



# 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: 2005-00267-XR  
Issue Date: **MAR 29 2006**  
Expiration Date: **APR 11 2006**

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 USC 1344).

APPLICANT: Haverstraw Marina Corporation  
600 Beach Road  
West Haverstraw, NY 10993

ACTIVITY: Dredge with ten years maintenance and upland placement with return flow.

WATERWAY: Hudson River

LOCATION: West Haverstraw, Town of Stony Point, 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 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-RE**  
**PUBLIC NOTICE NO. 2005-00267-YR**

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.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species. However, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

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.

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 (917) 790-8522 and ask for Craig Spitz.

**CENAN-OP-RE**  
**PUBLIC NOTICE NO. 2005-00267-YR**

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

A handwritten signature in black ink that reads "Richard L. Tomer". The signature is written in a cursive style with a large initial 'R'.

Richard L. Tomer  
Chief, Regulatory Branch

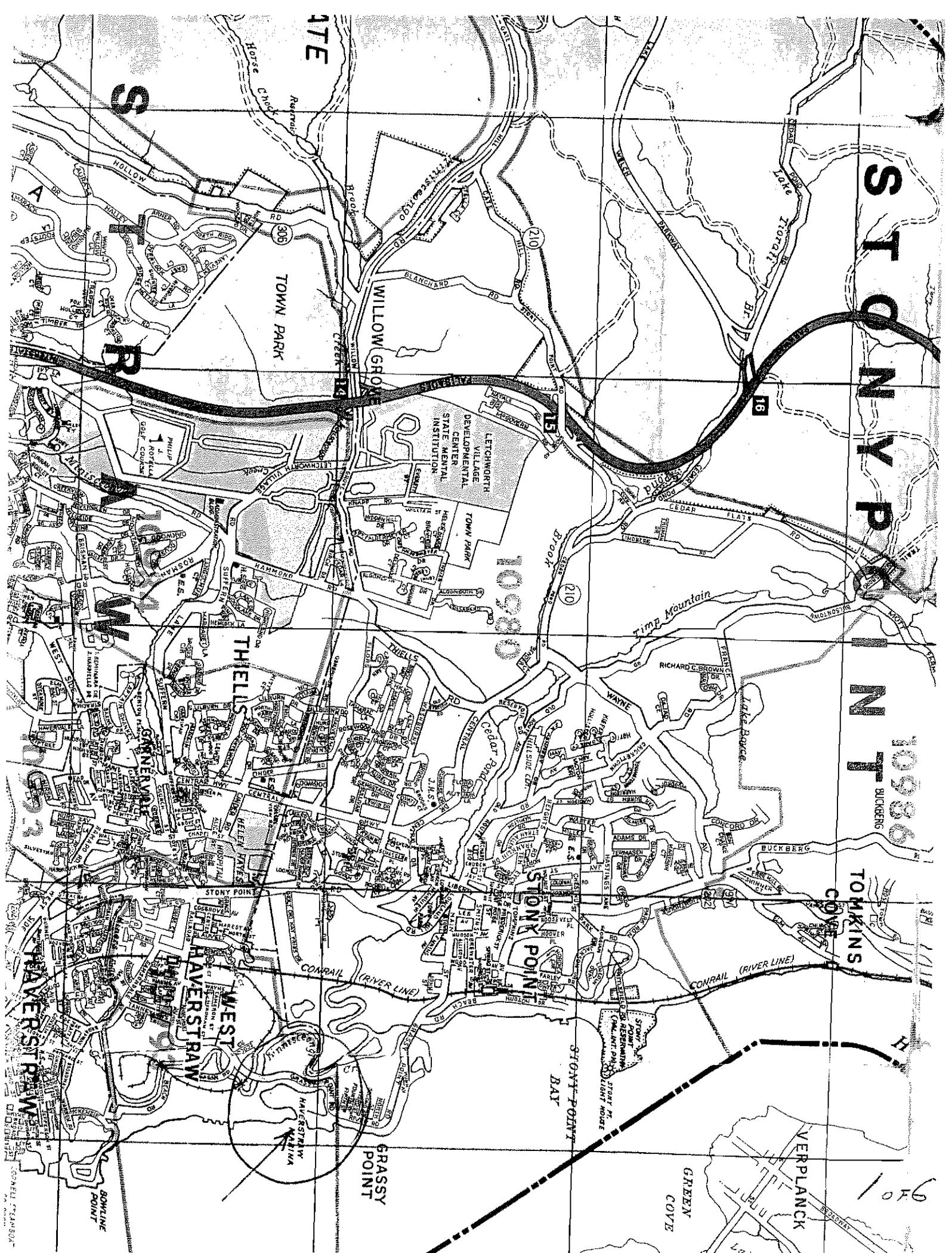
Enclosures

**WORK DESCRIPTION**

The applicant, Haverstraw Marina Corporation, has requested Department of the Army authorization to dredge with ten years maintenance in the Hudson River at West Haverstraw, Town of Stony Point, Rockland County, New York with upland placement and return flow.

The work would involve the dredging of approximately 2000 cubic yards of material to a depth of approximately 12-feet below mean low water within an area measuring approximately 125-feet by 150-feet with temporary placement at an onsite upland area behind an earthen berm. A spillway/sediment filter would be installed in the earthen berm to allow dewatering of the material. Final placement of the dredged material would be at a state-approved upland site. Subsequent dredging events may occur as needed during the ten year life of the permit, if issued.

The stated purpose of the proposed work is to provide safe navigation through the entrance channel to Haverstraw Marina.



STONE POINT

10980  
BUCKBERG

TOMKINS  
COVE

1076

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R

TOWN

STONY

HAVERSTRAW

POINT

TOWN PARK

WILLOW GROVE

10980

THELLS

STONE POINT

GRASSY POINT

WEST HAVERSTRAW

STONE POINT BAY

GREEN COVE

VERPLANCK

Timp Mountain

Lake Borce

CONRAIL (RIVER LINE)

CONRAIL (RIVER LINE)

HAVERSTRAW MARINA

STONE POINT RESERVATION

PHILIP J. AND ELLA BOB COLEMAN GOLF COURSE

LETCORWORTH VILLAGE CENTER STATE MENTAL INSTITUTION

PLUCKERS CEDAR FLATS

WAYNE

BUCKBERG

STONY POINT

HAVERSTRAW

POINT

POINT

BEACON  
ENTER

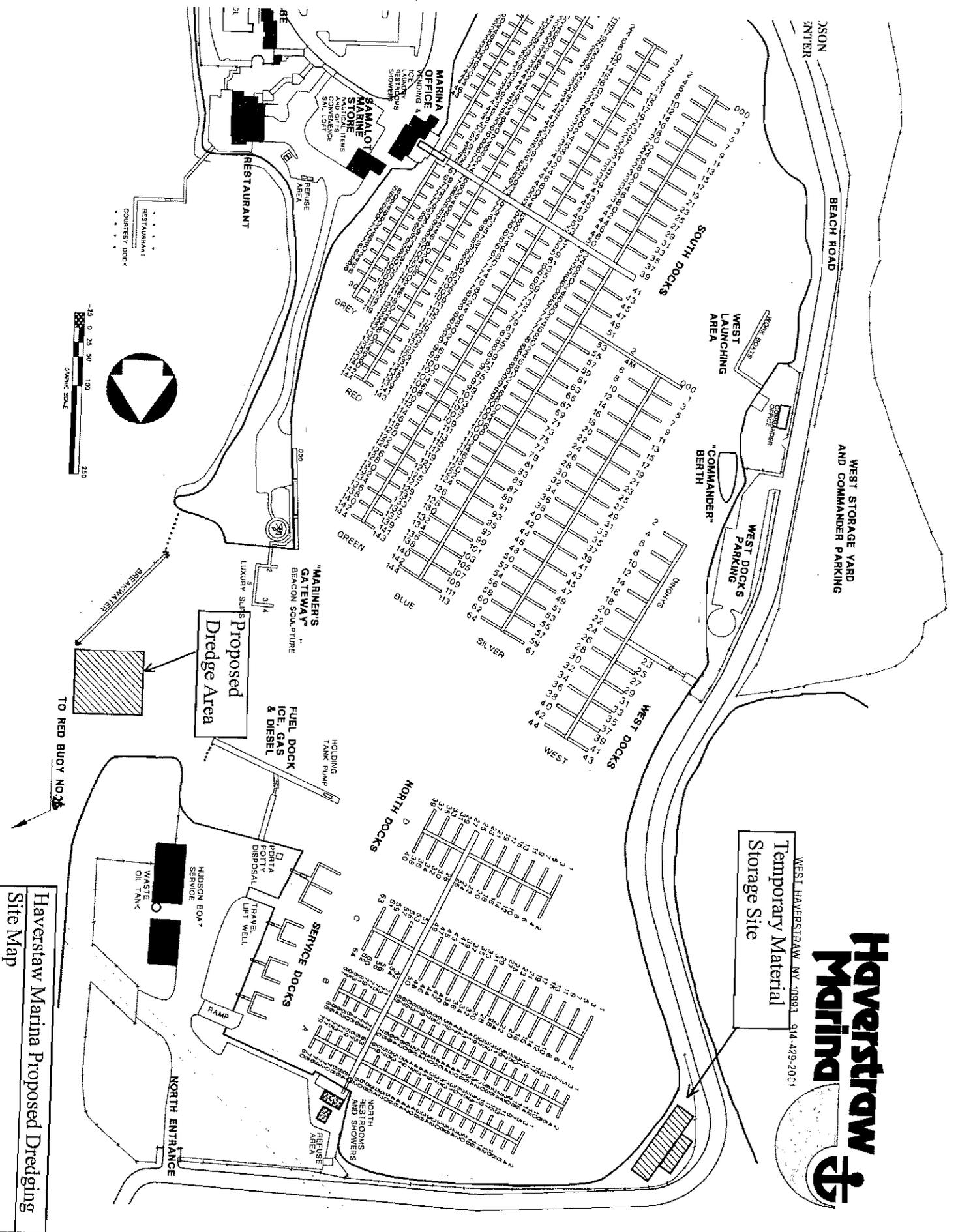
BEACH ROAD

WEST STORAGE YARD  
AND COMMANDER PARKING

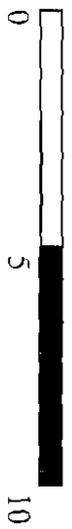
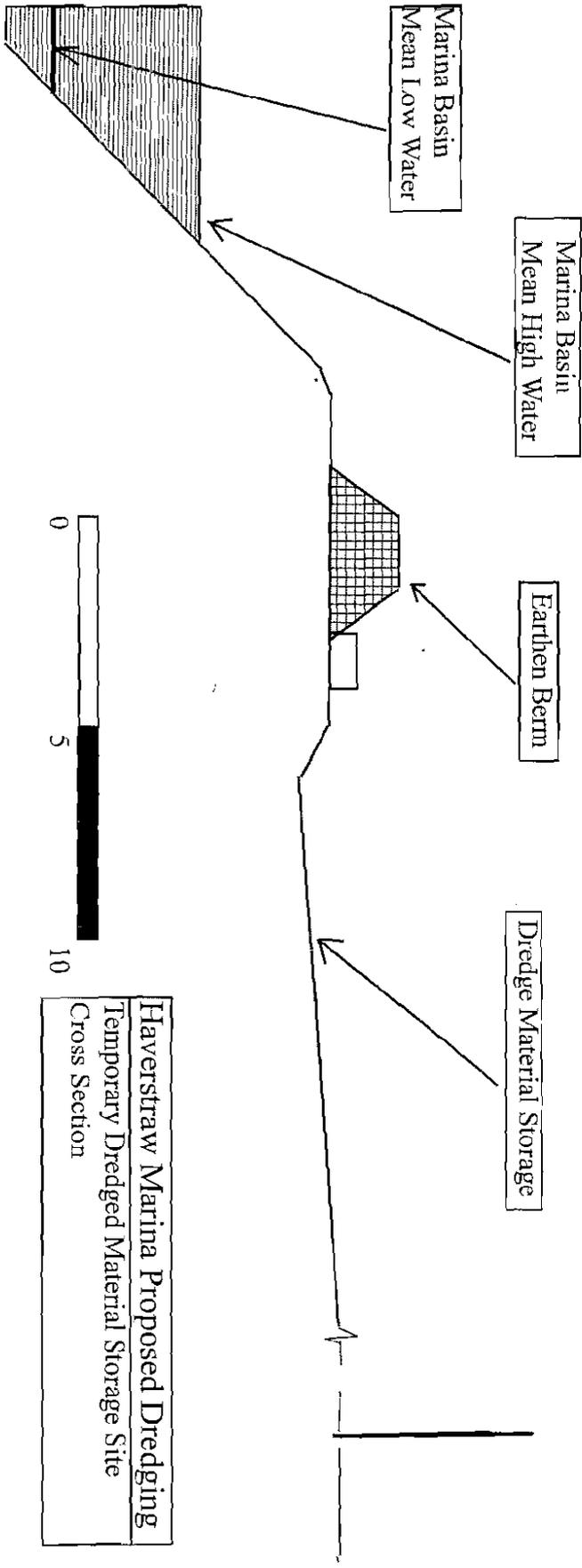
WEST HAVERSTRAW, NY 08931 914-429-2001  
Temporary Material  
Storage Site



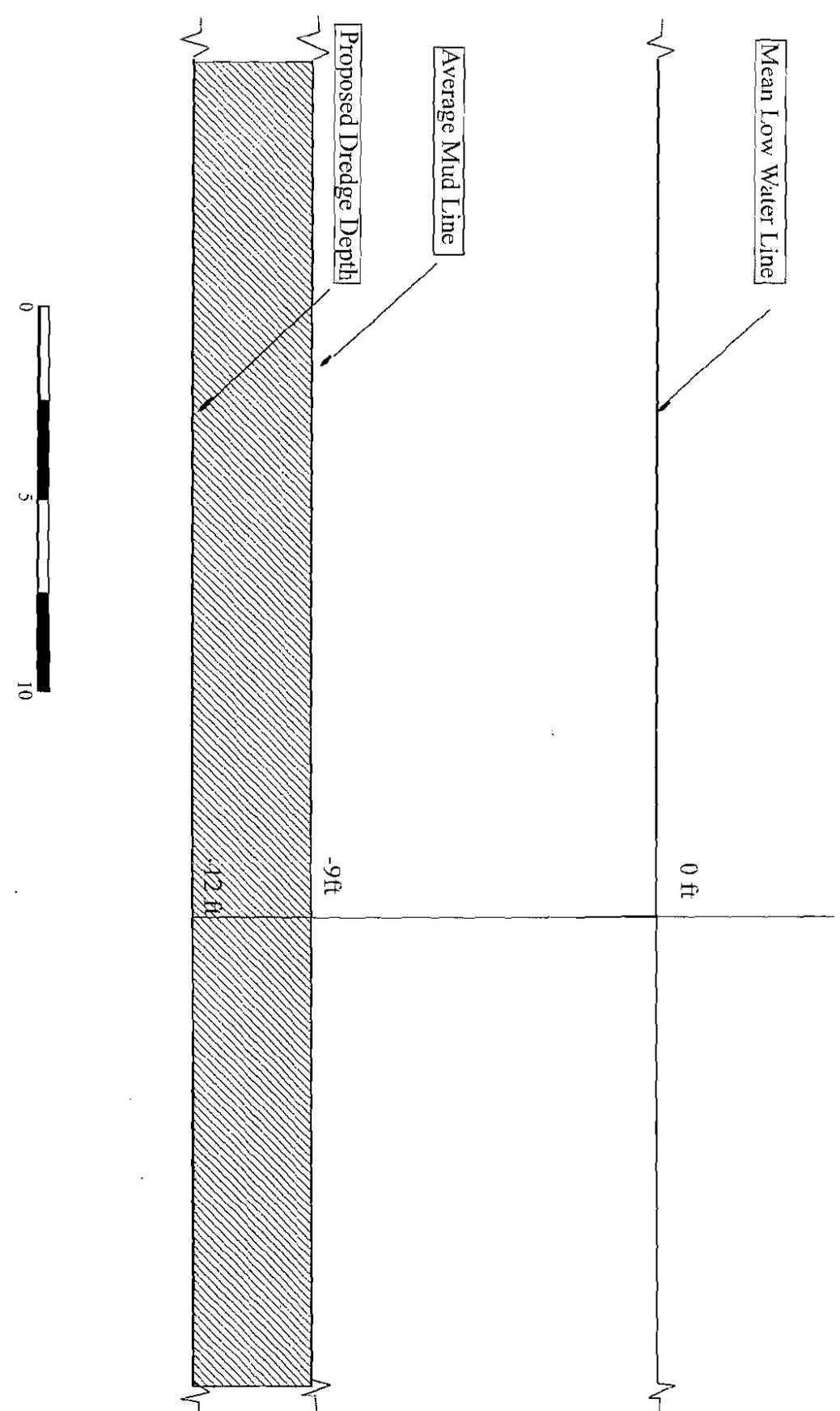
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Haverstraw Marina Proposed Dredging  
Site Map



Haverstraw Marina Proposed Dredging  
 Temporary Dredged Material Storage Site  
 Cross Section



**Haverstraw Marina Proposed Dredging**  
 Cross section of typical 30 foot section of area to be dredged

Minnescongo Creek

Temporary  
Dredge  
Material Site

Grassy Point Road

Chain-link fence

Earthen Retaining  
Berm

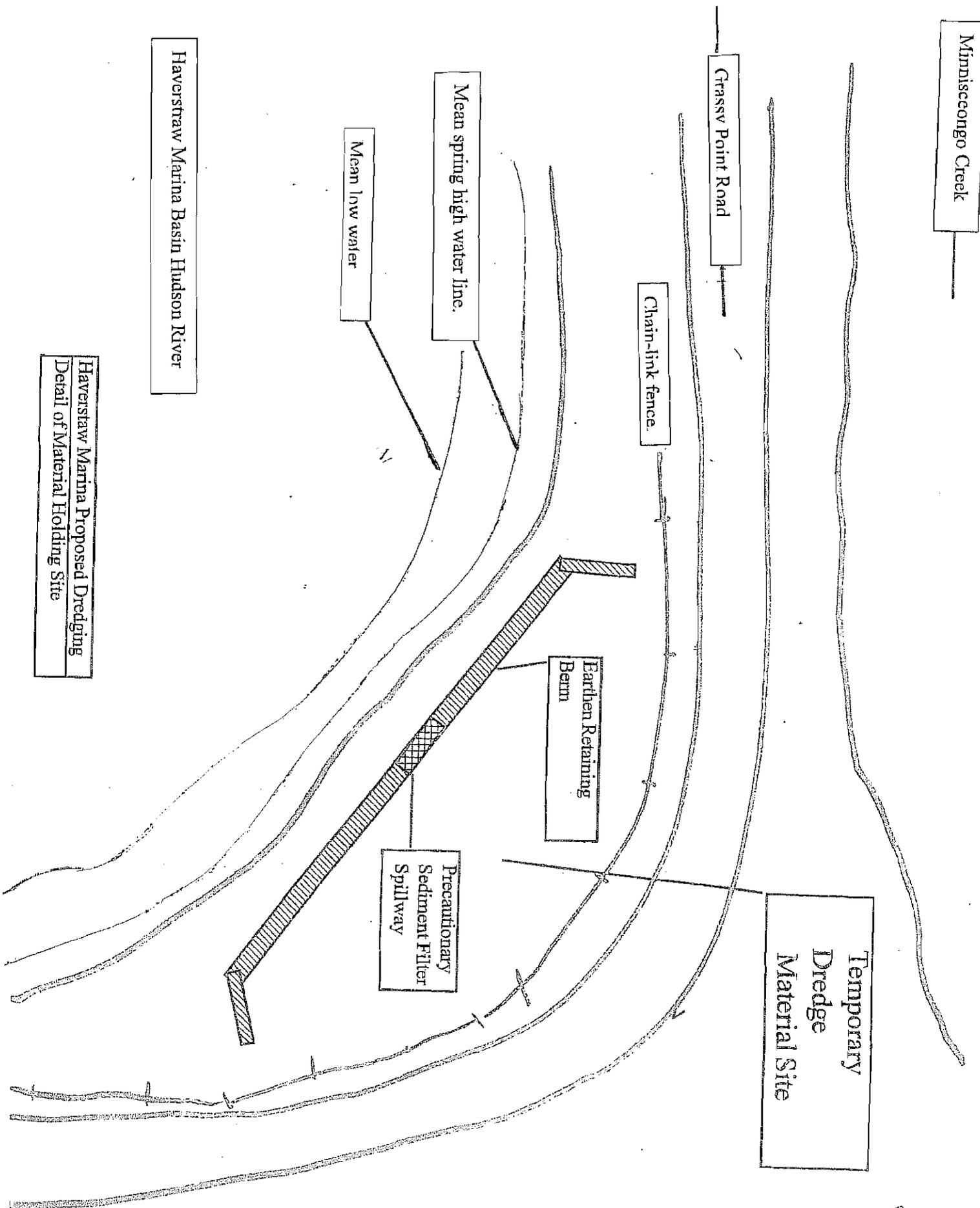
Precautionary  
Sediment Filter  
Spillway

Mean spring high water line.

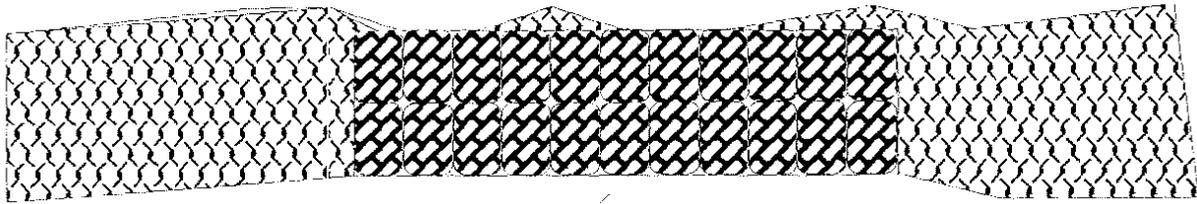
Mean low water

Haverstraw Marina Basin Hudson River

Haverstraw Marina Proposed Dredging  
Detail of Material Holding Site

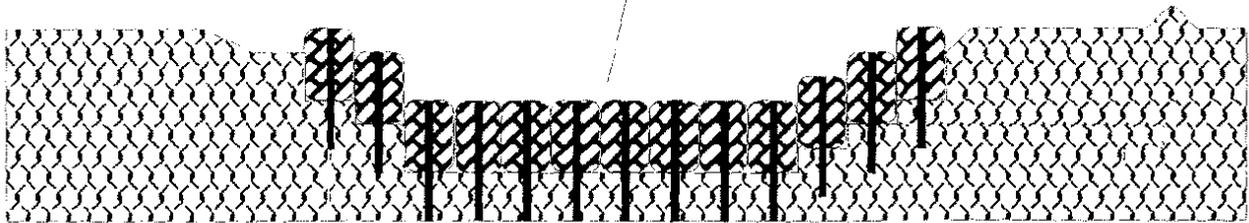


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Sediment Spillway  
Top View showing  
hay bales embedded  
into berm.

Sediment Spillway in  
Berm Elevation  
showing hay bales  
pegged in place.



Haverstraw Marina Proposed Dredging  
Precationary Sediment Filter Built into  
Earthen Berm