

# 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-2020-00462-WRY  
Issue Date: June 3, 2020  
Expiration Date: July 3, 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).

**APPLICANT:** Lynn Kroll  
20 Parsonage Point  
Rye, New York 10580

**ACTIVITY:** Construct a Residential Pier, Gangway and Float

**WATERWAY:** Long Island Sound

**LOCATION:** Town of Rye, Westchester 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.

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.

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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 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, 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 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.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for

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the activity under consideration:

- New York State Department of Environmental Conservation – Docks, Moorings or Platforms
- New York State Department of Environmental Conservation – Tidal Wetlands

ALL COMMENTS REGARDING THIS PERMIT APPLICATION MUST BE PREPARED IN WRITING AND E-MAILED TO THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Emailed comments must include this public notice's number, NAN-2020-00462-WRY.

The email inbox for written comments is: [Alexandra.ryan@usace.army.mil](mailto:Alexandra.ryan@usace.army.mil)

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 Alexandra Ryan.

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 AND IN BEHALF OF**  
Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, Lynn Kroll, has requested Department of the Army authorization to construct a residential pier with associated gangway and float in the Long Island Sound, Town of Rye, Westchester County, New York.

The work would involve the installation of a 4-foot wide by 82-foot long pier with a steel frame and timber deck and guardrail. The pier would be supported by four (4) 26-inch diameter steel piles, covering 33-square feet of benthic area. A 3-foot wide by 40-foot long aluminum gangway would connect the pier to an 8-foot wide by 20-foot long floating timber dock. The floating dock would be secured with four (4) 12-inch diameter steel piles. A timber framed support system would ensure the dock maintains a minimum of 2.5-feet above the existing substrate at all stages of the tide. The pier would be elevated more than 5-feet above the intertidal area. All piles would be installed via drilling from work barge. The landward portion of the pier would be supported by a concrete foundation, located upland of spring high water.

The proposed pier would be constructed approximately 220-feet east of another proposed pier at the adjacent property, Public Notice NAN-2020-00463-WRY. Construction of both piers may or may not be concurrent.

The stated purpose of this project is to provide safe access to the waterway for residential fishing, swimming, and boating.


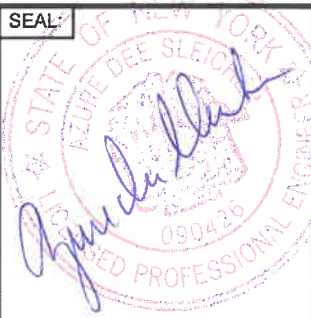
# LYNN KROLL 18 PARSONAGE POINT PIER

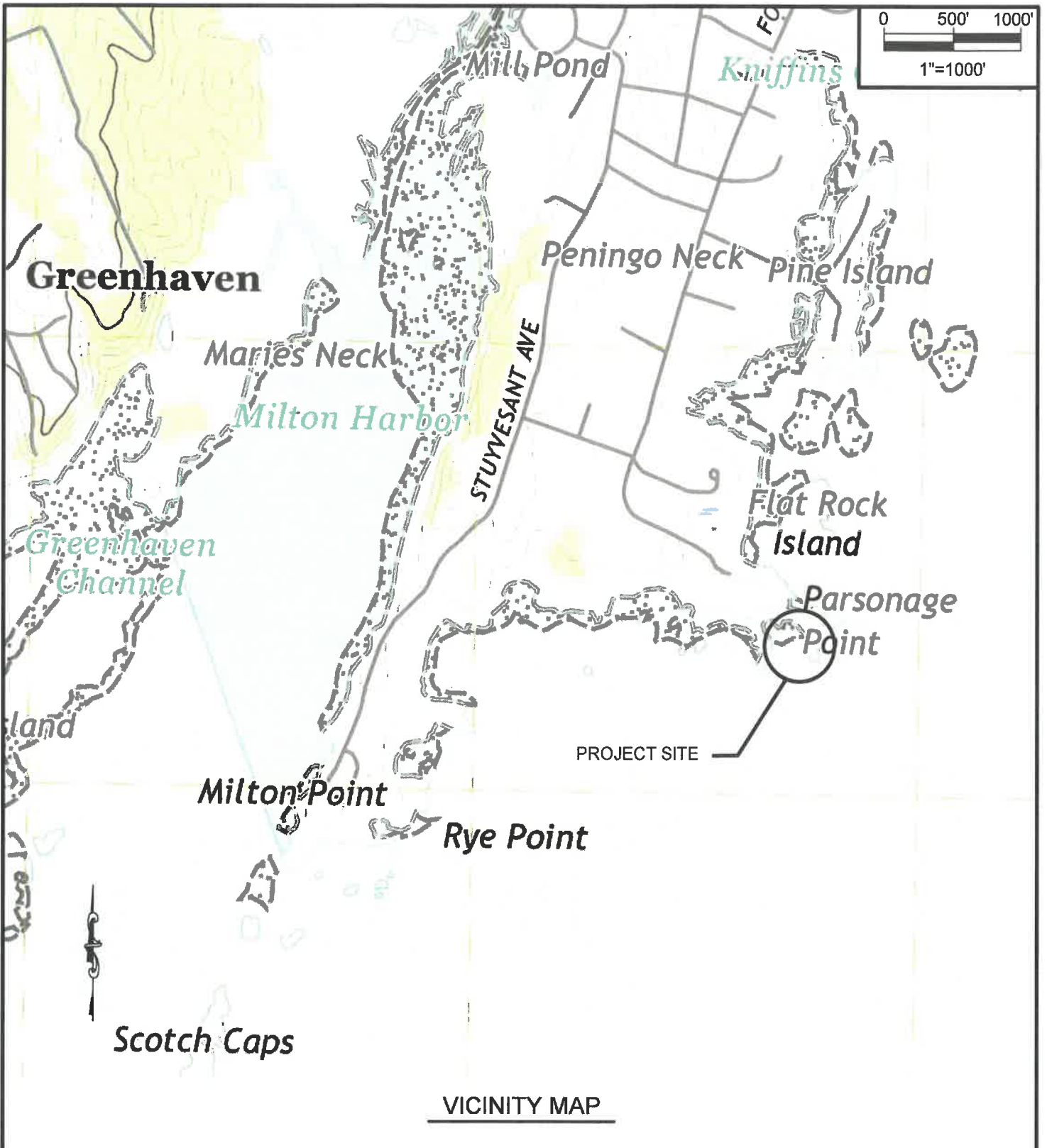
DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	SITE PLAN
4	EXISTING PARTIAL SITE PLAN
5	PROPOSED PARTIAL PLAN
6	EXISTING AND PROPOSED SECTIONS A-A

## GENERAL NOTES

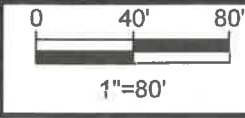
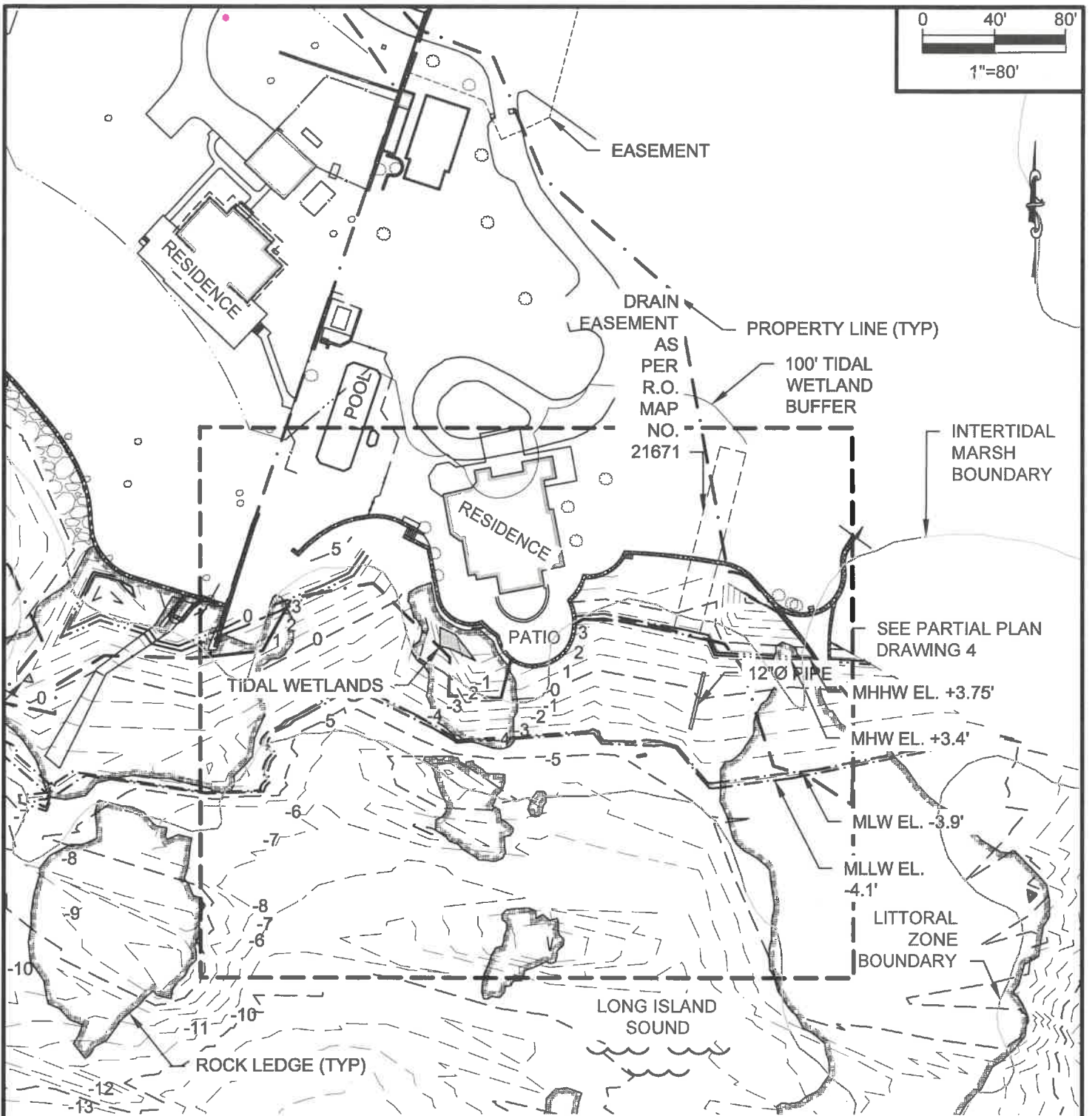
1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS 7.5 MINUTES SERIES, NEW YORK- CONNECTICUT MAMARONECK QUADRANGLE.
3. ELEVATIONS REFERENCE NAVD88, UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "TOPOGRAPHIC SURVEY", PREPARED BY ARISTOTLE BOURNAZOS, P.C., DATED 4-23-2004, AND REVISED ON 4-25-2004.
5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, PC ON 02-17-2020 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
6. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR RYE BEACH, AMUSEMENT PARK, NY 8518091 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.
7. TIDAL WETLANDS DATA HAS BEEN TAKEN FROM NYDEC TIDAL WETLANDS MAP 610-532.

PROJECT TIDAL ELEVATIONS:			
DATUM	NAVD 88 (FT)	NGVD 29 (FT)	MLW (FT)
HIGH TIDE LINE (HTL)	+5.2	+6.3	+9.1
MEAN HIGHER HIGH WATER (MHHW)	+3.75	+4.85	+7.65
MEAN HIGH WATER (MHW)	+3.4	+4.5	+7.3
NAVD 88	0.0	+1.1	+3.9
NGVD 29	-1.1	0.0	+2.8
MEAN LOW WATER (MLW)	-3.9	-2.8	0.0
MEAN LOWER LOW WATER (MLLW)	-4.1	-3.0	-0.2


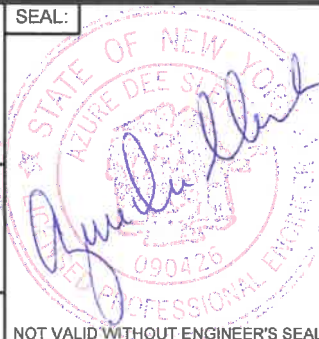
 <p style="font-size: small;">611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	Prepared For: <p style="text-align: center;"><b>LYNN KROLL</b> 20 PARSONAGE POINT PLACE RYE, NY 10580</p>	SEAL: 	Date: <p style="text-align: center;"><b>3-19-2020</b></p>	Rev.: 	
	Project: <p style="text-align: center;"><b>18 PARSONAGE POINT PIER</b> <b>18 PARSONAGE POINT</b> <b>RYE, NY 10580</b></p>		Drawn By: <p style="text-align: center;"><b>SLB</b></p>	Checked By: <p style="text-align: center;"><b>JAP</b></p>	
ALL RIGHTS RESERVED. ©2020 RACE COASTAL ENGINEERING, PC.		NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY		Datum: <p style="text-align: center;"><b>NAVD88</b></p>	Scale: <p style="text-align: center;"><b>N/A</b></p>
		Project No.: <p style="text-align: center;"><b>2020013</b></p>		Drawing No.: <p style="text-align: center;"><b>1 of 6</b></p>	

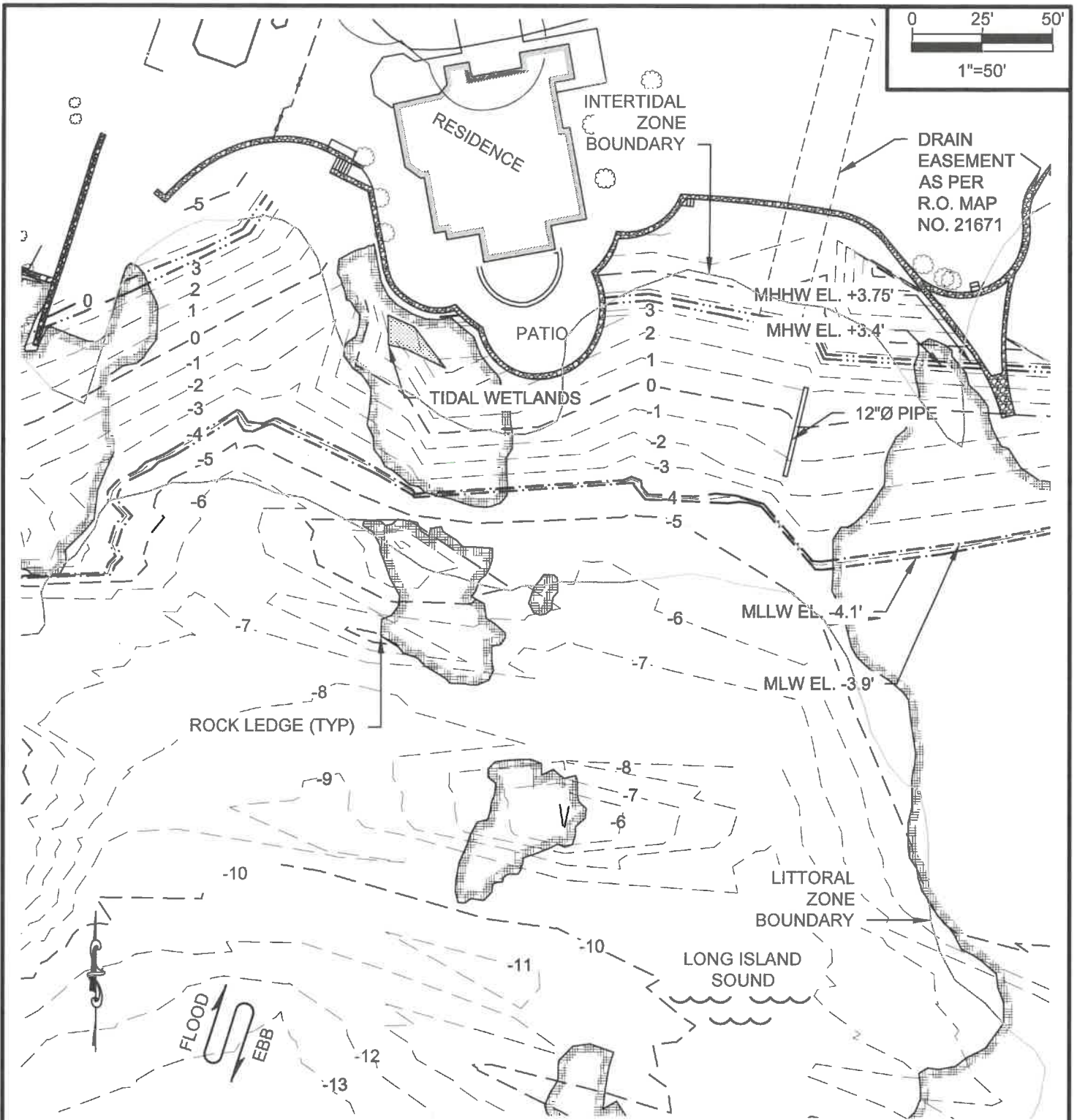


 <b>RACE</b> COASTAL ENGINEERING 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com	Prepared For: <b>LYNN KROLL</b> <b>20 PARSONAGE POINT PLACE</b> <b>RYE, NY 10580</b>	SEAL: 	Date:	Rev.:
	Project: <b>18 PARSONAGE POINT PIER</b> <b>18 PARSONAGE POINT</b> <b>RYE, NY 10580</b>		3-19-2020	
			Drawn By:	Checked By:
			SLB	JAP
			Datum:	Scale:
			NAVD88	1"=1000'
			Project No.:	Drawing No.:
			2020013	<b>2</b> of 6


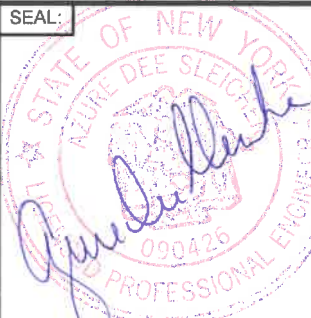


**EXISTING SITE PLAN**

 RACE COASTAL ENGINEERING 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com	Prepared For: <b>LYNN KROLL</b> 20 PARSONAGE POINT PLACE RYE, NY 10580	SEAL: 	Date:	3-19-2020	Rev.:	
	Project: <b>18 PARSONAGE POINT PIER</b> <b>18 PARSONAGE POINT</b> RYE, NY 10580		Drawn By: <b>SLB</b>	Checked By: <b>JAP</b>	Datum: <b>NAVD88</b>	Scale: <b>1"=80'</b>
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**EXISTING PARTIAL SITE PLAN**

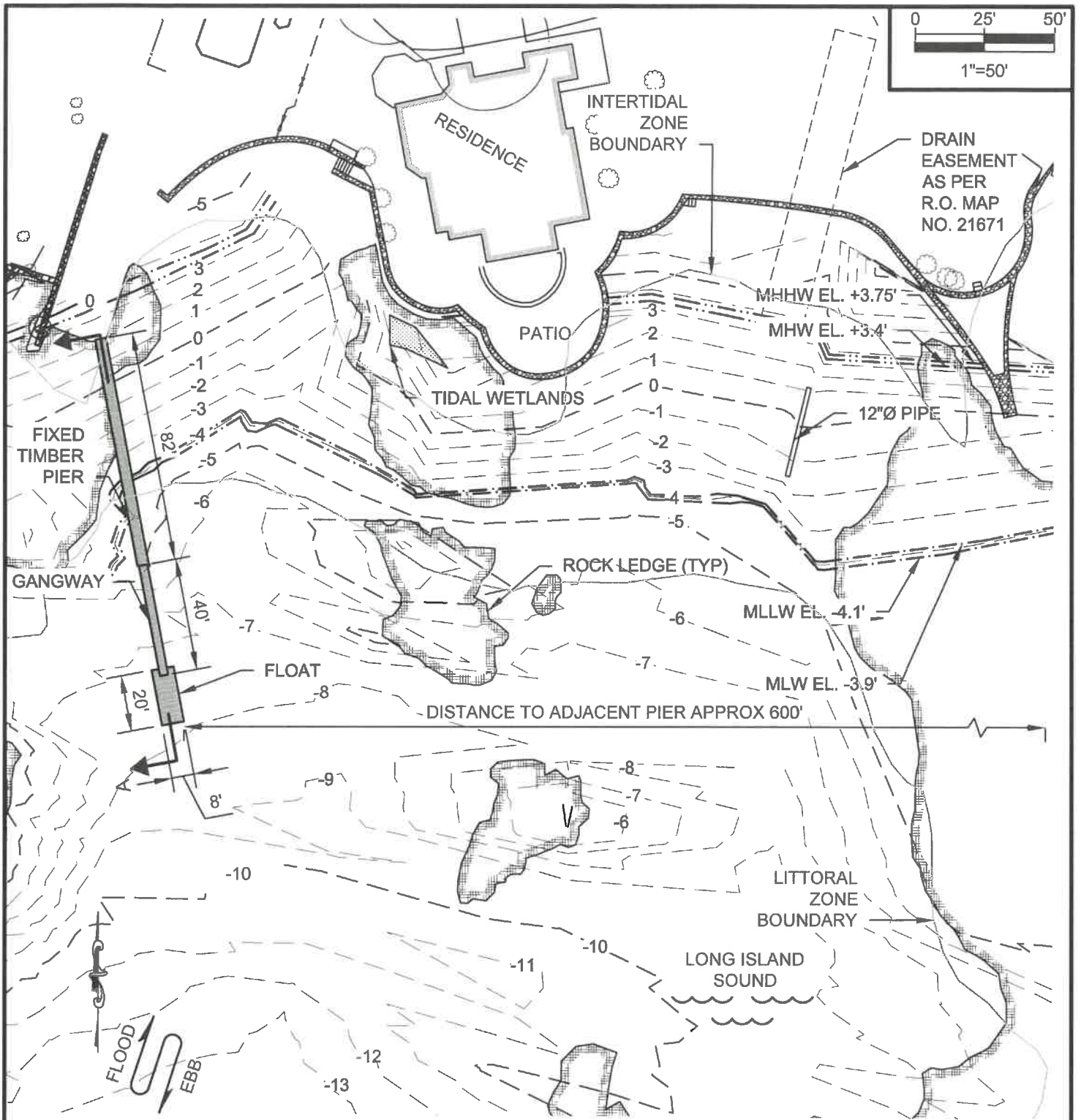
 <p><b>RACE</b> COASTAL ENGINEERING</p> <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	<p>Prepared For:</p> <p><b>LYNN KROLL</b> 20 PARSONAGE POINT PLACE RYE, NY 10580</p>	<p>SEAL:</p> 	Date:	Rev.:
	<p>Project:</p> <p><b>18 PARSONAGE POINT PIER</b> 18 PARSONAGE POINT RYE, NY 10580</p>		3-19-2020	
			Drawn By:	Checked By:
			SLB	JAP
			Datum:	Scale:
			NAVD88	1"=50'
			Project No.:	Drawing No.:
			2020013	4 of 6

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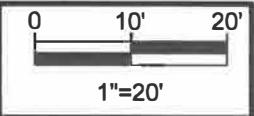
NOT VALID WITHOUT ENGINEER'S SEAL



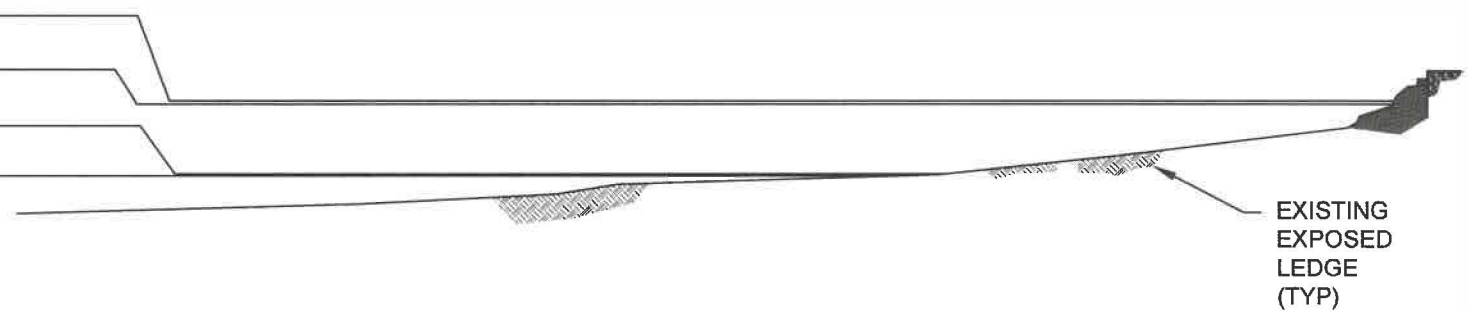


**PROPOSED PARTIAL SITE PLAN**

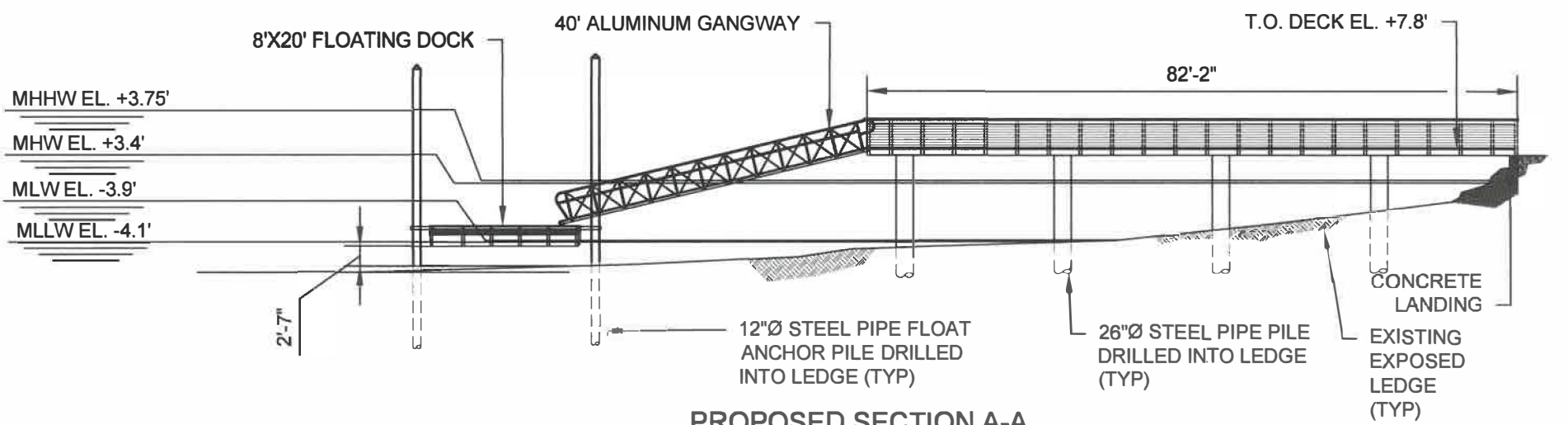
 RACE COASTAL ENGINEERING 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com	Prepared For: <b>LYNN KROLL</b> 20 PARSONAGE POINT PLACE RYE, NY 10580	SEAL: 	Date: 3-19-2020	Rev.:
	Project: <b>18 PARSONAGE POINT PIER</b> <b>18 PARSONAGE POINT</b> RYE, NY 10580	Drawn By: SLB	Checked By: JAP	Datum: NAVD88
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MHHW EL. +3.75'  
 MHW EL. +3.4'  
 MLW EL. -3.9'  
 MLLW EL. -4.1'



**EXISTING SECTION A-A**



**PROPOSED SECTION A-A**

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	Project: <b>18 PARSONAGE POINT PIER</b> <b>18 PARSONAGE POINT</b> <b>RYE, NY 10580</b>		3-19-2020	
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			SLB	JAP
		Datum:	Scale:	
		NAVD88	1"=20'-0"	
		Project No.:	Drawing No.:	
		2020013	6 of 6	