



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-2016-00674-WOM
Issue Date: August 4, 2016
Expiration Date: September 3, 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).

APPLICANT: Carver Construction
494 Western Turnpike
Altamont, New York 12009

ACTIVITY: Installation of two (2) hopper barge moorings in the Hudson River. Moorings would consist of an approximately 12,000 pound anchor attached to approximately 120 feet of anchor chain.

WATERWAY: Hudson River

LOCATION: Town of Fishkill, 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 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

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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 would not 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, would not cause disruption of habitat for various lifestages of some EFH-designated species. The New York District has made the preliminary determination that site-specific adverse effects would not occur because it is expected that fish populations would avoid the small area of disturbance.

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

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- New York State Department of Environmental Conservation

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>.


for: Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Carver Construction, has requested Department of the Army authorization for the installation of two (2) mooring buoys in the Hudson River, in the Town of Fishkill, Dutchess County, New York.

The work would involve installation of two (2) commercial hopper barge moorings in the Hudson River. Each mooring would hold up to four (4) barges anchored side by side. The maximum size of each barge would be approximately 260 feet long by 52 feet wide, with a 10 foot depth.

Each mooring would consist of an approximately 12,000 pound Baldt Stockless anchor attached to approximately 120 feet of anchor chain, and an approximately 15 square foot buoy. Barges would be moored by the bow with an approximately 70 foot long mooring rope.

The maximum swing radius would be approximately 200 yards, including a 10% addition to the radius to provide for additional safety and maneuvering.

The proposed mooring buoy locations are to the east of the center of the Hudson River, as well as to the east of the deepest portion of the river in this area. The river is greater than 4,400 feet wide at the proposed sites. There are no local marinas in the immediate vicinity of the sites, nor are there any anchorage or fleet areas. The closest existing mooring buoy is approximately 3,200 feet to the northwest of the northernmost proposed buoy location. There are no known underwater utilities, pipes, or cables at either mooring location.

While moored at the site, barges would be lighted at all times to warn vessels approaching the area.

The stated purpose of this project is to establish mooring capabilities for commercial barges halfway from the mouth of the Hudson River to the Port of Coeymans facility in Coeymans, New York, to support facility activities.

OVERLOOK

NEW YORK

Jr High Sch

LIBERTY

CONRAIL

Quassick Cr

Sub Sta

CATVARY CEMETERY

Gas and Fuel Oil

Shipyard

Gas

Fuel Oil

Gas

Gas and Fuel Oil

Piles

St Thomas Ch

Plum Pt

Willow

Sloop Hill

SHORE

Sewage Disposal

Mood

Water

Sewage Disposal

Cores

ORANGE CO DUTCHESS CO

Hudson River

PROPOSED MOORING LOCATION
41°-28.440'N, 73°-59.811'W
MOORING OF HOPPER BARGE

PROPOSED MOORING LOCATION
41°-28.027'N, 73°-59.815'W
MOORING OF HOPPER BARGE

Hammond

HUDSON HIGHLANDS STATE PARK

Tramp

Pollepel Island

Polypus I No 2 Light

Breakwater

Denning Point

Tidal Flat

Piling

BM 6

BM 14

TRANSPORTATION

4 TRACKS

Metropolitan

IBEAR MOUNTAIN BEACON

Pedestrian Overpass

St Lawrence Seminary

Fishkill

Dutchess Junction

Wades

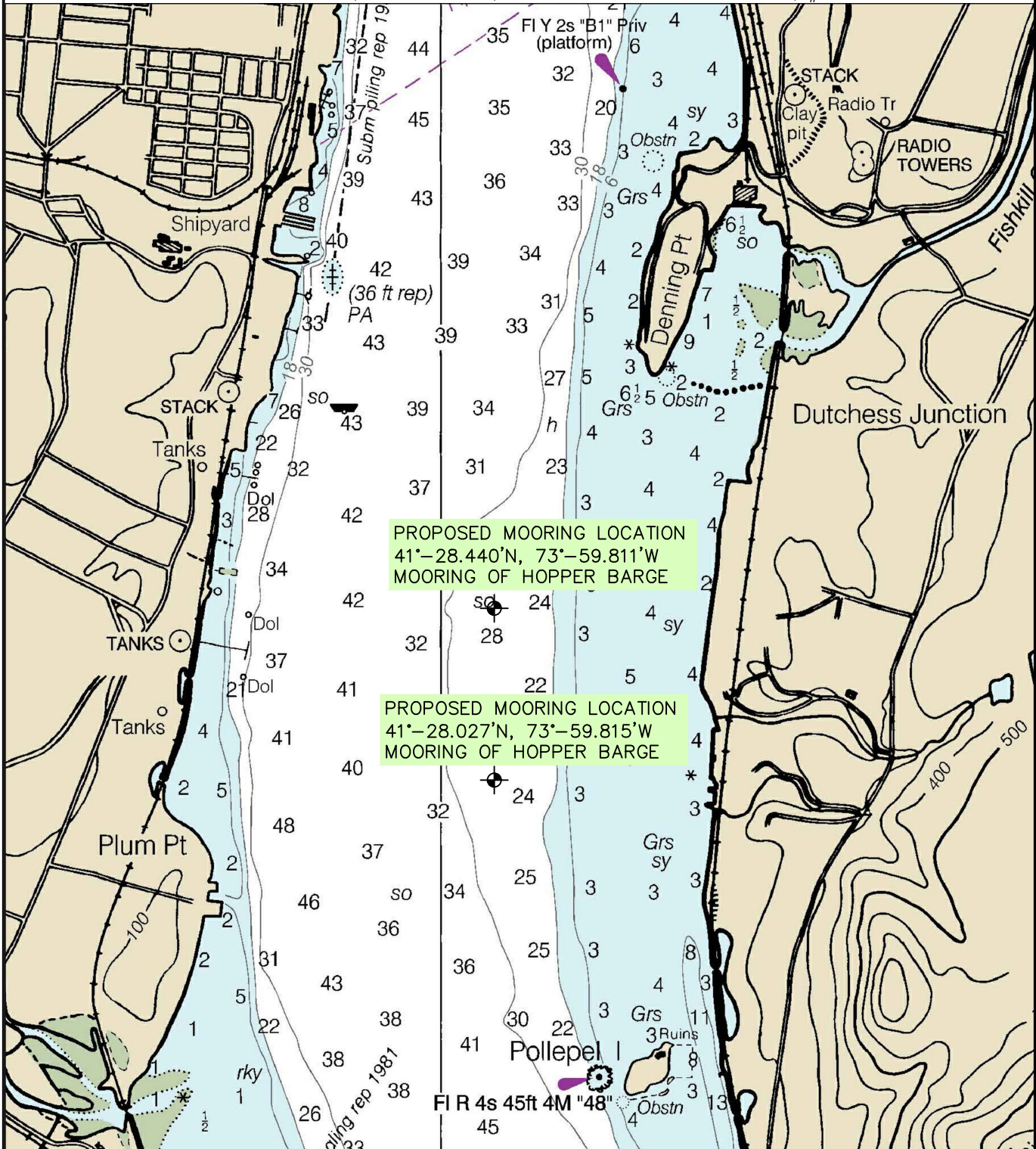
Gordon

Sugar Mtn

Cashin Associates, P.C.

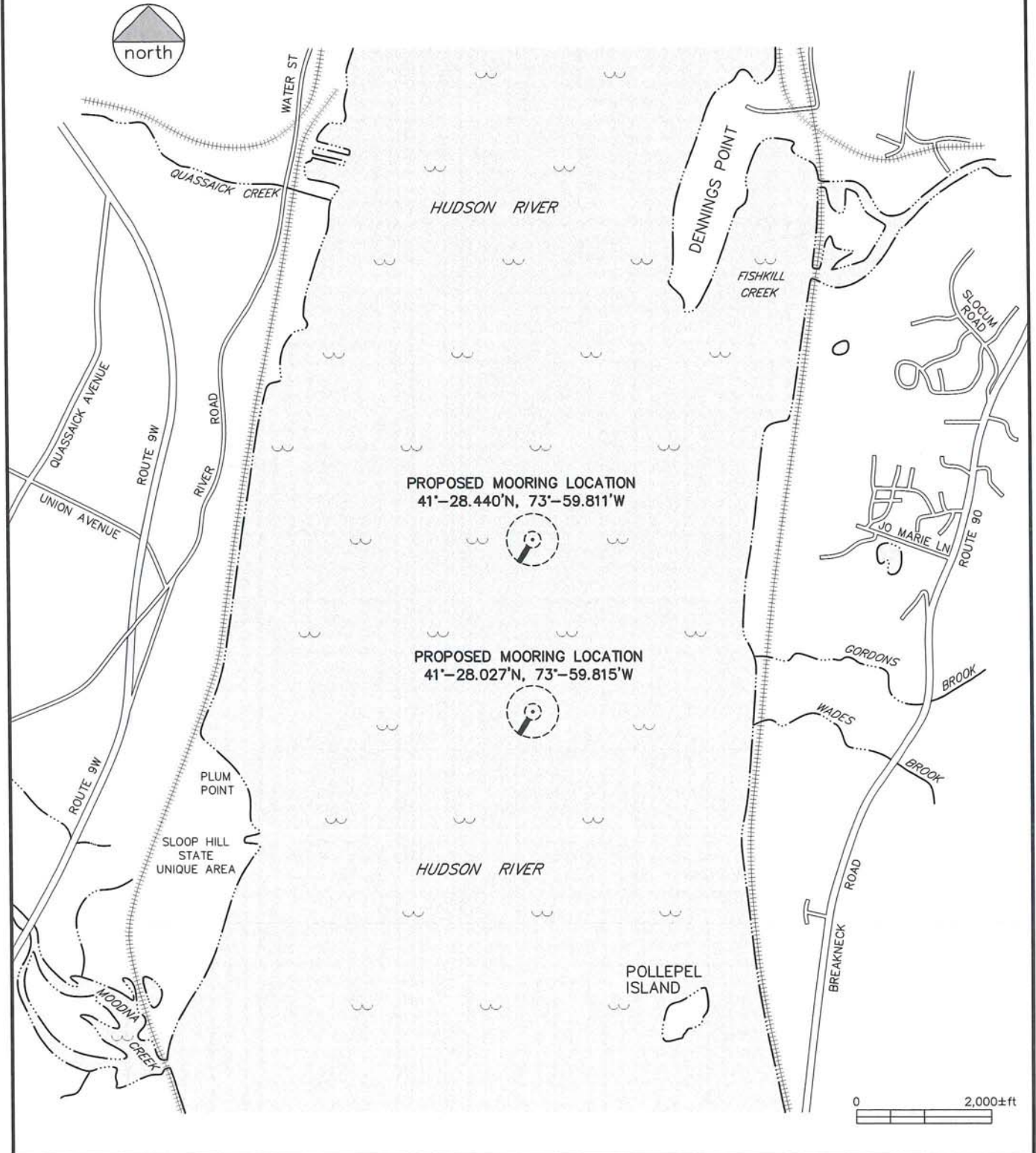
ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

CLIENT: CARVER CONSTRUCTION	DATE: 2-12-16
PROJECT: HUDSON RIVER MOORING	CA NO.: 16014.1
TITLE: MOORING LOCATION PLAN	SCALE: 1"=2,000±'
MAP SOURCE: NOAA NAVIGATION CHART, HUDSON RIVER, NEW YORK TO WAPPINGER CREEK, #12343	



Cashin Associates, P.C.
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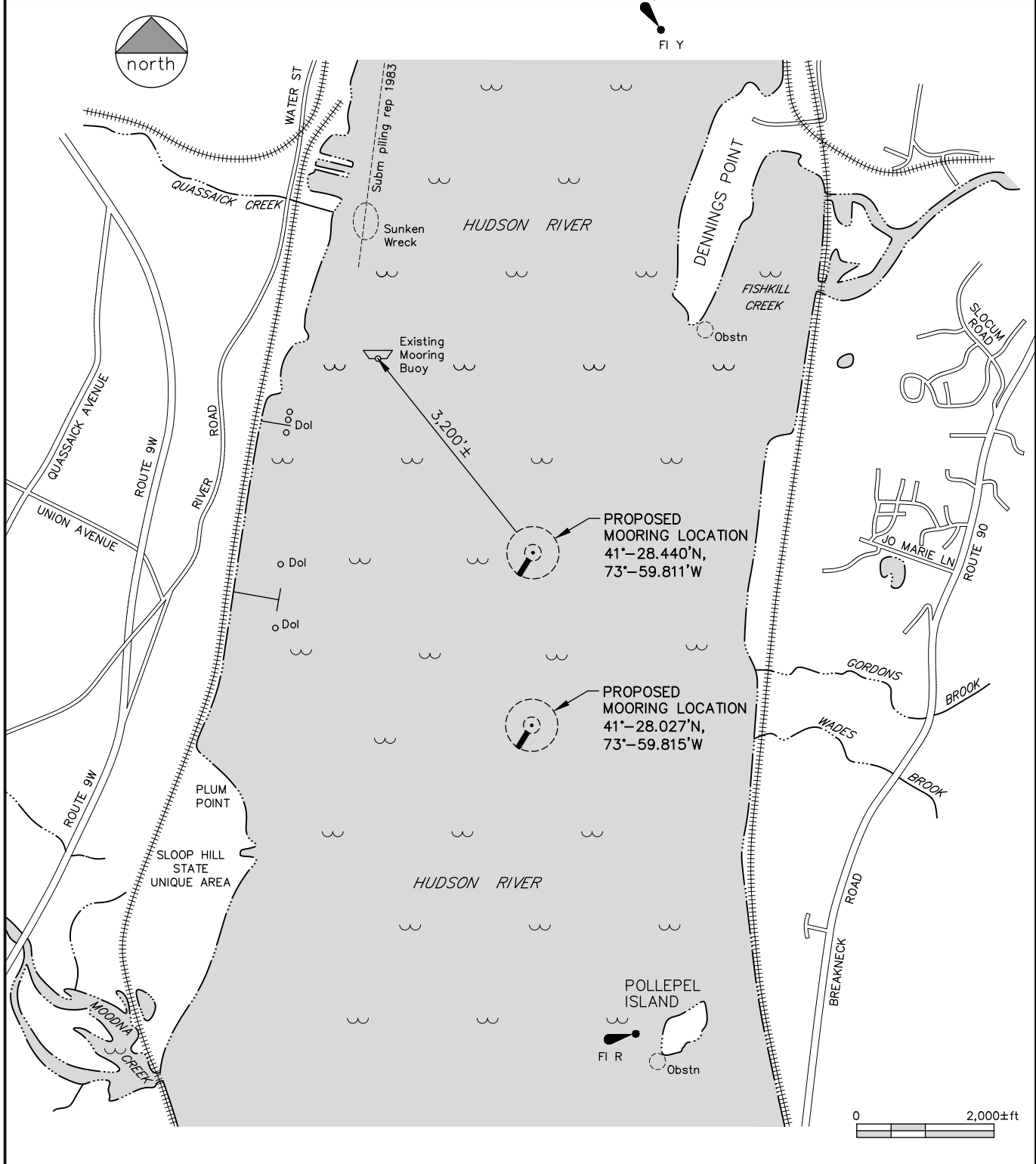
CLIENT: CARVER CONSTRUCTION	DATE: 2-12-16
PROJECT: HUDSON RIVER MOORING	CA NO.: 16014.1
TITLE: SITE PLAN	SCALE: 1"=2,000'±



Cashin Associates, P.C.

ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

CLIENT: CARVER CONSTRUCTION	DATE: 2-12-16
PROJECT: HUDSON RIVER MOORING	CA NO.: 16014.1
TITLE: SITE PLAN	SCALE: 1"=2,000'±





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CLIENT: CARVER CONSTRUCTION	DATE: 2-12-16
PROJECT: HUDSON RIVER MOORING	CA NO.: 16014.1
TITLE: TYPICAL SINGLE ANCHOR MOORING PROFILE	SCALE: NOT TO SCALE

