



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-2022-00913-TREC
Issue Date: December 22, 2023
Expiration Date: January 21, 2024

To Whom It May Concern:

The New York District, U.S. Army 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: The Sutton Manor Association
100 Sutton Manor Road
New Rochelle, New York 10801

ACTIVITY: Dredging with Upland Disposal and Return Flow to Waterway

WATERWAY: Echo Bay

LOCATION: 100 Sutton Manor Road, City of New Rochelle, 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 U.S. Army 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 U.S. Army 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 SENT VIA ELECTRONIC MAIL TO Brad.Sherwood@usace.army.mil, OR PREPARED IN WRITING AND MAILED TO THE ATTENTION OF BRAD SHERWOOD AT THE ABOVE ADDRESS, TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

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PUBLIC NOTICE NO. NAN-2022-00913-TREC

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. 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 (EPA), 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. This public notice serves as notification to the Administrator of the EPA pursuant to section 401(a)(2) of the Clean Water Act. If EPA determines that the proposed discharge may affect the quality of the waters of any state other than New York, it will so notify such other state, the district engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the district engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

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

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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, 41 State Street, 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 the activity under consideration:

- New York State Department of Environmental Conservation

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 Brad Sherwood at (518) 487-0382, or at Brad.Sherwood@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/business/buslinks/regulat/index.php?survey>.

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



Jon T. Coleman

FOR AND ON BEHALF OF
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, The Sutton Manor Association, has requested Department of the Army authorization to conduct dredging with upland disposal. The project is located at 100 Sutton Manor Road, within Echo Bay, in the City of New Rochelle, Westchester County, New York.

The work would involve the following:

Mechanically dredge approximately 4,000 cubic yards (CY) of material from an approximately 17,600 square-foot area and extend to a depth of four (4) feet below the plane of Mean Low Water (MLW) plus a 1-foot overdredge. The dredged material would be placed into scows and allowed to settle for a minimum of 24 hours, and the decant water would be returned directly to the waterway. The dredged material would then be transported via scow to an upland disposal site at Clean Earth of Claremont, New Jersey.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation of Echo Bay. Any potential impacts would be temporary and would be offset by implementing best management practices including the use of a turbidity curtain around the dredge area to minimize turbidity.

The stated purpose of this project is to maintain a safe navigational depth for recreational purposes.



- Notes:
 1. Site located in the Mount Vernon USGS Quadrangle.
 2. Topographic basemap is provided through Langan's Esri ArcGIS software licensing and ArcGIS online, National Geographic Society, i-cubed.
 3. All features shown are approximate.



LANGAN

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Landscape Architecture and Geology, D.P.C.

300 Kimball Drive
Parsippany, NJ 07054

T: 973.560.4900 F: 973.560.4901 www.langan.com

Project
SUTTON MANOR
DREDGING
 THE SUTTON MANOR
 ASSOCIATION
 LONG ISLAND SOUND - ECHO BAY
 CITY OF NEW ROCHELLE
 WESTCHESTER COUNTY NEW YORK

Figure Title

**SITE
LOCATION MAP**

Project No.

X

Date

9/25/2023

Scale

1" = 2,000'

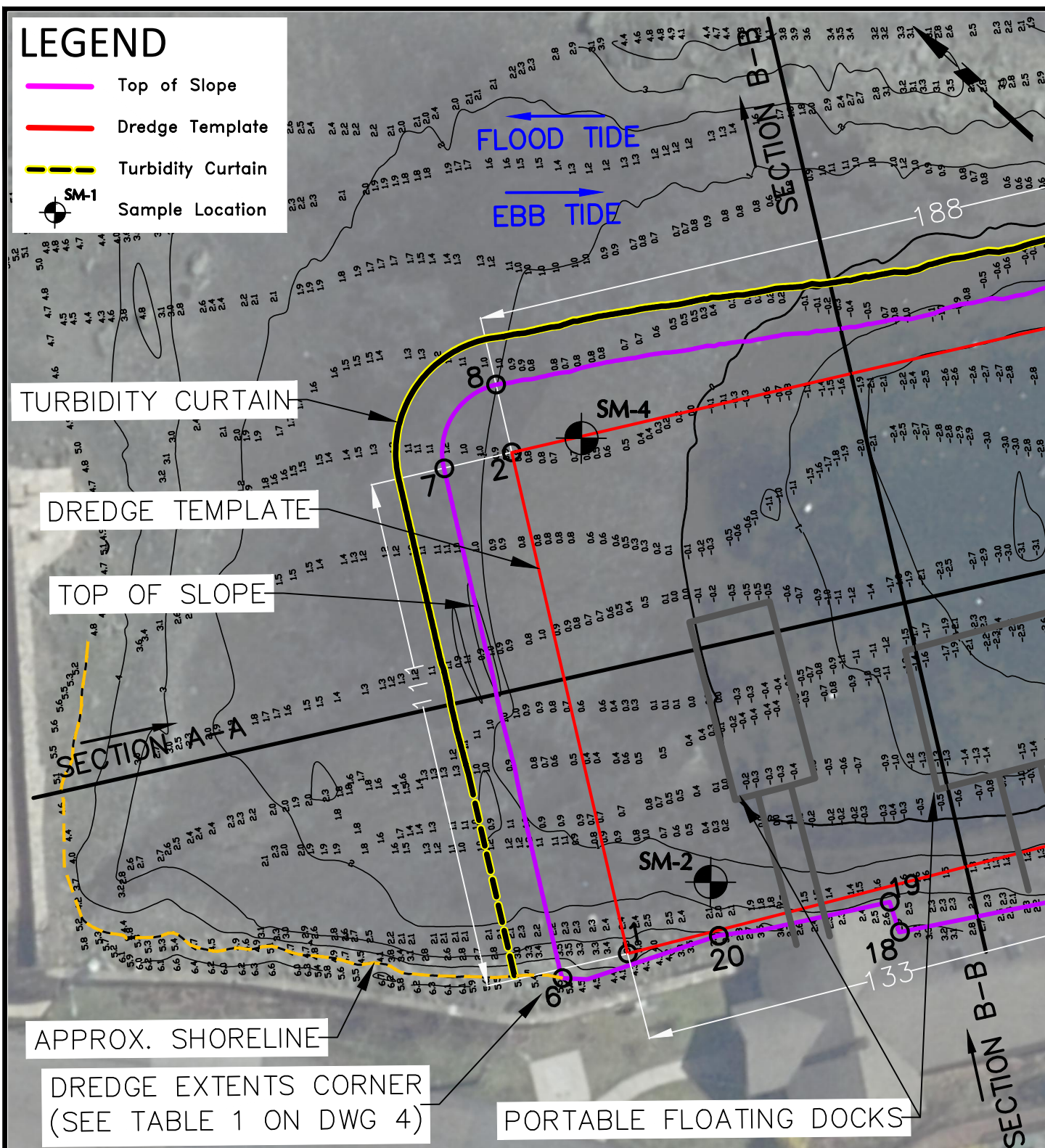
Drawn By

ATR

Figure

1

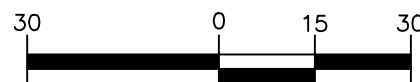
Sheet 1 of 7

**NOTES**

1. THIS SURVEY DOES NOT GUARANTEE THE ABSENCE OR PRESENCE OF ANY UNDERWATER OBSTRUCTION. DIVER VERIFICATION MAY BE REQUIRED.
2. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS CONDUCTED ON JUNE 13, 2018 AND CAN ONLY BE

CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME. THE DATA IS REPRESENTATIVE OF A LARGER DATA SET. THE SOUNDING DATA DEPICTED ON THIS MAP WAS COLLECTED USING CLASS 2 SURVEY STANDARDS IN ACCORDANCE WITH EM 1110 2 1003.

3. ADDITIONAL DREDGE NOTES SHOWN ON DRAWING 4.



SCALE: 1 INCH = 30 FEET

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NJ Certificate of Authorization No. 24GA27996400

Project

**SUTTON
MANOR DREDGING
THE SUTTON MANOR
ASSOCIATION**LONG ISLAND SOUND - ECHO BAY
CITY OF NEW ROCHELLE
WESTCHESTER COUNTY NEW YORK

Drawing Title

**DREDGE PLAN
(1 OF 2)**

Project No.

#

Date

9/25/2023

Drawn By

ATR

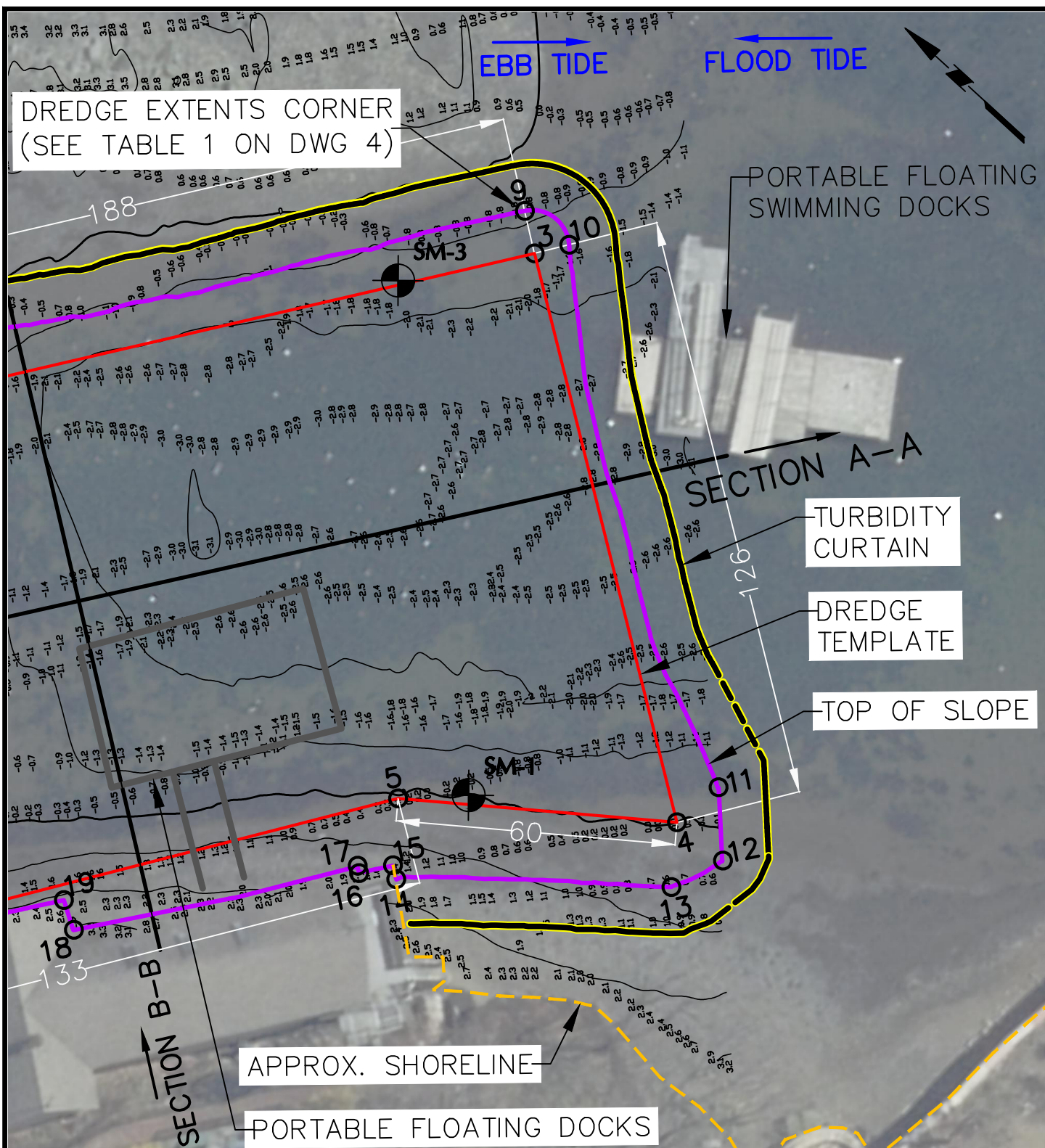
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Drawing No.

2A

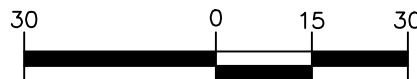
Sheet 2 of 7

**NOTES**

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MANOR DREDGING
THE SUTTON MANOR
ASSOCIATION**LONG ISLAND SOUND - ECHO BAY
CITY OF NEW ROCHELLE
WESTCHESTER COUNTY NEW YORK

Drawing Title

**DREDGE PLAN
(2 OF 2)**

Project No.

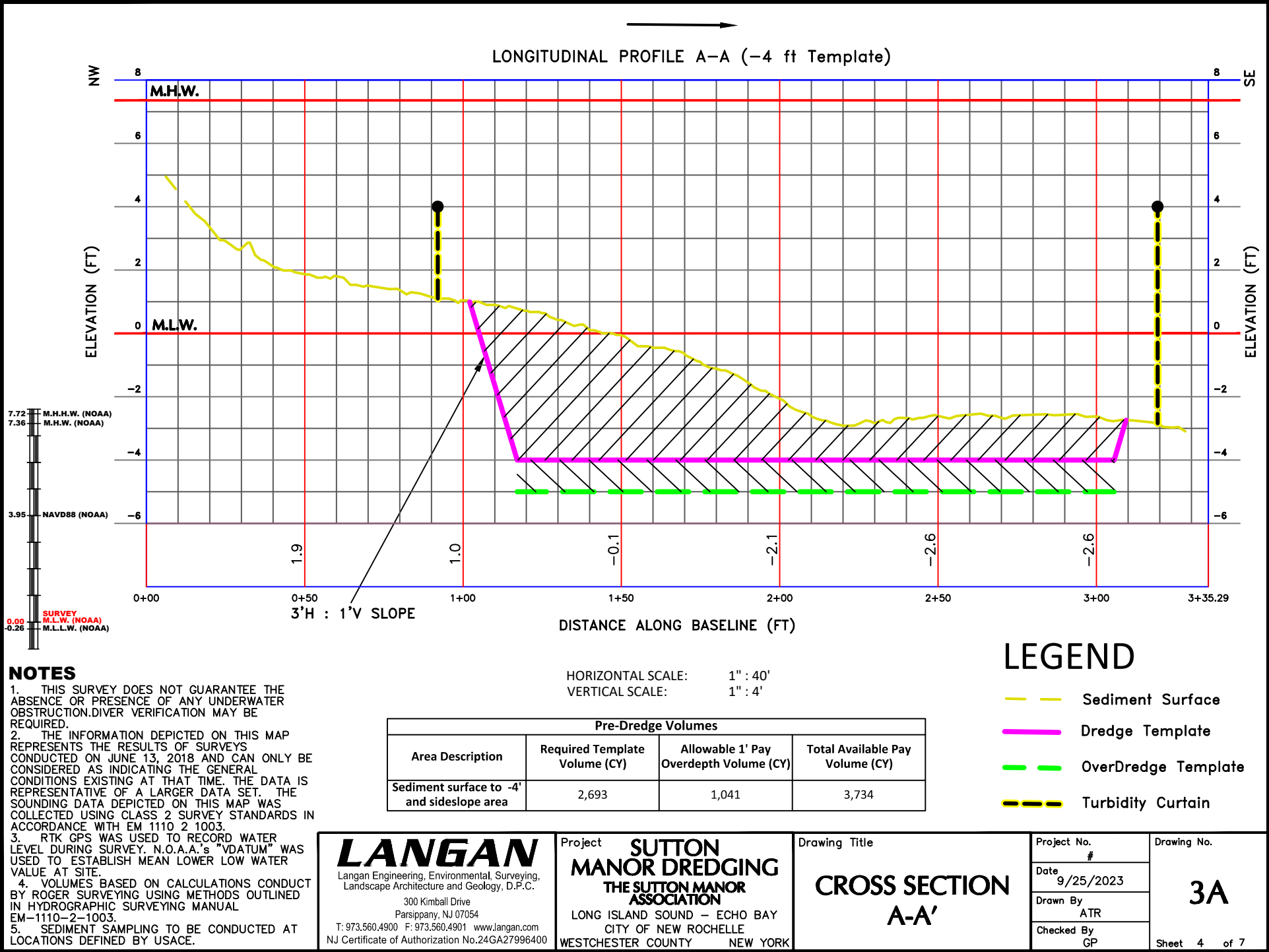
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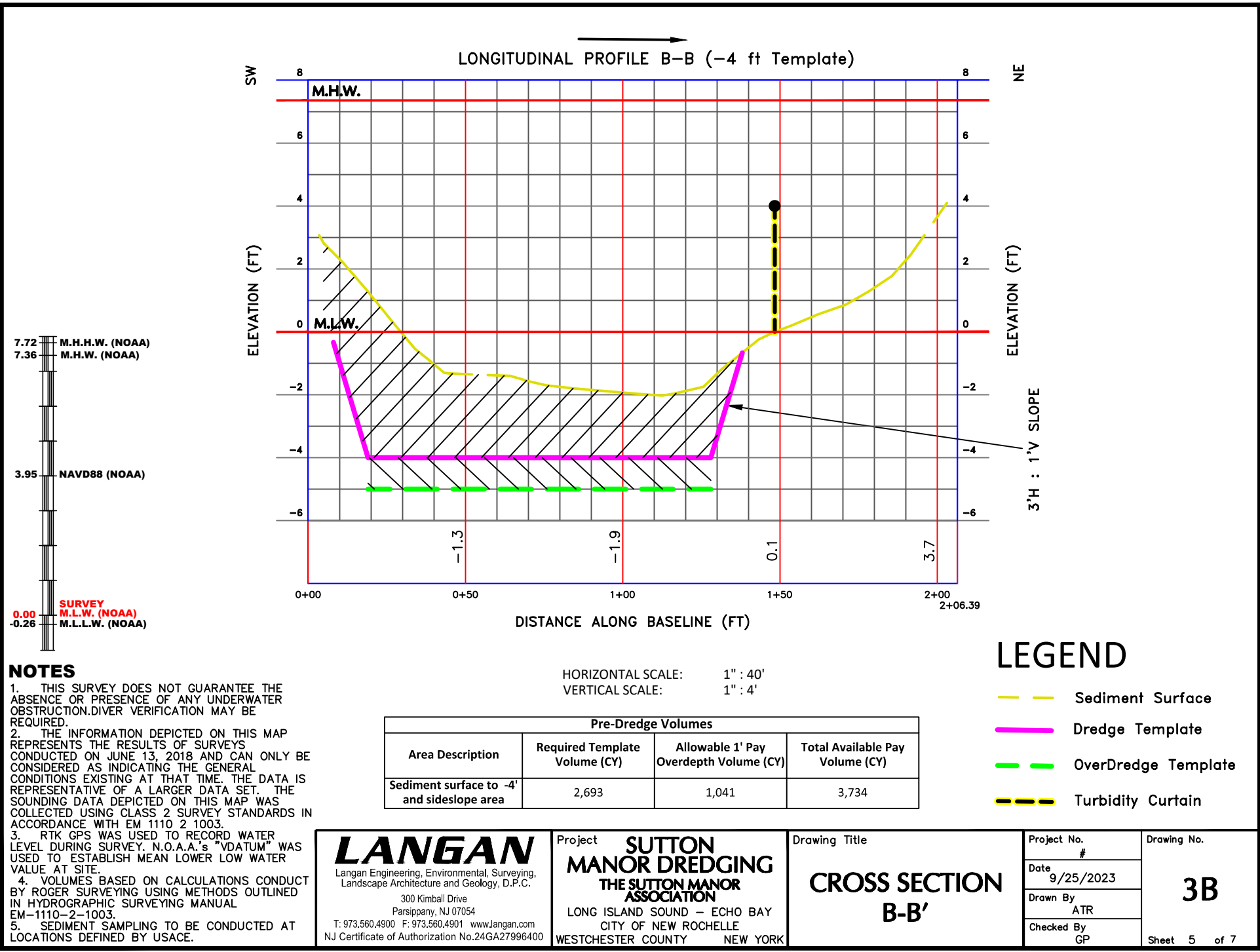
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Drawing No.

2B

Sheet 3 of 7





DREDGE NOTES

1. DREDGE TEMPLATE REPRESENTS BOTTOM OF DREDGE TEMPLATE AREA TO EL - 4. ALL SLOPES SHALL BE EXCAVATED TO 3H:1V CONFIGURATION AND EXTEND LESS THAN 15 FT ORIGINALLY FROM THE DREDGE LIMIT SHOWN HEREIN.
2. VOLUMES BASED ON CALCULATIONS CONDUCTED BY ROGER SURVEYING USING METHODS OUTLINED IN HYDROGRAPHIC SURVEYING MANUAL EM-1110-2-1003. A TYPE 1 DOT TURBIDITY CURTAIN WILL BE USED DURING THE DREDGE EVENT. CONTRACTORS SHALL SUBMIT TURBIDITY CURTAIN DESIGNS FOR ENGINEER APPROVAL.
3. EXISTING BATHYMETRIC SURFACE SHOWN ON DRAWINGS 2A, 2B, 3A, AND 3B BASED ON BATHYMETRIC SURVEY PERFORMED BY ROGERS SURVEYING, PLLC ON JUNE 13, 2018.
4. NO BARGE OVERFLOW ALLOWED (i.e., NO SPILLAGE OVER THE SIDES OR THROUGH THE SCUPPERS).
5. TWENTY-FOUR HOUR HOLDING PERIOD BEFORE PUMPING WATER FROM BARGE IN ORDER TO ALLOW THE SEDIMENT TO COMPLETELY SETTLE OUT.
6. ACCEPTABLE WINDOW FOR DREDGING WOULD BE BETWEEN SEPTEMBER 1 AND OCTOBER 31.
7. DEWATERING BY PUMPS CANNOT CAUSE TURBIDITY, THERE SHOULD BE NO VISIBLE CONTRAST BETWEEN THE WATER THAT IS PUMPED OUT AND THE RECEIVING WATERBODY. ALL DREDGED SEDIMENT REMOVED DURING THE PROPOSED EVENT WILL BE PLACED IN A SCOW LOCATED WITHIN THE DREDGED FOOTPRINT. THE SEDIMENT WILL DECANT FOR A 24-HOUR PERIOD ALLOWING PARTICULATE MATTER AND LIQUID TO SEPARATE. FOLLOWING THE 24-HOUR DECANT PERIOD, THE SUPERNATANT LIQUID WILL BE RETURNED INTO A LOCATION ADJACENT TO THE SCOW WITHIN THE DREDGE AREA, VIA LOW FLOW PUMPS.
8. ALL DREDGING ACTIVITIES ARE TO BE CONDUCTED WITHIN THE EXTENTS OF THE TURBIDITY CURTAINS. ALL DREDGE EQUIPMENT INCLUDING THE DREDGE AND SCOWS ARE TO REMAIN INSIDE THE TURBIDITY CURTAIN WHILE DREDGING ACTIVITIES ARE CONDUCTED.
9. ALL FLOATING DOCKS LOCATED WITHIN THE WORK AREA WILL BE REMOVED DURING DREDGE OPERATIONS.
10. THE DREDGING AREA IS LOCATED WITHIN THE ECHO BAY PORTION OF THE LONG ISLAND SOUND. THERE ARE NO FEDERAL OR STATE NAVIGATION CHANNELS LOCATED IN THE WORK AREA. THE NEAREST MARKED CHANNEL IS LOCATED APPROXIMATELY 800 FEET SOUTHEAST OF THE WORK AREA NEAR THE NEW ROCHELLE MUNICIPAL MARINA.
11. THE DREDGING AREA IS LOCATED WITHIN A ESTUARINE AND MARINE DEEPWATER ZONE AS DEFINED BY THE NATIONAL WETLANDS INVENTORY, AS SHOWN ON DRAWING 5.
12. ALL PLANS IN THIS DRAWING SET ARE REFERENCED TO THE NEW YORK EAST, FEET (NAD83) HORIZONTAL COORDINATE SYSTEM. ELEVATIONS AND CROSS SECTIONS ARE SHOWN REFERENCED TO MEAN LOW WATER (MLW) AS INDICATED ON THE BAR SCALE ON DRAWINGS 3A AND 3B.

TABLE 1: DREDGE EXTENT COORDINATES (SEE DWG 2A & 2B)

ID	X	Y
1	693,721.88	757,712.06
2	693,784.60	757,803.34
3	693,939.30	757,697.31
4	693,869.65	757,592.00
5	693,832.94	757,639.69
6	693,708.50	757,718.85
7	693,772.17	757,811.74
8	693,793.10	757,815.70
9	693,944.66	757,705.02
10	693,945.66	757,692.99
11	693,881.15	757,590.53
12	693,870.12	757,579.09
13	693,858.60	757,583.51
14	693,819.83	757,628.17
15	693,821.45	757,630.74
16	693,815.46	757,635.11
17	693,816.23	757,636.26
18	693,764.81	757,672.07
19	693,768.18	757,677.97
20	693,738.01	757,700.27
Above coordinates shown in NY State Plane East feet (NAD83)		
Dredge Area Center Point Location: 40° 54' 40.46" N, 073° 46' 12.63" W		

TABLE 2: ADJACENT PROPERTY INFORMATION (SEE DWG 5)

PARCEL ID	PROPERTY ADDRESS	OWNER NAME	CITY
1-72-0002	Le Fevre La.	County of Westchester	New Rochelle
1-94-0001	106 Sutton Manor Rd	Daniel Bratone	New Rochelle
1-96-0001	Echo Bay	Kenneth P DeGot	New Rochelle
1-96-0002.A	Decatur Rd	City of New Rochelle	New Rochelle
1-96-0003	101 Sutton Manor Rd	Brian and Rebecca McCloskey	New Rochelle
1-96-0025	85 Decatur Rd	Peter and Connie Canellos	New Rochelle
1-96-0026	78 Decatur Rd	Kenneth DeGot and Christine Blackwell	New Rochelle
1-96-0200	Echo Bay	Kenneth DeGot and Christine Blackwell	New Rochelle

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Drawing Title

GENERAL NOTES

Project No.

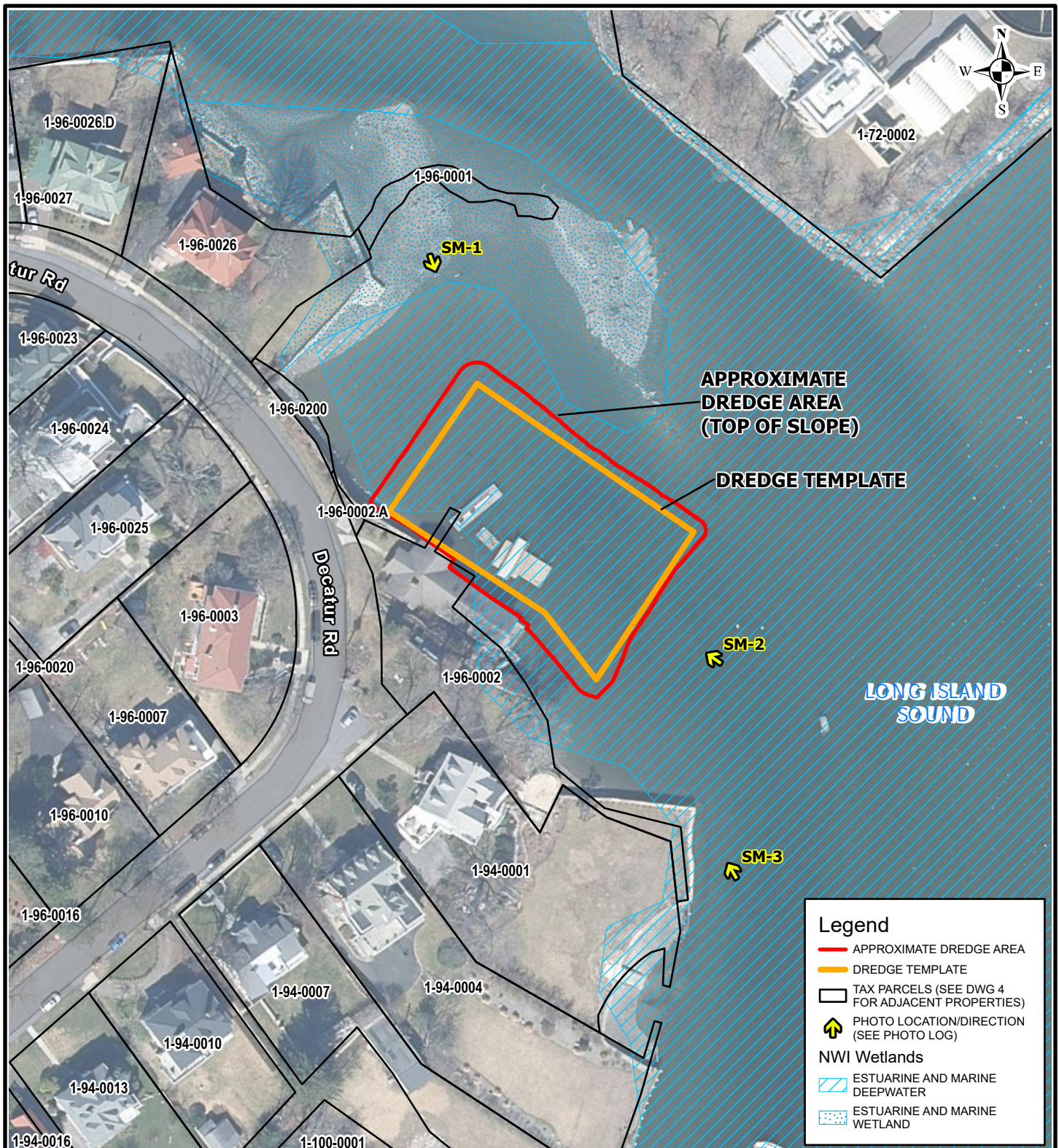
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Date
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GP

Drawing No.

4

Sheet 6 of 7

**Notes:**

1. NWI Wetlands from the National Wetlands Inventory.
2. Tax parcels from the Westchester County GIS Tax Parcels database, last updated 2022.
3. Aerial basemap is provided through Langan's Esri ArcGIS software licensing. Imagery provided by the Westchester County Orthoimagery program, collected 2021.

3. All features shown are approximate.

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Drawing Title

**SITE
LAYOUT**

Project No.

X

Date

9/25/2023

Scale

1" = 100'

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Drawing No.

5

Sheet 7 of 7