



Public Notice

Applicant:
Boyd and Patricia Foster

Issued: **September 25, 2012**
Expires: **October 24, 2012**

U.S. Army Corps
of Engineers
Buffalo District

Application No: **2012-00672**
Section: **NY**

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: Boyd and Patricia Foster

WATERWAY & LOCATION: Saint Lawrence River at 24 Wright Road Number 1, in the Town of Morristown, St. Lawrence County, New York.

LATITUDE & LONGITUDE: Latitude North: 44.61562
Longitude West: -75.60840

EXISTING CONDITIONS: Description of delineation of waters of the US, if applicable: There is an existing crib-supported deck at the applicants' waterfront property, and a 40 foot by 16 foot floating dock that extends out into the waterway from this deck. The St. Lawrence River is a Traditional Navigable Waterway at the work site.

PROPOSED WORK: The applicant is proposing to remove the existing floating dock at the deck, and is proposing to install a rock-filled, timber crib-supported dock, extending off of this deck. The new dock will extend 83 feet out from the deck, and will have a 24 foot finger coming off of the end of the new structure. The new dock will be supported by seven rock-filled timber cribs, which will contain about 55 cubic yards of rock fill material placed below the Ordinary High Water Elevation of the river. Five of these cribs will be 6 feet by 6 feet, and two of these cribs will be 8 feet by 8 feet. The applicant shall also be installing a personal water craft lift at the end of this dock. In addition, the applicant is seeking after-the-fact authorization for the existing crib-supported 24 foot by 28 foot deck at the shore.

PROJECT PURPOSE

Basic: The basic project purpose is to construct a dock for access and use of the waterway.

Overall: The overall project purpose is to construct a dock that will reach approximately 4 to 5 feet of water that is needed to moor the applicant's boat and provide space for a personal water craft lift.

Avoidance and Minimization Information: The applicant is installing the new dock out as far as is needed to access a water depth of about 4 feet to 5 feet, for their boat, which needs approximately 4 feet of water to safely moor in.

Proposed Mitigation: Not Applicable to 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 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.

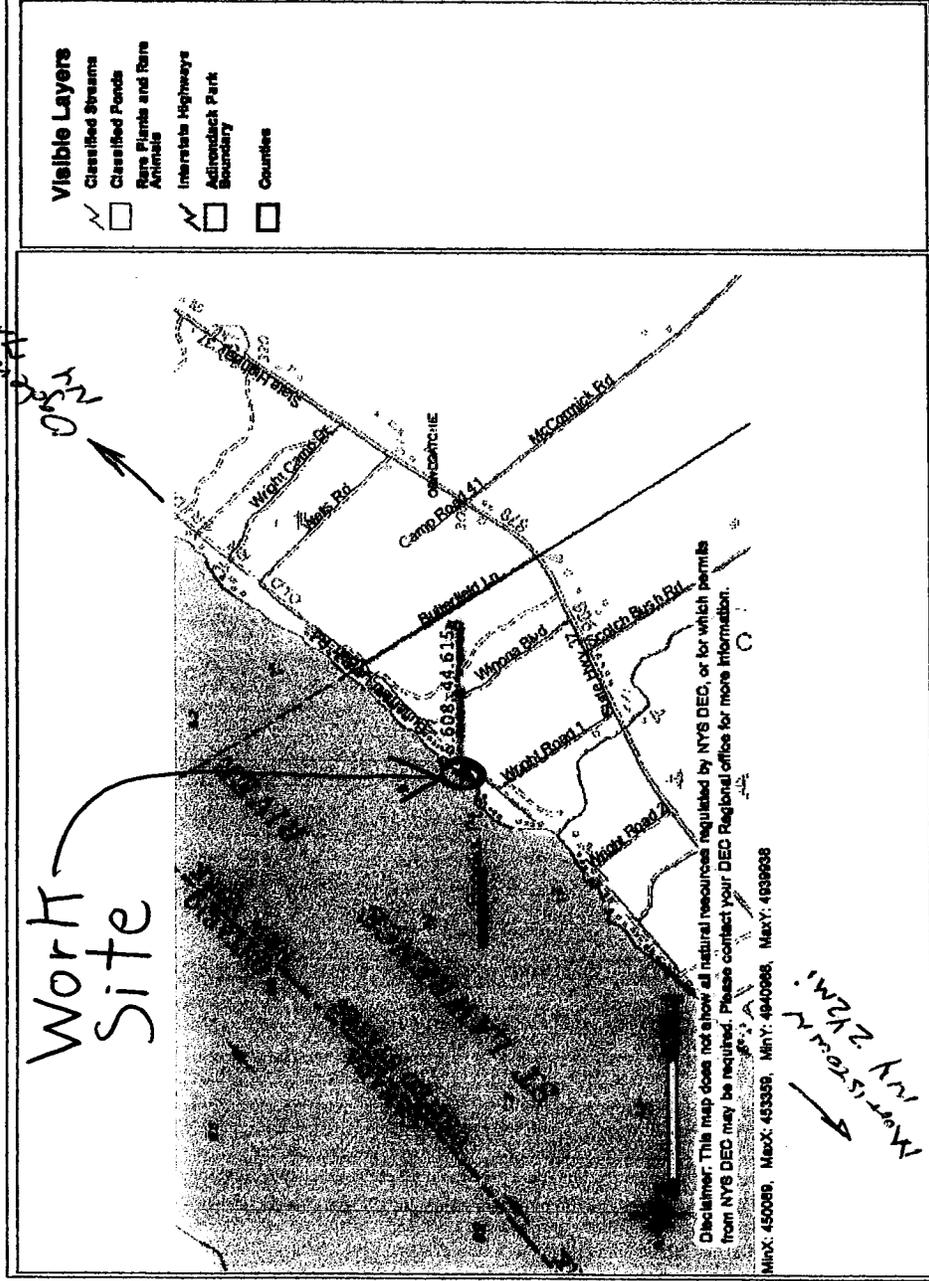
SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

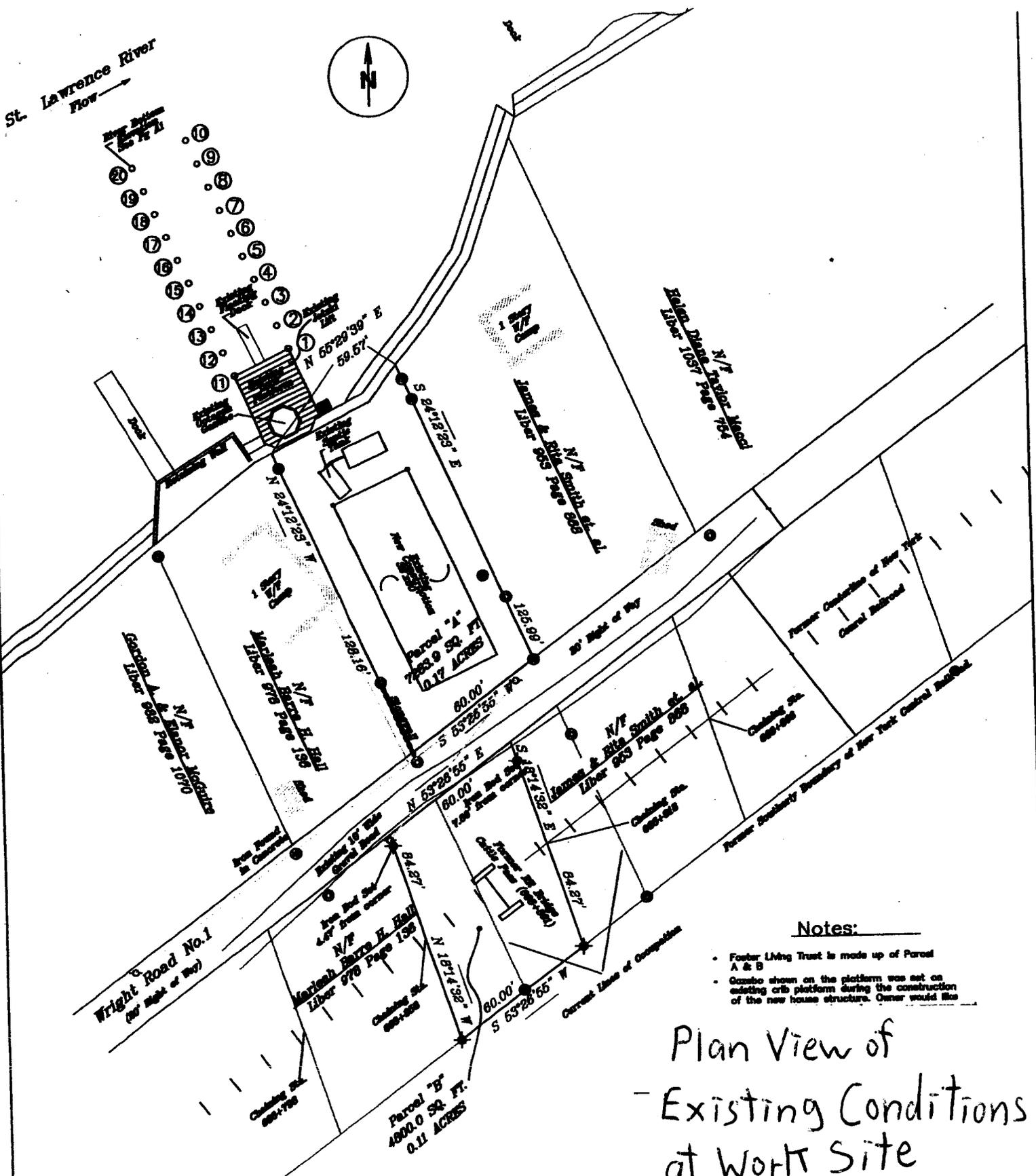
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

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Please set your printer orientation to "Landscape".



St. Lawrence River
Flow →



Notes:

- Foster Living Trust is made up of Parcel A & B
- Caisson shown on the platform was set on existing crib platform during the construction of the new house structure. Owner would like

Plan View of
Existing Conditions
at Work Site
(Not to Scale)

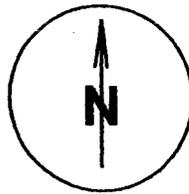
Purpose of Work: Facilitate watercraft docking from the current 11" depth to the proposed plan of 30" at low water levels.

Chief Proposed Scope of Work:

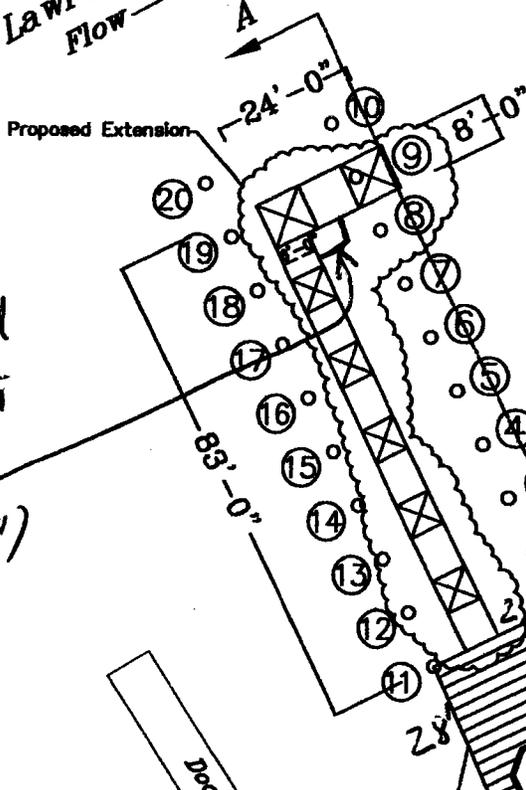
- Re-locate floating dock extension (4'0" x 16'0")
- New weighted cribs

Client/Agent/Owner: Boyd E. and Patricia Foster
D/A Processing No. 2012-00672
Saint Lawrence County, New York
Quad: Edwardsville
Sheet 2 of 4

St. Lawrence River
Flow →



Proposed
Jet Ski
Lift
(20" x 20")



Elevation Legend

Residence file of basement floor:	100.00 (Bench Mark)
Existing Deck Platform Pt A:	97.52
Existing Deck Platform Pt B:	97.40
River Bottom Pt 1:	91.48
River Bottom Pt 2:	91.16
River Bottom Pt 3:	90.87
River Bottom Pt 4:	90.58
River Bottom Pt 5:	90.37
River Bottom Pt 6:	90.46
River Bottom Pt 7:	90.37
River Bottom Pt 8:	89.96
River Bottom Pt 9:	89.91
River Bottom Pt 10:	89.82
Adjacent Neighbor Dock (Hall):	95.29
Adjacent Neighbor Dock (Moor):	95.08
Low Water Mark:	92.50
Water Elevation March 2012:	93.83
High Water Mark:	95.17
Proposed Owner/Applicant Dock:	95.58
River Bottom Pt 11:	91.54
River Bottom Pt 12:	91.12
River Bottom Pt 13:	90.91
River Bottom Pt 14:	90.58
River Bottom Pt 15:	90.58
River Bottom Pt 16:	90.46
River Bottom Pt 17:	90.29
River Bottom Pt 18:	90.16
River Bottom Pt 19:	89.96
River Bottom Pt 20:	89.91

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

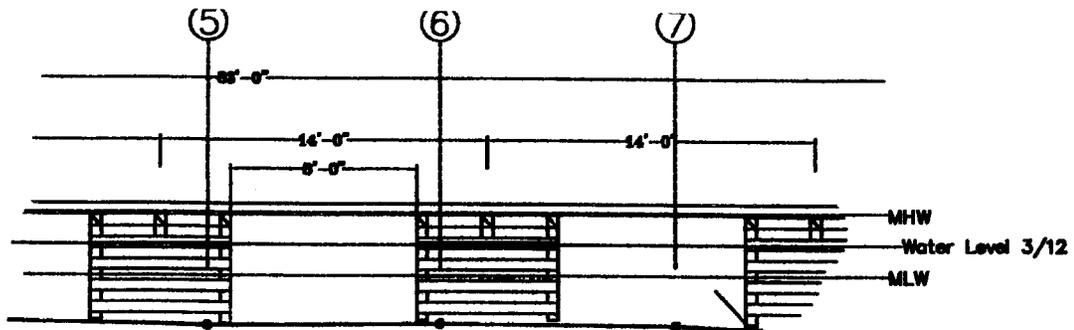
Purpose of Work: Facilitate watercraft docking from the current 11" depth to the proposed plan of 30" at low water levels.

Brief Proposed Scope of Work:

- Remove existing floating dock extension (4'0"x16'0")
 - New cr with cl Boyd E. and Patricia Foster
 - Install D/A Processing No. 2012-00672
 - Reloca Saint Lawrence County, New York
- Quad: Edwardsville
Sheet 3 of 4

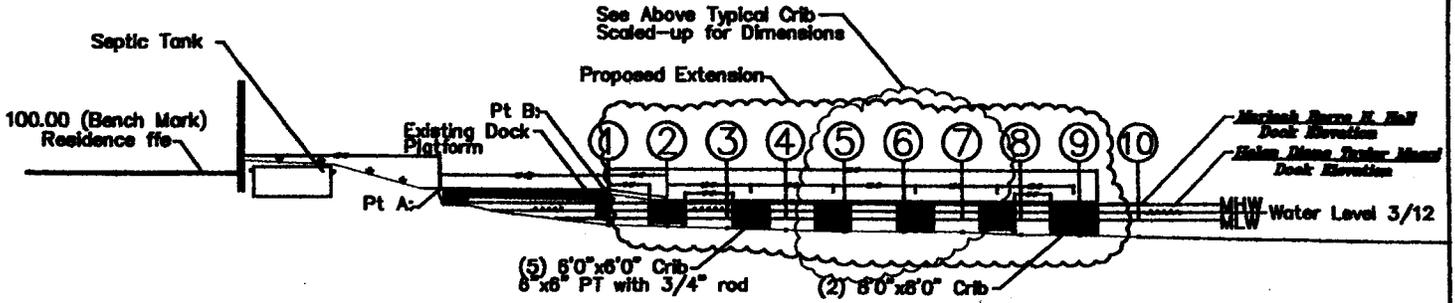


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Typical Crib Layout Proposed

Scale: 1/8"=1'0"



Proposed Crib Cross Sectional View A-A

Elevation Legend

Residence ffe of basement floor:	100.00 (Bench Mark)
Existing Deck Platform Pt A:	97.52
Existing Deck Platform Pt B:	97.40
River Bottom Pt 1:	91.46
River Bottom Pt 2:	91.16
River Bottom Pt 3:	90.87
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River Bottom Pt 8:	89.96
River Bottom Pt 9:	89.00
River Bottom Pt 10:	89.00
Adjacent Neighbor Dock (Hall):	95.00
Adjacent Neighbor Dock (Macci):	95.00
Low Water Mark:	92.00
Water Elevation March 2012:	93.00
High Water Mark:	95.00
Proposed Owner Dock:	95.00

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

Purpose of Work: Facilitate watercraft docking from the current 11" depth to the proposed plan of 30" at low water levels.

Subj Proposed Steps of Work:

- Re Boyd E. and Patricia Foster
- Ne D/A Processing No. 2012-00672
- wil Saint Lawrence County, New York
- In: Quad: Edwardsville
- Re Sheet 4 of 4



weighted
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cribs