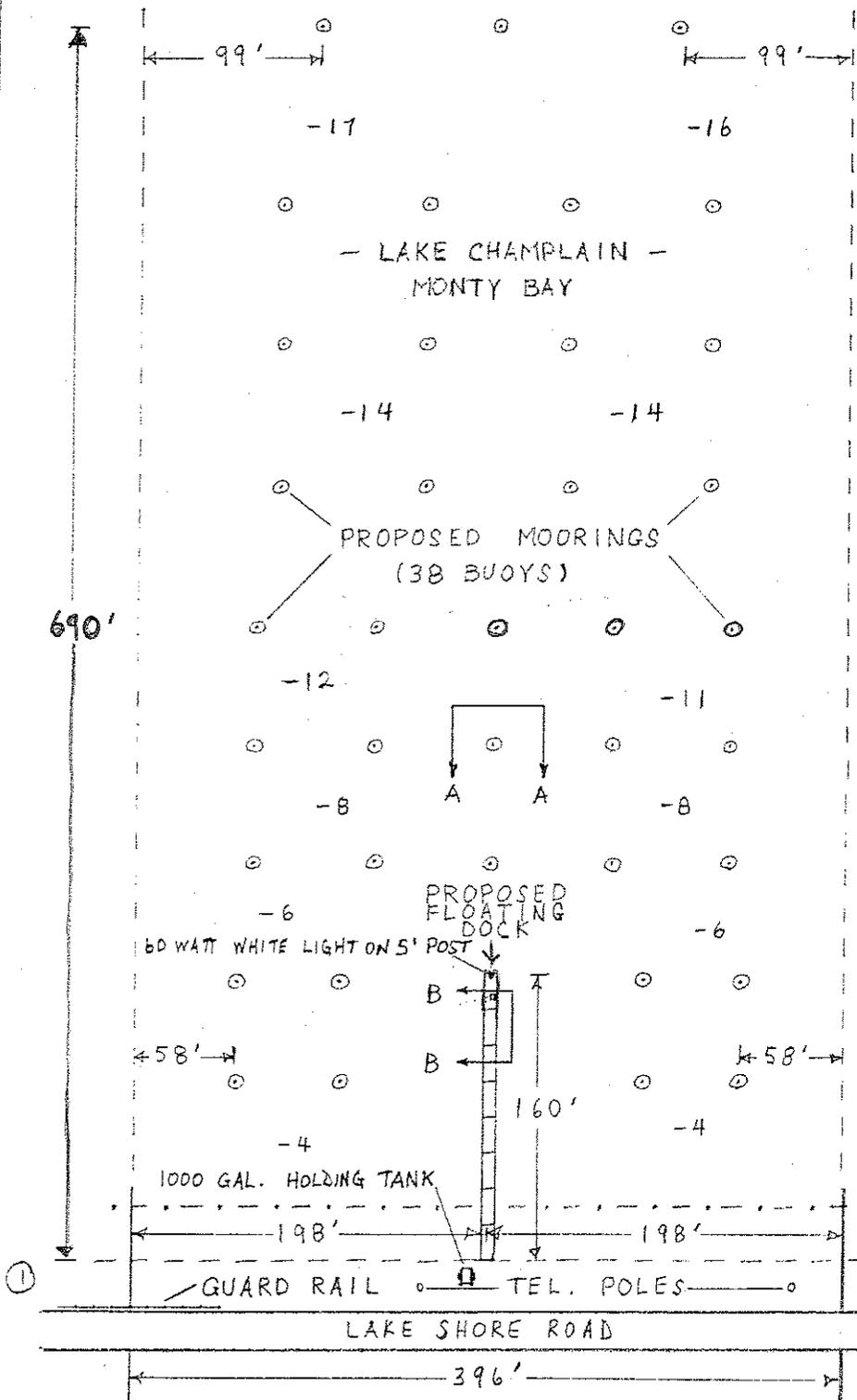
Enclosures

**WORK DESCRIPTION**

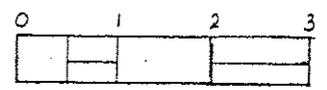
The applicants, Thomas and Cindy Bechard, have requested Department of the Army authorization for the construction of a commercial marina in Lake Champlain. The project site is located along Lake Shore Road in the Town of Chazy, Clinton County, New York.

The work would involve the installation of 38 swing mooring buoys that would be arranged in nine rows extending from the shoreline. Each row would vary between 198 feet and 280 feet in width and the last row would be located approximately 690 feet waterward of the ordinary high water mark (OHWM) of Lake Champlain. In addition, the applicants propose to install a 160 foot long by 4 foot wide floating service pier that would extend approximately 160 feet waterward of the OHWM of the waterway. As proposed, the marina would provide mooring for a total of 38 watercraft.

Work not within Department of the Army jurisdiction would include the construction of a parking area on a 1.5 acre portion of a parcel of land located on the opposite side of Lake Shore Road as the marina. Users of the proposed marina would be allowed to use the pumpout facility that currently exists at the adjacent Gilbert Brook Marina.



VICINITY MAP



SCALE IN MILES

FROM COUNTY MAP

- NOTES:
1. ALL DEPTHS BASED ON OLW = 0.00FT.
  2. NO PROPOSED CHANGES TO SHORELINE OR BOTTOM.



PURPOSE: PROVIDE BOATING ACCESS

PLAN VIEW



SCALE IN FEET

THOMAS G. BECHARD  
407-4 THE GREAT ROAD  
ACTON, MA 01720

PROPOSED SWING BUOY MOORINGS-FLOATING DOCK

IN: LAKE CHAMPLAIN  
AT: MONTY BAY  
COUNTY: CLINTON  
STATE: NEW YORK

APPLICATION BY:  
THOMAS G. BECHARD

12" STYRAFOAM FILLED  
PLASTIC MOORING BUOY

3/8" GALVANIZED  
MOORING CHAIN

LAKE BOTTOM

1'x4'x4' STEEL REINFORCED  
CONCRETE ANCHOR

WATER LINE

ELEVATION A-A

CONSTRUCTION DETAIL

PROPOSED MOORING: ELEVATION



Application No. 2004-00735; Sheet 2 of 5

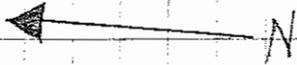
PURPOSE: PROVIDE BOATING  
ACCESS.

SECTION VIEW

THOMAS G. BECHARD  
21 RANDOLPH ST.  
ARLINGTON, MA 02174

PROPOSED SWING BUOY  
MOORINGS

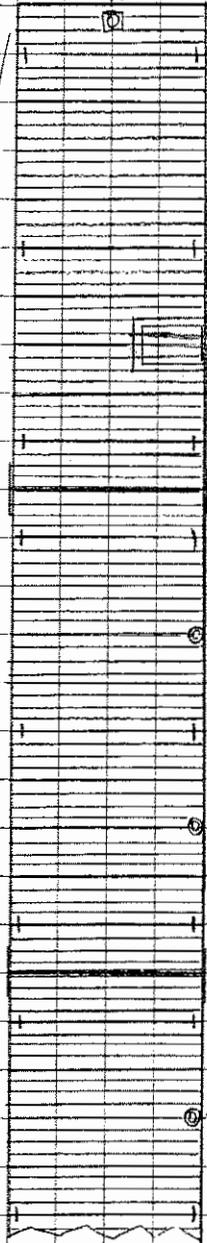
IN: LAKE CHAMPLAIN  
AT: MONTY BAY  
COUNTY: CLINTON STATE; NY  
APPLICATION BY: THOMAS BECHARD



60 WATT WHITE LIGHT ON 5' POST

### PROPOSED FLOATING SERVICE DOCK

8 EA 8' X 20' SECTIONS  
TOTAL LENGTH: 160'  
TOTAL WIDTH: 8'



DOCK SECTION - 8' X 20'  
- 2" X 6" TREATED WOOD DECK  
- 2" X 10" TREATED WOOD FRAME  
- 6 EA POLYETHYLENE FLOATS - FOAM FILLED

7 WATT LOW VOLTAGE PATH LIGHT

Application No. 2004-00735, Sheet 3 of 5

PURPOSE: PROVIDE BOATING ACCESS

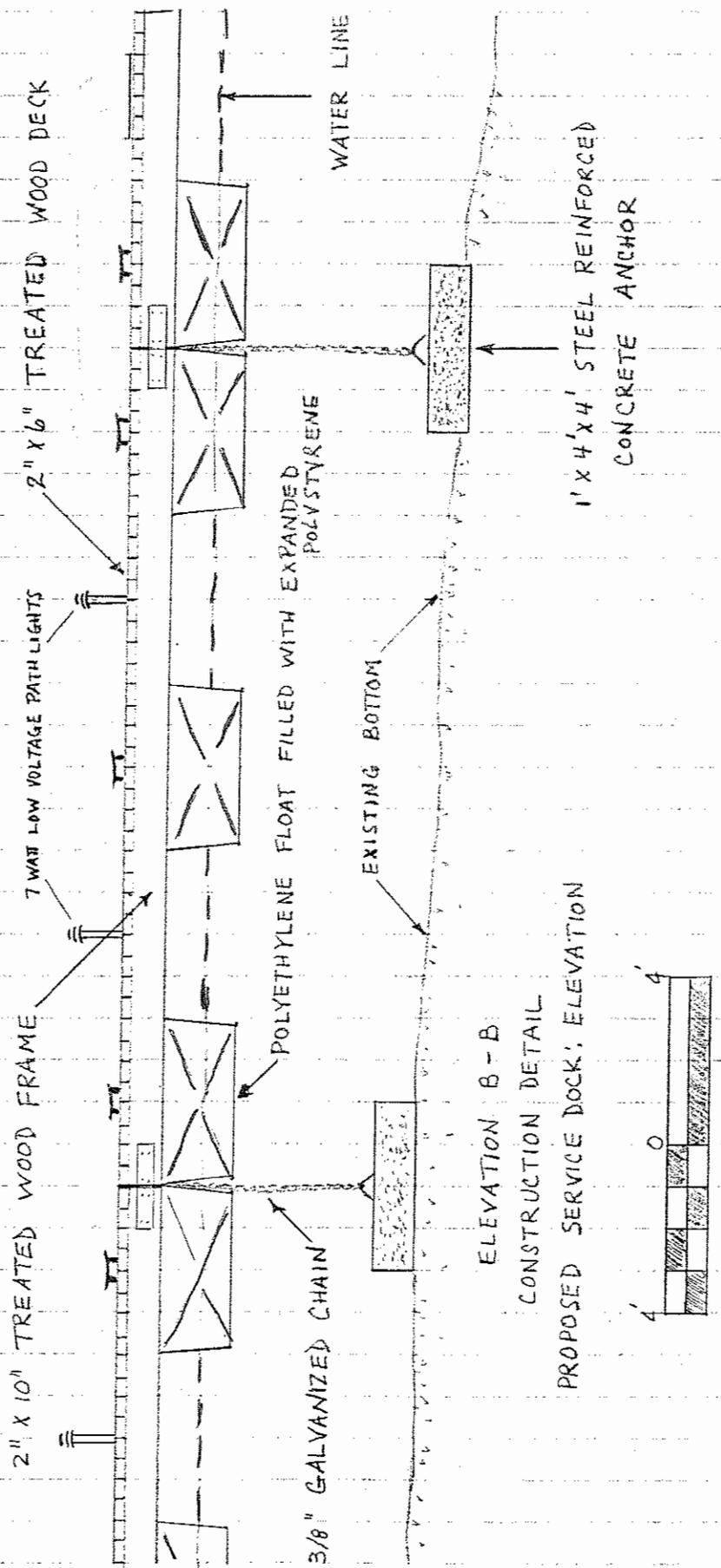
### PLAN VIEW



SCALE IN FEET

THOMAS G. BECHARD  
407-4 THE GREAT ROAD  
ACTON, MA 01720

PROPOSED SERVICE DOCK  
IN: LAKE CATAMPLAIN  
AT: MONTY BAY  
COUNTY: CLINTON  
STATE: NEW YORK



Application No. 2004-00735-yn; Sheet 4 of 5

PURPOSE: PROVIDE BOATING ACCESS

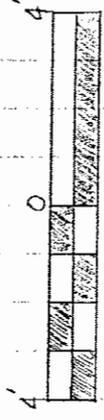
PROPOSED SERVICE DOCK

SECTION VIEW

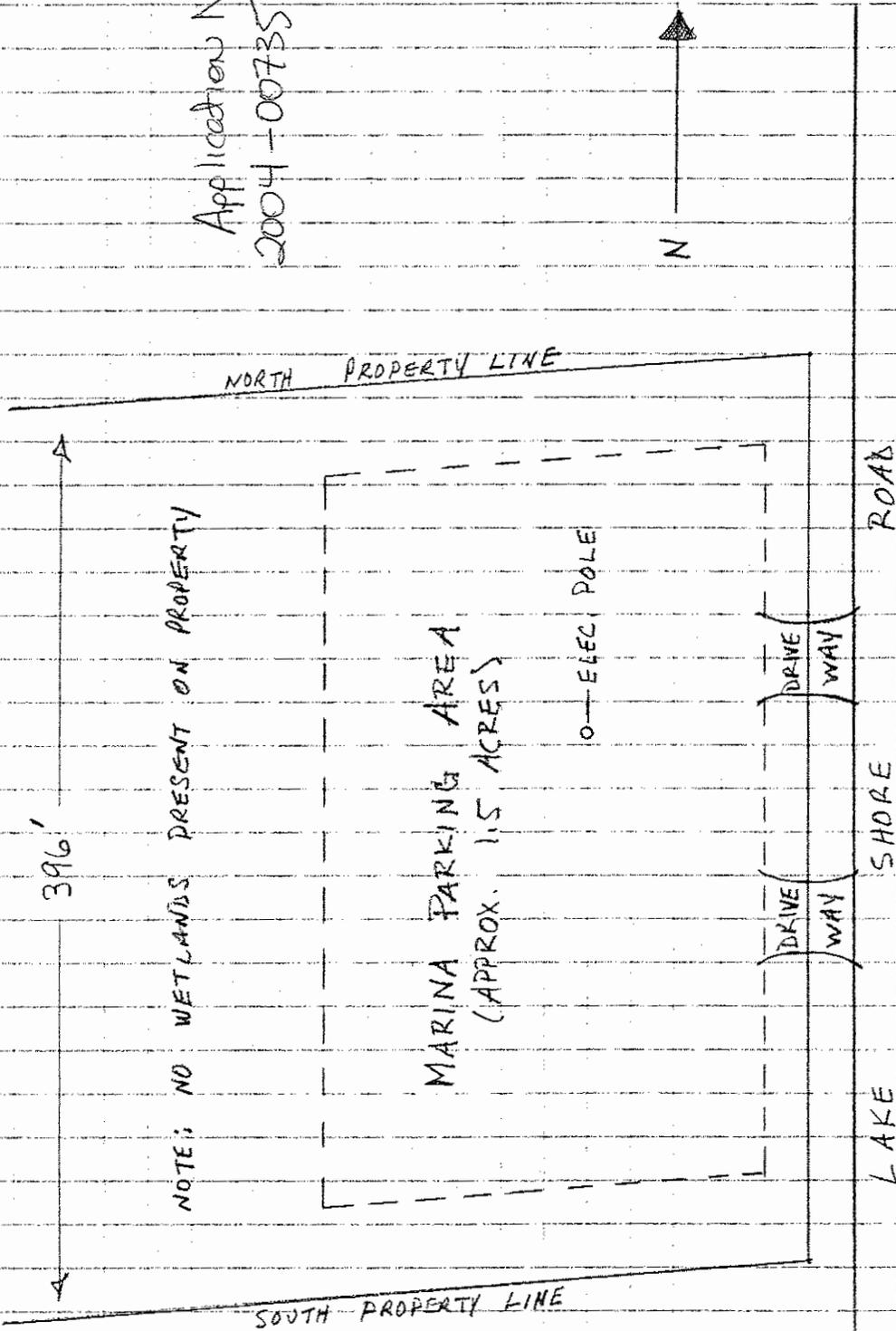
THOMAS G. BECHARD  
407-4 THE GREAT ROAD  
ACTON, MA 01720

IN: LAKE CHAMPLAIN  
AT: MONTY BAY  
COUNTY: CLINTON STATE: NY  
APPLICATION BY: THOMAS BECHARD

ELEVATION B - B  
CONSTRUCTION DETAIL  
PROPOSED SERVICE DOCK: ELEVATION



Application No.  
2004-00735-YN



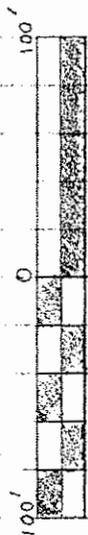
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PROPOSED PARKING AREA  
ON: LAKE CHAMPLAIN  
AT: MONTY BAY  
COUNTY: CLINTON  
STATE: NEW YORK

DATE: 11-28-94  
Sheet 5 of 5

TO MARINA  
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PLAN VIEW



THOMAS G. BECHARA  
1107-4 THE GREAT ROAD  
ACTON, MA 01720

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PURPOSE: PROVIDE BOATING  
ACCESS