



U.S. Army Corps
of Engineers
Buffalo District

Public Notice

ISSUED: November 2, 2012
EXPIRES: December 3, 2012

APPLICATION NO: 2011-01252
Section: NY

All written comments should reference the above Application No. and be addressed to: U.S. Army Corps of Engineers US Army Corps of Engineers, Buffalo District 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: MARK ASHLEY, 3031 21st STREET, BAKERSFIELD, CA 93301.

WATERWAY & LOCATION: St. Lawrence River, at 19 Stone Hedge Lane, Town of Oswegatchie, St. Lawrence County, New York.

LATITUDE & LONGITUDE: Latitude North: 44.67417
Longitude West: -75.53190

EXISTING CONDITIONS: Presently, there is an existing, previously authorized timber crib-supported dock extending out into the waterway from the shoreline. This dock is about 98 feet long.

Description of delineation of waters of the US, if applicable: The St. Lawrence River is a Traditional Navigable Waterway.

PROPOSED WORK: The applicant is proposing to install a 34 foot long by 8 foot wide timber crib-supported dock extension off of an existing previously authorized 98 foot by 8 foot timber crib dock, in the St. Lawrence River. The two extension support cribs will be filled with stone, with about 32 cubic yards of stone fill placed below the Ordinary High Water Level of the river.

PROJECT PURPOSE

Basic: The purpose of the proposed dock extension installation is to construct a dock.

Overall: The purpose is to allow the applicant to construct a dock to access deeper water.

Water Dependency Determination (*describe only if project affecting Special Aquatic Site*):

Avoidance and Minimization Information: The proposed extension will be supported by two rock-filled

timber cribs, of dimensions 8 feet by 8 feet and 8 feet by 10 feet. There will be spacing between these cribs to allow for water circulation underneath of the proposed dock extension. The crib installations will have minimal impacts on the waterway.

Proposed Mitigation: None.

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 be reference the Application Number and be directed to the attention of Mel Schroeder, who can be contacted at the above address, by calling (716) 879-4307, or by e-mail at: mel.r.schroeder@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. 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.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

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 Indiana bats (*Myotis sodalis*) 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.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

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.

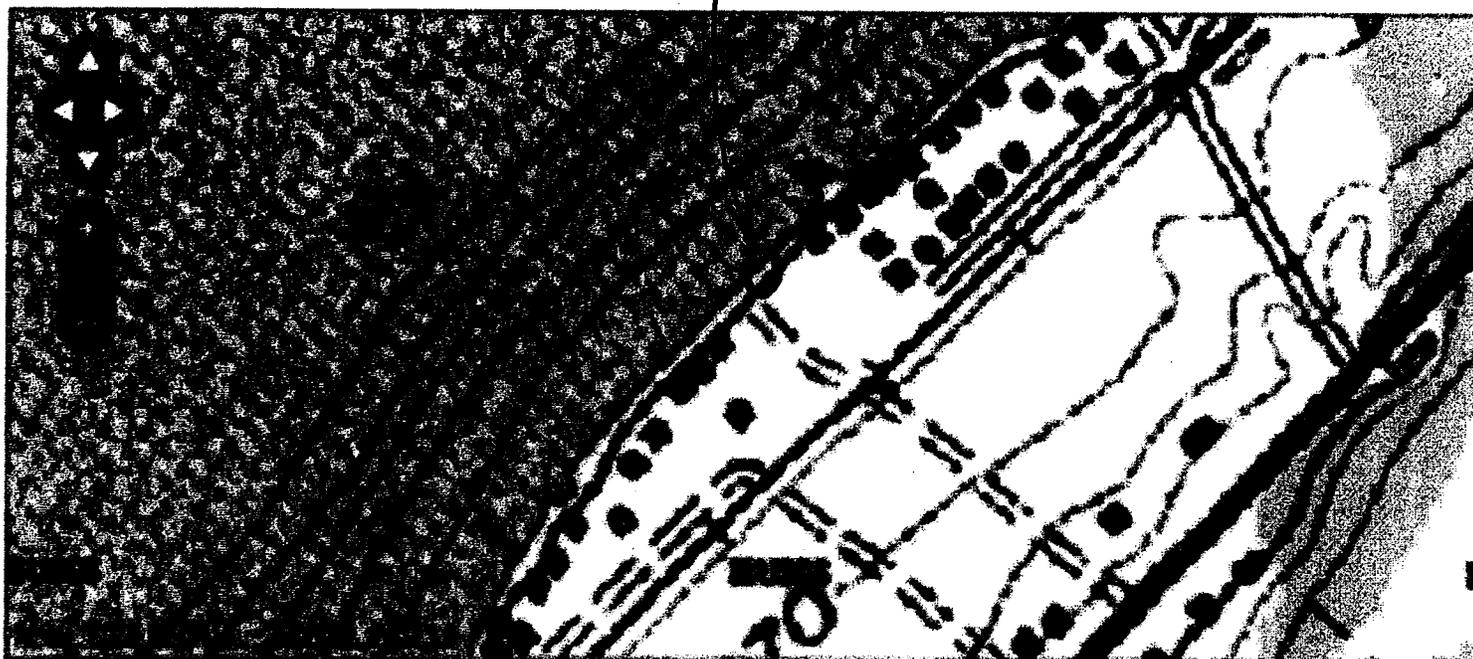
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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

Work
Site

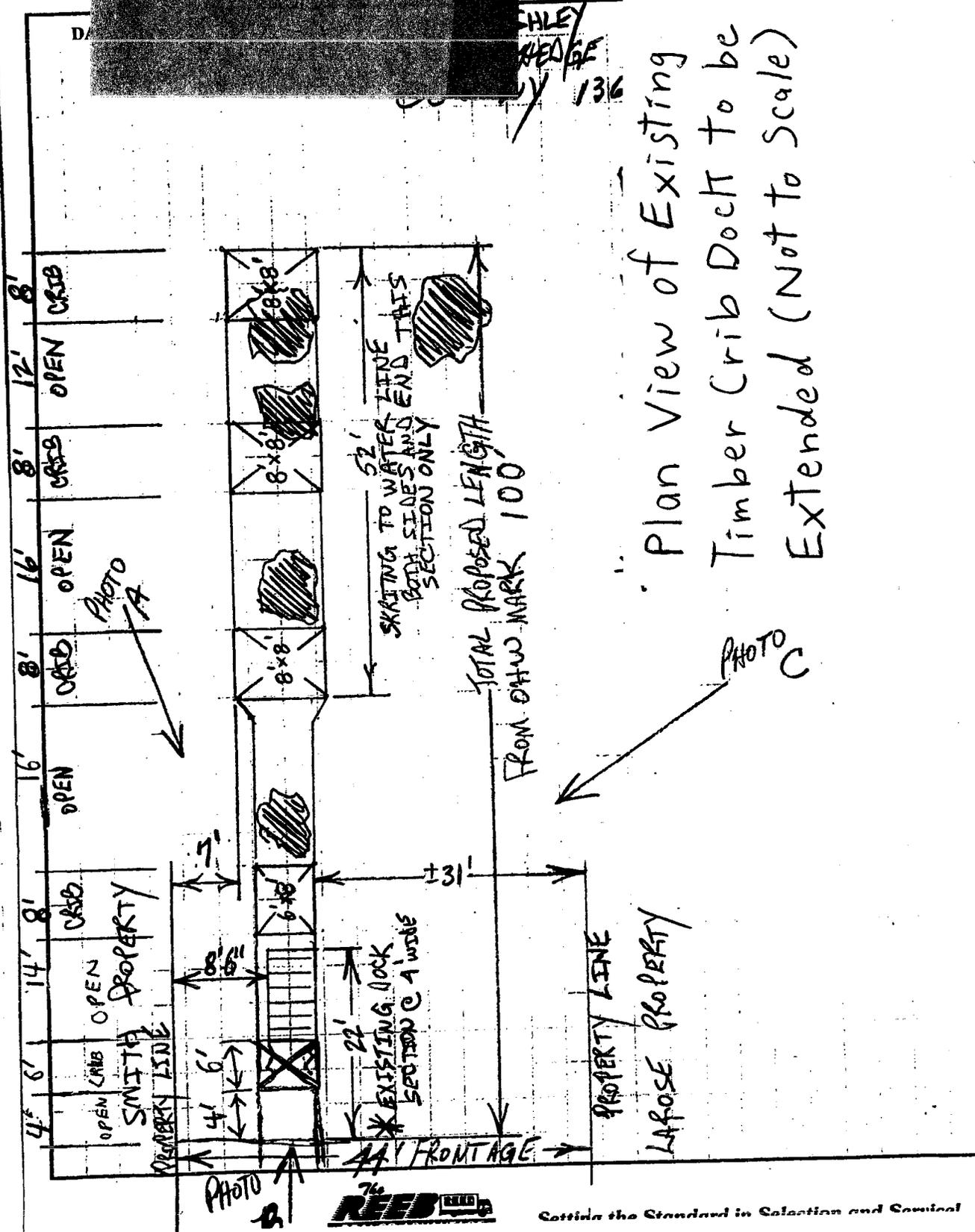


Mark Ashley
DA Processing No.: 2011-01252
Saint Lawrence County, New York
Quad: Ogdensburg West
Sheet 1 of 5



Bulldin
 Use, NY 13:
 451-5596
 ectoral/Bl

ASHLEY
WEDGE
136



Plan View of Existing
 Timber Crib Dock to be
 Extended (Not to Scale)

Mark Ashley
 DA Processing No.: 2011-01252
 Saint Lawrence County, New York
 Quad: Ogdensburg West
 Sheet 2 of 5



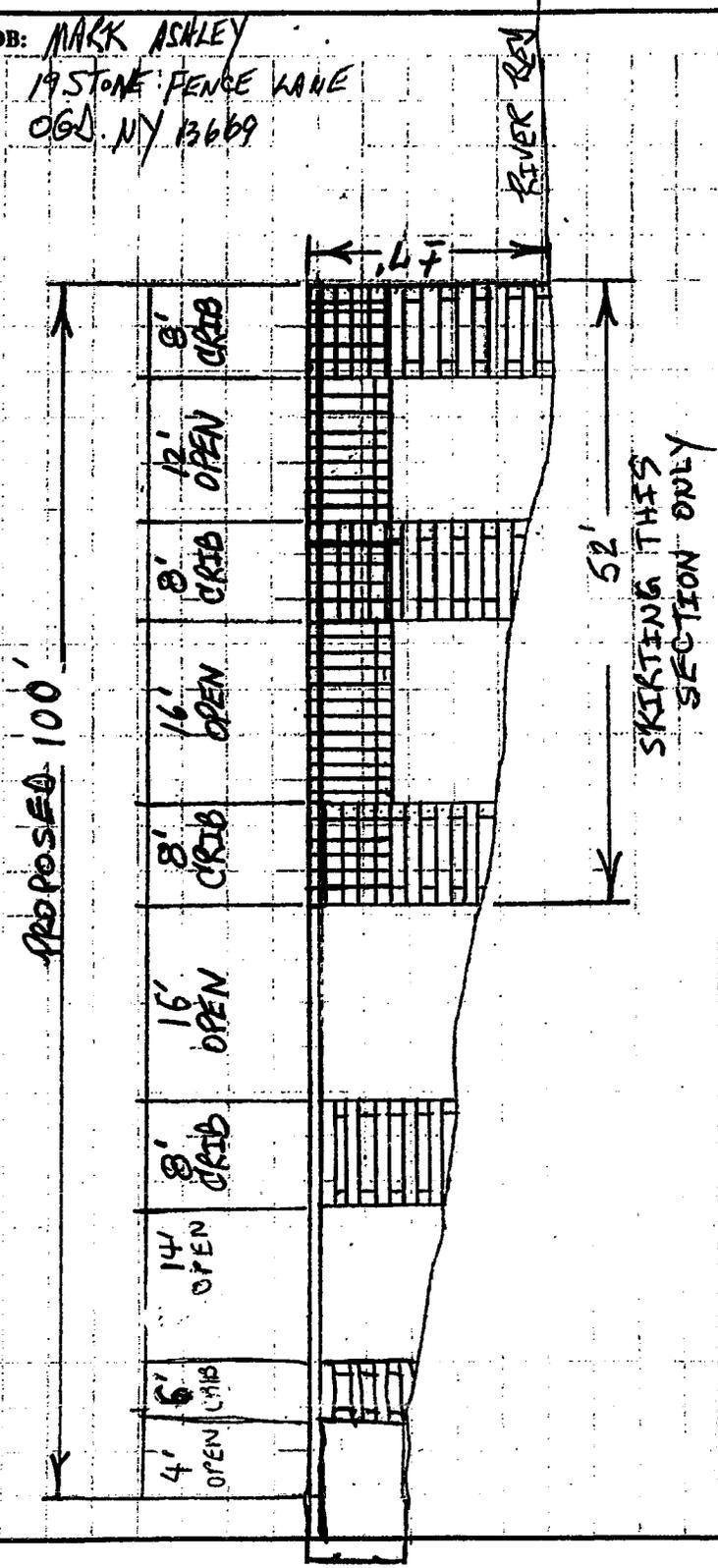
Setting the Standard in Selection and Survival

Cross-Section View of
 Existing Timber Crib Docht
 to be Extended (Not to
 Scale)

DATE: AUGUST 2011

JOB: MARK ASHLEY

19 STONE FENCE LANE
 OGDEN, NY 13669



Mark Ashley
 DA Processing No.: 2011-01252
 Saint Lawrence County, New York
 Quad: Ogdensburg West
 Sheet 3 of 5



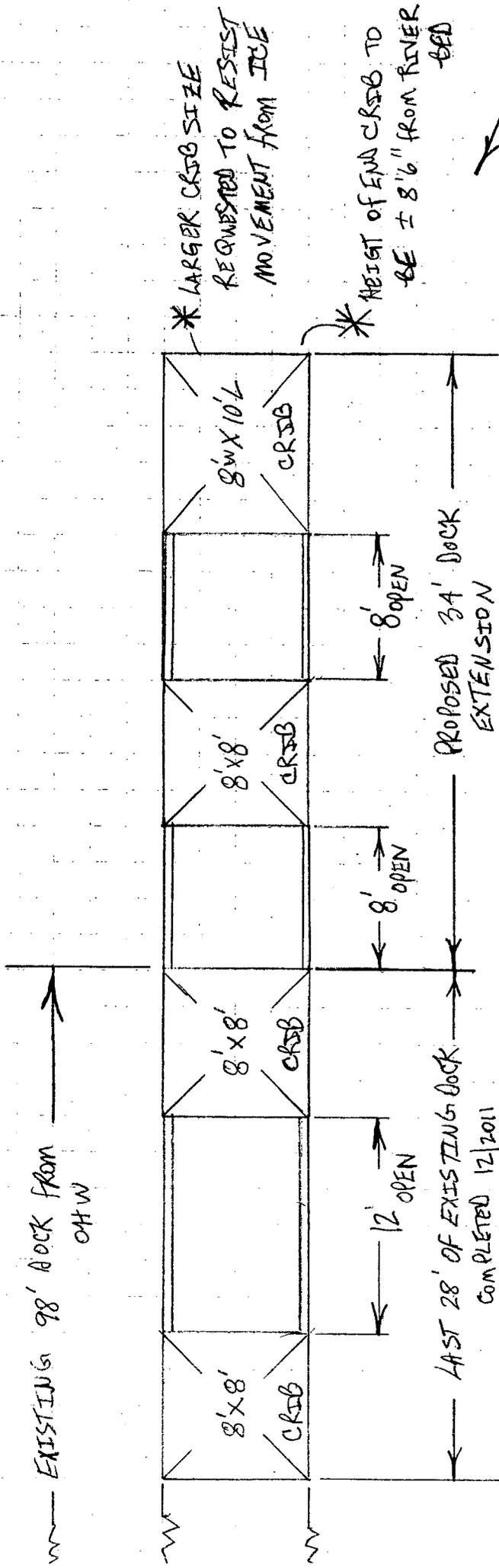
DATE: 9/2012

SUB:

MARK ASHLEY
19 STONE HEDGE LANE
OGDENSBURG, NY 13669

PHOTO B.

PHOTO C.



Plan View of Proposed Timber
Crib Dock Extension Installation
(Not to Scale)

PHOTO A.



Mark Ashley
 DA Processing No.: 2011-01252
 Saint Lawrence County, New York
 Quad: Ogdensburg West
 Sheet 5 of 5



SOB:

MARK ASHLEY - DOCK EXTENSION -
 19 SPANE WEDGE LANE
 OGDENSBURG NY 13669

REQUESTER

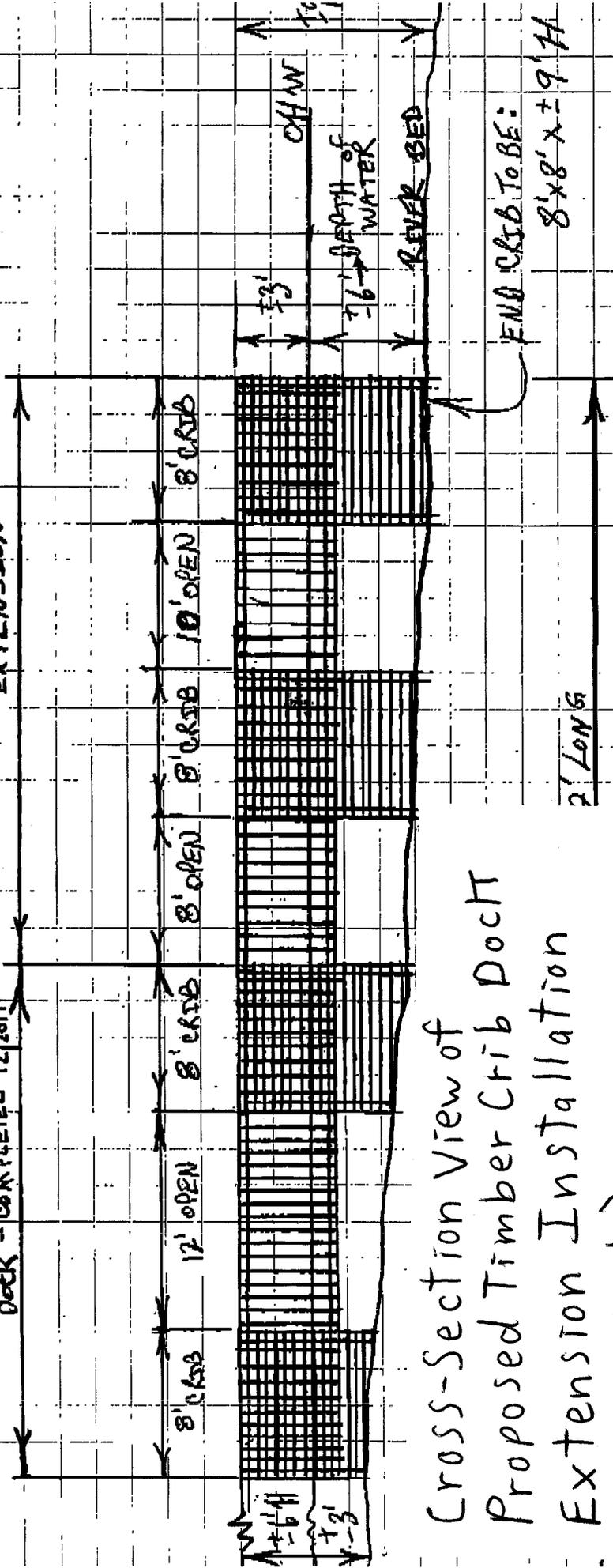
APPLICATION No.

2011-01252

DATE: 10/10/2012

LAST 28' OF EXISTING DOCK - COMPLETED 12/2011

PROPOSED 34' DOCK EXTENSION



Cross-Section View of
 Proposed Timber Crib Dock
 Extension Installation
 (Not to Scale)

(MARK KERR 13669) CURRENTLY HAS EXISTING LENGTH. NO SURVEY