Public Notice

Applicant: Katlynn Marine, Inc.

Date:
Published: May 3, 2001
Expires: June 2, 2001

U.S. Army Corps of Engineers
Buffalo District

In Reply Refer To:
CELRB-CO-R **RE:** 1999-00102(8) **Section:** NY 10

Application for Permit under Authority of Section 10 of the Rivers and Harbors Act of 1899.

Katlynn Marine, Inc., 7448 Route 14, Sodus Point, New York 14555, has applied for Department of the Army authorization to raise, move, and dispose of a derrick barge in Lake Ontario off Sodus Bay. The barge is currently resting on the bottom in a nearshore area of Sodus Bay in the Village of Sodus Point, Wayne County, New York, where it was placed in 2000. To accommodate the placement of new docks in the marina facility, the applicant is proposing to raise the barge from this area and dispose of the barge in the open lake.

The barge is 35 feet wide, 100 feet long, and 10 feet high. It is estimated to weigh 100 tons and is at least 50 years old. Formerly used as a derrick barge, it is constructed of large wooden timbers with the interior extensively braced with large timbers to support the deck. Katlynn Marine, Inc. proposes to raise the barge, float it to the open lake where it will be sunk at the selected location. Rock will be placed within the barge in order to permanently anchor the barge on the bottom of the lake. The area of disposal selected by the applicant is west of a charted dumping ground, north of Sodus Bay, in water with a depth of approximately 70 feet (approximate coordinates 76 degrees-58 minutes-12 seconds, 43 degrees-18 minutes-36 seconds). The raising and disposal would be conducted after a warm water fishery work restriction period ending July 1.

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

Questions pertaining to the work described in this notice should be directed to Harold T. Keppner, who can be contacted by calling (716) 879-4120, or by e-mail at: harold.t.keppner@usace.army.mil

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:

Ms. Diana Boos
New York Department of State
Division of Coastal Resources
Consistency Coordinator
Coastal Management Program
41 State Street

Albany, New York 12231-0001
Telephone (518) 486-3200

The following authorization(s) may be 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.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

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 should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Harold T. Keppner, or by e-mail at: harold.t.keppner@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

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.

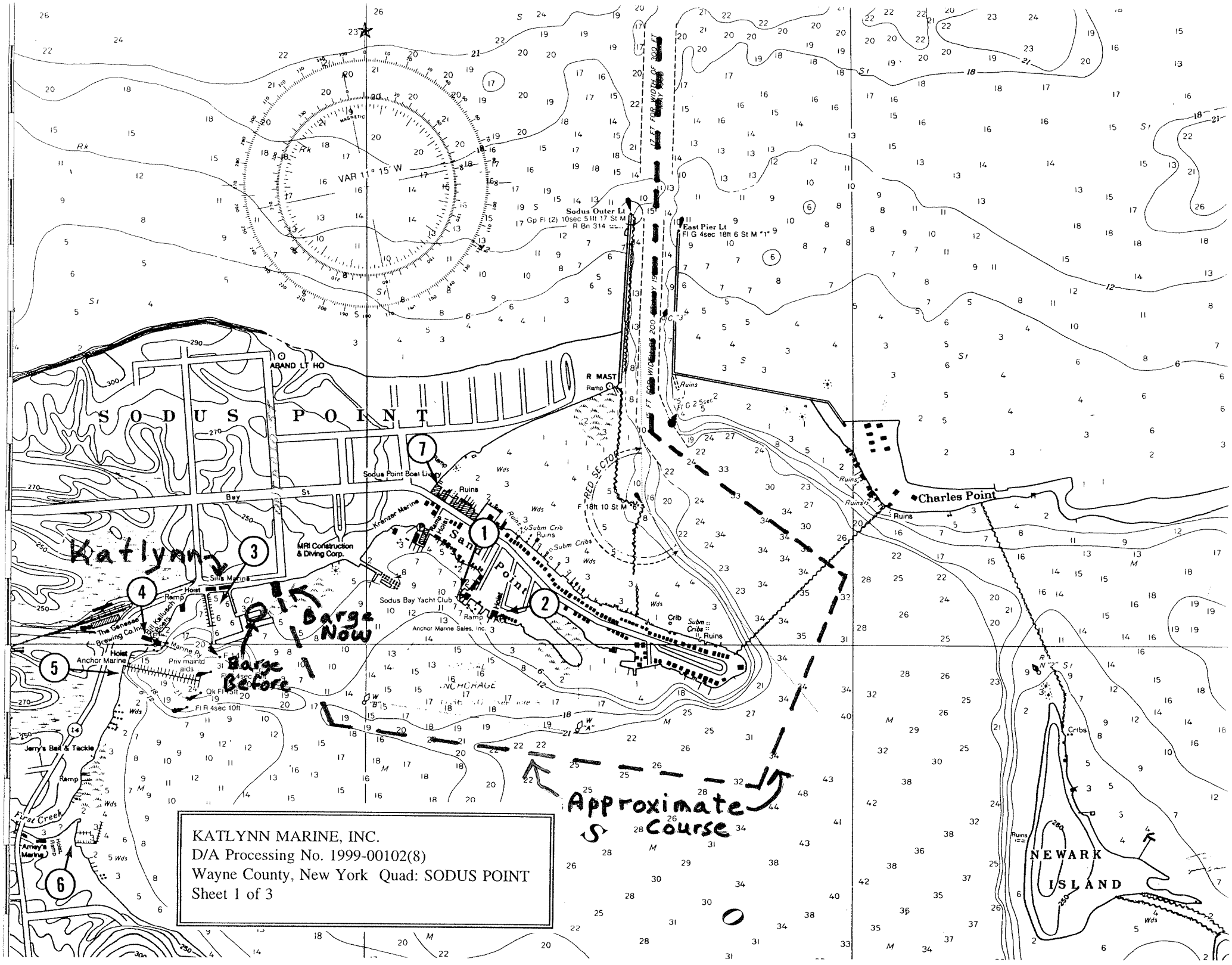
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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.

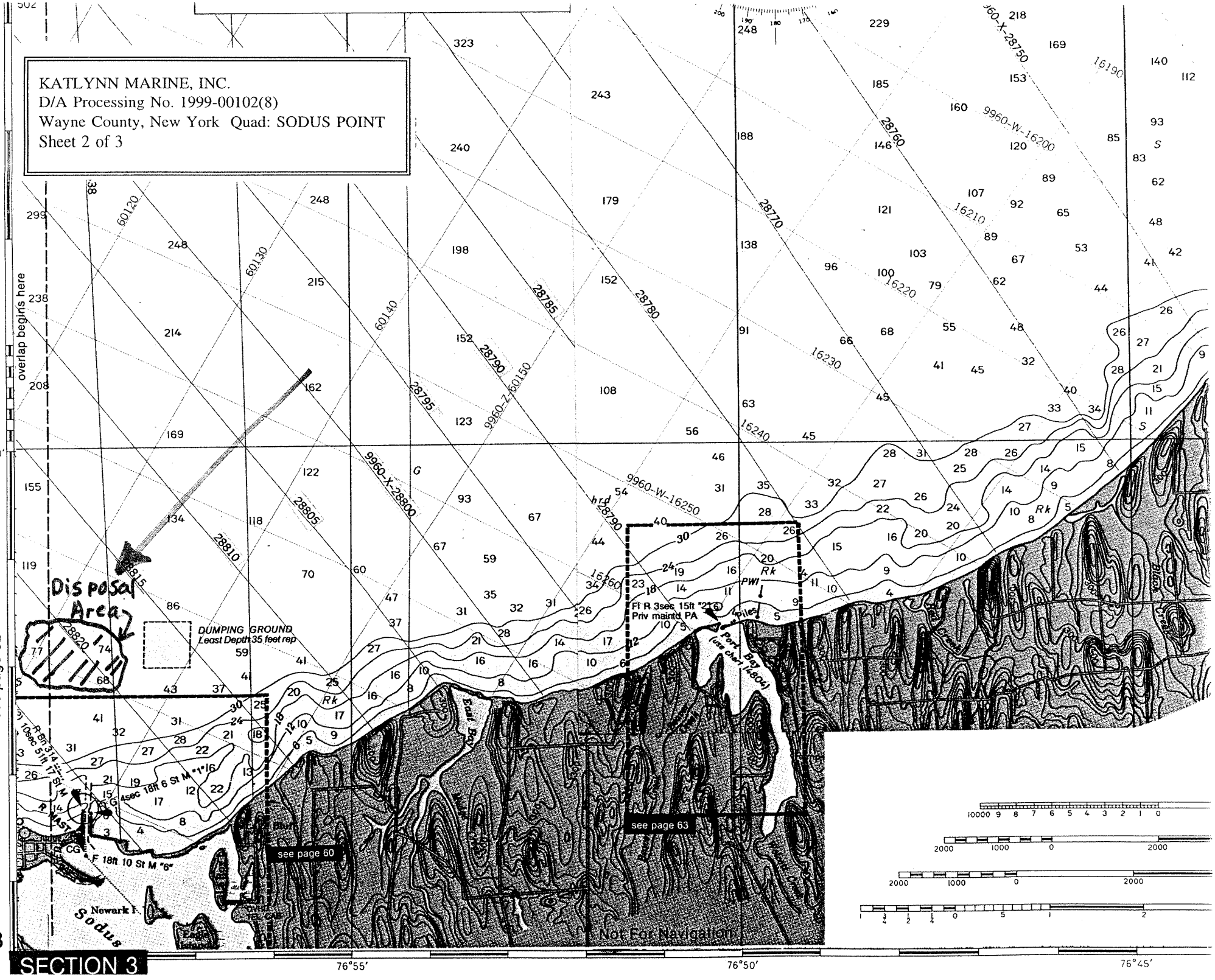
For Paul G. Leuchner
Chief, Regulatory Branch

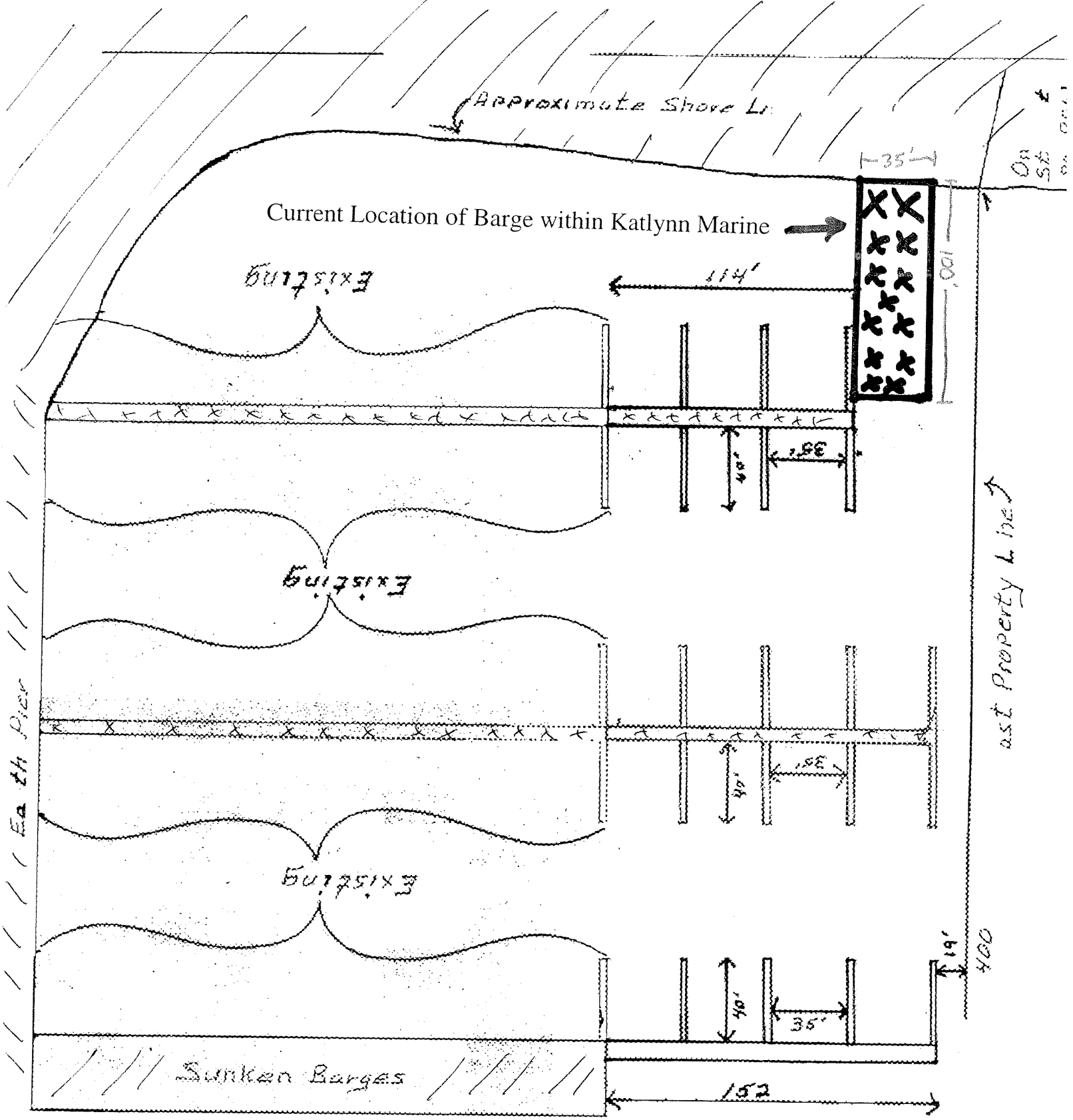
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



KATLYNN MARINE, INC.
D/A Processing No. 1999-00102(8)
Wayne County, New York Quad: SODUS POINT
Sheet 1 of 3

KATLYNN MARINE, INC.
D/A Processing No. 1999-00102(8)
Wayne County, New York Quad: SODUS POINT
Sheet 2 of 3





Permit Modification March 21, 2001

KATLYNN MARINE, INC.
D/A Processing No. 1999-00102(8)
Wayne County, New York Quad: SODUS POINT
Sheet 3 of 3

Katlynn Marine Inc
7448 Route 1
Application to
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