



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-2016-00535-WOM
Issue Date: August 29, 2016
Expiration Date: September 28, 2016

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: White's Hudson River Marina, Inc.
15 Point Street
New Hamburg, New York 10590

ACTIVITY: Maintenance dredging of approximately 21,750 cubic yards of sediment from the existing White's Hudson River Marina in the Hudson River, with disposal of the resulting dredged material at a state-approved upland disposal site. Return flow to the waterway is anticipated.

WATERWAY: Hudson River

LOCATION: Town of New Hamburg, Dutchess 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

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2016-00535-WOM

NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 adversely 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, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during dredging. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS 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.

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

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PUBLIC NOTICE NO. NAN-2016-00535-WOM

from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, 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 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
- New York State Department of State

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) 790-8417 and ask for Melanie O'Meara.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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


Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, White's Hudson River Marina, Inc., has requested Department of the Army authorization for maintenance dredging within the Hudson River, in the Town of New Hamburg, Dutchess County, New York, with disposal of the resulting excavated material at a state-approved upland disposal site. Return flow of excess water is anticipated.

The work would include dredging approximately 21,750 cubic yards of sediment to a depth of six (6) feet below the plane of mean low water. No over-depth dredging is proposed. The proposed dredge area, which has been previously dredged, and totaling approximately 5.5 acres, would be divided into subareas. Each subarea would be hydraulically dredged, in sequential fashion, from the shallowest area to the deepest. Dredging would occur over a period of five (5) years, with no more than 5,000 cubic yards of sediment removed from the marina basin per annum, and is proposed to occur a maximum of two (2) times a year, once before opening the marina in the spring and again in the fall after the marina has closed. The first dredging session is proposed to start in fall 2016.

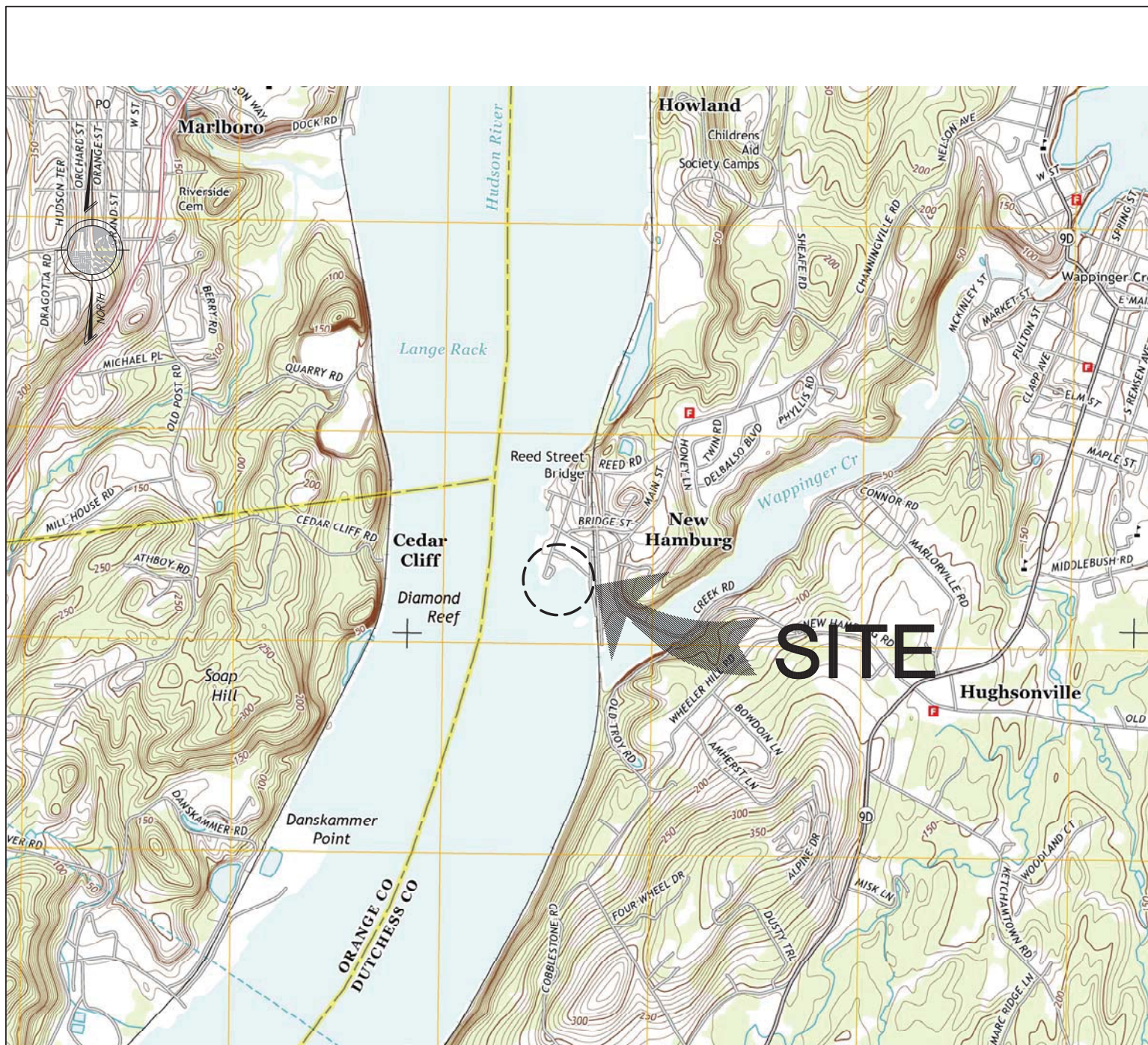
The dredged material would be temporarily disposed of on-site, in a New York State-approved, upland location. Once sufficiently dry, the dredged material would be transported off site to a State-approved upland facility. Return-flow from the on-site dredged material holding area to the waterway is anticipated.

Turbidity curtains would be installed during the dredging work to minimize release of sediment and other debris outside the work area.

The proposed dredge area is located outside the Federal Navigation Channel.

A New York District, Corps of Engineers permit was previously issued on 14 July 2006 for the project area (Permit Number 2003-00114), authorizing hydraulic dredging of the marina. This permit expired on 14 July 2016.

The stated purpose of this project is to reestablish adequate depths of water for safe navigation and the continued use of the marina by the boating public.



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:

1. SEE ATTACHED
- 2.
- 3.

**WHITE'S HUDSON RIVER MARINA
 MAINTENANCE DREDGING**

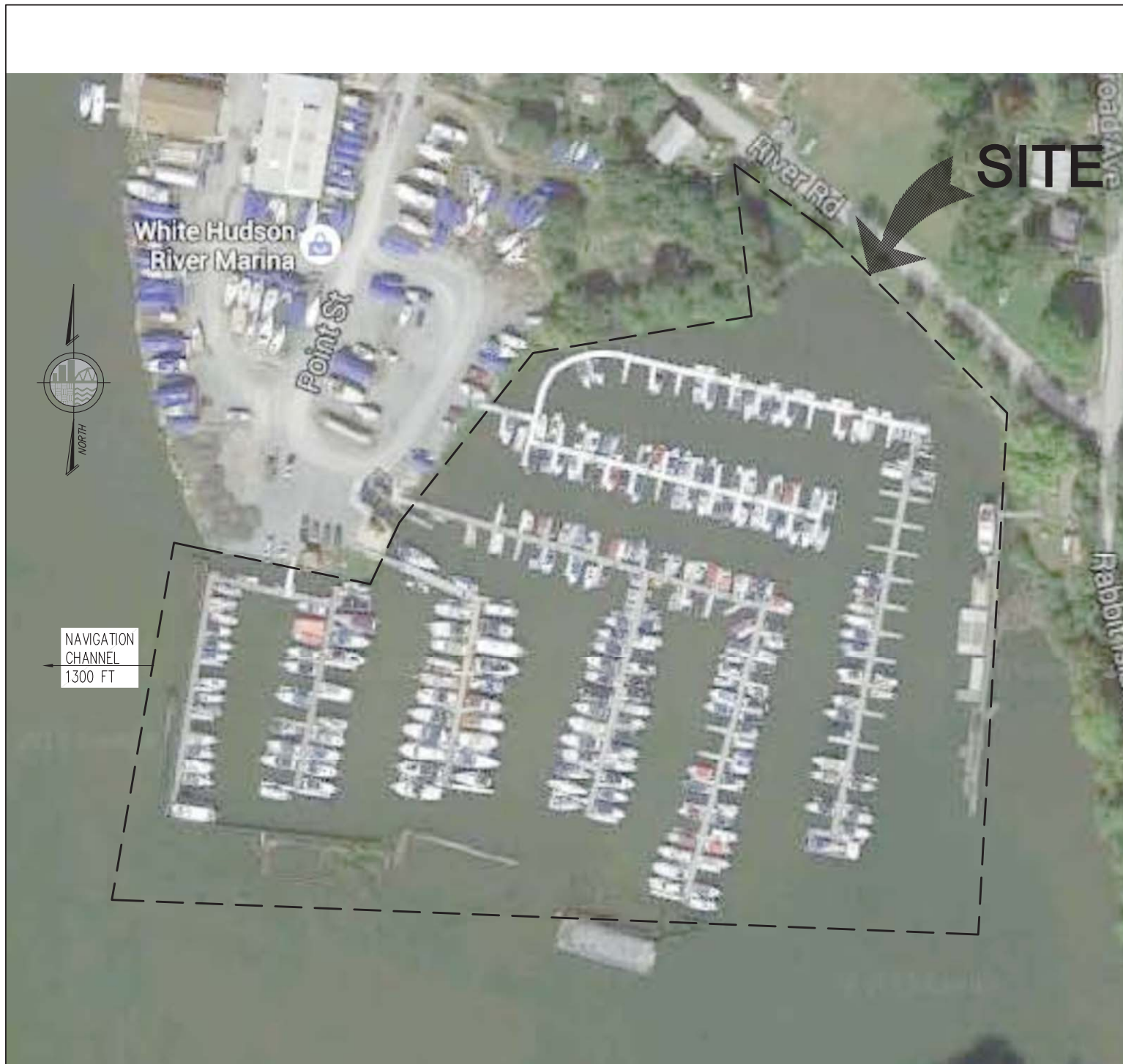
APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075

AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

USGS MAP

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

SCALE: NO SCALE
 SHT 1 OF 12 01/29/2016



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88
 ADJACENT OWNERS:
 1. SEE ATTACHED
 2.
 3.

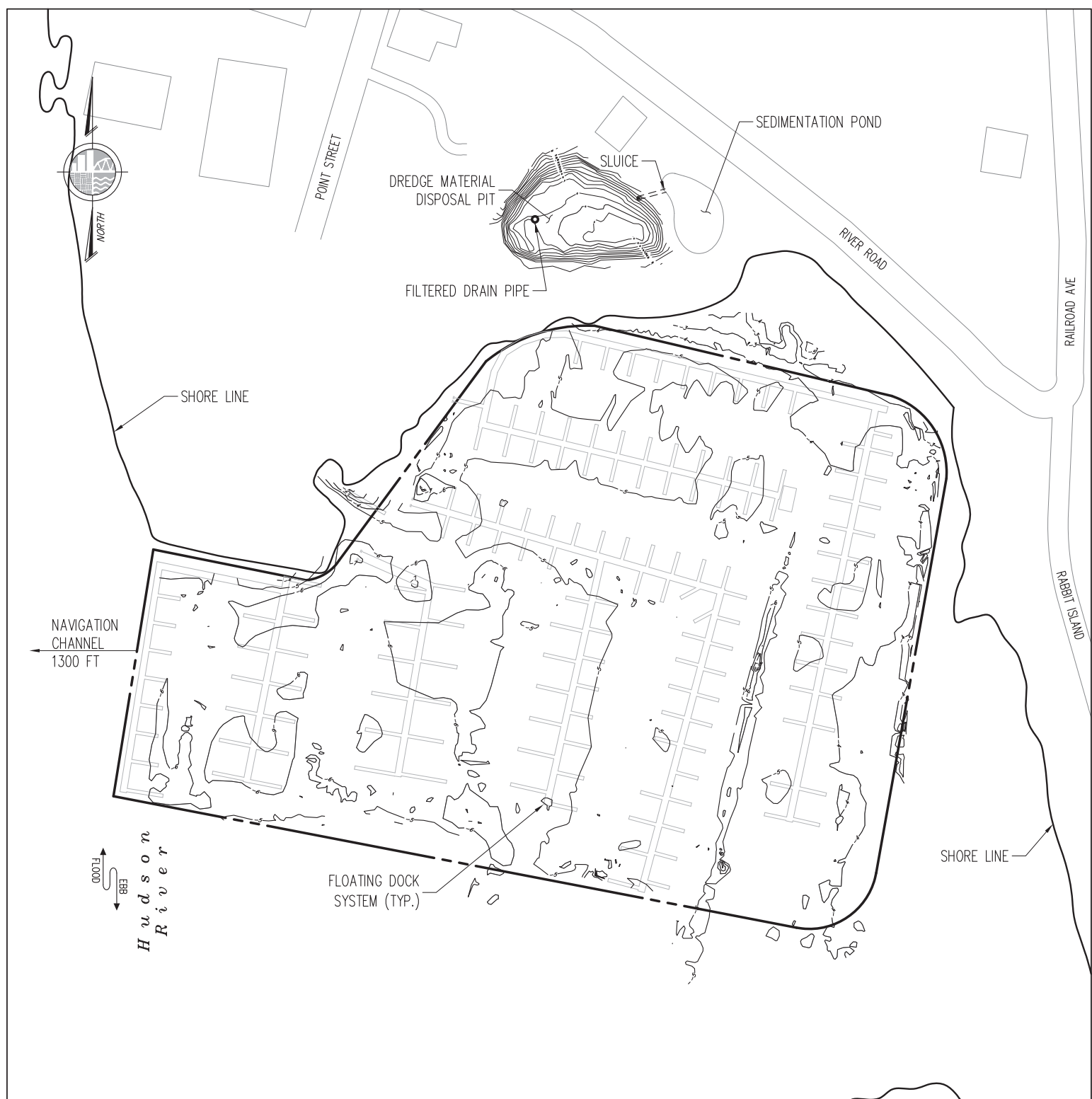
**WHITE'S HUDSON RIVER MARINA
MAINTENANCE DREDGING**

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075
 AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

LOCATION MAP

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

SCALE: NO SCALE
 SHT 2 OF 12 01/29/2016



PURPOSE: MAINTENANCE DREDGING

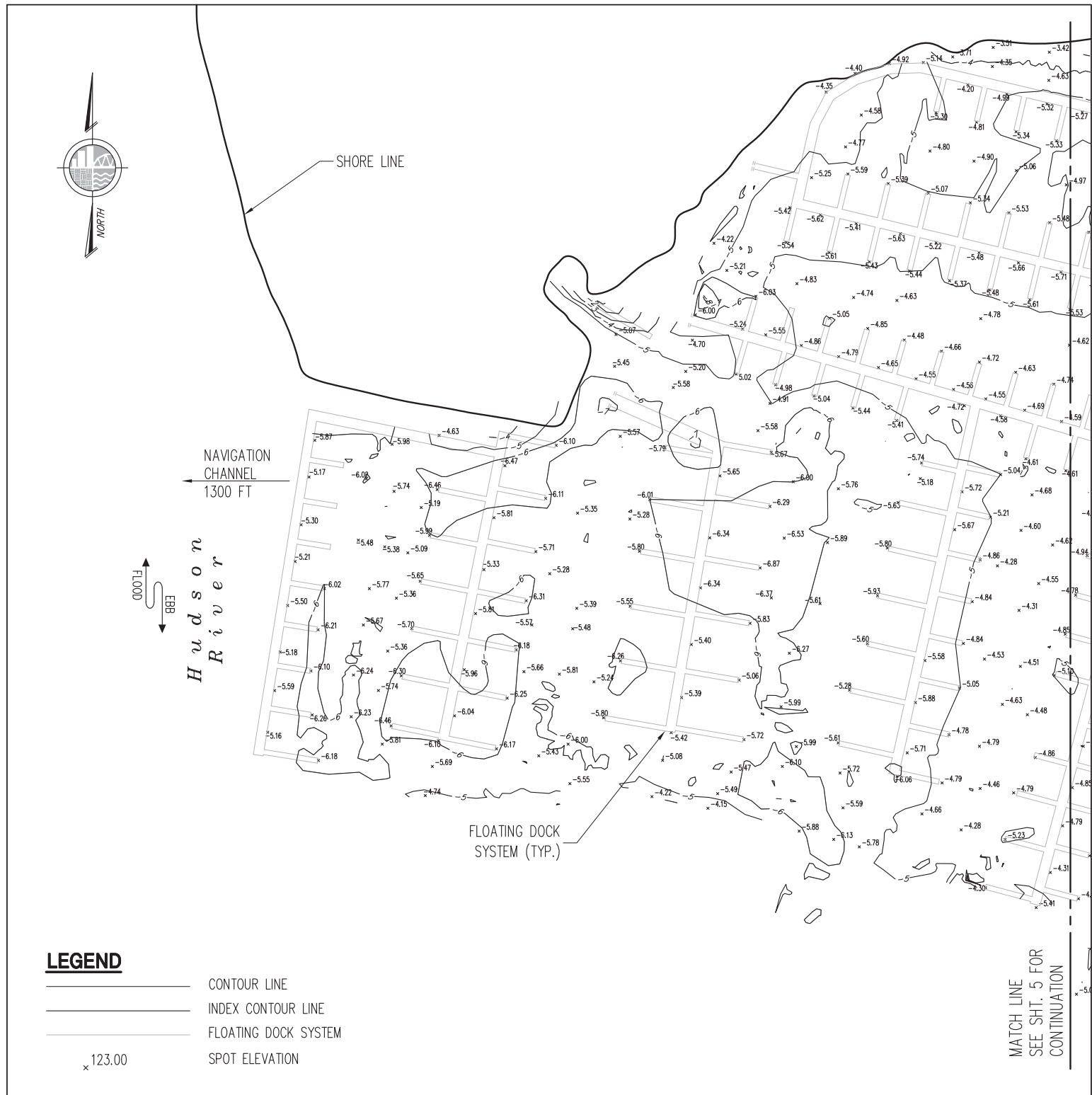
WHITE'S HUDSON RIVER MARINA MAINTENANCE DREDGING

SITE PLAN

DATUM: NAVD 88
 ADJACENT OWNERS:
 1. SEE ATTACHED
 2.
 3.

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075
 AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY
 60' 0 60' 120' 180'
 SCALE: 1"=120'
 SHT 3 OF 12 01/29/2016



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:
 1. SEE ATTACHED
 2.
 3.

WHITE'S HUDSON RIVER MARINA
 MAINTENANCE DREDGING

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075

AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

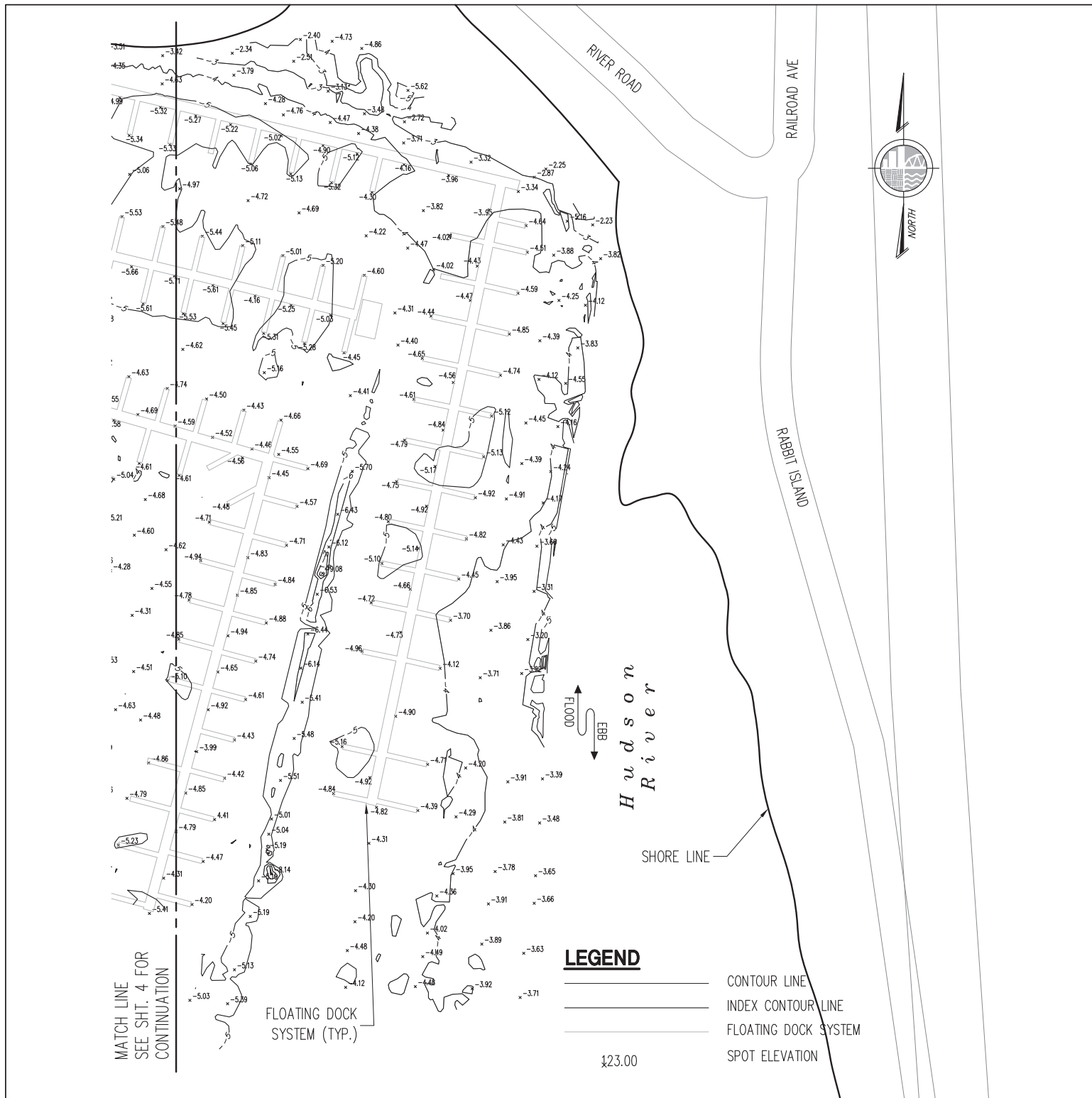
HYDROGRAPHIC SURVEY
 - 1

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

40' 0 40' 80' 120'

SCALE: 1"=80'

SHT 4 OF 12 01/29/2016



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88
 ADJACENT OWNERS:
 1. SEE ATTACHED
 2.
 3.

**WHITE'S HUDSON RIVER MARINA
 MAINTENANCE DREDGING**

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075
 AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

**HYDROGRAPHIC SURVEY
 - 2**

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY
 40' 0 40' 80' 120'
 SCALE: 1"=80'
 SHT 5 OF 12 01/29/2016

DATUM CHART				
DESCRIPTION	NOAA MHHW	NAVD '88	NGVD '29	NOAA MLLW
MHHW	0.00'	1.55'	2.46'	2.97'
MHW	-0.29'	1.26'	2.17'	2.68'
MSL	-1.39'	0.16'	1.07'	1.58'
NAVD '88	-1.55'	0.00'	0.91'	1.42'
MTL	-1.56'	-0.01'	0.90'	1.41'
NGVD '29	-2.46'	-0.91'	0.00'	0.51'
MLW	-2.82'	-1.27'	-0.36'	0.15'
MLLW	-2.97'	-1.42'	-0.51'	0.00'

* TIDAL DATUM ELEVATIONS OBTAINED USING NOAA VDATUM VERSION 3.4, DATA SET FOR "NEW JERSEY/NEW YORK/CONNECTICUT-NORTHERN NJ, NY HARBOR, WESTERN LONG ISLAND SOUND, VERSION 2.1".

-COORDINATES FOR VDATUM:

LAT.: 41°35'6.39"N

LONG.: 73°57'0.42"W

SURVEY NOTES:

1. LANDMETRICS ENGINEERING AND LAND SURVEYING P.C., PERFORMED A HYDROGRAPHIC SURVEY ON THE ABOVE PARCEL ON 5/8/2015 USING 16' JON BOAT, A TRIMBLE R-8 REAL TIME KINEMATIC GLOBAL POSITIONING SATELLITE SYSTEM AND A HYDROLITE-TM SONAR/ITE 200KHZ ECHO SOUNDER.
2. ALL DATA PROCESSED WITH HYPACK 2014 AND CARLSON 2014 SOFTWARE.
3. SUPERVISING HYDROGRAPHER ON DUTY BRIAN J. OSBORNE.
4. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM NAD 83, NEW YORK EAST ZONE 3101.
5. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 ESTABLISHED USING RTK/GPS ON 5/8/2015.
6. ALL ELEVATIONS SHOWN IN FEET.

PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:

1. SEE ATTACHED
- 2.
- 3.

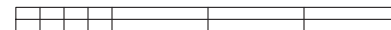
WHITE'S HUDSON RIVER MARINA
MAINTENANCE DREDGING

APPLICANT: WHITE'S HUDSON RIVER MARINA
15 PINT STREET
NEW HAMBURG, NY 14075

AGENT: M.G. McLAREN, P.C.
100 SNAKE HILL ROAD
WEST NYACK, N.Y. 10994

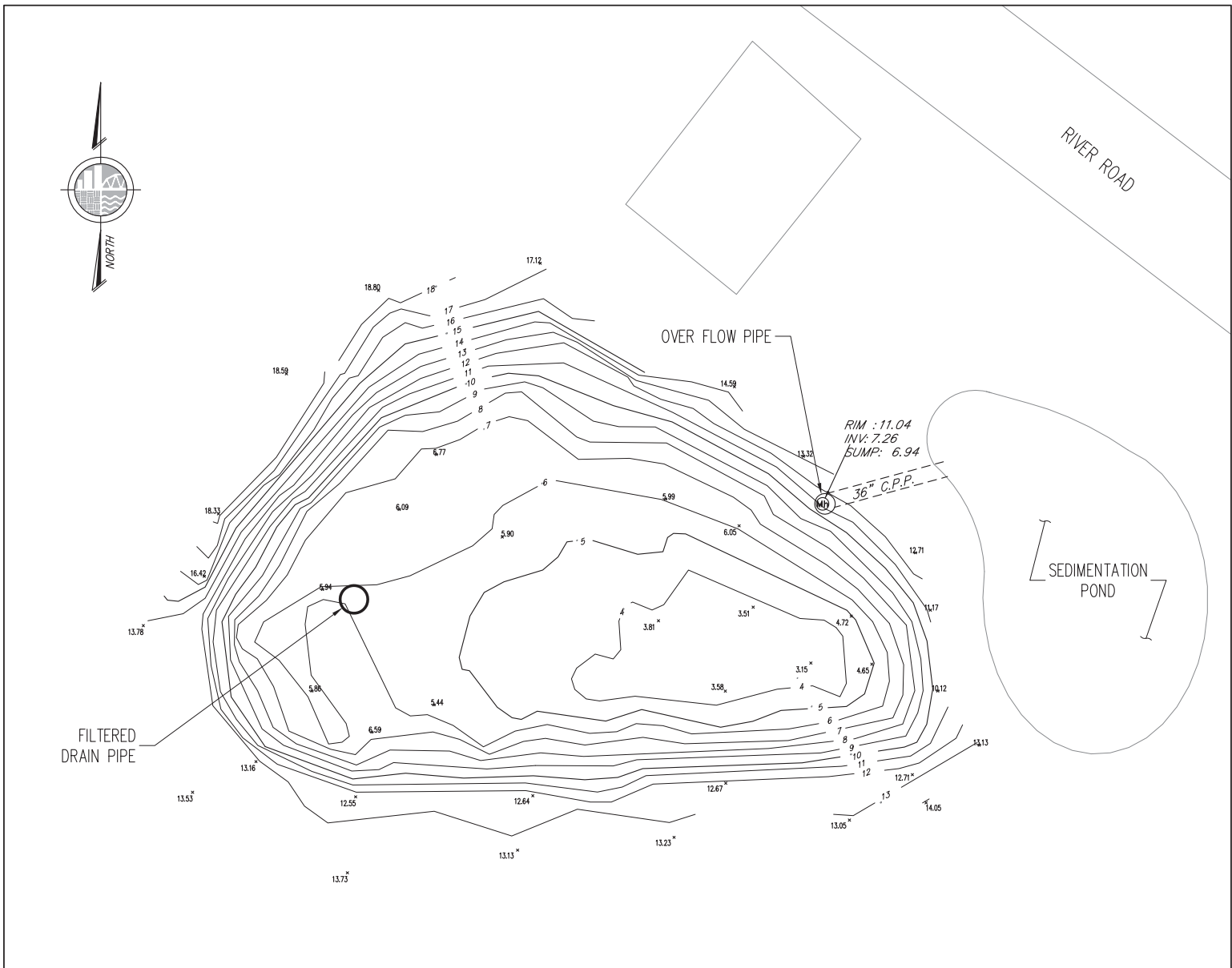
DATUM CHART &
SURVEY NOTES

IN: NEW HAMBURG
AT: HUDSON RIVER
COUNTY OF: DUTCHESS STATE: NY



NO SCALE

SHT 6 OF 12 01/29/2016



- NOTES:
1. LANDMETRICS ENGINEERING AND LAND SURVEYING P.C., PERFORMED A TOPOGRAPHIC SURVEY ON THE ABOVE MENTIONED PARCEL DURING 6/5/2015.
 2. HORIZONTAL DATUM: N.Y.S.P.C.S. NAD 1983 NY EAST 3101.
 3. VERTICAL DATUM: N.A.V.D. 88 ESTABLISHED USING RTK/GPS ON 6/5/2015.

LEGEND

- CONTOUR LINE
- INDEX CONTOUR LINE
- FLOATING DOCK SYSTEM
- x 123.00 SPOT ELEVATION

PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:

1. SEE ATTACHED
- 2.
- 3.

WHITE'S HUDSON RIVER MARINA
 MAINTENANCE DREDGING

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075

AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

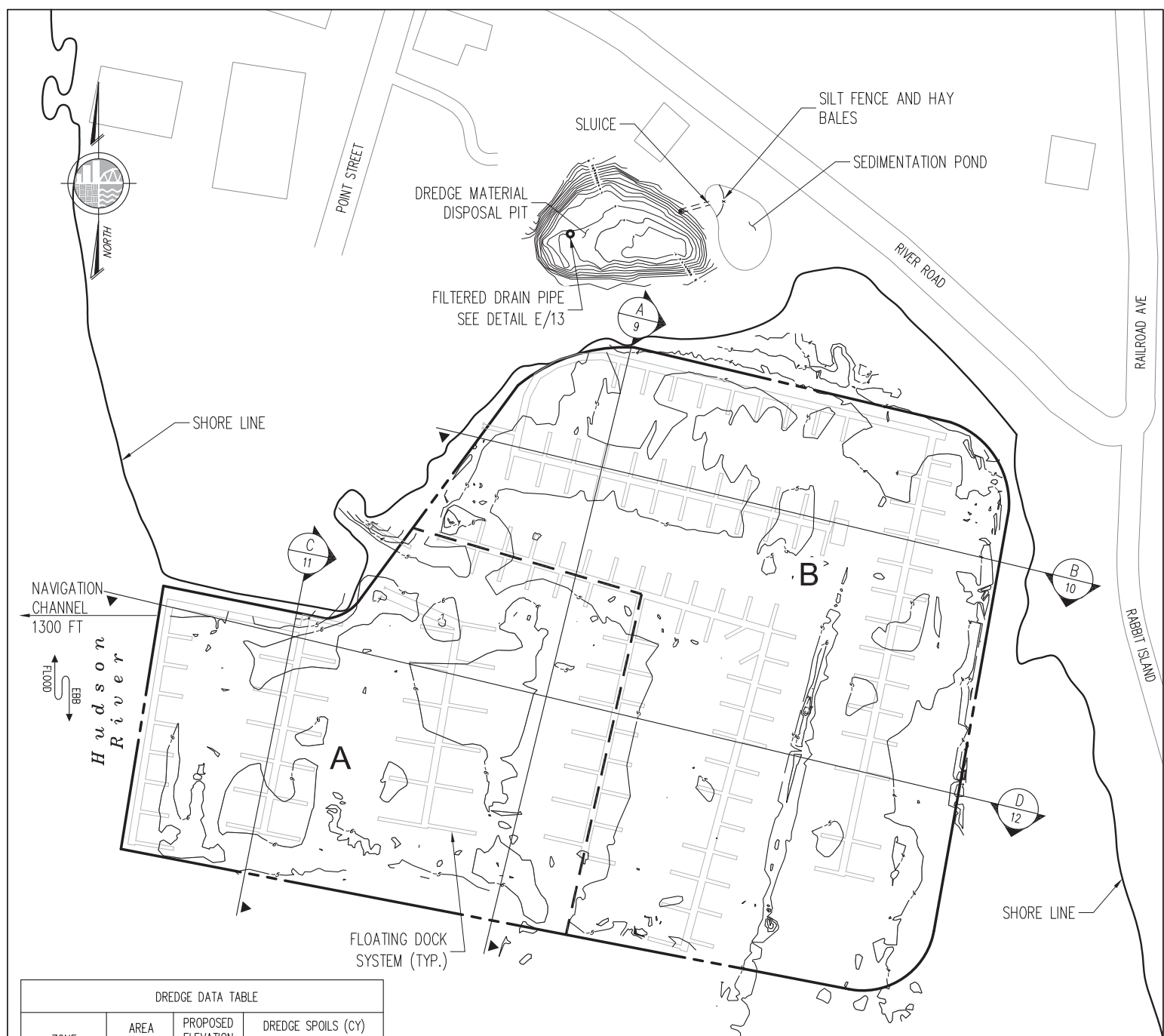
DREDGE DISPOSAL
 PIT SURVEY

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

15' 0 15' 30' 45'

SCALE: 1"=30'

SHT 7 OF 12 01/29/2016



DREDGE DATA TABLE				
ZONE	AREA (FT ²)	PROPOSED ELEVATION (NAVD88)	DREDGE SPOILS (CY)	
			GROSS	NET
"A"	94,960	-7.5'	6,450	4,070
"B"	141,580	-7.5'	7,610	4,800
TOTAL	236,270	-7.5'	14,060	8,860

LEGEND:
 ——— DREDGE BOUNDARY
 - - - - - DREDGE ZONE SEPARATION

PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:
 1. SEE ATTACHED
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WHITE'S HUDSON RIVER MARINA
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APPLICANT: WHITE'S HUDSON RIVER MARINA
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 NEW HAMBURG, NY 14075

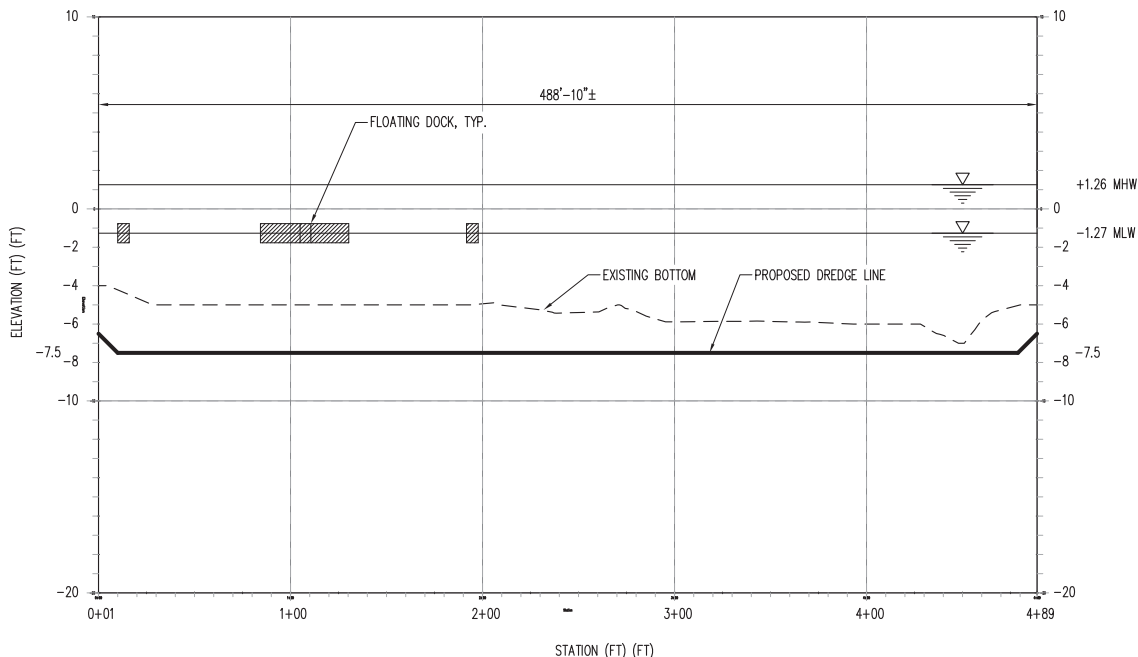
AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

DREDGE AND
 DREDGE PIT PLAN

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

60' 0 60' 120' 180'
 SCALE: 1"=120'

SHT 8 OF 12 01/29/2016



A MARINA NORTH SOUTH SECTION/ PROFILE



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88

ADJACENT OWNERS:

1. SEE ATTACHED
- 2.
- 3.

WHITE'S HUDSON RIVER MARINA
MAINTENANCE DREDGING

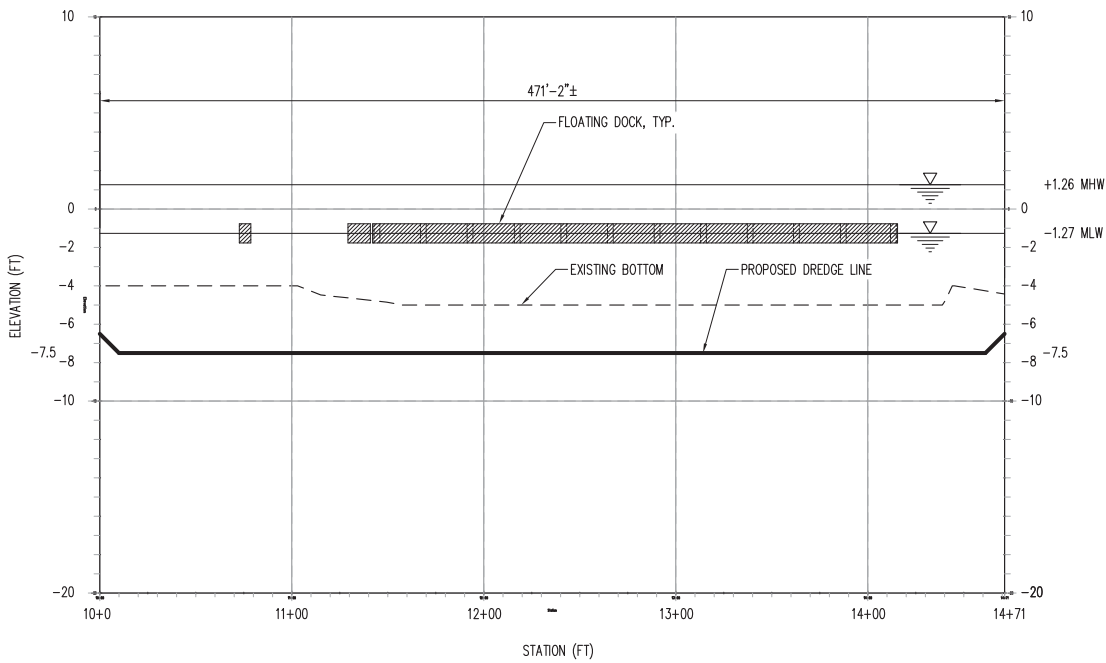
APPLICANT: WHITE'S HUDSON RIVER MARINA
15 PINT STREET
NEW HAMBURG, NY 14075

AGENT: M.G. McLAREN, P.C.
100 SNAKE HILL ROAD
WEST NYACK, N.Y. 10994

DREDGE CROSS
SECTION - 1

IN: NEW HAMBURG
AT: HUDSON RIVER
COUNTY OF: DUTCHESS STATE: NY

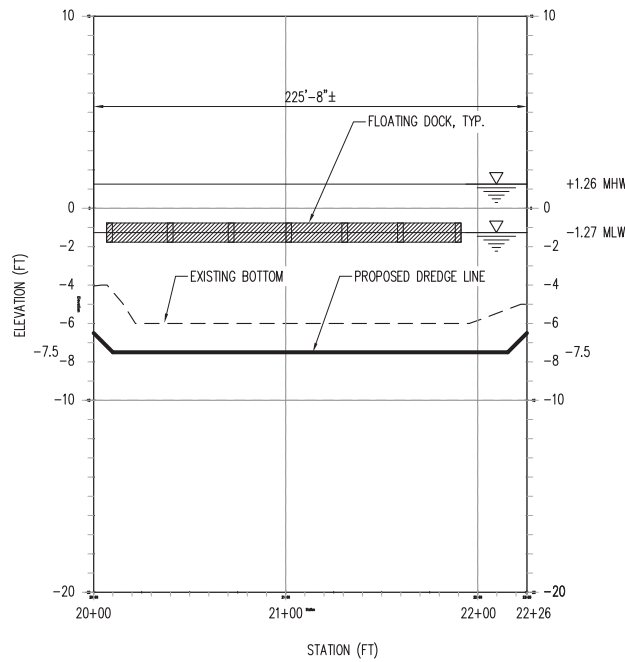
SHT 9 OF 12 01/29/2016



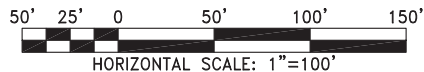
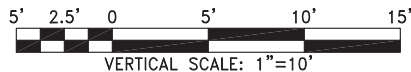
B MARINA EAST WEST SECTION/ PROFILE



<p>PURPOSE: MAINTENANCE DREDGING</p> <p>DATUM: NAVD 88</p> <p>ADJACENT OWNERS: 1. SEE ATTACHED 2. 3.</p>	<p>WHITE'S HUDSON RIVER MARINA MAINTENANCE DREDGING</p> <p>APPLICANT: WHITE'S HUDSON RIVER MARINA 15 PINT STREET NEW HAMBURG, NY 14075</p> <p>AGENT: M.G. McLAREN, P.C. 100 SNAKE HILL ROAD WEST NYACK, N.Y. 10994</p>	<p>DREDGE CROSS SECTIONS - 2</p> <p>IN: NEW HAMBURG AT: HUDSON RIVER COUNTY OF: DUTCHESS STATE: NY</p> <p>SHT 10 OF 12 01/29/2016</p>
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C MARINA NORTH SOUTH SECTION/ PROFILE



PURPOSE: MAINTENANCE DREDGING

DATUM: NAVD 88
 ADJACENT OWNERS:
 1. SEE ATTACHED
 2.
 3.

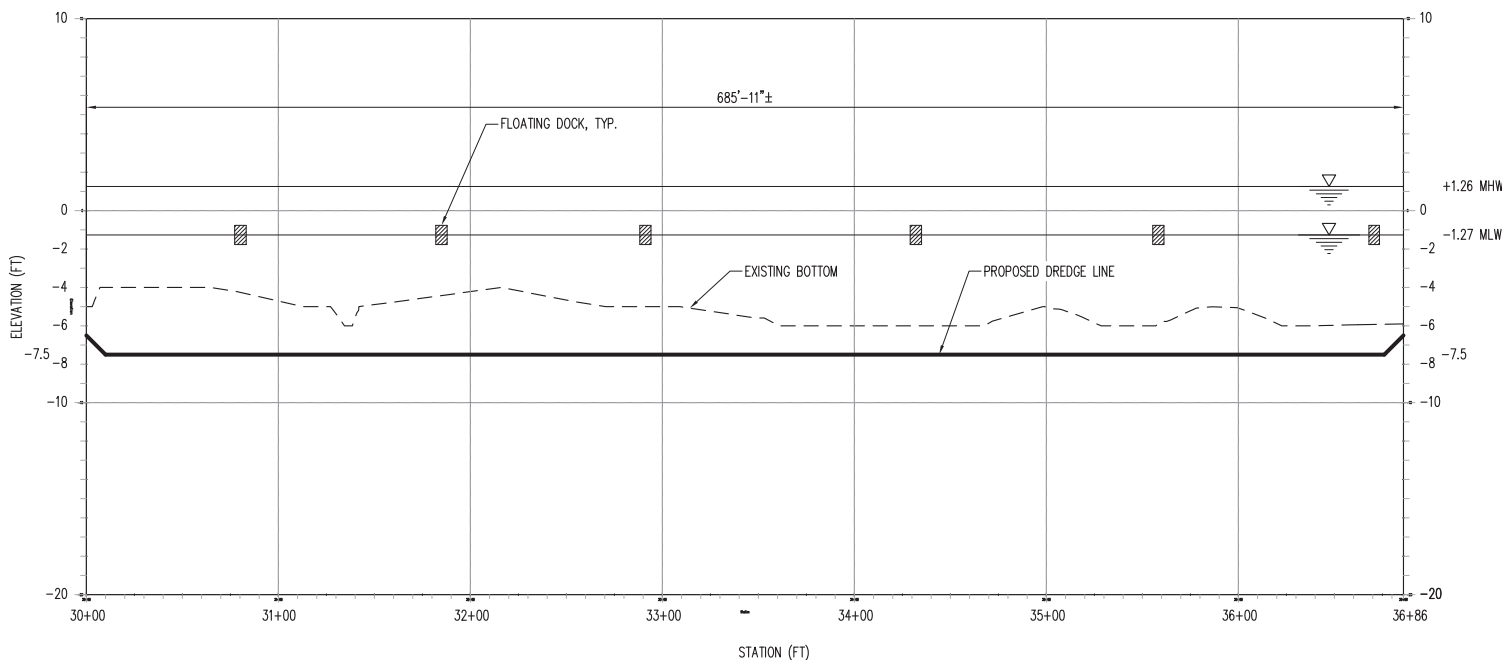
WHITE'S HUDSON RIVER MARINA
 MAINTENANCE DREDGING

APPLICANT: WHITE'S HUDSON RIVER MARINA
 15 PINT STREET
 NEW HAMBURG, NY 14075
 AGENT: M.G. McLAREN, P.C.
 100 SNAKE HILL ROAD
 WEST NYACK, N.Y. 10994

DREDGE CROSS
 SECTIONS - 3

IN: NEW HAMBURG
 AT: HUDSON RIVER
 COUNTY OF: DUTCHESS STATE: NY

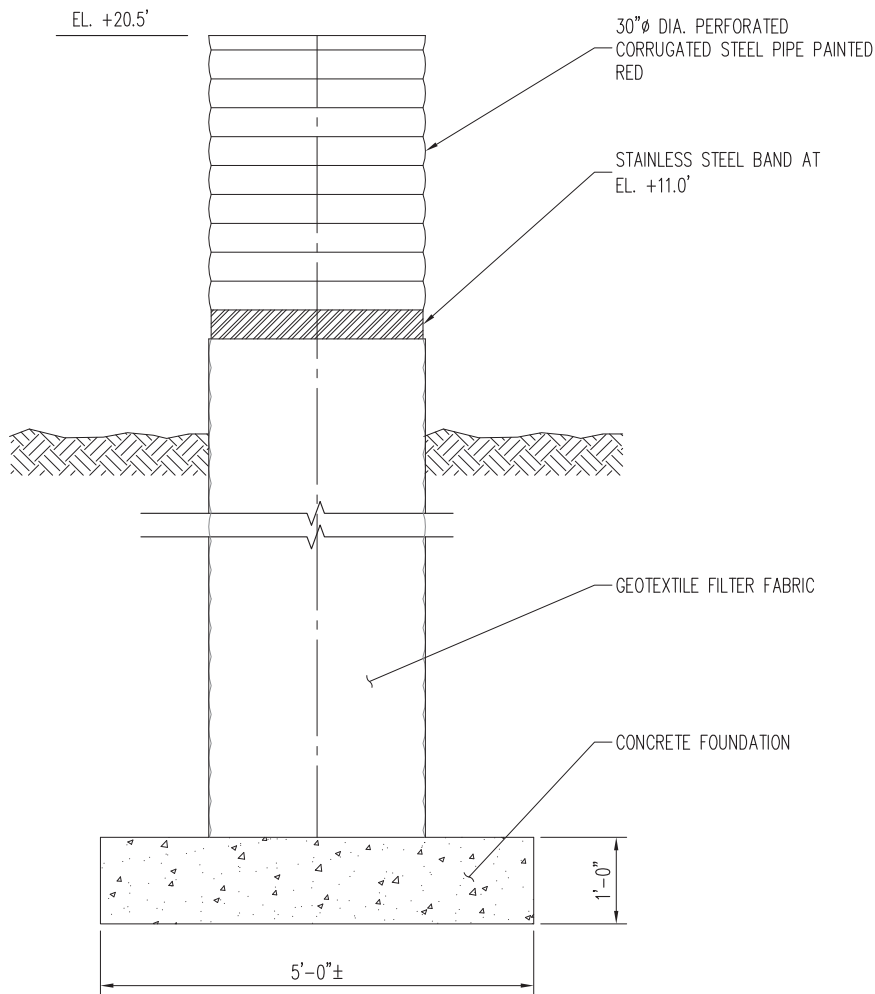
SHT 11 OF 12 01/29/2016



D MARINA EAST WEST SECTION/ PROFILE



<p>PURPOSE: MAINTENANCE DREDGING</p> <p>DATUM: NAVD 88</p> <p>ADJACENT OWNERS:</p> <ol style="list-style-type: none"> 1. SEE ATTACHED 2. 3. 	<p>WHITE'S HUDSON RIVER MARINA MAINTENANCE DREDGING</p> <p>APPLICANT: WHITE'S HUDSON RIVER MARINA 15 PINT STREET NEW HAMBURG, NY 14075</p> <p>AGENT: M.G. McLAREN, P.C. 100 SNAKE HILL ROAD WEST NYACK, N.Y. 10994</p>	<p>DREDGE CROSS SECTIONS - 4</p> <p>IN: NEW HAMBURG AT: HUDSON RIVER COUNTY OF: DUTCHESS STATE: NY</p> <p>SHT 12 OF 12 01/29/2016</p>
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E WATER FILTER / SUMP CHAMBER
 13 N.T.S.

NOTES:

1. FILLING OF THE SPOILS PIT IS TO BE HALTED WHEN WATER AND/OR SPOILS MATERIAL REACH THE PAINTED RED AREA OF THE SUMP CHAMBER.
2. ALL ELEVATIONS IN NAVD88.
3. GEOTEXTILE FABRIC TO BE REPLACED AFTER EACH EMPTYING OF THE SPOILS PIT.
4. DRAIN PIPE AND CULVERT TO BE INSPECTED AND REPAIRED OR CLEANED AS NEEDED AFTER EACH EMPTYING OF THE SPOILS PIT.

<p>PURPOSE: MAINTENANCE DREDGING</p> <p>DATUM: NAVD 88</p> <p>ADJACENT OWNERS:</p> <ol style="list-style-type: none"> 1. SEE ATTACHED 2. 3. 	<p>WHITE'S HUDSON RIVER MARINA MAINTENANCE DREDGING</p> <p>APPLICANT: WHITE'S HUDSON RIVER MARINA 15 PINT STREET NEW HAMBURG, NY 14075</p> <p>AGENT: M.G. McLAREN, P.C. 100 SNAKE HILL ROAD WEST NYACK, N.Y. 10994</p>	<p style="text-align: center;">DETAIL</p> <p>IN: NEW HAMBURG AT: HUDSON RIVER COUNTY OF: DUTCHESS STATE: NY</p> <div style="text-align: center;"> <p>SCALE: N.T.S.</p> </div> <p>SHT 13 OF 12 01/29/2016</p>
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