



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 reply to:

Public Notice Number: NAN-2020-00959-WRY
Issue Date: May 12, 2021
Expiration Date: May 27, 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).

APPLICANT: Breakers Stony Point, L.P.
5 Eastview Road
Monsey, New York 10952

ACTIVITY: The construction of a fixed timber pier. Also, the removal of existing floating docks and timber bulkhead to facilitate the construction of riprap revetment.

WATERWAY: Hudson River.

LOCATION: Town of Stony Point, 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 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-2020-00959-WRY.

The email inbox for written comments is: alexandra.ryan@usace.army.mil.

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 affect any Federally endangered or threatened species or their critical habitat. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer has consulted 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. Consultation with NOAA/FS regarding EFH impacts and conservation recommendations is ongoing 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. However, the permit area is within 1,000 feet of the Stony Point Battlefield, a National Historic Landmark. Other historic resources listed in the National Register of Historic Places within the vicinity include:

- Stony Point Battlefield Museum
- Stony Point Lighthouse
- M/V Commander

The New York District is in consultation with the New York State Historic Preservation Office (NYSHPO) to evaluate direct and indirect effects to historic properties. Consultation with NYSHPO will be concluded prior to the final decision. 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

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2020-00959-WRY

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. 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.

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 Miss Alexandra Ryan of this office at alexandra.ryan@usace.army.mil.

In order for us to better serve you, please complete our Customer Service Survey located at <https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/>.

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

Enclosure

WORK DESCRIPTION

This is a supplemental notification to solicit comments from the public as a result of appreciable interest received following a Letter of Coordination issued on December 28, 2020.

The applicant, Breakers Stony Point, L.P., has requested Department of the Army authorization for the construction of a fixed timber pier and shoreline rehabilitation located in the Hudson River in the Town of Stony Point, Rockland County, New York.

The work would involve the construction of a 220-foot long by 8-foot wide fixed timber pier, supported by 56 timber piles with 12-inch diameter. The piles would be installed by barge-mounted vibratory hammer. The bottom of the pier would be 5.24-feet above the plane of mean high water, providing sufficient light penetration to the habitat below. The structure would extend approximately 200-feet seaward from the plane of the mean low water into the Hudson River, within the footprint of the existing marina. The river is approximately 1.3-miles wide at the project location. There is submerged aquatic vegetation documented within the project area.

The project would also involve the removal of several existing floating docks within the marina and the existing timber bulkhead to construct a riprap revetment with public esplanade along 1,400 linear feet of shoreline. Approximately 2,625 cubic yards (CY) of material would be excavated landward of the existing bulkhead. The excavated area would be graded to a slope of 1:1.5. The existing bulkhead would serve as a cofferdam before being cut below the mudline. The revetment toe would be located at the bulkhead line. A biodegradable geotextile fabric would be placed along the shoreline as a base for the new revetment. Approximately 3,492 CY of stone would be used to construct the revetment, consisting of a 6-inch layer of 3/4-inch crushed stone, a 6-inch layers of 3-inch stone, and a 2.5-foot thick layer of 12-inch to 24-inch armor stone. Three vegetated tidal pools, involving the placement of 437 CY clean sand, would be incorporated within the design of the revetment in place of the existing boat launch ramps and beach area. All work to the shoreline would be conducted from land at periods of low tide.

The stated purpose of this project is to improve erosion and wave protection and increase public access to the waterway.

3
2
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1

EAGLE BAY SHORELINE & PUBLIC PIER

TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK

TAX LOTS 15.04-6-3, 15.04-6-4, 15.04-6-4

ENVIRONMENTAL PERMIT APPROVALS SET
FEBRUARY 11, 2021



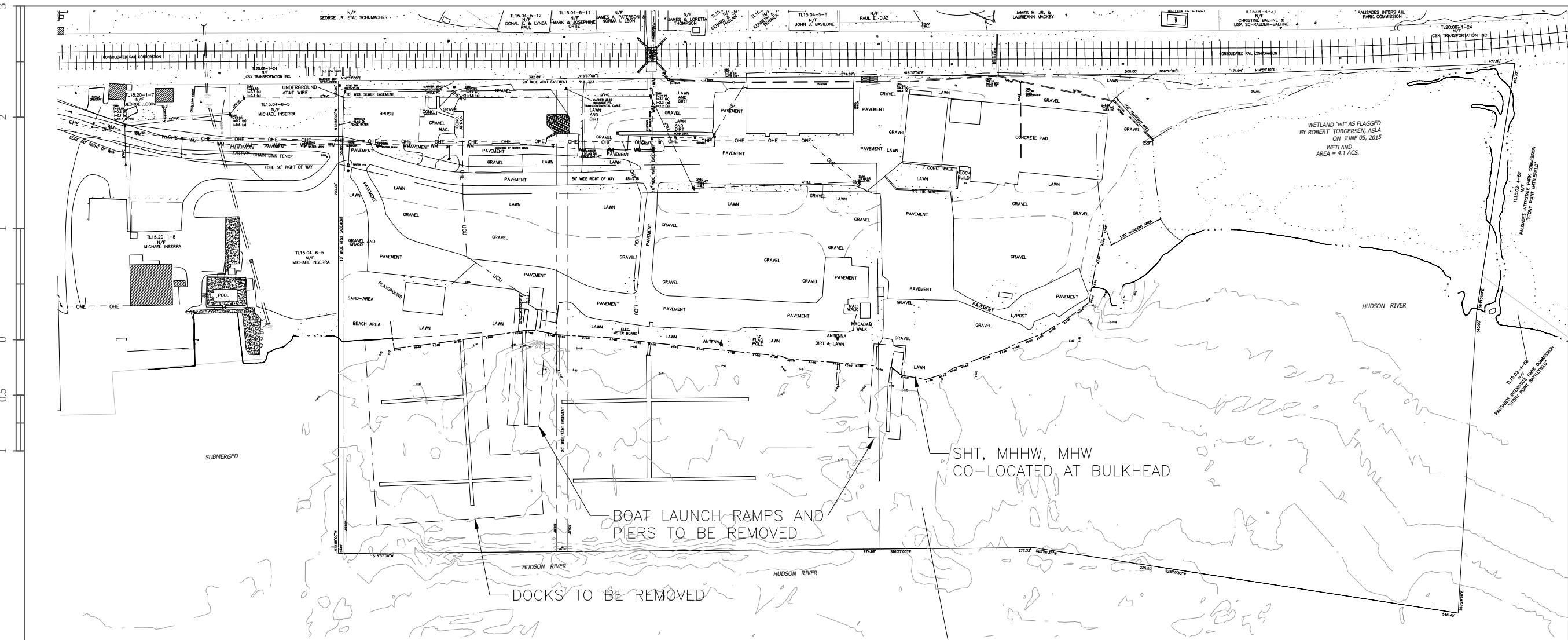
VICINITY MAP
N.T.S.

DRAWING LIST	
DWG NO.	DWG NAME
T-000.00	TITLE SHEET
MR-100.00	EXISTING SITE PLAN
MR-101.00	EXISTING SECTIONS
MR-200.00	PROPOSED PLAN
MR-201.00	SHORELINE PART PLAN I
MR-202.00	SHORELINE PART PLAN II
MR-203.00	PROPOSED SECTIONS
MR-204.00	PROPOSED SECTIONS II
MR-210.00	PIER PART PLANS
MR-211.00	PIER SECTION & DETAILS I
MR-212.00	PIER SECTIONS & DETAILS II
MR-213.00	PIER ELEVATIONS
MR-301.00	CONSTRUCTION DETAILS



LOCATION MAP
N.T.S.

Project Info		
EAGLE BAY SHORELINE & PUBLIC PIER TOWN OF STONY POINT ROCKLAND COUNTY, NEW YORK		
3	2/11/21	NMFS RESPONSE
2	10/28/20	DEC NOI/A RESPONSE
1	6/30/20	JPA SUBMISSION
No.	Date	Reason
By		
Seal		
Sheet Title		
TITLE SHEET		
Project No. 18003 Scale N.T.S. Date OCTOBER 28, 2020 Drawn By DAZ Checked By SET Drawing No. T-000.00 01 of 13 Sheets		



Project Info

EAGLE BAY SHORELINE & PUBLIC PIER
TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK

3	2/11/21	NMFS RESPONSE	TMS
2	10/28/20	DEC NOIA RESPONSE	TMS
1	6/30/20	JPA SUBMISSION	TMS

No. Date Reason By

Seal

Sheet Title

EXISTING SITE PLAN

Project No. 18003

Scale 1" = 200'

Date FEBRUARY 11, 2021

Drawn by DAZ

Checked by SET

Drawing No.

MR-100.00

02 of 13 Sheets

LEGEND

- 361 EXISTING 1' CONTOUR
- 362 — EXISTING 2' CONTOUR
- 360 — EXISTING 10' CONTOUR
- W — EXISTING WATERLINE
- W — EXISTING WATER VALVE
- W — EXISTING FIRE HYDRANT
- G — EXISTING GAS LINE
- G — EXISTING GAS VALVE
- CB — EXISTING CATCH BASIN
- EXISTING STORM DRAIN LINE
- SMH — EXISTING SEWER MANHOLE
- S — EXISTING SEWER LINE
- + 360.0 EXISTING SPOT ELEVATION
- EXISTING STONEWALL
- POLE UP EXISTING UTILITY POLE
- OHW — EXISTING OVERHEAD WIRES
- X — EXISTING FENCE

BFE EL. 7.00
HOWL 3.90
MHHW EL. 2.04
NAVD88 EL. 0.00
MLW EL. -1.47
LOWL -4.24

MSW EL. 2.18
MHW EL. 1.76
SLW EL. 1.73

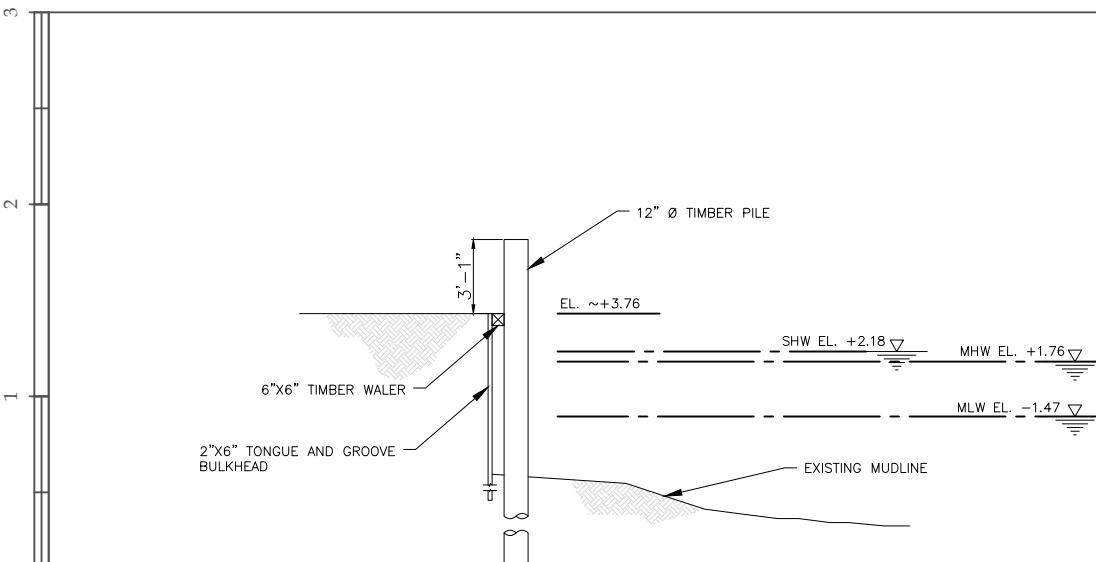
OWNER:

TAX LOT 15.04-6-3 BREAKERS STONY POINT, LP
5 EASTVIEW ROAD
MONSEY, NEW YORK 10592

TAX LOT 15.04-6-4 BREAKERS STONY POINT, LP
5 EASTVIEW ROAD
MONSEY, NEW YORK 10592

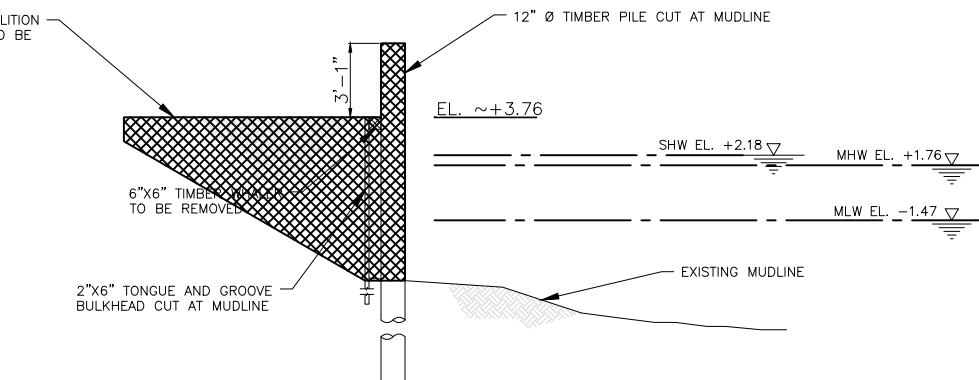
TAX LOT 15.04-6-6 BREAKERS STONY POINT, LP
5 EASTVIEW ROAD
MONSEY, NEW YORK 10592

SURVEY	ZONING CODE
AREA OF WETLAND = 3.2 ACS.	1.6 ACS.
AREA OF LAND = 9.9 ACS.	9.9 ACS.
AREA OF WATER = 12.4 ACS.	6.2 ACS.
AREA = 25.5 ACS.	17.7 ACS.
AREA OF LAND = 6.1 ACS.	6.1 ACS.
AREA OF WATER = 8.2 ACS.	4.1 ACS.
AREA = 14.3 ACS.	10.2 ACS.
AREA OF LAND = 1.2 ACS.	1.2 ACS.
AREA OF WATER = 0.0 ACS.	0.0 ACS.
AREA = 1.2 ACS.	1.2 ACS.
TOTAL AREA 41.0 ACS.	29.1 ACS.



A SECTION THROUGH EXISTING BULKHEAD
MR-101

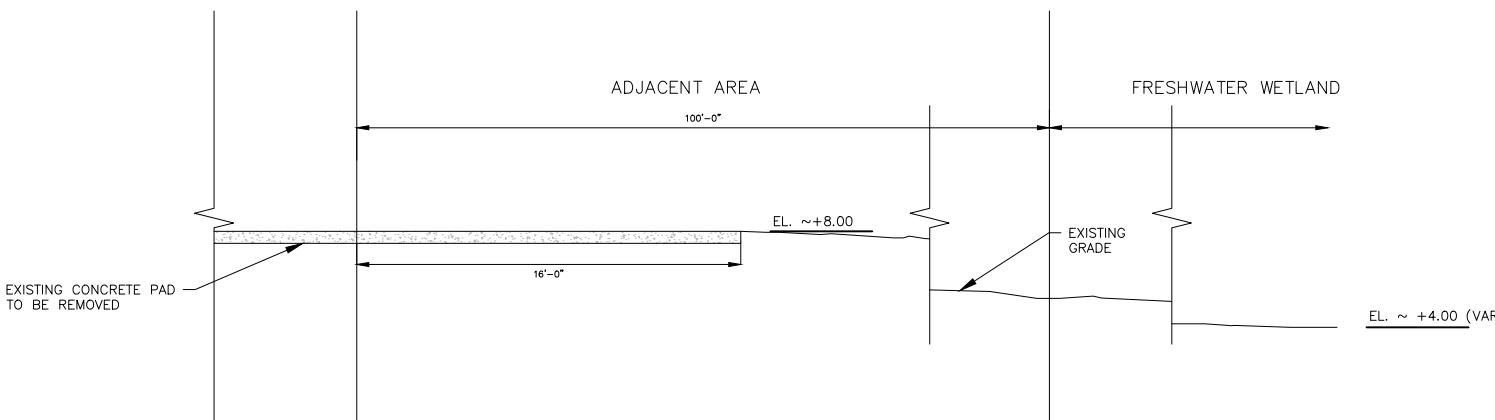
SCALE 1/8" = 1'



B DEMOLITION SECTION THROUGH EXISTING BULKHEAD
MR-101

SCALE 1/8" = 1'

NOTE:
TOTAL REMOVALS BELOW MHW: APPROX. 43,022 CF
OR 1593.4 CY.



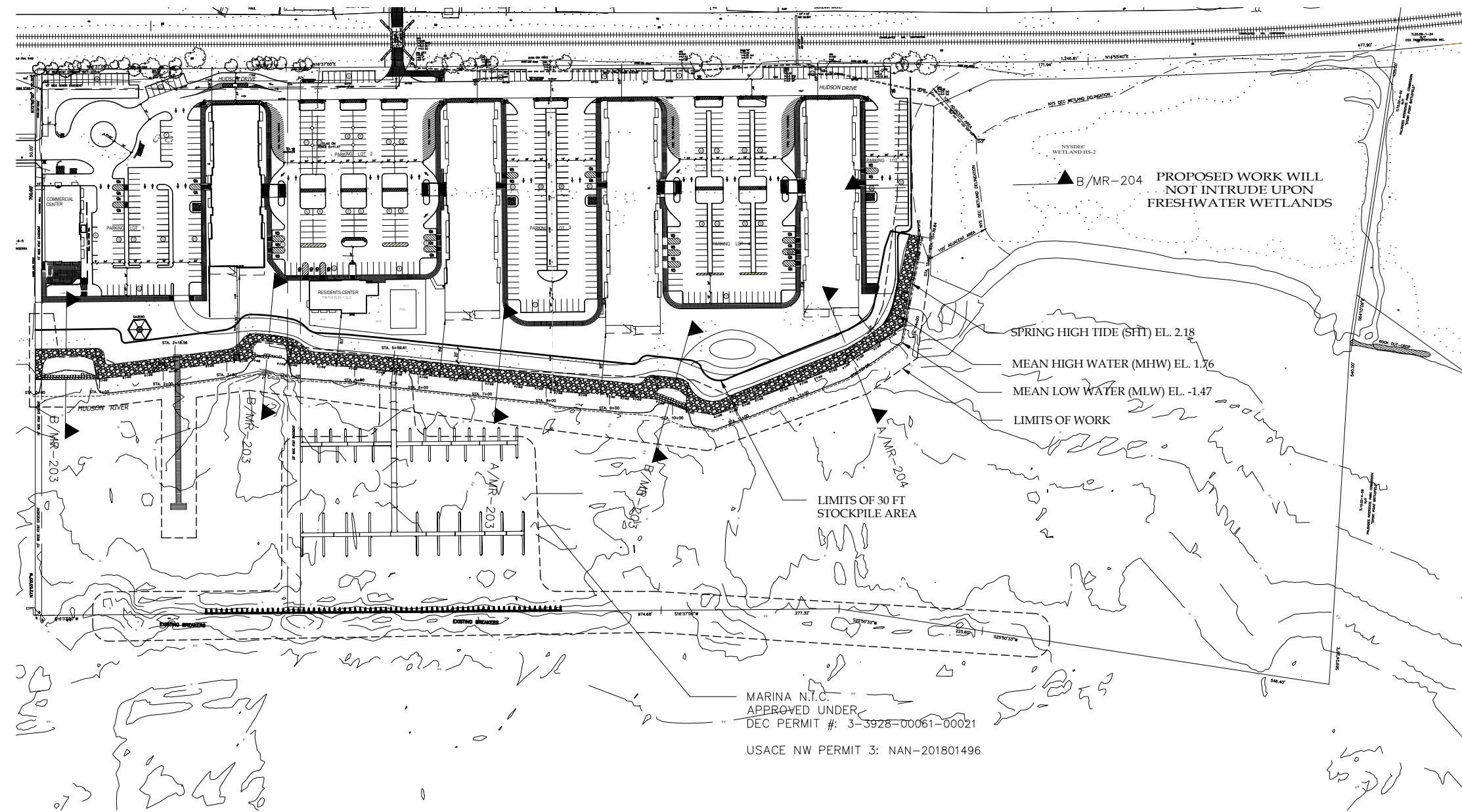
C SECTION THROUGH EXISTING FRESHWATER WETLAND
MR-101

SCALE 1/8" = 1'



D EXISTING BOAT LAUNCH AND PIER
MR-101

Project Info		
EAGLE BAY SHORELINE & PUBLIC PIER		
TOWN OF STONY POINT ROCKLAND COUNTY, NEW YORK		
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2	10/28/20	DEC NOIA RESPONSE
1	6/30/20	JPA SUBMISSION
No.	Date	Reason
By		
Seal		
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Project No. 18003		
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Date OCTOBER 28, 2020		
Drawn By DAZ		
Checked By SET		
Drawing No.		
MR-101.00		
03 of 13 Sheets		



Project Info

EAGLE BAY
SHORELINE &
PUBLIC PIER

TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK

No.	Date	Reason	By
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2	10/28/20	DEC NOIA RESPONSE	TMS
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No.	Date	Reason	By

Seal

Sheet Title

PROPOSED PLAN

Project No. 18003

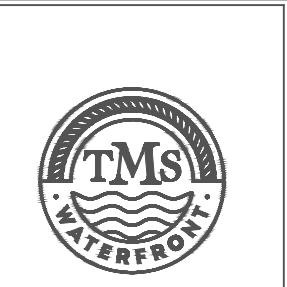
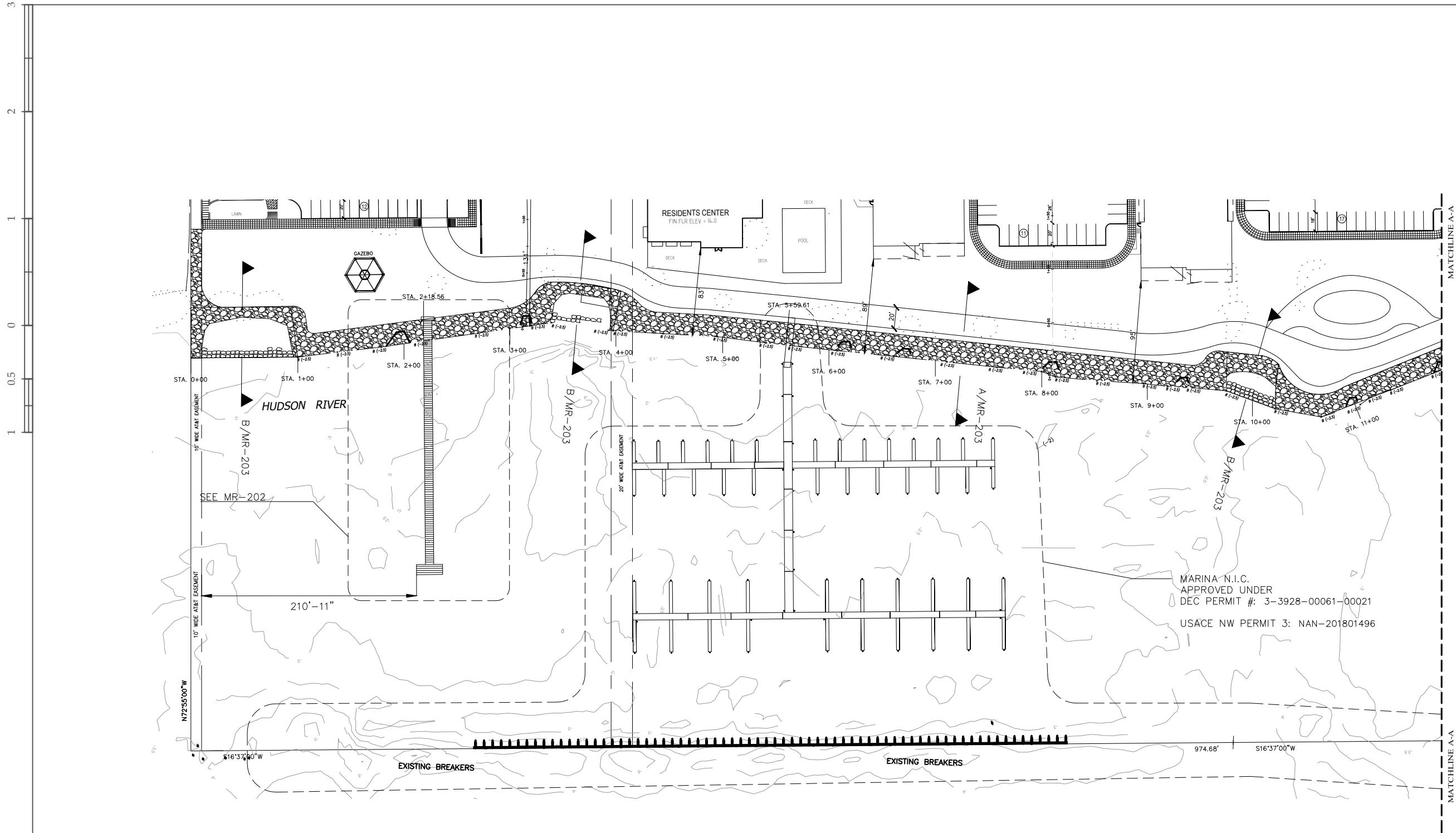
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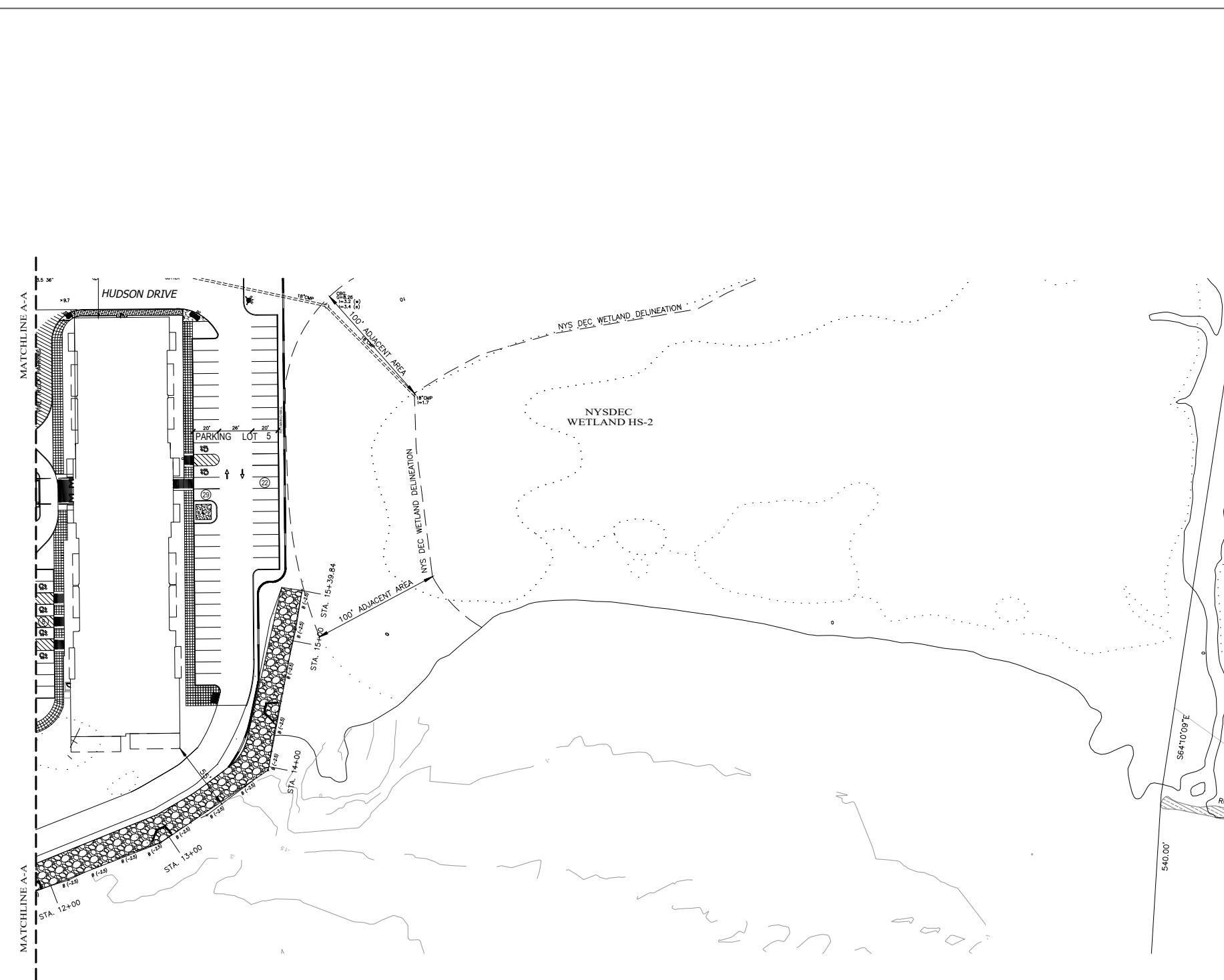
Date MAY 5, 2021

Drawn By DAZ

Checked By SET

Drawing No. MR-200.00





EAGLE BAY SHORELINE & PUBLIC PIER

TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK

2/11/21	NMFS RESPONSE	TMS
10/28/20	DEC NOIA RESPONSE	TMS
6/30/20	JPA SBUMISSION	TMS
Date	Reason	By

[View Details](#) | [Edit](#) | [Delete](#)

SHORELINE PART
PLAN II

No. 18003
1" = 100'
FEBRUARY 11, 2021
By DAZ
d By SET

g No.

MR-202.00



EAGLE BAY
SHORELINE &
PUBLIC PIER

TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK

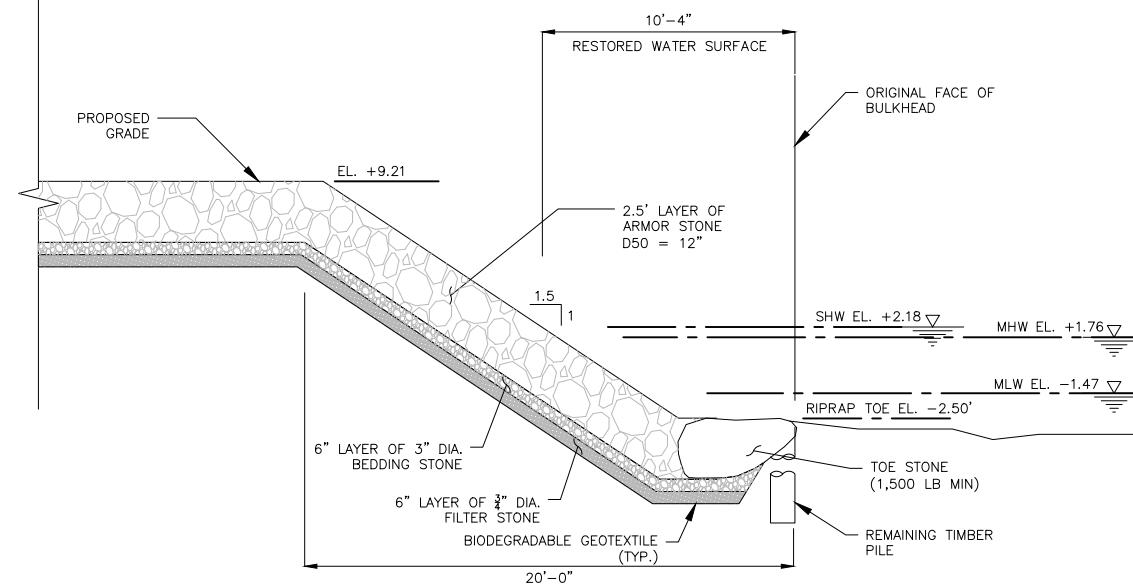
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No. Date Reason By

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	Date	FEBRUARY 11, 2021
	Drawn By	DAZ
	Checked By	SET
	Drawing No.	MR-203.00

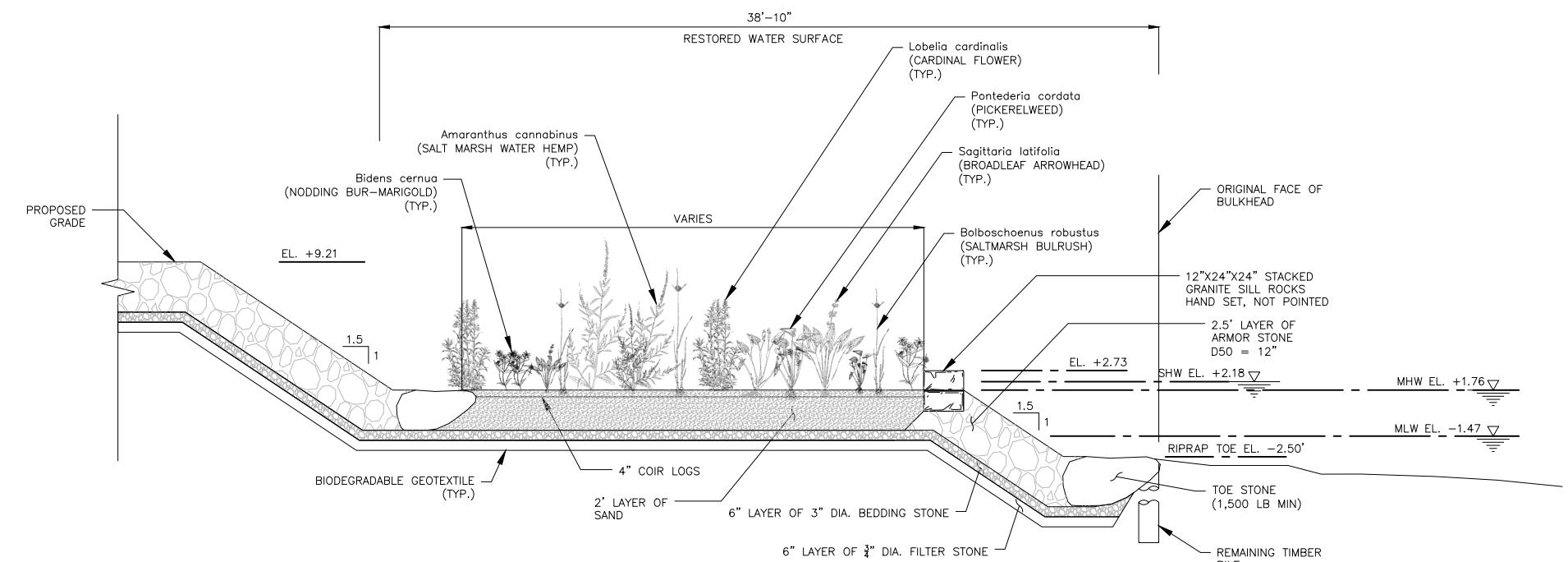
Sheet Title

PROPOSED SECTIONS I



A TYP. SECTION THROUGH PROPOSED REVETMENT
MR-203

SCALE 1/8" = 1'



B TYP. SECTION THROUGH TIDAL POOL
MR-203

SCALE 1/8" = 1'



EAGLE BAY
SHORELINE &
PUBLIC PIER

TOWN OF STONY POINT
ROCKLAND COUNTY, NEW YORK

3	2/11/21	NMFS RESPONSE	TMS
2	10/28/20	DEC NOIA RESPONSE	TMS
1	6/30/20	JPA SUBMISSION	TMS
No.	Date	Reason	By

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Sheet Title

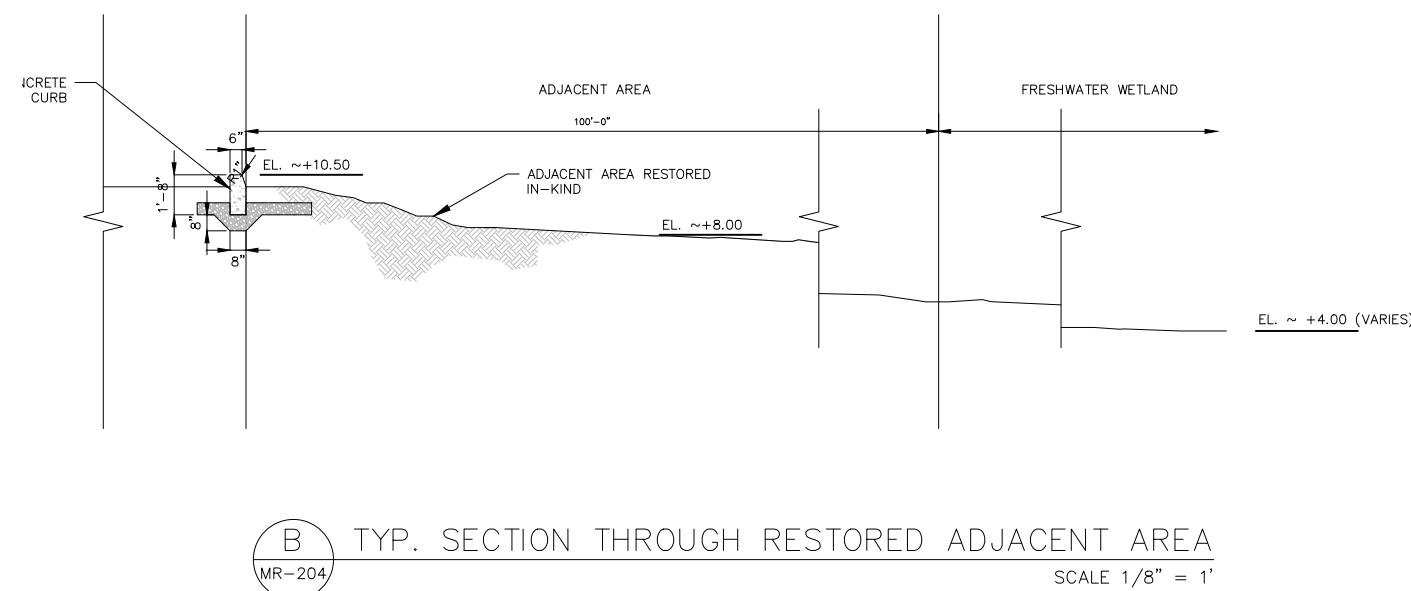
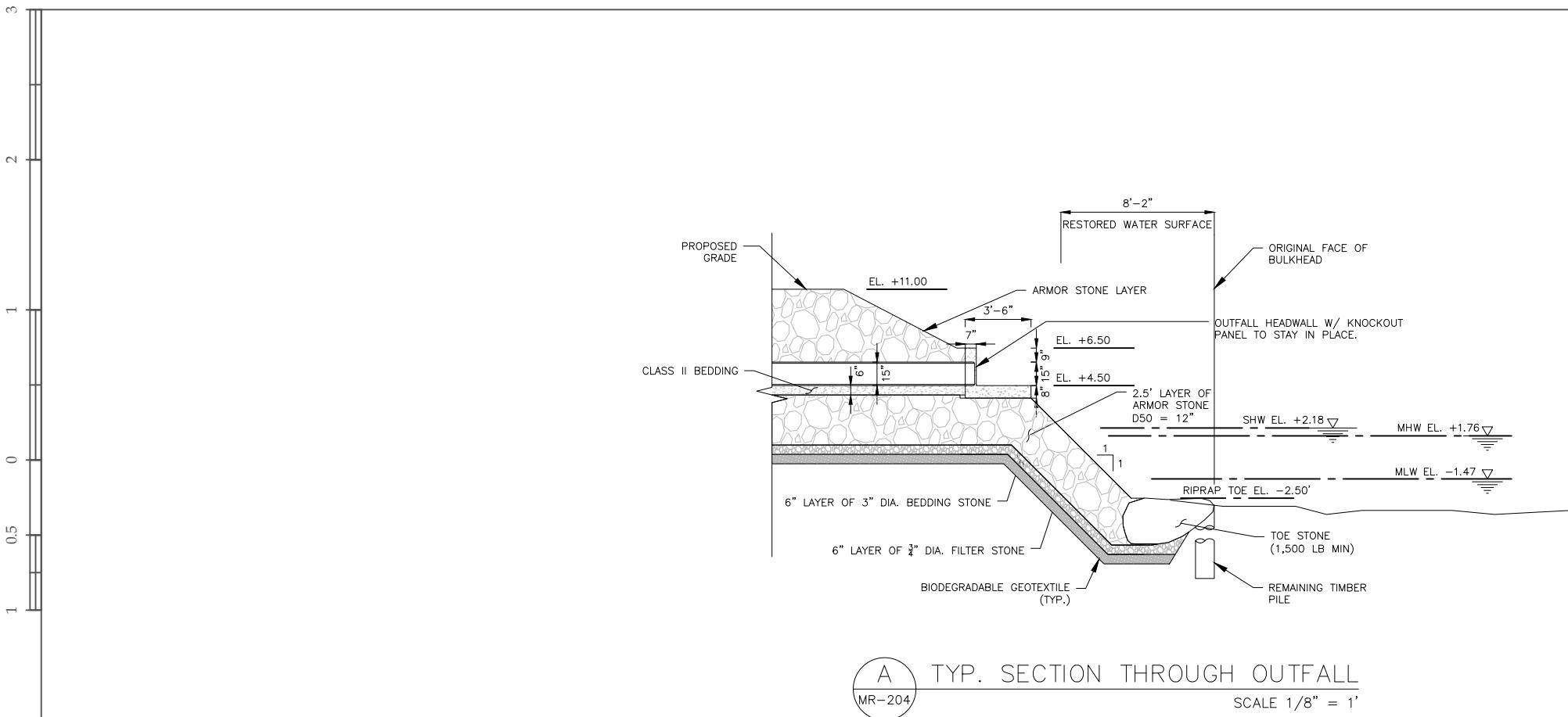
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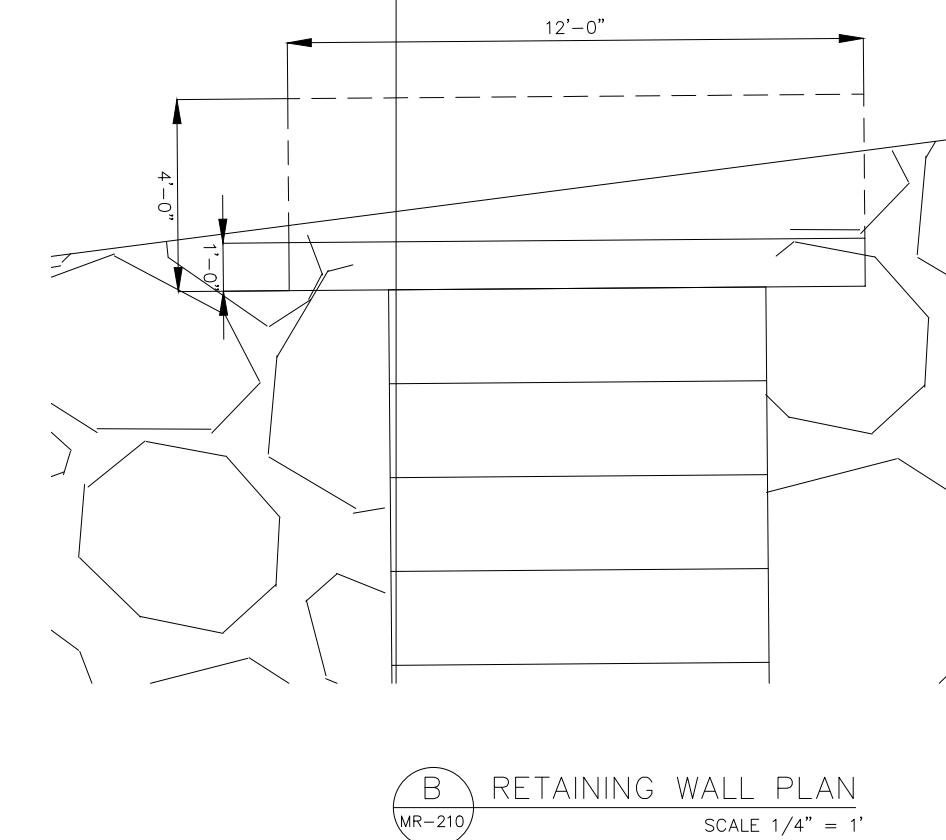
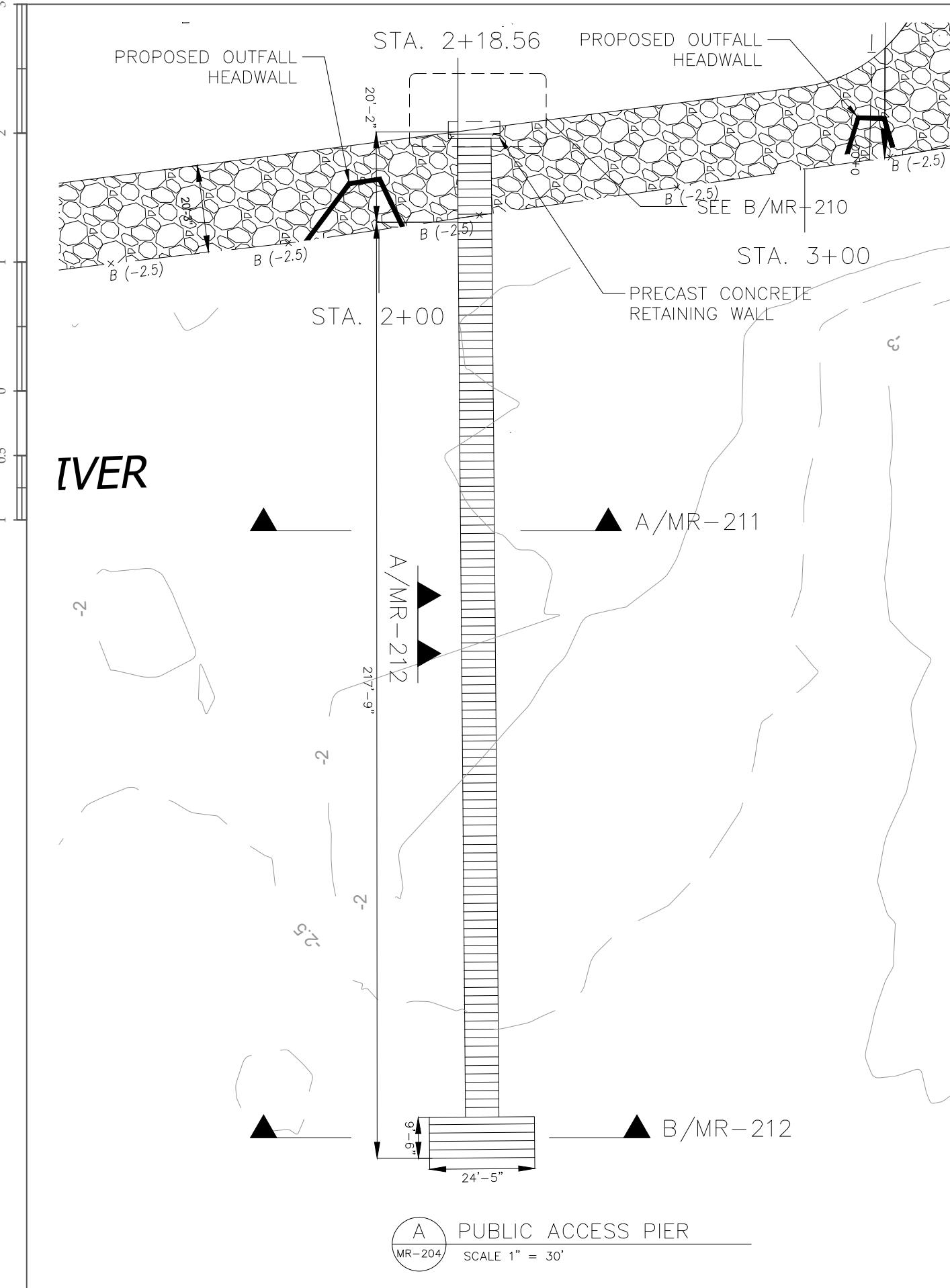
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Scale	1" = 8'
Date	FEBRUARY 11, 2021
Drawn By	DAZ
Checked By	SET

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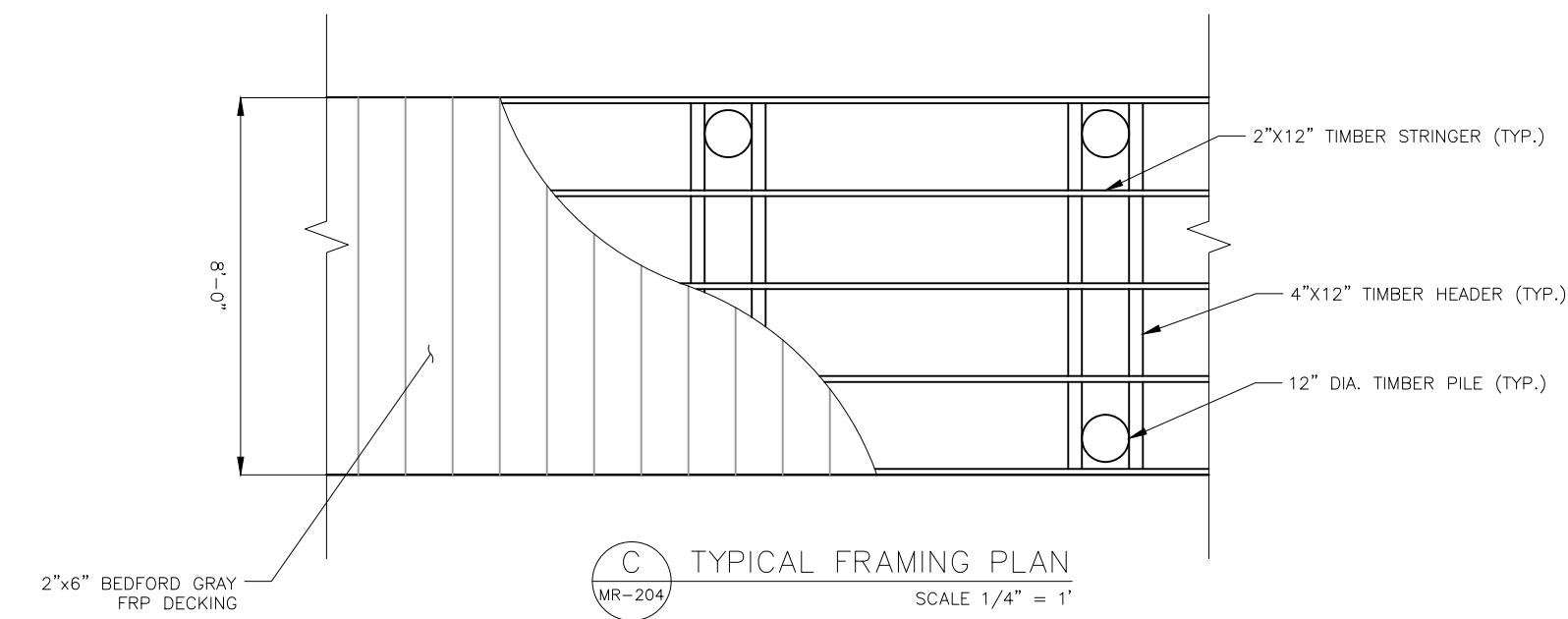
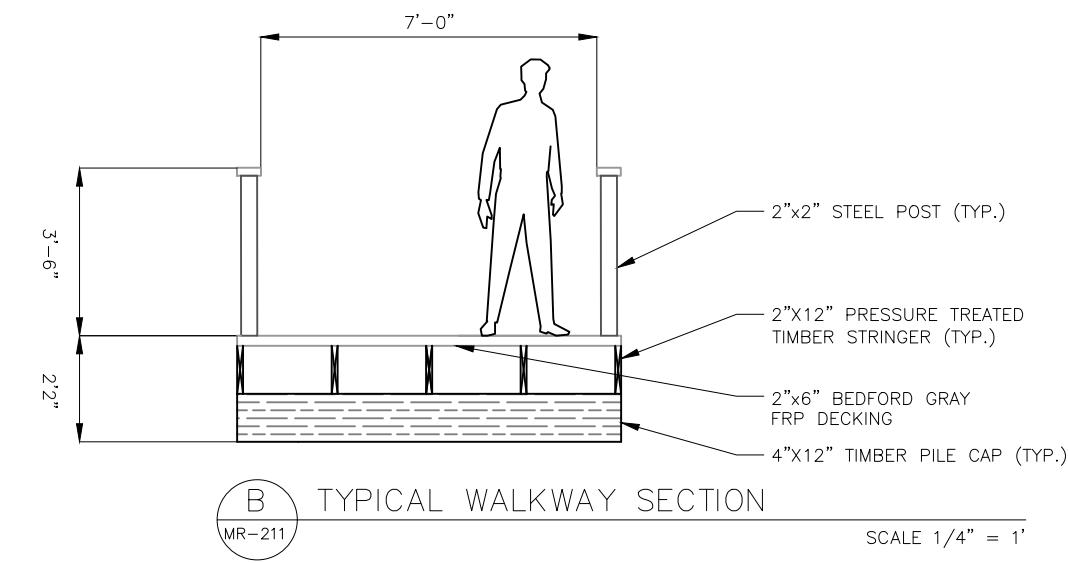
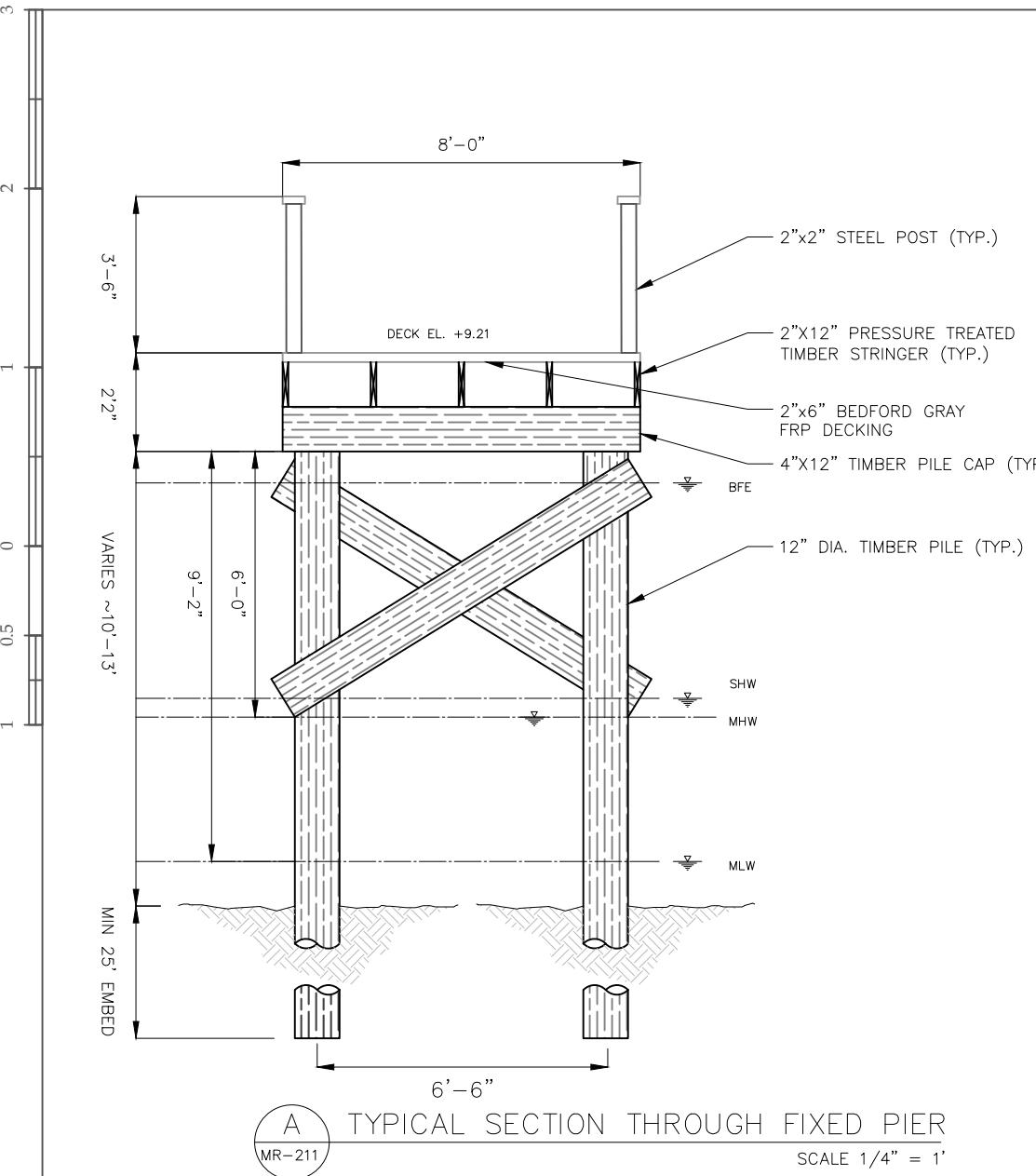
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08 of 13 Sheets

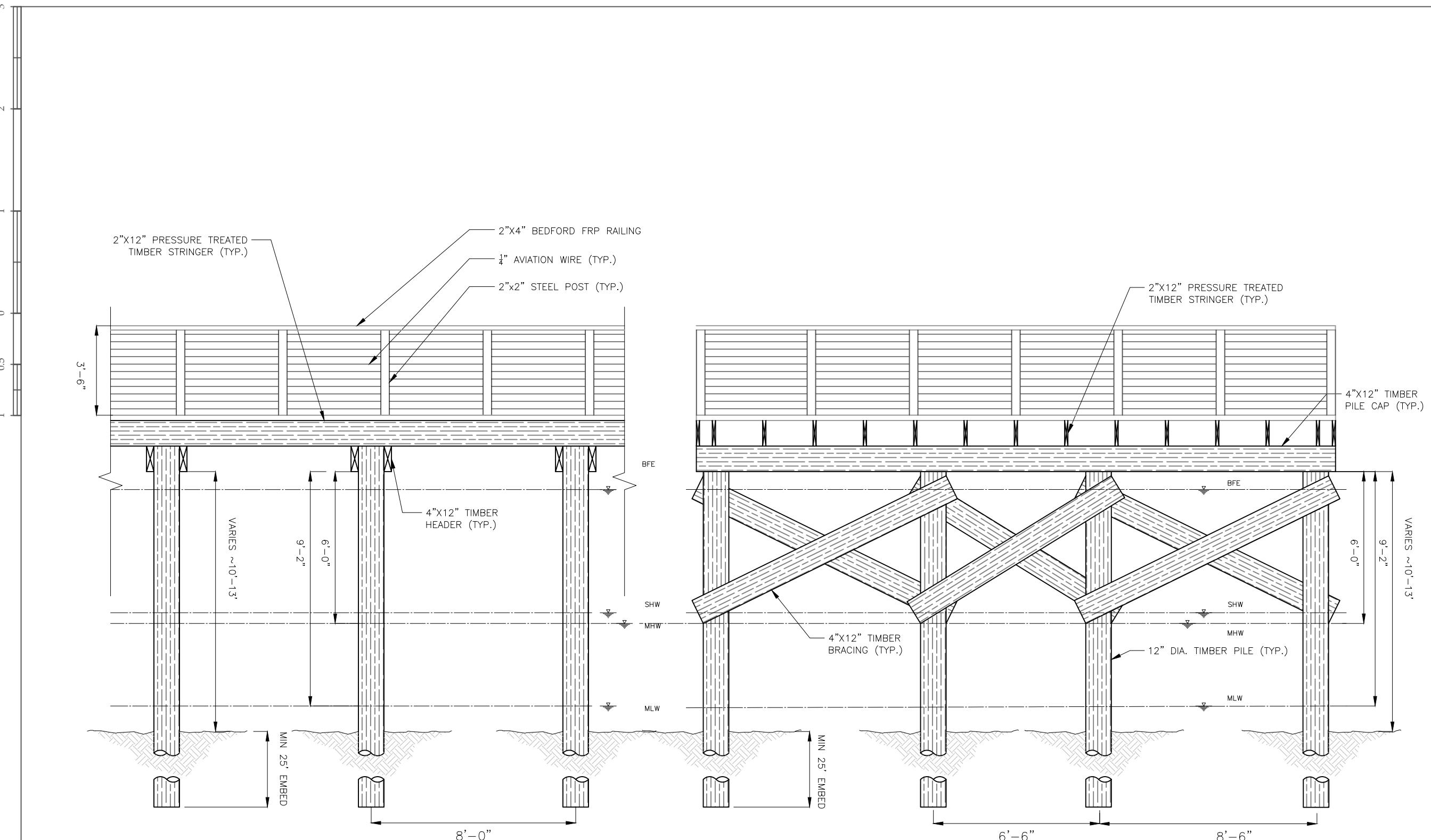




Project Info		
EAGLE BAY SHORELINE & PUBLIC PIER		
TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK		
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2 10/28/20 DEC NOIA RESPONSE TMS		
1 6/30/20 JPA SUBMISSION TMS		
No.	Date	Reason
By		
Seal		
Sheet Title		
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Project No. 18003		
Scale AS NOTED		
Date OCTOBER 28, 2020		
Drawn by DAZ		
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Drawing No. MR-210.00		
09 of 13 Sheets		



Project Info		
EAGLE BAY SHORELINE & PUBLIC PIER		
TOWN OF STONY POINT ROCKLAND COUNTY, NEW YORK		
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2 10/28/20 DEC NOIA RESPONSE TMS		
1 6/30/20 JPA SBMISSION TMS		
No.	Date	Reason
By _____		
Seal _____		
Sheet Title		
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Project No. 18003		
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Date OCTOBER 28, 2020		
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Checked By SET		
Drawing No. MR-211.00		
03 of 13 Sheets		



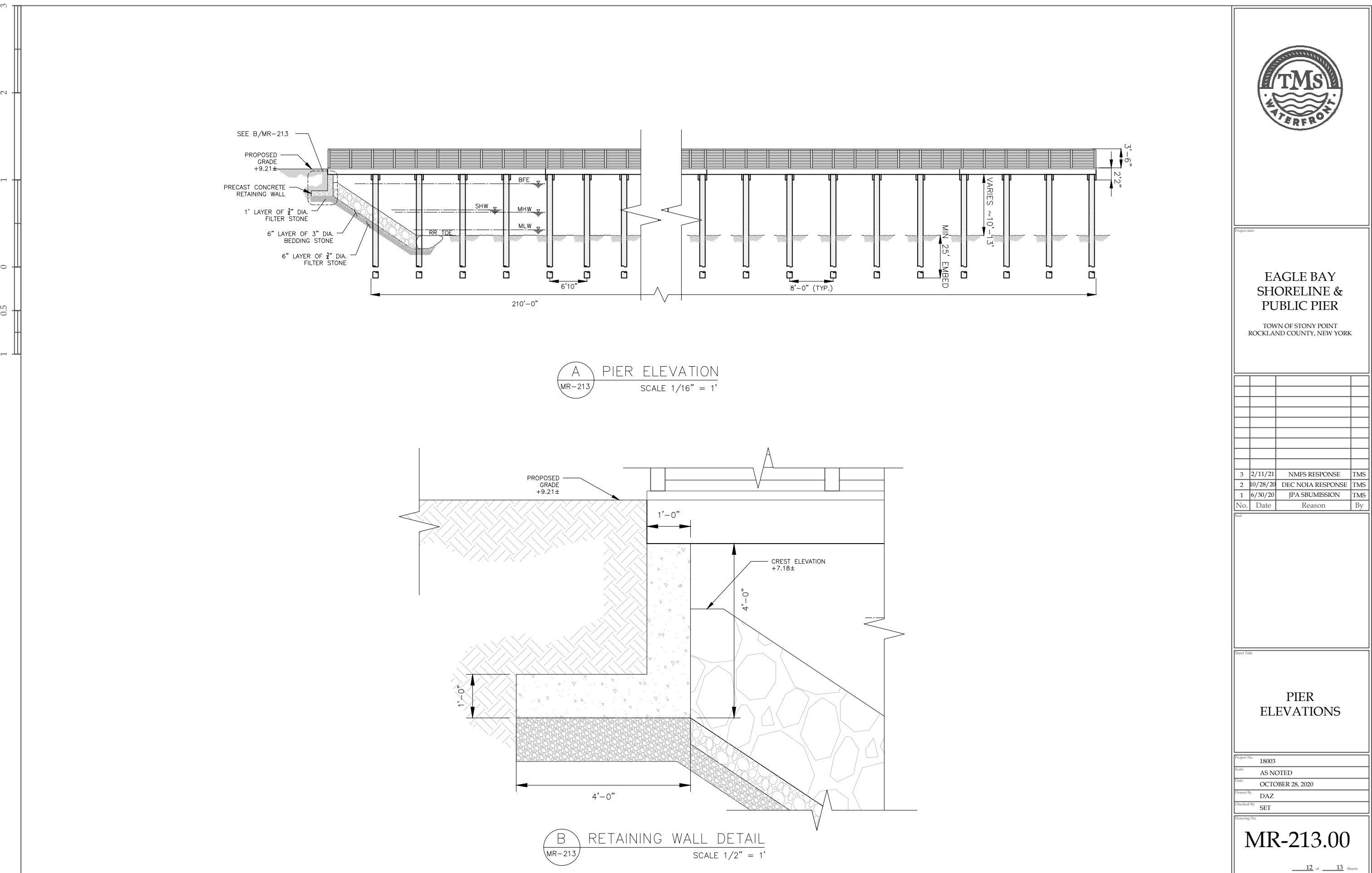
EAGLE BAY SHORELINE & PUBLIC PIER
TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK

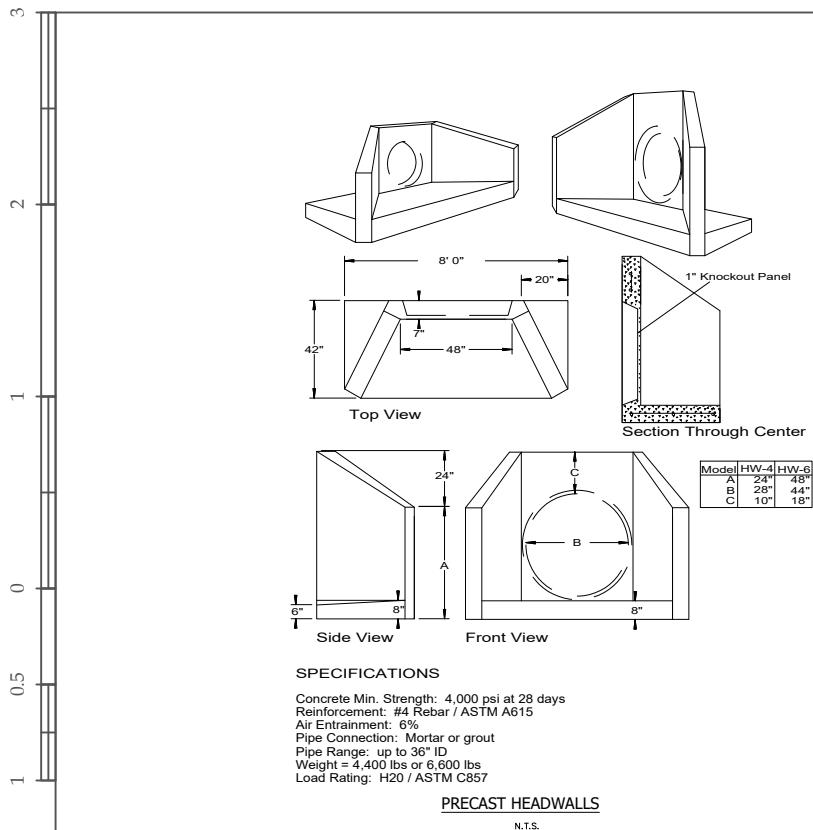
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No.	Date	Reason	By

Seal

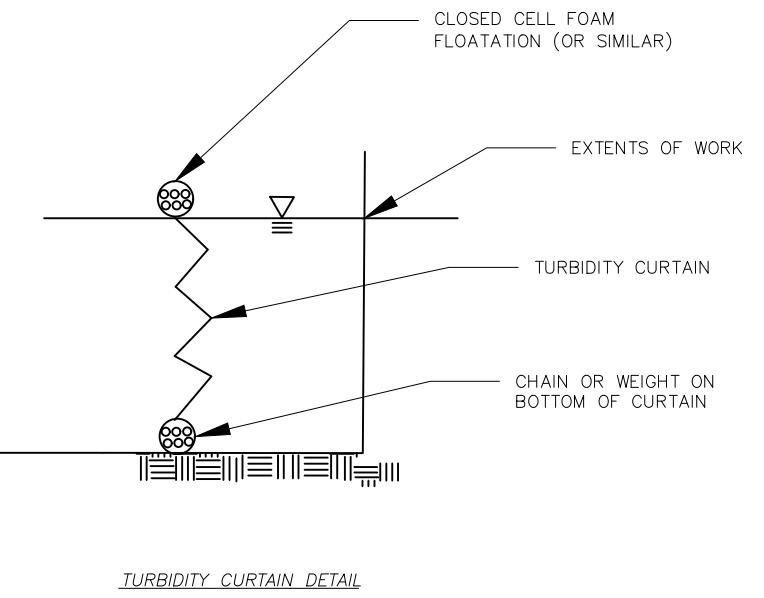
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Project No. 18003	
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Date OCTOBER 28, 2020	
Drawn by DAZ	
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Drawing No. MR-212.00	

11 of 13 Sheets





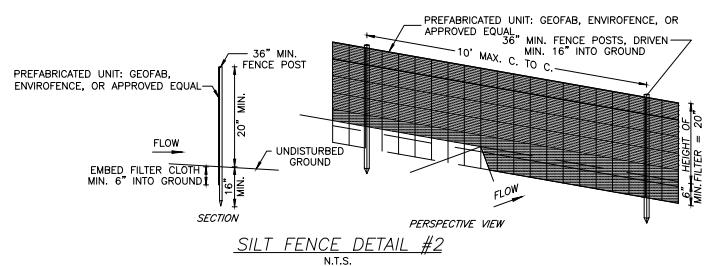
PRECAST HEADWALLS
N.T.S.



TURBIDITY CURTAIN DETAIL

CONSTRUCTION NOTES FOR PRE FABRICATED SILT FENCE

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. FENCE POSTS TO BE MADE OF WOOD, METAL, OR HARDWOOD.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 12". FILTER CLOTH CLOTH MUST BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.



SILT FENCE DETAIL #2
N.T.S.

SEDIMENT & EROSION CONTROL NOTES

FABRIC FENCE WILL BE INSTALLED ALONG THE PROPOSED ROAD AND THE ADJACENT PROPERTY OWNERS AND ALL DISTURBED AREAS.

TEMPORARY SEEDING SHALL BE APPLIED TO DISTURBED AREAS THAT ARE LEFT BARE FOR 15 DAYS UNLESS CONSTRUCTION WILL BE BEGIN WITHIN 30 DAYS. IF CONSTRUCTION IS SUSPENDED OR COMPLETED, AREAS SHALL BE SEADED OR MULCHED IMMEDIATELY.

STRUCTURAL MEASURES MUST BE MAINTAINED TO BE EFFECTIVE. IN GENERAL, THESE MEASURES MUST BE PERIODICALLY INSPECTED TO INSURE STRUCTURAL INTEGRITY, DETECT VANDALISM DAMAGE, AND FOR MAINTENANCE AND REPAIR WHENEVER NECESSARY.

A STABILIZED CONSTRUCTION ENTRANCE SHALL BE INSTALLED AT THE BEGINNING OF THE PROPOSED ROAD.

MACADAM SURFACES SHALL BE SWEEP "BROOM CLEAN" AT THE END OF EACH DAY DURING CONSTRUCTION.

CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO AREAS WITHIN THE SILT FENCE SEDIMENT PROTECTION AREA.

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13 of 13 Sheets		