



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: NAN-2007-896-WOR
Issue Date: May 23, 2008
Expiration Date: June 23, 2008

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

APPLICANT: Cornwall Yacht Club
175 Shore Road, P.O. Box 314
Cornwall-on-Hudson, New York 12520

ACTIVITY: Dredging with 10 years maintenance, with barge overflow, onsite return flow and upland disposal.

WATERWAY: Hudson River

LOCATION: Village of Cornwall-on-Hudson, Orange 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
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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 (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) 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, may cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because there are few incidences of EFH species in this area and it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations are 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.

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. A water quality certificate under Permit Number 3-3324-37/20 was issued by the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act on July 6, 2007.

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. On September 11, 2007, the state concurred with the applicant's certification (F-2007-802). 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.

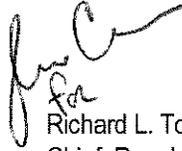
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation Permit Number 3-3324-37/20 for Excavation & Fill in Navigable Waters

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) 790-8413 and ask for Brian Orzel.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2007-896-WOR

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, appearing to read 'Tomer', is positioned above the printed name.

Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

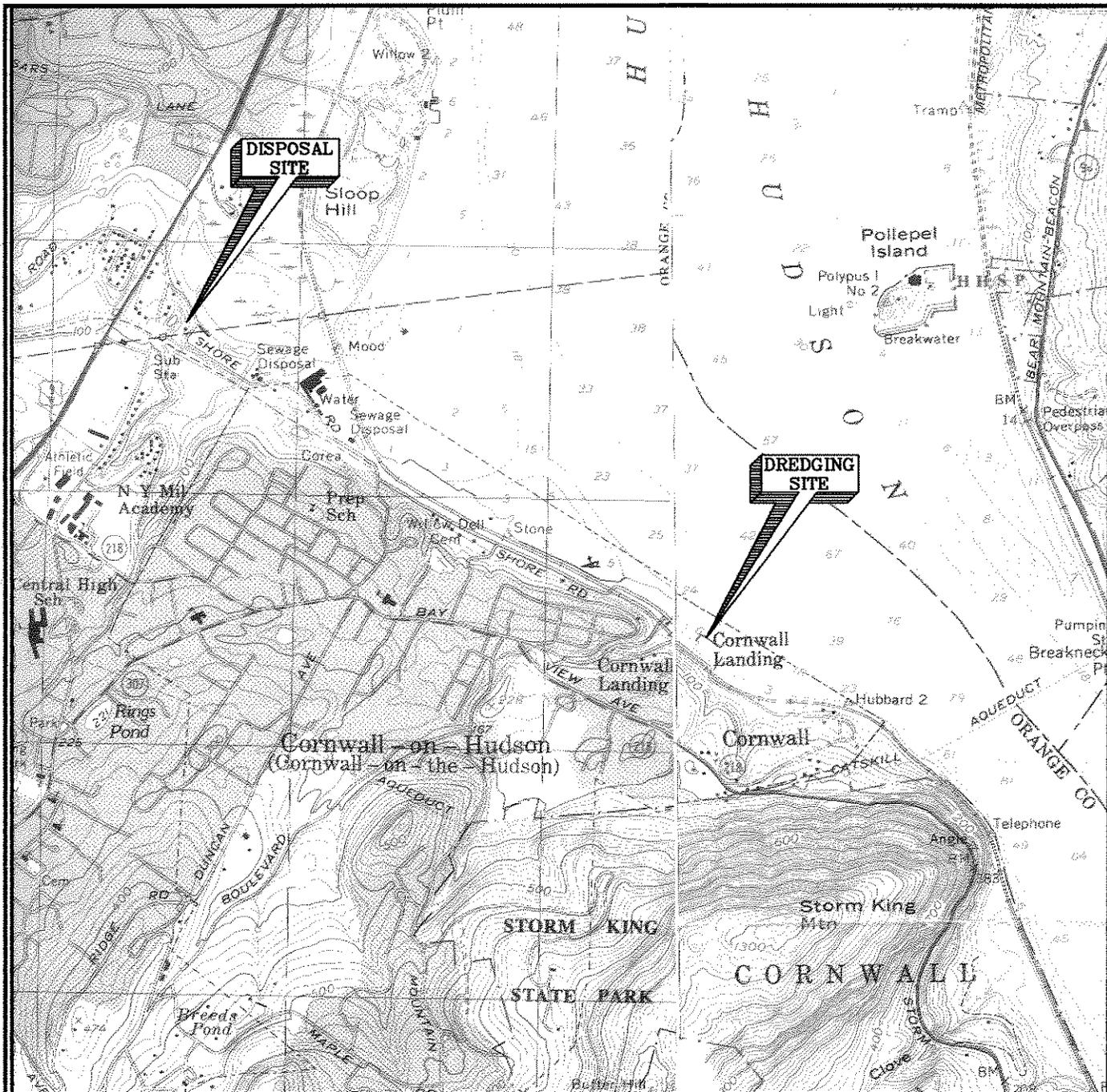
The applicant, Cornwall Yacht Club, has requested Department of the Army authorization to dredge with ten years maintenance their existing marina, located in the Hudson River, in the Village of Cornwall-on-Hudson, Orange County, New York.

The work would involve the clamshell dredging of approximately 6,725 cubic yards of silt. The material would be temporarily placed in a barge with barge overflow, and later placed in an upland drying pen, which would allow the return flow of water to the waterway. Once the material is dried, it would be transported to an upland disposal site approximately 1.5 miles away. The existing yacht club is mostly enclosed by breakwaters, with a single opening in the breakwaters for passage to the Hudson River. A silt curtain would extend across the opening in the breakwaters during all dredging operations so that no silt would go into the Hudson River.

Subsequent maintenance dredging would be undertaken one additional time, if a ten year permit is issued, with approximately the same amount of dredged material removed and upland placement.

The stated purpose of this project is to maintain previous water depths within the marina, so that vessels can safely moor and maneuver at the marina.

J:_ACAD-DEADFILES\2003\03190 Cornwall Yacht Club\190sp1R.dwg, 1/4/2008 11:32:59 AM, McGoey, Hauser & Edsall, C.E., P.C.



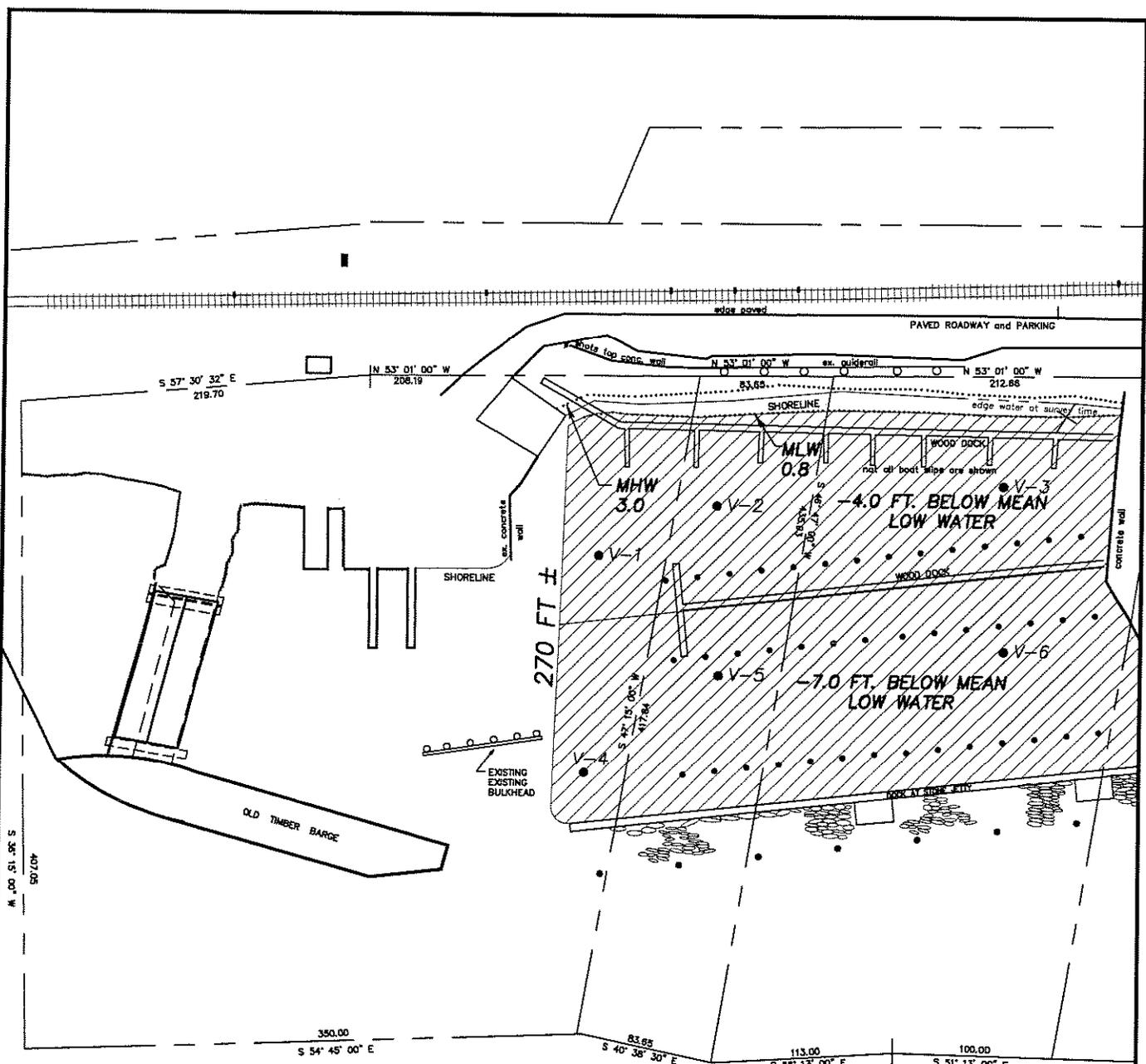
CORNWALL-ON-HUDSON & WEST POINT QUADRANTS:

SCALE: 1" = 2000'

41° 26' 30" N. LAT.

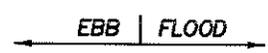
74° 00' 00" W LONG.:

PURPOSE:	MAINTENANCE DREDGE	
DATUM:	NATIONAL GEODETIC VERTICAL DATUM OF 1929	IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56
ADJACENT PROPERTY OWNERS:	1. VILLAGE OF CORNWALL ON HUDSON (NORTH) 325 HUDSON STREET CORNWALL-ON-HUDSON, NEW YORK 10520 2. C.S.X.TRANSPORTATION (WEST) 500 WATER STREET, SC J180 JACKSONVILLE, FLORIDA 32202-4467	AT: CORNWALL YACHT CLUB VILLAGE OF CORNWALL-ON-HUDSON, COUNTY OF ORANGE, STATE OF NEW YORK APPLICATION BY: CORNWALL YACHT CLUB
		SHEET: 1 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008



DREDGE AREA = 90,677 SQ. FT.
DREDGE VOLUME = 6,725 CU. YDS..

HUDSON RIVER



PURPOSE: MAINTENANCE DREDGE

SITE PLAN
 SCALE: 1" = 100'

DATUM: NATIONAL GEODETIC VERTICAL
 DATUM OF 1929

- ADJACENT PROPERTY OWNERS:
- VILLAGE OF CORNWALL ON HUDSON (NORTH)
 325 HUDSON STREET
 CORNWALL-ON-HUDSON, NEW YORK 10520
 - C.S.X. TRANSPORTATION (WEST)
 500 WATER STREET, SC J180
 JACKSONVILLE, FLORIDA 32202-4467

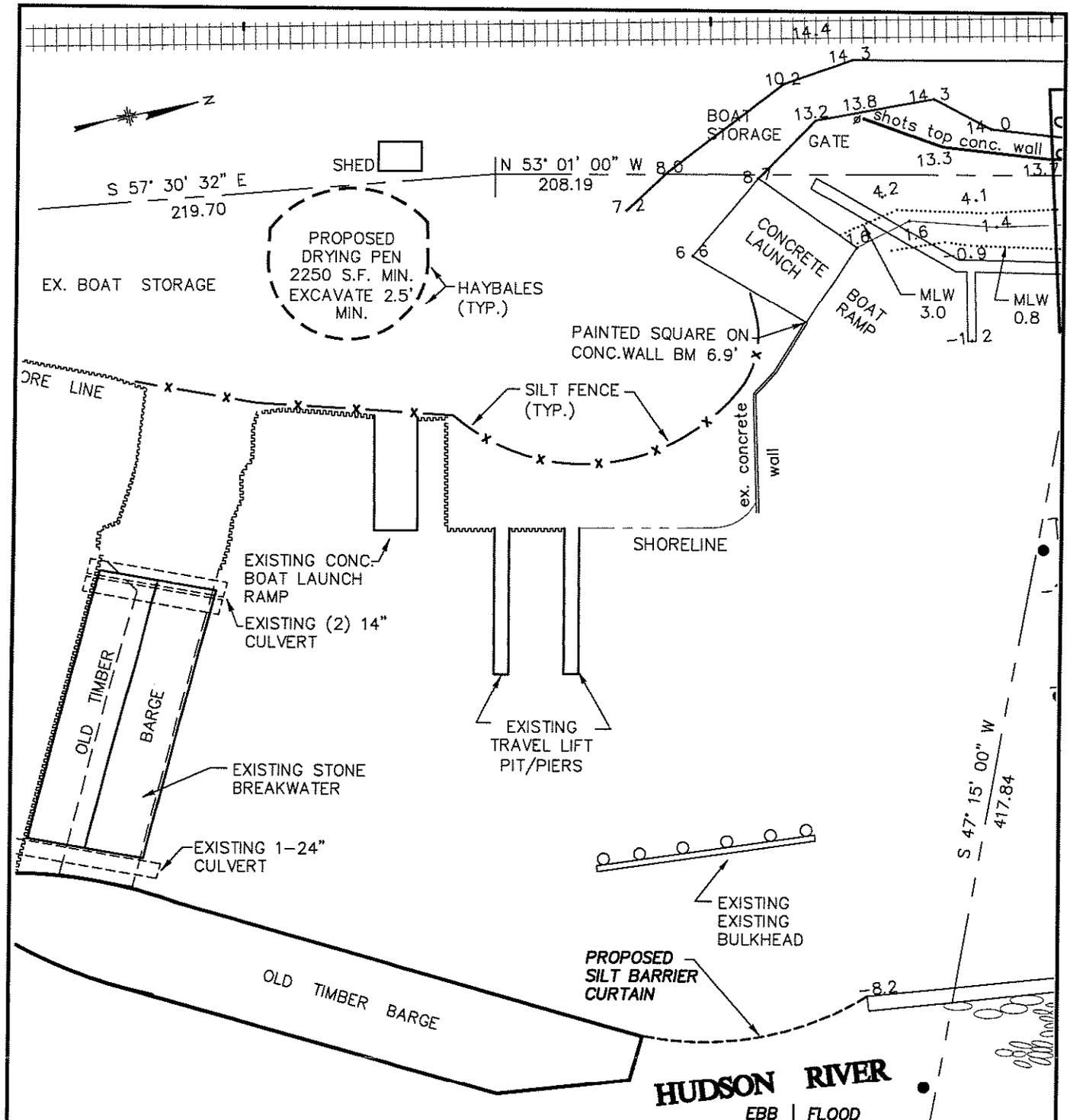
IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56

AT: CORNWALL YACHT CLUB
 VILLAGE OF CORNWALL-ON-HUDSON,
 COUNTY OF ORANGE,
 STATE OF NEW YORK

APPLICATION BY: CORNWALL YACHT CLUB

SHEET: 2 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008

J:_ACAD-DEADFILES\2003\03190 Cornwall Yacht Club\190sp1R.dwg, 1/4/2008 11:05:13 AM, McGoey, Hauser & Edsall, C.E., P.C.



PURPOSE: MAINTENANCE DREDGE

DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929

ADJACENT PROPERTY OWNERS:

- VILLAGE OF CORNWALL ON HUDSON (NORTH)
325 HUDSON STREET
CORNWALL-ON-HUDSON, NEW YORK 10520
- C.S.X. TRANSPORTATION (WEST)
500 WATER STREET, SC J180
JACKSONVILLE, FLORIDA 32202-4467

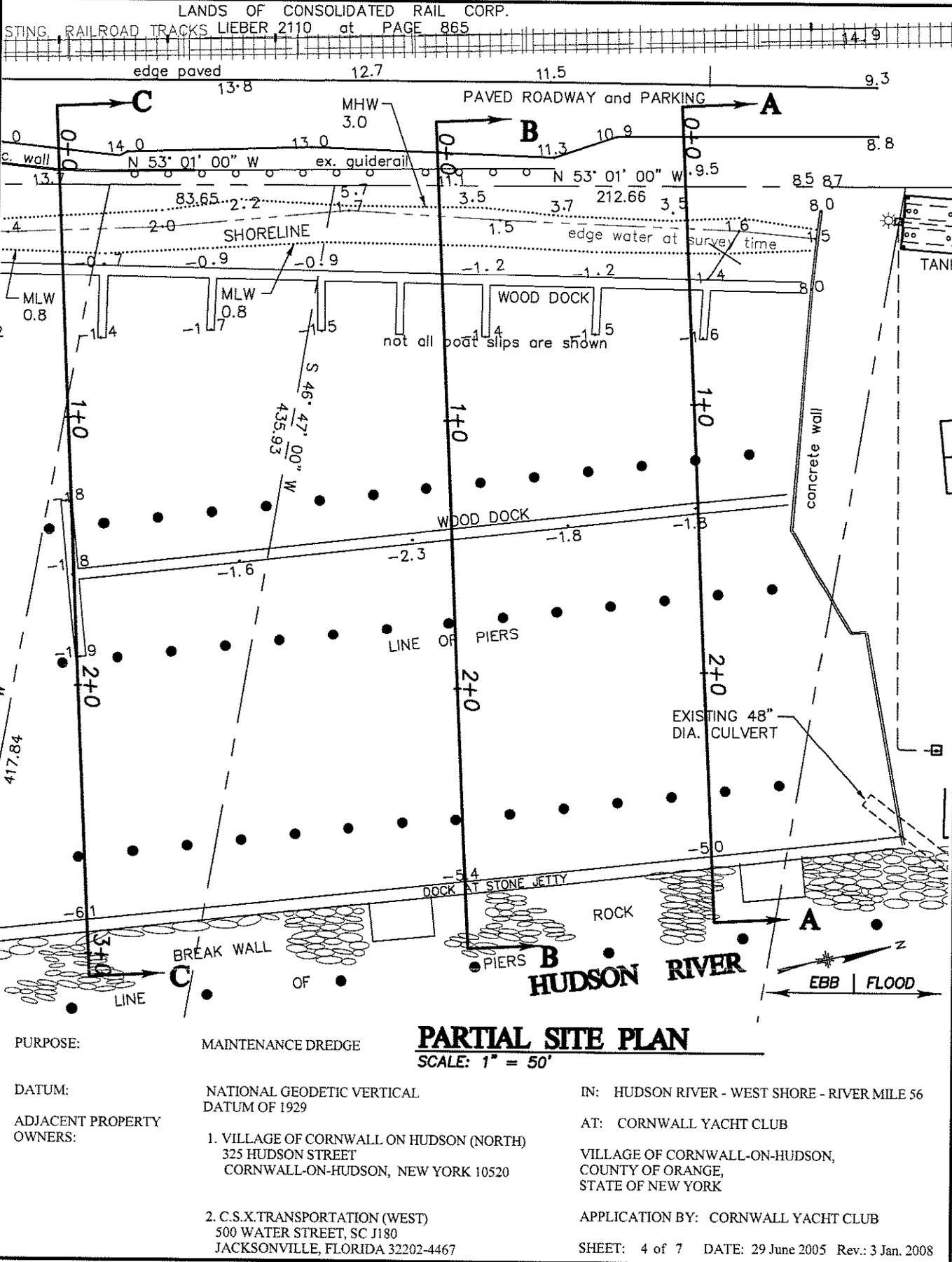
PARTIAL SITE PLAN
SCALE: 1" = 50'

IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56

AT: CORNWALL YACHT CLUB
VILLAGE OF CORNWALL-ON-HUDSON,
COUNTY OF ORANGE,
STATE OF NEW YORK

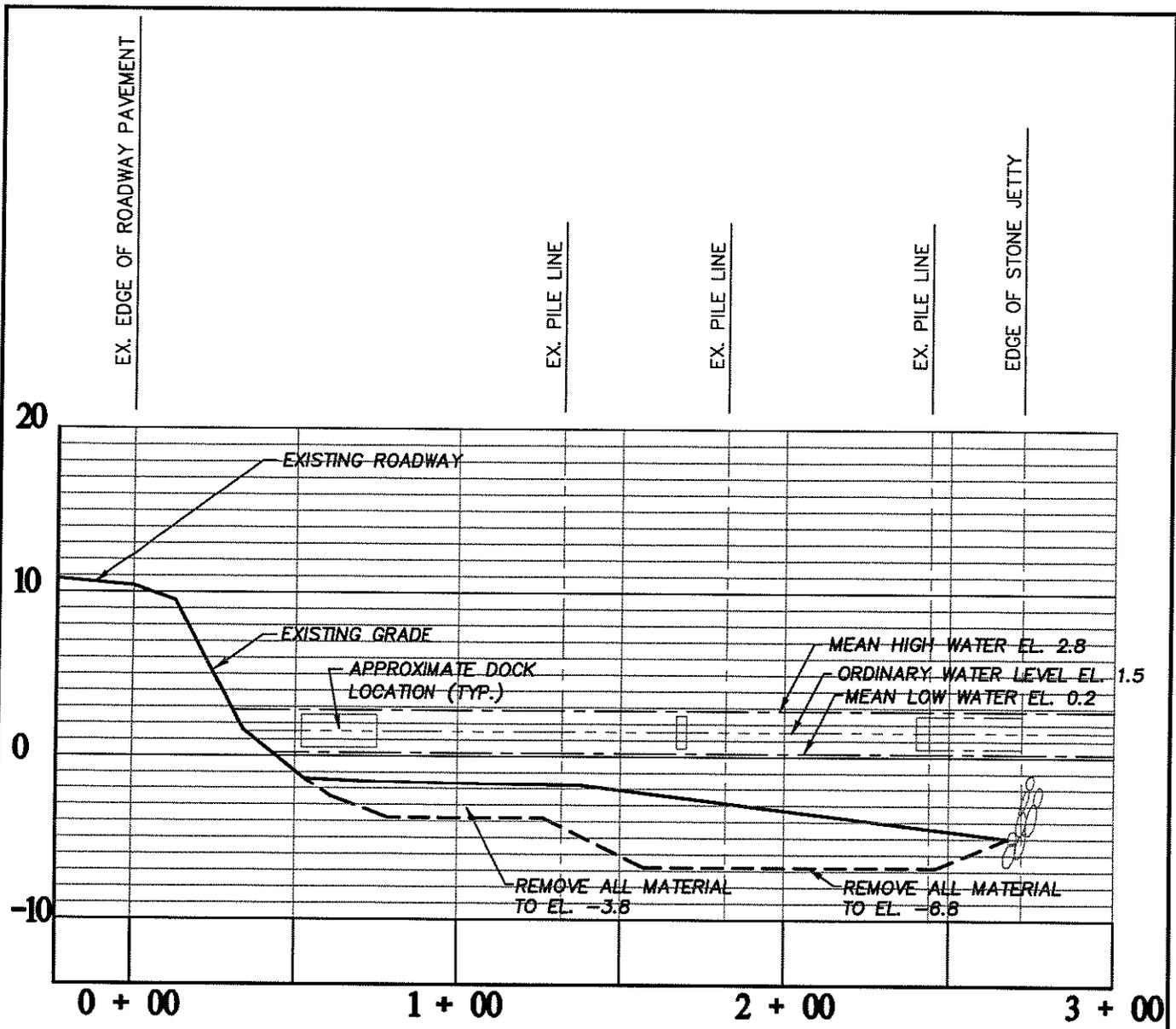
APPLICATION BY: CORNWALL YACHT CLUB

SHEET: 3 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008



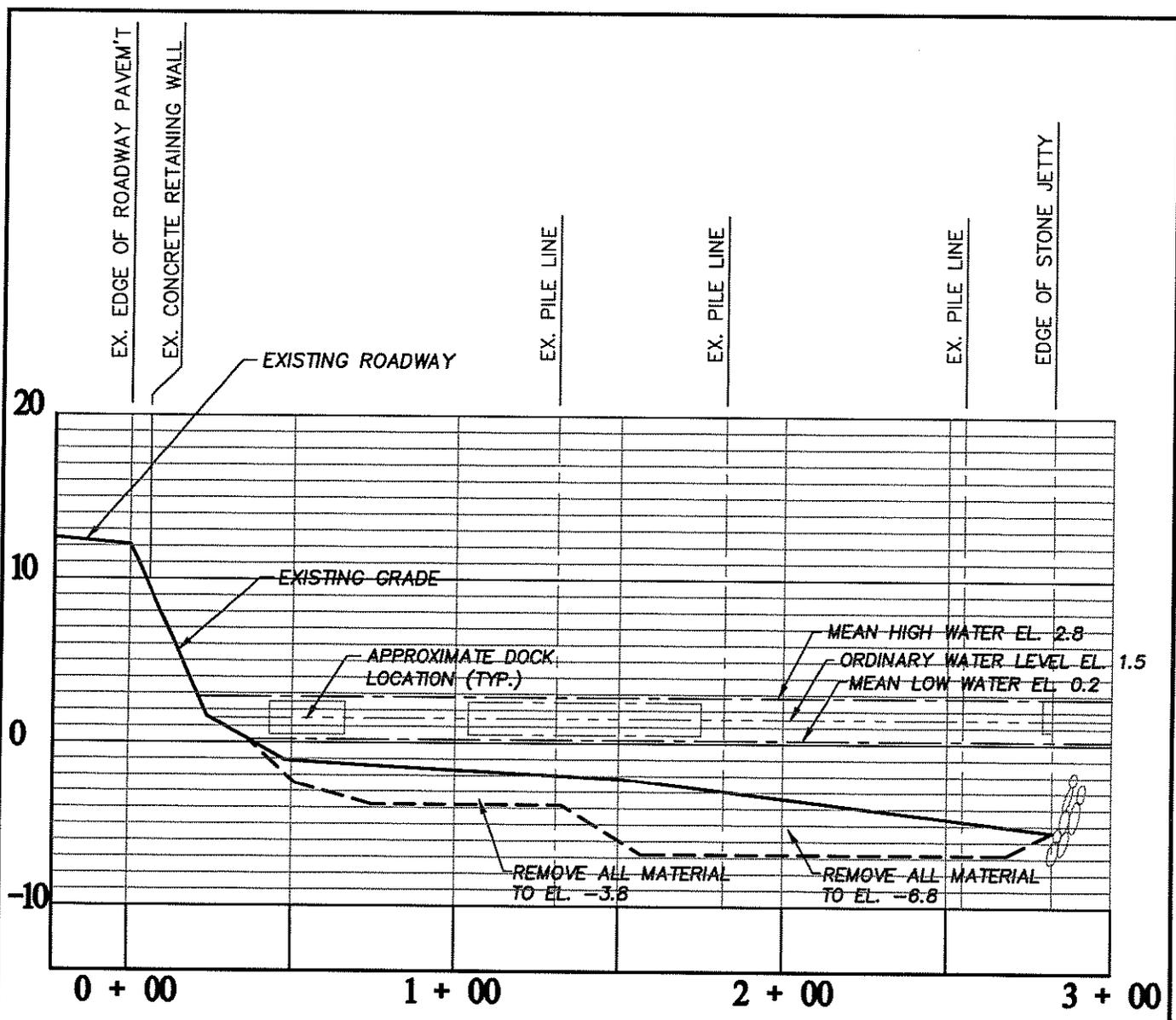
J:_ACAD-DEADFILES\2003\03190 Cornwall Yacht Club\190sp1R.dwg, 1/4/2008 11:05:25 AM, McGoey, Hauser & Edsall, C.E., P.C.

J:_ACAD-DEADFILES\2003\03190 Cornwall Yacht Club\190sp1R.dwg, 1/3/2008 1:40:35 PM, McGoey, Hauser & Edsall, C.E., P.C.



SECTION A-A
 SCALE: HORZ. - 1" = 50'
 VERT. - 1" = 10'

PURPOSE:	MAINTENANCE DREDGE	
DATUM:	NATIONAL GEODETIC VERTICAL DATUM OF 1929	IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56
ADJACENT PROPERTY OWNERS:	1. VILLAGE OF CORNWALL ON HUDSON (NORTH) 325 HUDSON STREET CORNWALL-ON-HUDSON, NEW YORK 10520	AT: CORNWALL YACHT CLUB VILLAGE OF CORNWALL-ON-HUDSON, COUNTY OF ORANGE, STATE OF NEW YORK
	2. C.S.X. TRANSPORTATION (WEST) 500 WATER STREET, SC J180 JACKSONVILLE, FLORIDA 32202-4467	APPLICATION BY: CORNWALL YACHT CLUB
		SHEET: 5 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008



SECTION B-B

SCALE: *HORZ.* - 1" = 50'
VERT. - 1" = 10'

PURPOSE: MAINTENANCE DREDGE

DATUM: NATIONAL GEODETIC VERTICAL
 DATUM OF 1929

ADJACENT PROPERTY OWNERS:

1. VILLAGE OF CORNWALL ON HUDSON (NORTH)
 325 HUDSON STREET
 CORNWALL-ON-HUDSON, NEW YORK 10520

2. C.S.X. TRANSPORTATION (WEST)
 500 WATER STREET, SC J180
 JACKSONVILLE, FLORIDA 32202-4467

IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56

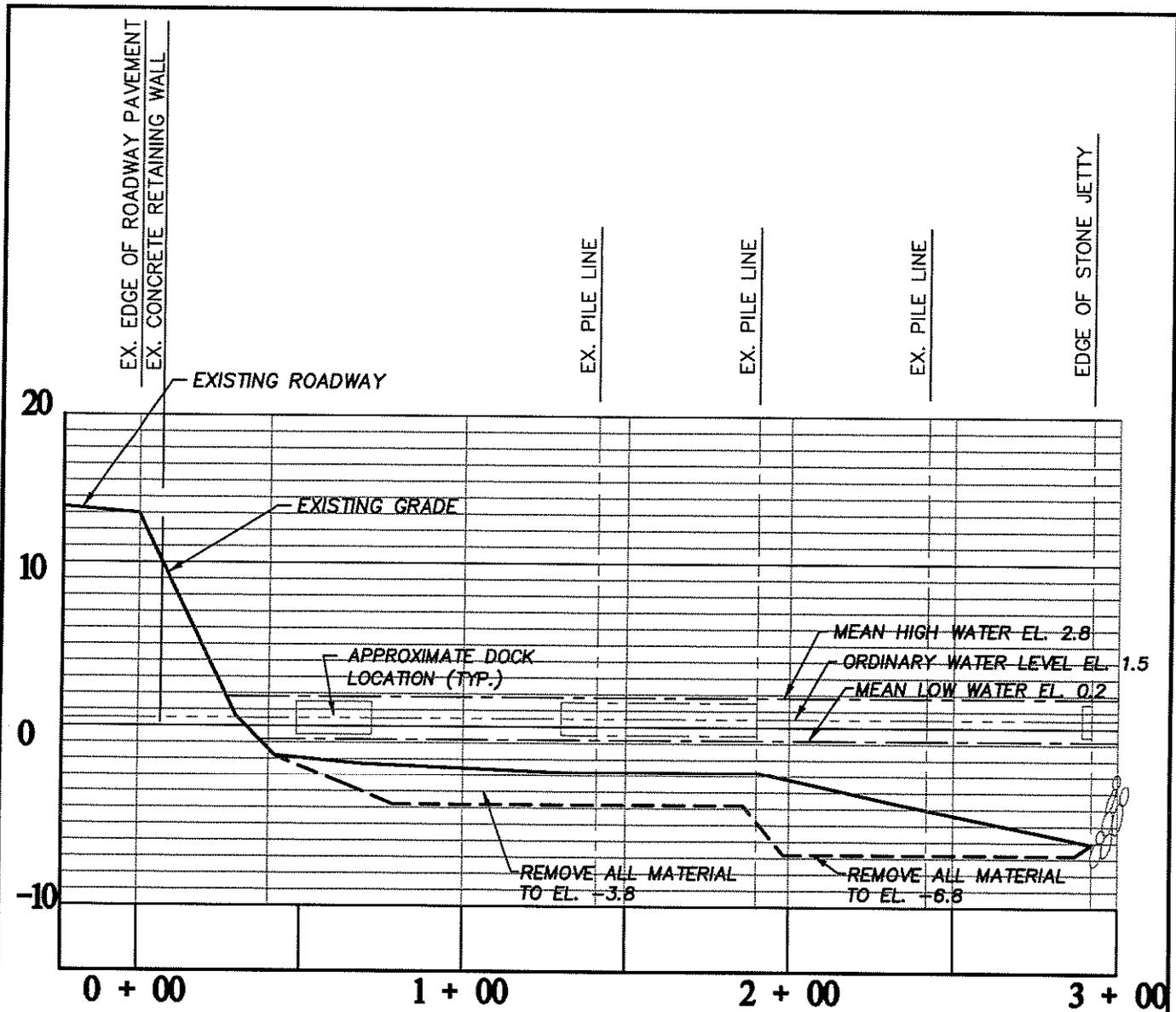
AT: CORNWALL YACHT CLUB

VILLAGE OF CORNWALL-ON-HUDSON,
 COUNTY OF ORANGE,
 STATE OF NEW YORK

APPLICATION BY: CORNWALL YACHT CLUB

SHEET: 6 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008

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SECTION C-C

SCALE: *HORZ.* - 1" = 50'
VERT. - 1" = 10'

PURPOSE: MAINTENANCE DREDGE

DATUM: NATIONAL GEODETIC VERTICAL
 DATUM OF 1929

ADJACENT PROPERTY OWNERS:
 1. VILLAGE OF CORNWALL ON HUDSON (NORTH)
 325 HUDSON STREET
 CORNWALL-ON-HUDSON, NEW YORK 10520

2. C.S.X. TRANSPORTATION (WEST)
 500 WATER STREET, SC J180
 JACKSONVILLE, FLORIDA 32202-4467

IN: HUDSON RIVER - WEST SHORE - RIVER MILE 56

AT: CORNWALL YACHT CLUB
 VILLAGE OF CORNWALL-ON-HUDSON,
 COUNTY OF ORANGE,
 STATE OF NEW YORK

APPLICATION BY: CORNWALL YACHT CLUB

SHEET: 7 of 7 DATE: 29 June 2005 Rev.: 3 Jan. 2008