



PUBLIC NOTICE

U.S. Army Corps
of Engineers

New York District, CENAN-OP-RU

Upstate Regulatory Field Office

1 Buffington Street, Bldg. 10, 3rd Fl. North

Watervliet, New York 12189-4000

In replying refer to:

Public Notice Number: NAN-2019-01358-UCO

Issue Date: March 12, 2021

Expiration Date: April 12, 2021

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). The purpose of this notice is to solicit comments and recommendations from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties so that we may consider and evaluate the impacts for the work described below and determine whether to issue, modify, condition, or deny a Department of the Army permit.

APPLICANT: Rouses Point Yacht Club
PO Box 649
Rouses Point, NY 12979

ACTIVITY: Work, including the discharge of fill material in navigable waters of the United States, in order to rehabilitate and maintain an existing bulkhead and improve parking access at an existing private mooring facility

WATERWAY: Lake Champlain

LOCATION: Village of Rouses Point, Clinton 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 THE ATTENTION OF John Connell AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO john.r.connell@usace.army.mil, TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Due to COVID-19, and limited in-office mail processing procedures, it is highly recommended that comments be sent by Electronic Mail only to prevent delays.

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.

According to the list of Federally-listed species on the Information for Planning and Conservation website for the New York Field Office of the U.S. Fish and Wildlife Service no endangered species are expected to occur in the vicinity of the project site. Therefore, our preliminary determination is that the activity for which authorization is sought herein will not affect Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), if new information warrants, the District Engineer will consult with the appropriate Federal agency to determine the presence of and any potential impacts to listed species or their critical habitat in the project area.

By letter dated May 13, 2020, the New York State Office of Parks, Recreation and Historic Preservation (SHPO) indicated it is their opinion that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking. Based on the programmatic agreement between this office and the SHPO dated January 7, 2021, this office has determined that this undertaking has no potential to cause effect to sites listed or eligible for listing in the National Register of Historic Places, and no further consultation under Section 106 of the National Historic Preservation Act is required. 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.

In addition to any required water quality certificate, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit no. 5-0928-00029/00015 for Excavation and Fill in Navigable Waters Under Article 15, Title 5, dated August 20, 2020

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>

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 John Connell of this office at (518) 266-6357.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


For and on
behalf of / Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

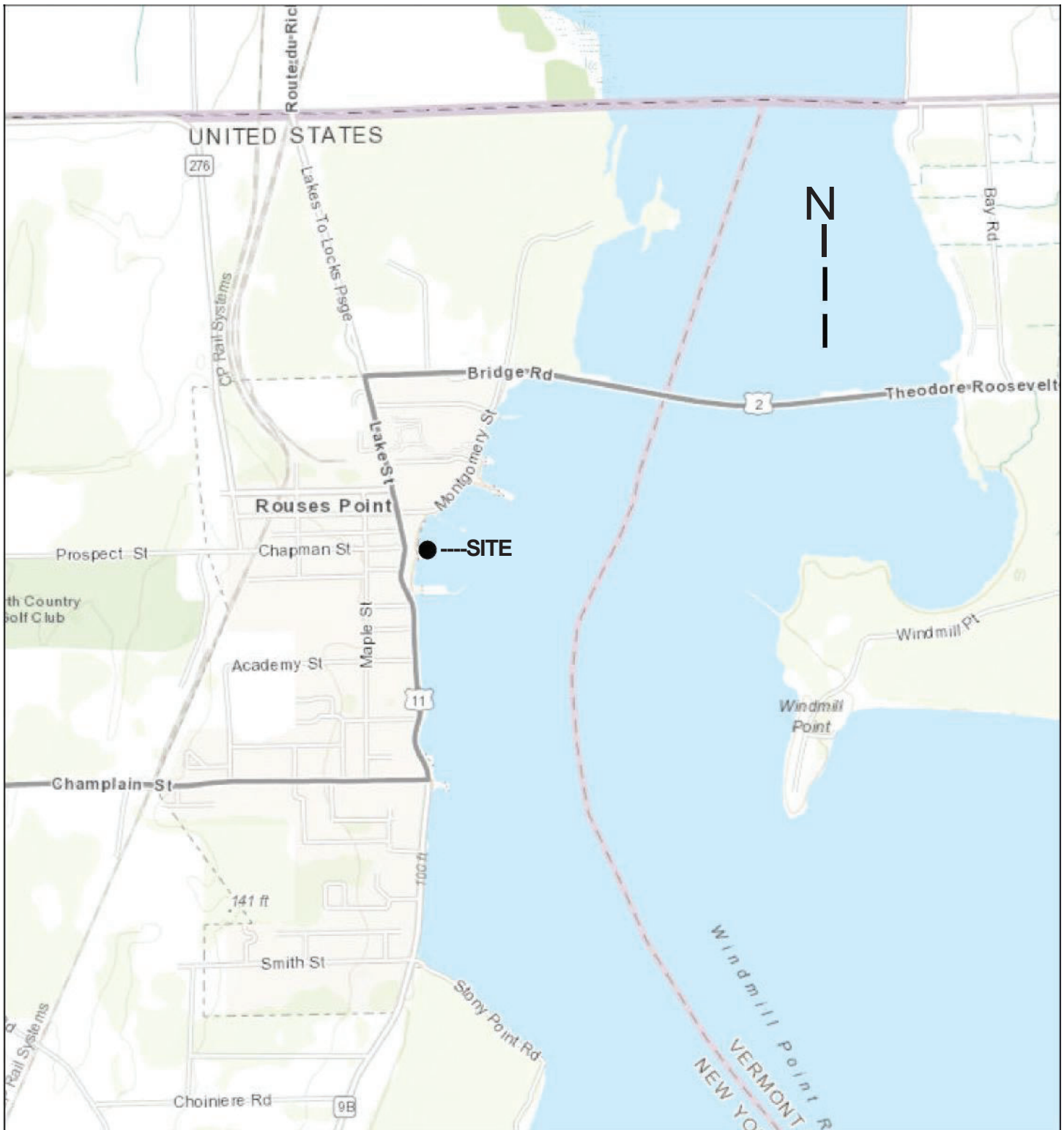
The applicant, Rouses Point Yacht Club, has requested Department of the Army permit for Work, including the discharge of fill material in navigable waters of the United States, in order to rehabilitate and maintain an existing bulkhead and improve parking access at an existing private mooring facility, in Lake Champlain, in the Village of Rouses Point, Clinton County, New York.

The work would involve the discharge of approximately 67 cubic yards of stacked stone boulders below the ordinary high water mark (OHWM) of Lake Champlain along approximately sixty (60) linear feet of an existing reinforced concrete bulkhead and across an existing approximately twenty-two (22) feet wide boat ramp. The stacked stone boulder fill would extend eight (8) feet into the waterway from the base of the existing bulkhead, and would include the placement of fill material into approximately 0.016 acres of the Lake. The work would also involve the discharge of approximately 80 cubic yards of crushed stone backfill below the OHWM of the Lake landward of the stacked stone boulder fill and within the existing boat ramp. The proposed backfill would cause the permanent loss approximately 0.020 acres of the Lake.

The applicant has stated that they have avoided and minimized proposed impacts to the maximum extent practicable by minimizing the proposed boat ramp fill from a total of approximately 0.028 acres of permanent loss below the OHWM of the Lake, to the proposed total loss of approximately 0.020 acres of the Lake.

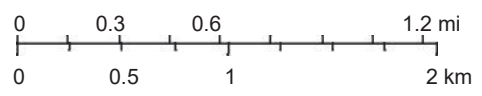
The stated purpose of this project is to maintain an existing bulkhead, which protects the previously filled portion of the Lake that is the site of the mooring facility's clubhouse, and abandon an existing boat ramp to improve safety and seasonal access to existing parking areas.

Appl. No. NAN-2019-01358 by Rouses Point Yacht Club



November 6, 2019

1:36,112



Sources: Esri, HERE, Garmin, Inter map, increment P Corp., G EBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



ROUSES POINT YACHT CLUB



January 31, 2021

Two story building

Two-story building

CHAPMAN STREET

LAKE STREET

Rouses Point Yacht Club

Club House

Two story building

+/- 75' launching ramp

Existing +/- 60' reinforced concrete bulkhead with 20' return

OHWM 99.8' NGVD29

OHWM 99.8' NGVD29

Existing stone filled concrete pier

OHWM 99.8' NGVD29

LAKE CHAMPLAIN

GAINES MARINA DOCKS

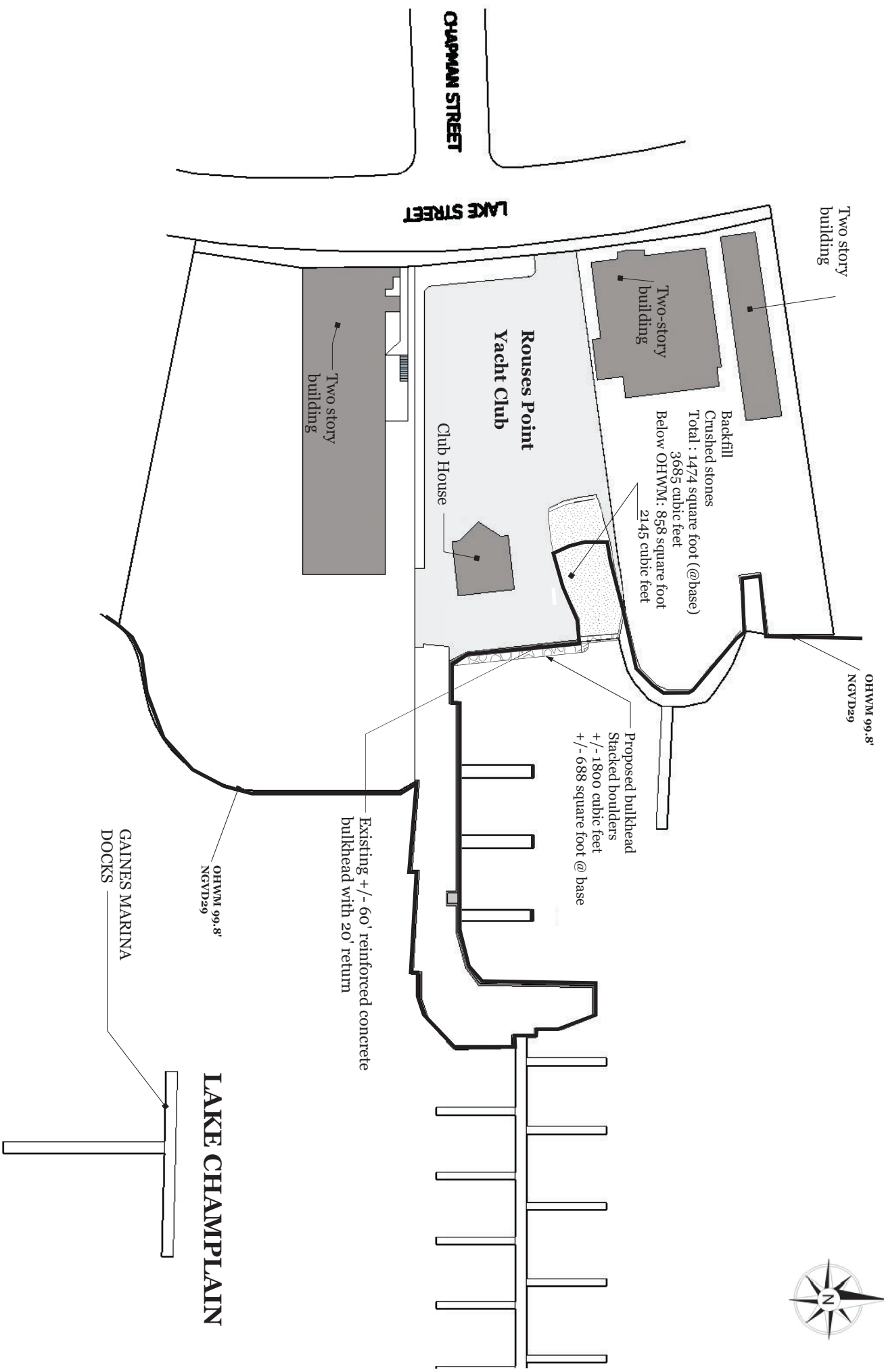


ROUSES POINT YACHT CLUB
PLAN VIEW - EXISTING PROJECT

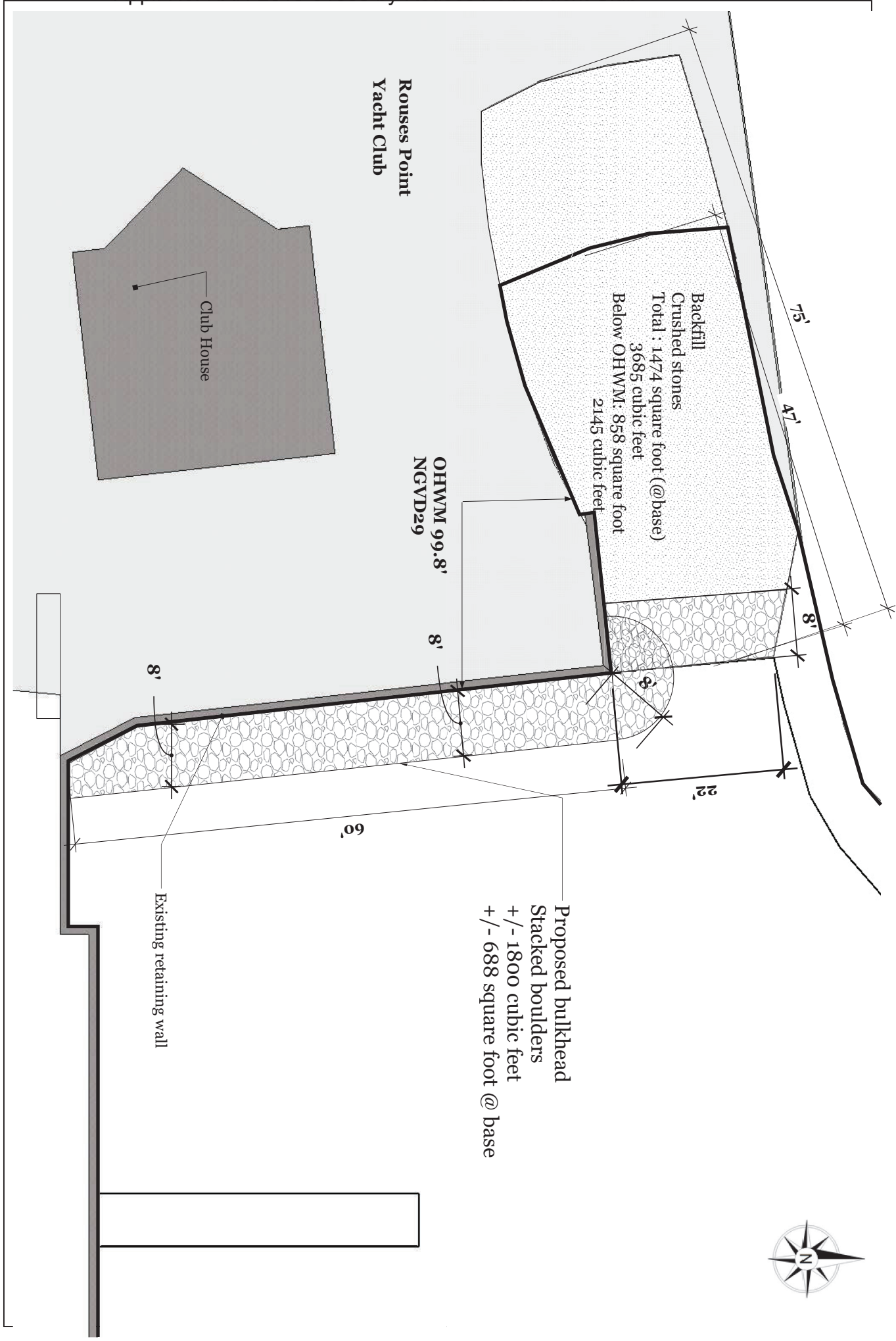
SCALE BAR 1:840



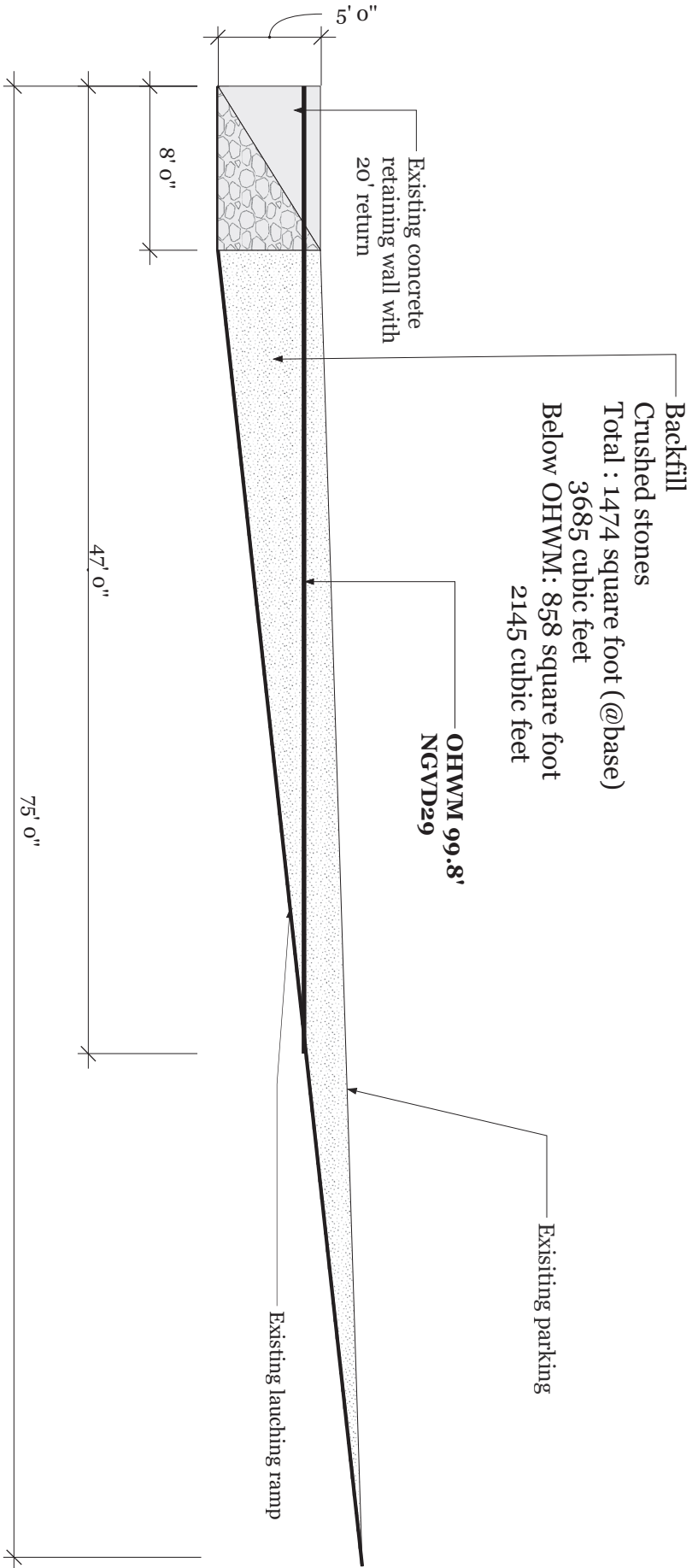
ROUSES POINT YACHT CLUB PLAN VIEW - PROPOSED PROJECT



ROUSES POINT YACHT CLUB PLAN VIEW - PROPOSED PROJECT CLOSE-UP



SCALE BAR 1:192



ROUSES POINT YACHT CLUB
SIDE VIEW - PROPOSED PROJECT
BACKFILL OF RAMP (SOUTH VIEW)

SCALE BAR 1:96

