



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-2015-00725**
Issue Date: **May 8, 2018**
Expiration Date: **June 7, 2018**

To Whom It May Concern:

The New York District, Corps of Engineers has received an after-the-fact 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: River House Sleepy Hollow Restaurant
485 West Putnam Avenue
Greenwich, CT 06830

ACTIVITY: Maintain as constructed improvements to an existing wooden pier, including a 44-feet long by 10-feet wide floating dock, a 20-feet long by 8.5-feet wide floating dock, a 30-feet long by 5.5-feet wide gangway extending to the larger floating dock, three timber piles and four steel piles for the purpose of mooring vessels.

WATERWAY: Hudson River

LOCATION: Village of Sleepy Hollow, West Chester 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.

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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 lifestages 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.

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- 8518 and ask for Peter Steinour.

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: Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

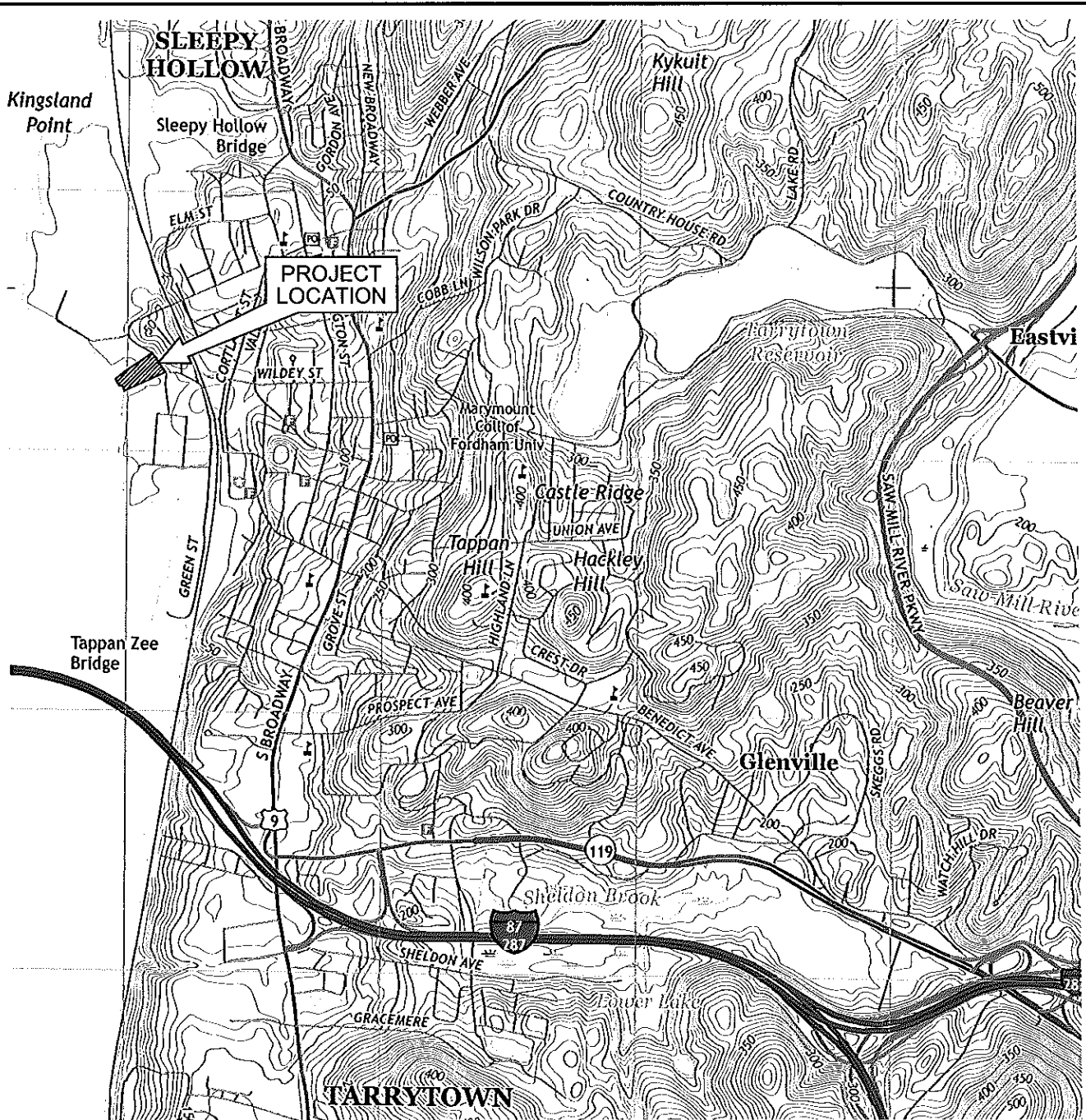
The applicant, River House Sleepy Hollow Restaurant, has requested after-the-fact Department of the Army authorization for improvements to an existing wooden pier on the Hudson River, in the Village of Sleepy Hollow, Westchester County, New York (41.080015°, -73.869447°).

The improvements include the installation of three timber piles, four steel piles, a 44-foot long by 10-foot wide floating dock structure extending from the end of the pier, a 20-foot long by 8.5-foot wide floating dock structure against the northern side of the pier, and a 30-foot long by 5.5-foot wide gangway extending from the end of the existing pier to the larger floating dock. The purpose of the additional dock segments is mooring of vessels.

The applicant has also proposed that the dock serve local and county police, fire and rescue agencies by providing a means of emergency access in and out of the area via the pier and dock structure.

On March 25, 2016, the U.S. Army Corps of Engineers New York District issued letter of permission, NAN-2015-00725, to the River House Sleepy Hollow Restaurant to widen the existing pier from four feet to eight feet for purposes of compliance with the American Disabilities Act. On November 22, 2013, the Corps verified eligibility for authorization by Nationwide Permit #13 for placement of 186 feet of rip rap bank protection on the shoreline adjacent to the pier, also by the River House Sleepy Hollow Restaurant (NAN-2013-00025).

N:\ACAD\8131 SLEEPY HOLLOW\8131 USGS MAP.DWG 04/04/18 03:22:29PM jenny_LAYOUT.FIG-1



13° 8' 234 MILES
0° 47' 14 MILES
UTM GRID AND 2016 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

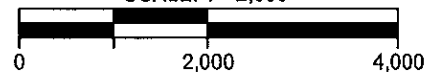


U.S. National Grid
100,000-m Square ID
400
WRJL
Grid Zone Designation
18T

1	2	3	1 Havenraw
			2 Ossining
			3 Mount Kisco
4		5	4 Nyack
			5 Glenville
			6 Yonkers
6	7	8	7 Mount Vernon
			8 Mamaroneck

ADJOINING QUADRANGLES

SCALE: 1"=2,000'



11 RIVER STREET
SLEEPY HOLLOW,
WESTCHESTER COUNTY, NY

PORTION OF USGS WHITE PLAINS
QUADRANGLE MAP

SESI
CONSULTING
ENGINEERS D.P.C.

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

FIG-1

DRAWN BY: yy
CHECKED BY: AC
SCALE: 1" = 2000±
DATE: 01/25/18
JOB NO.: 8131

