

# 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-2020-00144-WOR  
Issue Date: July 13, 2020  
Expiration Date: August 13, 2020

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## 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:** Raz Tirosh  
517 North Broadway  
Upper Nyack, New York 10960

**ACTIVITY:** Replacement of an existing stone seawall with a stone revetment, the construction of a pile-supported pier, the installation of a floating pier assembly and the installation of a mooring buoy.

**WATERWAY:** Hudson River

**LOCATION:** Town of Clarkstown, Rockland 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**  
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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 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, 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 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. In a letter dated April 27, 2020, the New York State Department of State concurred with the applicant's certification. 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

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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 the project manager, Mr. Brian Orzel at [Brian.A.Orzel@usace.army.mil](mailto:Brian.A.Orzel@usace.army.mil).

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>.



**for:** Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Raz Tirosh, has requested Department of the Army authorization for the replacement of approximately 80 linear feet of an existing stone seawall with a new stone revetment, the construction of a pile-supported pier, the installation of a floating pier assembly and the installation of a mooring buoy, in the Hudson River, Town of Clarkstown, Rockland County, New York.

Approximately 80 linear feet of existing stone seawall will be removed and replaced with new stone revetment. The new stone revetment would not extend waterward of the existing seawall and would not involve any new fill below the line of Spring High Tide.

The pile-supported pier would be approximately 120 feet long by 8 feet wide, supported by 26, 12-inch-diameter, timber piles.

The floating pier assembly would be approximately 40 feet by 8 feet and would be connected to the pile-supported pier by a gangway, approximately 20 feet long by 4 feet wide. The floating pier assembly would be held in place by 4, 16-inch-diameter steel pipe piles.

In addition, one mooring buoy would be installed, approximately 140 feet east of the proposed floating pier assembly, held in place by one 700-pound pyramid anchor.

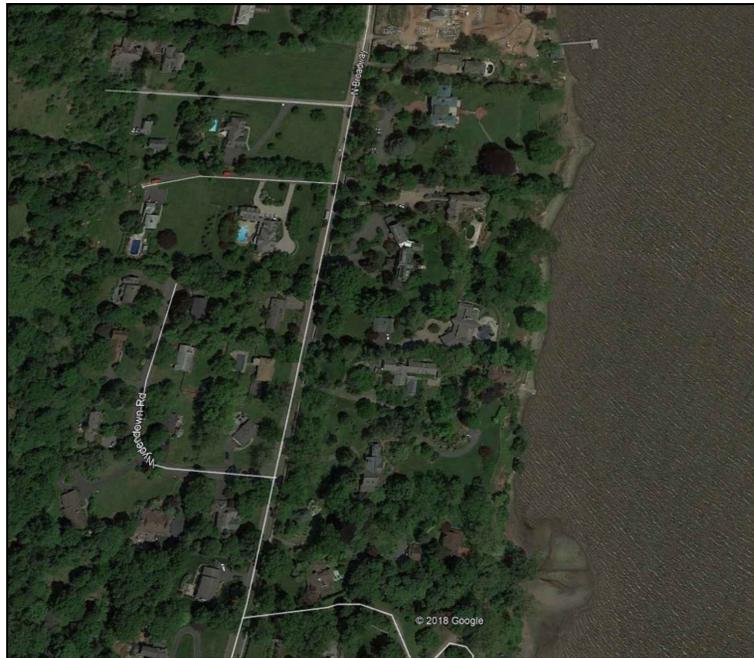
The stated purpose of this project is to protect the existing shoreline and to provide recreational access to the river for one existing home.

# 517 NORTH BROADWAY

## SEAWALL REHABILITATION AND DOCK INSTALLATION

### UPPER NYACK, NEW YORK 10960

### JANUARY 20, 2020



LOCATION MAP (NTS)

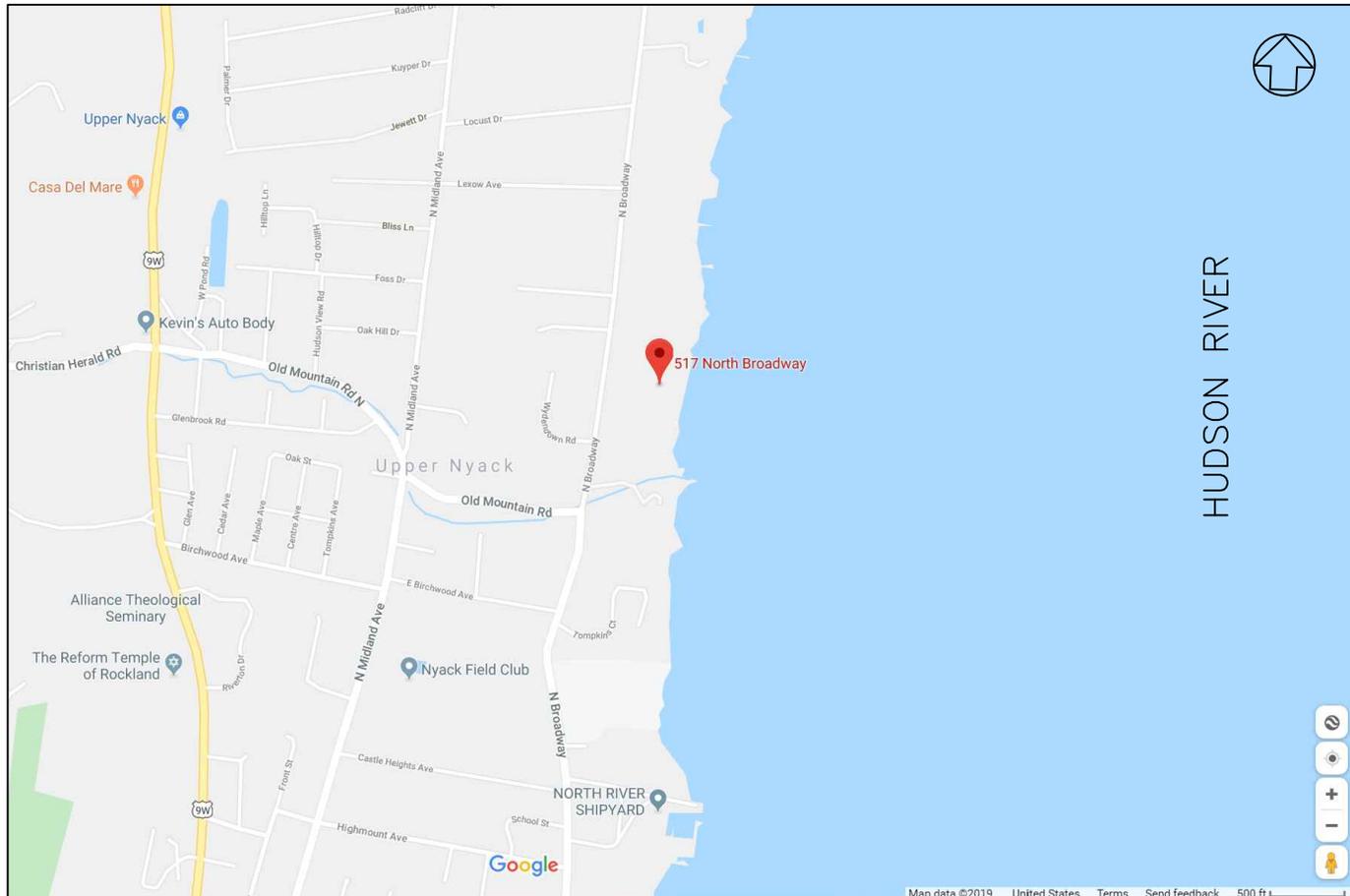
PREPARED BY:  
 TMS WATERFRONT  
 181 WESTCHESTER AVENUE  
 PORT CHESTER, NEW YORK 10573

APPLICANT:  
 RAZ TIROSH  
 517 NORTH BROADWAY  
 UPPER NYACK, NY 10960

DRAWING LIST:

- G-001 COVER SHEET
- V-100 VICINITY MAP
- C-100 SITE PLAN
- C-101 PIER AND DOCK PLAN
- C-300 REVETMENT SECTION
- C-301 PIER SECTION
- C-302 GANGWAY & DOCK SECTION
- C-500 DETAILS

No.	REVISION	DATE
01	USACE APP.	4/23/2020



VICINITY MAP - GOOGLE STREET MAPS (NTS)

LATITUDE: 41°6'29.95"N  
 LONGITUDE: 73°54'51.52"W  
 WATERWAY: HUDSON RIVER  
 ADDRESS: 517 NORTH BROADWAY,  
 NYACK, NY 10960

APPLICANT:  
 MR. RAZ TIROSH  
 517 NORTH  
 BROADWAY  
 UPPER NYACK, NY  
 10960

AGENT:  
 TMS WATERFRONT  
 247 W. 35TH STREET  
 10TH FLOOR N  
 NEW YORK, NY 10001  
 T: (917) 426-6788  
 www.tms-waterfront.com

PROJECT NAME:  
 517 NORTH BROADWAY

NAME OF WATERBODY:  
 HUDSON RIVER  
 TOWN: UPPER NYACK  
 COUNTY: ROCKLAND  
 STATE: NEW YORK

REVISION	DATE
01	USACE PERMIT APP 4/17/20

DATE: 4/17/2020

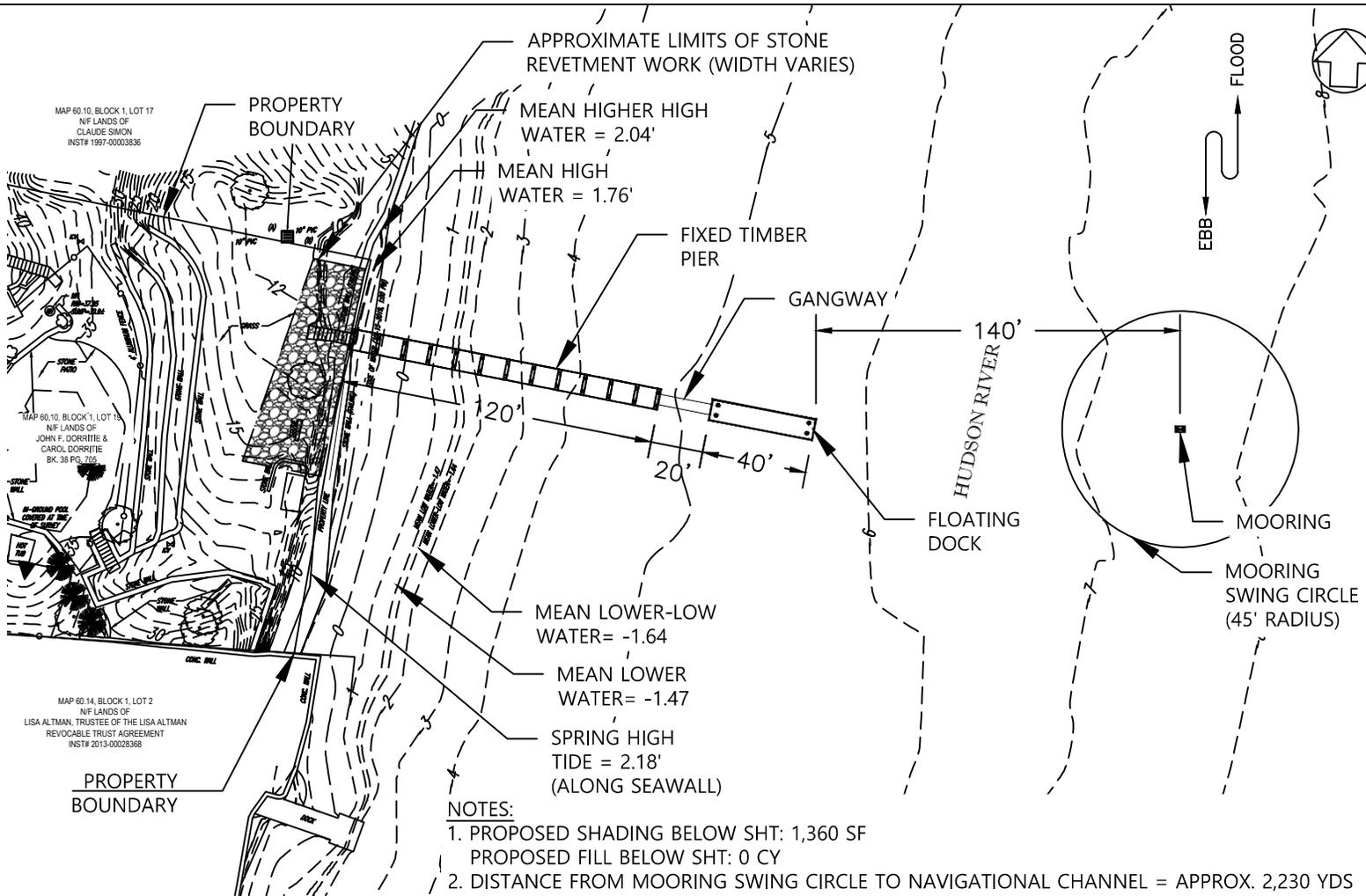
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CHECKED BY: BDB

PROJECT NO.: 19051

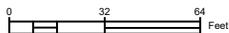
SHEET TITLE:  
 VICINITY  
 MAP

DRAWING NO.  
 V-100  
 2 OF 8 SHEETS



## SITE PLAN

SCALE: 1/64" = 1'-0"



### NOTES:

1. PROPOSED SHADING BELOW SHT: 1,360 SF  
PROPOSED FILL BELOW SHT: 0 CY
2. DISTANCE FROM MOORING SWING CIRCLE TO NAVIGATIONAL CHANNEL = APPROX. 2,230 YDS
3. DISTANCE TO EAST SIDE OF HUDSON RIVER AT THE PROJECT LOCATION = APPROX. 4,270 YDS
4. THE SURVEY WAS COMPLETED BY CONTROL POINT ASSOCIATES ON 10/17/2019 AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
5. PROPOSED CUT BELOW SHT: 5.75 CY (SHORELINE)
6. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
7. THESE DRAWINGS ARE INTENDED FOR USE IN REGULATORY APPROVALS AND ARE NOT TO BE USED AS CONSTRUCTION DRAWINGS.
8. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED NO LESS THAN ONCE A WEEK AND ANY NECESSARY REPAIRS IMMEDIATELY MADE.
9. EXTENT OF RIP RAP REVETMENT WORK TO BE DETERMINED BASED ON FURTHER SUBSURFACE INVESTIGATION.

### APPLICANT:

MR. RAZ TIROSH  
517 NORTH  
BROADWAY  
UPPER NYACK, NY  
10960

### AGENT:

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247 W. 35TH STREET  
10TH FLOOR N  
NEW YORK, NY 10001  
T: (917) 426-6788  
www.tms-waterfront.com

### PROJECT NAME:

517 NORTH BROADWAY

### NAME OF WATERBODY:

HUDSON RIVER  
TOWN: UPPER NYACK  
COUNTY: ROCKLAND  
STATE: NEW YORK

### REVISION DATE

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PROJECT NO.: 19051

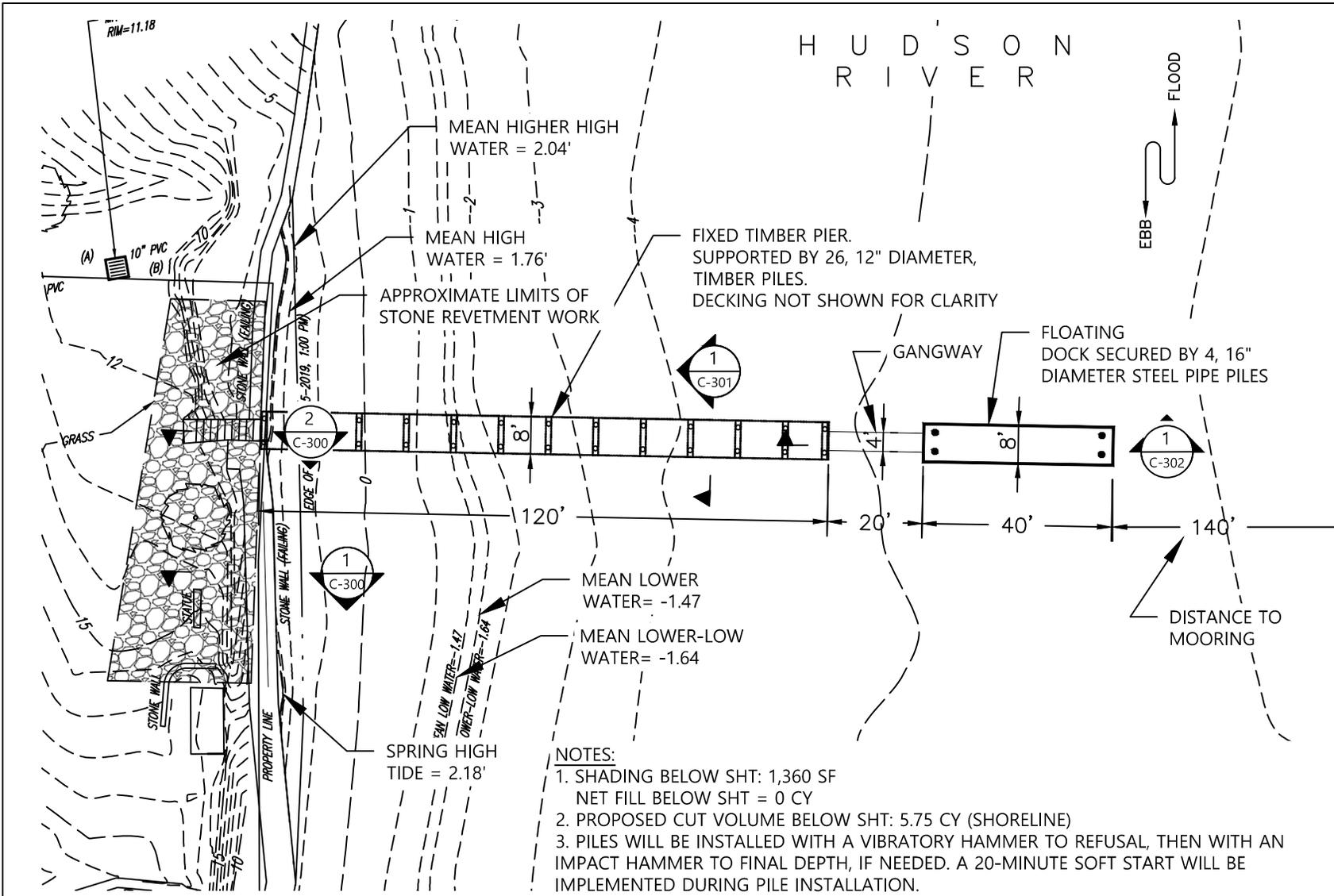
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SITE PLAN

### DRAWING NO.

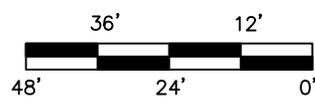
C-100

3 OF 8 SHEETS



**PIER & DOCK PLAN**

SCALE: 1/32" = 1'-0"



**NOTES:**

1. SHADING BELOW SHT: 1,360 SF  
NET FILL BELOW SHT = 0 CY
2. PROPOSED CUT VOLUME BELOW SHT: 5.75 CY (SHORELINE)
3. PILES WILL BE INSTALLED WITH A VIBRATORY HAMMER TO REFUSAL, THEN WITH AN IMPACT HAMMER TO FINAL DEPTH, IF NEEDED. A 20-MINUTE SOFT START WILL BE IMPLEMENTED DURING PILE INSTALLATION.
4. THE SURVEY WAS COMPLETED BY CONTROL POINT ASSOCIATES ON 10/17/2019 AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
5. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
6. THESE DRAWINGS ARE INTENDED FOR USE IN REGULATORY APPROVALS AND ARE NOT TO BE USED AS CONSTRUCTION DRAWINGS.
7. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED NO LESS THAN ONCE A WEEK AND ANY NECESSARY REPAIRS IMMEDIATELY MADE.

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517 NORTH BROADWAY

**NAME OF WATERBODY:**  
HUDSON RIVER  
TOWN: UPPER NYACK  
COUNTY: ROCKLAND  
STATE: NEW YORK

REVISION	DATE
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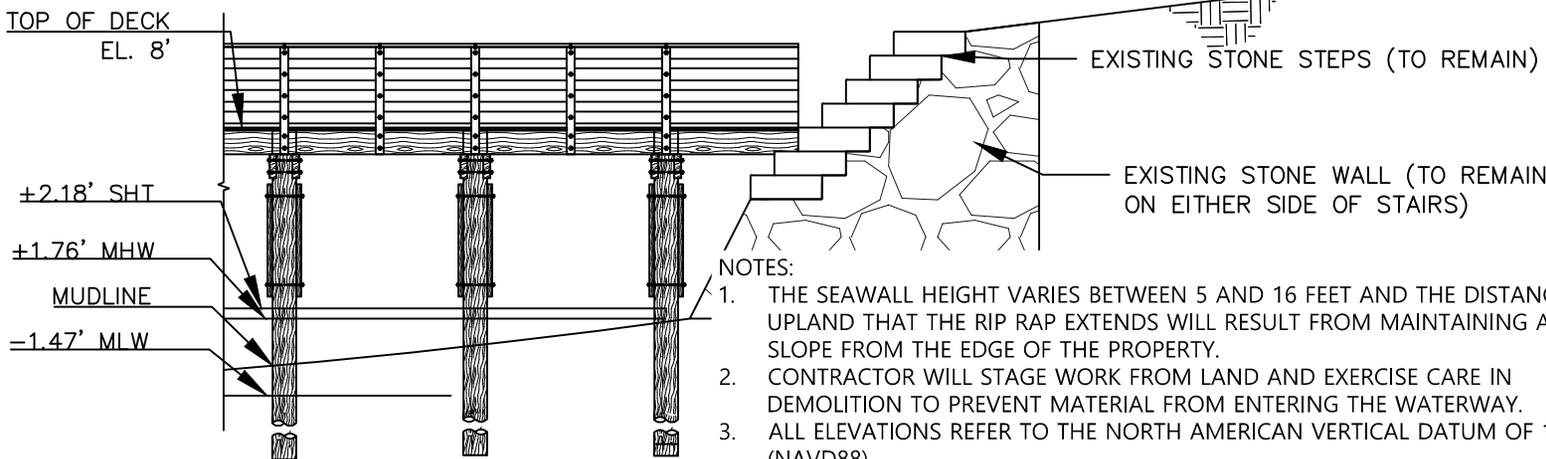
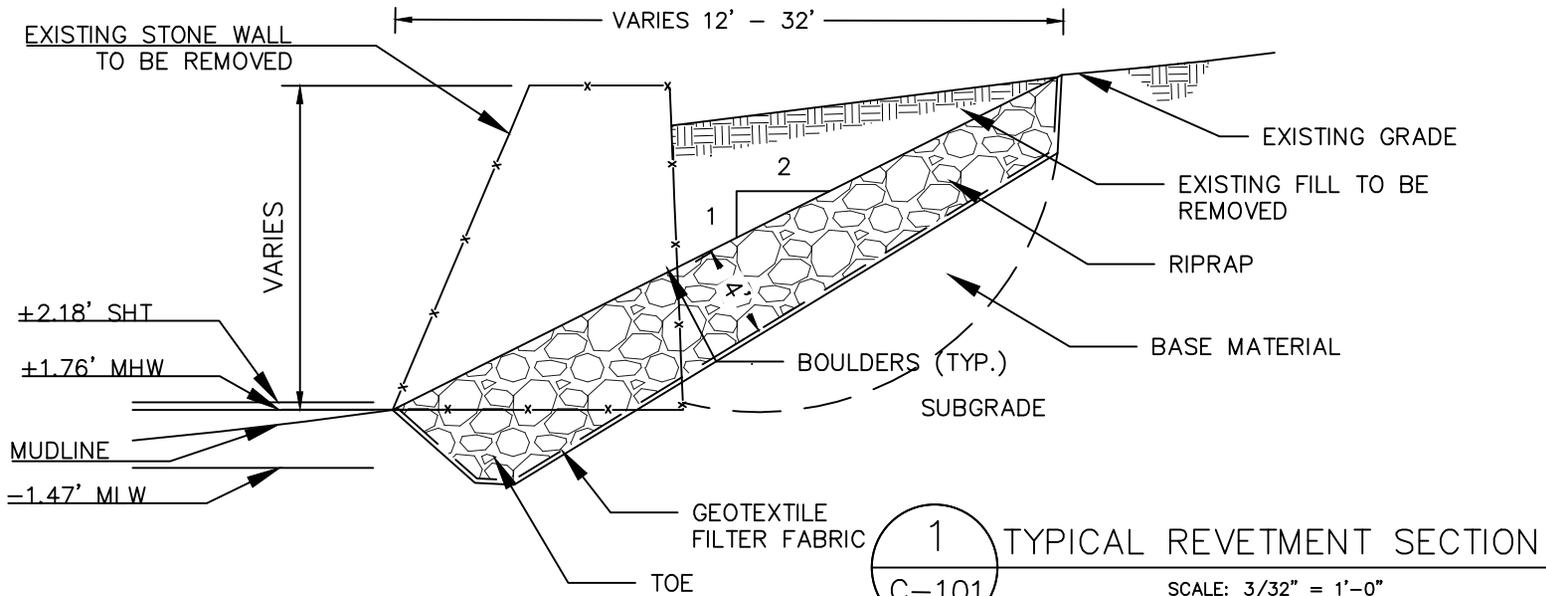
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**PROJECT NO.:** 19051

**SHEET TITLE:**  
**PIER AND DOCK PLAN**

**DRAWING NO.**  
C-101

4 OF 8 SHEETS



- NOTES:
1. THE SEAWALL HEIGHT VARIES BETWEEN 5 AND 16 FEET AND THE DISTANCE UPLAND THAT THE RIP RAP EXTENDS WILL RESULT FROM MAINTAINING A 2:1 SLOPE FROM THE EDGE OF THE PROPERTY.
  2. CONTRACTOR WILL STAGE WORK FROM LAND AND EXERCISE CARE IN DEMOLITION TO PREVENT MATERIAL FROM ENTERING THE WATERWAY.
  3. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
  4. THESE DRAWINGS ARE INTENDED FOR USE IN REGULATORY APPROVALS AND ARE NOT TO BE USED AS CONSTRUCTION DRAWINGS.
  5. THE WORKING AREA WILL BE SURROUNDED BY SEDIMENT BOOMS/TURBIDITY CURTAINS.
  6. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED NO LESS THAN ONCE A WEEK AND ANY NECESSARY REPAIRS IMMEDIATELY MADE.

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 517 NORTH BROADWAY

NAME OF WATERBODY:  
 HUDSON RIVER  
 TOWN: UPPER NYACK  
 COUNTY: ROCKLAND  
 STATE: NEW YORK

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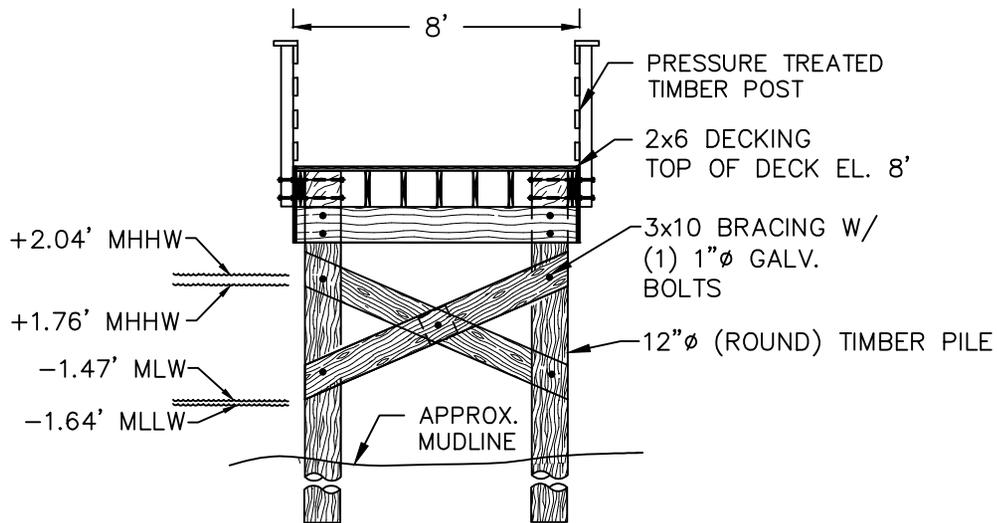
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REVETMENT SECTION

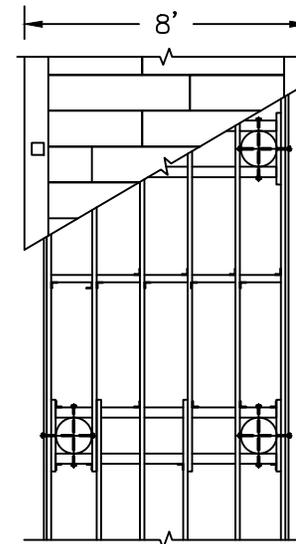
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C-300

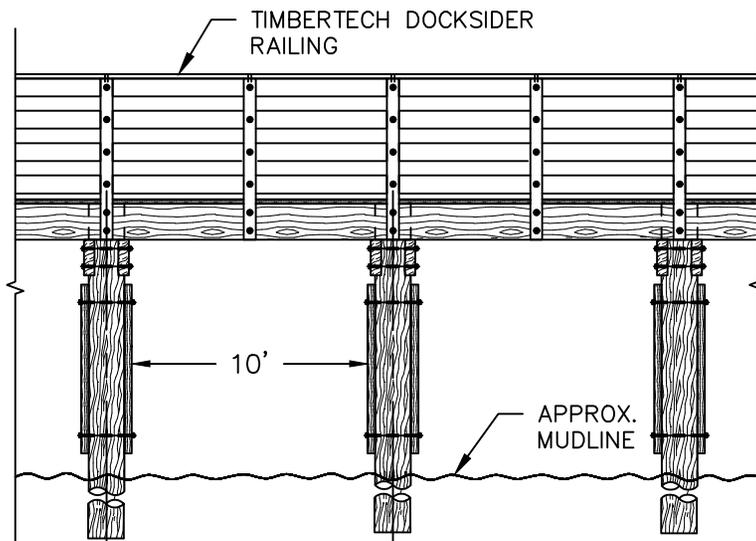
5 OF 8 SHEETS



1 TYPICAL THROUGH FIXED PIER SECTION  
 C-101 SCALE: 1'-0" = 3/16"



TYPICAL THROUGH FIXED PIER FRAMING PLAN  
 SCALE: 1'-0" = 3/16"



LONGITUDINAL SECTION  
 SCALE: 1'-0" = 3/16"

NOTES:

1. PROPOSED SHADING BELOW SHT: 1,360 SF  
 PROPOSED FILL BELOW SHT: 0 CY
2. TOTAL NUMBER OF TIMBER PILES = 26, 12" DIAMETER  
 TOTAL NUMBER OF STEEL PILES = 4, 16" DIAMETER
3. THE SURVEY WAS COMPLETED BY CONTROL POINT ASSOCIATES ON 10/17/2019 AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
4. PROPOSED CUT BELOW SHT: 5.75 CY (SHORELINE)
5. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
6. THESE DRAWINGS ARE INTENDED FOR USE IN REGULATORY APPROVALS AND ARE NOT TO BE USED AS CONSTRUCTION DRAWINGS.
7. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED NO LESS THAN ONCE A WEEK AND ANY NECESSARY REPAIRS IMMEDIATELY MADE.

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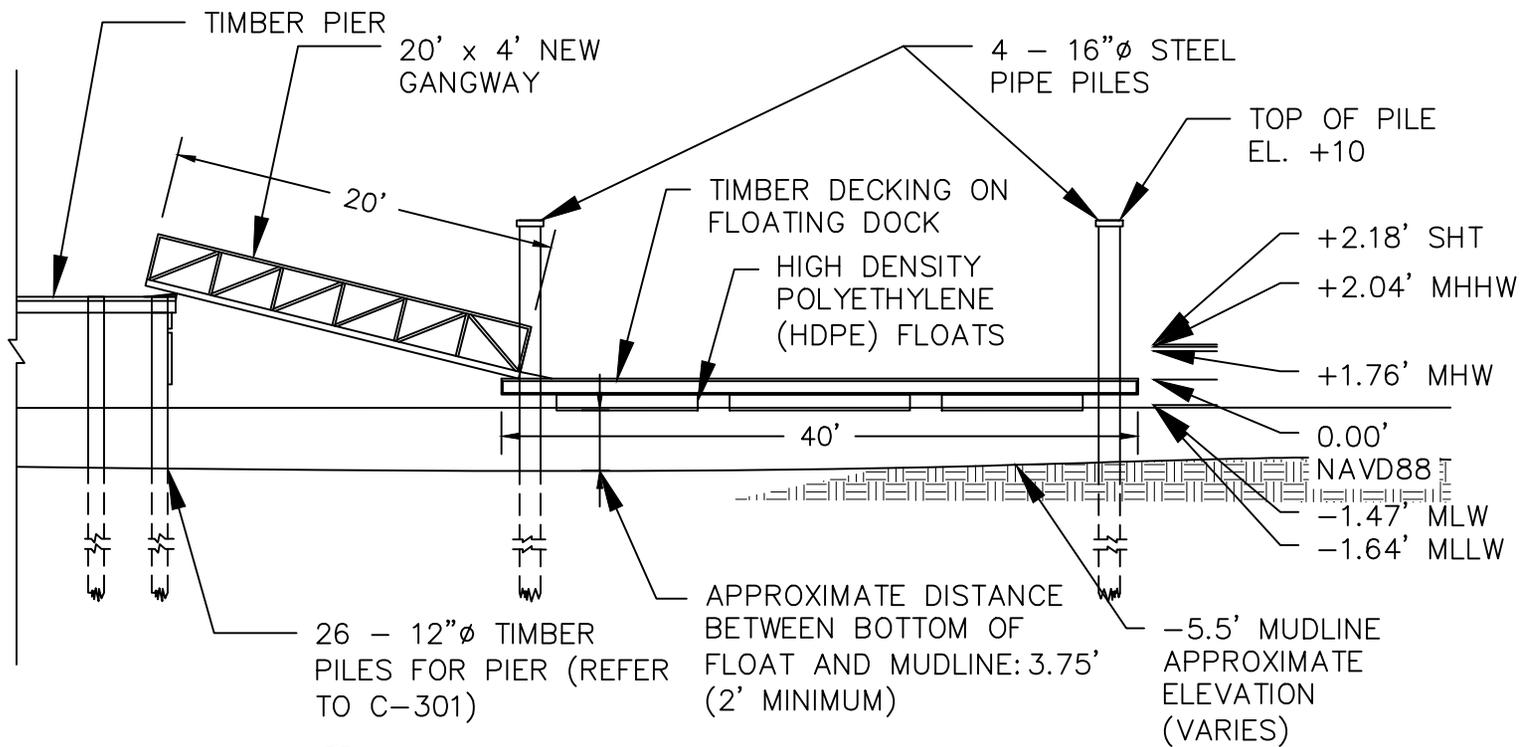
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PROJECT NO.: 19051

SHEET TITLE:  
 PIER SECTIONS

DRAWING NO.  
 C-301

6 OF 8 SHEETS



1 GANGWAY AND DOCK SECTION  
 C-101 SCALE: 1'-0" = 1"

NOTES:

1. THE TIDAL ELEVATION INFORMATION DEPICTED REPRESENTS THE RESULTS OF THE SURVEY MADE ON 10/15/2019 BY CONTROL POINT ASSOCIATES AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS AT THAT TIME.
2. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. THESE DRAWINGS ARE INTENDED FOR USE IN REGULATORY APPROVALS AND ARE NOT TO BE USED AS CONSTRUCTION DRAWINGS.
4. PILES WILL BE INSTALLED WITH A VIBRATORY HAMMER TO REFUSAL, THEN WITH AN IMPACT HAMMER TO FINAL DEPTH, IF NEEDED. A 20-MINUTE SOFT START WILL BE IMPLEMENTED DURING PILE INSTALLATION.
5. THE WORKING AREA WILL BE SURROUNDED BY SEDIMENT BOOMS/TURBIDITY CURTAINS.
6. FOUR (4) 16-INCH DIAMETER STEEL PIPE PILES WILL BE INSTALLED TO SECURE THE FLOATING BARGE.
7. RAILINGS ARE NOT SHOWN ON THE PIER FOR CLARITY.

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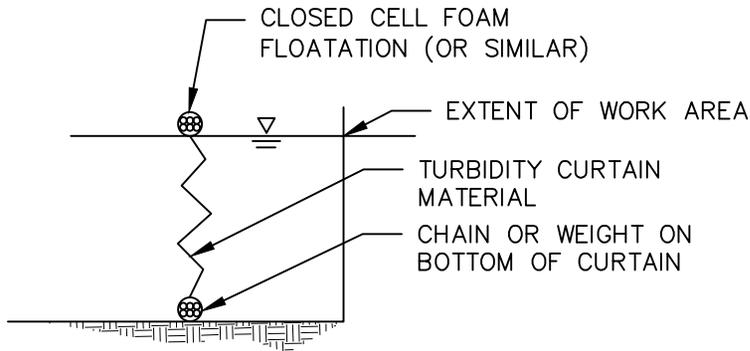
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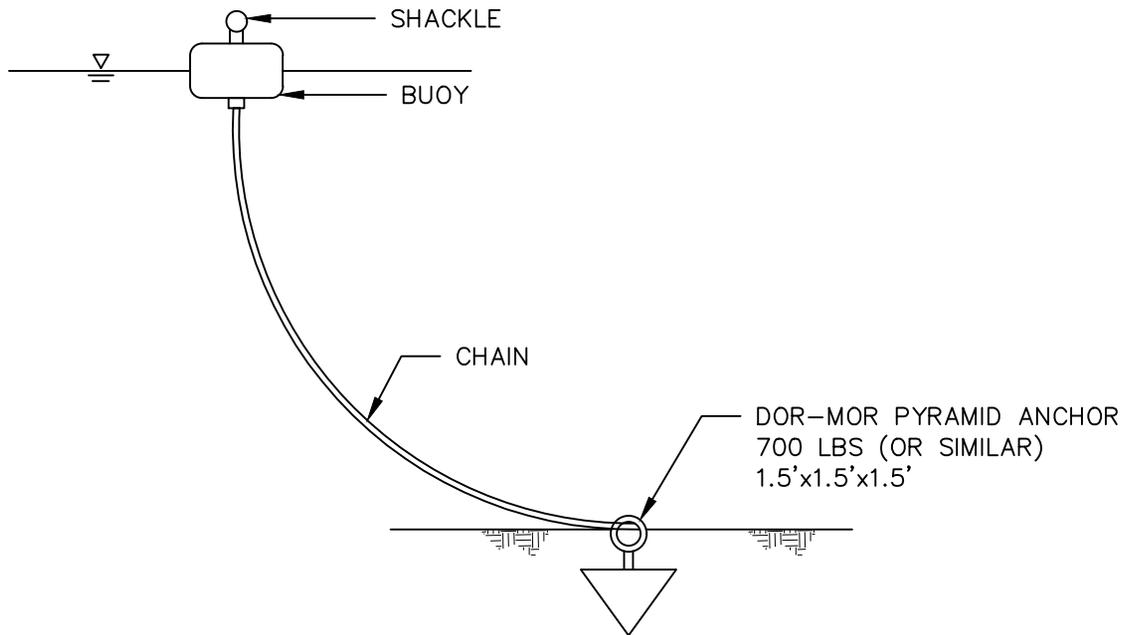
SHEET TITLE:  
 GANGWAY AND DOCK SECTION

DRAWING NO.  
 C-302

7 OF 8 SHEETS



TURBIDITY CURTAIN DETAIL (NTS)



MOORING DETAIL (NTS)

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SHEET TITLE:

DETAILS

DRAWING NO.

C-500

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