

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-2018-00024-WOR
Issue Date: February 19, 2019
Expiration Date: March 21, 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: John and Ann Marvin
P.O. Box 115
Malden-on-Hudson, New York 12453

ACTIVITY: The installation of a floating pier assembly, on a seasonal basis.

WATERWAY: Hudson River

LOCATION: Town of Saugerties, Ulster 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.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2018-00024-WOR

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 adversely 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, prehistoric, 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. The New York State Department of Environmental Conservation issued Permit Number 3-5148-00247/6, which includes a water quality certificate in accordance with Section 401 of the Clean Water Act.

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

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2018-00024-WOR

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) 790-8413 and ask for Brian A. Orzel.

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

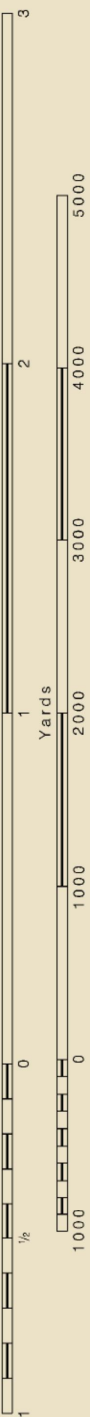
The applicants, John and Ann Marvin, have requested Department of the Army authorization for the installation of a floating pier assembly in the Hudson River, Town of Saugerties, Ulster County, New York.

The floating pier assembly would consist of one main float section, approximately 30-feet-long by 8-feet-wide, connected to the shore by a gangway 40-feet-long by 4-feet-wide and a 4-foot by 4-foot poured concrete anchor block. In addition, two 4-foot by 4-foot pre-cast cement anchor blocks would be placed on the river bottom and chained to the pier assembly for stability. The entire floating pier assembly would extend a total of approximately 66 feet waterward of the Mean High Water line.

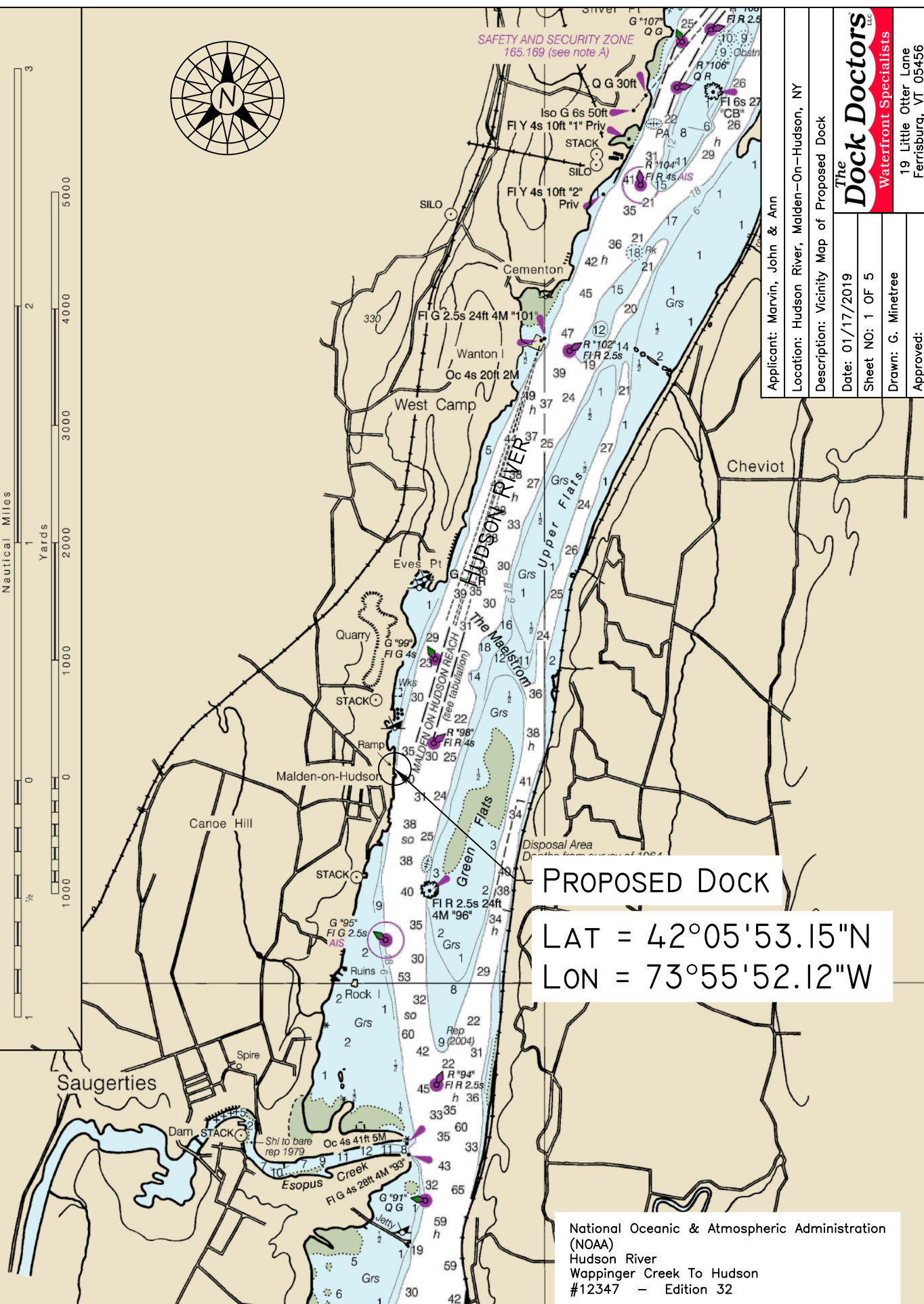
Watertight forms would be used for the installation of the aforementioned 4-foot by 4-foot poured concrete anchor block, which would be located just below the Spring High Tide line of the Hudson River.

The stated purpose of this project is to provide recreational access to the river for one existing home.

SCALE 1:40,000
Nautical Miles



SAFETY AND SECURITY ZONE
165.169 (see note A)



PROPOSED DOCK

LAT = 42°05'53.15"N
LON = 73°55'52.12"W

National Oceanic & Atmospheric Administration
(NOAA)
Hudson River
Wappinger Creek To Hudson
#12347 - Edition 32

Applicant: Marvin, John & Ann

Location: Hudson River, Malden-on-Hudson, NY

Description: Vicinity Map of Proposed Dock

Date: 01/17/2019

Sheet NO: 1 OF 5

Drawn: G. Minetree

Approved:

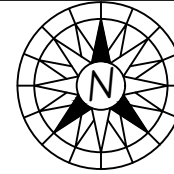
The
Dock Doctors
LLC

Waterfront Specialists

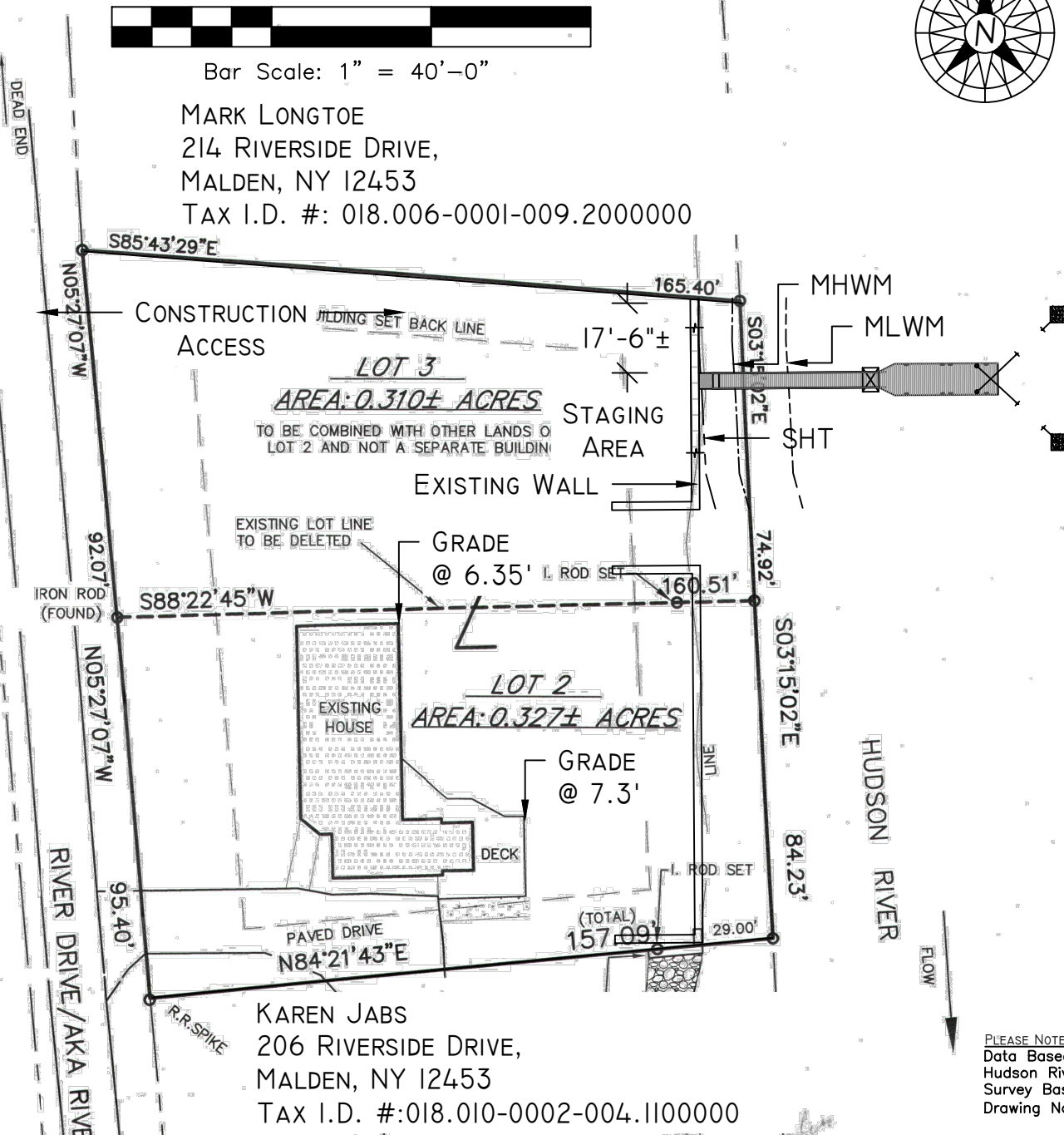
19 Little Otter Lane
Ferrisburg, VT 05456



Bar Scale: 1" = 40'-0"



MARK LONGTOE
214 RIVERSIDE DRIVE,
MALDEN, NY 12453
TAX I.D. #: 018.006-0001-009.2000000



Applicant: Marvin

Location: Malden-On-Hudson, NY - Hudson River

Description: Overview

Date: 01/17/2019

Sheet NO: 2 OF 5

Drawn: G. Minetree

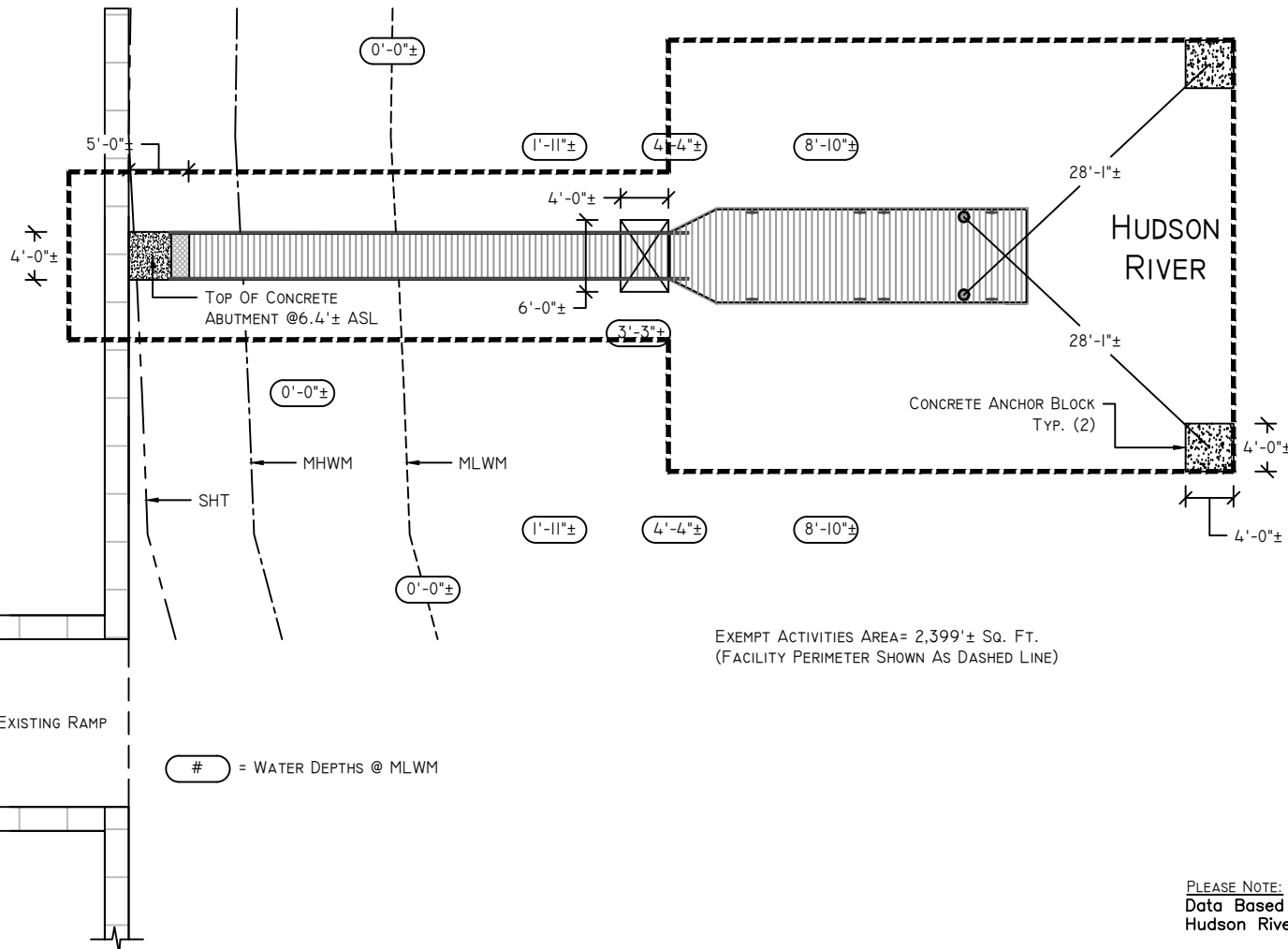
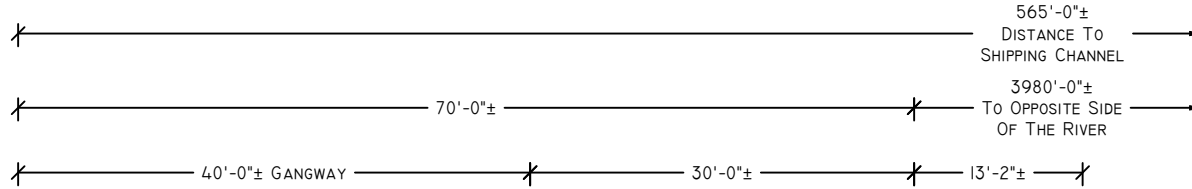
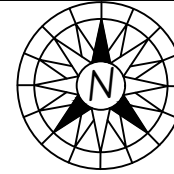
Approved:

The Dock Doctors LLC
Waterfront Specialists
19 Little Otter Lane
Ferrisburg, VT 05456

PLEASE NOTE:
Data Based On Information Provided By Catskill,
Hudson River, New York Tide Chart Station
Survey Based off Praetorius And Conrad, P.C.
Drawing November 3, 2017 Project #: S07-078



Bar Scale: 1" = 15'-0"



Applicant: Marvin, John & Ann

Location: Hudson River, Malden-On-Hudson, NY

Description: Proposed Floating Dock Plan

Date: 01/17/2019

Sheet NO: 3 OF 5

Drawn: G. Minetree

Approved:

The Dock Doctors LLC
Waterfront Specialists
19 Little Otter Lane
Ferrisburg, VT 05456

PLEASE NOTE:

Data Based On Information Provided By Catskill, Hudson River, New York Tide Chart Station



Bar Scale: 1" = 15'-0"

1. EXISTING RIP RAP STONE WILL BE REMOVED IN ORDER TO INSTALL FORM MATERIAL FOR NEW CONCRETE ABUTMENT. CONCRETE WILL BE POURED AT LOW TIDE.
2. UPLAND WORK IS ONLY THE INSTALLATION OF THE CONCRETE ABUTMENT FOR A TOTAL OF 20 SQ FT. IN WATER WORK IS ONLY THE INSTALLATION OF TWO CONCRETE ANCHOR BLOCKS FOR A TOTAL OF 32 SQ FT
3. SILT FENCE WILL BE INSTALLED AROUND THE WORK AREA WHERE THE CONCRETE ABUTMENT WORK WILL BE COMPLETED.

Applicant: Marvin, John & Ann

Location: Hudson River, Malden-On-Hudson, NY

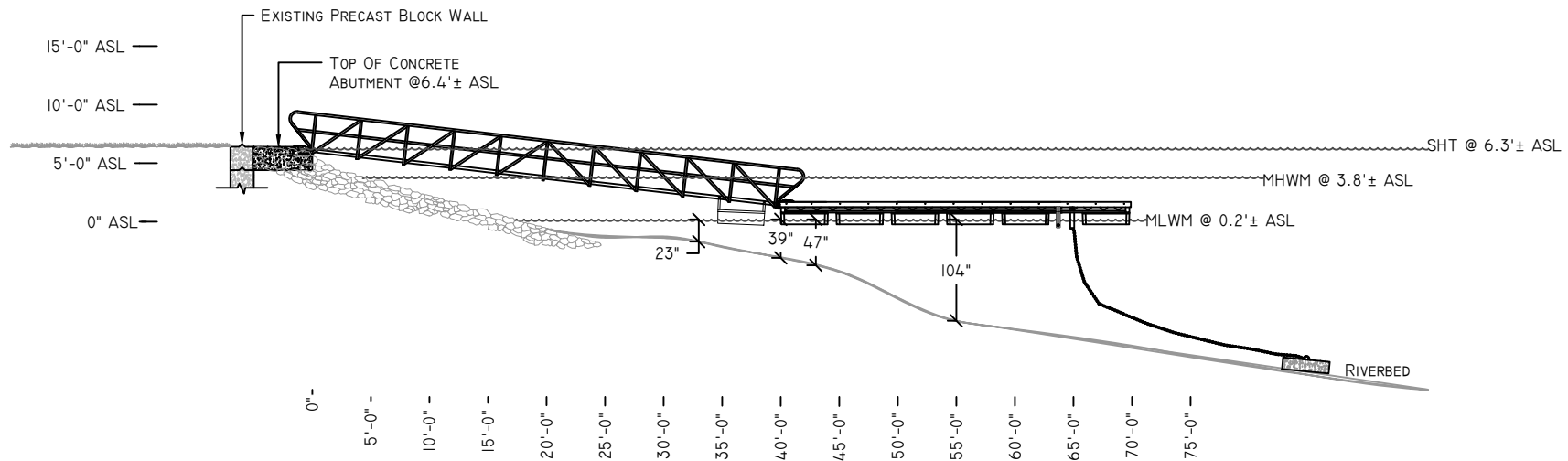
Description: Proposed Floating Dock Side Elevation

Date: 01/17/2019

Sheet NO: 4 OF 5

Drawn: G. Minetree

Approved:



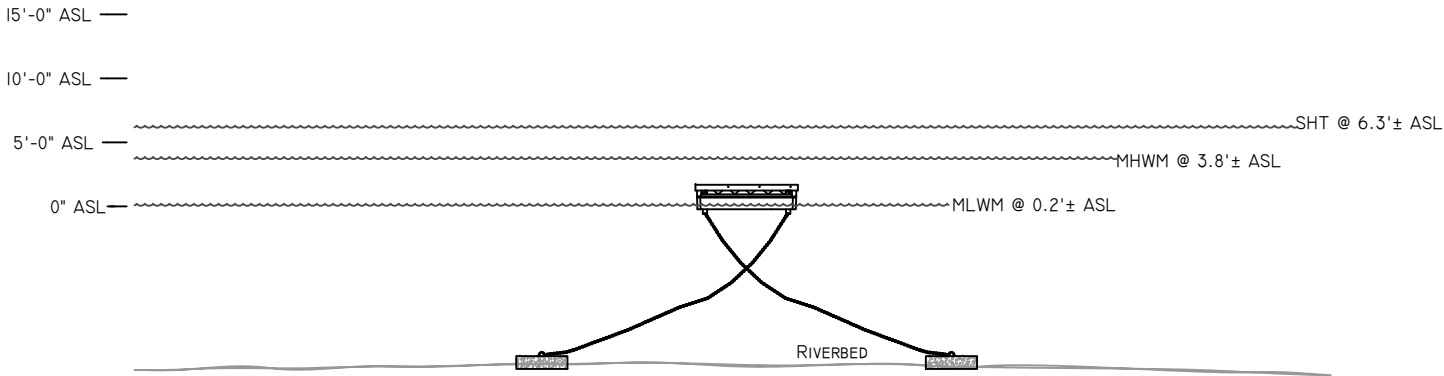
DOCK SIDE ELEVATION

PLEASE NOTE:
Data Based On Information Provided By Catskill,
Hudson River, New York Tide Chart Station



Bar Scale: 1" = 15'-0"

Applicant: Marvin, John & Ann	
Location: Hudson River, Malden-On-Hudson, NY	
Description: Proposed Floating Dock Side Elevation	
Date: 01/17/2019	<div><div>The Dock Doctors LLC</div><div>Waterfront Specialists</div><div>19 Little Otter Lane Ferrisburg, VT 05456</div></div>
Sheet NO: 5 OF 5	
Drawn: G. Minetree	
Approved:	



DOCK FRONT ELEVATION

PLEASE NOTE:
Data Based On Information Provided By Catskill,
Hudson River, New York Tide Chart Station