



PUBLIC NOTICE

U.S. Army Corps
of Engineers
New York District, CENAN-OP-RU
Upstate Regulatory Field Office
1 Buffington Street, Bldg. 10, 3rd Fl. North
Watervliet, New York 12189-4000

In reply to:
Public Notice Number: NAN-2017-01604-UCO
Issue Date: December 3, 2018
Expiration Date: January 2, 2019

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: Bob B LLC
P.O. Box 681
Chazy, NY 12921

ACTIVITY: Place structures and discharge fill material in navigable waters of the United States to establish a marina with associated docking facilities and services

WATERWAY: Great Chazy River (Richelieu River-Lake Champlain watershed)

LOCATION: Town of Champlain, 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 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.

According to the list of Federally-listed species on the Information for Planning and Conservation website for the New York Field Office of the U.S. Fish and Wildlife Service the Northern Long-eared bat (*Myotis septentrionalis*), a threatened species, may occur in the vicinity of the project site. However, because this undertaking will not involve the clearing of any trees, 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. 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.

By letter dated July 20, 2018, N.Y.S. Office of Parks, Recreation and Historic Preservation (SHPO) indicated it was the SHPO's opinion that no historic properties would be affected by the proposed undertaking. 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.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- Article 15, Title 5, Excavation and Fill in Navigable Waters permit from the New York State Department of Environmental Conservation
- State Owned Lands Under Water authorization for Docks, Moorings or Platforms from the N.Y.S. 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/Missions/Regulatory/CustomerSurvey.aspx>

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 and in behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Bob B LLC, has requested Department of the Army permit for work, including the placement of structures and discharge of fill material, in the Great Chazy River, in the Town of Champlain, Clinton County, New York.

The work would involve placement of 40 cubic yards of rock and 20 cubic yards of backfill, within 1,615 square feet of the River below its ordinary high water mark (OHWM), to replace an existing timber retaining wall along approximately 225 linear feet of the bank of the waterway. The applicant would place an additional 13 cubic yards of rock riprap in the River below its OHWM for bank stabilization along 41 linear feet of the waterway. The applicant would place an additional 8 cubic yards of concrete, 12 cubic yards of rock base material and 4 cubic yards of backfill, all within 410 square feet of the River below its OHWM for a proposed boat ramp. All concrete would be poured 'in-the-dry', while water levels in the River are low enough to prevent concrete from coming in contact with the water. A turbidity curtain would be utilized during the fill activities to prevent suspended sediment along the shoreline from migrating downstream.

The work would also involve the construction of a seasonal docking facility, consisting of two (2) main pier assemblies moored by anchor blocks to the bed of the River, and oriented parallel to the shoreline. Both main piers would be six (6) feet wide and attached to the shoreline by a gangway, with the eastern pier approximately 105 feet long and the western pier approximately 108 feet long. The proposed gangways would be three (3) feet wide by 20 feet long, and attached to the rebuilt retaining wall. Both main piers would also have four (4) finger piers, twenty (20) feet long, oriented perpendicular to the main piers and moored by anchor blocks, with three (3) fingers 3 feet wide, and one finger 6 feet wide. The pier assemblies, with a total area of 1,825.5 square feet, would extend no more than 30 feet from the waterward face of the proposed retaining wall, and be located along the applicant's approximately 250 linear feet of river frontage. The assembly would be secured to the bed of the River by concrete anchor blocks, three (3) feet by three (3) feet in size.

The total proposed mooring capacity would be twelve (12) vessels. The proposed marina would be operated only on a seasonal basis. The applicant proposes to establish a reconfiguration perimeter for the proposed docking facility along the applicant's approximately 250 linear feet of river frontage and extending no more than 40 feet from the proposed retaining wall, which if authorized would allow for the reconfiguration of the pier assemblies within its boundaries without further authorization provided there are no increases in total mooring capacity.

The applicant has stated that they have avoided and minimized proposed impacts to the maximum extent practicable by revising the proposed retaining wall replacement plan to minimize the extent of proposed permanent fill in the waterway.

The stated purpose of this project is to provide commercial marina services such as seasonal storage, vessel launching and docking facilities for recreational vessels.

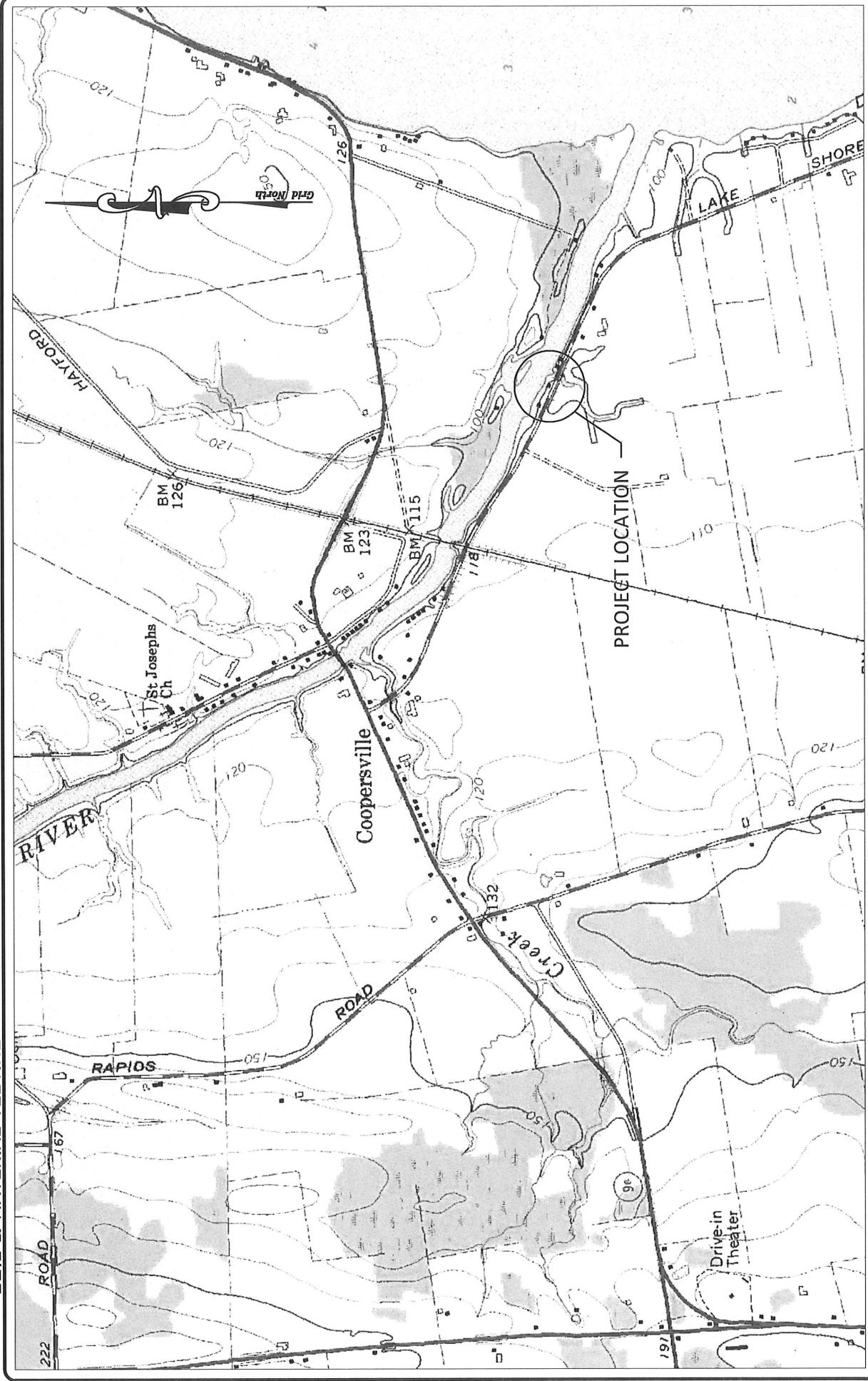
RMS

ROBERT M. SUTHERLAND P.C.
ENGINEERS - PLANNERS - SURVEYORS
SOIL & MATERIAL TESTING

Location Map

JOB Bourgeois Site Plan 2018

SHEET NO. 1 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE N.T.S.

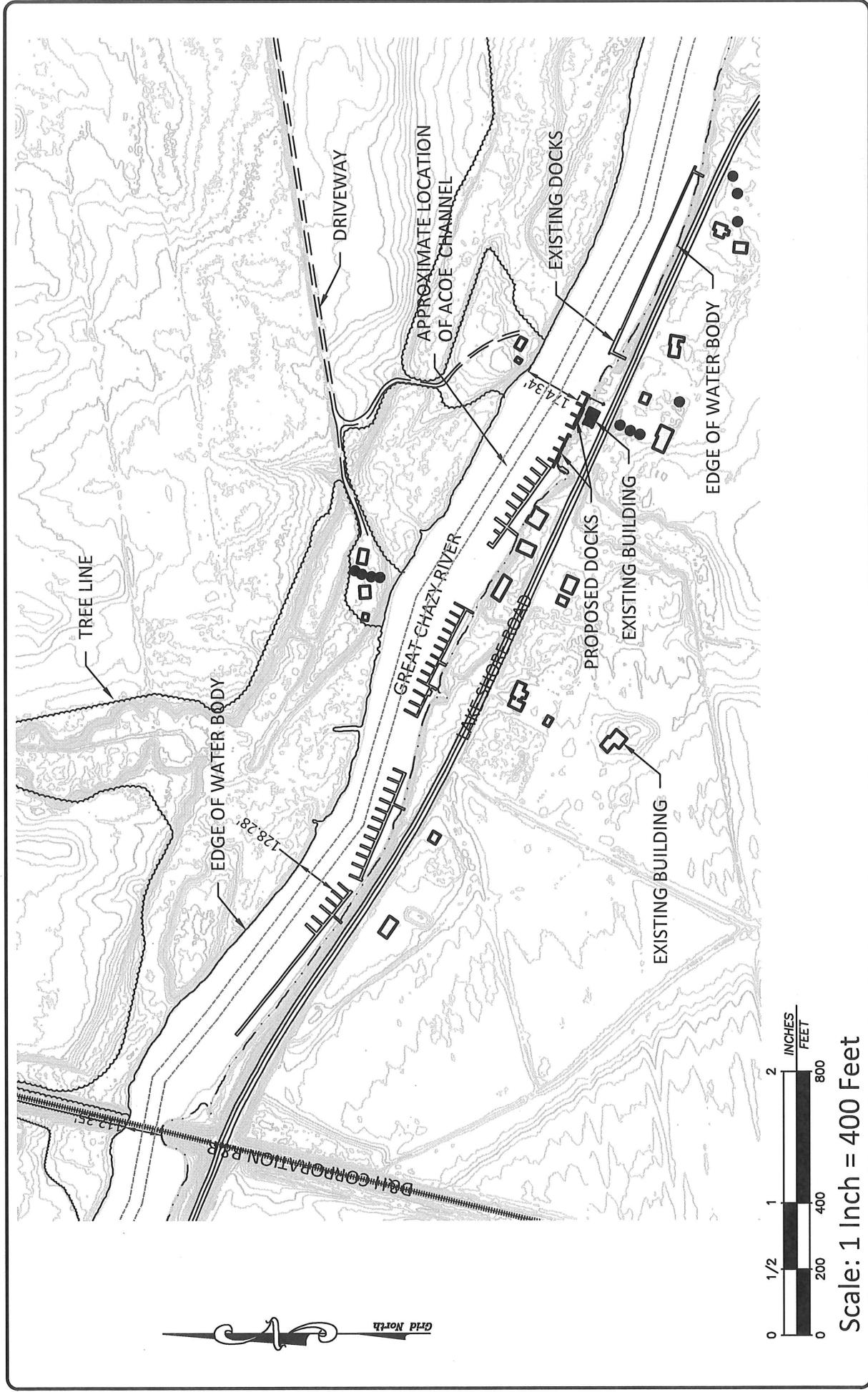


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Map Showing Shoreline Improvements
Of a portion of the Great Chazy River
Along Certain Lands of Bourgeois

JOB Bourgeois Site Plan 2018
SHEET NO. 2 OF 18
CALCULATED BY LSC DATE 2/21/2018
CHECKED BY AJO DATE 2/21/2018
SCALE 1" = 400'



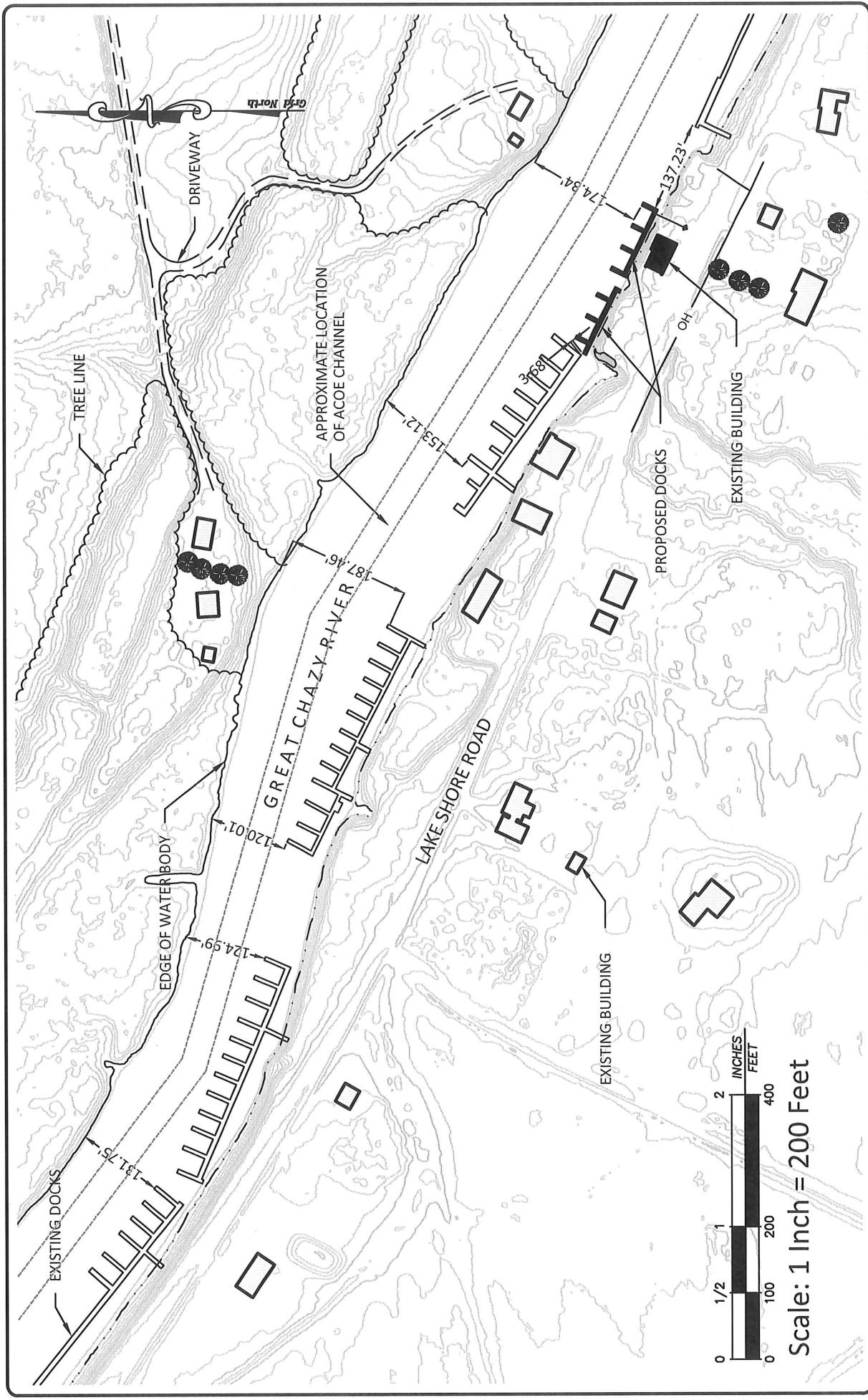
Scale: 1 Inch = 400 Feet

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Map Showing Shoreline Improvements
Of a Portion of the Great Chazy River
Along Certain Lands of Bourgeois

JOB Bourgeois Site Plan 2018
SHEET NO. 3 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 200'

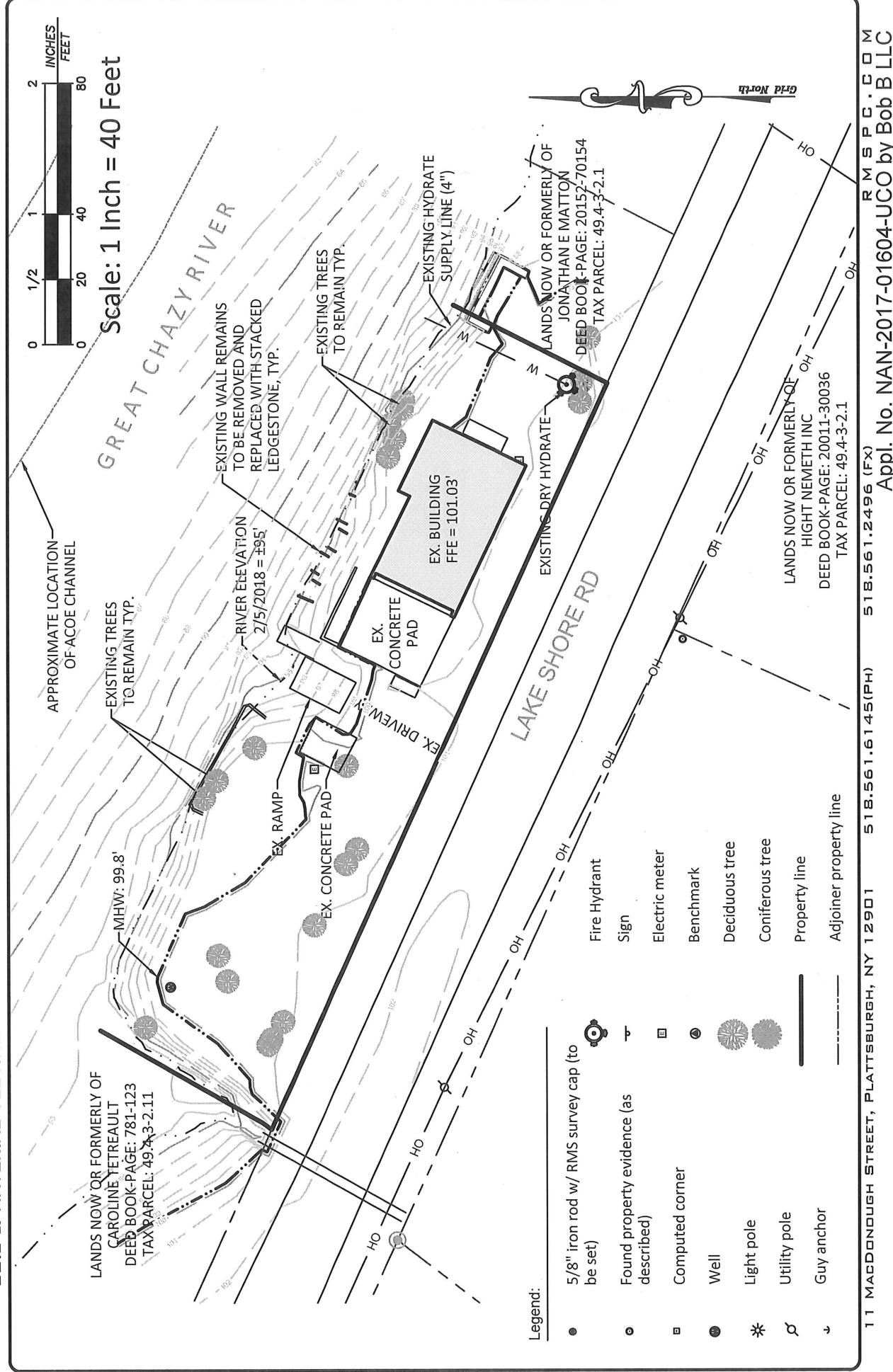


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Map Showing Shoreline Improvements
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JOB Bourgeois Site Plan 2018
SHEET NO. 4 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 40'



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Map Showing Shoreline Improvements
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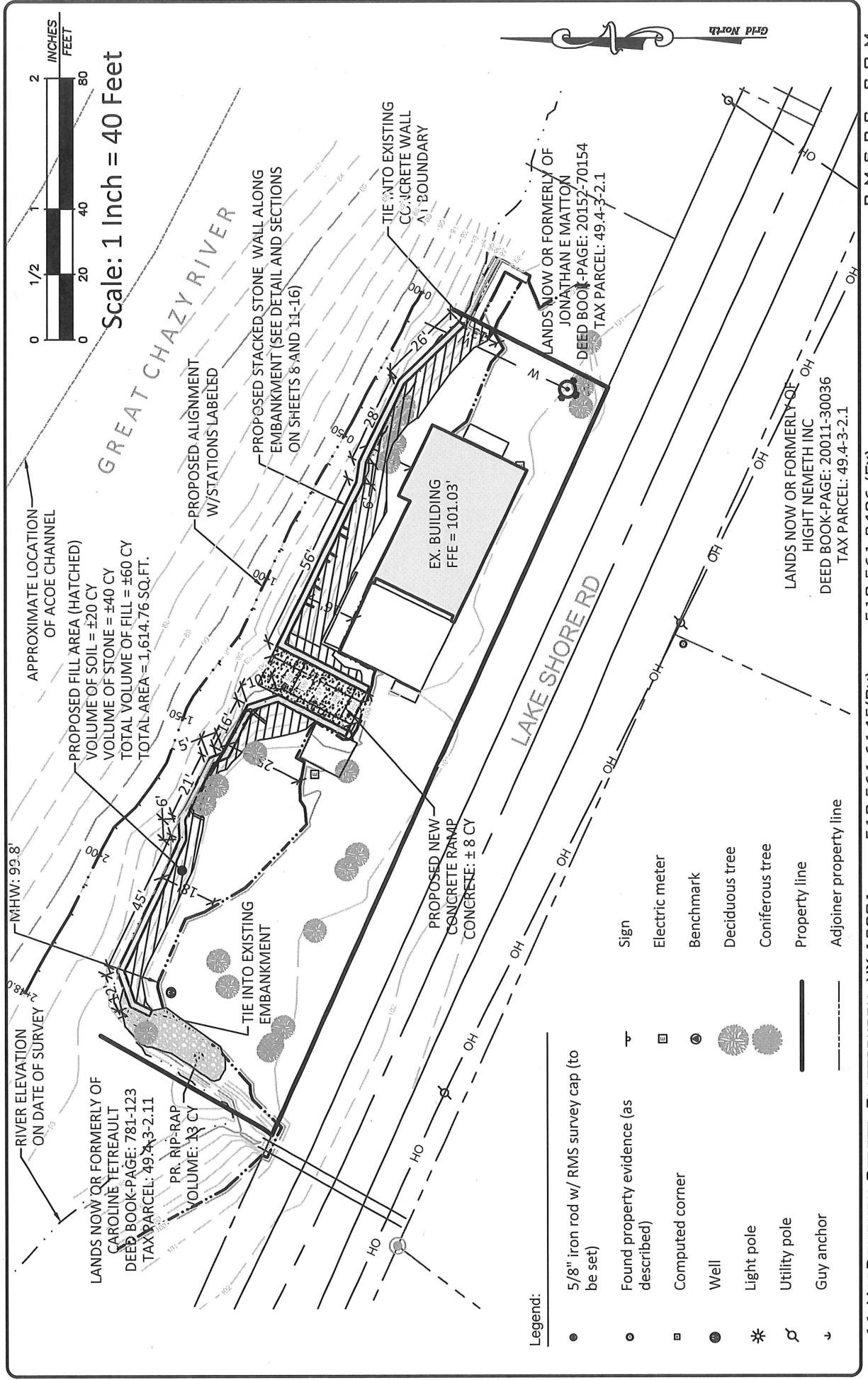
JOB Bourgeois Site Plan 2018

SHEET NO. 5 OF 18

CALCULATED BY LSC DATE 9/21/2018

CHECKED BY AJO DATE 9/21/2018

SCALE 1" = 40'

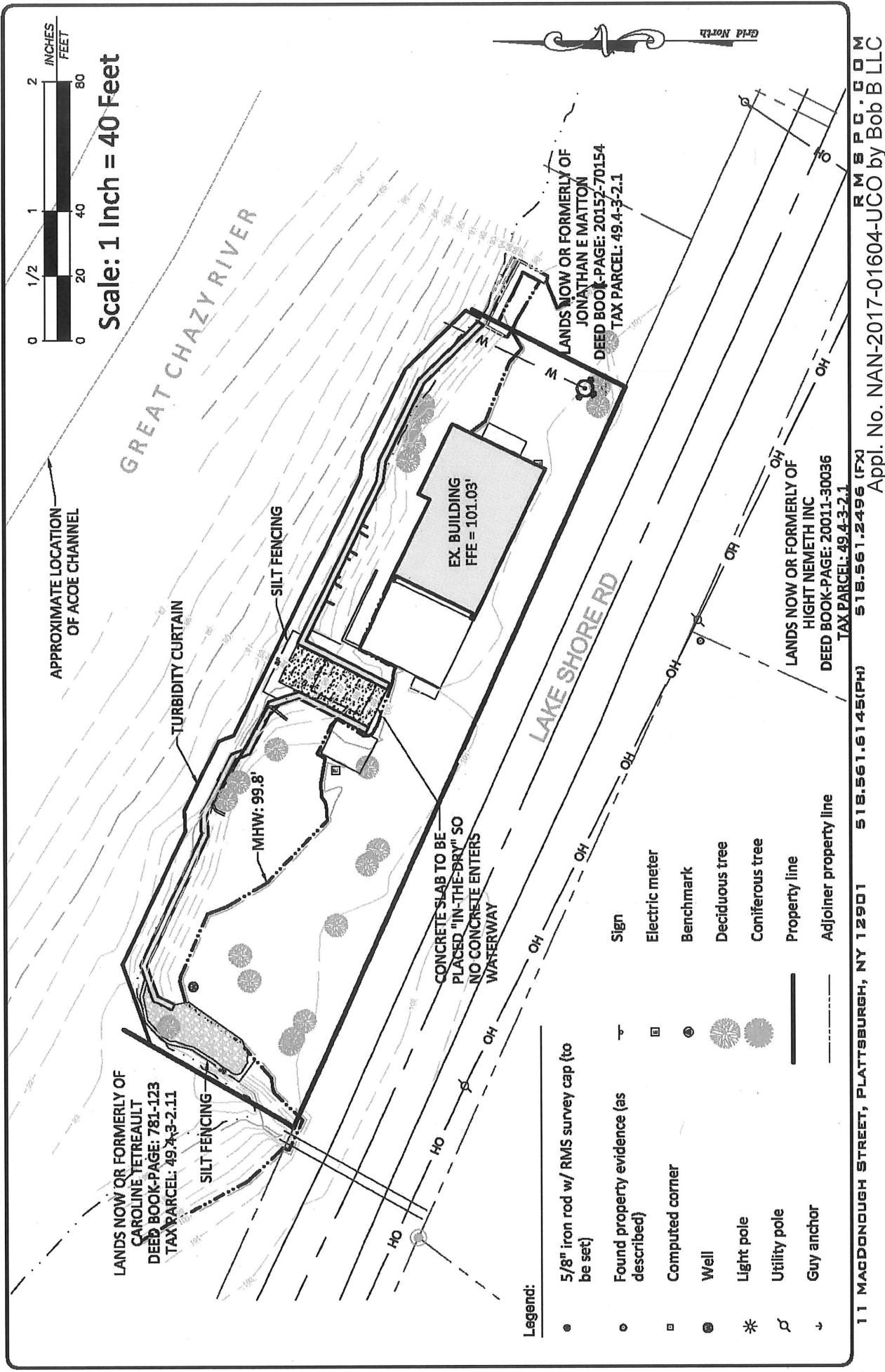


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Map Showing Shoreline Improvements
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Along Certain Lands of Bourgeois

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JOB Bourgeois Site Plan 2018
SHEET NO. 6 OF 18
CALCULATED BY LSC DATE 10/19/18
CHECKED BY AJO DATE 10/19/18
SCALE 1" = 40'



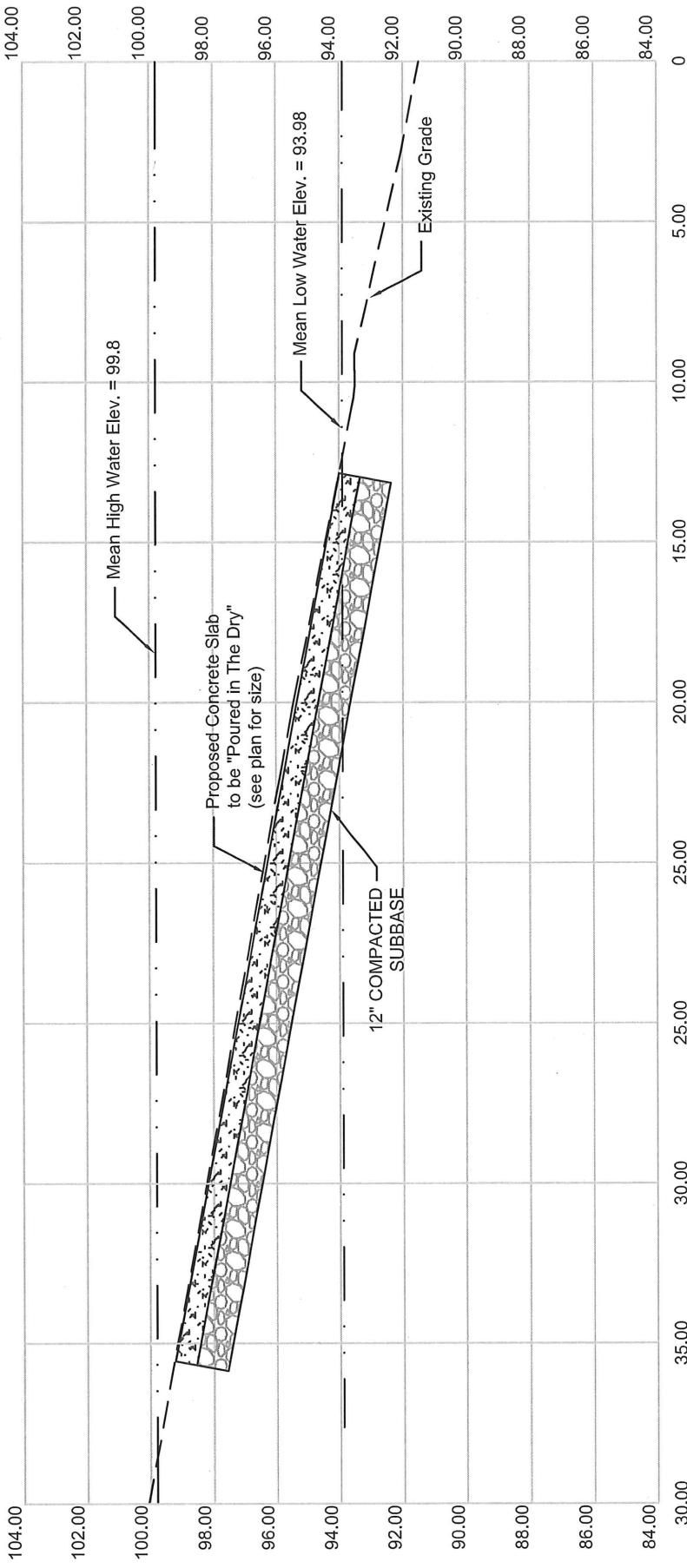
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Map Showing Shoreline Improvements
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Boat Ramp Section

JOB Bourgeois Site Plan 2018
SHEET NO. 7 OF 18
CALCULATED BY LSC DATE 10/19/18
CHECKED BY AJO DATE 10/19/18
SCALE N.T.S.



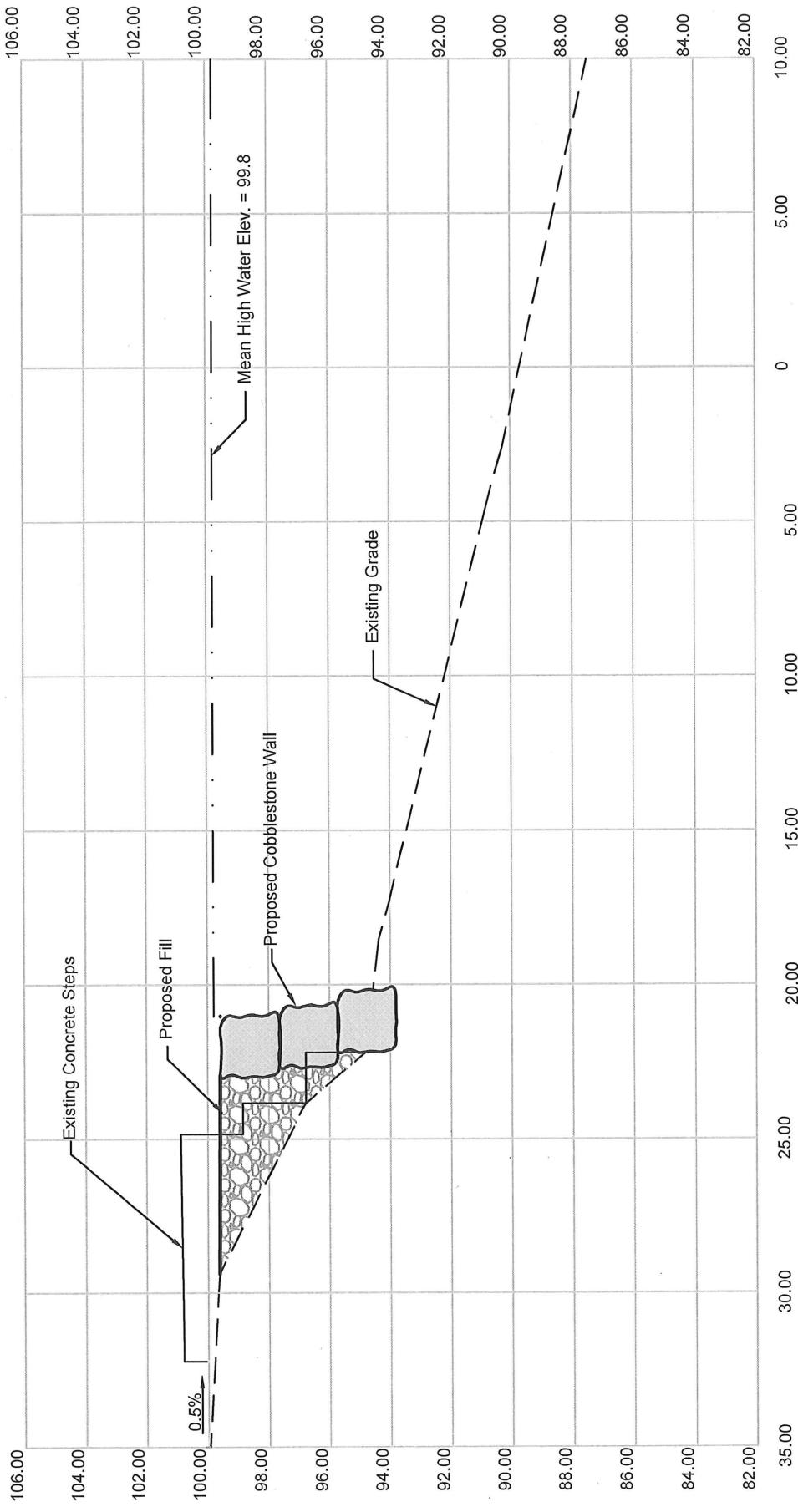
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Map Showing Shoreline Improvements
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Along Certain Lands of Bourgeois

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JOB Bourgeois Site Plan 2018
SHEET NO. 8 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'

Shoreline Section 0+00



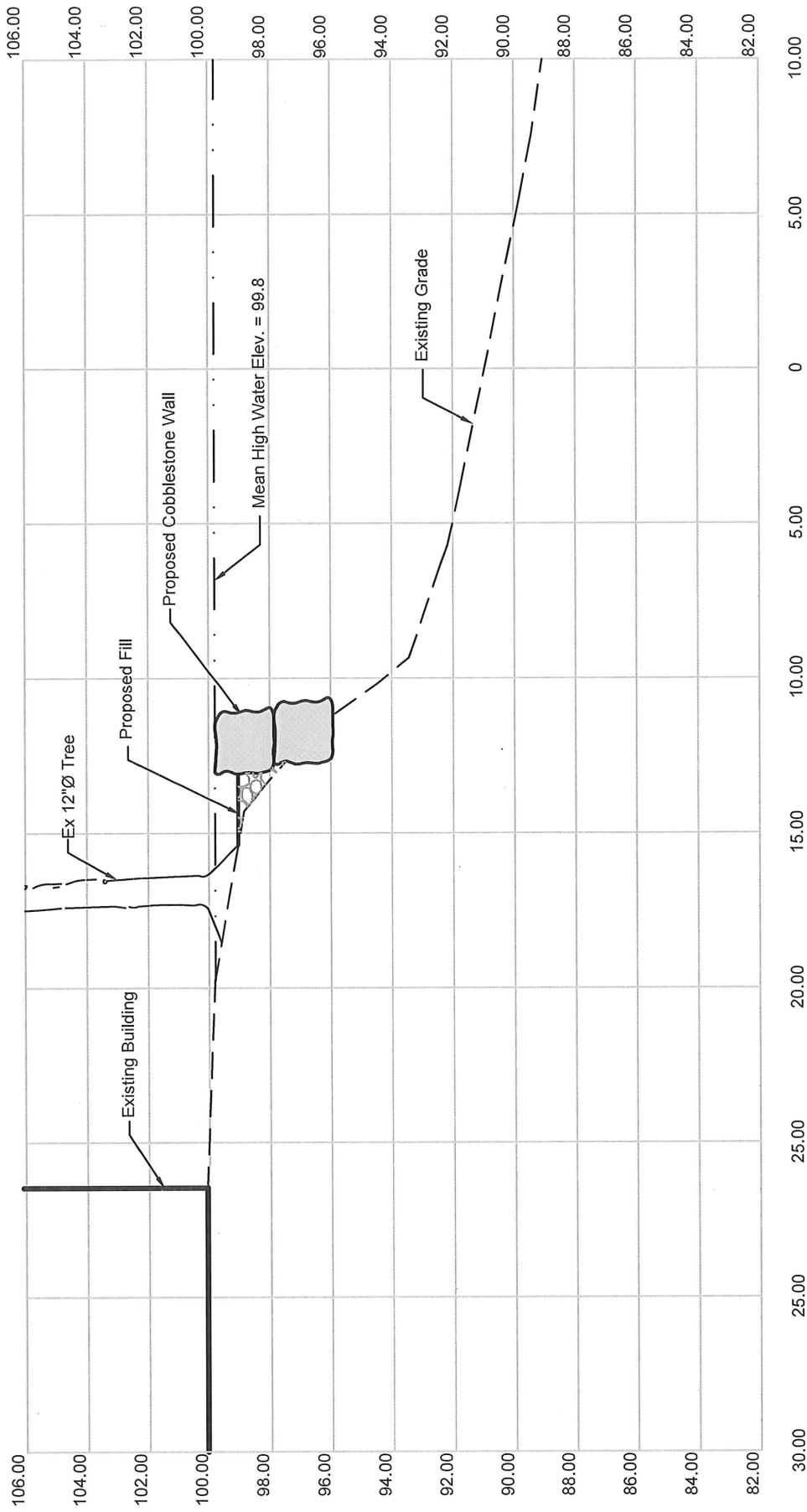
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Map Showing Shoreline Improvements
Of a Portion of the Great Chazy River
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JOB Bourgeois Site Plan 2018
SHEET NO. 9 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'

Shoreline Section 0+50



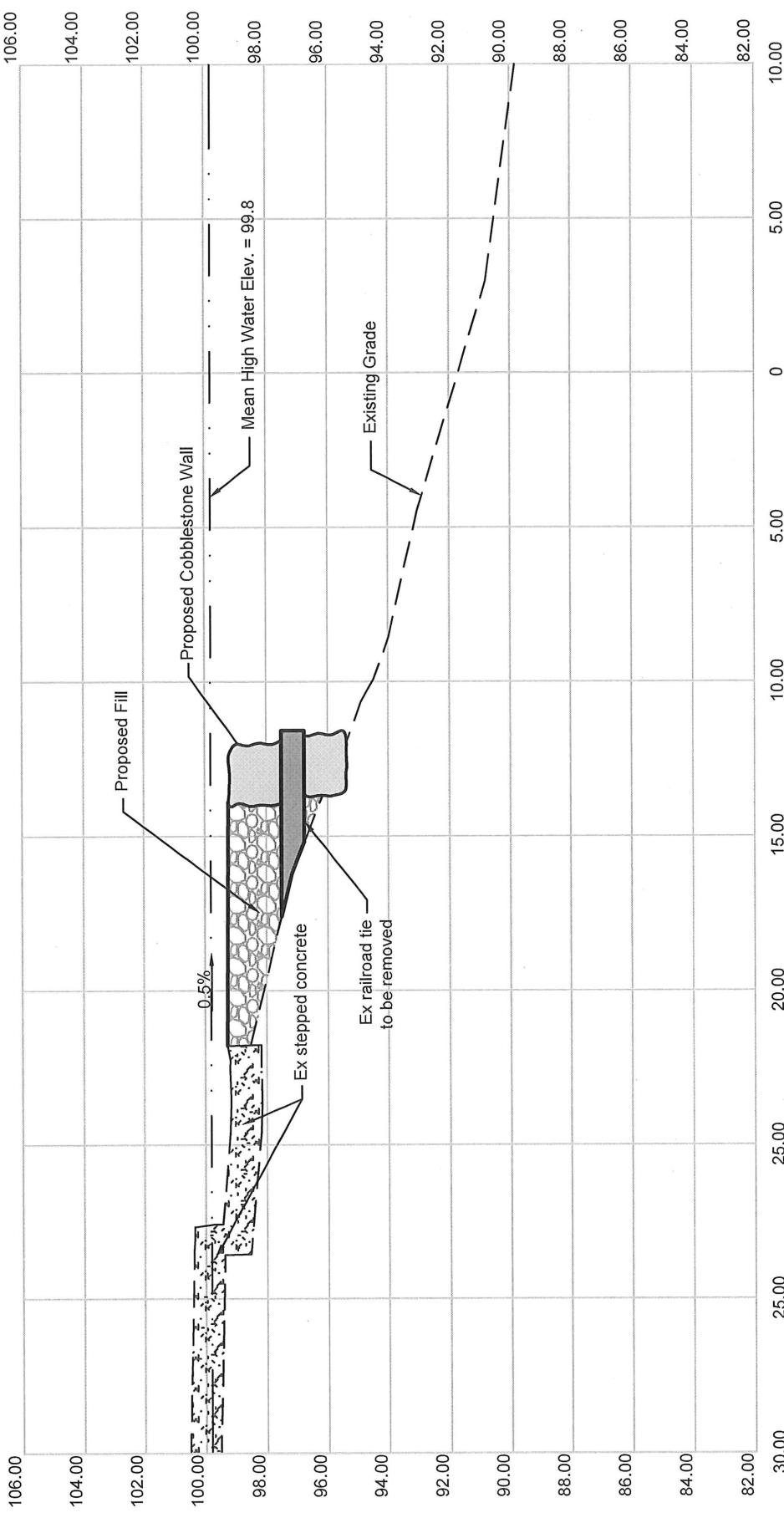
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Map Showing Shoreline Improvements
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JOB Bourgeois Site Plan 2018
SHEET NO. 10 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'

Shoreline Section 1+00



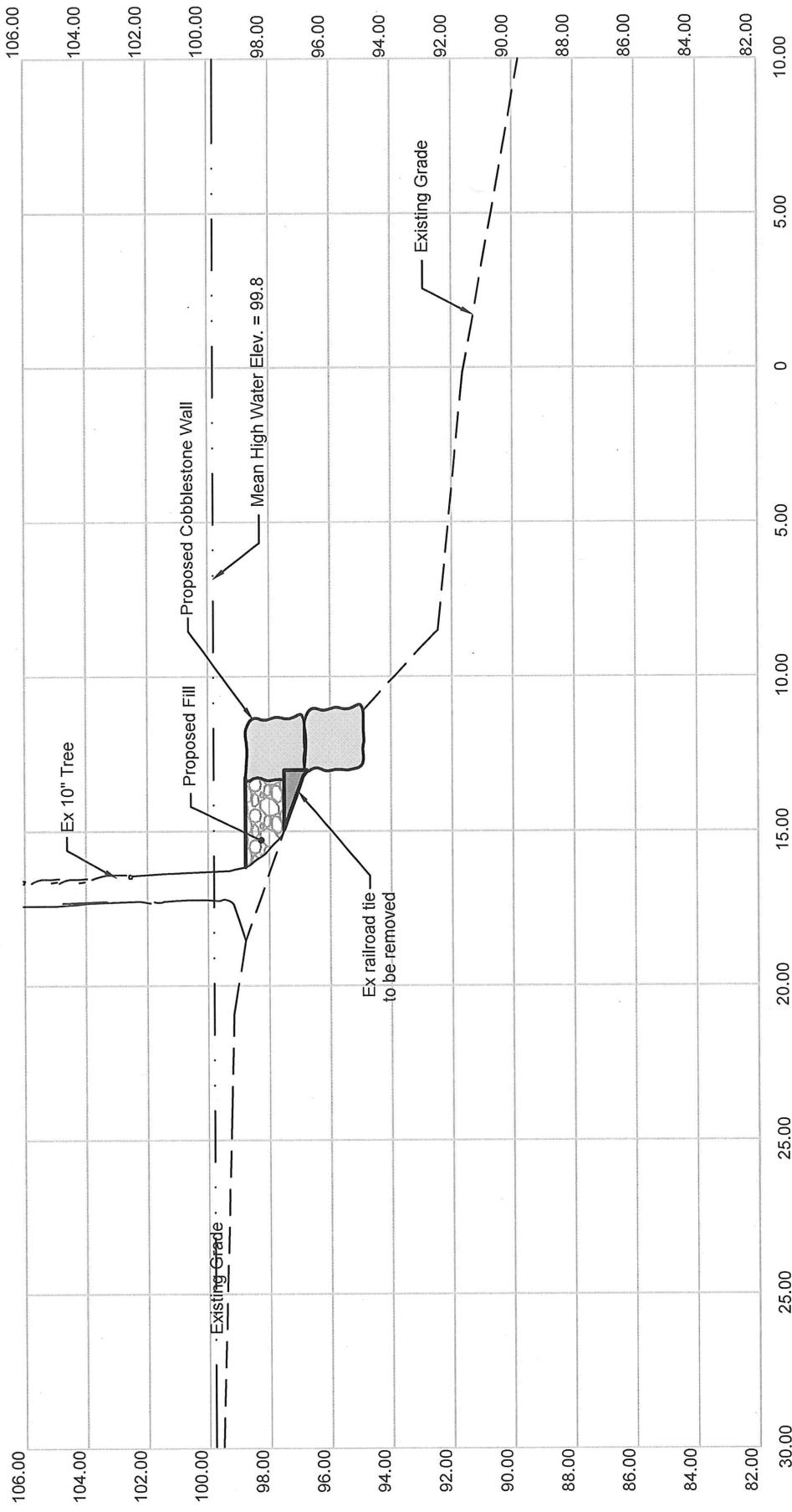
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JOB Bourgeois Site Plan 2018
SHEET NO. 11 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'

Shoreline Section 1+50



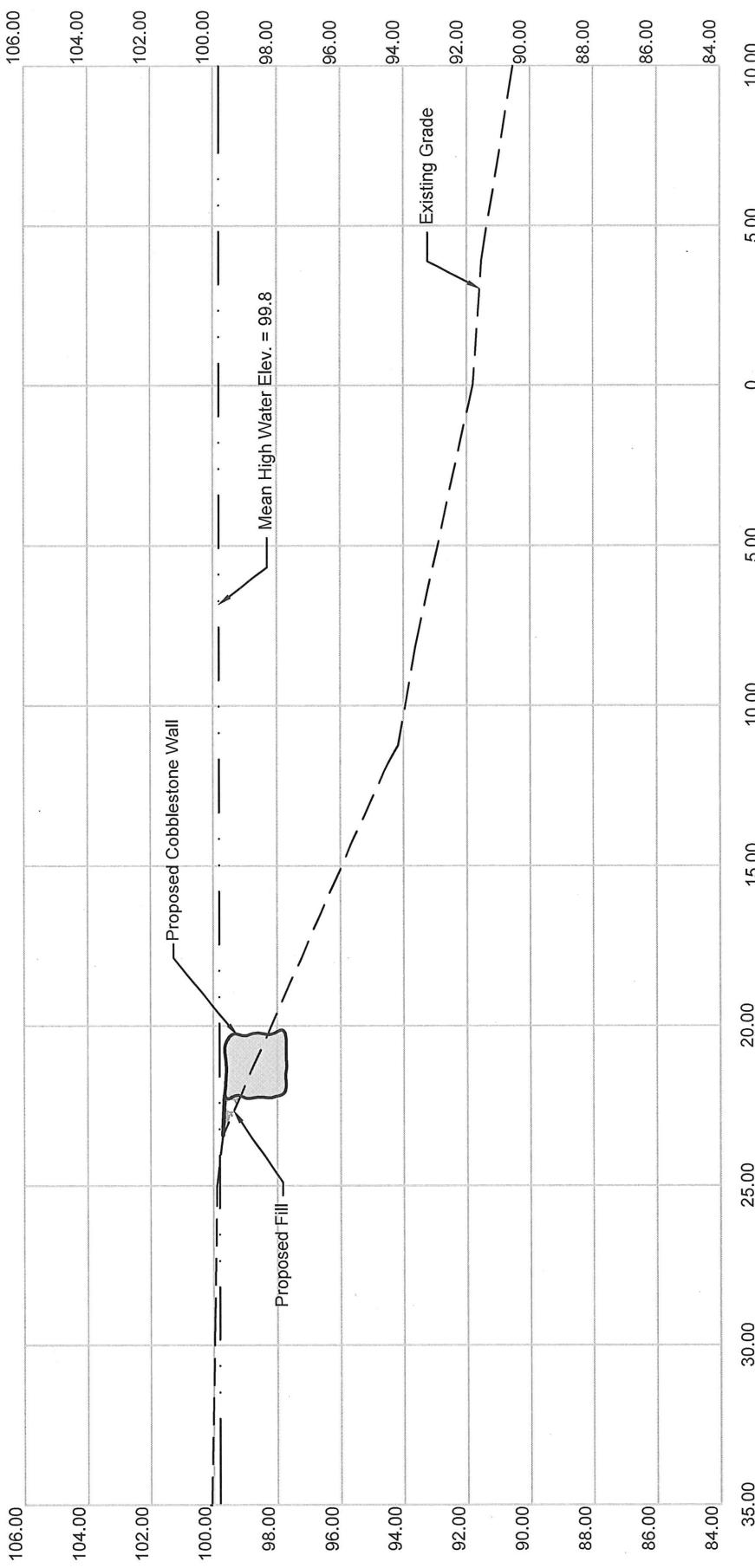
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Map Showing Shoreline Improvements
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JOB Bourgeois Site Plan 2018
SHEET NO. 12 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'

Shoreline Section 2+00



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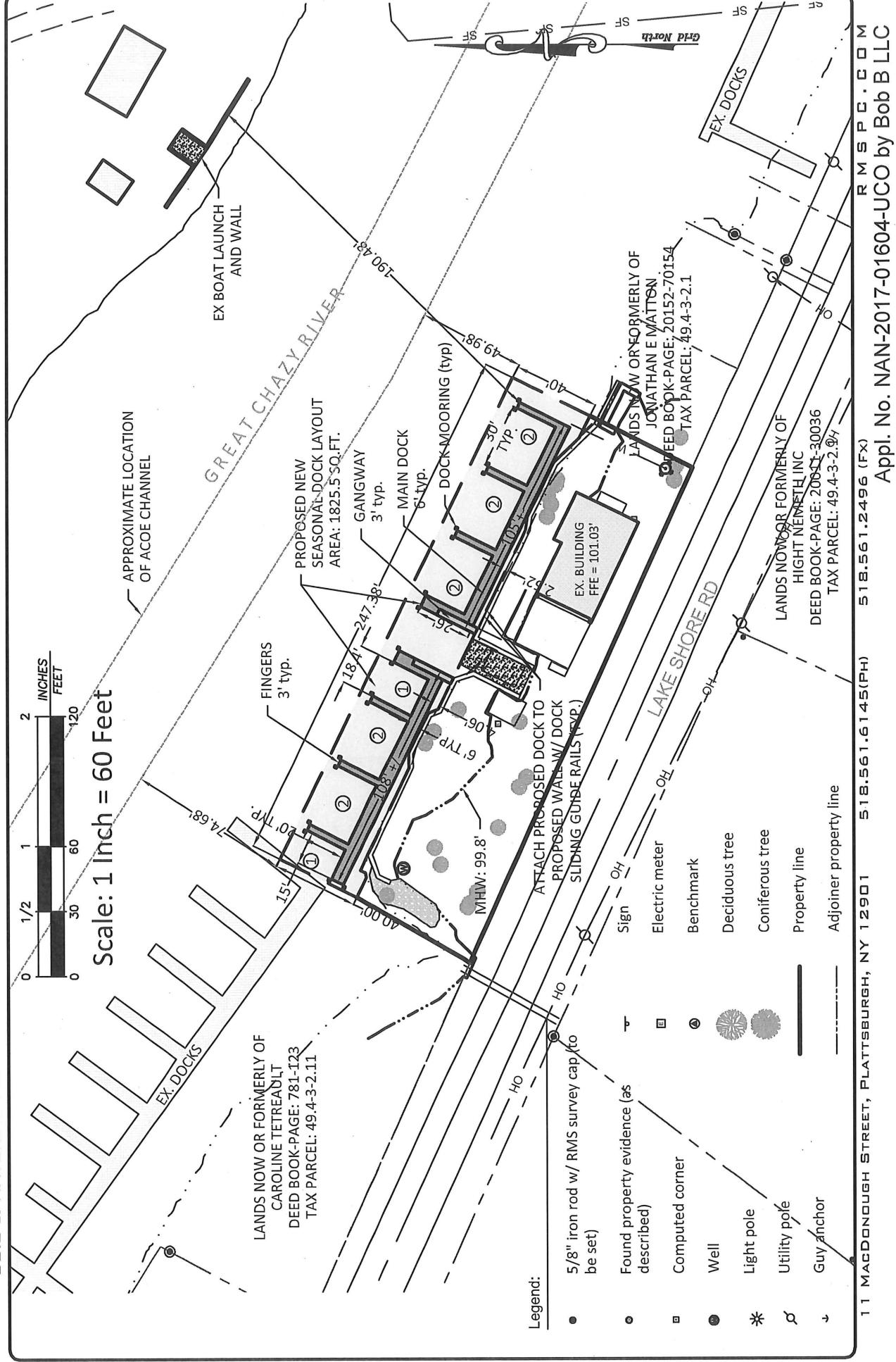
JOB Bourgeois Site Plan 2018

SHEET NO. 13 OF 18

CALCULATED BY LSC DATE 10/25/18

CHECKED BY AJO DATE 10/19/18

SCALE 1" = 60'

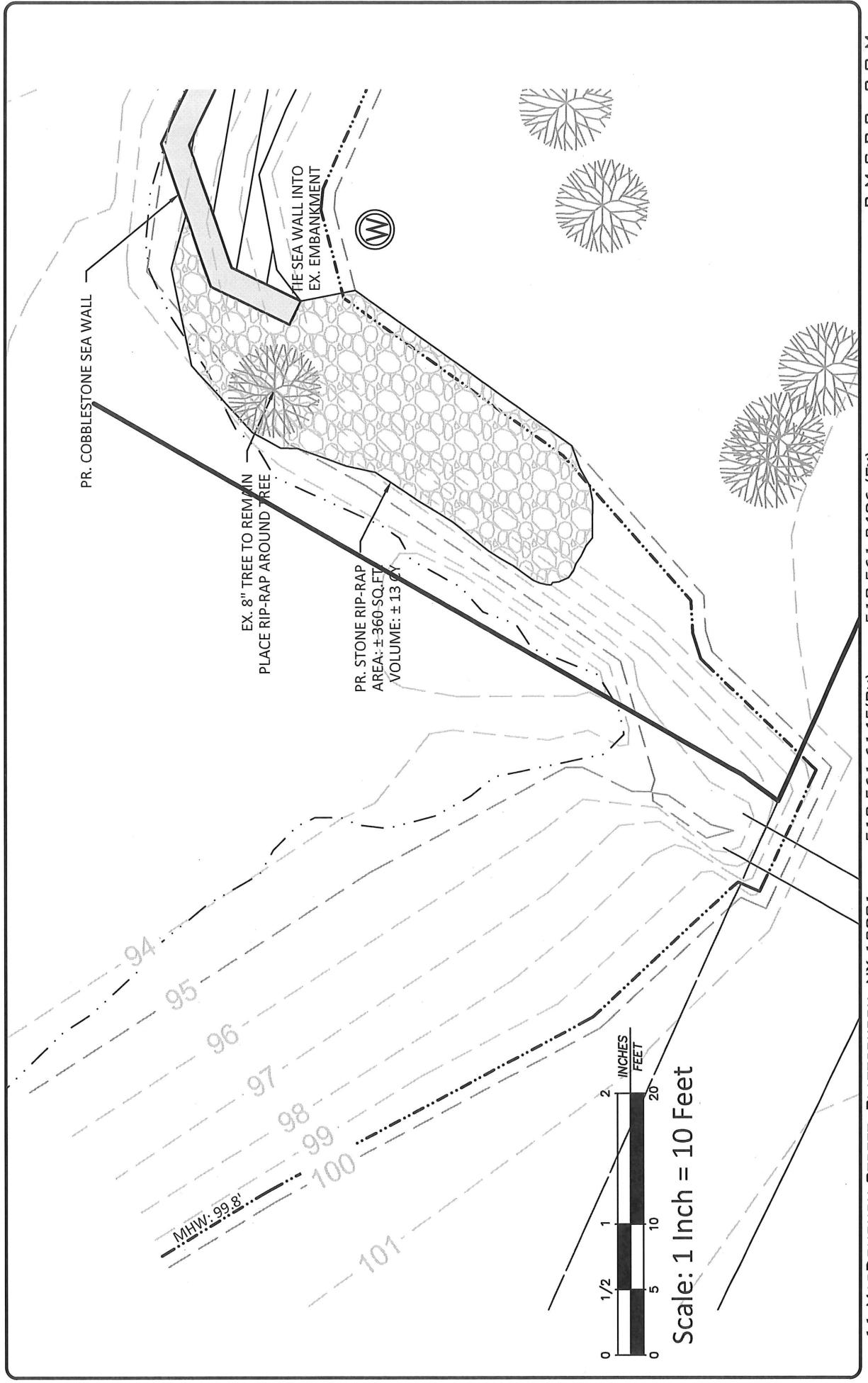


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Map Showing Shoreline Improvements
Of a Portion of the Great Chazy River
Along Certain Lands of Bourgeois

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JOB Bourgeois Site Plan 2018
SHEET NO. 14 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 10'



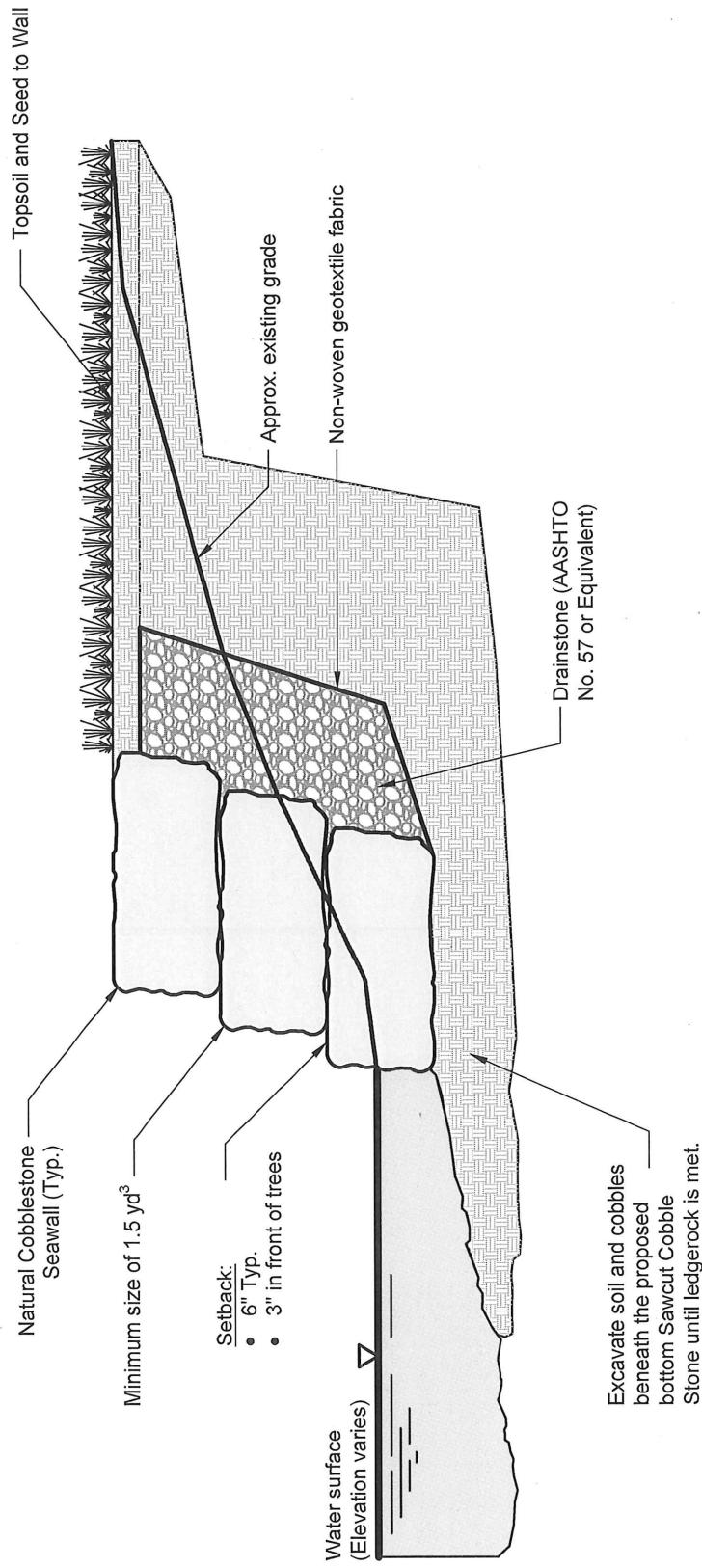
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Map Showing Shoreline Improvements
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JOB Bourgeois Site Plan 2018
SHEET NO. 15 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE NA

Conceptual Shoreline Wall Detail

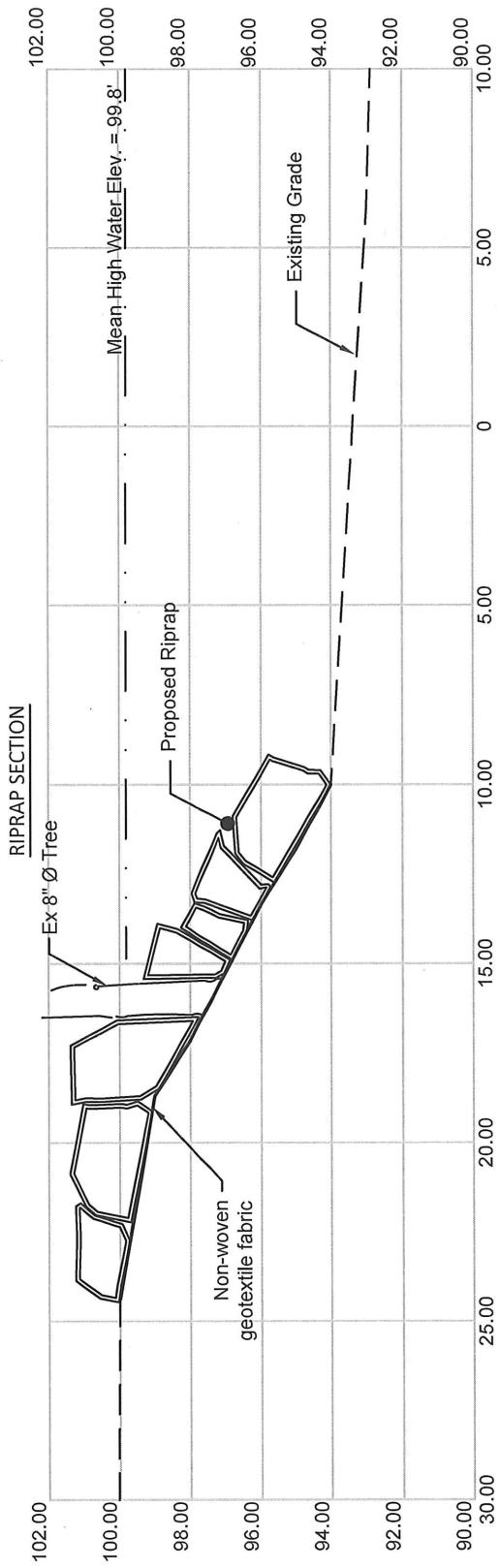


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JOB Bourgeois Site Plan 2018
SHEET NO. 16 OF 18
CALCULATED BY LSC DATE 9/21/2018
CHECKED BY AJO DATE 9/21/2018
SCALE 1" = 5'



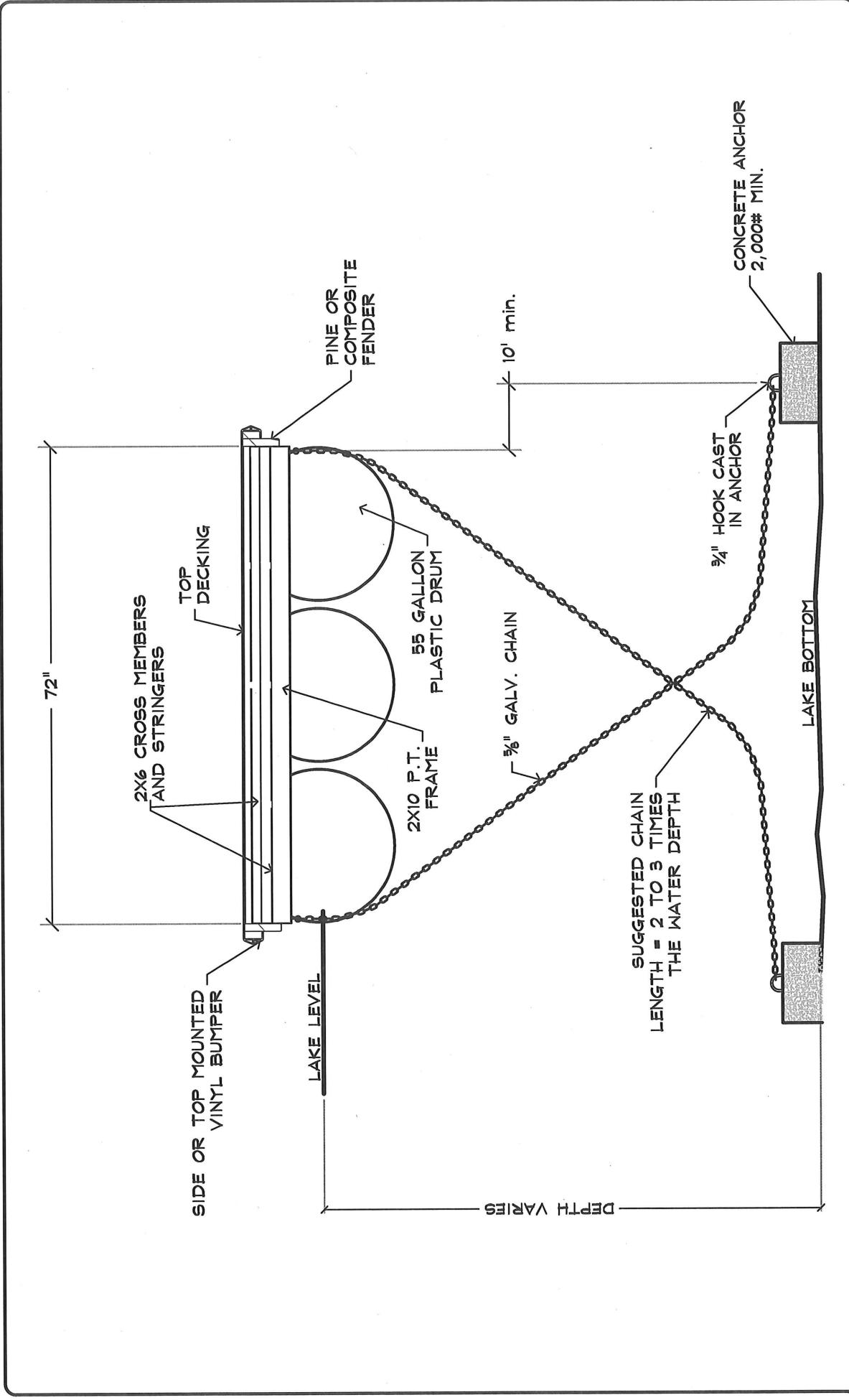
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Map Showing Shoreline Improvements
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Dock Detail

JOB Bourgeois Site Plan 2018
SHEET NO. 17 OF 18
CALCULATED BY LSC DATE 2/21/2018
CHECKED BY AJO DATE 2/21/2018
SCALE N.T.S.



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Map Showing Shoreline Improvements
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Concrete Slab Detail

JOB Bourgeois Site Plan 2018
SHEET NO. 15
CALCULATED BY LSC
CHECKED BY AJO
SCALE N.T.S.

