



# 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-2017-00752-WPI  
Issue Date: November 13, 2017  
Expiration Date: December 13, 2017

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

**APPLICANT:** Old Oaks Country Club  
c/o Jason Anderson  
3100 Purchase Street  
Purchase, New York 10577

**ACTIVITY:** The discharge of fill material associated with the expansion of an irrigation pond and dam relocation within wetlands adjacent to an unnamed tributary to the Blind Brook.

**WATERWAY:** Wetlands adjacent to an unnamed tributary to the Blind Brook (Mianus River - Rippowam River Watershed)

**LOCATION:** Town of Purchase, Westchester 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 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 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 life stages 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 it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations 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 from the

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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 concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation
- Town of Harrison
- Stormwater Pollution Prevention Plan

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) 790-8520 and ask for Katherine

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>.

*Mosche Hnanda*  
For Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Old Oaks Country Club, has requested Department of the Army authorization for the discharge of fill material associated with the expansion of an irrigation pond and dam relocation within wetlands adjacent to an unnamed tributary to the Blind Brook, Town of Purchase, Westchester County, New York.

The work would involve the removal of approximately 59 trees and the dewatering of the pond (0.85 acres) to enable the excavation of approximately 15,000 cubic yards of material. This would deepen the pond from approximately 7 feet to 9 feet and extend the east bank outward. Approximately 10,400 cubic yards of material excavated material is proposed to be placed directly into trucks and transported to form a back tee which would be located between Holes 3 and 4. Due to the placement of material for the proposed back tee, an 18-inch-diameter, 159-linear-foot culvert (0.007 acres and 10 cubic yards) would be placed within a swale feature identified as wetland J and approximately 4.2 cubic yards of rip-rap would be placed at the end of the culvert (0.001 acres.). The remainder of the excavated material would be transported to an upland deposition area on the southern portion of the parcel. This stockpile is intended to be permanent and be seeded to become part of the landscape.

In addition to the dredging of the pond, the applicant proposes to expand the irrigation pond from 0.85 acres to 1.4 acres. The expansion of the pond would permanently impact approximately 2,600 square feet (0.06 acres) of wetland S.

The third regulated activity involves the removal of the existing 174 linear foot concrete dam (0.01 acres) (250 cubic yards of concrete). A new dam would be installed on a partially different alignment and span approximately 210 linear feet with a total footprint of 2,226 square feet (470 cubic yards of concrete). The realignment of the dam would cause approximately 0.0048 acres of the unnamed tributary to become a part of the expanded irrigation pond and permanently impact 0.001 acres from the structure itself. At the base of the low-level outlet the applicant proposed to place approximately 44 cubic yards of rip-rap within 50 square feet of wetlands. Including the placement of rip-rap, the new dam would permanently impact 1,000 square feet (0.02 acres) of downstream wetland A and wetland B.

In total the proposed project would permanently impact 0.0938 acres of wetlands and 14 linear feet of an unnamed tributary. The applicant proposes to mitigate for impacts by creating a littoral shelf to measure 110-feet-long by 10-feet-wide on the eastern edge on the expanded pond area which would be planted with native species bordered by coir logs. The applicant also proposes to mitigate impacts by designating a 5-foot-wide "no mow" area along the eastern bank of the pond to serve as a buffer for runoff to the pond.

The stated purposes of this project are to replace an existing dam that has become deteriorated and increase the storage capacity of the irrigation pond to reduce the amount of potable water be purchased for irrigation purposes.

**IRRIGATION POND PROJECT  
OLD OAKS COUNTRY CLUB  
3100 PURCHASE STREET  
PURCHASE, NEW YORK**

Owner:  
OLD OAKS COUNTRY CLUB, INC.  
3100 Purchase Street  
Purchase, NY 10577

phone: 914-683-6000, fax: 914-683-6012

Consulting Engineer:  
LBG ENGINEERING SERVICES, P.C.  
6 Executive Drive, Suite 109  
Farmington, CT 06032  
phone: 860-678-0404, fax: 860-678-0606

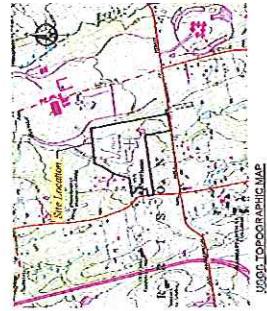
Surveying:  
IN SITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
3 Garrett Place  
Carmel, NY 10512  
phone: 845-225-9690, fax: 845-225-9717

Wetlands Mapping:  
STEPHEN W. COLEMAN ENVIRONMENTAL CONSULTING, LLC  
3 Aspen Court  
Ossining, NY 10562  
phone: 914-494-5544, fax: 914-762-5260

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Cover Sheet OVERALL SITE INFORMATION PLAN (revised 10/11/17)  
Un-numbered PROPERTY SURVEY (revised 12/28/16)  
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AERIAL PHOTOGRAPH  
Courtesy of Google Earth



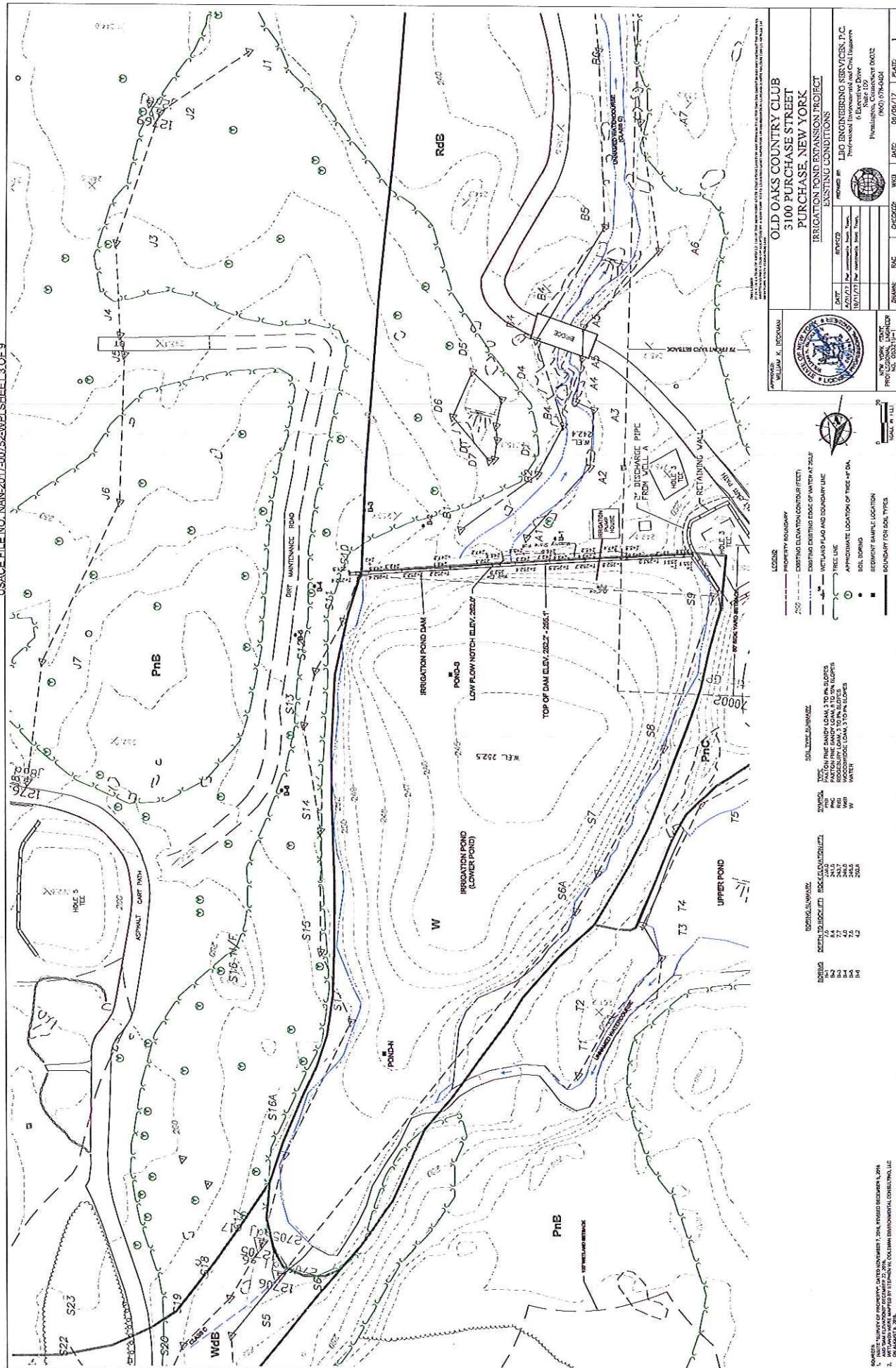
USGS TOPOGRAPHIC MAP  
Courtesy of USGS

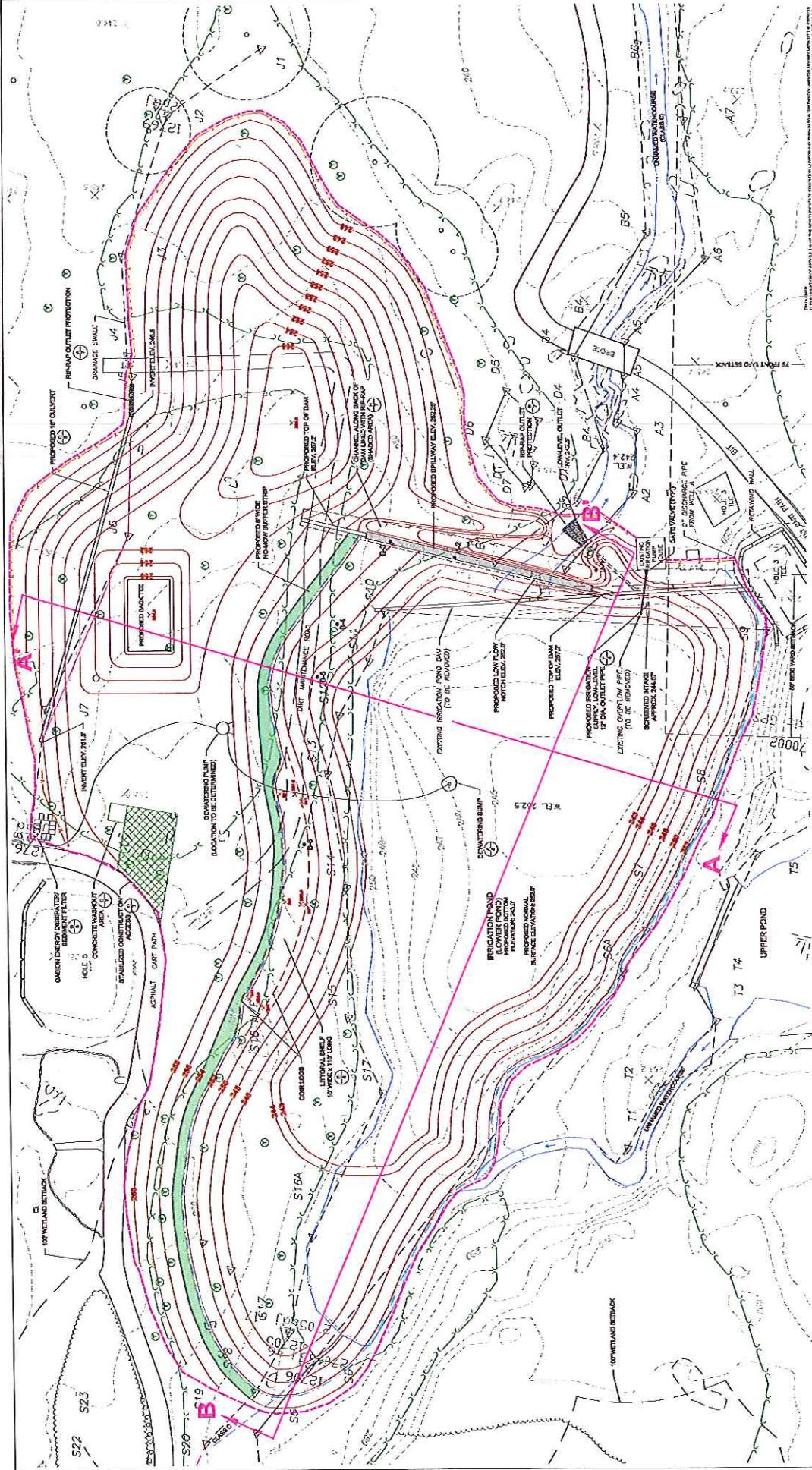


LOCATION MAP  
Courtesy of Google Earth



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A circular seal for a New York State driver's license. The outer ring contains the text "NEW YORK STATE" at the top and "DRIVERS LICENSE" at the bottom. The center features a map of New York state with a road network. A blue ink stamp is overlaid on the seal, containing the name "WILLIAM K. DICKMAN" and the date "JULY 1955".

NO. 62221-1  
NEW YORK STATE  
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SECTION OF TREE SURVEY

APPROXIMATE LOCAT

APPENDIX

No.

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END OF CHAPTER 6, 2016  
DATA CONSOLIDATION

NOVEMBER 7, 2018, REVISED  
2018

PROPERTY OF PROPTER® DATA  
ELEVATION II EDITION 72

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