



# 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 to:  
Public Notice Number: **NAN-2018-00563**  
Issue Date: September 24, 2018  
Expiration Date: October 24, 2018

To Whom It May Concern:

The New York District, Corps of Engineers has received a modification request 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: Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

ACTIVITY: The applicant proposes construction of a 93 foot single span pedestrian bridge and reconstruction of approximately 1,600 feet of structurally deficient bulkhead.

WATERWAY: Byram River

LOCATION: Village of Port Chester, New York (40.999705°, -73.660348°)

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. Additional information will be sent to the National Marine Fisheries Service to support this determination.

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. 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

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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

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**WORK DESCRIPTION**

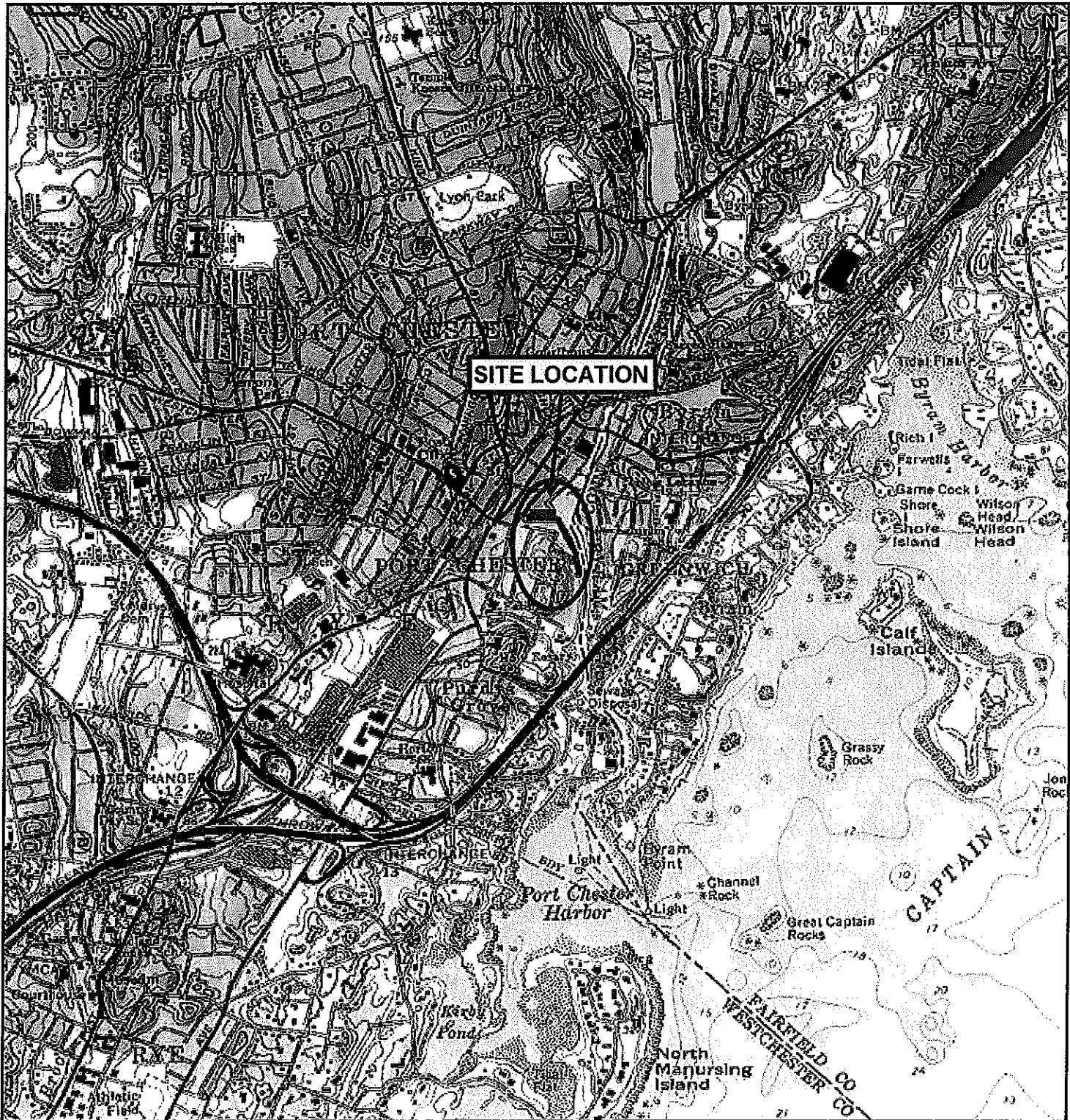
The Village of Port Chester proposes construction of a 93 feet long by 12 feet wide single span prefabricated steel pedestrian bridge over the mouth of an inlet on the Byram River in the Village of Port Chester, Westchester County, New York (41.000523°, -73.661032°) and reconstruction of approximately 1,600 feet of structurally deficient and collapsed bulkhead on the Byram River (see enclosed drawings).

The southern portion of the repair involves the construction of a cast in-place retaining wall, which will act as the new bulkhead while supporting a cantilevered 675 feet long by 12 feet wide steel beam deck. The deck will consist of a timber "boardwalk" walking surface with a decorative railing for fall protection. The design includes a proposed rip rap revetment located waterward of the concrete retaining wall to protect the wall from wave action and prevent scour at the concrete footings. A total of 1,056 cubic yards of rip rap will be placed below the Spring High Tide Line along 656 feet of shoreline. The waterward limit of the rip rap revetment will terminate at the existing bulkhead (to be removed) to minimize additional disturbances to the Byram River. The use of a cantilevered deck allows the watercourse to extend further landward along the western bank and occupy space below the walking surface that was previously filled.

Between Stations 6+75 and 16+00, new sheeting will be installed immediately waterward of the existing sheet pile bulkhead to reinforce the water's edge and prevent potential collapse. The proposed sheet pile wall will contain a concrete cap and decorative railing with a paver block walking surface. The work will be located with 18 inches of the existing bulkhead limit. No backfill will be placed behind the new sheeting at these stations.

The bulkhead repair work will all occur behind a temporary cofferdam. The maximum dewatered area at any time will be 1,400 square feet. No piles will be driven for cofferdam installation.

Corps permits NAN-2010-01082, NAN-2012-00566 and NAN-2013-01619 were previously issued for bulkhead repairs at this location but this work was never accomplished.



SOURCE:  
U.S.G.S. QUADRANGLE MAP

# RESTORATION OF THE BYRAM RIVER BULKHEAD VILLAGE OF PORT CHESTER

## WESTCHESTER COUNTY

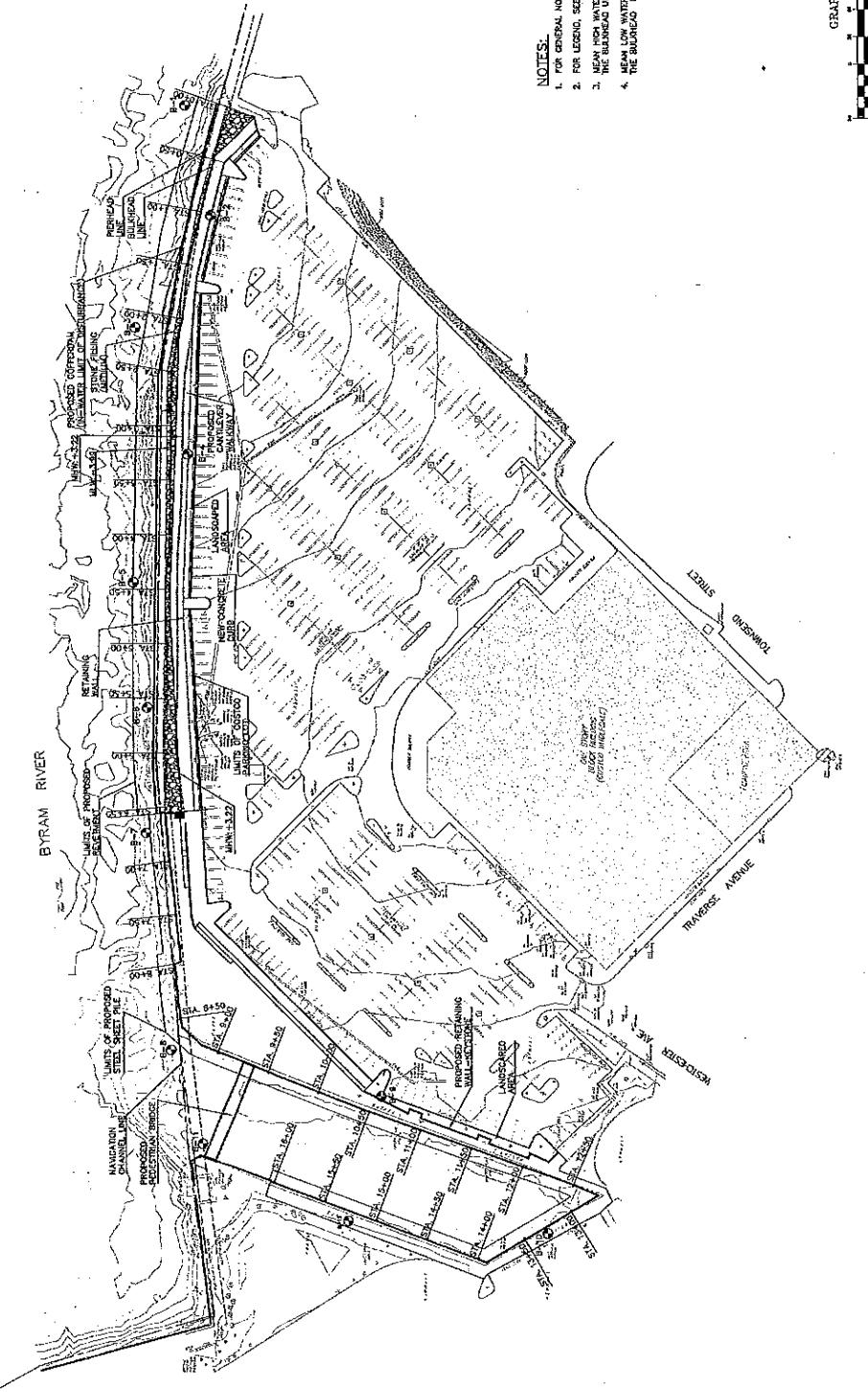
NEW JERSEY

## BOSWELL ENGINEERING

330 PHILLIPS AVE., SOUTH HACKENSACK, N.J. 07606

DR. BY: JMW  
CKD. BY: FJR





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1. FOR GENERAL NOTES, SEE SHEET 2.
  2. FOR LEGEND, SEE SHEET 2.
  3. NEAR HIGH WATER ELEVATION IS 3.60'. IT IS LOCATED AT THE BULKHEAD UNLESS OTHERWISE SHOWN.
  4. NEAR LOW WATER ELEVATION IS -3.00'. IT IS LOCATED AT THE BULKHEAD UNLESS OTHERWISE SHOWN.

GRAPHIC SCALE

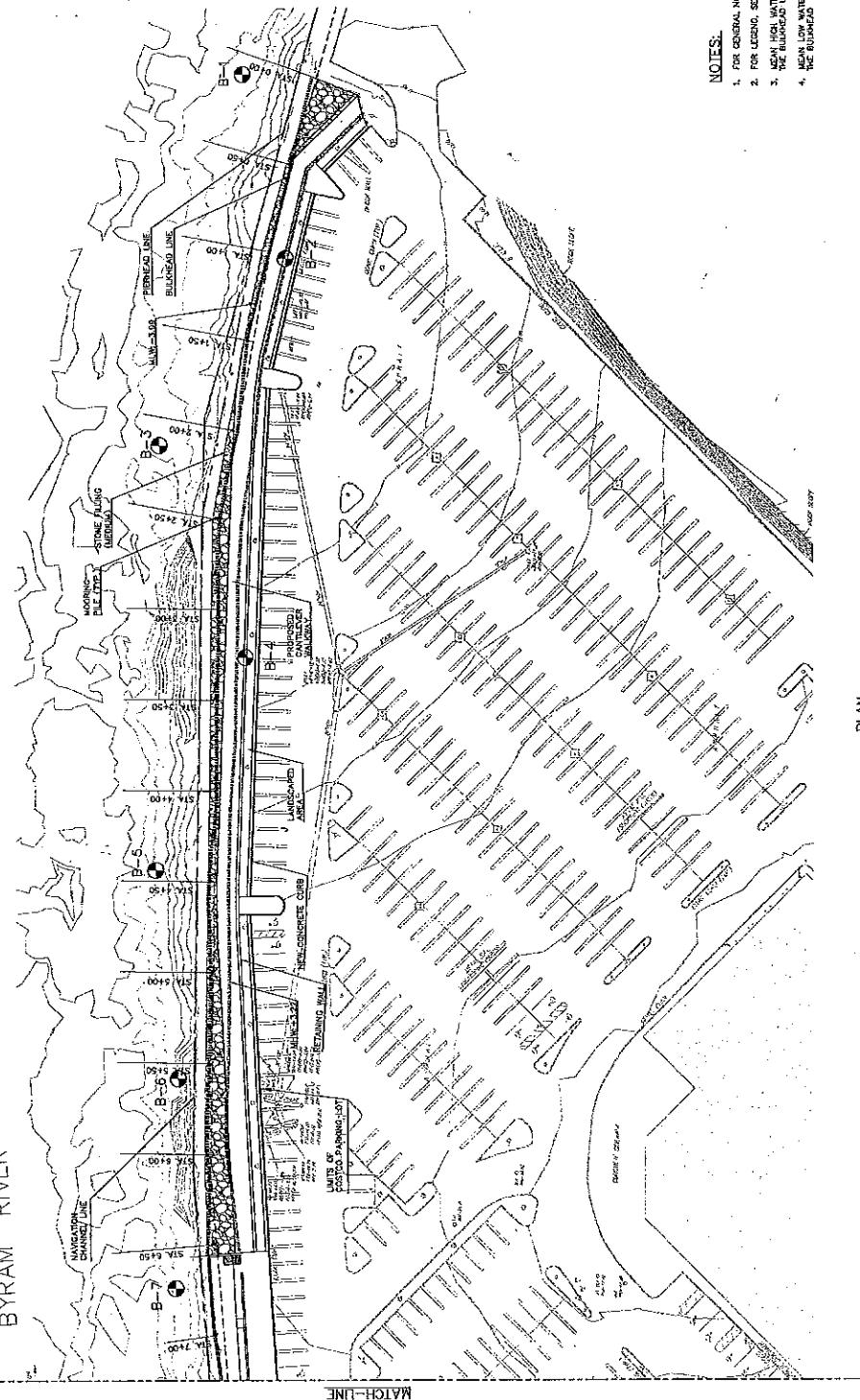


STEPHEN T. BOSWELL	JOHN R. VALENTIN
 <hr/>	
<small>PROFESSIONAL ENGINEER N.Y. LIC. #707010</small> <small>PROFESSIONAL ENGINEER N.Y. LIC. #707010</small>	

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**BOSWELL ENGINEERING**  
 ENGINEERS - SURVEYORS - PLANNERS  
 TRADITION & INNOVATION SINCE 1919

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#### **HIC SCALE**

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- NOTES:**

  1. FOR GENERAL NOTES, SEE SHEET 2.
  2. FOR LEGEND, SEE SHEET 2.
  3. MEAN HIGH WATER ELEVATION IS 3'2" ABOVE THE BULKHEAD UNLESS OTHERWISE SPECIFIED.
  4. MEAN LOW WATER ELEVATION IS 1'11" ABOVE THE BULKHEAD.

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<b>BOSWELL ENGINEERING</b>		PROFESSIONAL ENGINEER N.Y. LIC. 067982	
ENGINEERS - SURVEYORS - PLANNERS - SCIENTISTS		PROFESSIONAL ENGINEER N.Y. LIC. 067982	
350 PHILLIPS AVENUE, SOUTH HACKENSACK, N.J. 07056 TEL: (201) 641-0729 FAX: (201) 641-1331			
<b>REPAIR OF COLLAPSED BULGEAD SECTION ALONG BYRAM RIVER PARTIAL PLAN-1 VILLAGE OF PORT CHESTER</b>			
STEPHEN T. BOSWELL		JOHN R. VALENTIN	
		WESTCHESTER COUNTY, NEW YORK	
		Scale 1 in. = 100 ft. 1 in. = 100 ft.	Scale 1 in. = 100 ft. 1 in. = 100 ft.
		Date 12-15-1992	
		Drawing No. 15-110-112	
		Page 26 of 26	



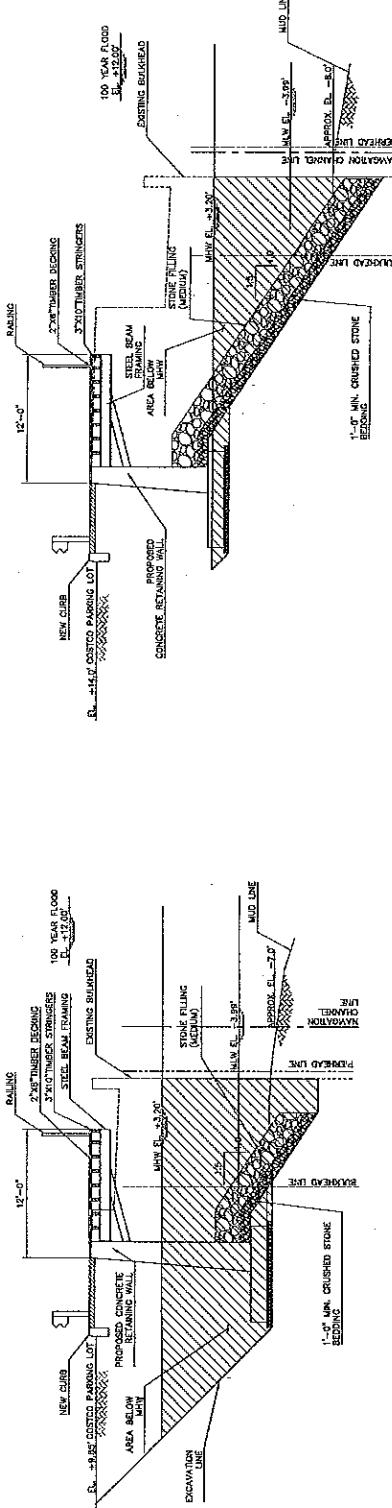
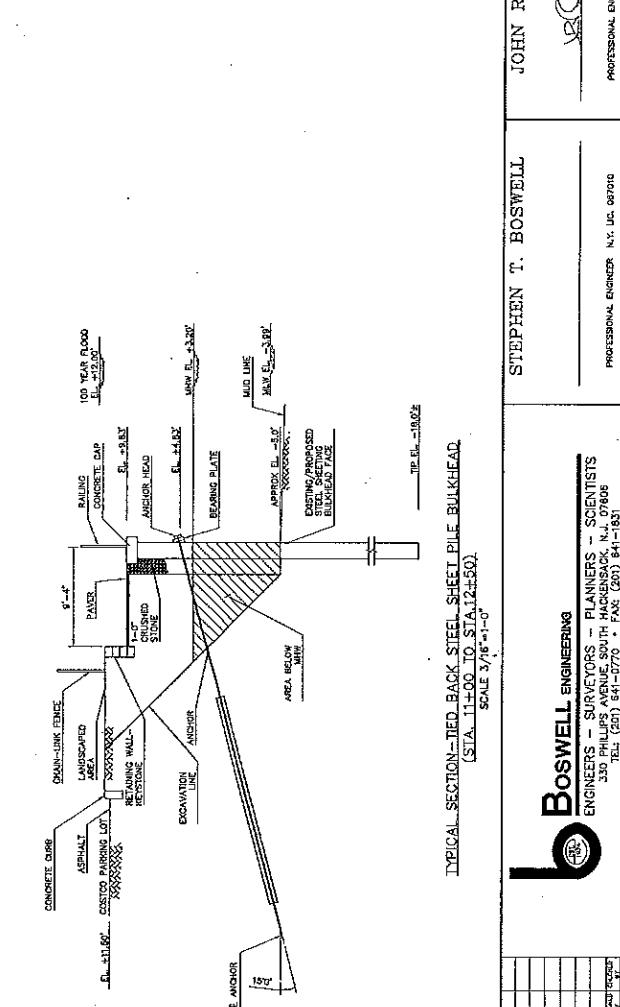




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## NOTES:

1. FOR GENERAL NOTES SEE SHEET 1.

TYPICAL SECTION - STEEL FRAMED CANTILEVER WALKWAY  
(STA. 1+40)  
SCALE 3/16"=1'-0"TYPICAL SECTION - STEEL FRAMED CANTILEVER  
(STA. 6-50)  
SCALE 3/16"=1'-0"

SIMPLIFIED PLAN

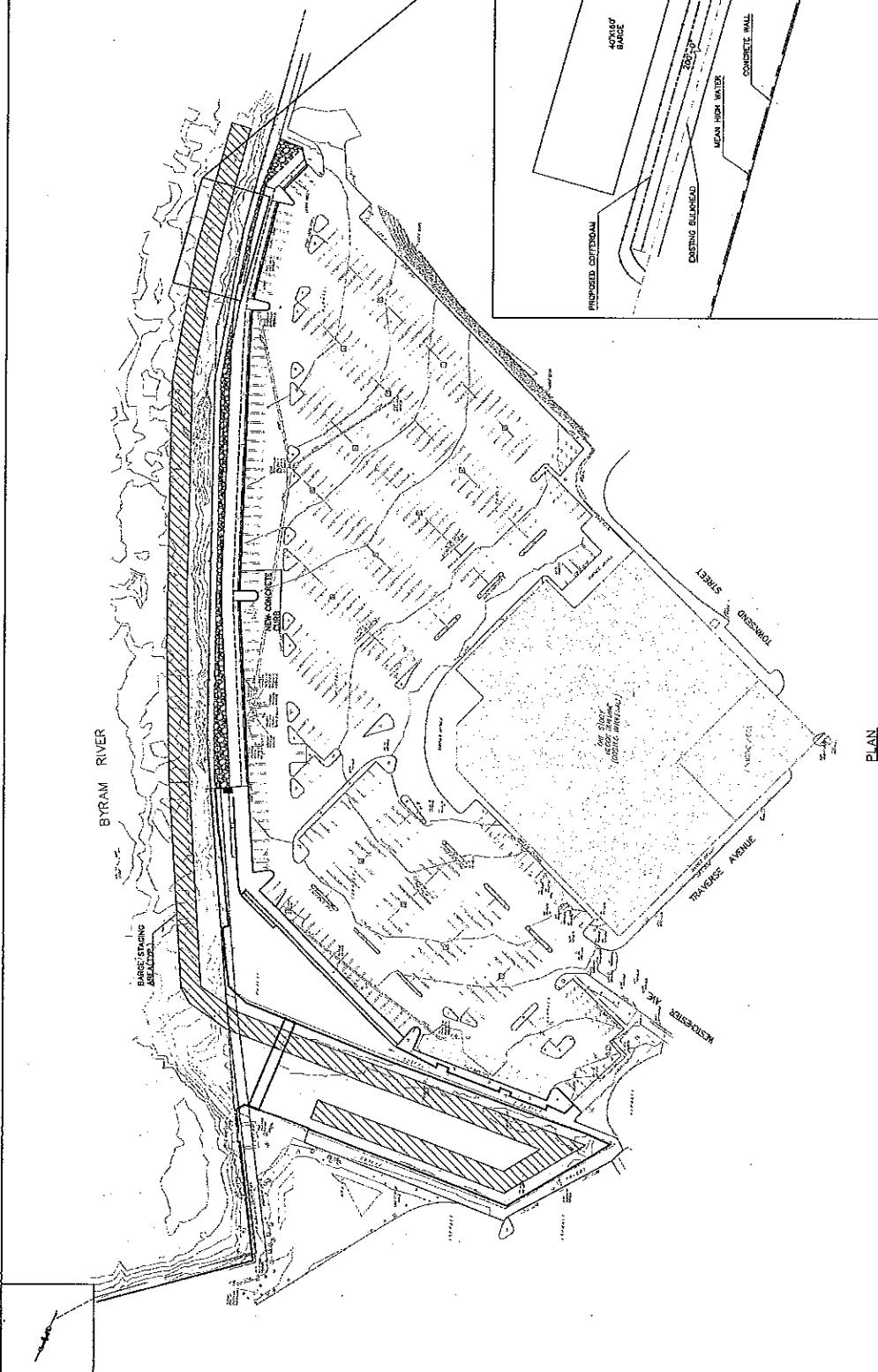
SIMPLIFIED PLAN		REPAIR OF COLLAPSED BULKHEAD SECTION ALONG BYRAM RIVER TYPICAL SECTIONS VILLAGE OF PORT CHESTER WESTCHESTER COUNTY	
STEPHEN T. BOSWELL	JOHN R. VALENTIN	PROFESSIONAL ENGINEER N.Y. U.C. 075922	PROFESSIONAL ENGINEER N.Y. U.C. 075922
BOSWELL ENGINEERING ENGINEERS - SURVEYORS - PLANNERS - SCIENTISTS 233 PHILIPS AVENUE SOUTH HICKENSICK, N.Y. TEL. (201) 541-0770 • FAX (201) 541-1831 NO. DATE DESCRIPTION REF. NO. 2018-00563 REV. NO. 00	R.C.	SCAL. 1/4"=1'-0" DRAWN BY CHECKED BY APR 15 1992 SHEET NO. 26 SHEET NO. 15-192	SCAL. 1/4"=1'-0" DRAWN BY CHECKED BY APR 15 1992 SHEET NO. 26 SHEET NO. 15-192

## NOTES.



BYRAM RIVER

BYRAM RIVER



TYPICAL IN-WATER CONSTRUCTION CONFIGURATION

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ENGINEERS - SURVEYORS - PLANNERS - SCIENTISTS		PROFESSIONAL ENGINEER, N.Y. LIC. #07922	
330 BROADWAY, NEW YORK, N.Y. 10013		PROFESSIONAL ENGINEER, N.Y. LIC. #07922	
TELE: 235-1818, FAX: 235-1818		TELE: 235-1818, FAX: 235-1818	
E-mail: <a href="mailto:info@boswell.com">info@boswell.com</a>		E-mail: <a href="mailto:info@boswell.com">info@boswell.com</a>	
<b>STEPHEN T. BOSWELL</b>		<b>JOHN R. VALENTIN</b>	
<b>BARGE STAGING PLAN</b> VILLAGE OF PORT CHESTER WESTCHESTER COUNTY		<b>REPAIR OF COLLAPSED BULKHEAD SECTION ALONG BYRAM RIVER</b>	