



# 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-2019-01032-WNE  
Issue Date: November 1, 2019  
Expiration Date: December 1, 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: Karry Choy  
4627 157<sup>th</sup> Street  
Flushing, NY 11355

ACTIVITY: Replacement of an existing concrete crib shoreline with a stone revetment and installation of a new floating pier structure.

WATERWAY: Hudson River (Quassaic Creek-Hudson River Watershed)

LOCATION: Town of Garrison, Putnam 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

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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 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 Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99

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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) 790-8417 and ask for Brendan Newell.

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  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Karry Choy, has requested Department of the Army authorization for replacement of 50 linear feet of shoreline stabilization and the installation of a new floating pier structure in the Hudson River, Town of Garrison, Putnam County, New York.

The work would involve: The removal, including dredging, of approximately 125 cubic yards of existing concrete crib wall and associated fill from an approximately 0.012 acre area below the Spring High Tide Line (SHT), the discharge of fill material into 0.01 acres below the SHT for a new stone revetment, and the installation of a new 4-foot-wide by 25-foot-long gangway connected to a new 20-foot-wide by 8-foot-long floating pier. All removed and dredged material will be disposed of in an offsite upland location. The removal of the crib wall, revetment installation, and grading work will occur from land.

The new stone revetment would not extend waterward of the existing crib wall and would be comprised of geotextile fabric, 275 cubic yards of filter stone and armor stone, 5 cubic yards of concrete for a gangway foundation, and 5 cubic yards of concrete for stairs, for a total of 250 cubic yards of fill discharged below SHT.

The proposed gangway and float will extend approximately 27 feet waterward of the Mean High Water Line (MHW) and cover 200 square feet (0.005 acres) below MHW. The float will be held in place by four anchors that cover a total of eight square feet of the river bottom and will be constructed so there is a minimum of 2.5 feet of clearance from the river bottom at Mean Low Water. An approximately 25-foot long work vessel and 70-foot long work barge will be used to install the pier structure. The pier structure will be seasonal with annual removal and reinstallation.

This waterward edge of the project is approximately 65 feet east of the authorized Federal navigation channel in the Hudson River.

The stated purpose of this project is to replace a failing shoreline stabilization structure and allow safe, private access to the Hudson River for recreational use, including mooring of an approximately 25-foot-long vessel.

# KARRY CHOY PROPOSED WATERFRONT IMPROVEMENTS

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	SITE PLAN
4	PROPOSED PARTIAL PLAN
5	EXISTING AND PROPOSED SECTIONS A-A
6	EXISTING AND PROPOSED SECTIONS B-B
7	PROPOSED SECTION C-C
8	PROPOSED SECTION D-D

### GENERAL NOTES

1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM PEEKSKILL QUADRANGLE NEW YORK, 7.5 MINUTE SERIES, PEEKSKILL, NY 2016.
3. ELEVATIONS REFERENCE NAVD88, UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "SURVEY OF PROPERTY", PREPARED FOR KARRY NGAILEI CHOI, BY STEVEN P. DRABICK P.L.S, PC, DATED 1/15/2019.
5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, P.C. ON 04/10/2019 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
6. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR BEACON, HUDSON RIVER, NY 8518934 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.

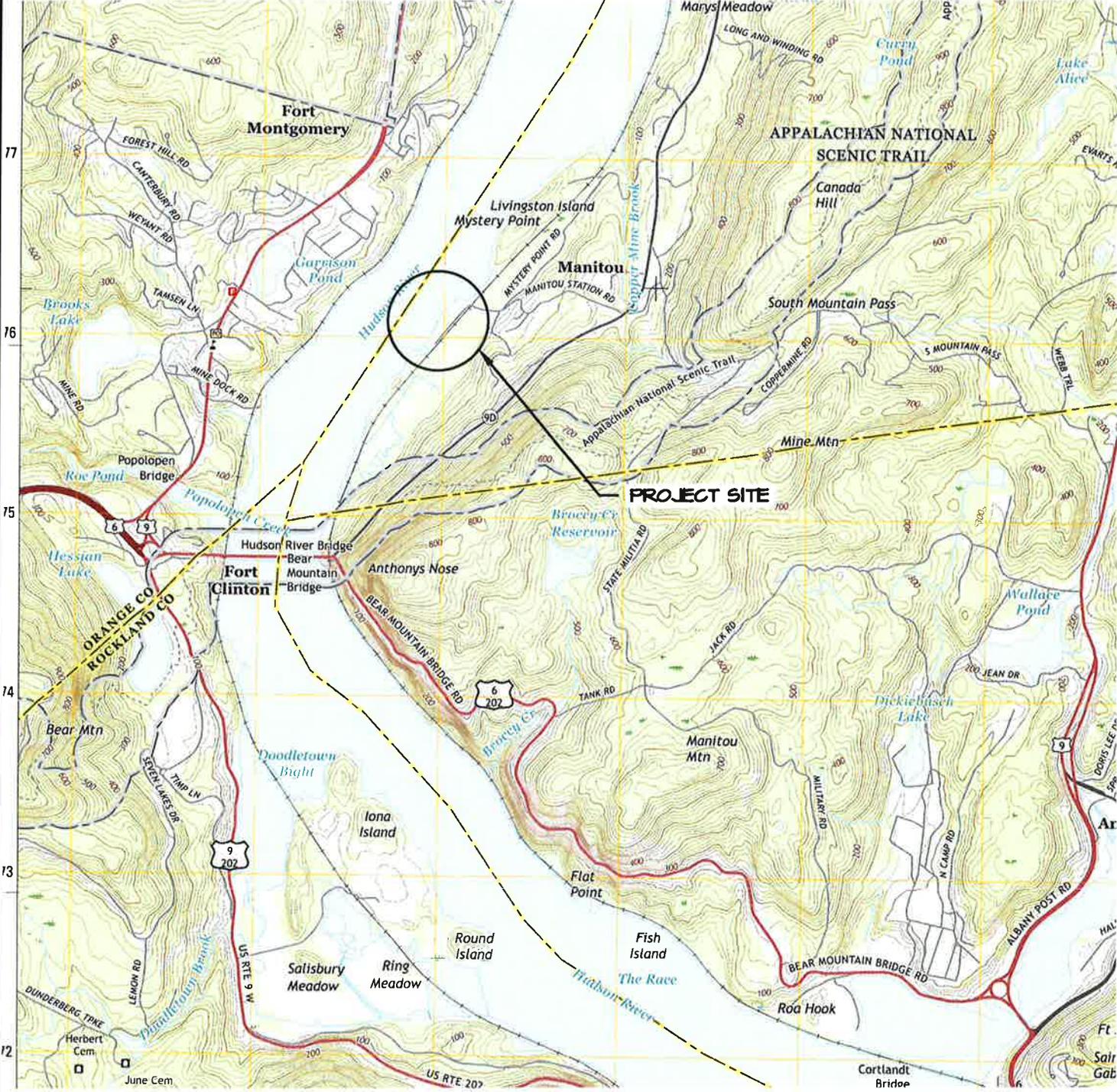
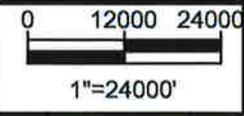
PROJECT TIDAL ELEVATIONS:			
DATUM	NAVD 88 (FT)	NGVD 29 (FT)	MLW (FT)
SPRING HIGH TIDE (SHT)	+2.88'	+3.96'	+4.51'
MEAN HIGHER HIGH WATER (MHHW)	+2.0	+3.1	+3.67
MEAN HIGH WATER (MHW)	+1.7	+2.8	+3.32
NAVD 88	0.0	+1.1	+1.85
NGVD 29	-1.10	0.0	+0.54
MEAN LOW WATER (MLW)	-1.45	-0.35	0.0

 <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	Prepared For:	SEAL:	Date:	Rev.: 1
	Project:	<div style="text-align: center;">  </div>	7-25-2019	9/4/2019
	<div style="text-align: center;"> <b>KARRY CHOY</b>            12 HUDSON RIVER LANE            GARRISON, NY 10524         </div>		Drawn By:	Checked By:
	<div style="text-align: center;"> <b>PROPOSED WATERFRONT IMPROVEMENTS</b>            12 HUDSON RIVER LANE            GARRISON, NY 10524         </div>		CBK	CGE
			Datum:	Scale:
			NAVD88	N/A
			Project No.:	Drawing No.:
			2019020	1 of 8

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VICINITY MAP

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Project:  
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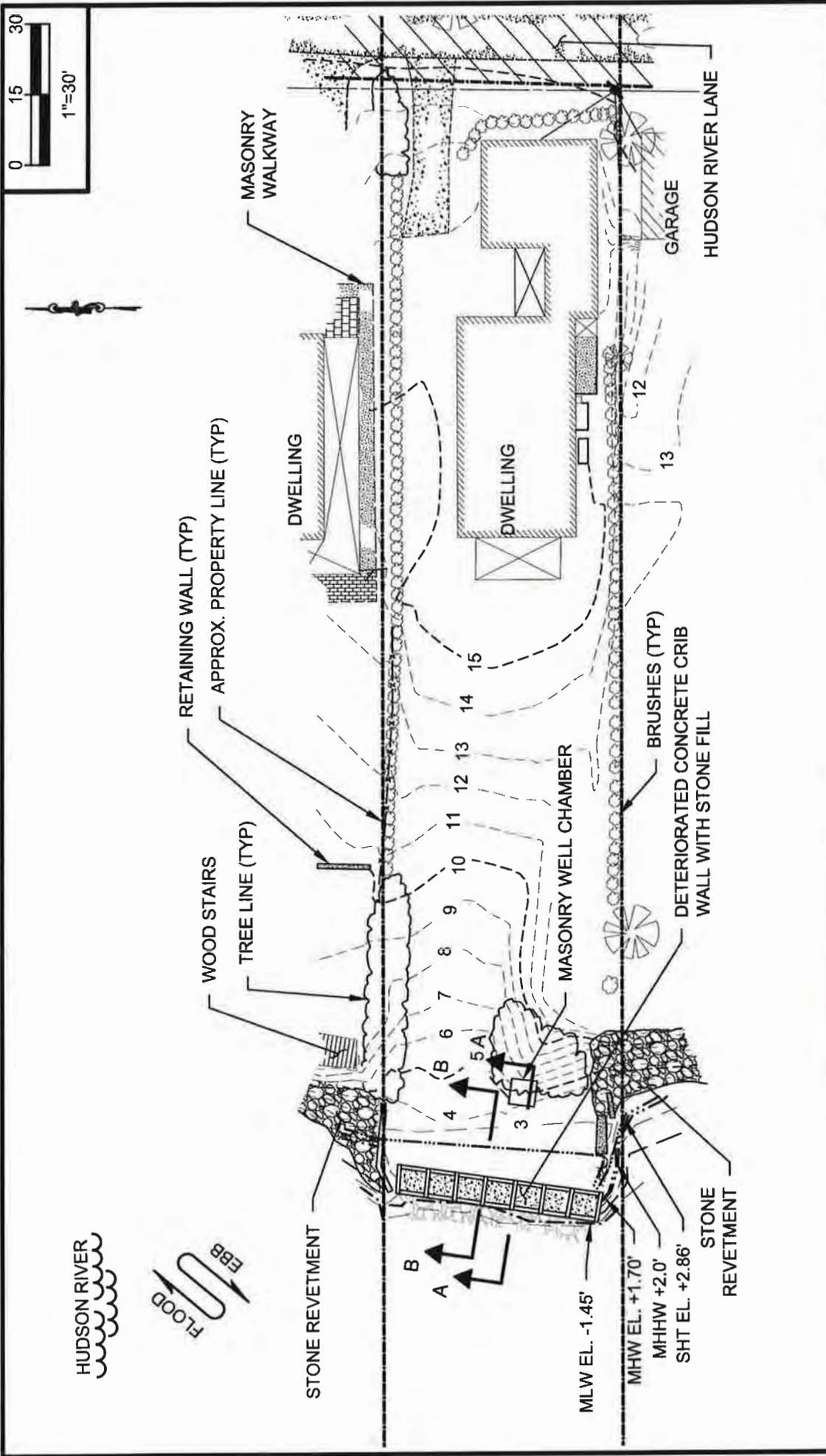
STATE OF NEW YORK  
AZURA DEE SLEICHER  
090426  
PROFESSIONAL ENGINEER

Date:	Rev.: 1
7-25-2019	9/4/2019
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CBK	CGE
Datum:	Scale:
NAVD88	1"=24000'-0"
Project No.:	Drawing No.:
2019020	2 of 8

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**EXISTING SITE PLAN**

**NOTE(S):**

1. MEAN LOW WATER (MLW) EL. -1.45' RUNS ALONG THE CONCRETE CRIB

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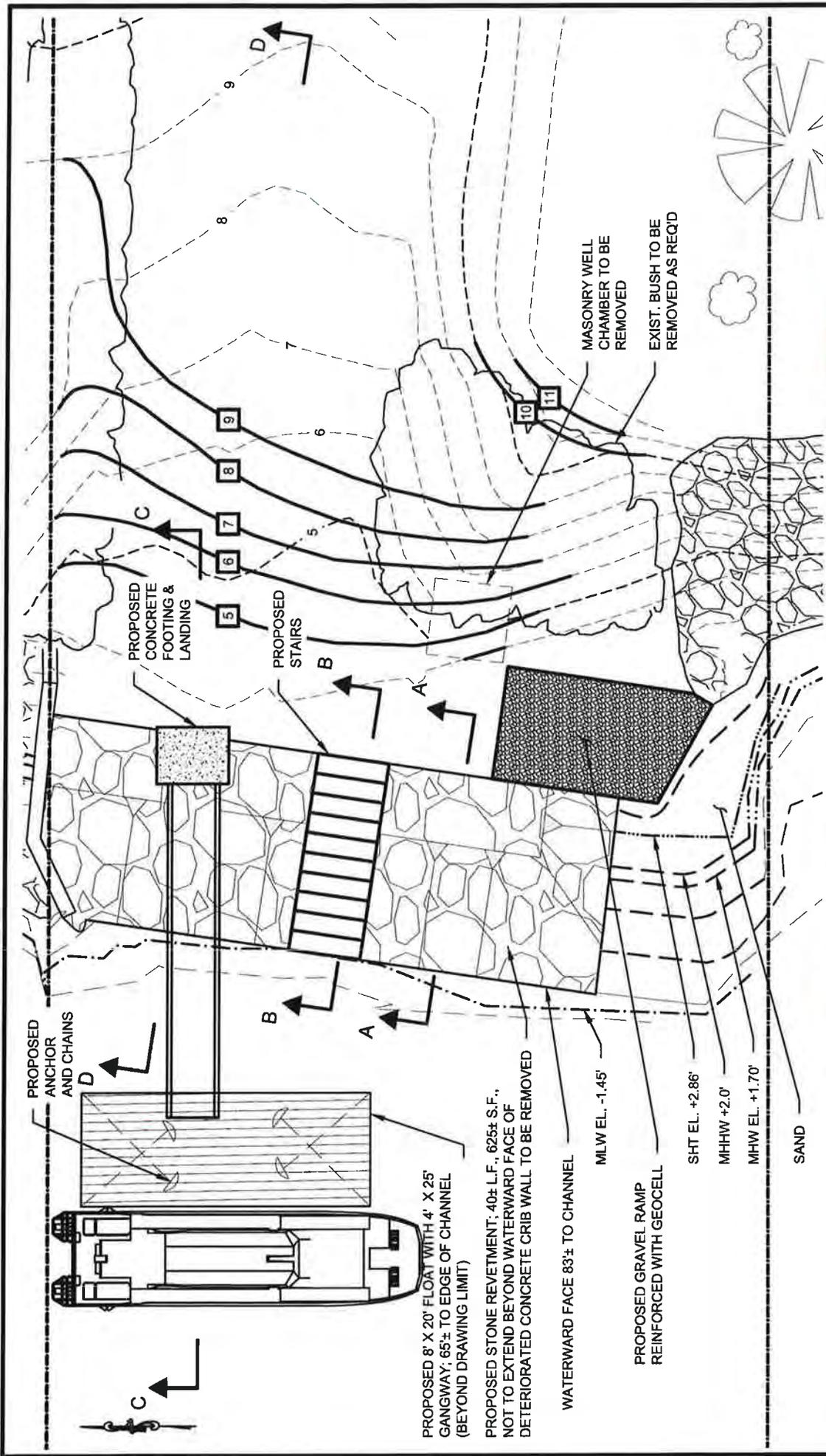
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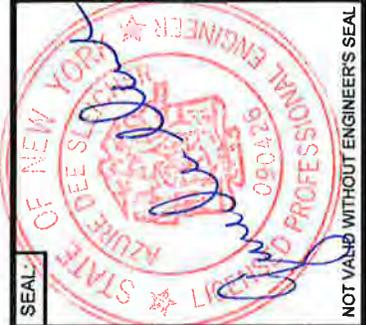
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Datum:	NAVD88	Scale:	1"=30'-0"
Project No.:	2019020	Drawing No.:	3 of 8





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Drawn By:	CBK	Checked By:	CGE
Daturn:	NAVD88	Scale:	1"=10'-0"
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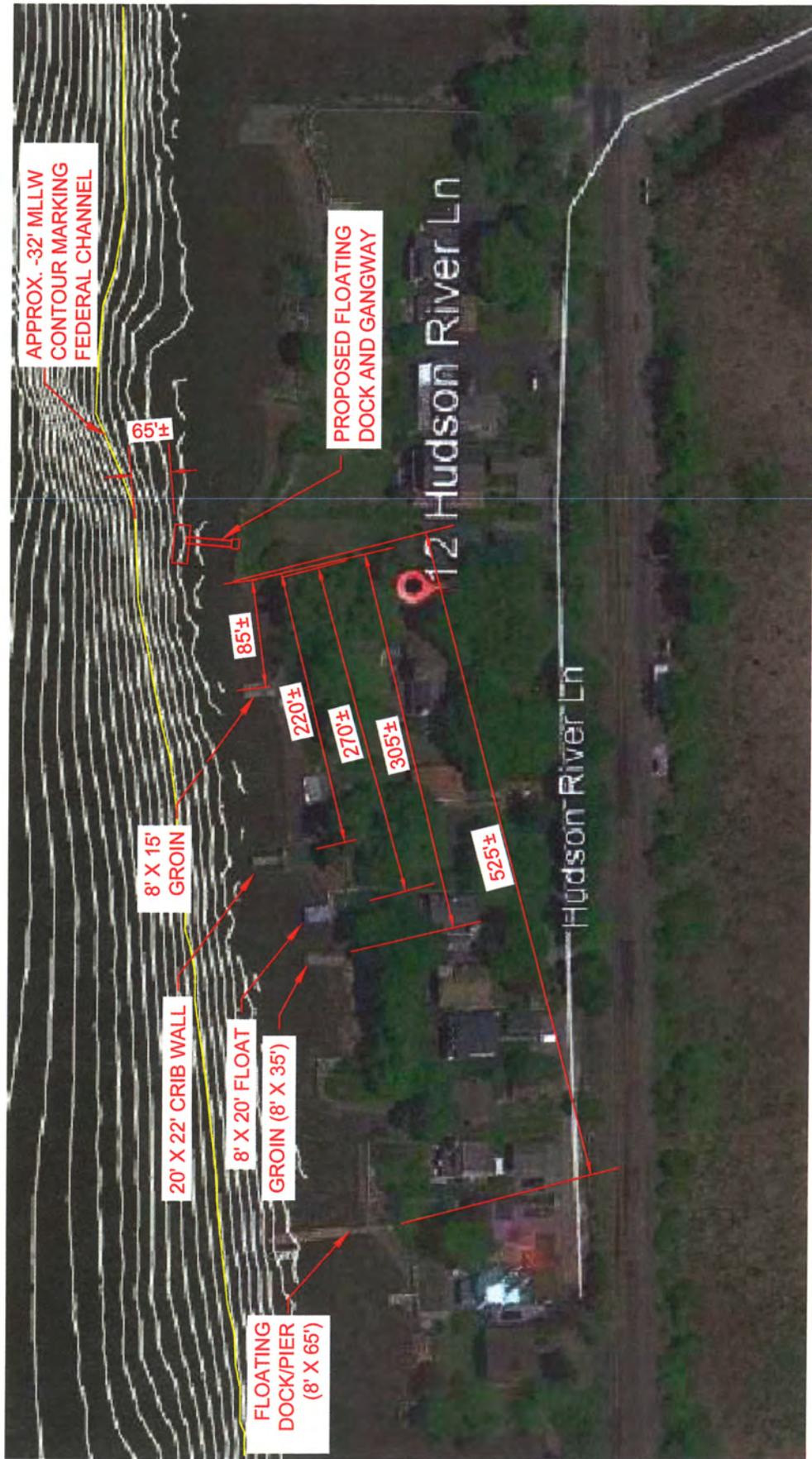
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**PROPOSED PARTIAL PLAN**

**NOTE(S):**

- MEAN LOW WATER (MLW) EL. -1.45' RUNS ALONG THE CONCRETE CRIB WALL.

0 5 10  
 1"=10'



**ADJACENT MARINE STRUCTURES**

Rev.: 1	Date: 7-25-2019	Drawn By: CBK	Checked By: CGE
Scale: N.T.S	Datum: NAVD88	Project No.: 2019020	Drawing No.: 4a of 8

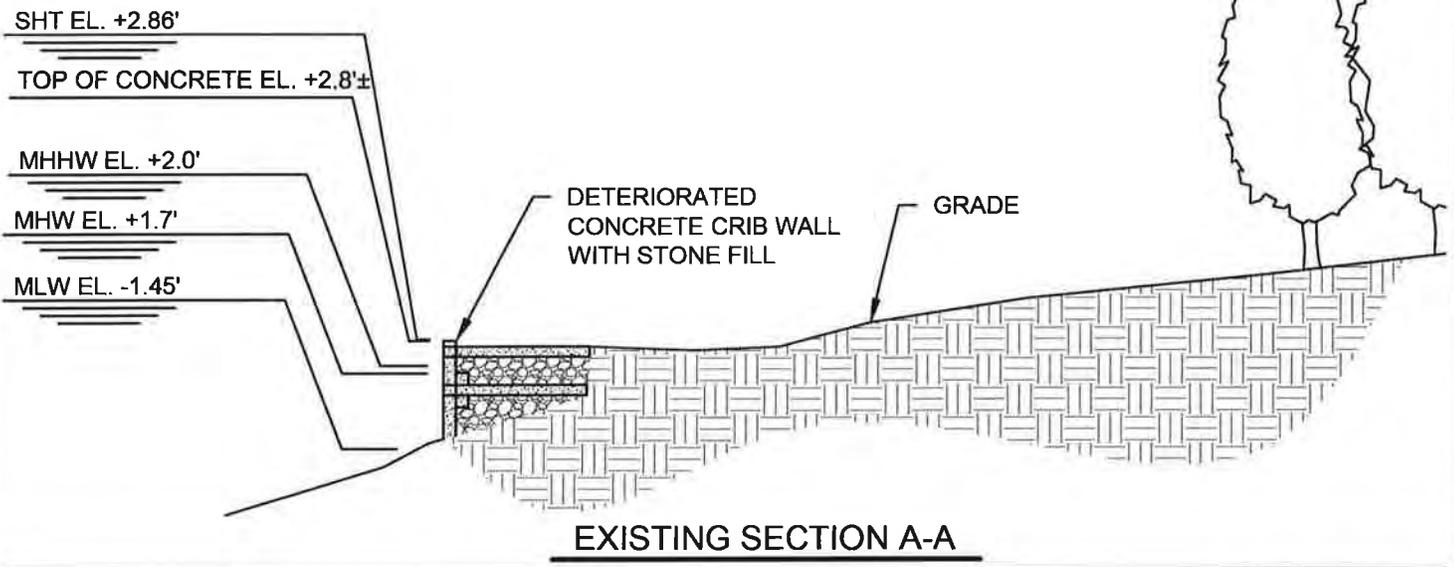
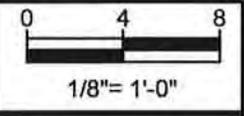
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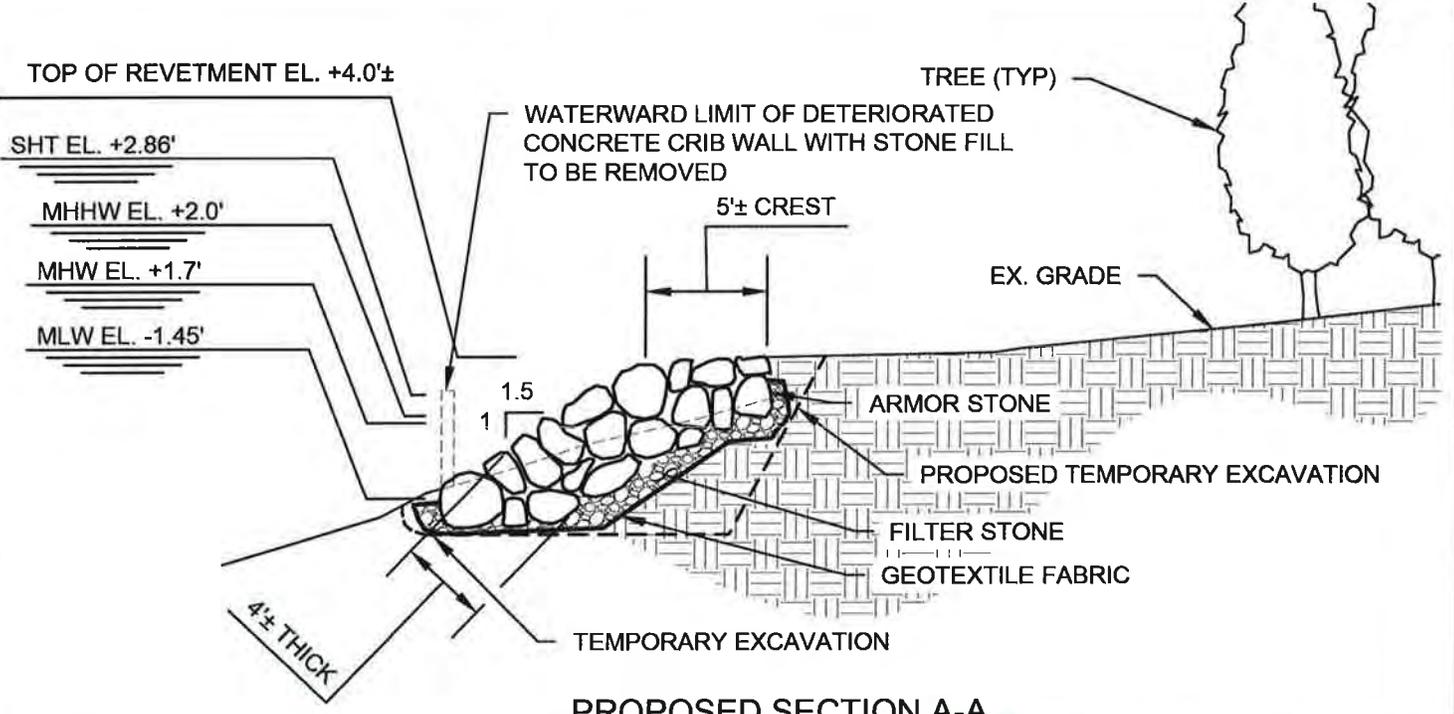
Project: **PROPOSED WATERFRONT IMPROVEMENTS**  
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- NOTE(S):**
- BATHYMETRIC SURVEY DATA FROM NOAA H13022: NOS HYDROGRAPHIC SURVEY
  - BASE MAP IMAGERY FROM GOOGLE EARTH DATED APRIL 22, 2018



**EXISTING SECTION A-A**



**PROPOSED SECTION A-A**

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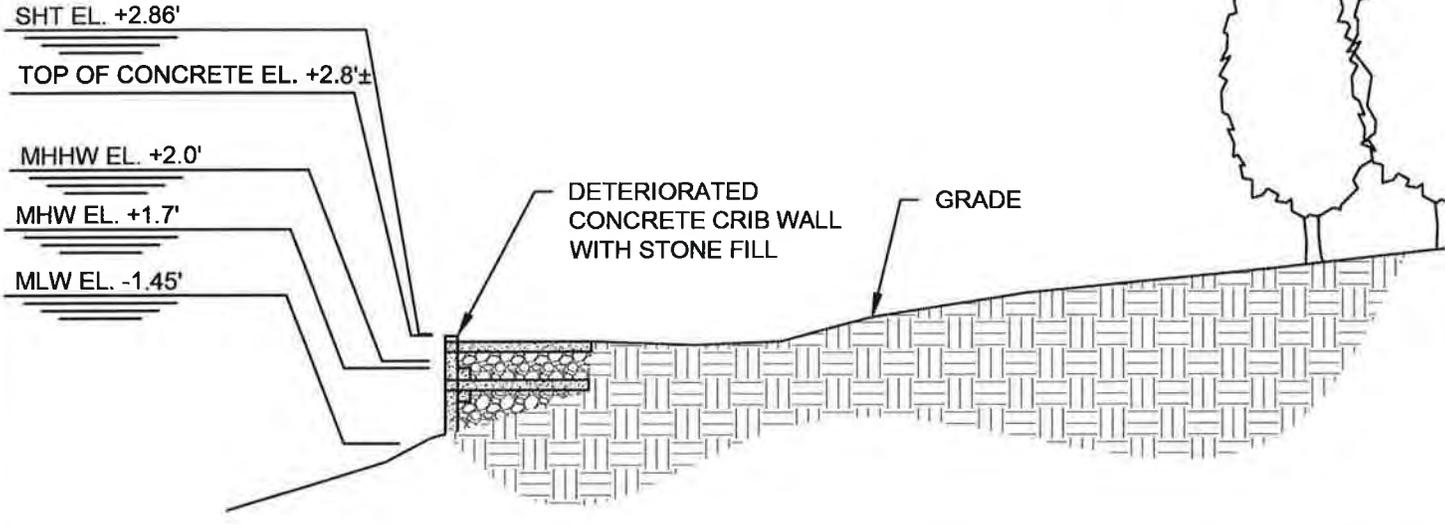
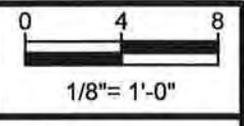
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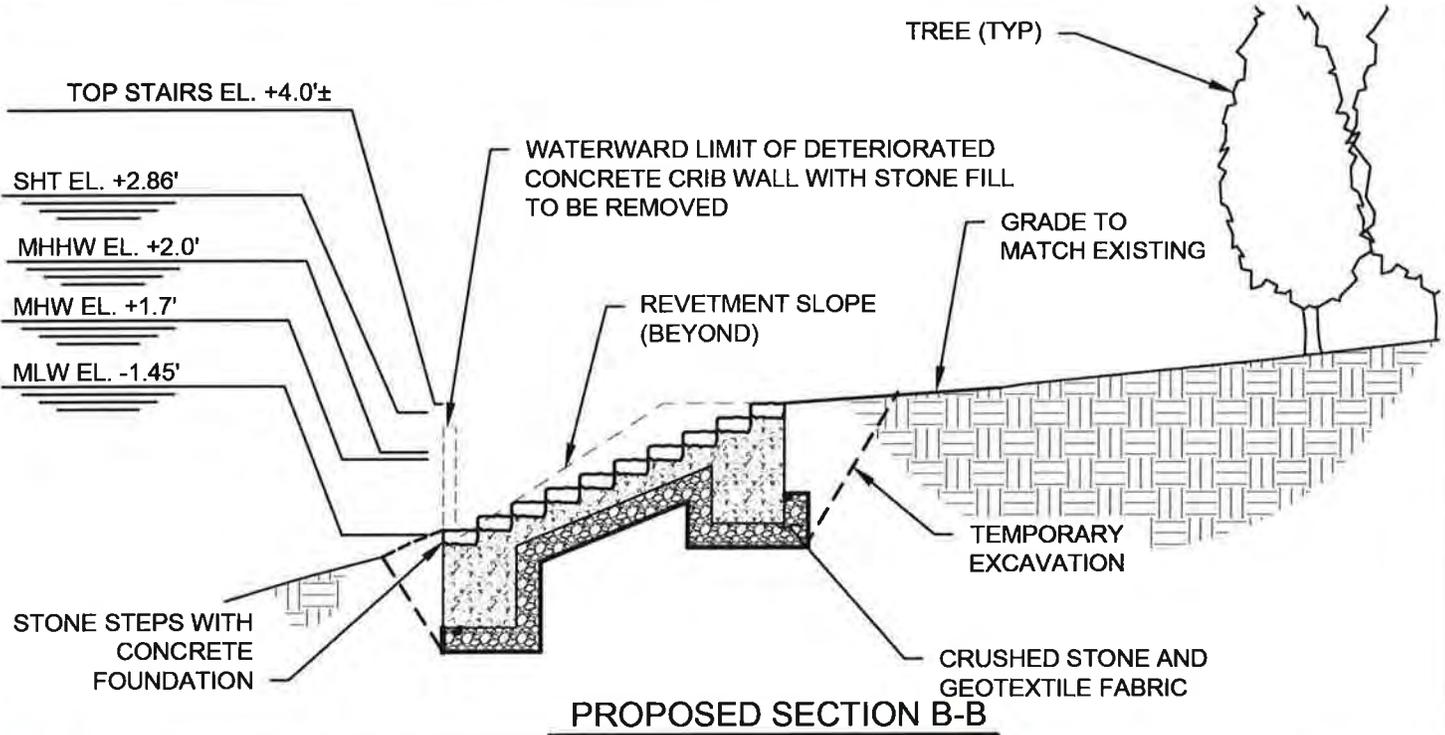
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**EXISTING SECTION B-B**



**PROPOSED SECTION B-B**

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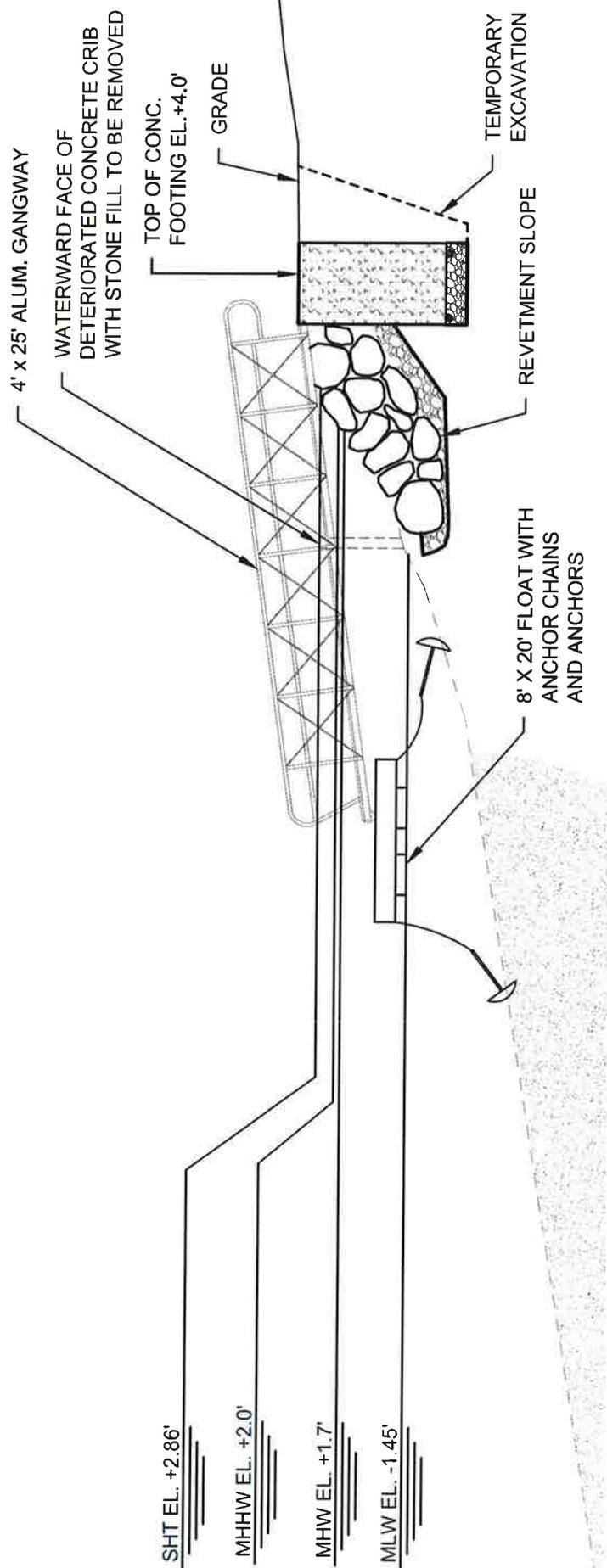
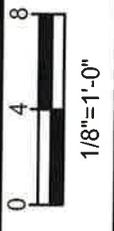
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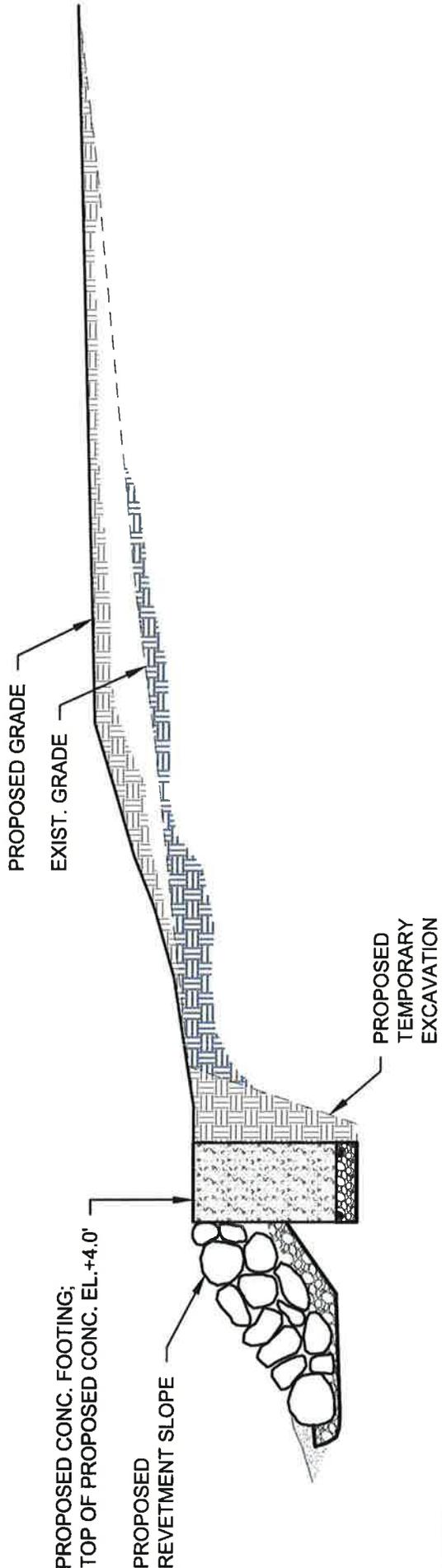
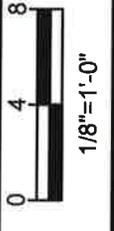
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**PROPOSED SECTION C-C**

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	Project: <b>PROPOSED WATERFRONT IMPROVEMENTS</b> 12 HUDSON RIVER LANE GARRISON, NY 10524	Drawn By: <b>CBK</b>	Checked By: <b>CGE</b>
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		SEAL:	Drawing No.: <b>7</b> of <b>8</b>



PROPOSED CONC. FOOTING:  
TOP OF PROPOSED CONC. EL. +4.0'

PROPOSED  
REVETMENT SLOPE

PROPOSED  
TEMPORARY  
EXCAVATION

**NOTE:**  
FOR WATER LEVELS, SEE  
SECTION C-C ON DRAWING NO. 7.

PROPOSED SECTION D-D

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