

Public Notice

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Applicant: NYSOPRHP

Published: February 22, 2016

Expires: March 23, 2016

Application No: 2015-01198
Section: NY

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District
(Attn:) Mikhail Boutsko
1776 Niagara Street
Buffalo, NY 14207

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New York State Office of Parks, Recreation and Historic Preservation

WATERWAY & LOCATION: Niagara River; Located west of Scott Ave within the Fort Niagara State Park, Town of Youngstown, Niagara County, New York

LATITUDE & LONGITUDE: Latitude North: 43° 15' 37"
Longitude West: 79° 03' 31"

EXISTING CONDITIONS:

The boating and fishing area is located within the Fort Niagara State Park. The following structures and conditions currently exist at the site:

- Two concrete boat launch ramps and associated concrete walls utilized as docks:
 - North ramp measuring 48 feet long by 32.5 feet wide (See drawing 9 of 15)
 - South ramp measuring 22 feet long by 30.6 feet wide (See drawing 11 of 15)
- Permanent fixed docks adjacent to the boat ramps (See drawing 3 of 15)
 - North docks (extending up and down stream of Niagara River) measuring 5 feet wide by 58.2 feet long and 5 feet wide by 61.25 feet long

- South docks (extending up and down stream of Niagara River) measuring 5 feet wide by 60.2 feet long and 5 feet wide by 59.4 feet long
- 633 linear feet of existing shoreline are comprised of mixed concrete rubble, stones, rebar, and debris

PROPOSED WORK:

The applicant is proposing the following:

- Removal of existing concrete and debris along approximately 633 linear feet of shoreline, totaling approximately 287 cubic yards;
- Extension of northern boat launch by 22 feet (overall proposed final dimensions of 70 feet long by 32.5 feet wide);
- Extension of southern boat launch by 20 feet (overall proposed final dimensions of 42 feet long by 30.6 feet wide);
- The placement of 3.5 foot high cut quarried stone revetment wall along 633 linear feet of shoreline, with proposed waterline niches for shore habitat;
- Removal of a 26.25 foot by 6 foot section of existing northernmost fixed dock (See drawing 3 of 15) and the replacement of the remaining dock's decking;
- Addition of a seasonal kayak launch, seasonal open pile seasonal docks, and associated gangways (See table below):

Dock Section/Gangway	Dimensions	Connections	Attachment Page
Dock Section A	54' x 6'	Kayak Launch	6 of 15
Dock Section B	28' x 6'	Gangway b, Dock Section C	6 of 15
Dock Section C	96.83' x 6', with a 7.5' x 6' perpendicular extension on the southern end	Dock Section B, D, Gangway c	6 of 15
Dock Section D	63' x 6'	Dock Section C, E	6 of 15
Dock Section E	228.75' x 6', with a T-shaped deck extension just south of center measuring 144 sq. ft.	Dock Section D, F, Gangway d	7 of 15
Dock Section F	35.33' x 6'	Dock Section E, G	7 of 15
Dock Section G	94.42' x 6', with a 6' x 6' perpendicular extension on the northern end	Dock Section F, Gangway e	8 of 15
Dock Section H	86.83' x 6', with a 6' x 6' perpendicular extension on the southern end	Dock Section I, Gangway f	8 of 15
Dock Section I	23.5' x 6'	Dock Section H	8 of 15
Kayak Launch	U Configuration, Main Section 6' x	Dock Section A, Gangway a	6 of 15

	11.75', Two finger docks each measuring 3.5' x 14'		
Gangway a	14' x 4'	Kayak Launch, Existing Fixed Dock	6 of 15
Gangway b	24' x 4'	Dock Section B, Concrete Wall Extension	6 of 15
Gangway c	24' x 4'	Dock Section C, Existing Fixed Dock	6 of 15
Gangway d	24' x 4'	Dock Section E, Concrete Pad	7 of 15
Gangway e	24' x 4'	Dock Section G, Existing Fixed Dock	7 of 15
Gangway f	16' x 4'	Dock Section H, Existing Fixed Dock	8 of 15

Total area of newly proposed docks and gangways: 5,188.46 square feet.

PROJECT PURPOSE

Basic: Fort Niagara State Park waterfront recreational area expansion and cleanup

Overall: The expansion of docks to provide safe access for boating and fishing along the Fort Niagara State Park's Niagara River access in order to accommodate increased visitor volume, as well as to provide safe access to the shoreline through the removal of hazardous debris from the shoreline and stabilization of the bank.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has indicated that the proposed docks and gangways are designed to accommodate ADA accessibility.

PROPOSED MITIGATION: No mitigation is proposed for this project.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should reference the Application Number and be directed to the attention of Mikhail Boutsko, who can be contacted at the above address, by calling (716) 879-4296, or by e-mail at: mikhail.a.boutsko@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. The proposed project is under review by The New York State Department of State at this time. Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

New York Department of State
Division of Coastal Resources
Coastal Management Program

One Commerce Plaza
99 Washington Avenue
Albany, NY 12231
Attn: Consistency Review
Telephone (518) 486-3200

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

The project permit area, as shown on Sheet 2 of 15, is located within an archaeologically sensitive area as identified by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). However, due to the scope of the work proposed, the Corps has determined that the project will result in **No Effect** to historic resources listed in, or eligible for listing in the National Register of Historic Places. The NYSOPRHP reviewed the project details and in a letter dated February 11, 2016 concerning Project Review Number 15PR06149 the NYSOPRHP concurred with our determination that this project will have no effect on historic properties. All currently available historic resource information pertaining to this proposed project if any has been provided to the NYSOPRHP. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the NYSOPRHP for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to the Northern Long-eared bat (*Myotis septentrionalis*) and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is 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 individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or

applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request 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 benefits 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 these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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.

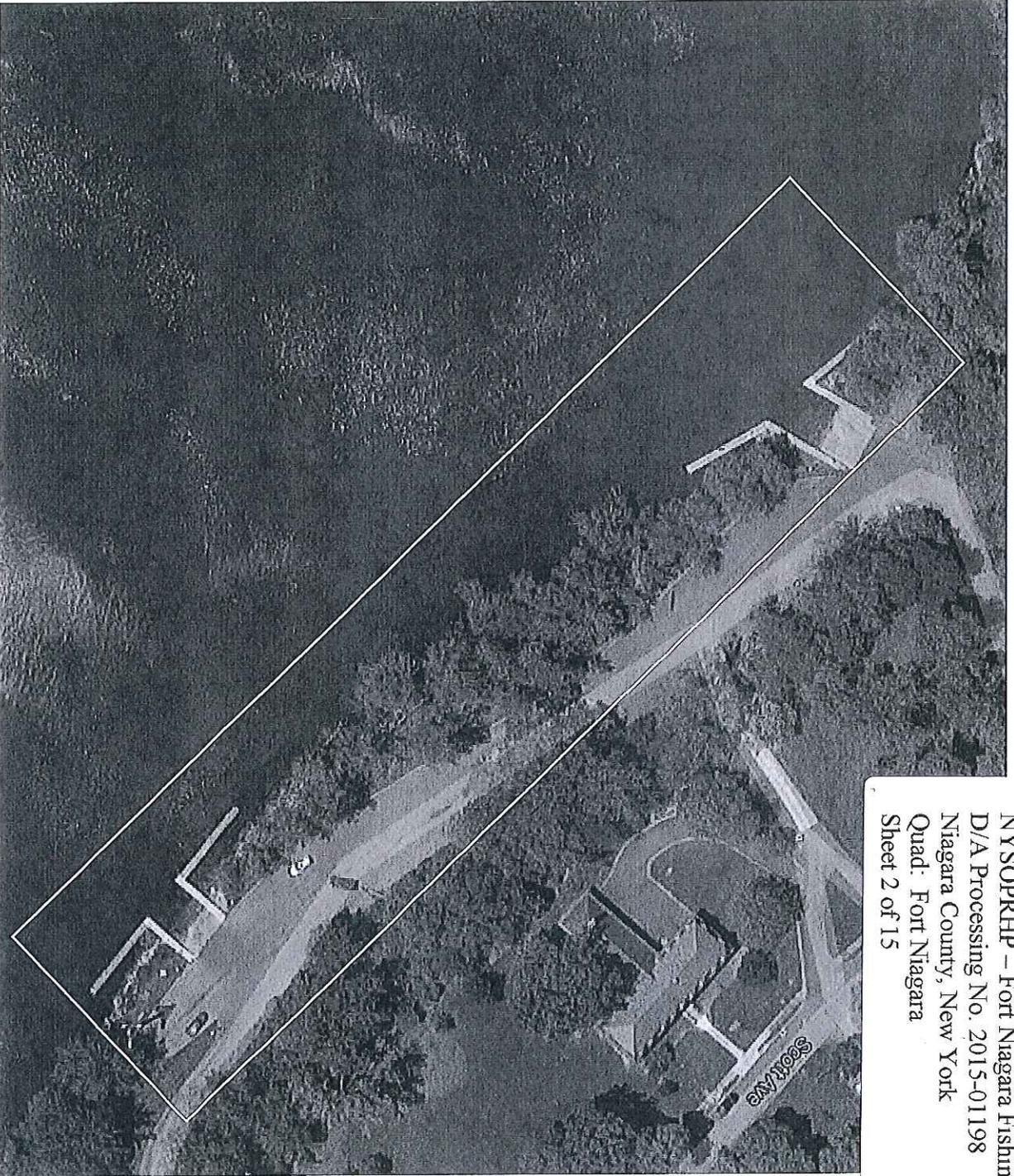
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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 the 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.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for **30** days from the date of issuance.

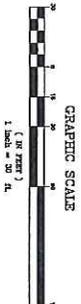
Project Permit Area



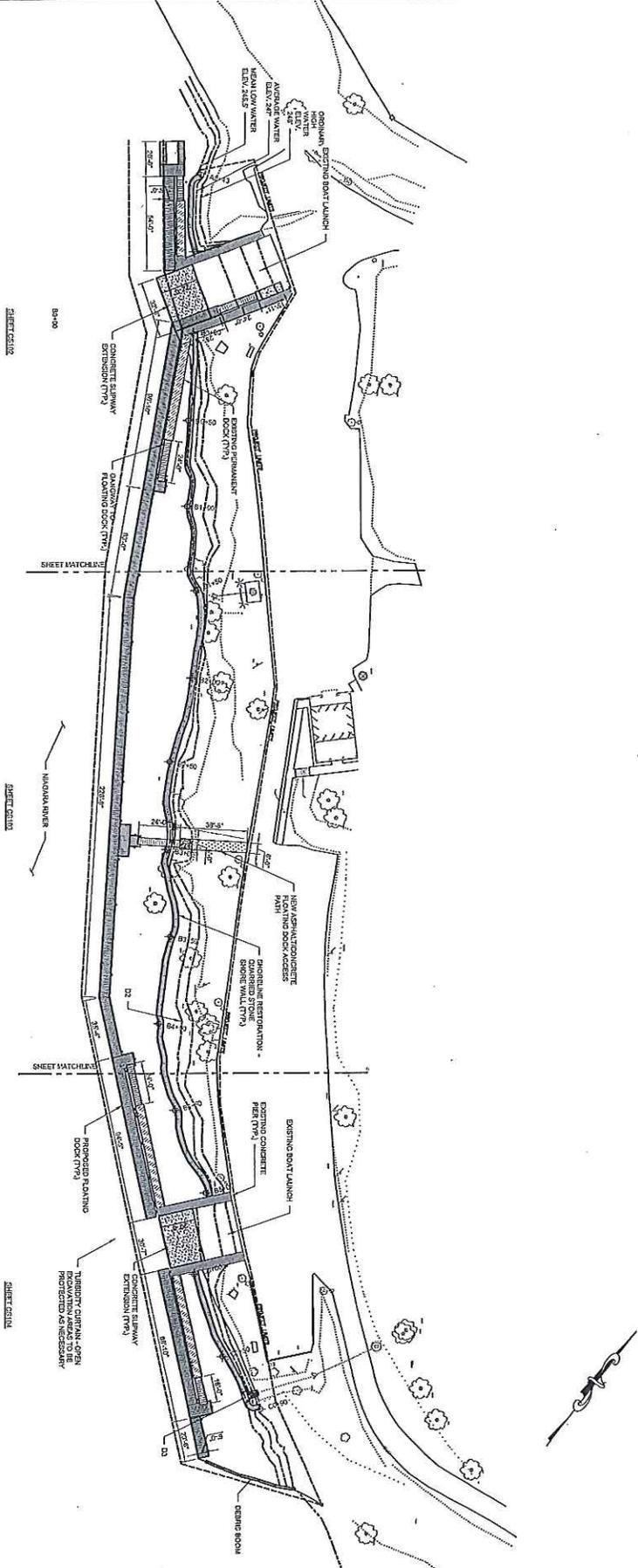
NYSOPRHP - Fort Niagara Fishing Area
D/A Processing No. 2015-01198
Niagara County, New York
Quad: Fort Niagara
Sheet 2 of 15



NYSOPRHP - Fort Niagara Fishing Area
D/A Processing No. 2015-01198
Niagara County, New York
Quad: Fort Niagara
Sheet 5 of 15

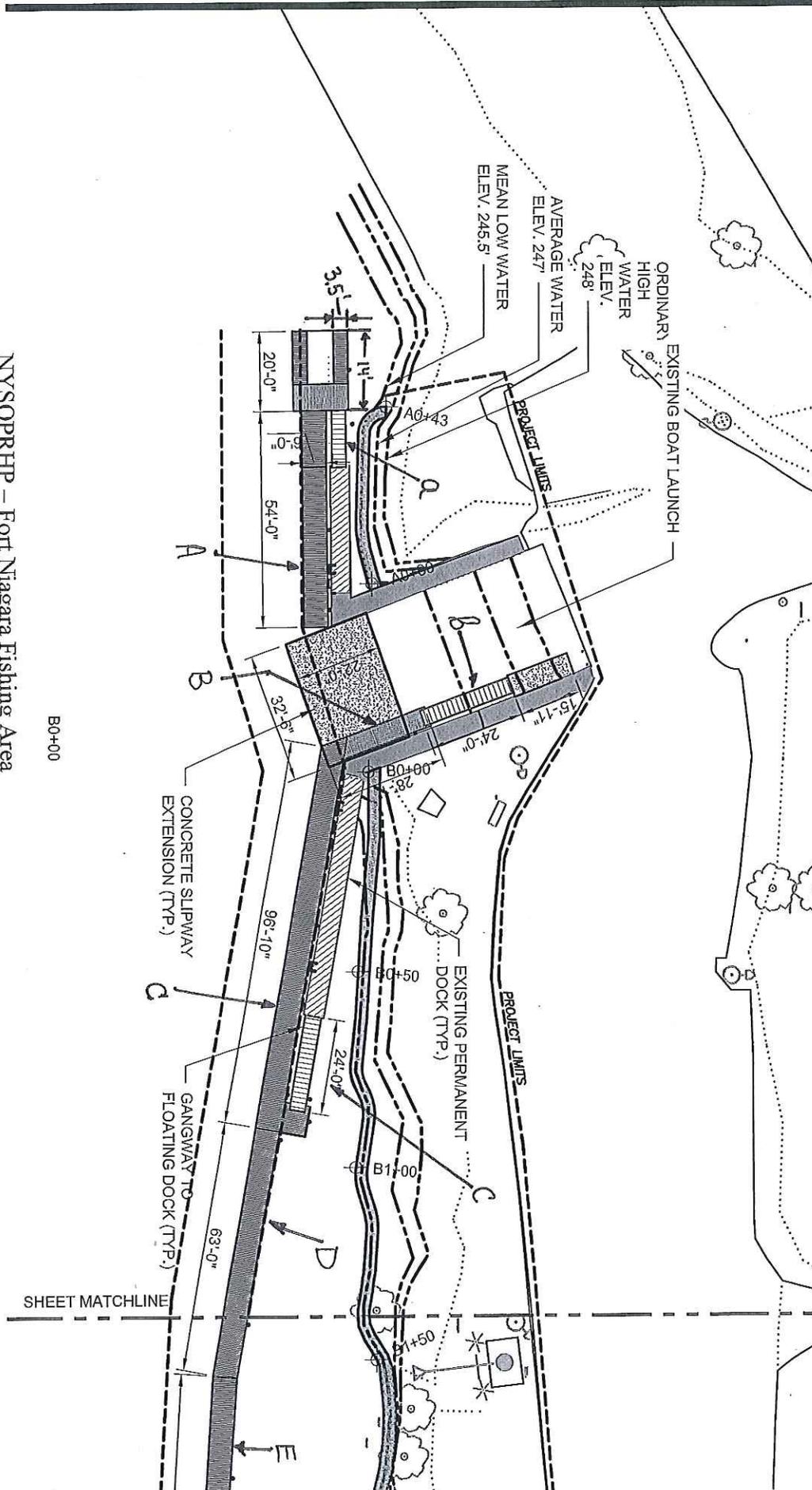


1 OVERALL SITE PLAN
 SEE DRAWINGS CS102, CS103 AND CS104 FOR DETAILS



NY STATE OF PARKS, RECREATION & HISTORIC PRESERVATION NYS OPRHP 600 N. STATE ST. ALBANY, NY 12243	DESIGNED BY: DATE: 10/20/15 DRAWN BY: CHECKED BY: CONTRACT NO.: PROJECT NO.: SHEET NO.: TITLE: FORT NIAGARA.DWG DATE: 10/20/15	PROJECT NO.: SHEET NO.: TITLE: FORT NIAGARA.DWG DATE: 10/20/15	153 101 102 103 104	
			153 101 102 103 104	
NYS OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION ACCESS AREA IMPROVEMENTS FORT NIAGARA - YOUNGSTOWN, NY SITE PLAN - OVERALL DRAWING NUMBER: CS101	PARSONS BRINCKERHOFF 100 WEST 42ND STREET NEW YORK, NY 10018	PROJECT NO.: SHEET NO.: TITLE: FORT NIAGARA.DWG DATE: 10/20/15	PROJECT NO.: SHEET NO.: TITLE: FORT NIAGARA.DWG DATE: 10/20/15	PROJECT NO.: SHEET NO.: TITLE: FORT NIAGARA.DWG DATE: 10/20/15

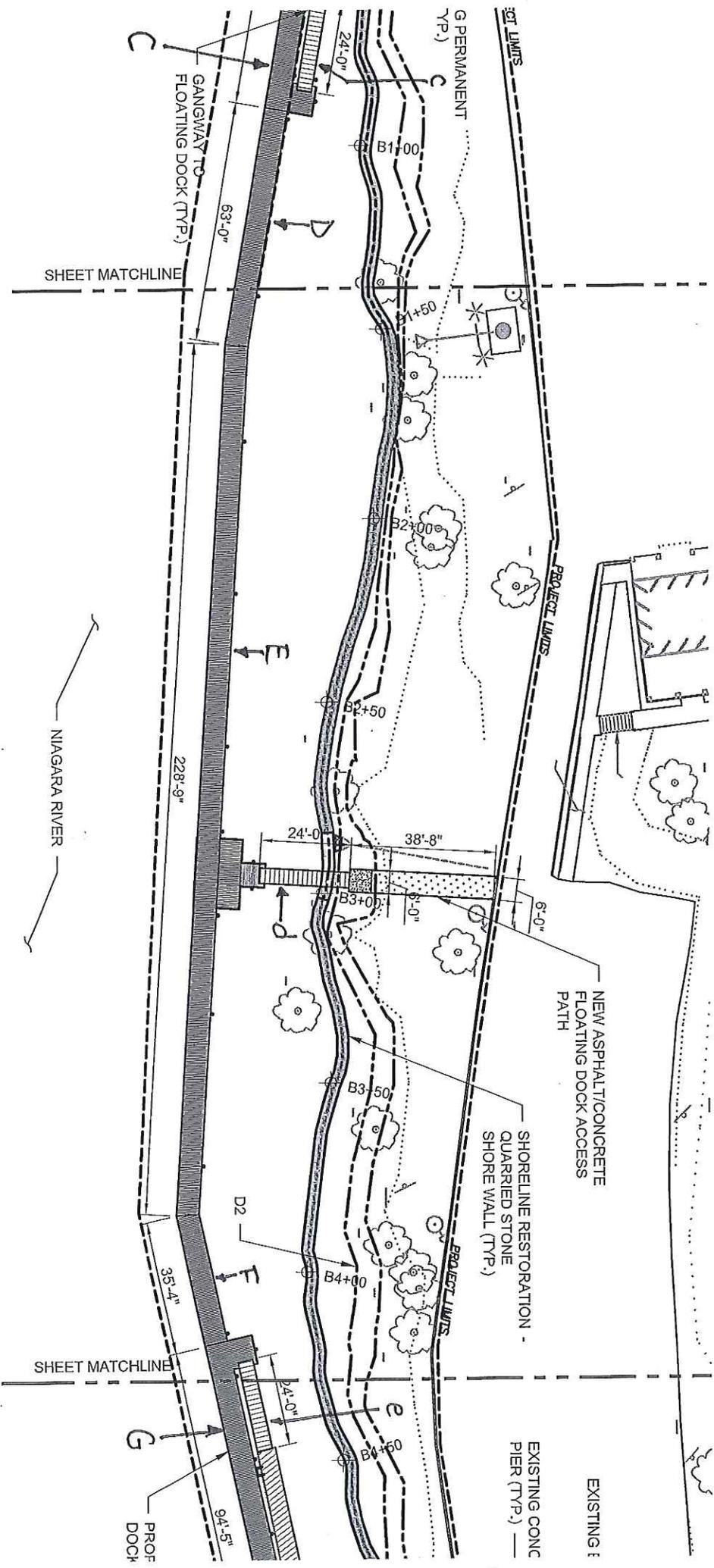
IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECT SUPERVISION OF A LICENSED ARCHITECT OR ENGINEER, TO SEAL OR ALTER IN ANY MANNER, BY ANY MEANS, THE SEAL OF AN ARCHITECT OR ENGINEER. ALTHOUGH THE ARCHITECT OR ENGINEER SHALL AFFIX TO THEIR SEAL THE SEAL AND THE WORDS 'ALTERED BY FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



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NYSOPRHP - Fort Niagara Fishing Area
D/A Processing No. 2015-01198
Niagara County, New York
Quad: Fort Niagara
Sheet 6 of 15





SHEET MATCHLINE

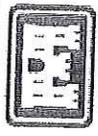
NIAGARA RIVER

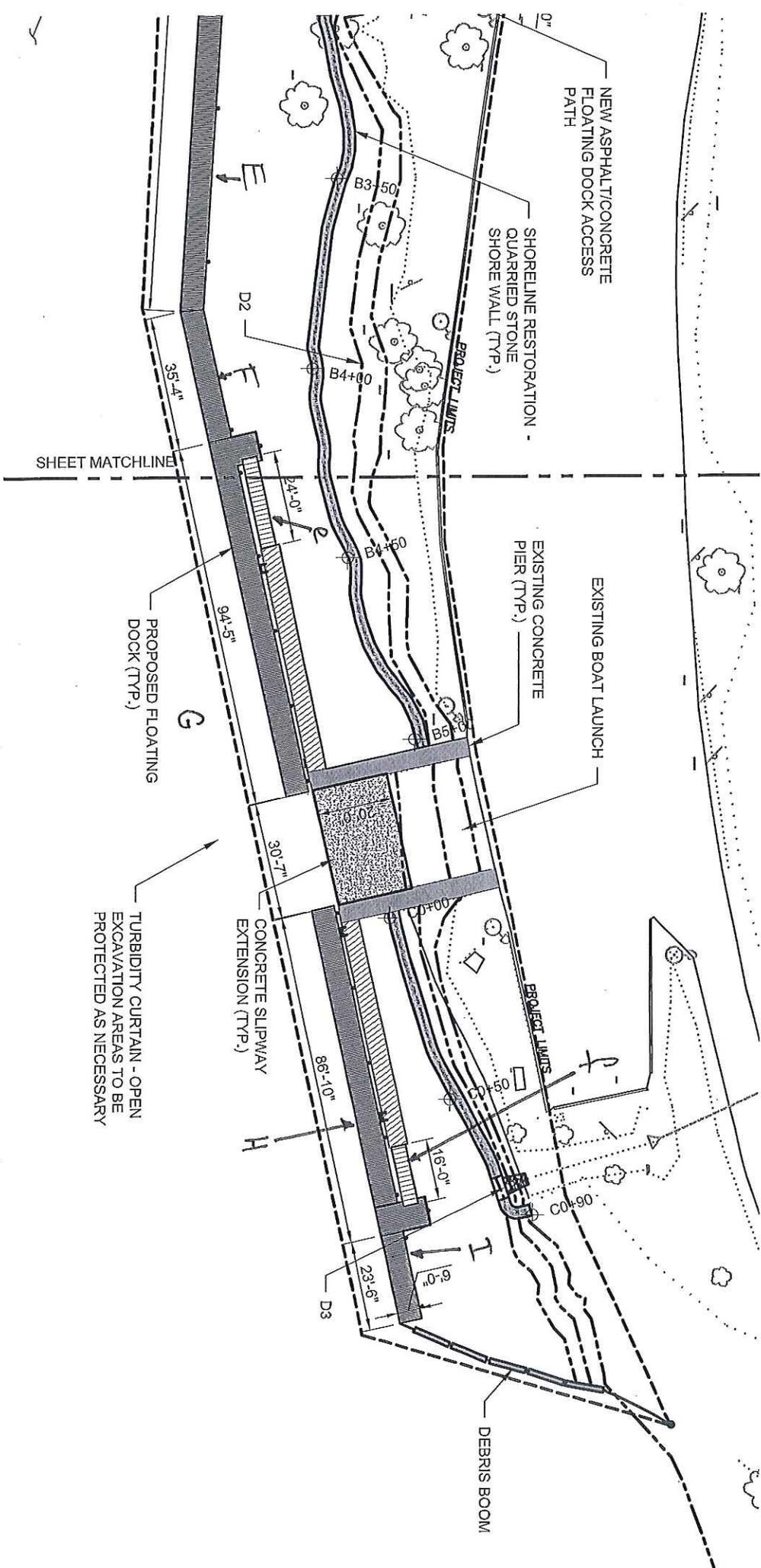
SHEET CS103

SHEET MATCHLINE

PROF DOCK

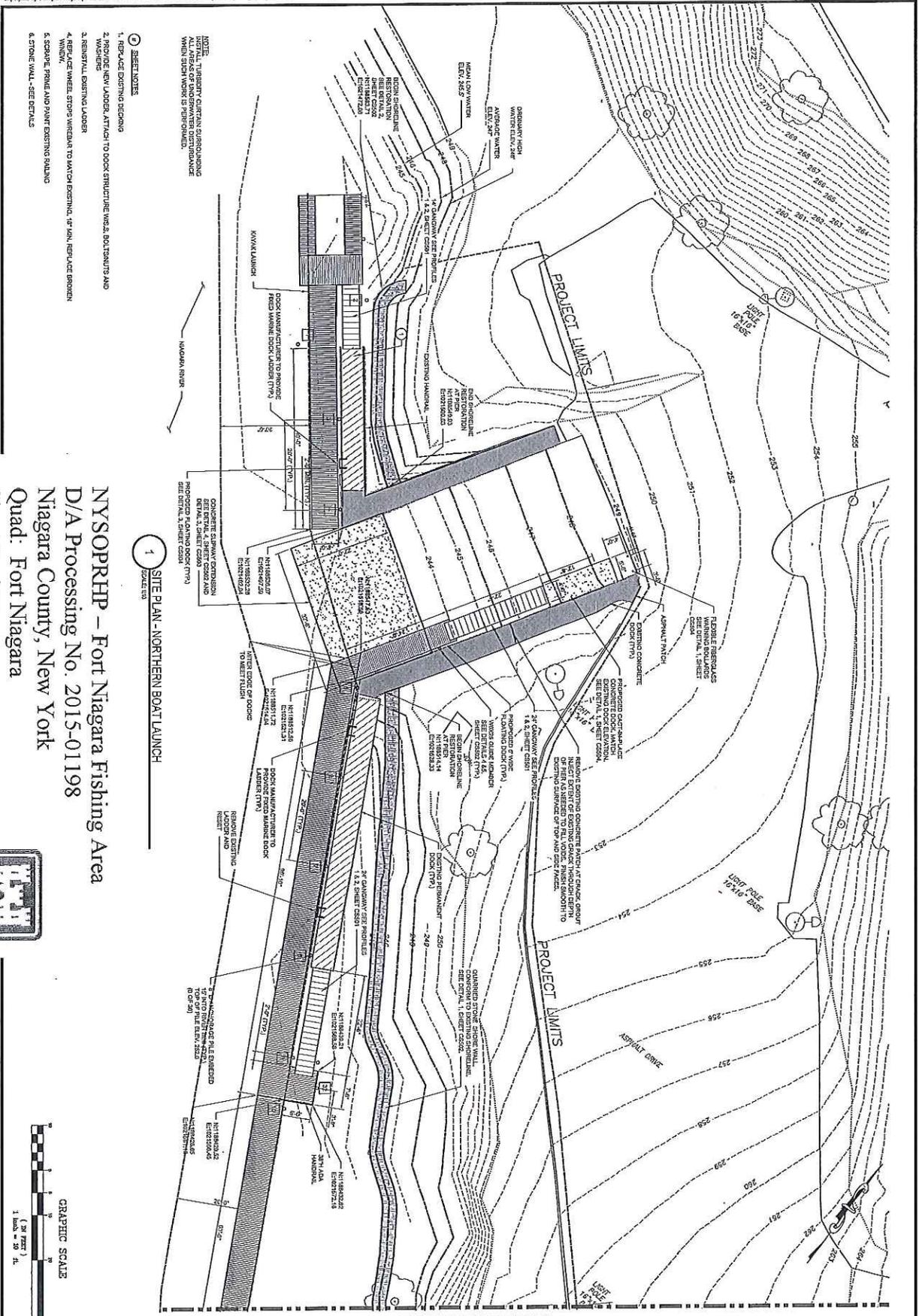
NYSOPRHP - Fort Niagara Fishing Area
 D/A Processing No. 2015-01198
 Niagara County, New York
 Quad: Fort Niagara
 Sheet 7 of 15





NYSOPRHP - Fort Niagara Fishing Area
 D/A Processing No. 2015-01198
 Niagara County, New York
 Quad: Fort Niagara
 Sheet 8 of 15



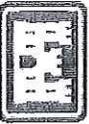


FOR CONTINUATION SEE SHEET CS103

- NOTE:**
 1. THE PRIMARY CONSTRUCTION SHALL BE ALL AREAS OF DISADVANTAGE DISTRIBUTION WHEN SUCH WORK IS PERFORMED.
- SHEET NOTES:**
1. REPLACE EXISTING READING
 2. PROVIDE NEW LADDER, ATTACH TO DOCK STRUCTURE WAS 2. BOATWAYS AND WADERS
 3. REINSTALL EXISTING LADDER
 4. REPLACE WHEEL STOPS WEDGES TO MATCH EXISTING, 1" DIA. REPLACE BROKEN WHEELS
 5. REPLACE PRIME AND PAINT EXISTING BUILDING
 6. STONE WALL - SEE DETAILS

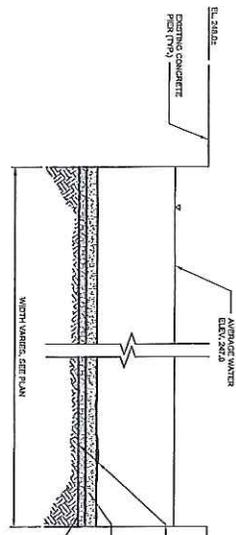
1 SITE PLAN - NORTHERN BOAT LAUNCH
 SCALE: 1/8" = 1'-0"

NYSOPRHP - Fort Niagara Fishing Area
 D/A Processing No. 2015-01198
 Niagara County, New York
 Quad: Fort Niagara
 Sheet 9 of 15



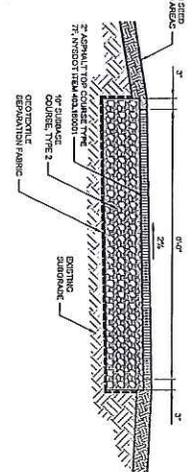
NYS OFFICE OF PARKS RECREATION & HISTORIC PRESERVATION ACCESS AREA IMPROVEMENTS FORT NIAGARA - YOUNGSTOWN, NY SITE PLAN NORTH BOAT LAUNCH	NY OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION 60 W. WASHINGTON ST. ALBANY, NY 12207	DESIGNED BY: JAV/JAV DRAWN BY: JAV/JAV CHECKED BY: JAV/JAV DATE: 12/23/15	DATE: 12/23/15 SOLICITATION NO.: XXXXXXXX CONTRACT NO.: XXXXXXXX	PROJECT NO.: 2015-01198 SHEET NO.: 9 OF 15	PROJECT NAME: FORT NIAGARA BOAT LAUNCH PROJECT DATE: 12/23/15	DRAWING NUMBER: CS102	A LICENSED PROFESSIONAL ENGINEER HAS REVIEWED THIS DRAWING AND APPROVES IT FOR CONSTRUCTION. THE SEAL OF AN ARCHITECT OR ENGINEER IS NOT TO BE USED UNLESS THE SEAL OF AN ARCHITECT OR ENGINEER IS ALTERED. THE ALTERATION OR SEAL OF AN ARCHITECT OR ENGINEER SHALL APPEAR TO THEM IN THE SEAL AND THE SIGNATURE. THE SIGNATURE SHALL BE FOLLOWED BY THEIR CONTRACT NO. AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.
	PARSONS BRINCKERHOFF 1100 AVENUE OF THE STARS SUITE 1000 FORT MONROE, VA 23606	PROJECT NO.: 2015-01198 SHEET NO.: 9 OF 15	PROJECT NAME: FORT NIAGARA BOAT LAUNCH PROJECT DATE: 12/23/15	DRAWING NUMBER: CS102	PROJECT NO.: 2015-01198 SHEET NO.: 9 OF 15	PROJECT NAME: FORT NIAGARA BOAT LAUNCH PROJECT DATE: 12/23/15	DRAWING NUMBER: CS102

NYSOPRHP - Fort Niagara Fishing Area
 D/A Processing No. 2015-01198
 Niagara County, New York
 Quad: Fort Niagara
 Sheet 14 of 15

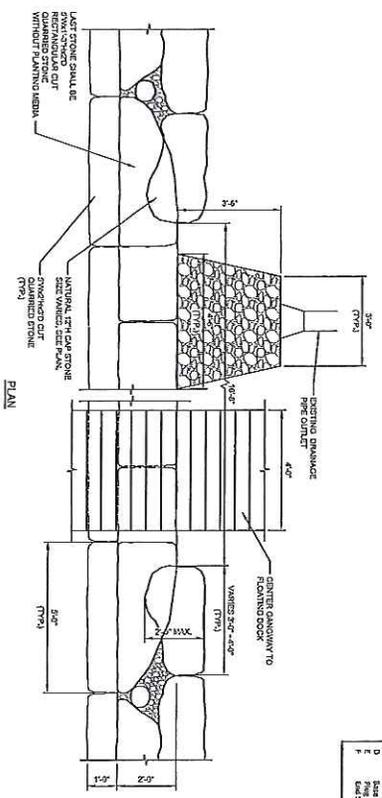


3 CONCRETE SLIPWAY EXTENSION SECTION
 SCALE: 1/4"=1'-0"

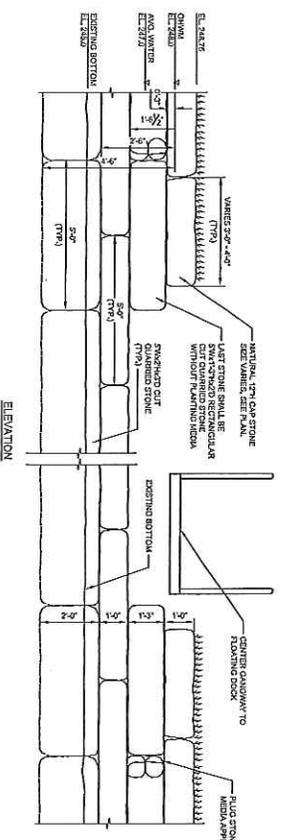
KEY	STONE SCALE	STONE	SIZE RANGE
A	Large	Granite	12" - 24" x 12" - 24" x 12" - 24"
B	Medium	Granite	6" - 12" x 6" - 12" x 6" - 12"
C	Small	Granite	3" - 6" x 3" - 6" x 3" - 6"
D	Very Small	Granite	1 1/2" - 3" x 1 1/2" - 3" x 1 1/2" - 3"
E	Bed Stone	Granite	24" - 36" x 12" - 18" x 4" - 6" x 4" - 6"
F	Flag Stone	Granite	12" - 24" x 12" - 24" x 2" - 4" x 2" - 4"



3 ASPHALT PATH SECTION
 SCALE: 1/4"=1'-0"

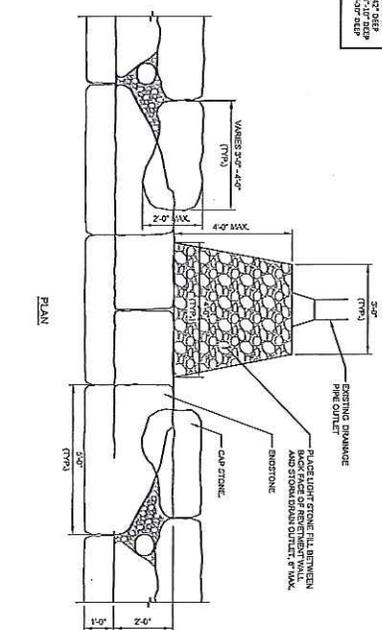


PLAN

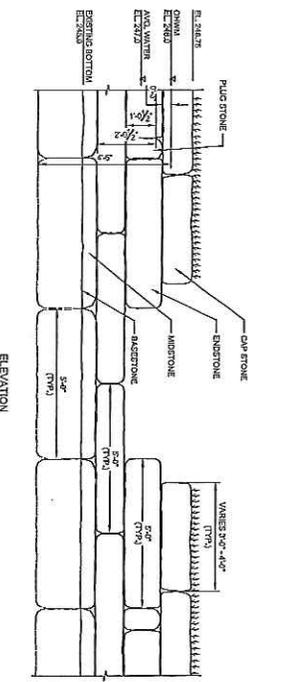


ELEVATION

2 REVENMENT WALL AT 28' CENTER GANGWAY
 SCALE: 1/4"=1'-0"



PLAN



ELEVATION

1 REVENMENT WALL DRAINAGE OPENING
 SCALE: 1/4"=1'-0"

SHEET REFERENCE CROSSING 14 of 15	NYS OFFICE OF PARKS RECREATION & HISTORIC PRESERVATION FISHING ACCESS AREA IMPROVEMENTS FORT NIAGARA - YOUNGSTOWN, NY	DESIGNED BY: D.A.O. DRAWN BY: D.S.G. CHECKED BY: S.S.V. DATE: 06/20/14 SOUGHTAFTER NO.: CONTRACT NO.:	PROJECT NO.: 101614 PROJECT NAME: FISHING ACCESS AREA IMPROVEMENTS FORT NIAGARA, NY
	DETAILS	NYS OFFICE OF PARKS RECREATION & HISTORIC PRESERVATION 609 STATE ST., 3RD FLOOR ALBANY, NY 12243-1500 TEL: 518/474-5000 FAX: 518/474-5001 WWW.NYS.PARKS.NY.GOV	PROJECT NO.: 101614 PROJECT NAME: FISHING ACCESS AREA IMPROVEMENTS FORT NIAGARA, NY

