



PUBLIC NOTICE

US Army Corps
of Engineers

New York District, ATTN: CENAN-OP-RU
Upstate Regulatory Field Office
1 Buffington Street, Bldg. 10, 3rd Floor North
Watervliet, New York 12189-4000

In replying refer to:

Public Notice Number: NAN-2012-00091
Issue Date: March 15, 2012
Expiration Date: April 14, 2012

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: John A. Mott
97 Montgomery Street
Rouses Point, New York 12979

ACTIVITY: Rehabilitate and reconfigure an existing marina

WATERWAY: Lake Champlain

LOCATION: Village of Rouses Point, 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 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 THE ATTENTION OF JOHN CONNELL AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO john.r.connell@usace.army.mil, TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

CENAN-OP-R
PUBLIC NOTICE NO. NAN-2012-00091

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 will not affect Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), if new information warrants, the District Engineer will consult with the appropriate Federal agency to determine the presence of and any potential impacts to listed species or their critical habitat in the project area.

Based upon a review of the GIS resources map on the New York State Office of Parks, Recreation and Historic Preservation (SHPO) website, there are no known sites eligible or included in the National Register of Historic Places (NRHP) within the Permit Area. By letter dated February 23, 2012, the SHPO stated it was their opinion that the project would have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

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 and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- Article 15 – Protection of Waters permit from New York State Department of Environmental Conservation
- Underwater Land Use permit from the New York State Office of General Services

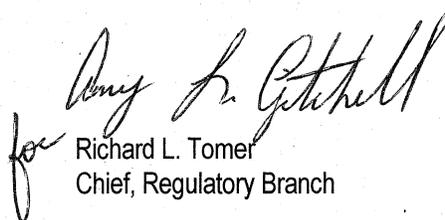
In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/business/buslinks/regulat/survey.htm>

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 John Connell of this office at (518) 266-6357.

For more information on New York District Corps of Engineers programs, visit our website at:

<http://www.nan.usace.army.mil>


for Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, John A. Mott, has requested a Department of the Army permit to rehabilitate, and improve an existing, previously permitted marina known as "Barcomb's Marina". The site is located at 97 Montgomery Street, in the Village of Rouses Point, Clinton County, New York.

The proposed rehabilitation work would be completed along 70 linear feet of the existing breakwater's north and south side, along the portion of the existing breakwater extending from 430 feet to 500 feet in distance from the shoreline at the ordinary high water mark (OHWM) of the Lake. This work would restore a portion of the breakwater to its original top elevation of 101 feet and dimensions of 30 feet in width at its top elevation and 40 feet in width at Lake bottom. This portion of the work would include the recovery of approximately 39 cubic yards of field stone from below the OHWM of the Lake within 20 feet of the existing breakwater. The removal is proposed to be accomplished using an excavator with a "thumb" in order to minimize the disturbance of the Lake bottom. The field stone would be discharged onto the breakwater and covered by approximately 51 cubic yards of shot rock ranging in size from 6 inches to 2 feet in diameter. The shot rock will prevent future erosion of the breakwater.

The proposed rehabilitation work would also involve the reconstruction of the remainder of the breakwater, which is currently unserviceable, at its historic alignment and location as previously constructed by a prior owner. The reconstruction of this unserviceable portion of the breakwater would extend the existing serviceable portion of the structure an additional 200 feet in length, resulting in a breakwater extending a total of 700 feet in length from the shoreline at the OHWM. The proposed top elevation, along with the top and bottom widths of this portion of the breakwater is proposed to be the same as the rehabilitated portion (i.e. 30 feet wide at a top elevation of 101 feet and 40 feet wide at the Lake bottom with an average height of 10 feet). The reconstruction portion would involve the discharge of approximately 2787 cubic yards of shot rock into approximately 0.18 acres of the Lake. This shot rock would also range in size from 6 inches to 2 feet in diameter.

The project as proposed would also involve the relocation of twenty floating finger docks previously located on the south side of the breakwater to the north side of the breakwater. These structures would be anchored, as previously, with 4 feet by 4 feet by 1 foot thick concrete anchors. No other relocation of docks is proposed to occur. The project would also maintain as previously completed the current permitted docking capacity of 111 boats. In addition, the applicant proposes to expand and maintain the previously authorized reconfiguration perimeter to authorize future maintenance and potential reconfiguration of the floating dock facilities and gangways on the north side of the breakwater.

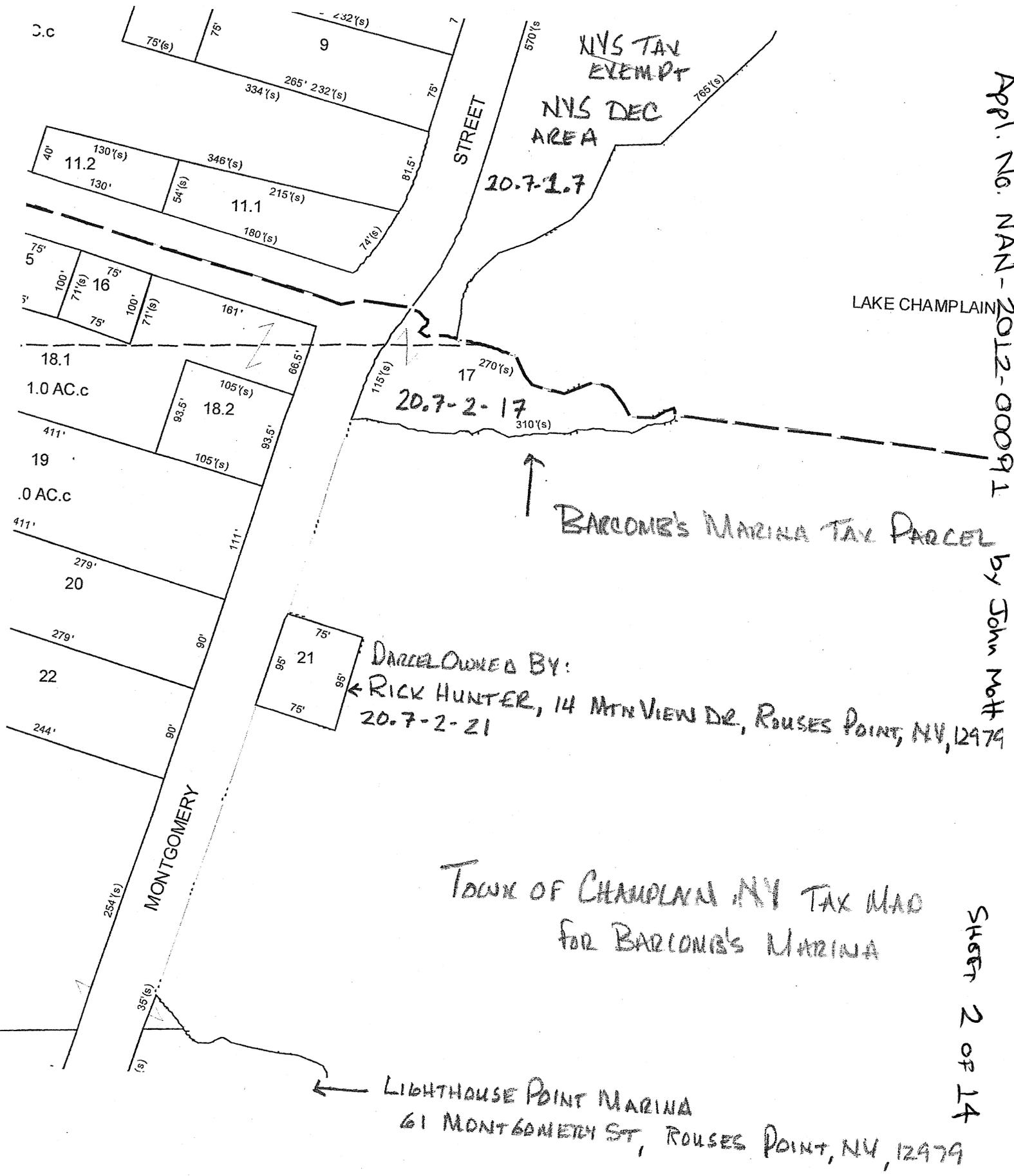
The applicant has stated that they have avoided and minimized proposed impacts to the maximum extent practicable by considering alternatives to the proposed rock breakwater, including a floating breakwater which the applicant indicates would not meet the project's purpose. In addition, the applicant proposes to install and maintain a floating silt curtain surrounding the work area while fill is being discharged and stone recovery work is being accomplished in the Lake.

The stated purpose of the project is to maintain a viable marina by providing wave and storm damage protection for the facility.

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by John Mott

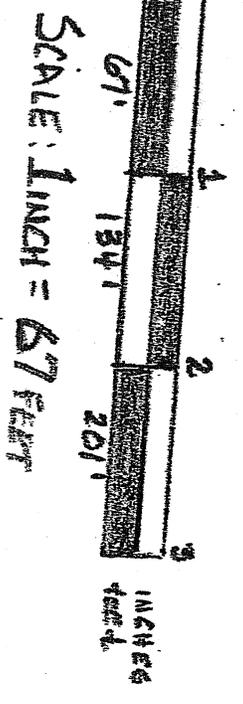
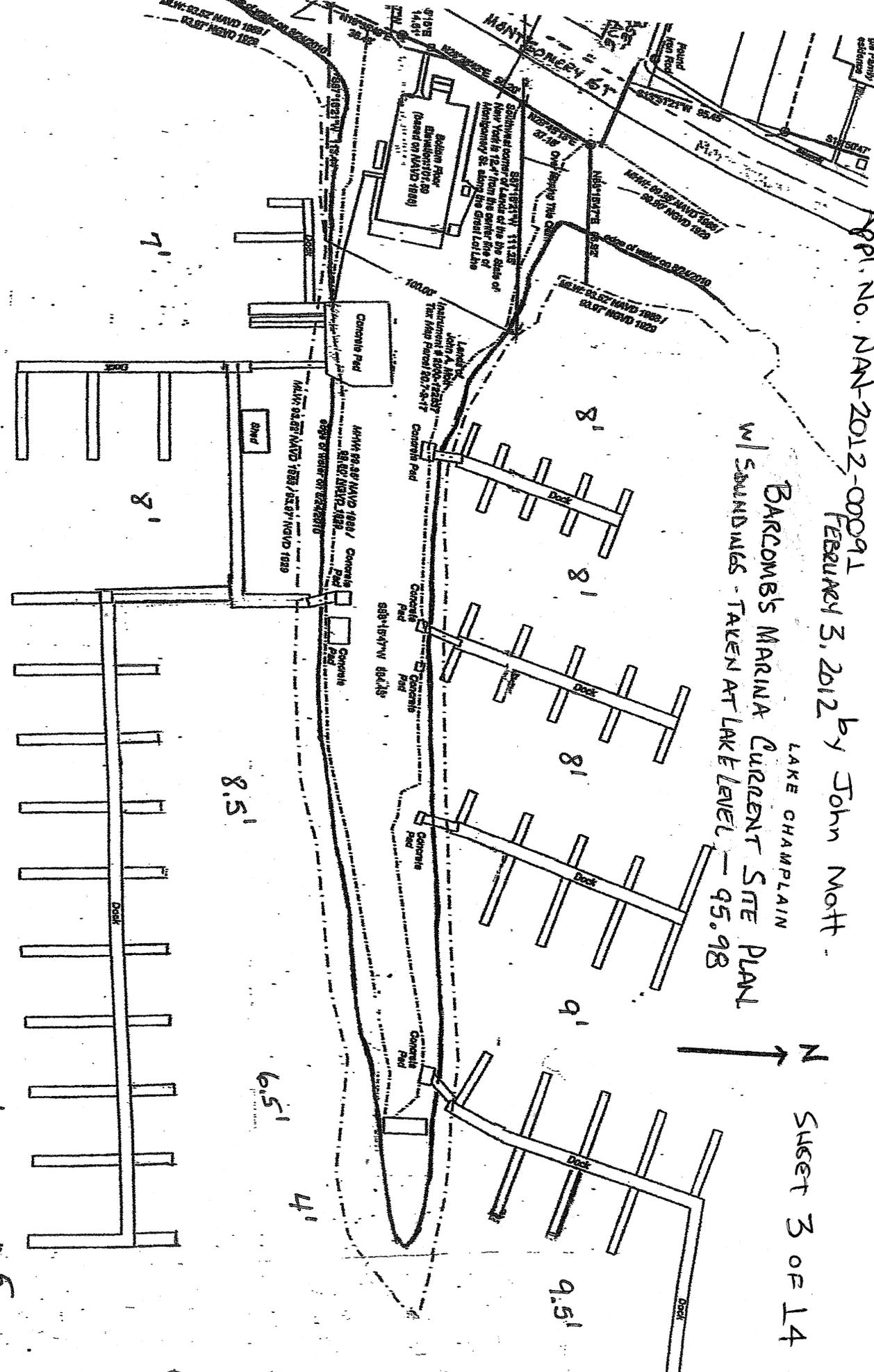
SHEET 2 OF 14



APP. No. NAN-2012-00091
FEBRUARY 3, 2012 by John Moff

LAKE CHAMPLAIN
BARCOMB'S MARINA CURRENT SITE PLAN
w/ SOUNDINGS - TAKEN AT LAKE LEVEL - 95.98

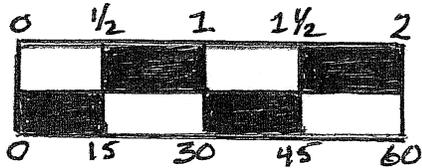
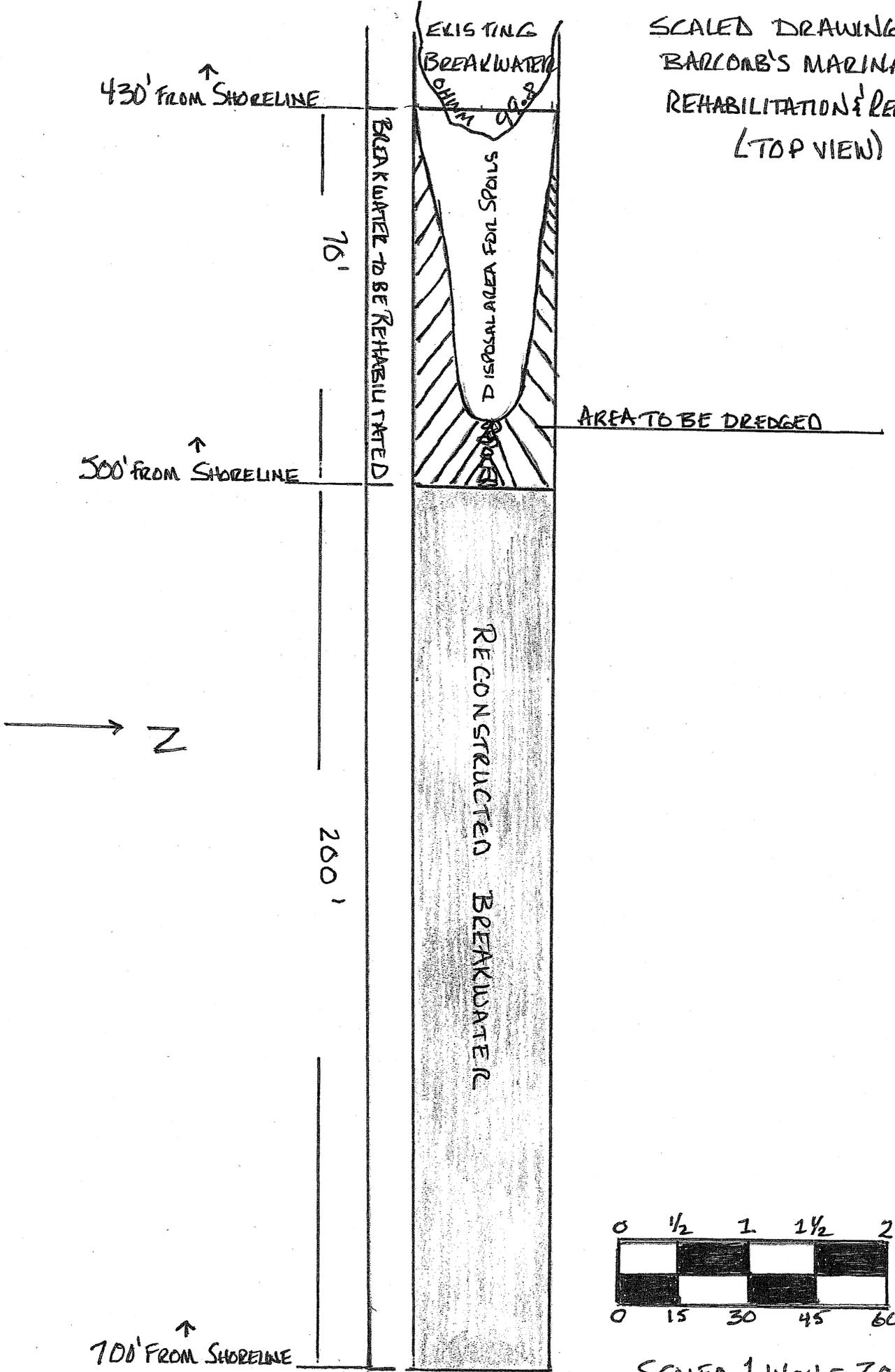
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SHEET 3 OF 14



SCALED DRAWING OF
BARLOMB'S MARINA BREAKWATER
REHABILITATION & RECONSTRUCTION
(TOP VIEW)

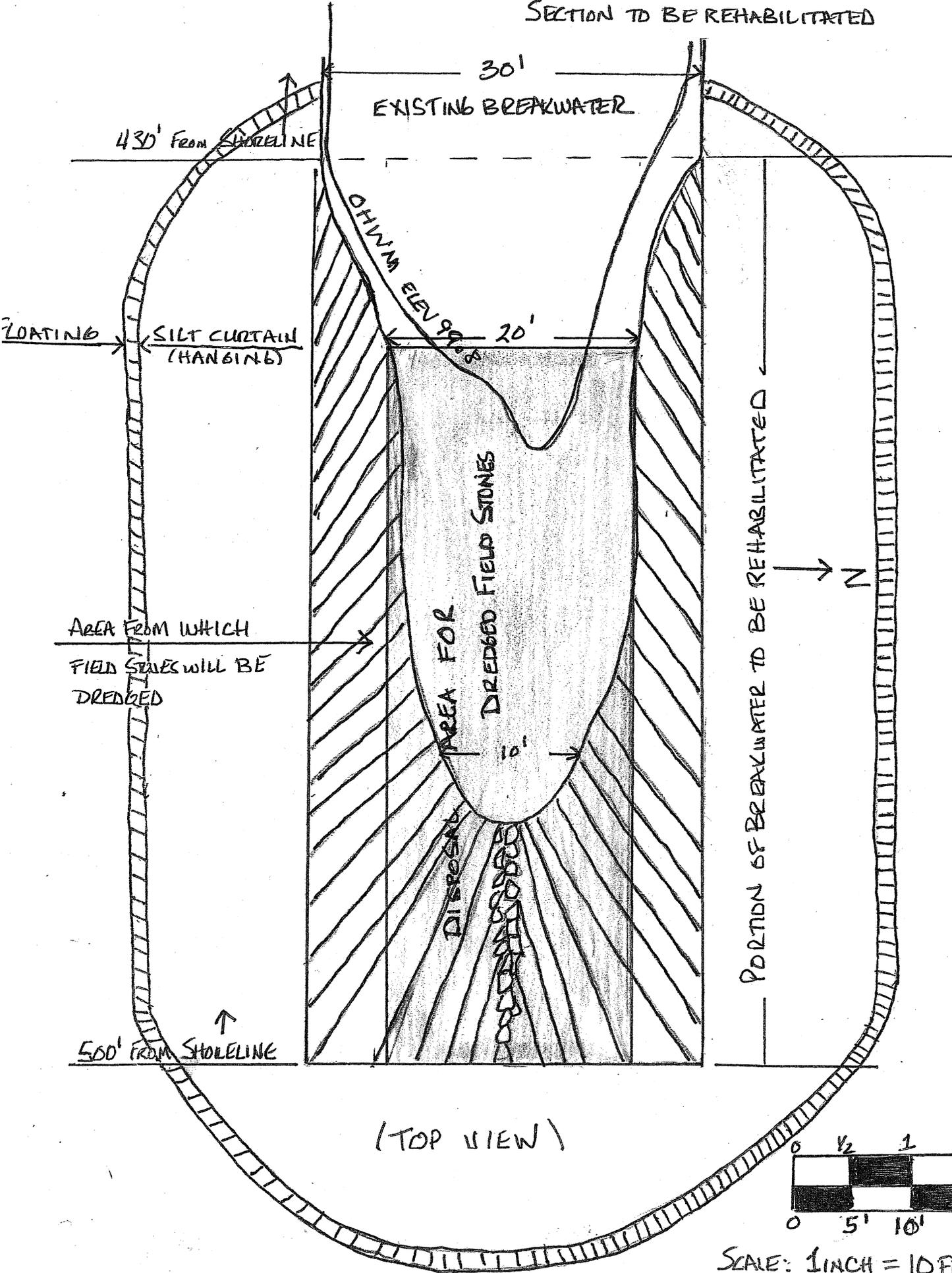
APPL. NO. NAN-2012-00091 by Jdm NoH SHEET 5 OF 14

BJDZ 9/11/2012

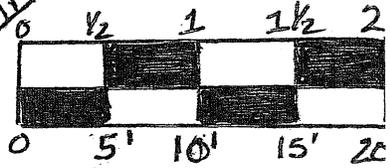


SCALE: 1 INCH = 30 FEET

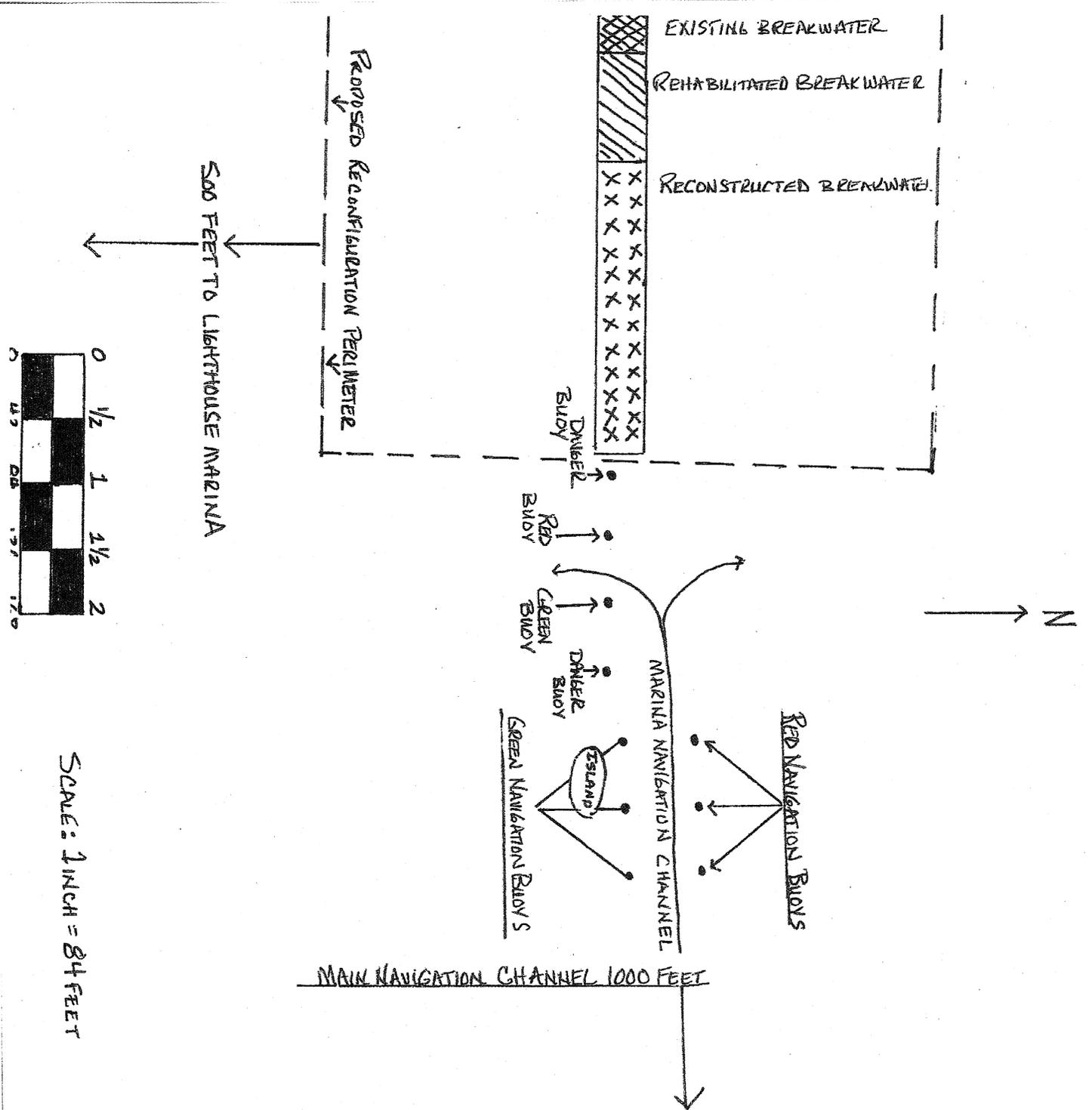
SCALED DRAWING OF BARCELONA'S MARINA BREAKWATER
SECTION TO BE REHABILITATED



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 DRAWING 4 OF 9



SCALE: 1 INCH = 10 FEET

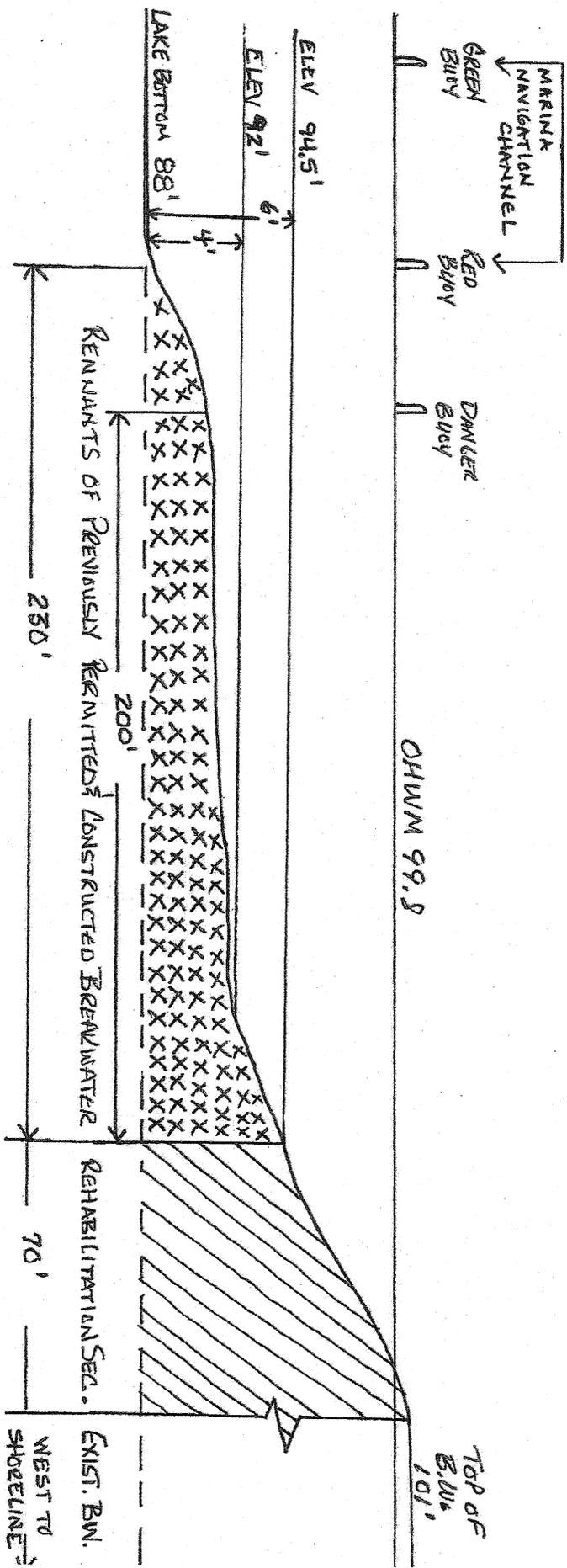


SCALE: 1 INCH = 84 FEET

DRAWING OF THE PROPOSED LAKEWARD END OF THE BREAKWATER AT BARCOMB'S MARINA, SHOWING NAVIGATION CHANNEL AS ESTABLISHED BY NAVIGATION BUOYS AND OTHER REFERENCE PTS.

DRAWING 1 OF 2 SUBMITTED 02/23/12

MEASURED DRAWING OF THE REMNANTS OF THE PREVIOUSLY PERMITTED & CONSTRUCTED BREAKWATER SECTION AT BARLOW'S MARINA.



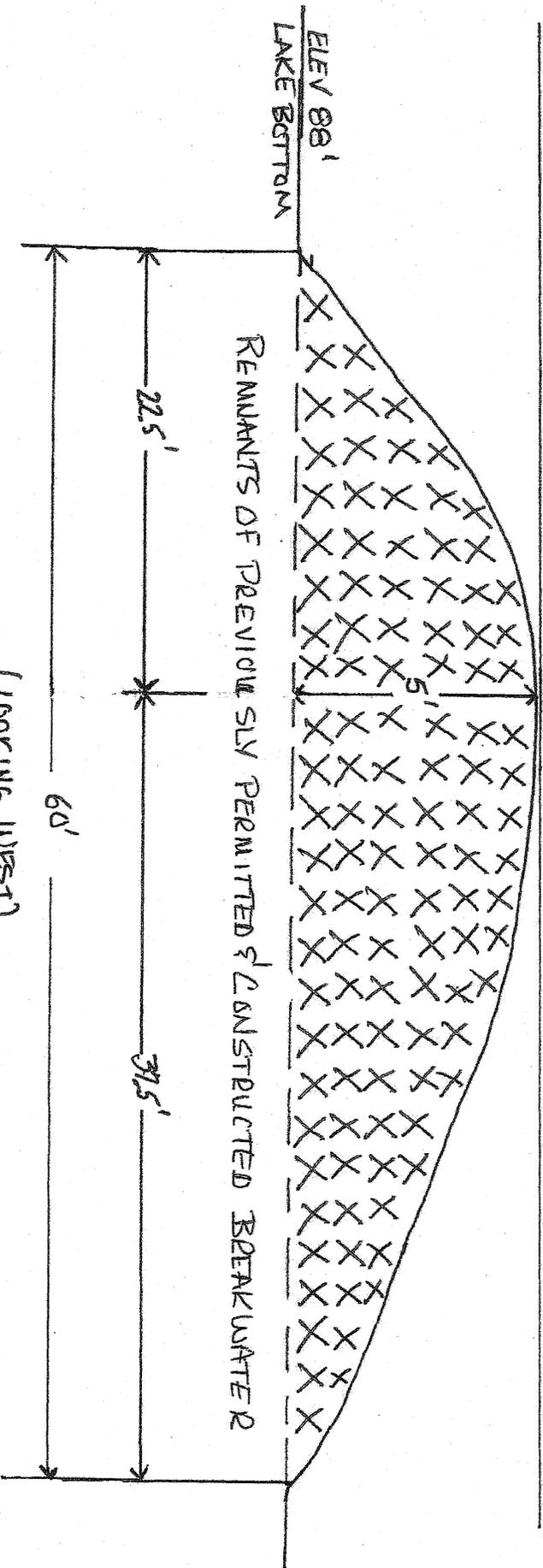
(LOOKING SOUTH)

DRAWING 1 OF 2 SUBMITTED 3/5/2012

MEASURED DRAWING OF THE REMNANTS OF THE
PREVIOUSLY PERMITTED & CONSTRUCTED BREAKWATER
SECTION AT SANDOZ'S MARINA.

OHWN 99.8'

ELEV 93'

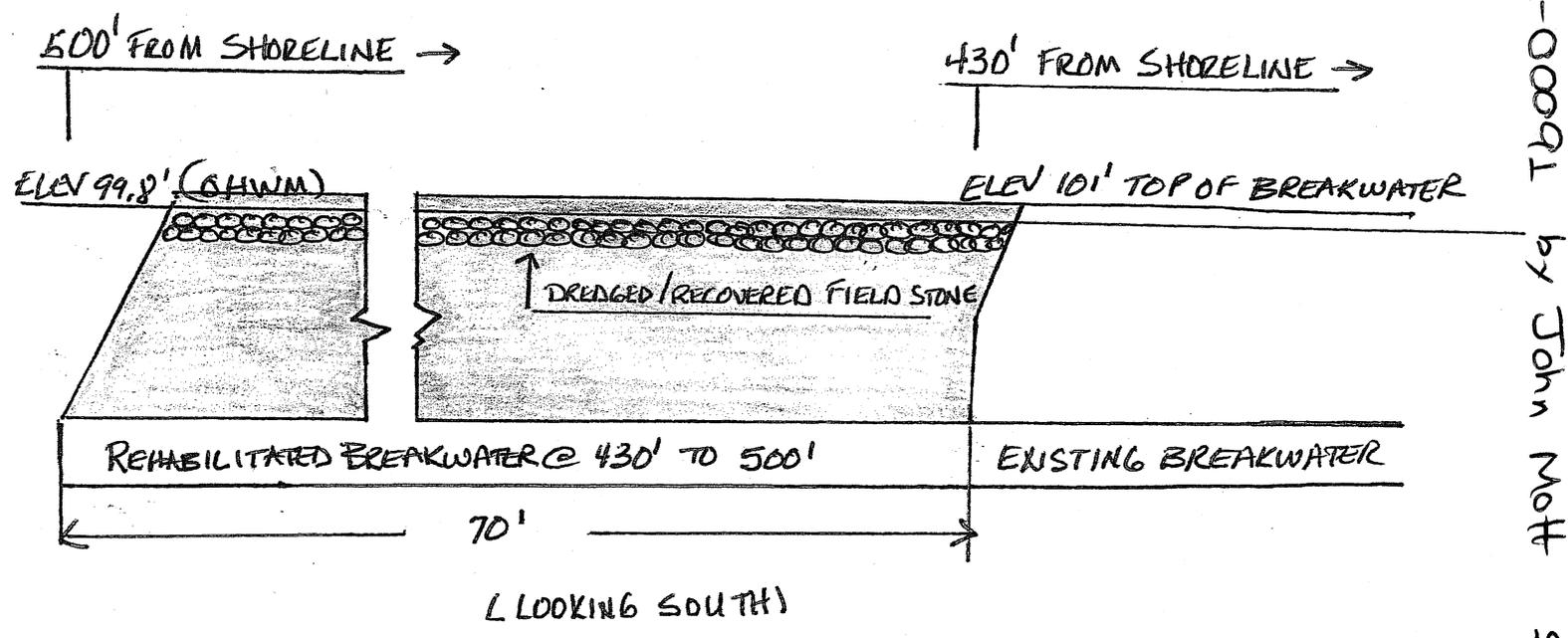
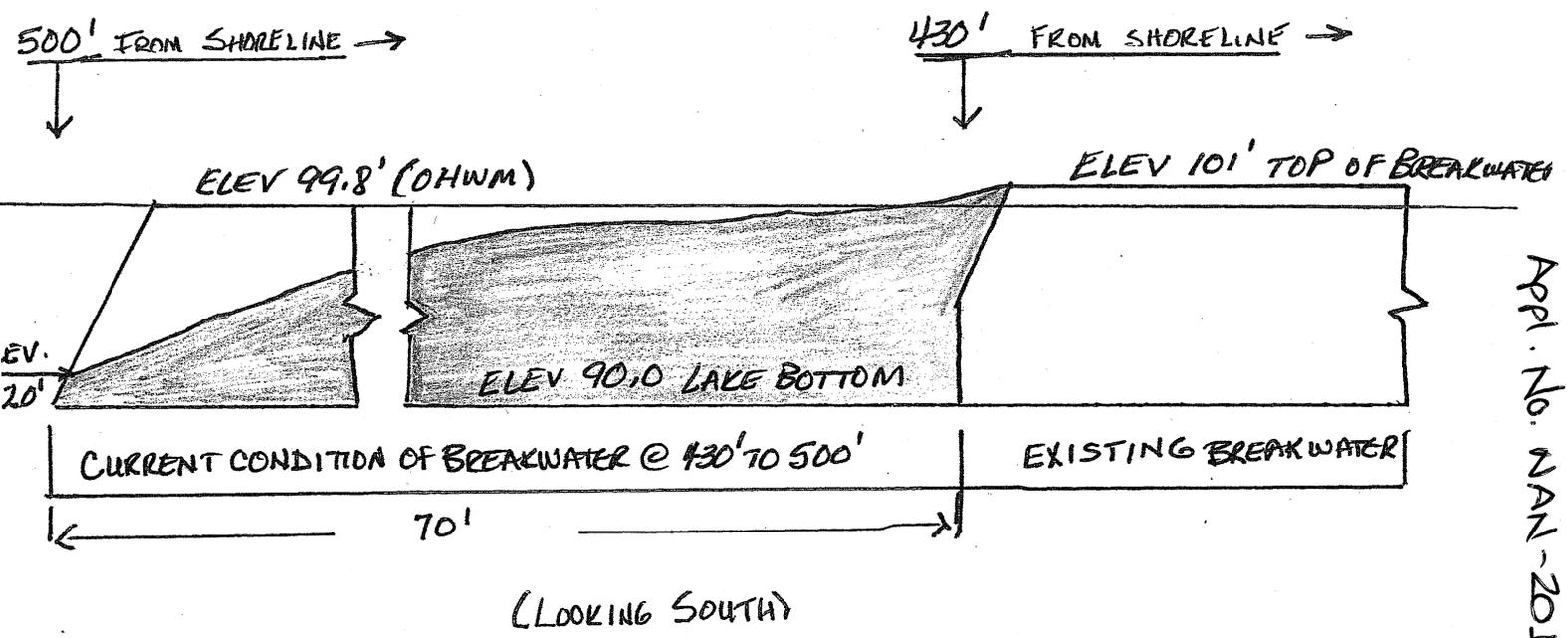


(LOOKING WEST)

DRAWING 2 OF 2 SUBMITTED 3/5/2012



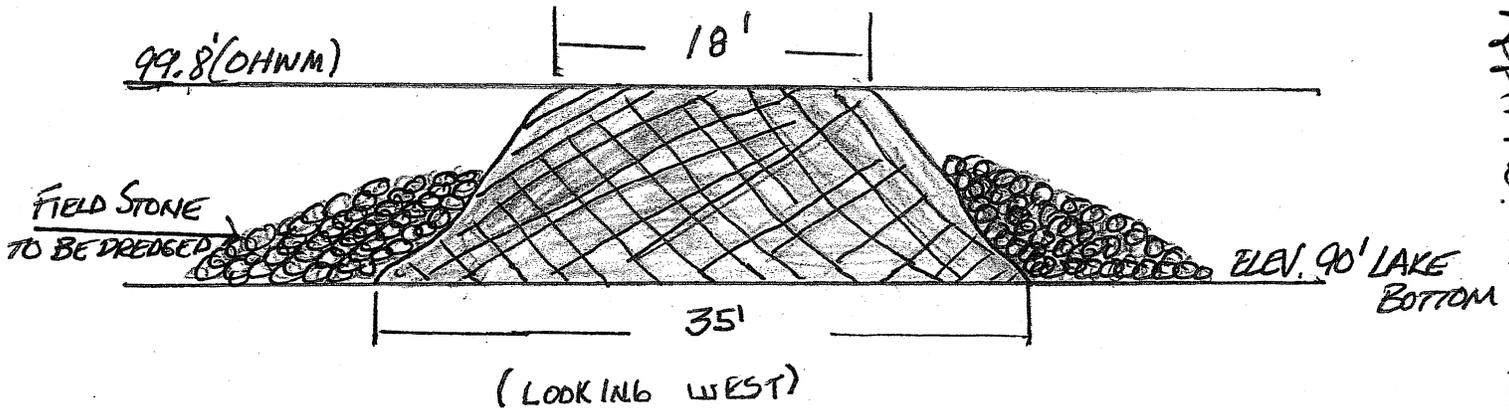
MEASURED DRAWINGS OF BARLOMBE'S MARINA
 BREAKWATER SECTION TO BE REHABILITATED
 CURRENT CONDITION AND REHABILITATED



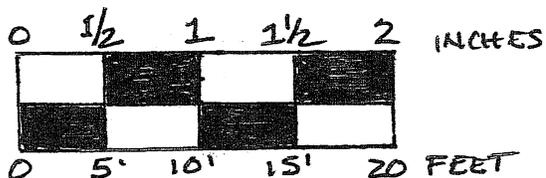
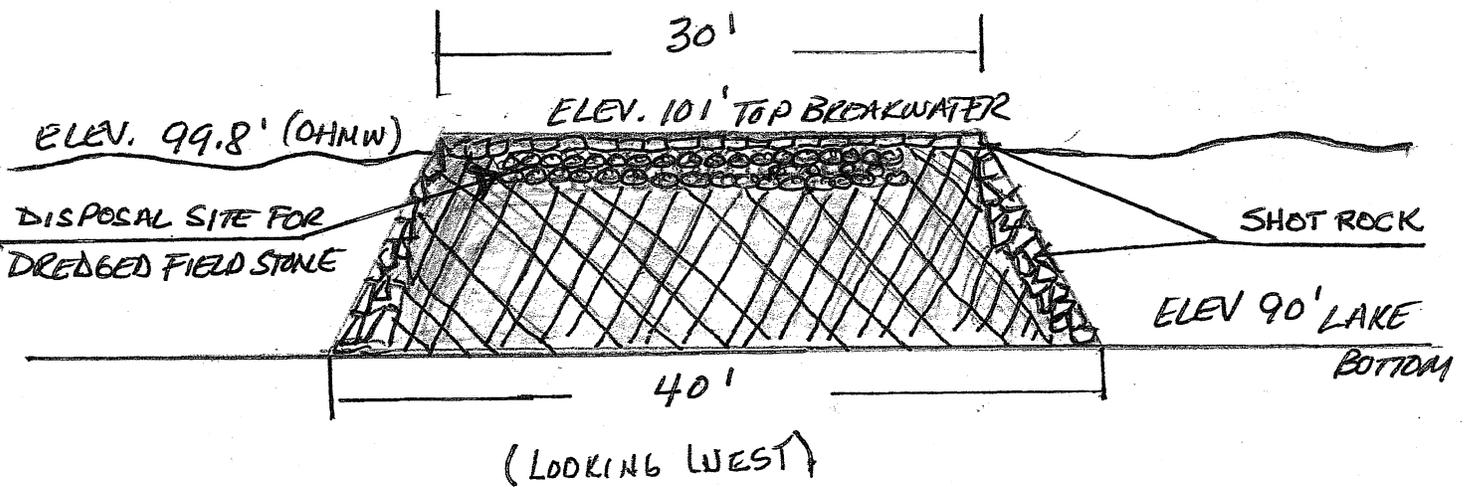
Appl. No. MAN-2012-00091 by John Nott SHEET 10 OF 14

SCALED DRAWINGS OF BARCELONÀ'S MARINA BREAKWATER SECTION TO BE REHABILITATED; CURRENT CONDITION AND REHABILITATED CONDITION

CURRENT CONDITION OF BREAKWATER SECTION BETWEEN 430' & 500' FM SHORELINE



REHABILITATED SECTION OF BREAKWATER BETWEEN 430' & 500' FROM SHORELINE



SCALE: 1 INCH = 10 FEET

DRAWING 6 OF 9

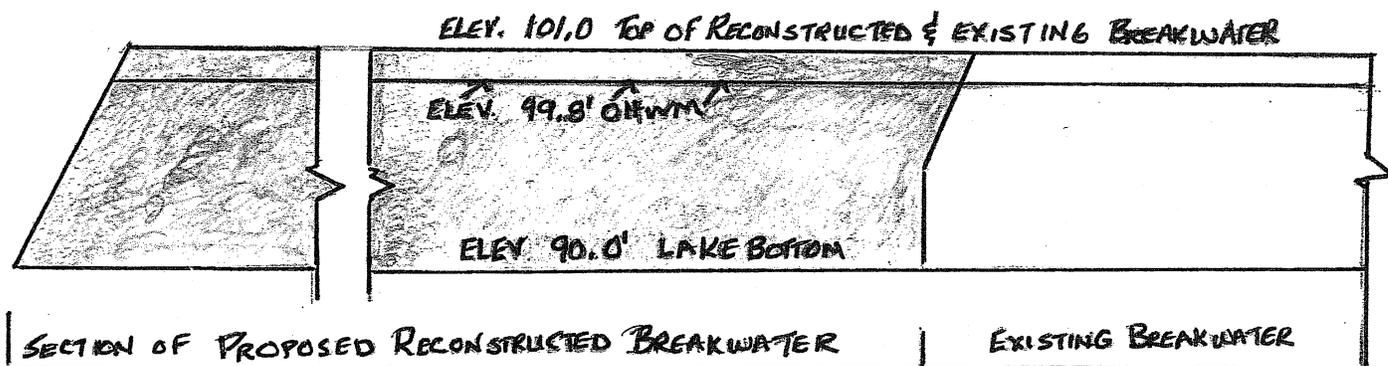
APRIL 2012
NA 7-2012-00091
BY JOHN MOFF

SHEET 11 OF 14



BARCOUB'S MARINA
 DRAWINGS OF SCALED SECTIONS
 OF RECONSTRUCTED BREAKWATER

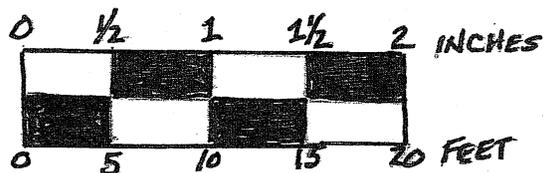
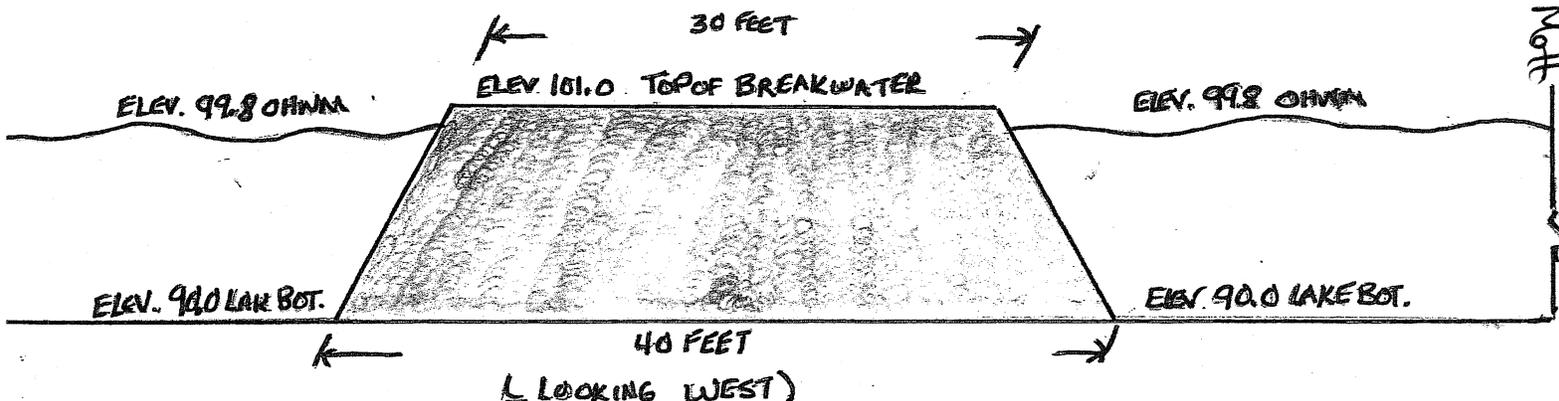
APP. NO. NAD-2012-00091



(LOOKING SOUTH)



by John Mott



SCALE 1 INCH = 10 FEET

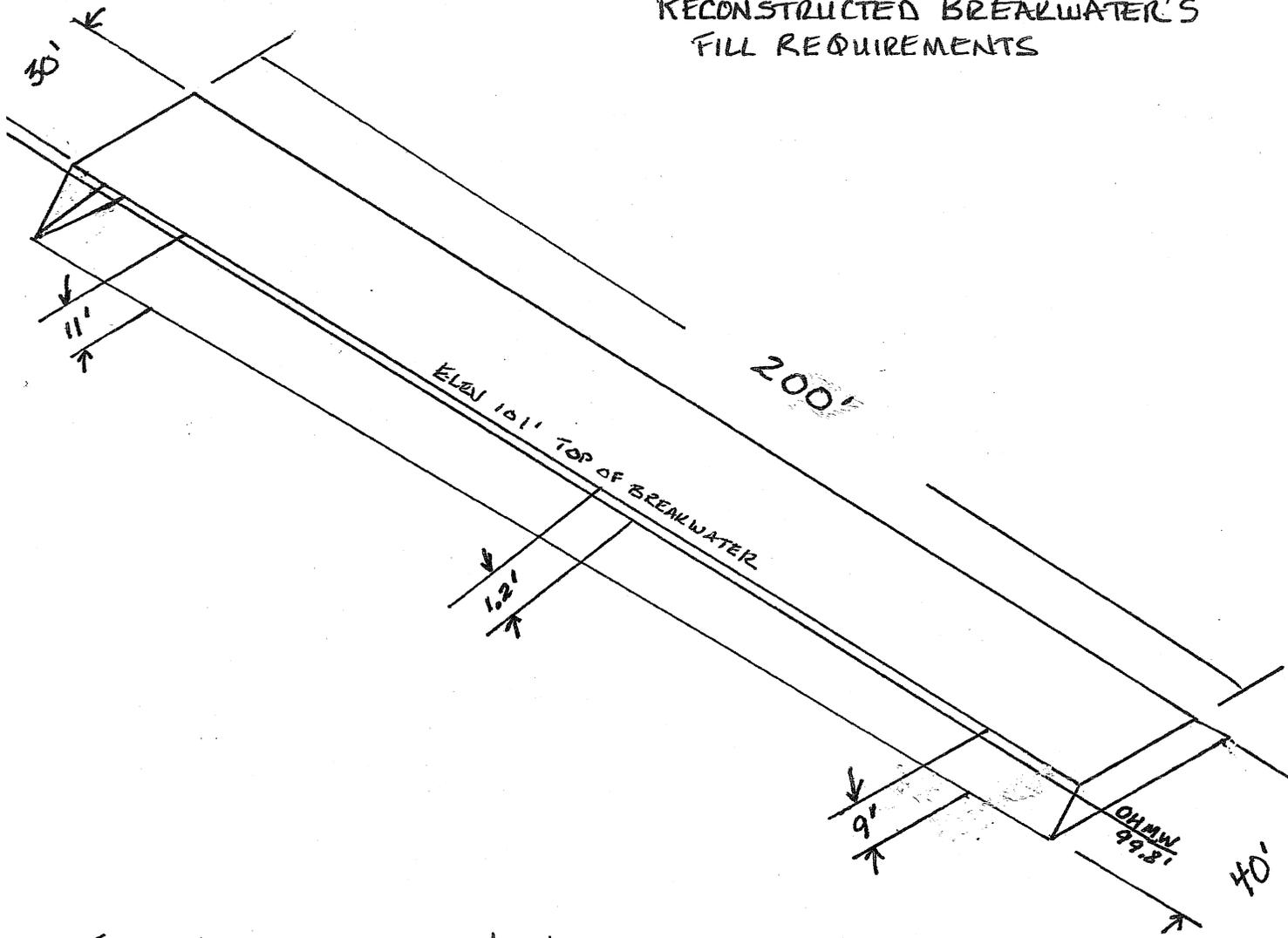
DRAWING 7 OF 9



SHEET
12 OF 14

MEASURED DRAWING OF BARLOW'S MARINA
 RECONSTRUCTED BREAKWATER'S
 FILL REQUIREMENTS

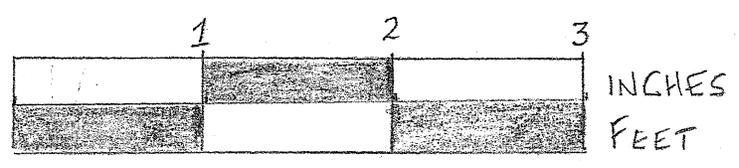
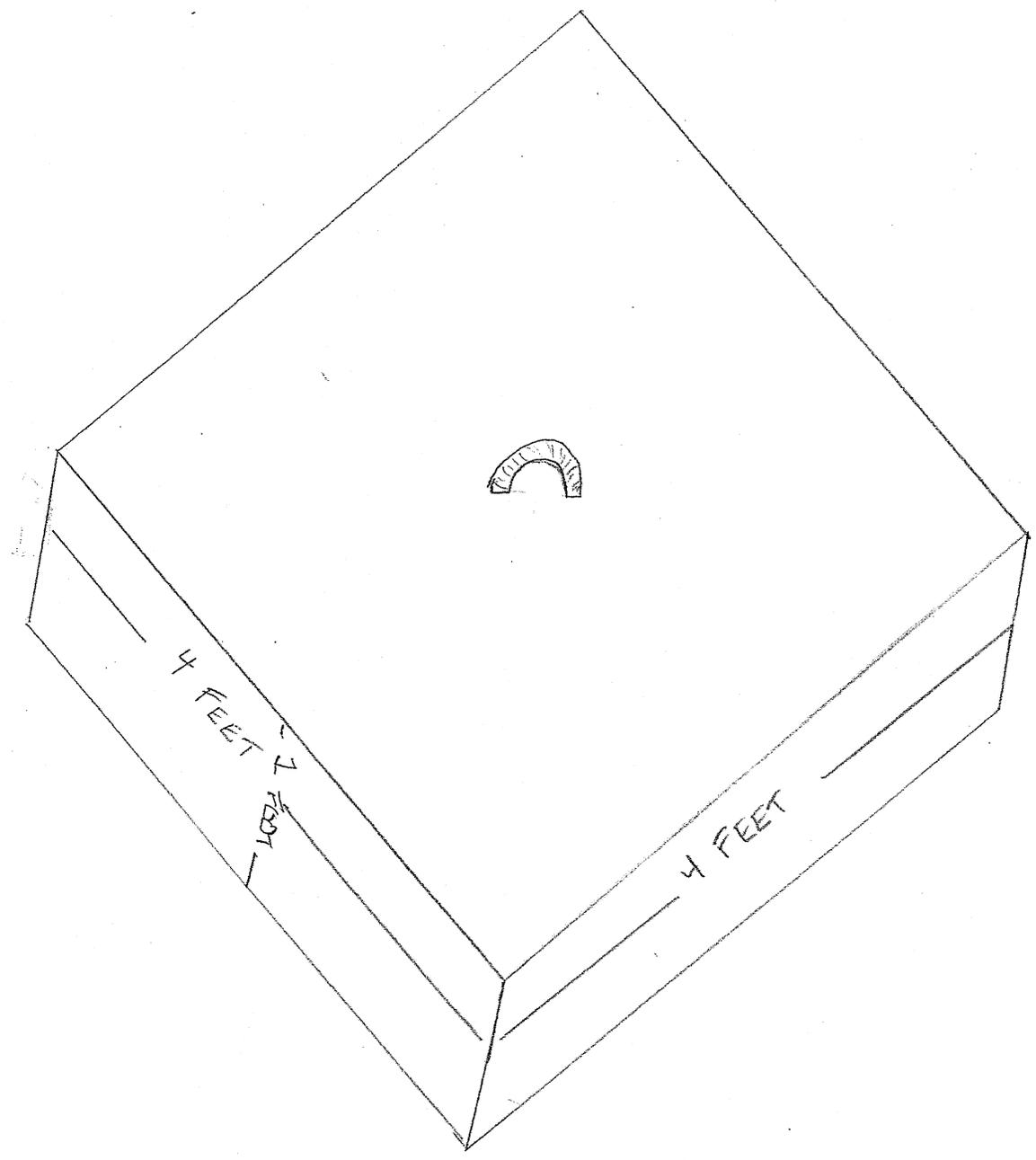
Appl. No. NAN-2012-0091 by John Mott



TOTAL VOLUME = 2787.04 CUBIC YARDS
VOLUME BEL. DHWM: 2452.59 CUBIC YARDS
VOLUME ABV. DHWM: 334.45 CUBIC YARDS

SHEET 13 OF 14

Appl. No. NAN-2012-00091 by John Mott



SCALE: 1 INCH = 1 FOOT

TYPICAL ANCHOR DETAIL FOR BARCOMB'S MARINA-CURRENT / PROPOSED
4' X 4' X 1' CONCRETE SLAB W/ STEEL HOOK TO SECURE CHAINS

Sheet 14 of 14

DRAWING 9 OF 9.