



# 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 reply refer to:  
Public Notice Number: NAN-2017-00321  
Issue Date: July 26, 2018  
Expiration Date: August 26, 2018

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: City of Peekskill  
c/o Jean Friedman  
840 Main Street  
Peekskill, New York 10566

ACTIVITY: Placement of structure in and over navigable waters of the United States.

WATERWAY: Hudson River (Peekskill Hollow Creek - Hudson River Watershed)

LOCATION: City of Peekskill, 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 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
- 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) 790-8520 and ask for Katherine Pijanowski.

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*  
for Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, City of Peekskill, has requested Department of the Army authorization for the placement of structures in and over the Hudson River, City of Peekskill, Westchester County, New York.

The work would involve:

The applicant proposes to remove the existing pier structure, associated pilings, and the pilings and dolphins surrounding the structure using vibratory methods. Piles that cannot be removed using this method would be cut below the sediment line.

The applicant is proposing to install a new pier structure approximately 30 feet north of the existing pier. The new pier would be approximately 487-feet-long and 11-feet-wide (5,530 square feet).

Two (2) aluminum frame floating docks each approximately 50-feet-long by 8-feet-wide (total 800 square feet) each connected by 30-feet-long by 4-feet-wide gangway (total 240 square feet).

ADA compliant kayak launch measuring 12-feet-long by 18-feet-long (216 square feet) connected by a floating dock measuring 12-feet-long by 6-feet-wide (72 square feet) and an aluminum gangway measuring 50-feet-long by 4-feet-wide (200 square feet).

The new pier structure and associated floating docks and kayak launch would be supported / held in place by a total of 111 12-inch-diameter greenheart timber piles and 12 metal rock anchor braces.

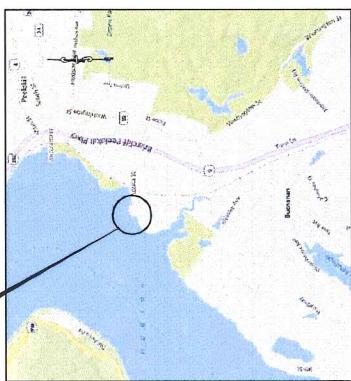
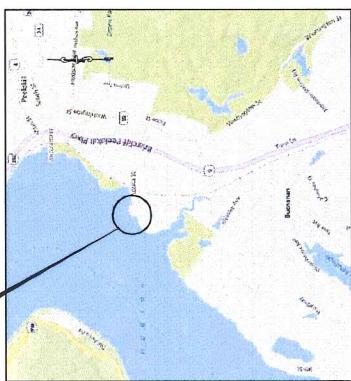
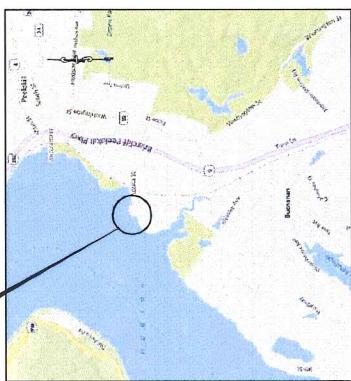
The applicant anticipates the new pier would be used for cruise, tour, and transient boats ranging from 45 feet to 200 feet in length.

The stated purpose of this project is to reconstruct the Fleischmann Pier to expand recreational opportunities by providing a pier that can accommodate large tour boats and provide temporary docking for transient and recreational boaters and fishermen.

# RECONSTRUCTION OF FLEISCHMANN PIER

## CITY OF PEEKSKILL

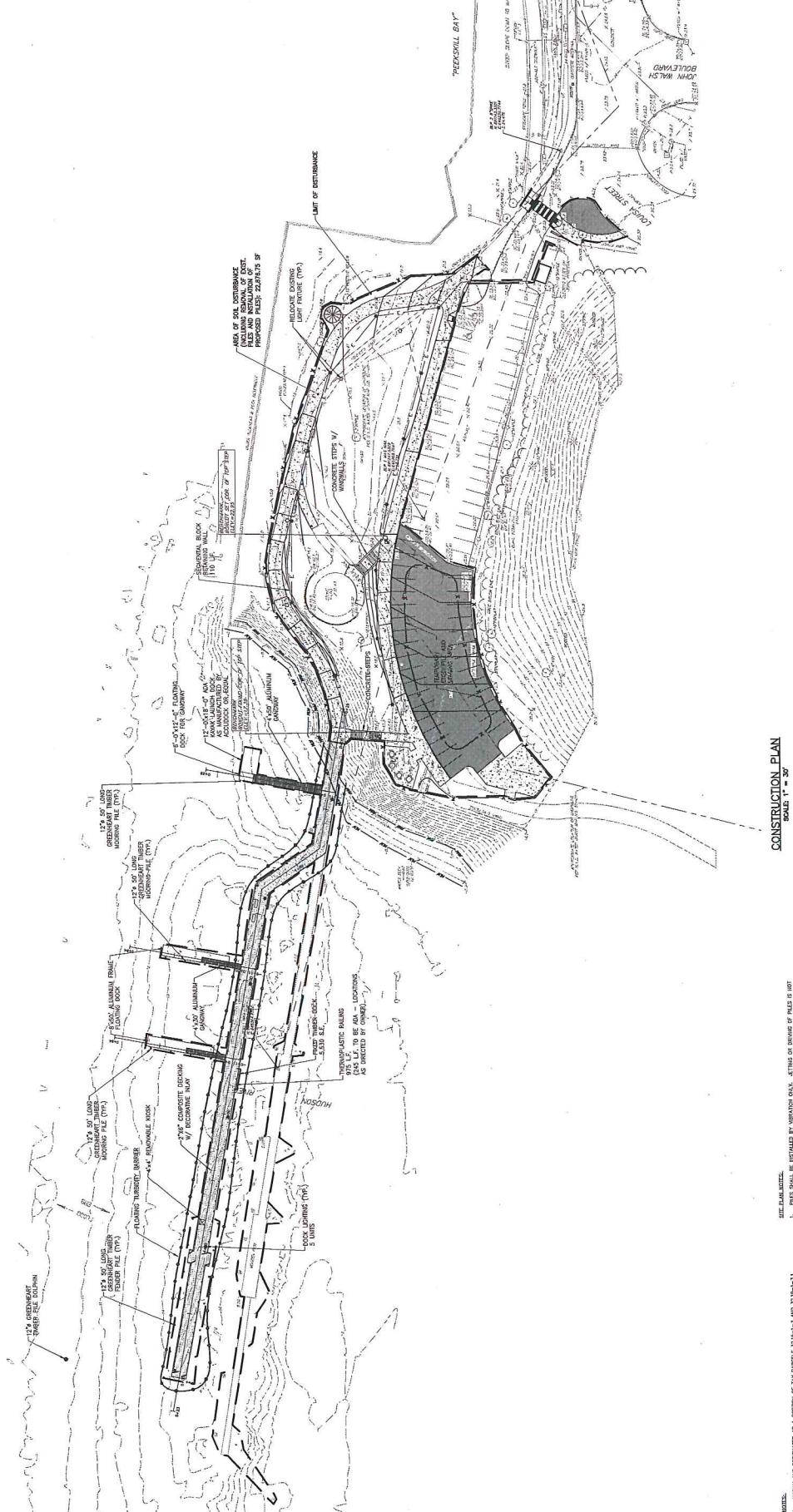
### WESTCHESTER COUNTY, NEW YORK

 <p style="text-align: center;">PROJECT SITE (41.2891° N / 73.9415° W)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding-bottom: 5px;">KEY PLAN</th> </tr> <tr> <td style="width: 15%;"></td> <td style="width: 85%;"> <div style="text-align: right; margin-bottom: 5px;"> <small>200' 400' 600' 800' 1000'</small> </div> <div style="text-align: right;"> <small>1 Inch = 2,000' Feet</small> </div> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 5px;"> <b>LOCATION MAP</b> </td> </tr> <tr> <td style="width: 15%;"></td> <td style="width: 85%;"> <div style="text-align: right; margin-bottom: 5px;"> <small>200' 400' 600' 800' 1000'</small> </div> <div style="text-align: right;"> <small>1 Inch = 200' FEET</small> </div> </td> </tr> </table>	KEY PLAN			<div style="text-align: right; margin-bottom: 5px;"> <small>200' 400' 600' 800' 1000'</small> </div> <div style="text-align: right;"> <small>1 Inch = 2,000' Feet</small> </div>	<b>LOCATION MAP</b>			<div style="text-align: right; margin-bottom: 5px;"> <small>200' 400' 600' 800' 1000'</small> </div> <div style="text-align: right;"> <small>1 Inch = 200' FEET</small> </div>	<p><b>NOTICE TO CONTRACTOR</b></p> <p>Affidamento di questo progetto è riservato al Costruttore. Il Costruttore deve fare ogni sforzo per garantire la realizzazione del Progetto secondo le specifiche dettate nel Progetto, con le date indicate e nel modo stabilito. Il Costruttore deve fornire tutti i servizi necessari per la realizzazione del Progetto, compreso il trasporto e lo stocaggio dei materiali, la manodopera e gli strumenti, e la gestione degli impianti di costruzione. Il Costruttore deve seguire tutte le norme ed ordinanze vigenti e non può contrarre obblighi senza il consenso scritto del Costruttore. Il Costruttore deve fornire una garanzia per il lavoro eseguito per un periodo di tre anni dalla data della consegna del Progetto.</p> <p>The contractor shall be responsible for all materials and equipment required for the completion of the Project, including transportation and storage, labor and tools, and management of construction facilities. The contractor shall comply with all applicable laws and regulations and may not enter into any agreements without the written consent of the contractor. The contractor shall provide a warranty for the work performed for a period of three years from the date of delivery of the Project.</p>
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<div style="display: flex; justify-content: space-between;"> <div style="flex: 1;"> <p><b>TITLE SHEET</b></p> <p><b>MATRIX IN NEW WORLD</b> Nicholas Decottis, PE, NCENY, NY</p> </div> <div style="flex: 1; text-align: right;"> <p>CITY OF PEEPSKILL, WESTCHESTER COUNTY, NEW YORK</p> <p>RECONSTRUCTION OF FLEISCHMANN PIER</p> </div> </div>		<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="flex: 1;"> <p>PROJECT NUMBER: 15-233</p> <p>DATE: 6/18</p> <p>SCALE: AS SHOWN</p> </div> <div style="flex: 1; text-align: right;"> <p>PAGE NUMBER: 1 of 9</p> </div> </div>								
<p>THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A CONTRACTUAL DRAWING. THE CONTRACTUAL DRAWINGS ARE PROVIDED SEPARATELY.</p>										
<p>THE PROJECT NUMBER IS FOR IDENTIFICATION PURPOSES ONLY.</p>										
<p>THE DRAWINGS ARE PREPARED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE U.S. ARMY CORPS OF ENGINEERS.</p>										
<p>ALL DRAWINGS, SPECIFICATIONS, AND CONDITIONS OF CONTRACT ARE INCORPORATED BY REFERENCE.</p>										
<p>THE DRAWINGS ARE TO BE CONSTRUED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.</p>										
<p>THE CONTRACTOR IS RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE DRAWINGS.</p>										
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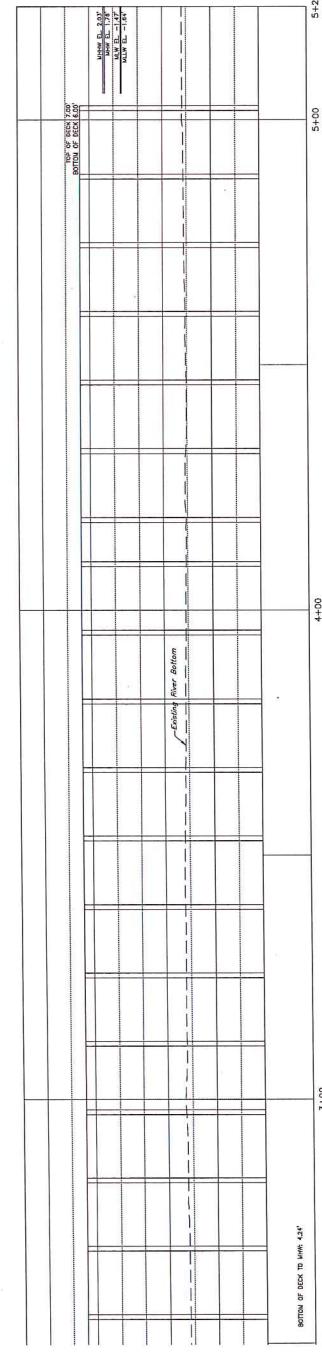
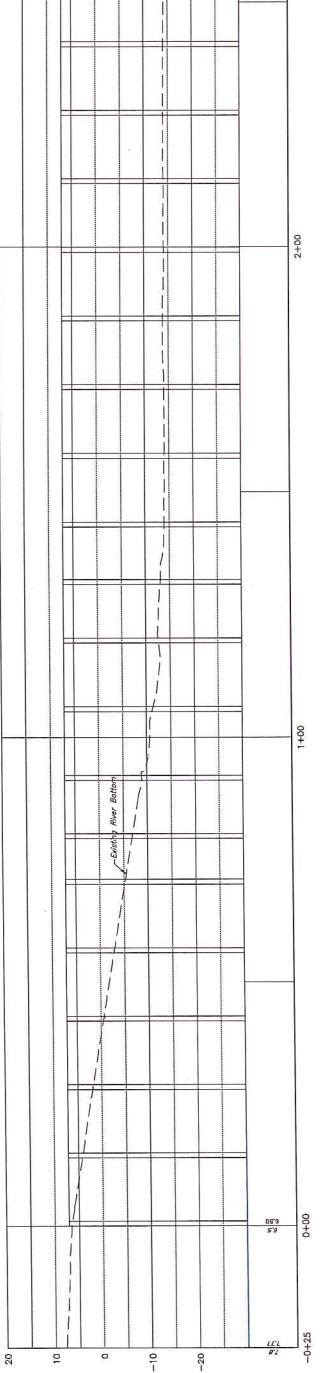




PROJECT NUMBER: 14-2-23-2018			PROJECT NAME: MATTRIX NEW WORLD SITE PLAN		
SUBPROJECT NUMBER: 14-2-23-2018-1			SUBPROJECT NAME: RECONSTRUCTION OF FELSCHEMANN PIER		
DATE: 10/26/2018			DRAWING DATE: 10/26/2018		
DESIGNER: MATTIX NEW WORLD CONSTRUCTION CO., INC.			APPROVING AUTHORITY: USACE		
DRAWING NUMBER: 14-2-23-2018-1			DRAWING SCALE: 1:500		
CITY: NEW YORK STATE: NEW YORK COUNTY: WESTCHESTER COUNTY			CITY: NEW YORK STATE: NEW YORK COUNTY: WESTCHESTER COUNTY		
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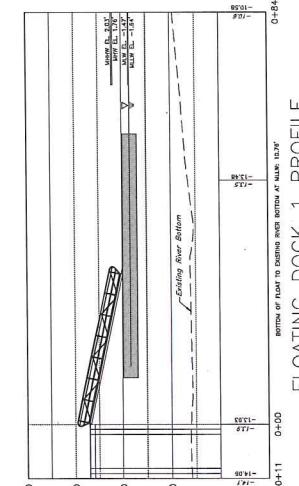
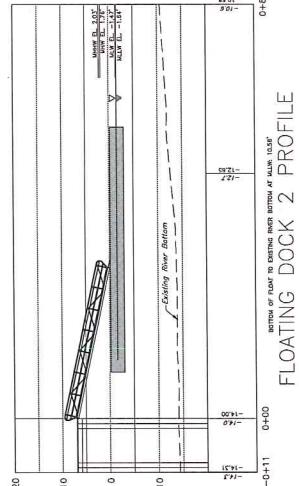
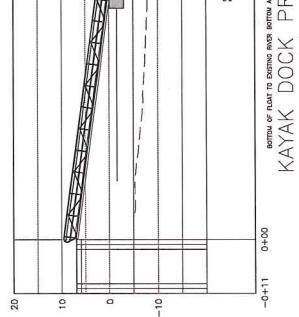
- NOTE: THIS DRAWING IS FOR INFORMATION PURPOSES ONLY AND NOT TO SCALE.
1. LOCATION AND IDENTIFICATION AS A PORTION OF THE PROJECT NUMBER 14-2-23-2018.
  2. ALL DRAWINGS AND PLANS ARE IN INCHES.
  3. THE CONTRACTOR SHALL INSTALL AND MAINTAIN A FATHOM TIDE MARKER TO THE PROJECT AREA.
  4. VERTICAL ALIGNMENT ON MARINE AND LAND SURFACES AND OPERATING LEVELS.
  5. INSTRUCTIONS, DATA SHEETS, AND DRAWINGS ARE THE PROPERTY OF AN INDEPENDENT PARTY.
  6. MARINE NEW CARGO POSITIONING MARKS TO INDICATE THAT ALL INDEPENDENT DATA SHEET DRAWINGS ARE TO BE USED IN CONJUNCTION WITH THE CONTRACTOR'S POSITIONING SYSTEM.
  7. PROJECT NUMBER RESTRICTIONS - THE FOLLOWING RESTRICTIONS ARE APPLICABLE:
    - a. HARBOR WORK SHALL BE CONDUCTED BETWEEN SEPTEMBER 1 AND OCTOBER 31.
    - b. HARBOR WORK WHICH CAN BE CONDUCTED BETWEEN NOVEMBER 1 AND MARCH 31.
    - c. HARBOR WORK WHICH CAN BE CONDUCTED BETWEEN APRIL 1 AND JUNE 30.
    - d. HARBOR WORK WHICH CAN BE CONDUCTED BETWEEN JULY 1 AND SEPTEMBER 30.
  8. THE CONTRACTOR SHALL NOT CONDUCT ANY WORK WHICH CAN BE CONDUCTED BY OTHER CONTRACTORS OR BY THE MARINE COMMUNITY.
  9. THE CONTRACTOR SHALL NOT CONDUCT ANY WORK WHICH CAN BE CONDUCTED BY OTHER CONTRACTORS OR BY THE MARINE COMMUNITY.
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- This document was prepared for the U.S. Army Corps of Engineers, New York District, by Mattix New World Construction Co., Inc., under contract number 14-2-23-2018, for the reconstruction of the Felscemann Pier. It is the property of the U.S. Army Corps of Engineers and is loaned to the contractor for the duration of the project. It is the responsibility of the contractor to return it to the U.S. Army Corps of Engineers upon completion of the project or earlier if requested by the U.S. Army Corps of Engineers.

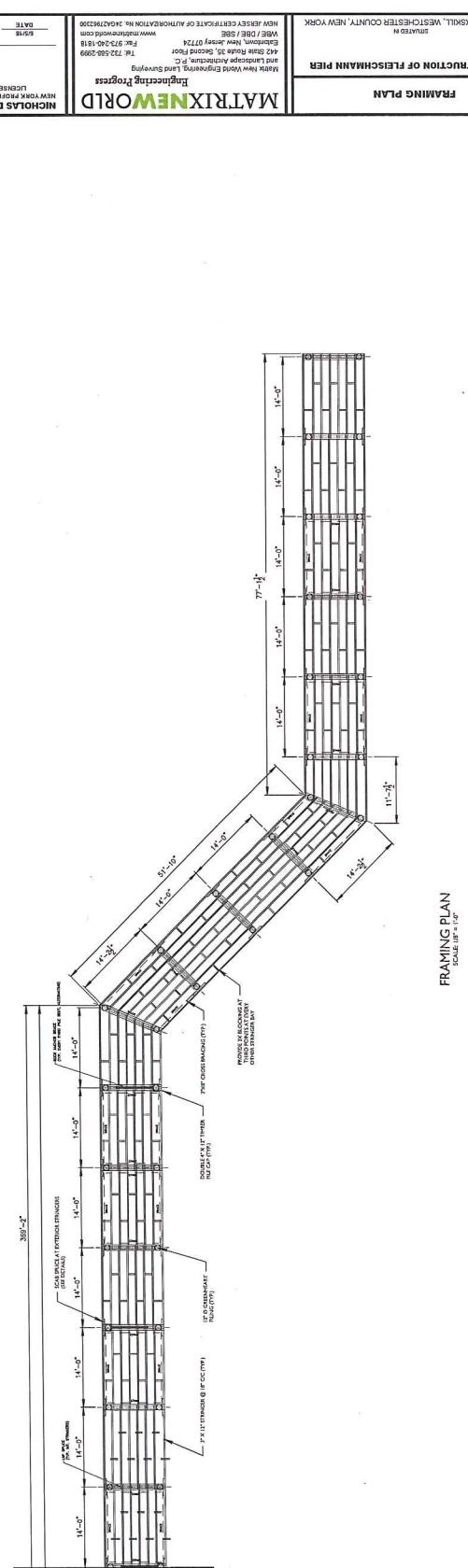
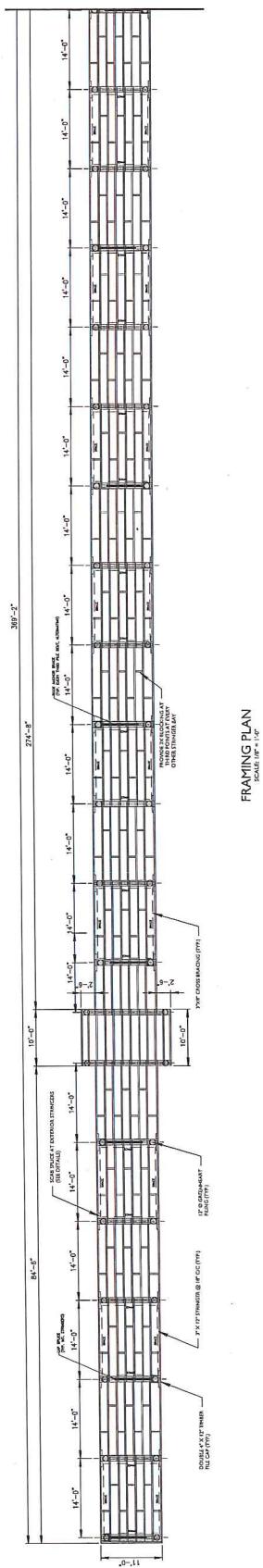


BOTTOM OF PIER TO DCK 1 WIRE 4.5"

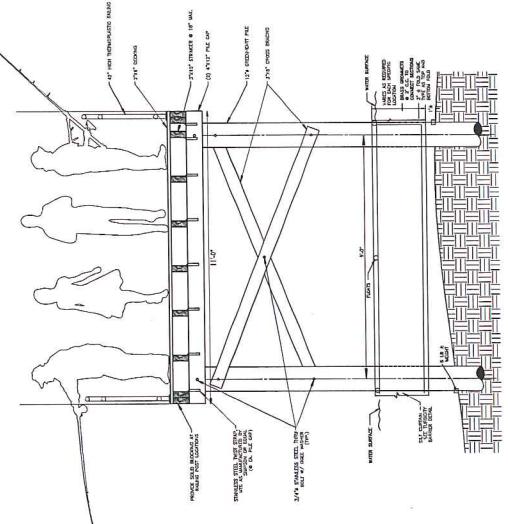
BOTTOM OF PIER TO DCK 2 WIRE 4.5"

BOTTOM OF PIER TO DOCK 1 WIRE 4.5"

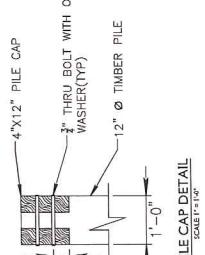




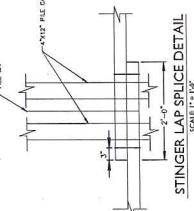




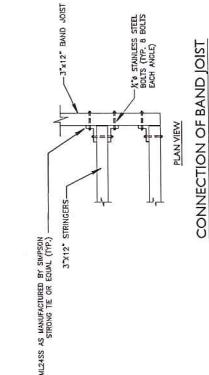
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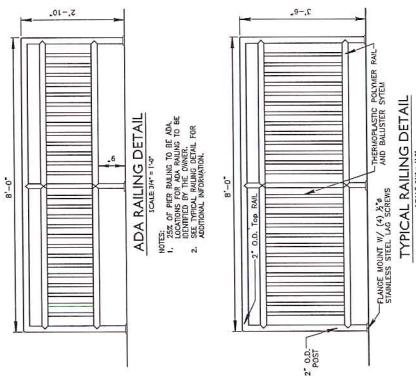
PILE CAP DETAIL  
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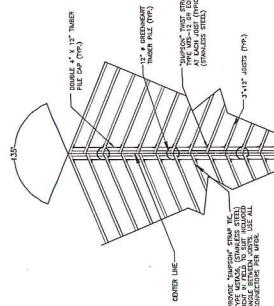
STINGER SCAB SPLICE DETAIL  
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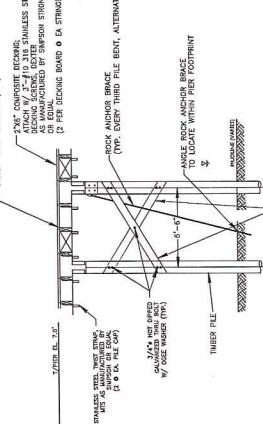
CONNECTION OF BAND JOIST  
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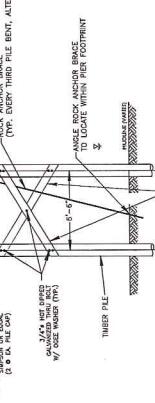
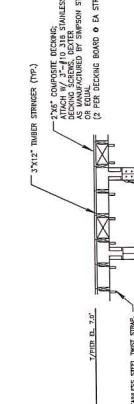
TYPICAL RAILING DETAIL  
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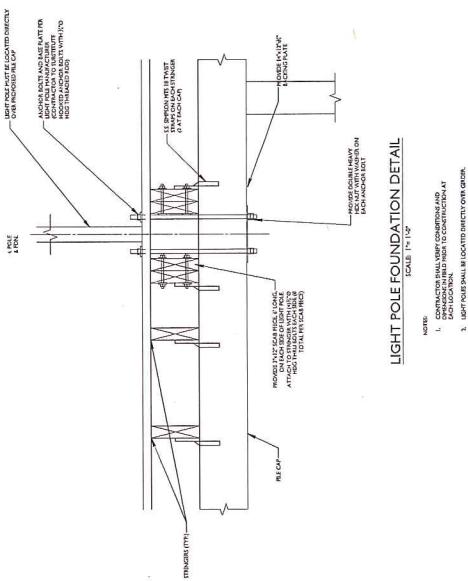
TYPICAL JOIST DETAIL AT RAMP ANGLES  
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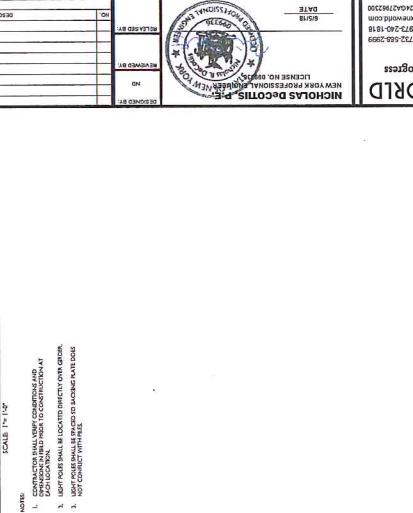
PILE CAP DETAIL  
SCALE 1"=1'-0"



ROCK ANCHOR DETAIL  
SCALE 1"=1'-0"



LIGHT POLE FOUNDATION DETAIL  
SCALE 1"=1'-0"



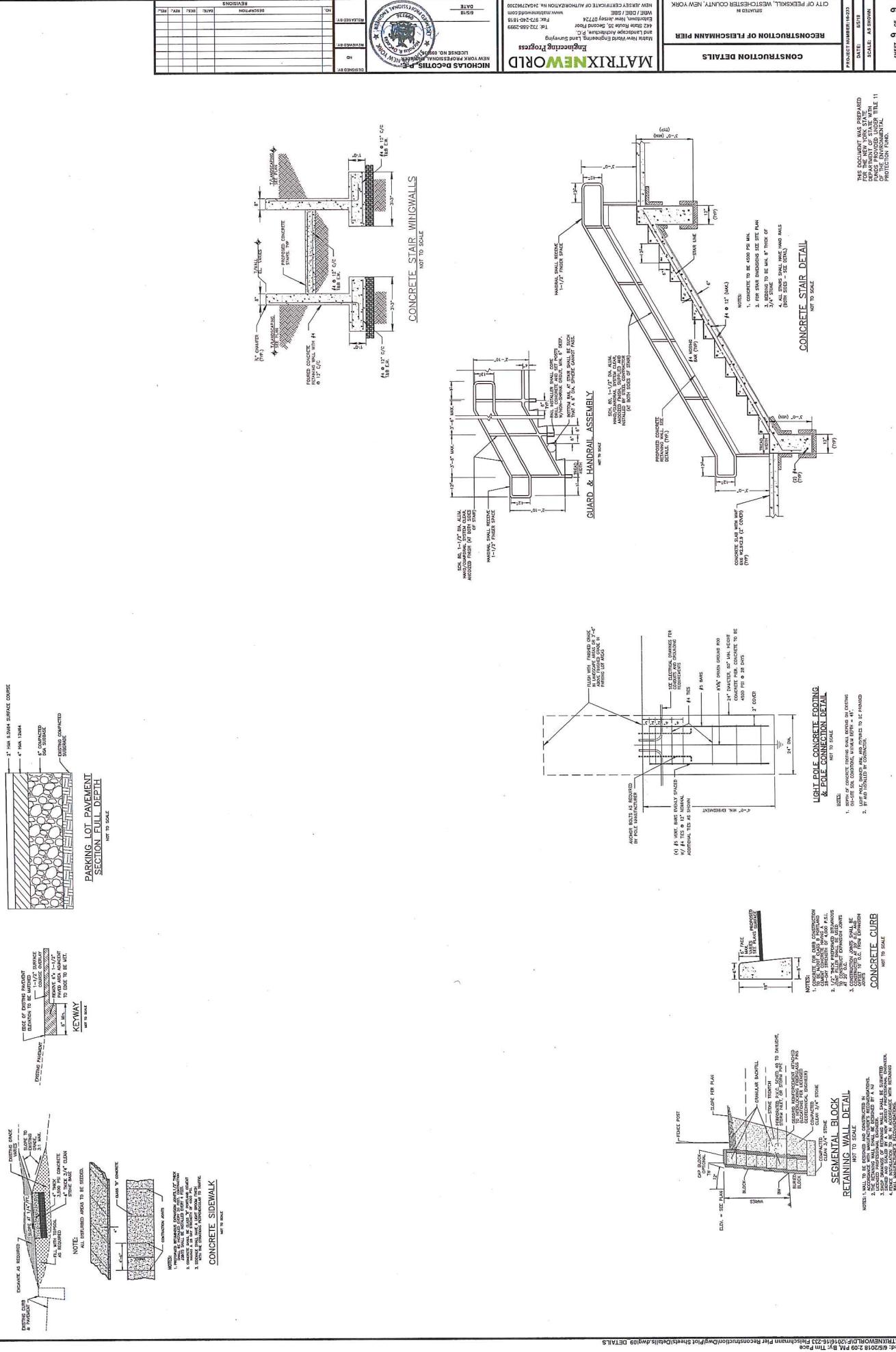
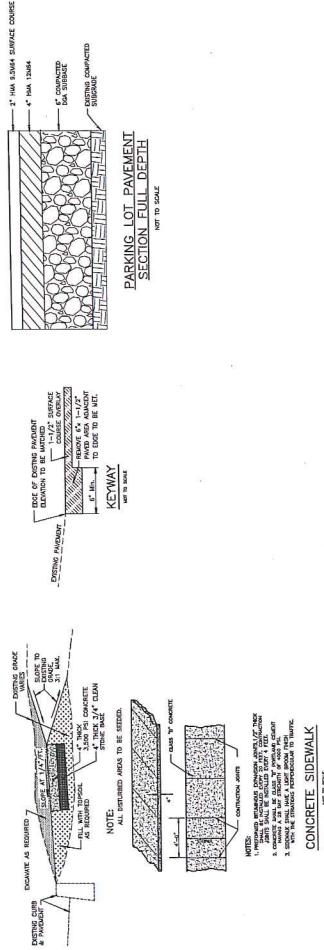
CONSTRUCTION DETAILS  
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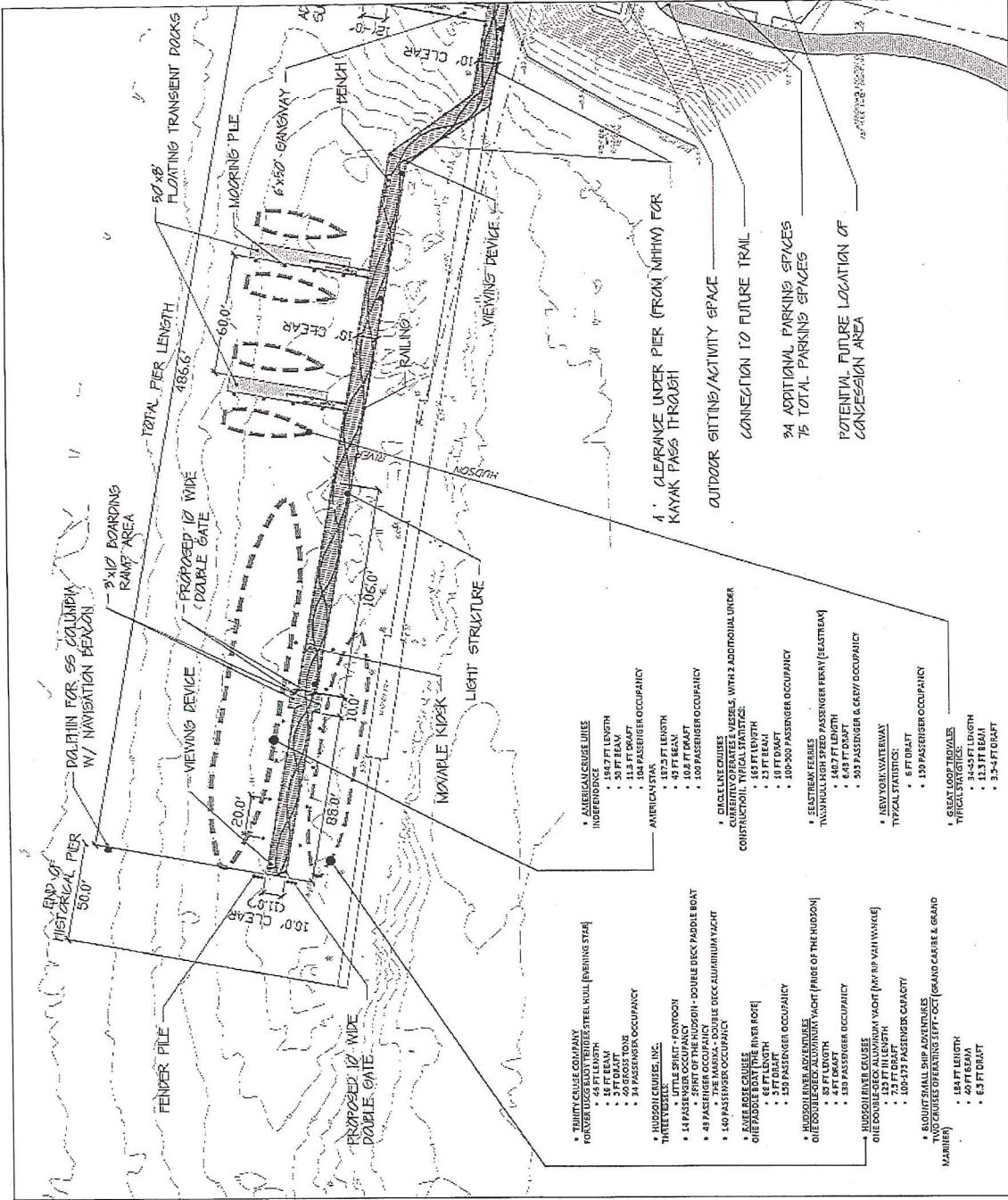
CITY OF PEPSKILL, WESTCHESTER COUNTY, NEW YORK  
MEETINgESTER COUNTY, NEW YORK

THIS DOCUMENT WAS PREPARED  
DEPARTMENT OF STATE FOR THE  
OF THE ENVIRONMENTAL FUND.  
PROJECT NUMBER: 16222  
DATE: 05/18  
SCALE: AS SHOWN  
SHEET 8 of 9

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SHEET 8 of 9

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SCALE: AS SHOWN  
SHEET 8 of 9





List of tour boats that have the potential to make use of the new Fleischmann Pier, and docking locations.