



**TOWN OF MAMARONECK - VILLAGE OF LARCHMONT
COASTAL ZONE MANAGEMENT COMMISSION**

Monday, March 25, 2019

**Mamaroneck Town Center, 1st Floor - Conference Room D, 740 W. Boston Post
Road, Mamaroneck, NY 10543**

Approval of Minutes

1. Approval of Minutes - February 25, 2019

Agenda Items

1. 1 Briarcliff Road
2. 14 Pryer Lane
3. Issuance of New York Transportation Regional General Permit (TRGP-1)
4. Bonnie Briar Country Club

Old Business

New Business

Winged Foot Golf Club

Meeting Adjournment

Any physically handicapped person needing special assistance in order to attend the meeting should call the Town Administrator's office at 381-7810.



Town of Mamaroneck — Village of Larchmont

COASTAL ZONE MANAGEMENT COMMISSION

TOWN CENTER: 740 West Boston Post Road, Mamaroneck, NY 10543-3353

TEL: 914-381-7845 FAX: 914-381-8473 conservationdept@townofmamaroneck.org

CZMC Minutes - Draft

February 25, 2019

A meeting of the Coastal Zone Management Commission (CZMC) was held on Monday, February 25, 2019 in the Mamaroneck Town Center, Conference Room D, 1st Floor, 740 W. Boston Post Road, Mamaroneck, New York. The meeting was called to order at 7:30 p.m.

MEMBERS PRESENT:

C. Alan Mason, Chairman
Kanan Sheth
Matthew Teitsch
Sara Hanna
Maurizio Bertini

OTHERS PRESENT:

Councilwoman Jaine Elkind Eney, Liaison to Town of Mamaroneck Town Board
Elizabeth Paul, Environmental Planner, Town of Mamaroneck
Ralph Alfonzetti, 1 Briarcliff Road

1. Approval of Minutes

The minutes of the January 28, 2019 meeting were approved as submitted.

2. Referral – 1 Briarcliff Road

Engineer, Ralph Alfonzetti presented the proposal to demolish the existing single family house and construct a new single family house. The project will occur within the 100 year flood zone and within 100 feet of the Sheldrake River. The applicant is proposing the installation of cultec units and a rain garden to mitigate flooding.

CZMC requested additional details on the design of the rain garden and proposed plantings. A site visit will also be scheduled prior to the next meeting.

3. Old Business

No old business to discuss.

4. New Business

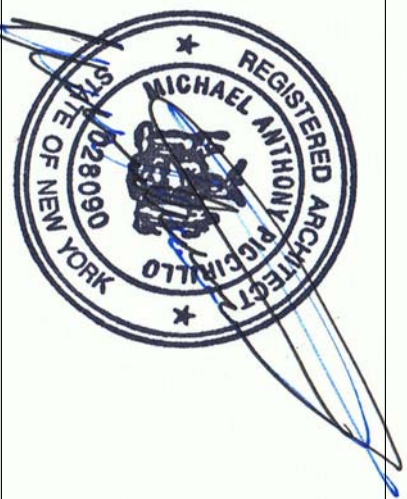
Maurizio Bertini, was introduced as the newly appointed member from the Town of Mamaroneck.

The meeting was adjourned at 8:00 p.m.

No.	DATE:	ISSUE:
1	1/11/19	PLANNING BOARD REVIEW
3	1/23/19	ISSUED FOR PLANNING BOARD
4	2/19/19	REVISED

PROJECT NAME:
LAW/ OR RESIDENCE
RENOVATION/ADDITION

PROJECT ADDRESS:
1 BRIARCLIFF ROAD
LARCHMONT, NEW YORK
10538



MICHAEL A PICCIRILLO, AIA
345 KEAR STREET SUITE #203
YORKTOWN, NEW YORK 10598
TELEPHONE: 914-368-9838
FACSIMILE: 914-302-2933
michael@mpiccirilloarchitect.com
www.mpiccirilloarchitect.com

LANDSCAPE PLAN	
SCALE: AS NOTED	DATE: 09-10-2018
DRAWN BY: MAP	
CHECKED BY: MAP	
1 OF 1	SP-104



RAIN GARDEN PLANT SCHEDULE

QUANTITY	BOTANICAL / COMMON NAME	SIZE
17	RHUS "GRO-LOW" - GRO-LOW SUMAC	1 GAL.
6	ILEX VERTICILLATE - WINTERBERRY	1 GAL.
10	CORNUS SERICEA - RED OSIER DOGWOOD	1 GAL.
17	RUDEBECKIA LACINIATA - CUTLEAF CONEFLOWER	1 PINT
24	PANICUM VIRGATUM - SWITCH GRASS	1 PINT
12	SCHIZACHYRIUM SCOPARIUM - LITTLE BLUESTEM	1 PINT
24	ASCLEPIAS INCARNATE - SWAMP MILKWEED	1 PINT

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE AT MATURITY	QTY	SIZE	APPROX. SPACING
	ACER RUBRUM	RED MAPLE	40-50' TALL	4	5-FT TALL	REFER TO PLAN
	CORNUS	VENUS DOGWOOD	15' TALL	4	3 GALLON	REFER TO PLAN
	JUNIPERIS VIRGINIANA "GLAUCA"	EASTERN RED CEDAR	20' TALL	33	3 GALLON	3.5FT
	BUXUS	BOXWOOD	3' TALL	10	2 GALLON	2FT

BRIARCLIFF ROAD

A LANDSCAPE PLAN

SCALE: 1" = 10'-0"

Care of Plants	J	F	M	A	M	J	J	A	S	O	N	D
Monitoring	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pruning	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Deadheading/Tip Pruning	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Fertilize - Slow Release	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Fertilize - Rapid/Soluble	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cut Back Perennials and Grasses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Watering (as Needed)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Garden Beds	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Edging	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Weeding	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mulching	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Leaf Removal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pest Management	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Monitoring	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawns	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Fertilize/Weed Control	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Overseeding	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Winter Clean Up	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

*New plantings will require monitoring and care through the establishment period

**NYS DEPARTMENT OF STATE
DIVISION OF COASTAL RESOURCES**

MEMORANDUM

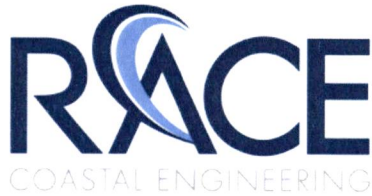
To: Elizabeth Paul, Coastal Zone Management Commission, Larchmont, NY
From: New York State DOS, Coastal Consistency Unit
Date: March 11, 2019
Re: 14 Pryer Ln; 4'x4' concrete platform located landward of the seawall, a 3.5' wide x 25' long gangway
and a 12' wide x 15' long floating dock

* * * *

Enclosed is a copy of the application for the above-referenced project for your information and preliminary review. Please contact Rebecca Ferres, the DOS reviewer assigned to this project, at (518) 473-2470 or rebecca.ferres@dos.ny.gov to discuss applicable LWRP policies and concerns, and any additional information which may be necessary to assist you in reviewing this project. Any comments you may have will assist the Department in reaching a decision as to the consistency of the proposed action with the approved Larchmont LWRP.

We would appreciate hearing from you on this proposed project within 30 days. If we do not hear from you by that date, we will presume that you have no objections to the proposed project.





February 14, 2019

New York State Department of State
Division of Coastal Resources
Consistency Review Unit
One Commerce Plaza
99 Washington Avenue, Suite 1010
Albany, NY 12231-00001
(518) 474-6000

Reference: New York State / US Army Corps of Engineers
Joint Application for Permit – Waterfront Improvements
14 Pryer Lane, Larchmont, NY 10538
RACE Project No. 2018115

Received
FEB 22 2019
NYSDOS
Planning & Development

Dear Sir or Madam:

RACE COASTAL ENGINEERING, P.C. ("RACE"), on behalf of Tjarko & Andrea Hektor, is pleased to submit the enclosed New York State / US Army Corps of Engineers Joint Application for a Permit for a residential seawall and floating dock project in Premium Mill Pond in Larchmont, NY. The Applicant proposes to repair the existing deteriorated seawall. In addition, the Applicant proposes to install a 4'x4' concrete platform located landward of the seawall, a 3.5' wide x 25' long gangway and a 12' wide x 16' long floating dock which will allow for recreational access to the pond.

The application package includes one (1) set of plans, supporting photographs and other required materials. The US Army Corps of Engineers NY District, New York State Department of State and the New York State Office of General Services will each receive one copy of this application.

We look forward to your timely review. Should you have any questions concerning this Application, please contact the undersigned at our Stratford, CT office at (203) 377-0663.

Very truly yours,

RACE COASTAL ENGINEERING

A handwritten signature in blue ink, appearing to read "Matthew Taverna", is written over a horizontal line.

Matthew Taverna, PE
Project Manager

Copy: Tjarko & Andrea Hektor
US Army Corps of Engineers NY District
New York State Department of State
New York State Office of General Services

Enclosures: As Stated



February 14, 2019

New York State DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3086

Attention: John Petronella, Permit Administrator

Reference: New York State / US Army Corps of Engineers
Joint Application for Permit – Waterfront Improvements
14 Pryer Lane, Larchmont, NY 10538
RACE Project No. 2018115

Received
FEB 22 2019
NYS DOS
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The application package includes three (3) sets of plans, supporting photographs and other required materials. The US Army Corps of Engineers NY District, New York State Department of State and the New York State Office of General Services will each receive one copy of this application.

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Matthew Taverna, PE
Project Manager

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US Army Corps of Engineers NY District
New York State Department of State
New York State Office of General Services

Enclosures: As Stated



February 14, 2019

US Army Corps of Engineers NY District
Regulatory Branch
26 Federal Plaza, Room 1937
New York, NY 10278-0090

Reference: New York State / US Army Corps of Engineers
Joint Application for Permit – Waterfront Improvements
14 Pryer Lane, Larchmont, NY 10538
RACE Project No. 2018115

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New York State Department of State
New York State Office of General Services

Enclosures: As Stated



February 14, 2019

New York State Department of State
Division of Coastal Resources
Consistency Review Unit
One Commerce Plaza
99 Washington Avenue, Suite 1010
Albany, NY 12231-00001
(518) 474-6000

Reference: New York State / US Army Corps of Engineers
Joint Application for Permit – Waterfront Improvements
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Project Manager

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US Army Corps of Engineers NY District
New York State Department of State
New York State Office of General Services

Enclosures: As Stated



February 14, 2019

New York State Office of General Services
Real Estate Development – Land Management
Corning Tower, 26th Floor
Empire State Plaza
Albany, NY 12242-0001
(518) 474-2195

Reference: New York State / US Army Corps of Engineers
Joint Application for Permit – Waterfront Improvements
14 Pryer Lane, Larchmont, NY 10538
RACE Project No. 2018115

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New York State Department of State
New York State Office of General Services

Enclosures: As Stated

Table of Contents

Section Description

1. New York State / US Army Corps of Engineers Joint Application for Permit NYSDEC
 Form 95-19-3 and Supplement D-2
2. Location Maps
3. Project Plans
4. Photographs
5. Short Environmental Assessment Form For Unlisted Actions and EAF Mapper Summary Report
6. Permission to Inspect Property Statement
7. Federal Consistency Assessment Form and Attachment
8. US Army Corps of Engineers Environmental Questionnaire



SECTION 1

New York State / US Army Corps of Engineers Joint Permit Application



**JOINT APPLICATION FORM**

For Permits for activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.

1. Applications To:**>NYS Department of Environmental Conservation**

Check here to confirm you sent this form to NYSDEC.

Check all permits that apply:

☐ Stream Disturbance☐ Dams and Impoundment Structures☒ Excavation and Fill in Navigable Waters☒ 401 Water Quality Certification☒ Docks, Moorings or Platforms☐ Freshwater Wetlands☒ Tidal Wetlands☐ Wild, Scenic and Recreational Rivers☐ Coastal Erosion Management☐ Water Withdrawal☐ Long Island Well☐ Incidental Take of Endangered / Threatened Species**>US Army Corps of Engineers**

Check here to confirm you sent this form to USACE.

Check all permits that apply:

☐ Section 404 Clean Water Act☒ Section 10 Rivers and Harbors ActIs the project Federally funded? ☐ Yes ☒ No

If yes, name of Federal Agency:

General Permit Type(s), if known: Nationwide #3 (Seawall)

See Attachment

Preconstruction Notification:

☒ Yes ☐ No**>NYS Office of General Services**

Check here to confirm you sent this form to NYSOGS.

Check all permits that apply:

☒ State Owned Lands Under Water☐ Utility Easement (pipelines, conduits, cables, etc.)☒ Docks, Moorings or Platforms**>NYS Department of State**

Check here to confirm you sent this form to NYSDOS.

Check if this applies:

☒ Coastal Consistency Concurrence**2. Name of Applicant**

Tjarko & Andrea Hektor

Taxpayer ID (if applicant is NOT an individual)

Mailing Address

14 Pryer Lane

Post Office / City

Larchmont

State

NY

Zip

10538

Telephone 646-779-7332

Email tjarkohektor@new2ndcapital.com

Applicant Must be (check all that apply):

☒ Owner☐ Operator☐ Lessee**3. Name of Property Owner (if different than Applicant)**

Mailing Address

Post Office / City

State

Zip

Telephone

Email

For Agency Use Only

Agency Application Number:

4. Name of Contact / Agent

Matthew T. Taverna, P.E.

Mailing AddressRACE Coastal Engineering
611 Access Road**Post Office / City**

Stratford

State Zip

CT 06615

Telephone 203-377-0663

Email mtaverna@racecoastal.com

5. Project / Facility Name

Waterfront Improvements

Property Tax Map Section / Block / Lot Number:

7/724/61

Project Street Address, if applicable

14 Pryer Lane

Post Office / City

Larchmont

State Zip

NY 10538

Provide directions and distances to roads, intersections, bridges and bodies of water

The site is 3,250 feet from I-95, located on Pryer Lane and Premium Mill Pond

☐ Town ☒ Village ☐ City**County**

Westchester

Stream/Waterbody Name

Premium Mill Pond

Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:

Latitude: 40 ° 54 ' 58.17 " Longitude: 73 ° 45 ' 13.80 "

6. Project Description: Provide the following information about your project. Continue each response and provide any additional information on other pages. Attach plans on separate pages.**a. Purpose of the proposed project:**

The purpose of this project is to allow for recreational access to Premium Mill Pond and to protect the shoreline from erosion.

b. Description of current site conditions:

The site is a waterfront residential property located along the shores of Premium Mill Pond. The pond is tidally influenced with areas of mudflat exposure during low tide. There are areas of tidal wetland vegetation in the near shore area adjacent to the concrete and stone seawall. The existing stone and concrete seawall is deteriorated.

c. Proposed site changes:

The Applicant proposes to repair the existing deteriorated seawall. In addition, the Applicant proposes to install a 4'x4' concrete platform located landward of the seawall, a 3.5' wide x 25' long gangway and a 12' wide x 16' long floating dock which will allow for recreational access to the pond. The proposed floating dock will be secured in place by (4) mushroom anchors and chain. Due to site access restrictions piles are not proposed.

d. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary/mean high water, etc.):

The proposed 12' x 16' (192 SF) floating dock will maintain a minimum of 1.5' off of the substrate via a float stop frame.

e. Area of excavation or dredging, volume of material to be removed, location of dredged material placement:

Not Applicable.

f. Is tree cutting or clearing proposed? ☐ Yes If Yes, explain below. ☒ No

Timing of the proposed cutting or clearing (month/year): N/A

Number of trees to be cut: N/A Acreage of trees to be cleared: N/A

g. Work methods and type of equipment to be used:

The work will be done from the land using a small excavator and hand held tools such as jackhammers. Removal of the deteriorated sections of the existing seawall will be done by hand held equipment from workers staged on the water-ward side of the seawall during periods of low tide.

h. Describe the planned sequence of activities:

The deteriorated sections of the seawall will be removed and replaced with reinforced concrete. The 4'x4' concrete platform will be formed and poured. The floating dock will be furnished and installed. The gangway will be connected to the concrete platform and placed on top of the floating dock.

i. Pollution control methods and other actions proposed to mitigate environmental impacts:

Best practice measures including haybales and silt fences will be utilized for sedimentation and erosion control. The existing tidal vegetation will be protected to the extent practical by installing a construction fence that is intended to keep materials, equipment and personnel out of the area. The reinforced concrete will be poured within forms to prevent concrete migration into the environment.

j. Erosion and silt control methods that will be used to prevent water quality impacts:

As discussed above, haybales and silt fences will be installed as necessary to prevent sedimentation and erosion. Work on the seawall will take place during periods of low tide to minimize in-water work.

k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:

The "no action alternative" will allow continued deterioration and failure of the wall which will lead to erosion of the shoreline and sedimentation into the pond. The existing seawall will be repaired where applicable instead of replaced which will minimize the areas of impact. The reconstructed areas will be in-kind and in-place to minimize encroachment and long-term impacts.

l. Proposed use: ☒ Private ☐ Public ☐ Commercial

m. Proposed Start Date: April 1, 2019 Estimated Completion Date: 2 months

n. Has work begun on project? ☐ Yes If Yes, explain below. ☒ No

N/A

o. Will project occupy Federal, State, or Municipal Land? ☒ Yes If Yes, explain below. ☐ No

The property line runs along the water-ward edge of the existing seawall. The proposed gangway and floating dock will be water-ward of the property line.

p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:

None known

q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?

☒ Yes If Yes, list below. ☐ No

Site Plan Approval and Wetlands permits from Town of Larchmont Planning Board
Harbor and Coastal Zone Management Commission

7. Signatures.

Applicant and Owner (If different) must sign the application.

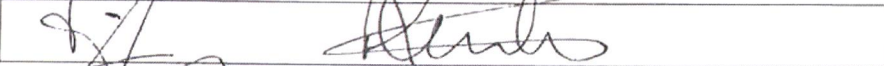
Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

Signature of Applicant



Date

11/30/2019

Applicant Must be (check all that apply): ☒ Owner ☐ Operator ☐ Lessee

Printed Name

Tjarko Hektor & Andreea Hektor

Title

Owner

Signature of Owner (if different than Applicant)

Date

Printed Name

Title

Signature of Contact / Agent



Date

2/14/19

Printed Name

Matthew T. Taverna

Title

Project Manager

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

Agency Application Number

(Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative

Printed Name

Title

Signature

Date

Attachment to Joint Application Form:
Historic Aerial Imagery



Photograph 1 – Historic aerial imagery of the Existing Seawall (Dated 1954)

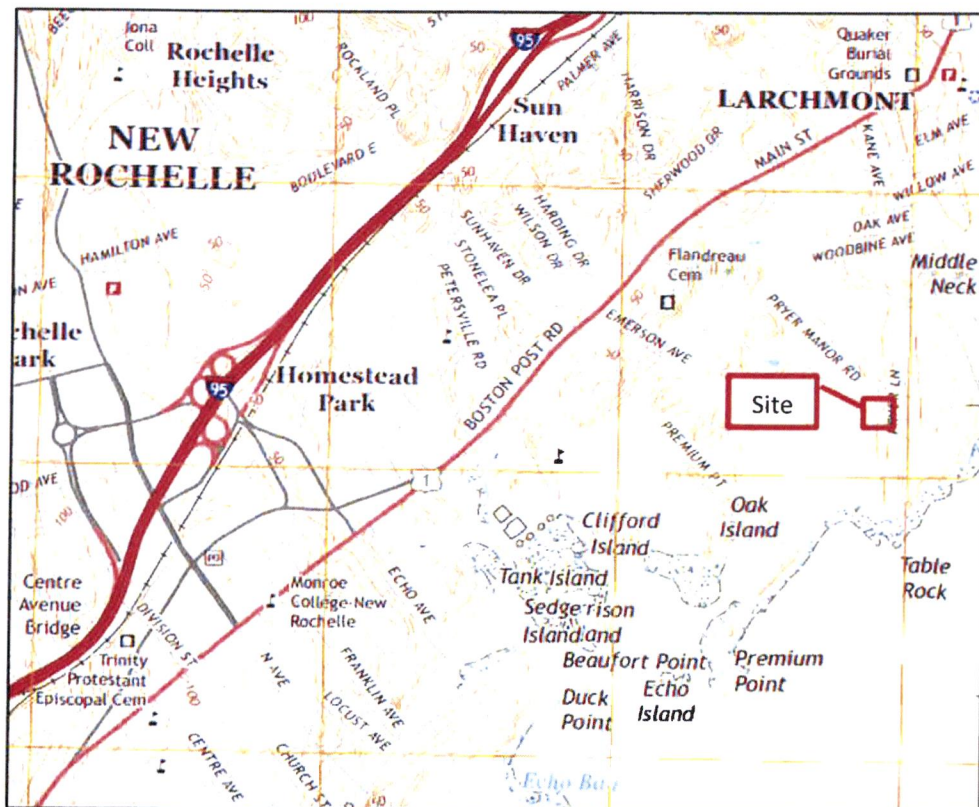
SECTION 2

Location Maps





Photograph 3: Google Earth Imagery Dated 4/19/2016 (Close-up of site)



Photograph 4: Partial USGS Topo Map, Mount Vernon Quadrangle, NY, 7.5 Minute

SECTION 3

Project Plans



TJARKO & ANDREA HEKTOR WATERFRONT IMPROVEMENTS

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	SITE PLAN
4	PARTIAL EXISTING PLAN
5	PARTIAL PROPOSED PLAN
6	TYPICAL EXISTING SEAWALL SECTION
7	TYPICAL PROPOSED SEAWALL REPAIR SECTION
8	PROPOSED DOCK SECTION

GENERAL NOTES:

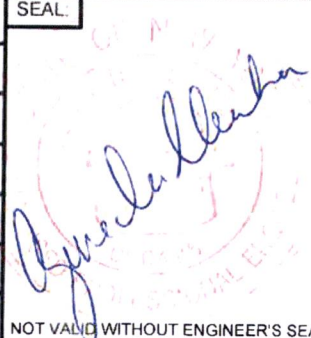

1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS TOPO, MOUNT VERNON QUADRANGLE, DATED 2016.
3. ELEVATIONS REFERENCE NORTH AMERICAN DATUM OF 1988 (NAVD88), UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "MAP OF THE ESTATE OF JOHN PRYER", PREPARED FOR JOHN PRYER, BY RICHARD A. SPINELLI, DATED 8/26/2016.
5. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING ON 12/5/2018 AND ONLY REPRESENT THE SITE CONDITIONS AT THAT TIME.
6. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM NOAA'S VDATUM.

PROJECT TIDAL ELEVATIONS:

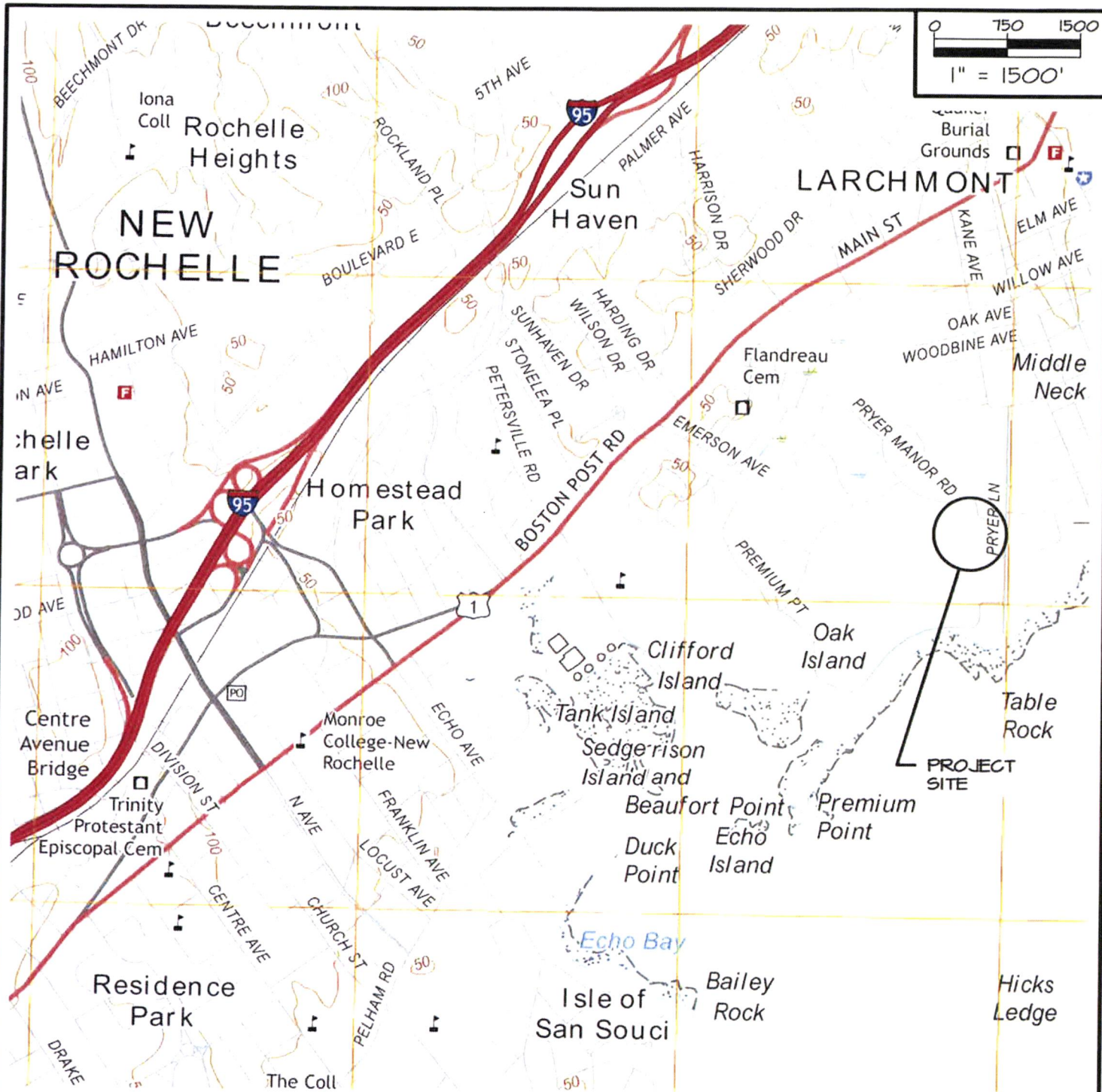
DATUM	NAVD 88 (FT)	NGVD 29 (FT)	MLW (FT)
HIGH TIDE LINE	+3.9	+5.0	+7.8
MEAN HIGH WATER	+3.4	+4.5	+7.3
NAVD 88	0.0	+1.1	+3.9
NGVD 29	-1.1	0.0	+2.8
MEAN LOW WATER	-3.9	-2.8	0.0

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FOR REGULATORY REVIEW ONLY

DRAWN BY: JKD CHECKED BY: MTT DATUM: N/A SCALE: N/A DATE: 1/23/2019 REV: PROJECT #: 2018115	SEAL: 	PROJECT: WATERFRONT IMPROVEMENTS 14 PRYER LANE LARCHMONT, NY 10538 APPLICANT: TJARKO & ANDREA HEKTOR 14 PRYER LANE LARCHMONT, NY 10538	 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racecoastal.com DRAWING NO. 1 of 8
---	--	---	---


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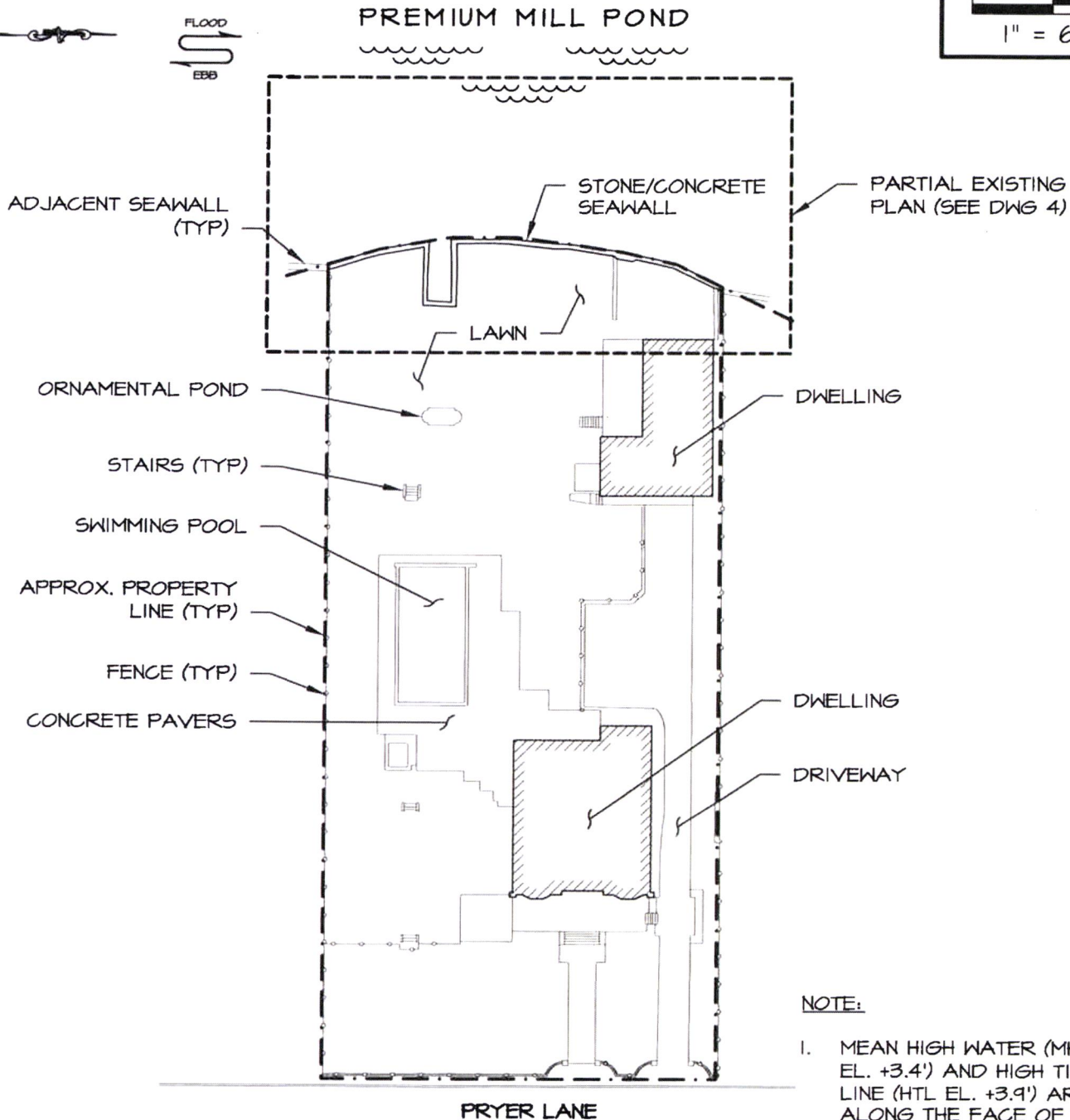
VICINITY MAP

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CHECKED BY: MTT		WATERFRONT IMPROVEMENTS 14 PRYER LANE LARCHMONT, NY 10538	
DATUM: NAVD88		APPLICANT:	
SCALE: 1" = 1500'		TJARKO & ANDREA HEKTOR 14 PRYER LANE LARCHMONT, NY 10538	
DATE: 1/23/2019			
REV:			
PROJECT #: 2018115		NOT VALID WITHOUT ENGINEER'S SEAL	DRAWING NO. 2 of 8

0 30 60
1" = 60'




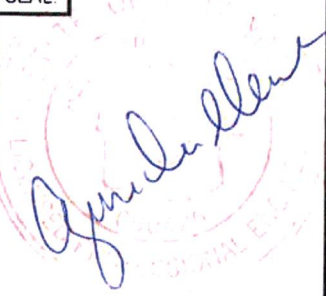
NOTE:

1. MEAN HIGH WATER (MHW EL. +3.4') AND HIGH TIDE LINE (HTL EL. +3.9') ARE ALONG THE FACE OF THE SEAWALL

SITE PLAN

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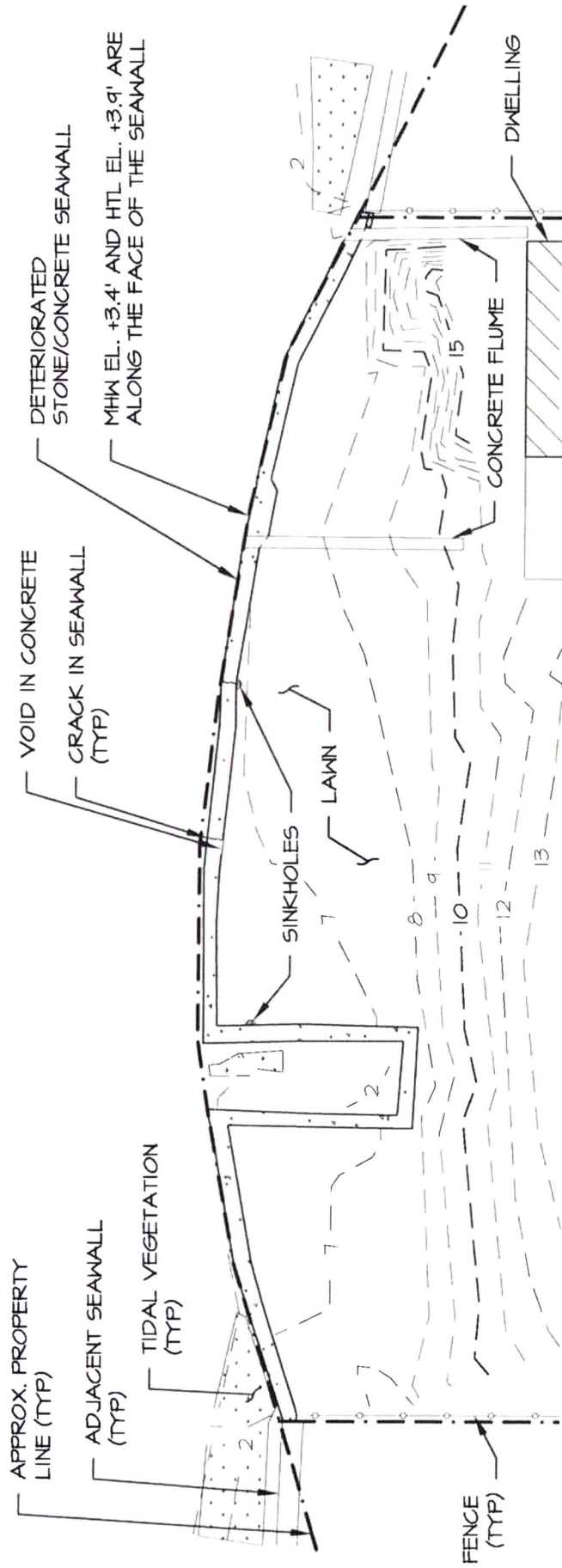
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DRAWN BY: JKD		SEAL:	PROJECT:	 <p>RACE COASTAL ENGINEERING</p>
CHECKED BY: MTT			<p>WATERFRONT IMPROVEMENTS 14 PRYER LANE LARCHMONT, NY 10538</p>	
DATUM: NAVD88			APPLICANT:	
SCALE: 1" = 60'			<p>TJARKO & ANDREA HEKTOR 14 PRYER LANE LARCHMONT, NY 10538</p>	
DATE: 1/23/2019				
REV:				
PROJECT #: 2018115		DRAWING NO. 3 of 8		

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611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com

PREMIUM MILL POND



PARTIAL EXISTING PLAN

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COASTAL ENGINEERING

611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com

PROJECT:

WATERFRONT IMPROVEMENTS
14 PRYER LANE
LARCHMONT, NY 10538

APPLICANT:

TJARKO & ANDREA HEKTOR
14 PRYER LANE
LARCHMONT, NY 10538

SEAL:

[Signature]

NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	JKD
CHECKED BY:	MTT
DATUM:	NAVDS88
SCALE:	1" = 20'
DATE:	1/23/2019
REV:	
PROJECT #:	2018115

NOTE(S):

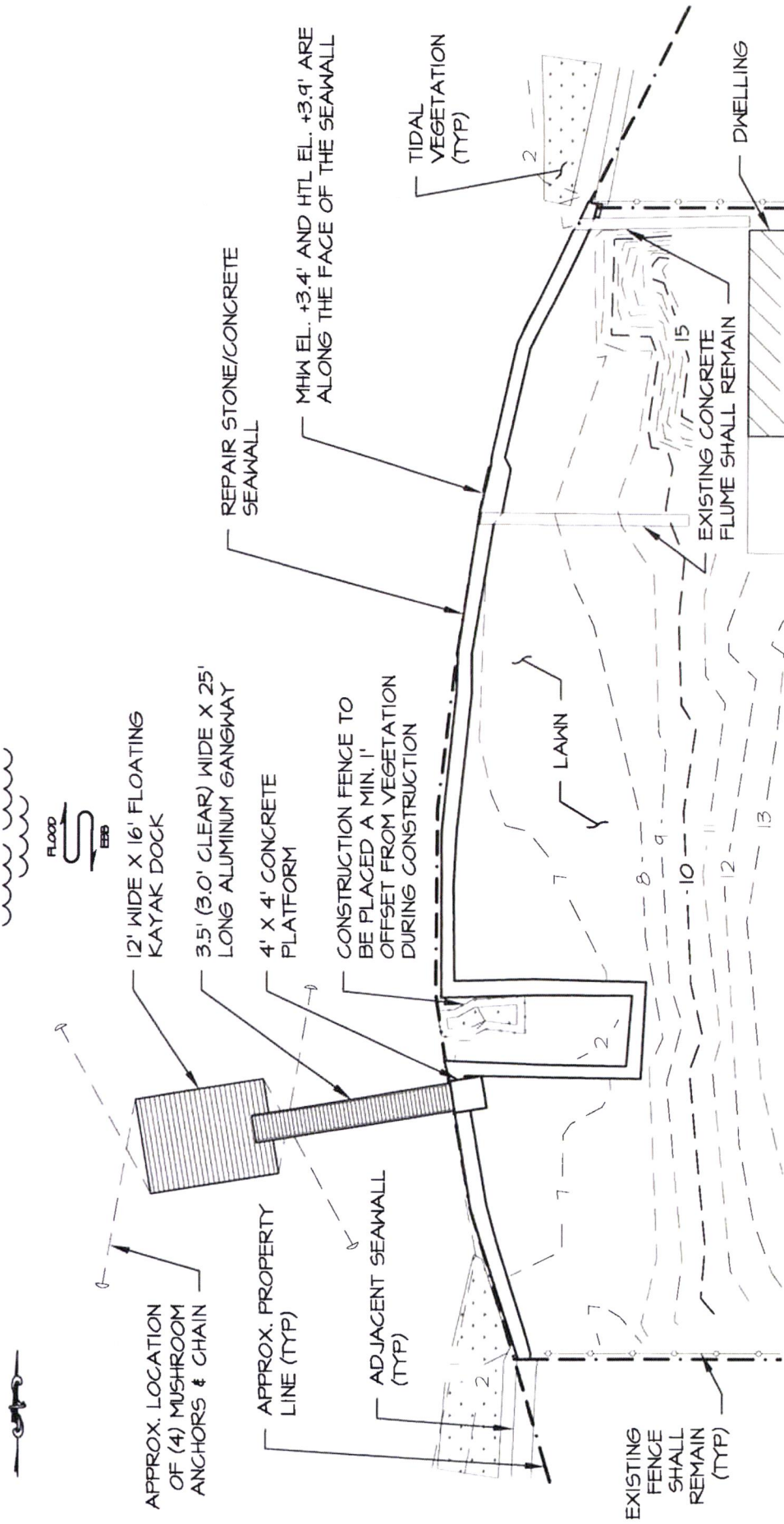
- MEAN LOW WATER (MLW) ELEVATION -3.9' IS NOT WITHIN PROJECT WORK AREA

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1" = 20'

PREMIUM MILL POND



PARTIAL PROPOSED PLAN

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Tel: 203-377-0663 www.racecoastal.com

DRAWING NO. 5 of 8

PROJECT:
WATERFRONT IMPROVEMENTS
14 PRYER LANE
LARCHMONT, NY 10538

APPLICANT:
TJARKO & ANDREA HEKTOR
14 PRYER LANE
LARCHMONT, NY 10538

SEAL

NOT VALID WITHOUT ENGINEER'S SEAL

NOT FOR CONSTRUCTION

DRAWN BY: JKD

CHECKED BY: MTT

DATUM: NAVD88

SCALE: 1" = 20'

DATE: 1/23/2019

REV:

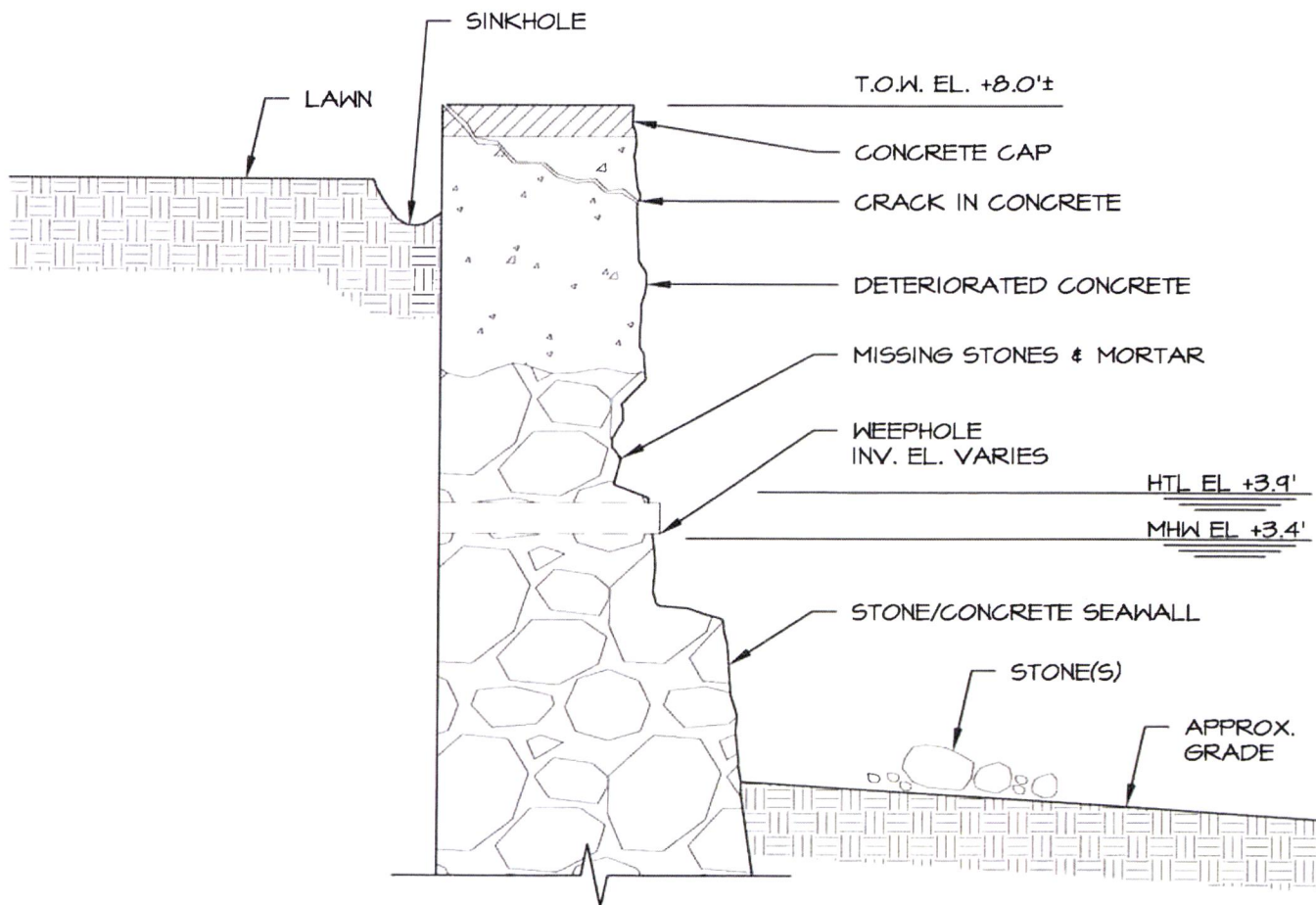
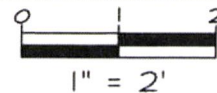
PROJECT #: 2018115

NOTE(S):

1. MEAN LOW WATER (MLW) ELEVATION -3.9' IS NOT WITHIN PROJECT WORK AREA

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0 10 20
1" = 20'




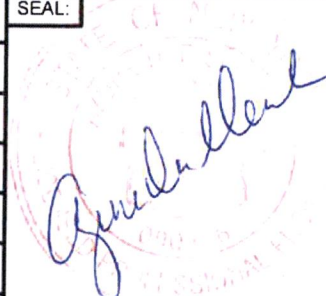
NOTE(S):

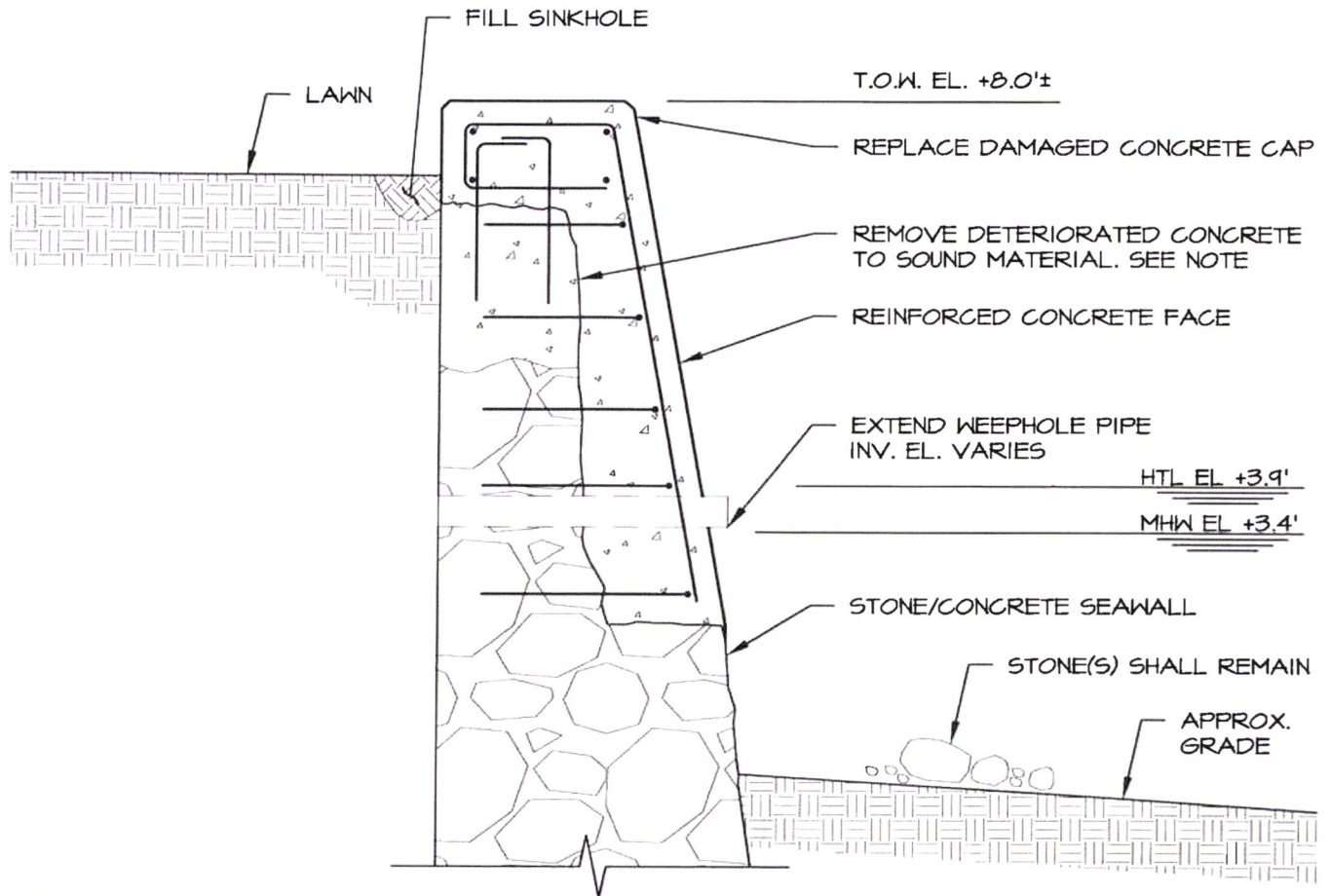
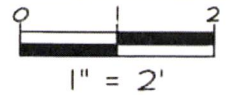
1. MEAN LOW WATER (MLW) ELEVATION -3.9' IS NOT WITHIN PROJECT WORK AREA.

TYPICAL EXISTING SEAWALL SECTION

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CHECKED BY: MTT		WATERFRONT IMPROVEMENTS 14 PRYER LANE LARCHMONT, NY 10538	
DATUM: NAVD88		APPLICANT:	
SCALE: 1" = 2'		TJARKO & ANDREA HEKTOR 14 PRYER LANE LARCHMONT, NY 10538	
DATE: 1/23/2019			
REV:			
PROJECT #: 2018115	NOT VALID WITHOUT ENGINEER'S SEAL		DRAWING NO. 6 of 8




NOTE(S):

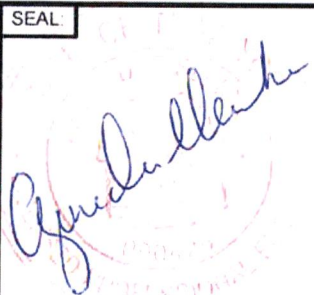
1. THE DEPTH OF THE REPAIR TO BE FIELD DETERMINED. REPLACEMENT OF THE ENTIRE WALL IN CERTAIN SECTIONS MAY BE REQUIRED IN ORDER TO PROVIDE A SOUND AND STABLE STRUCTURE.
2. MEAN LOW WATER (MLW) ELEVATION -3.9' IS NOT WITHIN PROJECT WORK AREA.

TYPICAL PROPOSED SEAWALL REPAIR SECTION

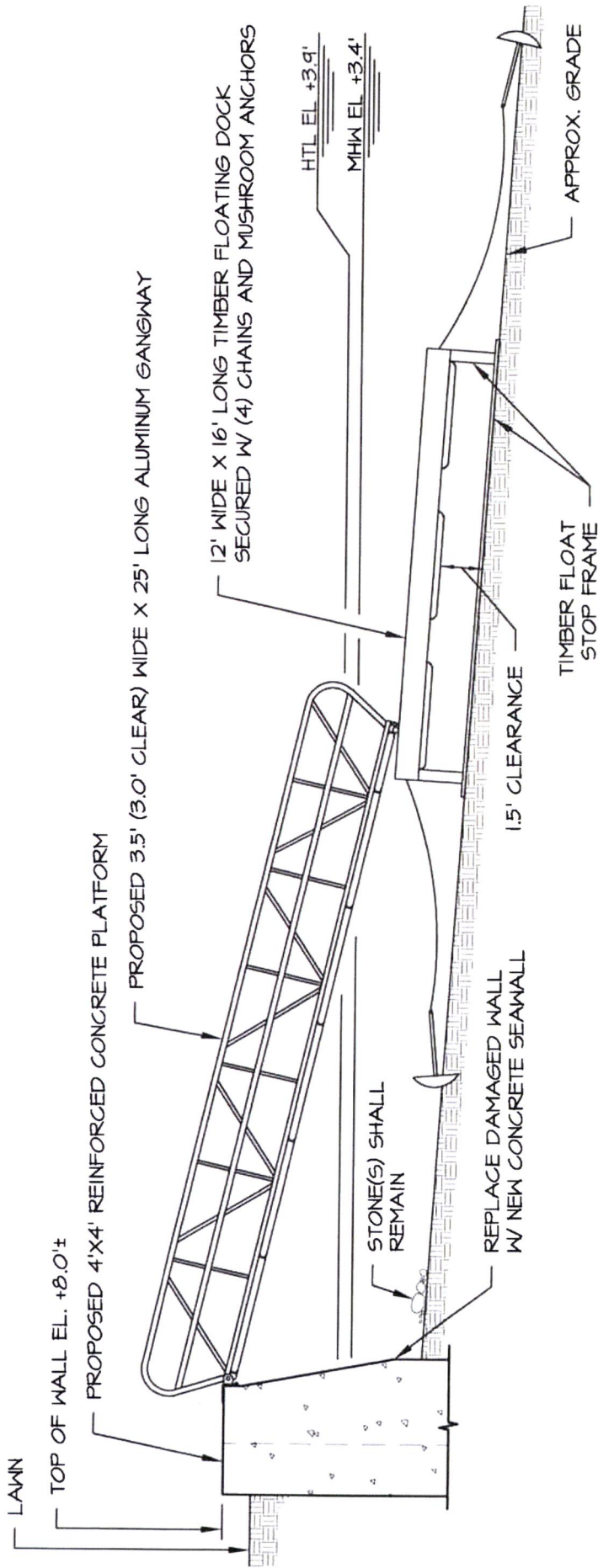
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DRAWN BY: JKD		PROJECT:	 RACE COASTAL ENGINEERING
CHECKED BY: MTT		WATERFRONT IMPROVEMENTS 14 PRYER LANE LARCHMONT, NY 10538	
DATUM: NAVD88		APPLICANT:	611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racecoastal.com
SCALE: 1" = 2'		TJARKO & ANDREA HEKTOR 14 PRYER LANE LARCHMONT, NY 10538	
DATE: 1/23/2019			
REV:			
PROJECT #: 2018115		DRAWING NO 7 of 8	

SEAL: 

NOT VALID WITHOUT ENGINEER'S SEAL



NOTE(S):

1. MEAN LOW WATER (MLW) ELEVATION -3.9' IS NOT WITHIN PROJECT WORK AREA.

PROPOSED DOCK SECTION

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DRAWN BY: JKD	CHECKED BY: MTT	DATUM: NAVD88	SCALE: 1" = 6'	DATE: 1/23/2019	REV:
PROJECT #: 2018115			NOT VALID WITHOUT ENGINEER'S SEAL		

RACE
COASTAL ENGINEERING

611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com

DRAWING NO. 8 of 8

SECTION 4

Photographs





Photograph 1 – Existing Deteriorated Stone & Concrete Wall. (Image Dated 12-5-2018)



Photograph 2 – Existing Deteriorated Stone & Concrete Wall. (Image Dated 12-5-2018)



Photograph 3 – Existing Deteriorated Stone & Concrete Wall (Image Dated 12-5-2018)



Photograph 4 – Existing Deteriorated Stone & Concrete Wall (Image Dated 12-5-2018)



Photograph 5 – Existing Deteriorated Stone & Concrete Wall (Image Dated 12-5-2018)



Photograph 6 – Existing Deteriorated Stone & Concrete Wall (Image Dated 12-5-2018)

SECTION 5

Short Environmental Assessment Form for Unlisted Actions and EAF Mapper Summary Report



Short Environmental Assessment Form

Part 1 - Project Information

Received

FEB 22 2019

NYSDOS
Planning & Development

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

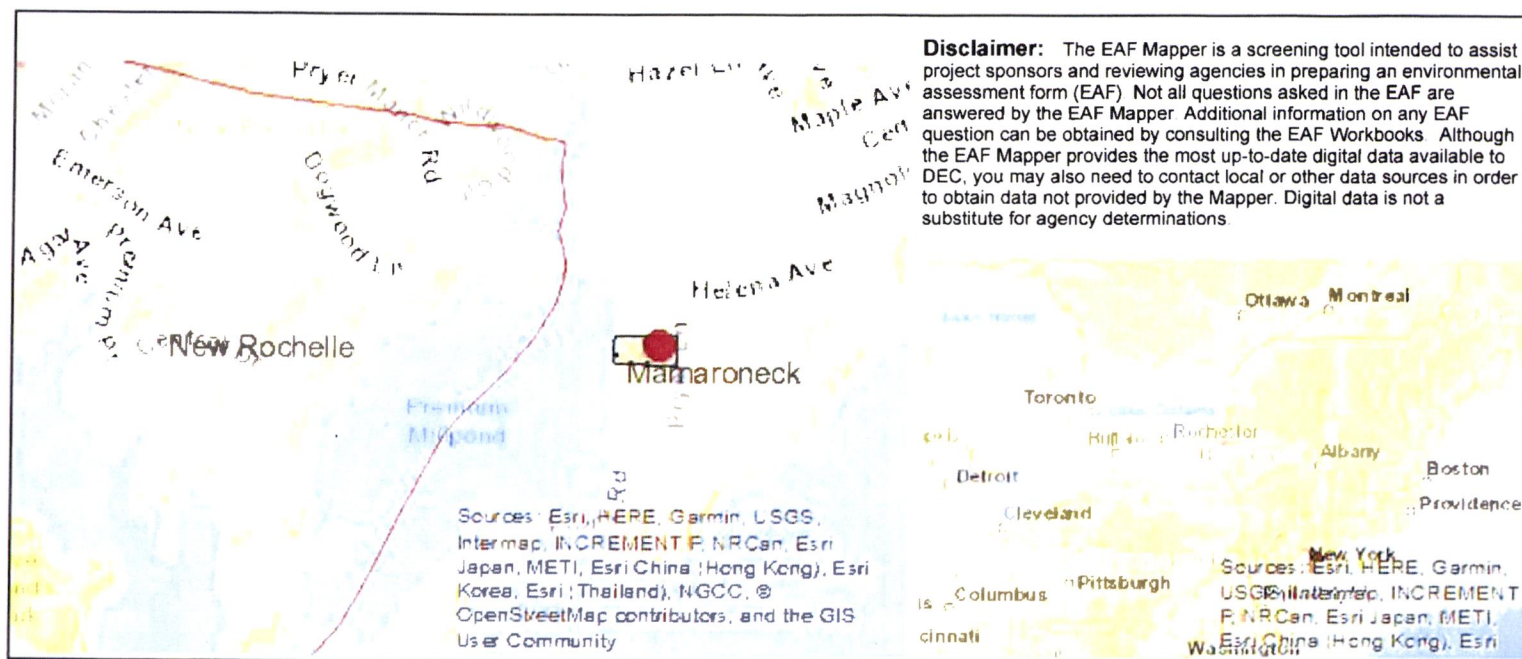
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Waterfront Improvements							
Project Location (describe, and attach a location map): 14 Pryer Lane, Larchmont, NY 10538							
Brief Description of Proposed Action: The Applicant proposes to repair the existing deteriorated seawall. In addition, the Applicant proposes to install a 4'x4' concrete platform located landward of the seawall, a 3.5' wide x 25' long gangway and a 12' wide x 16' long floating dock which will allow for recreational access to the pond. The proposed floating dock will be secured in place by (4) mushroom anchors and chain. Due to site access restrictions piles are not proposed.							
Name of Applicant or Sponsor: Tjarko & Andrea Hektor		Telephone: 646-779-7332 E-Mail: andreahektor@hotmail.com					
Address: 14 Pryer Lane							
City/PO: Larchmont		State: NY	Zip Code: 10538				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: DEC, USACE and Village of Larchmont			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		1.0437 acres					
b. Total acreage to be physically disturbed?		0.01 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.0437 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name: Long Island Sound, Reason: Exceptional or unique character, Agency: Westchester County, Date: 1-31-90 If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? N/A _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ 0.01 acres of Premium Mill Pond _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Tjerkko B. Andreea Helton</u> Date: <u>01/31/2019</u>		
Signature: <u>[Signature]</u> Title: <u>owner</u>		

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name: Long Island Sound, Reason: Exceptional or unique character, Agency: Westchester County, Date: 1-31-90
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

SECTION 6

Permission to Inspect Property Statement





Department of
Environmental
Conservation

PERMISSION TO INSPECT PROPERTY

By signing this permission form for submission with an application for a permit(s) to the Department of Environmental Conservation ("DEC"), the signer consents to inspection by DEC staff of the project site or facility for which a permit is sought and, to the extent necessary, areas adjacent to the project site or facility. This consent allows DEC staff to enter upon and pass through such property in order to inspect the project site or facility, without prior notice, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday. If DEC staff should wish to conduct an inspection at any other times, DEC staff will so notify the applicant and will obtain a separate consent for such an inspection.

Inspections may take place as part of the application review prior to a decision to grant or deny the permit(s) sought. By signing this consent form, the signer agrees that this consent remains in effect as long as the application is pending, and is effective regardless of whether the signer, applicant or an agent is present at the time of the inspection. In the event that the project site or facility is posted with any form of "posted" or "keep out" notices, or fenced in with an unlocked gate, this permission authorizes DEC staff to disregard such notices or unlocked gates at the time of inspection.

The signer further agrees that during an inspection, DEC staff may, among other things, take measurements, may analyze physical characteristics of the site including, but not limited to, soils and vegetation (taking samples for analysis), and may make drawings and take photographs.

Failure to grant consent for an inspection is grounds for, and may result in, denial of the permit(s) sought by the application.

Permission is granted for inspection of property located at the following address(es):

14 Pryer Lane, Larchmont, NY 10538

*By signing this form, I affirm under penalty of perjury that I am authorized to give consent to entry by DEC staff as described above. I understand that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.**

Tjark & Andrea Helber

Print Name and Title

Signature

11/31/2019

Date

*The signer of this form must be an individual or authorized representative of a legal entity that:

- owns fee title and is in possession of the property identified above;
- maintains possessory interest in the property through a lease, rental agreement or other legally binding agreement; or
- is provided permission to act on behalf of an individual or legal entity possessing fee title or other possessory interest in the property for the purpose of consenting to inspection of such property.

SECTION 7

Federal Consistency Assessment Form & Attachment



NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Received
FEB 22 2019
NYSDOS
Planning & Development

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: Tjarko & Andrea Hektor
2. Address: 14 Pryer Lane, Larchmont, NY
3. Telephone: Area Code () 646-779-7332

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

Proposed activities: Repair the existing deteriorated seawall, install a 4' x 4'
concrete platform located landward of the seawall, install a 3.5' x 25' gangway
and install a 12' x 16' dock secured with (4) mushroom anchors and chain. ☒

2. Purpose of activity:

The purpose of the proposed activities are to provide recreational access to the
near-shore waters of Premium Mill Pond & to protect the property from erosion.

3. Location of activity:

<u>Westchester</u>	<u>Larchmont</u>	<u>14 Pryer Lane</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: Nationwide Permit #3 - Maintenance

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

NYSDEC

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following:

YES/NO

- | | | |
|--|--------------------------|-------------------------------------|
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following:

YES/NO

- | | | |
|---|-------------------------------------|-------------------------------------|
| a. State designated freshwater or tidal wetland? (44) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. State designated significant fish and/or wildlife habitat? (7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. State designated significant scenic resource or area? (24) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. State designated important agricultural lands? (26) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Beach, dune or Barrier Island? (12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. State, county, or local park? (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3. Will the proposed activity require any of the following:

YES/NO

- | | | |
|--|-------------------------------------|-------------------------------------|
| a. Waterfront site? (2, 21, 22) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. State water quality permit or certification? (30, 38, 40) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. State air quality permit or certification? (41, 43) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program? (see policies in program document*)

☒ ☐

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

~~Applicant~~/Agent's Name: RACE Coastal Engineering / Matthew T. Taverna, PE

Address: 611 Access Road, Stratford, CT 06615

Telephone: Area Code () 203-377-0663

Applicant/Agent's Signature:  Date: 2/19/14

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**

- a. Copy of original signed form.
- b. Copy of the completed federal agency application.
- c. Other available information which would support the certification of consistency.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

Attachment to NY State Department of State
Coastal Management Program:
Federal Consistent Assessment Form

Coastal Assessment

- Reference is made to the policies described within *Section III, Town of Mamaroneck and Village of Larchmont Local Waterfront Revitalization Program, adopted by the Town of Mamaroneck and the Village of Larchmont on June 30, 1986*, (Approved by NYS Secretary of State October 28, 1986, Concurred U.S. Office of Ocean and Coastal Resource management April 21, 1987). Based upon questions in the COASTAL ASSESSMENT section, Policies potentially affected by the proposed work include:

- Policy 2
- Policy 11
- Policy 12
- Policy 13
- Policy 14
- Policy 16
- Policy 17
- Policy 21
- Policy 22
- Policy 30
- Policy 38
- Policy 40
- Policy 44

Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

The proposed project will make the site safer and more adaptable to storm events and thus will sustain and strengthen the occurrence of water-dependent uses as described in Policy 2.

Policy 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

The proposed repairs to the deteriorating existing seawall are required which will improve the structural stability of the seawall and will maintain the flood and erosion control measures on the site.



Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Not applicable – Natural protective features including beaches, dunes, barrier islands and bluffs do not exist adjacent to or on the site of the proposed activities.

Policy 13: The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/ or assured maintenance or replacement programs.

The existing seawall can be seen in historic 1954 orthoimagery found on the Discover GIS Data NY website. Therefore, seawall repairs will be undertaken to allow the structure to control erosion for at least another thirty years.

Policy 14: Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.

The proposed repairs to the deteriorating existing seawall will prevent erosion and flooding from occurring at the site. The adjacent properties have stone/concrete seawalls that protect their land. Thus, the improvements to the existing deteriorated seawall will not cause adverse impact to the neighboring properties.

Policy 16: Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

Not applicable – Private funding



Policy 17: Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) The setback of buildings and structures; (2) The planting of vegetation and the installation of sand fencing and drainage systems; (3) The reshaping of bluffs; (4) The floodproofing of buildings or their elevation above base flood level.

Not applicable – The site as well as adjacent sites, has had a seawall since at least 1954. Therefore, non-structural measures are not practical at this point without significant change to the character of the neighborhood and significant property impacts.

Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.

Not applicable – Private development.

Policy 22: Development, when located adjacent to the shore, shall provide for water related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.

The purpose for the proposed project is to repair the deteriorated existing seawall as well as allow the Applicant safe recreational boating access to Premium Mill Pond.

Policy 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

The site is located within the tidal wetlands designation of DEC. In addition, there are limited areas of tidal wetland vegetation in the intertidal area. The seawall repairs and proposed floating dock system are not anticipated to have adverse impacts to the tidal wetlands or vegetation. The proposed 12' x 16' (192 SF) floating dock will maintain a minimum of 1.5' off of the substrate via a float stop frame and the seawall repairs will be limited to the existing footprint.



SECTION 8

US Army Corps of Engineers Environmental Questionnaire



US Army Corps of Engineers **Environmental Questionnaire**

GENERAL-APPLICABLE TO ALL PROJECTS

1. Explain the need for, and purpose of, the proposed work.

The purpose of this project is to allow for recreational access to Premium Mill Pond and to protect the shoreline from erosion.

2. Provide the names and addresses of property owners adjacent to your work site

Applicant	Address/Project Site
Tjarko & Andrea Hektor	14 Pryer Lane, Larchmont, NY 10538
Adjacent Owners	Adjacent Address
O Mann Pryer Corporation	12 Pryer Lane, Larchmont, NY 10538
Noah & Lindsay Lukeman	16 Pryer Lane, Larchmont, NY 10538

5. Provide a thorough discussion of alternatives to your proposal. This discussion should include, but not necessarily limited to, the “no action” alternative and alternative(s) resulting in less disturbance to water of the United States.

“Do Nothing Alternative” – This alternative would leave the property with a deteriorating seawall that would allow erosion to occur on the site. In addition, this type of alternative would provide no recreational access to Premium Mill Pond.

MOORING FACILITIES

Answer the following if your project includes the construction or rehabilitation of recreational mooring facilities.

1. It is generally recommended that any fixed piers and walk ramps be limited to four feet in width, and that floats be limited to eight feet in width and rest at least two feet above the waterway bottom at mean low water. Terminal floats at private, noncommercial facilities should be limited to 20 feet in length. If you do not believe your proposal can meet with these recommendations, please provide the reason(s).

The project has been designed to minimize impacts by eliminating the use of a fix pier. The proposed dock is 12' x 16' to provide stability for launching of canoes and kayaks by the family.



2. Using your plan view, show to scale the location(s), position(s) and size(s) (including length, beam and draft) of vessel(s) to be moored at the proposed facility, including those of transient vessel(s) if known.

N/A – This project is for a single private homeowner for kayak, canoe and paddleboard use. There is no ability for transient vessels or motorized vessels from Long Island Sound to access the Premium Mill Pond.

3. For commercial mooring sites such as marinas, indicate the capacity of the facility and indicate on the plan view the location(s) of any proposed fueling and/or sewage pumpout facilities. If pumpout facilities are not planned, please discuss the rationale below and indicate the distance to the nearest available pumpout station.

N/A

4. Indicate on your plan view the distance to adjacent marine structures, if any are approximate and show the locations and dimensions of such structures.

N/A

5. Discuss the need for wave protection at the proposed facility. Please be advised that if a permit is issued, you would be required to recognize that the mooring facility may be subject to wave action from wakes of passing vessels, whose operations would not be required to be modified. Issuance of a permit would not relieve you of ensuring the integrity of the authorized structure(s) and the United States would not be held responsible for damages to the structure(s) and vessel(s) moored thereto from wakes from passing vessels.

N/A

BULKHEAD/BANK STABILIZATION/FILLING ACTIVITIES

1. Indicate the total volume of fill (including backfill behind a structure such as a bulkhead) as well as the volume of fill to be placed into waters of the United States. The amount of fill in waters of the United States can be determined by calculating the amount of fill to be placed below the plane of spring high tide in tidal areas and below ordinary high water in non-tidal areas.

Approximately 26 CY of material will be used for the seawall repair. The fill will be contained within forms and will not extend seaward of the existing face of the seawall.

2. Indicate the source(s) and type(s) of fill material.

Concrete from pump truck or hand mixed on site.



3. Indicate the method of fill placement (i.e. by hand, bulldozer, crane, etc.). Would any temporary fills be required in waterways or wetlands to provide access for construction equipment? If so, please indicate the area of such waters and/or wetlands to be filled, and show on the plan and sectional views.

Concrete will be placed by pump truck or by hand. No temporary fills will be required.



**NYS DEPARTMENT OF STATE
DIVISION OF COASTAL RESOURCES**

MEMORANDUM

To: See attached list- all LWRPs in coastal areas
From: New York State DOS, Coastal Consistency Unit
Date: March 13, 2019
Re: U.S. Army Corps of Engineers (USACE)- Issuance of New York Transportation Regional General Permit (TRGP-1). Proposal by the New York and Buffalo Districts of the USACE to issue TRGP-1 for certain transportation related activities within the State of New York. This permit will be valid in federally regulated non-tidal waters within the State of New York and will be available for use by the New York State Department of Transportation (NYSDOT), New York State Thruway Authority (NYSTA) and the New York State Canal Corporation (NYSCC). The proposed RGP will include activities currently authorized by Nationwide Permits as well as some additional activities and will result in more efficient evaluation of proposed activities, eliminating notification to the Corps for certain routine work types.

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Enclosed is a copy of the USACE's public notice and the draft RGP for your information and preliminary review. Please contact Rebecca Ferres, the DOS reviewer assigned to this project, at (518) 473-2470 or Rebecca.ferres@dos.ny.gov to discuss applicable LWRP policies and concerns, and any additional information which may be necessary to assist you in reviewing this project. Any comments you may have will assist the Department in reaching a decision as to the consistency of the proposed action with all approved LWRPs that have coastal non-tidal waters.

We would appreciate hearing from you on this proposed project within 30 days. If we do not hear from you by that date, we will presume that you have no objections to the proposed project



Albany (C)
Athens (V)
Bayville (V)
Beacon (C)
Brant (T)
Cape Vincent (V)
Clayton (T/V)
Croton-on-Hudson (V)
Dexter (V)
Dobbs Ferry (V)
East Hampton (T)
Esopus (T)
Evans (T)
Grand Island (T)
Greenport (V)
Hamburg (T)
Hamlin (T)
Haverstraw (V)
Head of the Harbor (V)
Nissequogue (V)
Huron (T)
Irondequoit (T)
Kendall (T)
Carlton (T)
Yates (T)
Kingston (C)
Lackawanna (C)
Lewiston (V)
Lloyd (T)
Lloyd Harbor (V)
Macedon (V)
Mamaroneck (T)
Larchmont (V)
Mamaroneck (V)
Morristown (T/V)
New York City
Newburgh (C)
Newfane (T)
North Greenbush (T)
North Tonawanda (C)
Nyack (V)
Ocean Beach (V)
Ogdensburg (C)
Ossining (V)
Oswego (C)
Peekskill (C)
Piermont (V)
Penfield (T)
Pittsford (T)/Pittsford (V)
Port Chester (V)

Poughkeepsie (T)
Red Hook (T)
Rensselaer (C)
Rhinebeck (T)
Rochester (C)
Rye (C)
Sackets Harbor (V)
Sag Harbor (V)
Saugerties (V)
Schodack (T)
Castleton on Hudson (V)
Sleepy Hollow (V)
Sodus Point (V)
Smithtown (T)
Somerset (T)
Southold (T)
Stony Point (T)
Tivoli (V)
Tonawanda (C)
Tonawanda (T)
Waddington (T/V)
Waddington (T/V)
Watevliet (C)
Webster (T)
Wheatfield (T)
Youngstown (V)

DEPARTMENT OF THE ARMY PERMIT

Permittee:

Thomas D. Asbery
Colonel, Corps of Engineers
District Commander, New York District

and

Jason A. Toth
Lieutenant Colonel, Corps of Engineers
District Commander, Buffalo District

On Behalf of New York State Department of Transportation (NYSDOT),
New York State Thruway Authority (NYSTA) and the New York State
Canal Corporation (NYSCC)

Regional Permit No.:

Effective Date:

Expiration Date:

Issuing Office: U.S. Army Engineer District, Buffalo
1776 Niagara Street
Buffalo, New York, 14207-3199

and

U.S. Army Engineer District, New York
26 Federal Plaza, Room 1937
New York, NY 10278-0090

IMPORTANT: PRIOR TO COMMENCING THE ACTIVITY AUTHORIZED BY THIS PERMIT OR DIRECTING A CONTRACTOR TO PERFORM SUCH ACTIVITY ON YOUR BEHALF, BE SURE THAT ALL PARTIES READ, UNDERSTAND AND ARE PREPARED TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS PERMIT.

NONCOMPLIANCE WITH ANY OF THE TERMS OR CONDITIONS OF THIS PERMIT MAY RESULT IN AN ORDER TO REMOVE THE ACTIVITY; CIVIL AND/OR CRIMINAL PENALTIES OR BOTH

AUTHORITIES: You have been authorized to undertake the activity described below pursuant to:

Section 404 of the Clean Water Act (33 U.S.C. 1344)

and

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)

Authorized Activities: State transportation related work and structures located in, or that affect, navigable waters of the United States as prescribed in US Army Corps of Engineers (Corps) regulations implementing Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the discharge of dredged or fill material into waters of the United States (WOTUS), including but not limited to wetlands, as prescribed in Corps regulations implementing Section 404 of the Clean Water Act (33 U.S.C.1344), would be eligible for consideration under this Regional General Permit (RGP) within the geographic limits of the State of New York.

This RGP is authorized for activities proposed by the New York State Department of Transportation (NYSDOT), New York State Thruway Authority (NYSTA) and the New York State Canal Corporation (NYSCC). Authorized activities include: maintenance of existing linear transportation projects, construction of new linear transportation projects, construction and maintenance of non-linear features that support linear transportation projects, temporary structures, fills and work necessary to construct or maintain linear and non-linear transportation projects, bank stabilization activities necessary to protect transportation activities, maintenance of Canal facilities, including locks, dams, and associated structures and fills and emergency activities. This permit does not include maintenance dredging of the NYS Barge Canal.

This RGP is for use only in non-tidal WOTUS. The discharge must not cause the loss of greater than 2 acres of waters of the United States. The discharge must not cause the loss of more than 500 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 500 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the RGP activity cannot exceed 2 acres. This RGP does not authorize channelization, channel widening, deepening, or straightening of a channel that would result in instability of the watercourse. Finally, this RGP does not authorize permanent impacts to any WOTUS for the construction of borrow or disposal sites.

Note regarding Federal Lead Agency (NEPA): With respect to NEPA responsibilities, if the project is receiving Federal-Aid from the Federal Highway Administration (FHWA), FHWA will be the NEPA-lead agency with the ultimate responsibility for several areas including, but not limited to: compliance with the protection of the National System of Wild and Scenic

Rivers, Section 7 of the Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

In addition to the activities requiring a Request for Authorization (RFA) as outlined below in Section B, a RFA will be submitted for any non-FHWA funded project that is likely to adversely affect a threatened or endangered species, a component of the National Wild and Scenic River System, a river officially designated by Congress as a “study river”, or historic property in order to ensure compliance with ESA, the Wild and Scenic Rivers Act and/or NHPA. Please see Section D(2)(m) & (n) for specific details.

In reviewing a RFA for a proposed activity, the district engineer will determine whether the activity authorized by the RGP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the RGP, as well as the cumulative effects caused by all of the crossings authorized by the RGP. The overall project, for purposes of this RGP, includes all regulated activities that are reasonably related and necessary to accomplish the project purpose. Linear projects may be composed of more than one “single and complete project”, but require disclosure of all impacts to aquatic resources necessary to accomplish the overall project’s purpose in order to assess cumulative effects.

A. Categories of Authorizations:

- 1) Maintenance Activities
- 2) Linear Transportation Projects
- 3) Non-Linear Transportation Projects
- 4) Streambed and Bank Stabilization Activities
- 5) Temporary Construction, Access, Dewatering
- 6) Emergency Activities

1) Maintenance Activities:

- a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification.
- b) The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.
- c) The removal of previously authorized structures or fills.

- d) The removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 500 feet in any direction from the structure.
- e) The placement of new or additional riprap scour protection to protect the structure, provided the minimum necessary is placed in waters of the United States for this purpose.

REQUIREMENTS:

Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized.

The discharge must not cause the loss of more than 500 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 500 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the RGP activity cannot exceed 2 acres.

Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill.

All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

Examples of Authorized Activities Include:

- Repair, Replacement, Rehabilitation of Existing Culverts and Bridges
- Repair, Replacement, Rehabilitation of Existing or Additional Scour Protection
- Sediment Removal
- Repair, Replacement, Rehabilitation of Other Existing Structures and Fills (i.e. road shoulder, embankment, bank stabilization, etc.)

Request for Authorization (RFA) Shall Be Submitted for:

- i. Bridge and culvert replacement activities not meeting General Conditions 12 or 13;
- ii. Permanent loss of jurisdictional wetlands that exceeds 1/10 acre;
- iii. Maintenance activities of existing vertical walls that extend waterward more than 18 inches from the existing wall. This 18 inch limit does not include the placement of riprap scour protection in front of a repaired or existing wall;
- iv. Maintenance activities that involve the placement of new vertical structures below the

- ordinary high water (OHW) of WOTUS, including wetlands;
- v. Culvert extensions that exceed 50% of the total length of an existing culvert;
 - vi. Sediment removal exceeding 100 linear feet upstream or downstream of existing culvert or bridge;
 - vii. Any single stone or concrete apron or the placement of stone across a stream exceeding 25 feet in length;
 - viii. Stone fill placed below OHW for scour/toe protection exceeding 1 cubic yard per running foot extending above the existing grade of the streambed;
 - ix. Replacement of pipe and box culverts that require more than 100 feet of stream relocation on either side of the culvert;
 - x. Replacement bridges that are proposed to be placed more than 150 feet from the existing location, and/or there is more than 100 feet of stream relocation on either side of the bridge;
 - xi. Replacement bridges that include the installation of abutments and/or piers below OHW where none previously existed (i.e. replacing a clear span with a pier-supported structure).
 - xii. Relocation of more than 100 feet of intermittent or perennial streams not associated with bridge or culvert replacement/rehabilitation/repair
 - xiii. Relocation of utility lines in, above, or below navigable waters of the US

2) Linear Transportation Activities:

Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads and highways) in waters of the U.S.

REQUIREMENTS:

The discharge must not cause the loss of more than 500 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 500 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the RGP activity cannot exceed 2 acres.

Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

Examples of Authorized Activities Include:

- New roadway alignments
- Roadway realignments
- Construction of roadway embankments and bridge abutments

- Installation of additional traffic lanes to existing roadways
- Traffic lane/shoulder widening
- Intersection improvements
- New bridges or culverts
- Multi use paths and sidewalks
- Roadway and railway grade separations
- The replacement of structures and fills that are not currently in service

Request for Authorization Shall Be Submitted for:

- Linear transportation projects not meeting General Conditions 12 or 13 regarding culverts.
- The combined loss of WOTUS exceeds 1/10 acre or 300 linear feet of stream bed
- The total perennial stream loss is greater than 100 linear feet

3) Non-Linear Transportation Activities:

Non-linear features commonly associated with transportation projects.

REQUIREMENTS:

The discharges associated with non-linear transportation projects must not cause the loss of greater than 1/2 acre of non-tidal WOTUS, including the loss of no more than 500 linear feet of stream bed.

Examples of Authorized Activities:

- Storage Buildings
- Vehicle Maintenance Buildings
- Administrative Buildings
- Parking Lots

Request for Authorization Shall Be Submitted for:

- Non-linear transportation projects not meeting General Conditions 12 or 13 regarding culverts
- The combined loss of WOTUS exceeds 1/10 acre or 300 linear feet of stream bed
- The activity is in a Section 10 waterway
- The total perennial stream loss is greater than 100 linear feet

4) Streambed and Bank Stabilization Activities:

Activities necessary for bank erosion prevention and stream bed grade control.

REQUIREMENTS:

The discharge must not cause the loss of more than 500 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 500 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the RGP activity cannot exceed 2 acres.

The placement of stone protection must be the minimum necessary to protect the structure or to ensure the safety of the structure.

Every effort should be made to prevent hardening of the shoreline in New York waterbodies by selection of vegetative stabilization measures and/or rip-rap stone material.

No material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States.

No material is placed in a manner that will be eroded by normal or expected high flows.

Examples of Authorized Activities:

- Rip-rap stone
- Bioengineering
- Live Plantings
- Grade control structure/fill (i.e. rock sill, cross vane, etc.)
- Directional control structures/fill (i.e. vane, j-hook, etc.)
- Fish habitat structures (boulders, LUNKERS, etc.)

Request for Authorization Shall Be Submitted for:

- i. Any in-stream structure or fills that extend across more than 50% of the existing channel width at the project location.
- ii. Material placed in excess of the minimum needed for erosion protection.
- iii. The activity is more than 500 feet in length as measured along each bank at the OHW.
- iv. The discharge of fill material will exceed an average of one cubic yard per running foot extending above the existing grade of the streambed.
- v. The activity involves the discharge of fill material into the following special aquatic sites: wetlands, vegetated shallows, mudflats.
- vi. The construction of new vertical structures/fills where one currently does not exist.

5) Temporary Construction, Access and Dewatering Activities:

Temporary structures, work, and discharges necessary for construction activities, including

Page 7 of 39

access, dewatering of construction sites, and return water from upland contained dredged material disposal sites, entailing no more than 2 acres of temporary impacts to WOTUS, including wetlands.

REQUIREMENTS:

Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding.

The use of dredged/excavated stream bed material may be allowed if the district engineer determines that it will not cause more than minimal adverse effects on aquatic resources.

Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate.

This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use.

Temporary fills must consist of suitable materials, and be placed in a manner, that will not be eroded by expected high flows.

Examples:

- Cofferdam (jersey barrier, sheet piling, bladder, sand bags, etc.)
- Water diversion
- Access road or Causeway
- Construction pad
- Temporary mats
- Silt fence and turbidity curtain
- Return water from temporary or permanent dredged material disposal sites

Request for Authorization Shall Be Submitted for:

- i. Any temporary culvert in place for more than one construction season and does not meet General Conditions #12 or #13. Note: culverts in place for less than one construction season must still comply with General Conditions #3 – Aquatic Life Movement and #10 Management of Water Flows.
- ii. Any temporary causeway that extends further than ½ the width of the stream channel at any one crossing site.
- iii. Any temporary construction, access or dewatering activity within forested wetlands.
- v. Any causeway/cofferdam scheduled to be in place for greater than 6 months or one construction season.

6) Emergency Activities:

An emergency situation regarding the damage or imminent damage of a roadway, culvert, or bridge, or associated feature.

Every effort will be taken by Corps to expedite the review of emergency activities associated with this RGP. The RFA must be clearly marked as an emergency and shall include a copy of the emergency declaration.

- a) This RGP authorizes activities as outlined under Categories 1-5 listed when associated with a “declared” emergency within both non-tidal and tidal WOTUS. These activities may include:
 - i. Installation of structures and dredging in navigable waters and the discharge of dredged or fill material, including discharges associated with excavation activities, into WOTUS, to facilitate the remediation of sites that are damaged.
 - ii. Installation of structures or placement of fill material used to facilitate the repair or replacement of roads, culverts, bridges, abutments, piers, embankments, including all features of the roadway that are either damaged or will imminently be damaged without immediate action.
 - iii. Temporary access roads and staging areas at work sites, and temporary dewatering facilities including cofferdams necessary to facilitate the emergency work.
 - iv. Discharge of dredged or fill material into WOTUS for the restoration and protection of stream bed and banks, including bank stabilization, minor realignment, the installation of current deflectors, the enhancement, restoration or creation of riffle and pool structures, the placement of in-stream habitat structures, the modification of the stream bed and banks to restore or establish stream meanders, and the installation of structures to improve aquatic life passage.
- b) **Request for Authorization Shall Be Submitted for:**
 - i. The authorization request requirements as described under authorized activities 1-5 stated above must be followed.

B. NYSDOT/NYSTA/NYSCC RGP - GENERAL CONDITIONS:

NOTE: To qualify for RGP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any case-specific special conditions imposed by the division engineer or district engineer.

1. **Federal Projects:** An RFA shall be submitted for any proposed activity located within, or potentially affecting, a US Army Corps of Engineers Civil Works project. These projects may also require a separate approval from the Corps under 33CFR Section 408. Use of this Regional General Permit is not valid until any necessary Section 408 permission is granted.
2. **Navigation.**
 - a. No activity may cause more than a minimal adverse effect on navigation.
 - b. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
 - c. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
3. **Aquatic Life Movements:** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. Culverts placed in streams must be installed to maintain low flow conditions and as outlined in General Condition Numbers 12 and 13 Culvert Installation Requirements.
4. **Spawning Areas:** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations.
6. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

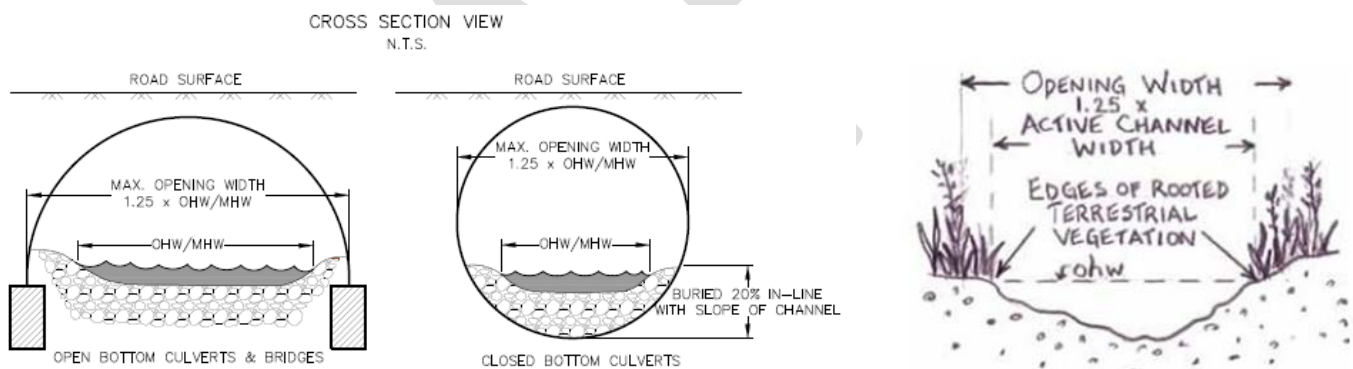
7. **Adverse Effects From Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
8. **Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.
9. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance to the maximum extent practicable.
10. **Management of Water Flows.** To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows and must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound or manage high flows. The activity may alter the pre-construction watercourse, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
11. **Suitable Material.** No activity may involve unsuitable material, which includes, but is not limited to chemical or hazardous waste, trash, debris, car bodies, asphalt, etc. Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act (CWA)). If there is a question as to whether the material is unsuitable, the Corps Buffalo or New York District, as applicable should be contacted and must authorize prior to the commencement of the activity.
12. **New and Replacement Culverts:** All new or replacement culverts in streams shall be constructed/installed in accordance with the following:
 - a. **Size:** Bank-full flows shall be accommodated through maintenance of the existing bank-full channel cross sectional dimensions within one culvert. Bank-full width is generally considered to be the top width at the stage where a stream begins to overtop its banks and spread into the floodplain. Either a bottomless culvert or bridge must be used where practicable. If the stream cannot be spanned, the culvert shall have a minimum diameter or width of 1.25 times the width of the stream at OHW level, or the width needed to convey the 2-year design storm without increasing water surface elevation.
 - b. **Depth:** To maintain low flow and aquatic life movement within culverts with a bottom, the culvert invert must be embedded. Specifically, the culvert must be installed with its bottom buried below the grade of the stream bed, as measured at the average low point, to a depth of a minimum of 20 percent of the culvert vertical rise (height) throughout the length of the culvert. (Note: When not practicable to do so due to small culvert size, it is acceptable to

allow natural deposition to cover the interior of the culvert bed following placement of the culvert invert to the 20% depth.)

- c. The dimension, pattern, and profile of the stream above and below the stream crossing shall not be permanently modified by changing the width or depth of the stream channel.
- d. The culvert bed slope shall remain consistent with the slope of the adjacent stream channel.

Note 1: Use of the requirements alone will not satisfy the need for proper engineering and design. In particular, appropriate engineering is required to ensure structures are sized and designed to provide adequate capacity (to pass various flood flows) and stability (bed, bed forms, footings and abutments, both upstream and downstream). It is the permittee's responsibility to ensure the structure is appropriately designed.

Note 2: This condition does not apply to temporary culverts used for construction access that are in place for less than one construction season. However, compliance with General Conditions #3 and #10 (i.e. cannot impede aquatic life movement or water flow) still applies.



- Note: culverts shall have a minimum diameter or width of 1.25 the width of the stream at OHW/MHW level, or the width needed to convey the 2-year design storm without increasing water surface elevation.

RFA Requirements:

A RFA shall be submitted for projects that do not meet all of the above requirements. The RFA must include the following information:

- i. A statement indicating which of the above requirements will not be met by the proposed project;
- ii. Information as to why the use of such structures or measures would not be practicable;
- iii. A brief description of the stream discussing:
 - Site specific information (i.e. stream bed slope, type and size of stream bed material, stream type, existing natural or manmade barriers, etc.) assessed to determine appropriate culvert design and to ensure management of water flows and aquatic life movement.
 - Evaluation of the replacement for its impacts on: downstream flooding, upstream and

- downstream habitat (in-stream habitat, wetlands), potential for erosion and headcutting, and stream stability.
- Flow/storm event the proposed culvert is designed to pass (2 year, 50 year, etc.)
- iv. Cross sections of the stream used to calculate the stream bed low point and ordinary high water width, consisting of:
- Stream channel cross sections shall be taken at proximal locations to the crossing location to determine the average of the lowest points in elevation of the stream bed and the average width at ordinary high water.
 - For new crossing locations, the average values from at least three measurements (project location and straight sections of the stream upstream and downstream) shall be used.
 - For replacement of an existing structure, the average values from at least two cross sections (straight sections of the stream upstream and downstream from the existing structure representative of the natural channel) shall be used.
 - This average low point shall be used to ensure low flow is maintained through the culvert and from which all embedment depths are measured.
 - If the above cross section method was not practicable to use, an alternative method may be utilized. The RFA shall include justification for the method used including the data used and an explanation as to how it provides an equivalent measure.
- v. An evaluation of the effects the crossing would have on aquatic life movement and/or water flows.
- vi. Mitigation measures that will be employed to minimize these effects. Mitigation measures may include, but are not limited to baffles, weirs, roughened channels, and grade control structures.
- vii. Limited Downstream Structure Hydraulic Capacity: Where a culvert is to be replaced and the downstream culvert or bridge has less hydraulic capacity than the replacement structure would have, when appropriately sized to the measured bank-full width, a hydraulic study must be conducted and submitted to the Corps with the RFA as well as the engineer's recommendation.

A variance of the requirement(s) will be issued by the Corps if it can be demonstrated that the proposal would meet General Conditions #3 & #10 (i.e. does not impede aquatic life movement or water flow) and would result in the least environmentally damaging practicable alternative (e.g. compliance with any of the requirement(s) would result in detrimental impacts to the aquatic system).

13. ALL CULVERT REHABILITATION PROJECTS in streams, not including culvert replacement projects, shall be constructed in accordance with the following, in order to ensure compliance with RGP General Condition #3 – Aquatic Life Movement and #10 Management of Water Flows:

- a. An evaluation of the existing culvert shall be conducted prior to the proposed culvert rehabilitation to determine if the existing culvert is in compliance with RGP GC #3 and #10. Specifically, the culvert shall be evaluated regarding its effect upon aquatic life

movements and low/ high water flow. If the above requirements in General Regional Condition 12 (a)-(e) are met then the culvert is considered in compliance with RGP General Conditions #3 & # 10. (Potential evaluation methods to consider include: North Atlantic Aquatic Connectivity Collaborative (NAACC), US Forest Service Aquatic Organism Passage FishXing, etc.)

- b. A RFA is not necessary for projects that utilize cured-in-place pipe lining or other repair activities that do not raise the existing invert elevation such that it causes an impediment to the passage of either aquatic life movement or water flow unless there is an existing impediment.
- c. A RFA shall be submitted for any culvert rehabilitation project that includes a culvert which is not in compliance with GC #3 and/or #10 (i.e. impedes aquatic life movement or water flow) and which will not be corrected by the proposed repair.
- d. A RFA shall be submitted for culvert rehabilitation projects which will involve pipe slip lining or other activities, including concrete invert paving and concrete lining that raise the existing invert elevation such that it causes an impediment to the passage of low flow or aquatic life movement. Slip lining is defined as the insertion of a smaller diameter pipe into an existing pipe by pulling pushing, or spiral winding.

RFA Stipulations:

The RFA shall include the following information:

- i. A summary of the evaluation required in Item a. above including a discussion of the impediment(s) to aquatic life movement and/or water flow.
 - ii. Information as to how the proposal will mitigate for the impediment. Mitigation measures may include, but are not limited to baffles, weirs, roughened channels, and grade control structures.
14. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within WOTUS during periods of low-flow or no-flow.
15. **Removal of Temporary Fills.** Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.
16. **Proper Maintenance & Abandonment:** Permittee must maintain the structure/fill authorized by this permit in good condition and in conformance with the terms and conditions of this permit to ensure public safety and compliance with applicable RGP general conditions, as well as any activity-specific conditions added by the district engineer to an RGP authorization. Permittees are not relieved of this requirement unless the permit is transfer to a third party in compliance with General Condition 46 below. Should a Permittee wish to cease maintenance of, or abandon the authorized activity, without transferring the permit, the Permittee must apply for

a modification from this office, which may require restoration of the area to the original condition.

17. **Disposal:** If the authorized project results in material requiring off-site disposal, the applicant must either ensure that the disposal location is not within a water of the US or provide the contractor with the Contractor Notification Information Sheet included as Appendix A to ensure that the contractor is aware of the potential Corps permitting requirements if the material is placed in waters of the US, including wetlands.
18. **General Construction Best Management Practices (BMP's):** Unless specifically approved otherwise through issuance of a waiver by the District Engineer, the following BMP's must be implemented to the maximum degree practicable, to minimize erosion, migration of sediments, and adverse environmental impacts. Note that at a minimum, all erosion and sediment control and stormwater management practices must be designed, installed and maintained to meet or exceed the criteria contained in the latest version of the "New York Standards and Specifications for Erosion and Sediment Control" and the "New York State Stormwater Management Design Manual". These documents are available at: <http://www.dec.ny.gov/chemical/29066.html> and <http://www.dec.ny.gov/chemical/29072.html> , respectively.
 - a. All synthetic erosion control features (e.g., silt fencing, netting, mats), which are intended for temporary use during construction, shall be completely removed and properly disposed of after their initial purpose has been served. Only natural fiber materials, which will degrade over time, may be abandoned in place.
 - b. Materials resulting from trench excavation for utility line installation or ditch reshaping activities which are temporarily sidecast or stockpiled into waters of the United States must be backfilled or removed to an upland area within 30 days of the date of deposition. Note: upland options shall be utilized prior to temporary placement within waters of the U.S., unless it can be demonstrated that it would not be practicable or if the impacts of complying with this upland option requirement would result in more adverse impacts to the aquatic environment.
 - c. For trenching activities in wetlands the applicant shall install impermeable trench dams or trench breakers at the wetland boundaries and every 100 feet within wetland areas to prevent inadvertent drainage of wetlands or other waters of the United States.
 - d. Dry stream crossing methods (e.g., diversion, dam and pump, flume, bore) shall be utilized for culvert or other pipe, or utility installations to reduce downstream impacts from turbidity and sedimentation. This may require piping or pumping the stream flow around the work area and the use of cofferdams.
 - e. No in-stream work shall occur during periods of high flow, except for work that occurs in dewatered areas behind temporary diversions, cofferdams or causeways.
 - f. Construction access shall be by means that avoid or minimize impacts to aquatic sites (e.g. upland access, floating barges, mats, etc.). Discharges of fill material associated with the construction of temporary access roads and work pads in wetlands shall be placed on filter fabric. All temporary fills shall be removed upon completion of the work and the disturbed area restored to pre-construction contours, elevations and

wetland conditions.

- g. All return flow from dredge material disposal areas shall not result in an increase in turbidity in the receiving water body that will cause a substantial visible contrast to natural conditions.
 - h. For activities involving the placement of concrete into waters of the U.S., the permittee must employ watertight forms. The forms shall be dewatered prior to the placement of the concrete. The use of tremie concrete is allowed, provided that it complies with New York State water quality standards.
 - i. New stormwater management facilities shall be located outside of waters of the U.S. A waiver of this requirement may be requested with the submission of a RFA. The RFA must include justification which demonstrates that avoidance and minimization efforts have been met.
 - j. To the maximum extent practicable, the placement of fill in wetlands must be designed to maintain pre-construction surface water flows/conditions between remaining on or off-site waters. This may require the use of culverts and/or other measures. Furthermore, the activity must not restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters). The activity may alter the pre-construction flows/conditions if it can be shown that it benefits the aquatic environment (i.e. wetland restoration and/or enhancement).
 - k. To the maximum extent practicable, stone aprons and scour protection placed in streams shall not extend higher than the stream bed in order to create a uniform grade and shall be filled with native stream bed material and supplemented with similarly sized material, if needed, to fill interstitial spaces to maintain water flow on the surface of the stream bed.
19. **Single and Complete Project.** The activity must be a single and complete project. (See definitions.) The same RGP cannot be used more than once for the same single and complete project.
20. **Wild and Scenic Rivers.** No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service (NPS), U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

The Upper Delaware River has been designated as a National Wild and Scenic River from the confluence of the East and West Branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York. Also, the portion of the Genesee River located within Letchworth Gorge State Park, beginning at the southern boundary of the park and extending downstream to the Mt. Morris Dam, was designated by Congress as a permanent Study River in the Genesee River Protection Act of 1989. (Note: the applicant may not commence work under this RGP until the NPS determines

in writing that the project will not adversely affect the NWSR even if 45-days have passed since receipt of the RFA package.)

21. **Endangered Species.** No activity is authorized under this RGP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under this RGP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.
 - a. In cases where the applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, the applicant shall not begin work until Section 7 consultation has been completed as identified under “D. Application Procedures” (m) in this document.
 - b. Authorization of an activity by this RGP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.
22. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
23. **Migratory Bird Breeding Areas:** Activities in the WOTUS that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
24. **Historic Properties.** In cases where the lead federal agency determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied as outlined under “D. Application Procedures” (2)(n) in this document.
25. **Discovery of Previously Unknown Remains and Artifacts.** If any previously unknown historic, cultural or archeological remains and artifacts are discovered while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required consultation has been completed. Further,

should human remains be encountered during any phase of the proposed project, such person or persons encountering the human remains must immediately cease work and must not disturb or remove the remains, must protect the exposed portions of the remains from inclement weather and vandalism, and immediately notify the permittee. Within 24 hours of notification, the permittee must notify the Corps Project Manager and the New York State Office of Parks, Recreation, and Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, New York 12188-0189. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

26. **Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

27. **Designated Critical Resource Waters.** Discharges of dredged or fill material into waters of the United States are not authorized under this permit for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters without written approval. Notification is required for any activity proposed in designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities only after it is determined that the impacts to the critical resource waters will be no more than minimal. Critical resource waters include NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. Critical Resource Waters in New York State include the following:

- a. East-of-Hudson portion of the New York City Water Supply: This area includes portions of Dutchess, Putnam and Westchester Counties as delineated on Enclosure
- b. Hudson River National Estuarine Research Reserves (NERR): The Hudson River NERR consists of four components: Piermont Marsh, Iona Island, Tivoli Bay, and Stockport Flats

The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

28. **Bogs and Fens:** No regulated activity authorized by this permit can cause the loss of areas classified as a bog or fen in the State of New York, as determined by the Buffalo or the New York District Corps of Engineers, due to the scarcity of this habitat in New York State and the difficulty with in-kind mitigation. The Districts will utilize the following document in the classification: Reschke, C. 1990. *Ecological Communities of New York State*. New York Natural Heritage Program. New York State Department of Environmental Conservation. Latham, N.Y. 96p. This document is available at the following location:

<http://www.dec.ny.gov/animals/29389.html>

29. **National Lands:** Activities authorized by this permit shall not impinge upon the value of any National Wildlife Refuge, National Forest, or any other area administered by the USFWS or NPS. This category includes existing mitigation and wetland mitigation banking sites.

30. **Mitigation.**

- a. Authorized activities must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).
- b. Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.
- c. Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require an RFA, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provide a project-specific waiver of this requirement.
- d. For losses of streams or other open waters that require RFA, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)). e. Compensatory mitigation plans for RGP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.
- f. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.
- g. The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the RGPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the RFA is submitted

- to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.
- h. The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).
 - i. If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site, the specific program sponsor and the number of credits to be provided.
 - j. A final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) – (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines in writing that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).
 - k. The permittee must commence approved mitigation prior to or concurrently with the authorized activity.
31. **Water Quality.** Where NYSDEC has not previously certified compliance of an RGP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.
32. **Coastal Zone Management.** Where an RGP has not previously received a state coastal zone management consistency concurrence from NYSDOS, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.
33. **Reporting Requirements.**
- a. RGPs authorized not requiring Requests for Authorization (non-RFA): The applicant shall submit, in spreadsheet form, a quarterly summary report for non-RFA activities utilizing this RGP. The applicant shall utilize the template format included as Appendix B of this permit. . A copy of the report shall be submitted to each Corps District.
 - b. RFA: Each permittee who receives a RGP verification letter from the Corps will receive commencement and completion forms with the RGP verification letter. The permittee must complete and return the forms to the appropriate Corps District office either prior to commencement of authorized work or immediately upon completion of authorized work, as appropriate. Note: The success of any required permittee- responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer.
34. **Minimal Effects:** Projects authorized by this permit shall have minimal individual and cumulative adverse environmental impacts as determined by the Corps.

35. **Federal Liability:** In issuing this permit, the Corps does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.
36. **Environmental Values:** The Permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and to minimize any adverse impacts on, existing fish, wildlife, and natural environmental values, and discourage the establishment or spread of plant species identified as non-native invasive species by any federal or state agency.
37. **Inspections:** The Permittee shall permit the Corps or authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The Corps may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work.
38. **Modification, Suspension, and Revocation:** This permit may be modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7; and any such action shall not be the basis for any claim for damages against the United States.
39. **Restoration:** The Permittee, upon receipt of a notice of revocation of authorization under this permit, may be required to restore the wetland or waterway to its former condition as directed by the Corps. Non-compliance with this notice would result in the pursuit of further enforcement action by the Corps.
40. **Previously Authorized Activities:** This permit does not affect any prior determinations made by the Corps.
41. **Combining Permits:** This office reserves the right to use this regional permit in combination with any existing or future nationwide, regional or individual permit or any letter of permission.
42. **Limits of this Authorization:**
- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant or convey any property rights either in real estate or material or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.

43. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate.
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
 - d. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
44. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information provided by the applicant.
45. **Permit Expiration:** The work authorized under this regional permit must be completed prior to the expiration date noted on the first page of this authorization. In the event that the affirmation date is less than twelve months prior to the expiration date, the regional permit will remain valid for a period of twelve months from the affirmation date. In no case shall authorization exceed twelve months beyond the expiration date.

C. DEFINITIONS:

1. **Best management practices (BMPs):** Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.
2. **Bottomless Culvert:** A culvert structure without a bottom, where the stream channel is exposed.
3. **Compensatory mitigation:** The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.
4. **Culvert:** A conduit such as a drain or pipe that passes under a road, or railroad, footpath, etc.

or through an embankment. Culverts provide a conveyance through which water can flow. Shapes may include round, elliptical, flat-bottomed, pear-shaped, and box which can be 3 or 4 sided. Material maybe concrete, metal, plastic, PVC, or stone and can be any width or length. **Note: this definition supersedes any bridge designation made by NYSDOT based on culvert size.**

5. Cured-In-Place Pipe Lining: A culvert rehabilitation process in which a felt tube is saturated with resin and inverted or pulled into a deteriorated pipe. See NYSDOT Standard Specifications Sec. 602-Rehabilitation of Culvert and Storm Drain Pipe.
6. Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
7. Direct effects: Effects that are caused by the activity and occur at the same time and place.
8. Discharge: The term “discharge” means any discharge of dredged or fill material.
9. Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.
10. Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.
11. Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.
12. High Tide Line: The line of intersection of the land with the water’s surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.
13. Historic Property: Any prehistoric or historic district, site (including archaeological site),

building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

14. Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility
15. Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.
16. Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.
17. Invert Paving: A culvert rehabilitation process in which the invert of a deteriorated pipe is reinforced with steel mesh or studs and paved with concrete. See NYSDOT Standard Specifications Sec. 602-Rehabilitation of Culvert and Storm Drain Pipe.
18. Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an RGP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.
19. Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non- tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

20. Open water: For purposes of the RGP, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of “open waters” include rivers, streams, lakes, and ponds.
21. Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).
22. Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.
23. Pipe-in-Pipe Slip Lining: A culvert rehabilitation process in which a new pipe is inserted into a deteriorated pipe and grout is injected into the annular space. See NYSDOT Standard Specifications Sec. 602-Rehabilitation of Culvert and Storm Drain Pipe.
24. Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.
25. Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.
26. Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.
27. Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.
28. Request for Authorization (RFA): A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by this Regional General Permit. The request shall be submitted in accordance with procedures outlined Section D below.
29. Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource.

For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

30. Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.
31. Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality.
32. Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of RGP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately. The overall project, for purposes of this RGP, includes all regulated activities that are reasonably related and necessary to accomplish the project purpose. Linear projects may be composed of more than one “single and complete project”, but require disclosure of all impacts to aquatic resources necessary to accomplish the overall project’s purpose. In addition, the cumulative impacts of all crossings of waters and/or wetlands must be known in order to assess the cumulative impacts of the project.
33. Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of “independent utility”). Single and complete non-linear projects may not be “piecemealed” to avoid the limits in an RGP authorization.
34. Special Aquatic Site: Wetlands, mudflats, vegetated shallows, coral reefs, riffle and pool complexes as defined at 40 CFR 230.40 through 230.45. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife

protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

35. Spray Lining: A culvert rehabilitation process in which concrete is sprayed onto the interior surface of a deteriorated pipe. This process is also known as shotcreting. See NYSDOT Standard Specifications Sec. 602-Rehabilitation of Culvert and Storm Drain Pipe.
36. Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.
37. Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.
38. Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.
39. Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.
40. Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.
41. Tidal wetland: A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).
42. USEPA Guidelines at Section 404(b)(1) 40 CFR Part 230.10: These Guidelines are a set of regulations written by the USEPA and administered by the Corps in the Corps regulatory permit

program. The Corps uses the Guidelines in the evaluation of proposed impacts of a project on jurisdictional WOTUS.

43. Waterbody: For purposes of the RGP, a waterbody is a jurisdictional water of the United States. If a jurisdictional wetland is adjacent – meaning bordering, contiguous, or neighboring – to a waterbody determined to be a water of the United States under 33 CFR 328.3(a)(1)-(6), that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of “waterbodies” include streams, rivers, lakes, ponds, and wetlands.

44. Waters of the United States (WOTUS): See 33 CFR PART 328—DEFINITION OF WATERS OF THE UNITED STATES

D. Application Procedures and Processing of Requests for Authorization

Note: The listed timeframes are in calendar days.

Note: Activities that have been determined by NYSDOT, NYSTA or NYSCC (hereinafter referred to as “the applicant”) to be in the “Non-Reporting” category may proceed with no written authorization or other verification from the Corps.

1. Non- Request for Authorization (RFA) - Reporting of Non-RFAs

The permittee shall submit to the Corps, on a quarterly basis, usage of this RGP, where no RFA was submitted. Usage reporting will utilize the “Reporting Spreadsheet” attached as Appendix B, with a copy sent to both the Buffalo and New York Districts.

The applicant will include and mark as new any activities authorized via non-RFA on the next reporting spreadsheet occurring within 30 days of either:

- Commencement of construction (for activities occurring using NYSDOT or NYSTA in-house staff or
- Contract award.

After completion of the work authorized by this permit, the applicant shall include the completion date on the next reporting spreadsheet.

2. RFAs - Submittal of a Complete Application

The applicant shall submit an application package to the Corps and use the Request for Authorization (RFA) Template (Appendix C) . The application package should be delivered to the Corps using a method that tracks the delivery of the package.

For projects in which the applicant proposes the loss of waters of the U.S. exceeding 1 acre, the application must contain additional copies of the RFA for dissemination to the state and federal resource and Regulatory agencies: New York State Department of Environmental Conservation

(NYSDEC), U.S. Fish and Wildlife Service (USFWS), U.S. Environmental Protection Agency (USEPA) and Adirondack Park Agency (APA) and New York City Department of Environmental Protection (NYCDEP), as appropriate.

In addition, the Corps may request additional copies of the application package when the Corps is the lead federal agency, to assist with coordination with other agencies.

For emergency applications, the applicant will include “Emergency” in the RFA Cover Letter to ensure an immediate response from the Corps. Verbal notification to the respective Corps point of contact should precede submission of an emergency application. For activities falling under Activity #6 – Emergency, the applicant will also provide evidence of emergency declaration if made by said agency.

Information To Be Submitted for RFA Package: The application must include, but is not limited to, the following information, as applicable:

- a. RFA Template (To be developed by NYSDOT, NYSTA and NYSCC).
- b. Location Map – preferably depicted on a USGS 7.5 minute topographical map. The map shall include a north arrow, property/project boundary (not a star or arrow pointing to an unspecified area of land) and adjacent roads and highways to enable orientation/direction.
- c. Project Drawings
 - Provide all plan view (as if viewed from overhead) maps and drawings on 8 ½ x 11-inch black-and-white topographic base map (color aerial maps are convenient for in-house review, but are not acceptable for the permanent recordkeeping). All information must be clearly labeled in legibly reproducible 8 ½ x 11-inch drawings. Reducing larger drawings to 8-1/2 by 11 is typically not acceptable. The temporary and permanent impacts to waters and wetlands should be clearly defined on an overview drawing with blow-ups of the impact areas with dimensions of impact clearly legible.
 - Plan sheets shall indicate the vertical datum (e.g. IGLD 1985, NGVD 1929, etc.) equivalent for the project’s vertical datum (Ordinary High Water (OHW), mean low water (MLW) or other tidal datum for tidal projects within the vertical units.
 - Provide typical cross-section views of all WOTUS and stream fill areas on 8 ½ x 11-inch black-and-white maps; include size and description of project area. Include maps or drawings showing the area and the lineal extent of the project, and a description of pre- construction conditions and photographs coordinated to a photo key.
- d. Project Description - a detailed project description; project purpose and need for the project; direct and indirect effects the project could potentially cause to the aquatic resource, dimensions of all permanent and temporary fills, excavations, and impacts occurring in WOTUS to include length, width, and depth (below the Ordinary High Water mark). Disposal sites located within the right-of-way (ROW) must be identified. If

known, location of disposal sites outside the project limits shall also be included.

- e. Identify any past permitted activities on the project site, including a description and permit number.
- f. A Waters of the U.S. delineation report, including the following:
 - Surveyed delineation map/drawing of wetlands, ephemeral, intermittent, perennial streams, natural or man-made drainages, swales, and other water conveyances and the location and dimensions of any culverts, drop-in culverts, etc. observed/documentated during the delineation activity. The delineation should also address special aquatic sites including submerged aquatic vegetation. Delineations must be prepared in accordance with the current method required by the Corps under Section 404 of the CWA. This methodology currently includes guidelines contained in the 1987 Delineation Manual, the most recent version of the applicable Regional Supplement to the Corps of Engineers Wetland Delineation Manual (North Central/Northeast Supplement or Eastern Mountains and Piedmont Supplement).
 - An interpretation/discussion of information noted on the delineation data sheet describing each wetland. (Wetland A is a 1.6 acre palustrine emergent wetland with...etc.)
 - Complete Wetland Delineation Form for each data point taken. Data points should be representative of the delineation between the upland/wetland boundary along which the survey flags are placed and surveyed.
 - Color photographs of each identified ephemeral, intermittent, perennial stream, ditch, conveyance, etc. and each wetland (including those that may be considered isolated and/or non-jurisdictional) taken during the growing season. Description of vegetative cover types on the site.
 - Soil Survey Maps including citation (source of information and date of publication). Include a brief description of each soil series identified on the site and include a statement indicating if the soil is listed in the National List of Hydric Soils and/or the local classification of the soil.
 - NYSDEC Freshwater Wetlands Maps. If a state regulated wetland is present, identify the wetland by the NYSDEC identification number and also give it a unique name (example: Wetland A).
 - National Wetland Inventory (NWI) Maps. Note that the NWI maps are not regarded/accepted as definitive regulatory maps. These maps are viewed as a resource tool and do not accurately depict the size, presence, or absence of wetlands on any particular parcel.
 - Identify potential habitat for aquatic, amphibian, and mammal species, or direct observation of fauna.
- g. A Waters of the U.S. delineation survey map, including the following:
 - Title block, including drawing date, scale, revision dates, north arrow, existing topographic contours (if available), benchmarks, and the stamp of a licensed surveyor or

- a narrative describing how the GPS data were obtained
 - Boundary lines and acreage of the project area, with sizes of each water of the U.S. clearly marked.
 - Wetland delineation flags shown as connected points (or shown as extending off-site at parcel boundaries if wetland continues offsite), identified on the drawing with the corresponding number and/or letter that is written on the flag in the field. The flag numbers and any text must occur in large enough scale to be legible on an 8 ½ x 11-inch drawing.
 - Appropriate hatching, shading, and/or standard symbols to identify the extent of WOTUS including all drainages (ephemeral, intermittent, perennial streams, ditches, swales, and conveyances) and all wetlands. All identified features shall be labeled clearly.
- h. Jurisdictional Determination (JD): Provide statement indicating that “No Jurisdictional Determination is requested” unless it is intended to contest jurisdiction, which requires an approved JD. Contact Corps District to discuss process and informational requirements for all approved JD requests. (See Regulatory Guidance Letter (RGL) 16-01 & 08-02 for further information regarding JD options, which are available on Corps website.)
- i. A drawing/map depicting all proposed aquatic impacts shall be presented as a separate document including the following:
- Flagged, and legibly labeled surveyed boundary/reach of each wetland and stream.
 - Unique hatching depicting each impact to each aquatic resource with the acreage/linear feet labeled.
- j. All information pertaining to proposed impacts shall be summarized in a table that depicts the following in a separate column for each item listed below. This table should also appear on the Proposed Impacts Map.
- Wetland/Stream Name (e.g. Wetland A; Stream 1)
 - Wetland type (emergent, scrub/shrub, forested)
 - Stream type (ephemeral/headwater, intermittent, perennial)
 - Stream order
 - Total wetland acreage of each wetland
 - Proposed acreage of wetland impact for each wetland
 - Stream lineal feet and width for each stream
 - Proposed lineal feet of impact for each stream
 - Wetland - jurisdictional/non-jurisdictional
- k. The RFA shall include a narrative describing avoidance and minimization efforts. Note: All permits authorized/issued by the Corps must reflect the least environmentally damaging practicable alternative as described in the USEPA 404(b)(1) Guidelines. Include, as appropriate, any plan maps that show the “evolution” of the proposed plan to the current alternative and discuss how the proposed project represents the least environmentally damaging practicable alternative (Note: such “evolution” plans are primarily necessary for

larger projects where multiple designs/configurations were contemplated, and not required for routine maintenance activities).

- I. Any application requesting DA authorization to fill more than 1/10 acre of jurisdictional WOTUS must include a compensatory mitigation plan proposal that satisfies the requirements outlined in 33 CFR 332, "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule", dated April 10, 2008 (33 CFR 325 & 332). Available at: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/mitiginfo.aspx>
- i. The RFA shall include at least a conceptual compensatory mitigation plan and must include the following information at a minimum: proposed compensation type (bank or in-lieu fee credit, restoration, creation, preservation, etc.), location and brief discussion on factors considered for site selection (i.e. soils, water source, potential for invasive species, etc.), amount proposed per resource type and a discussion of how the proposal will compensate for aquatic resource functions and services lost as a result of the project. Note: Although a conceptual mitigation plan may be sufficient for the purposes of a RFA submission, a detailed mitigation plan must be approved by the Corps before any jurisdictional work may occur on the project site.
- ii. For wetland losses of 1/10-acre or less and an RFA is submitted, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment.
- iii. For losses of streams or other open waters and an RFA is submitted, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.
- iv. Where certain functions and services of waters of the United States are adversely affected, such as the conversion of a forested or scrub-shrub wetland to an herbaceous wetland (e.g., associated with temporary access or staging areas), mitigation may be required to reduce the adverse effects of the project to the minimal level.

m. Endangered Species:

When FHWA is the Federal Lead Agency for NEPA: The applicant will coordinate with FHWA and the U.S. Fish and Wildlife Service in accordance with approved NYSDOT/NYSTA/NYSCC procedures. For projects where an RFA is submitted, the applicant must provide the Corps with FHWA's determination, as part of the RFA, in order to demonstrate compliance with Section 7 of the ESA.

For projects not receiving FHWA funding: The applicant must evaluate the proposed work to determine if there is potential to cause effects to listed species or critical habitat. For projects where no listed species or designated critical habitat might be affected or is in the vicinity of the project, no additional coordination is required with respect to endangered species. If the project would otherwise result in submission of an RFA, the applicant shall include the determination as

part of the RFA in order to demonstrate compliance with Section 7 of the ESA.

For projects where the evaluation indicates that the project may affect, but is not likely to adversely affect (NLTAA) a listed species or designated critical habitat, the applicant shall coordinate directly with USFWS or NOAA-Fisheries as appropriate. For USFWS consultation, the applicant must follow procedures outlined in the approved SLOPES agreement (Appendix D). No work may proceed on the project until concurrence is received from USFWS regarding the NLTAA determination. If the project would otherwise result in submission of an RFA, the applicant shall include the determination and the USFWS concurrence as part of the RFA in order to demonstrate compliance with Section 7 of the ESA.

Northern Long-eared bat:

- i. For projects that require removal of trees exceeding 3 inches dbh and are located in a “prohibited area” (either within 0.25 miles of a known hibernaculum or 150 feet of a known roost tree for the Northern long-eared bat), the applicant shall submit an RFA to the Corps. No work may commence on the project until the Corps completes Section 7 consultation and provides affirmation of the applicability of this permit in writing.
- ii. For projects involving tree clearing outside a prohibited area, but occurring during normal hibernation periods (November 1 – March 31), the applicant may use SLOPES coordination procedures for NLTAA as outlined above.
- iii. For projects involving tree clearing outside a prohibited area, but occurring outside of normal hibernation periods, the applicant will use the 4(d) Rule procedures outlined in the approved SLOPES agreement (Appendix D)

For any project that is likely to result in an adverse effect to a listed species or designated critical habitat, the applicant shall submit an RFA to the district engineer, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. The RFA shall include:

- i. a written statement and documentation concerning any federally listed or proposed Threatened, Endangered, or Candidate (TE&C) species or designated and/or proposed critical habitat that might be affected or located in the vicinity of the project.
- ii. a copy of any correspondence from the U.S. Fish and Wildlife Service (USFWS) regarding the potential presence of TE&C species on the project site. USFWS TE&C website: <http://www.fws.gov/northeast/nyfo/es/section7.htm> .
- iii. an official TE&C species list printed within 90 days of the RFA submission from the USFWS Website.
- iv. For projects where TE&C species are listed, a discussion of potential TE&C species habitat within the project site (See USFWS T&E website for species habitat information).
- v. If there is potential habitat for any TE&C species within the project site the following, as applicable, shall be submitted:
 1. The results of any habitat surveys and presence/absence surveys. Note: all surveys should be coordinated with the USFWS prior to initiation.
 2. A detailed description of the proposed project, including secondary impacts and approximate proposed project construction schedule of project activities (e.g. land

clearing, utilities, stormwater management).

3. A description of the natural characteristics of the property and surrounding area (e.g. forested areas, freshwater wetlands, open waters, and soils). Additionally, please include a description of surrounding land use (residential, agricultural, or commercial).
4. A description of the area to be impacted by the proposed project, including the species and number or acres of trees to be removed.
5. The location of the above referenced property and extent of any project related activities or discharges clearly indicated on a copy of a USGS 7.5 minute topographic quadrangle (quad) with the name of the quad(s) and latitude/longitude clearly labeled.
6. A description of conservation measures to avoid or minimize impacts to listed species.

n. Historic Properties (Section 106 of the National Historic Preservation Act):

The following Standard Operating Procedure will be used with respect to Section 106 consultation requirements:

- i. All Adverse Effect determinations or Tribal consultations require 106 consultation by the Corps or FHWA
- ii. No Potential to Cause Effect, No Historic Properties Affected (No Effect), No Adverse Effect determinations may be completed by the Corps, FHWA, NYSDOT, NYSTA or NYSCC.
- iii. If Effects determination is made by NYSDOT, NYSTA or NYSCC, the following procedures must be followed.

Definitions:

1. No Potential to Cause Effect – The project is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present.
2. No Historic Properties Affected (No Effect) – It has been determined that there are no cultural resources present or that there are resources present but that the project will have no effect on the resources with respect to characteristics qualifying the resources for eligibility for the National Register.
3. No Adverse Effect – It has been determined that there are cultural resources present, but that the project will not result in an adverse effect on the resources with respect to characteristics qualifying the resources for eligibility for the National Register.
4. Adverse Effect – It has been determined that the proposed project may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for

- inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.
5. CRIS – New York State Cultural Resource Information System online database/resource.
 6. Determination – Statement in the administrative record of anticipated effects resulting from a proposed activity (No Potential to Cause Effect, No Effect, No Adverse Effect or Adverse Effect)
 7. Rationale – Supporting text/documentation used to make the Determination.

Procedures:

A. FHWA Funded Projects:

1. When FHWA is the Federal Lead Agency for NEPA: The applicant will coordinate with the State Historic Preservation Office (NYSHPO) in accordance with their approved Section 106 National Historic Preservation Act (NHPA) procedures and the FHWA will make its final determination. In order to proceed under this RGP, the applicant must provide the Corps with FHWA's determination, as part of any necessary RFA, to demonstrate compliance with those requirements¹.

B. Non-Federally Funded Projects:

1. For each project considered under this Regional General Permit, the applicant (NYSDOT, NYSTA or NYSCC) shall perform an initial evaluation with respect to the potential for the proposed work to effect resources, listed on, eligible for listing on or potentially eligible for listing on the National Register of Historic Places, based upon the respective agency guidelines².
2. For projects that have No Potential to Cause Effect to historic properties/cultural resources, the determination shall be documented, including rationale, by the determining agency and kept with records for the appropriate project. If the project results in submission of an RFA to the Corps, the determination and rationale shall be submitted as part of the permit application. The rationale shall include a description/map of the permit area/APE.
 - a. Examples of "No Potential to Cause Effect":
 - i. Minor work with no virgin soil disturbance/excavation with no change to overall landscape character or viewshed
 - ii. Minor work with no virgin soil disturbance and no listed/potentially eligible properties in the vicinity
 - iii. No National Register of Historic Places listed or eligible properties or districts in or adjacent to the APE.
3. For projects that have No Effect or No Adverse Effect, the applicant will consult with NYSHPO via the CRIS system, to include a determination/concurrence from NYSHPO. Record of the determination and consultation will be kept with administrative file for

¹ Pursuant to 36CFR 800.2(a)(2) - **Lead Federal agency**. If more than one Federal agency is involved in an undertaking, some or all the agencies may designate a lead Federal agency, which shall identify the appropriate official to serve as the agency official who shall act on their behalf, fulfilling their collective responsibilities under section 106.

² The Corps remains the responsible entity for all recommendations completed by the applicant. [36CFR §800.2(a)(3)]

the project. If the project results in submission of a RFA, the determination, rationale and NYSHPO concurrence/determination shall be submitted as part of the permit application. The rationale shall include a description/map of the permit area /APE.

4. For projects where the applicant's preliminary determination indicates that the work may have an Adverse Effect to cultural resources, the applicant shall submit an RFA to the Corps and the Corps will be responsible for completion of the Section 106 consultation. The RFA shall include all data used to make the preliminary determination, including any applicable correspondence with NYSHPO or other entities regarding potential effects to cultural resources.

C. General Provisions:

1. RFA vs. Non-RFA: All determinations for projects that when an RFA is not submitted will be completed by FHWA, NYSDOT, NYSTA or NYSCC. For projects when an RFA is submitted, determinations (with the exception of Adverse Effect) may be completed by FHWA, NYSDOT, NYSTA or NYSCC.
 2. Indian Nations – In the event that the applicant, Corps, FHWA or NYSHPO determine that consultation with one or more Indian Nations may be appropriate, or other evidence indicates that such consultation may be appropriate, the applicant shall submit a RFA to the Corps and Section 106 consultation reverts to the Corps (or FHWA for Federally funded projects).
 3. In cases where NYSDOT, NYSTA, or NYSCC and NYSHPO do not agree with respect to an effects determination, Section 106 consultation reverts to the Corps (or FHWA for federally funded projects) and an RFA shall be submitted.
- o. Nationwide Rivers Inventory: The application shall indicate if a river segment listed within the National Park Service (NPS) Nationwide Rivers Inventory (NRI) is located within the proposed project area. For project areas containing a listed NRI segment, the application shall also include a statement as to how adverse effects to the river have been avoided or mitigated. The list is available at: <http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html>

When FHWA is the Federal Lead Agency for NEPA: The applicant will provide documentation of any correspondence between the FHWA and the NPS for activities proposed within a NRI.

- p. Wild and Scenic Rivers. A RFA shall be submitted for this RGP which would impact the designated portions of the Genesee River or the Upper Delaware River. (Note: the applicant may not commence work under any permit until the NPS determines in writing that the project will not adversely affect the NWSR even if 45-days have passed since receipt of the RFA package.) Information regarding NWSR may be found at: <http://www.rivers.gov/wildriverslist.html>

When FHWA is the Federal Lead Agency for NEPA: The applicant will provide documentation of any correspondence between the FHWA and the NPS for activities proposed within a NWSR.

3. Complete Application Determination

The Corps shall have 30 days from the date that the RFA package is received by the Corps District office to determine whether the RFA is complete, and request additional information from the applicant as necessary. If the Corps does not respond to the applicant in writing or via electronic mail message within 30 days, then the applicant shall assume that the submitted RFA is complete for processing.

4. Corps Review of RFAs

- i. The Corps review of the RFA package will be based on whether or not the project meets the terms and conditions of the RGP.
- ii. The Corps will consult with the Federal and state resources agencies for project in which the loss of waters of the U.S. exceeds 1 acre. The Corps will provide a copy of the complete RFA package to the U.S. EPA-Region 2, the NY Field Office of the USFWS, and the appropriate Regional Office of the NYS DEC. These review agencies shall have the opportunity to provide to the Corps any project-specific comments or concerns within 20 days from the receipt of a complete RFA from the Corps.
- iii. The Corps will consider agency comments in its determination whether the project, as proposed, will qualify for the authorization under the RGP.
- iv. The Corps will provide the agency comments to the applicant, offering the applicant the opportunity to address concerns or modify the project. If the Corps determines that concerns are adequately addressed, then the Corps is not required to re-consult with the agencies.

5. Corps Decision on RFAs

- i. The Corps shall notify the applicant in writing whether:
 - The project is authorized under this RGP without special conditions;
 - The project is authorized under this RGP with special conditions;
 - The project as proposed is not eligible for the RGP and will require coverage under a Nationwide Permit.
 - The project as proposed is not eligible (i.e., exceeds RGP thresholds, and/or results in more than minimal impact) for the RGP and will require coverage under an Individual Permit.
- ii. If the Corps determines that an Individual Permit is required, the written notification to the applicant shall include an identification of which term(s) and/or condition(s) are not met in the RFA and clearly describe why the project does not meet such term(s) and/or condition(s). The applicant will review the reasons for the “not eligible” decision and then decide to:
 - Revise the project and resubmit the RFA, or
 - Request that the Corps review the application under an Individual Permit. In this case, the applicant will provide additional information needs for the Corps to evaluate the project under an Individual Permit (adjacent property owners,

alternatives analysis etc.).

- iii. For projects involving impacts less than 1/2 acre to waters of the U.S. or 300 linear feet of stream and that do not include Corps-led consultation under Section 7 of the ESA or Section 106 of the NHPA, the 45-day review period has lapsed with no written or electronic (e-mail) notification from the Corps, the applicant will assume that the RFA is complete, and that the project may proceed as proposed.
- iv. In reviewing the RFA for the proposed activity, the district engineer will determine whether the activity authorized by the RGP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the RGP as well as the cumulative effects caused by all of the crossings authorized by any previous permits in addition to the current proposal. When making minimal effects determinations the district engineer will consider the direct and indirect effects caused by the activity. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the activity, the type of resource that will be affected by the activity, the functions provided by the aquatic resources that will be affected by the activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse effects determination. The district engineer may add case-specific special conditions to the authorization to address site-specific environmental concerns.

6. Modifications to Existing Permits

Modifications to existing Authorizations under this RGP that do not exceed the thresholds listed in the RGP when added to the impacts of the originally authorized project, shall be reviewed under this RGP. The complete application process will also be the same as listed in Section D (2) above.

7. Project Initiation

The applicant shall ensure that the activity is not commenced unless and until:

- i. The applicant has received verification from the Corps that the project is authorized under the RGP as proposed;
- ii. The applicant has received verification from the Corps that the project is authorized under the RGP with the inclusion of certain special conditions as determined by the Corps; or
- iii. The project related impacts are less than 1/2 acre to waters of the U.S. or 300 linear feet of stream, and the 45-day review period has lapsed with no written or electronic notification

from the Corps. Note, however, no activity is authorized under this RGP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed. In addition, in cases where the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

- iv. The applicant has received verification from the Corps that the project is authorized under the Nationwide Permit Program (33 CFR 330), or that the Corps has issued an Individual Permit for the project.

8. RFA Commencement and Completion Reporting Requirements

Each permittee who receives a RGP verification letter from the Corps will receive commencement and completion forms with the RGP verification letter. The permittee must complete and return the forms to the appropriate Corps District office either prior to commencement of authorized work or immediately upon completion of authorized work, as appropriate. Note: The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer.

Regional Permit TRGP-1

Appendix A

Contractor Notification Information Sheet

DRAFT

Regional Permit TRGP-1 – Appendix A Contractor Notification Form

This form must be provided to third party contractors in the event that a project generates excess fill material to be taken off-site.

IMPORTANT NOTICE TO CONTRACTORS:

Pursuant to Section 404 of the Clean Water Act it is unlawful to discharge dredged or fill material into waters of the US, including wetlands, without Department of the Army authorization. Care must be taken to ensure that any excess material removed from this project site is not placed in waters of the US, including wetlands. Should material be placed in an area within DA jurisdiction without proper authorization, you may incur a violation of Federal law. If that happens, your project may be stopped, a full or partial restoration of the jurisdictional area may be required, and/or you may be subject to civil or criminal penalties.

Please note that there are no definitive maps showing all waters of the US, including wetlands, as these are dynamic systems that change over time. There are on-line resources that will help determine the likelihood that a given parcel contains waters, including, but not limited to the following:

- **USGS Topographical Map**
- **County Web Soil Survey**
- **National Wetland Inventory Maps**
- **Aerial Photographs: Various Internet Resources**

If any of the above resources indicates that wetlands may be present on or near the proposed disposal location, wetlands should be identified and delineated by a qualified biologist in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual and the appropriate supplement.

The delineation manual and supplements are available on-line at:

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/techbio/>

Questions may be directed to the US Army Corps of Engineers at the following addresses:

Buffalo District:
US Army Corps of Engineers
Regulatory Branch
1776 Niagara Street
Buffalo, New York 14207
716-879-4330

New York District:
US Army Corps of Engineers
Regulatory Branch
26 Federal Plaza
New York, New York 10278-0090
917-790-8411

Regional Permit TRGP-1

Appendix B

Reporting Spreadsheet (Non-RFA)

DRAFT

Regional Permit TRGP-1 Report for Non-PCN Activities

To be submitted to the appropriate Corps Office on a quarterly basis

[illegible]

Regional Permit TRGP-1

Appendix C

RFA Template

DRAFT

Regional Permit TRGP-1

Appendix D

ESA SLOPES Agreement
(Available Upon Request)

DRAFT

**Town of Mamaroneck - Village of Larchmont
Coastal Assessment Form (CAF)**

Applicants, or the appropriate municipal agency, shall complete this Coastal Assessment Form (CAF) for proposed actions which are subject to Local Consistency Review (see Waterfront Revitalization Law §§234-1 through 234-5 in the Code of the Town of Mamaroneck and §§292-1 through 292-4 in the Code of the Village of Larchmont). This assessment is intended to supplement other information used by the Bi-Municipal Coastal Zone Management Commission in making a determination of consistency with the Town of Mamaroneck and Village of Larchmont Local Waterfront Revitalization Program.

Upon completion of this form, it should be submitted as part of a complete application package for review. If assistance or further information is required for Town of Mamaroneck matters, please contact the Town of Mamaroneck Environmental Planner at (914) 381-7845. For Village of Larchmont matters, please contact the Village of Larchmont Building Inspector at (914) 834-6210.

PLEASE PRINT OR TYPE ALL ANSWERS.

A. GENERAL INFORMATION

Will the proposed action be undertaken by a municipal agency? Yes [] No [☒]

If yes, please list agency or agencies and contact person(s): _____

If no, please complete the applicant information:

Name of Applicant: BONNIE BRIAR COUNTRY CLUB
Street Address: 808 WEAGLE STREET
City, State, Zip: LARCHMONT, NEW YORK 10538
Phone: 914 834 0992 Fax: _____ Email: jnapolitano@bonniebriar.org

Location and ownership of property for which action is proposed:

Section: 225 201 Block: _____ Lot: 1.1-19
Owner of Property: SAME AS ABOVE
Street Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Size of property (square feet): ± 150 ACRES Is the property now developed? Yes [☒] No []

Will project require a zoning variance? Yes [] No [☒]

If yes, briefly describe: _____

Describe any unique/unusual landforms on the project site (rock outcroppings, swales, etc.):

GOLF COURSE W/ SHELDRAKE RIVER, WATERCOURSES AND
PONDOS. ROCK FORMATIONS, SWALES

Percentage of site which contains slopes of 25% or greater: N/A

Are there streams, lakes, ponds or wetlands existing within or contiguous to the project area?

If so, describe (name, size, characteristics): YES. OPEN PONDS & SHELDRAKE
RIVER (SEE PLANS)

Will the action require approval by a state or federal agency? Yes [] No [X]

If yes, specify which state or federal agency and attach a copy of pending application and any relevant information and/or documentation to this form:

B. DESCRIPTION OF SITE AND PROPOSED ACTION

Provide a written description of the nature and the extent of the proposed action. Attach plans or additional information as necessary and/or required by application procedures.

MAINTENANCE OF OPEN WATERCOURSES AND PONDS; SILT REMOVAL
ACTIVITIES, BANK STABILIZATION, CART CROSSINGS (bridge) REPLACEMENTS
ROUTINE VEGETATION MANAGEMENT WITHIN WETLANDS & BUFFERS

C. COASTAL ASSESSMENT

Check either "Yes" or "No" for each of the following questions:

1. Will the proposed action be located in, or contiguous to, or have a **potentially adverse effect** upon any of the following designated resource areas?

	Yes	No	Maybe
a. Significant fish or wildlife habitat or designated critical environmental area.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Scenic resources of local significance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Natural protective features in an erosion hazard area.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: If the answer to any of the above questions is "Yes", please explain in Section D any measures which will be undertaken to mitigate the adverse effects.

2. Will the proposed action have a **significant effect** upon:

	Yes	No	Maybe
a. Commercial or recreational use of fish and wildlife resources.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Scenic quality of the coastal environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Development of future, or existing water dependent uses.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Land or water uses within a small harbor area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Stability of the shoreline	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Surface or groundwater quality.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Existing or potential public recreation opportunities.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Structures, sites or districts of historic, archeological or cultural significance to the local area, state or nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Will the proposed action **involve or result in** any of the following:

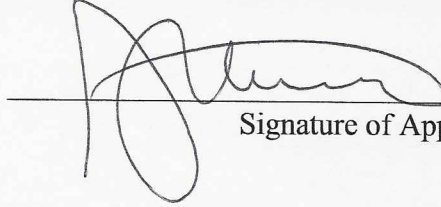
	Yes	No	Maybe
a. Physical alteration of land along the shoreline, land underwater or coastal waters.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Expansion of existing public services or infrastructure in or near undeveloped or low density areas of the coastal area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Filling, dredging, excavation or mining in coastal waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Reduction of existing or potential public access to or along the shore.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Development within a designated flood or erosion hazard area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Development of a natural feature that protects against flooding or erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Replacement of eroded sand or soil.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Construction or reconstruction of erosion protective structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Any change in surface or groundwater quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Removal of trees from the site.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Project details:

	Yes	No	Maybe
a. If the project is to be located adjacent to the shore: <i>N/A</i>			
1. Does the project require a waterfront site in order to function	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will water-related recreation be provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Will public access to shore or state owned underwater lands be provided.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will it replace a recreational or maritime use.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Do essential public services and facilities presently exist at or near the site..	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I certify that I am the above described applicant and that the information contained on this form and on the attached survey/site plan(s) is(are) accurate to the best of my knowledge.

Date: MARCH 19 2019



Signature of Applicant

Prepared by: (if different than the applicant)

Name and Title: Benedict SALVITRO

Agency/Company: Civil Engineer

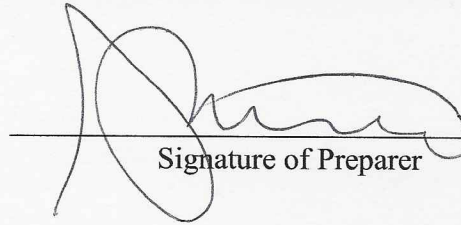
Street Address: 609 Brook Street

City, State, Zip: MANARONCK NY 10543

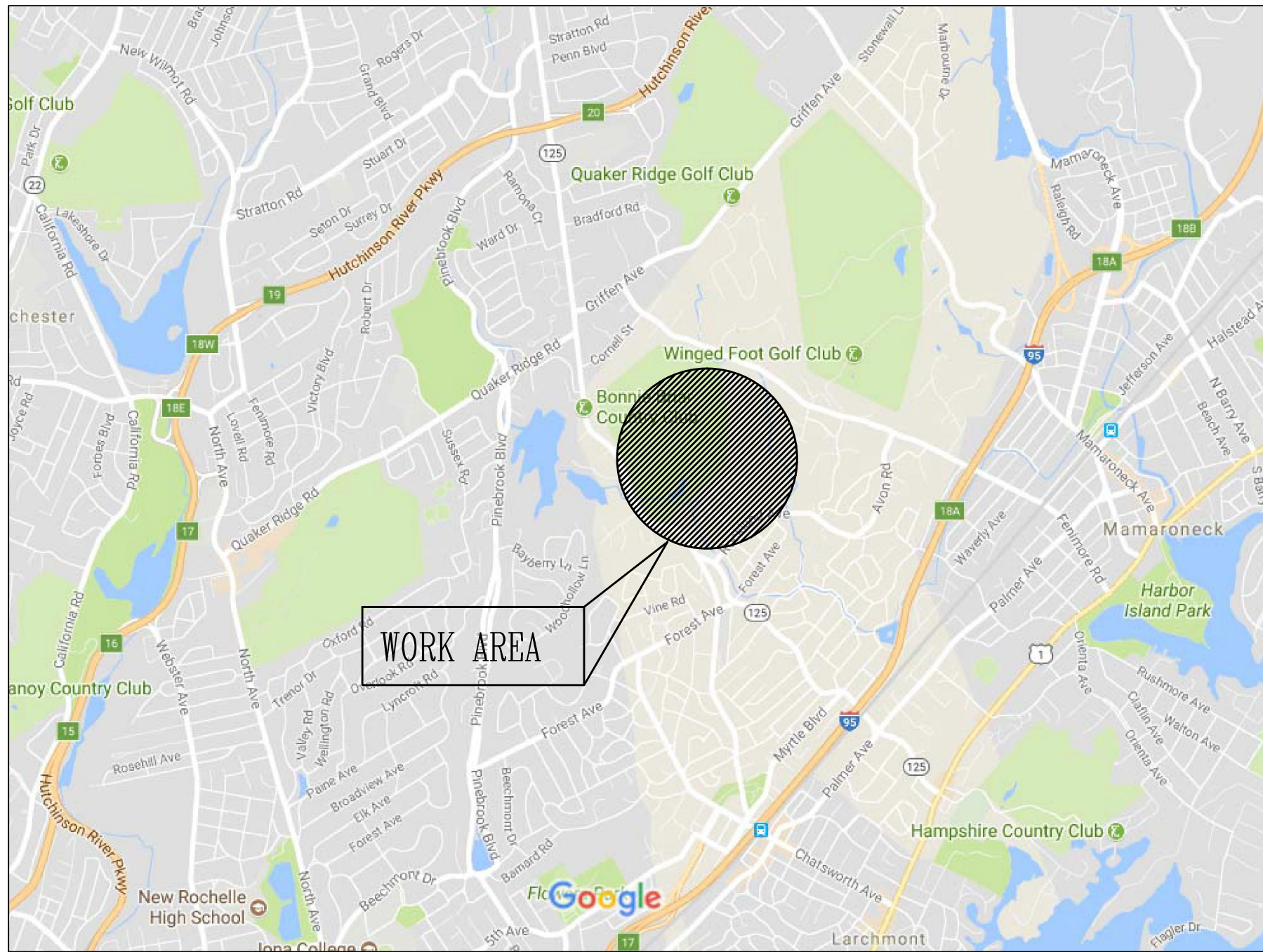
Phone: 9147605125 Fax: _____ Email: bsalvitra@aol.com

I certify that I prepared this Coastal Assessment Form for the above described applicant and that the information contained on this form and on the attached survey/site plan(s) is(are) accurate to the best of my knowledge.

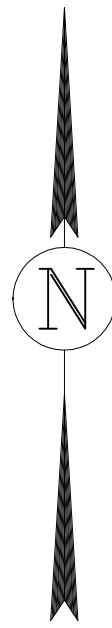
Date: MARCH 19 2019



Signature of Preparer



PROJECT LOCATION



PROPOSED WATER COURSE
LANDSCAPE AND MAINTENANCE
ACTIVITIES

FOR
BONNIE BRIAR COUNTRY CLUB
808 WEAVER STREET
LARCHMONT, N.Y. 10538

OCTOBER 24, 2017

PREPARED BY
BENEDICT A. SALANITRO, P.E., P.C.

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An aerial photograph of a golf course and a lake. The golf course, labeled "Bonnie Briar Country Club", is a large green area with several holes and sand traps. To the left of the golf course is a dark, irregularly shaped body of water labeled "Sheldrake Lake". The surrounding area is densely wooded with green trees. A white grid is overlaid on the entire image. A red location pin is placed on the golf course, and a white text label "N40°57'25.92\"" is positioned above it. The text "Bonnie Briar Country Club" is written in white across the middle of the golf course. The text "Sheldrake Lake" is written in white across the lake.



SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

PROJECT LOCATION

DO NOT SCALE DRAWINGS

[illegible]

No.	DESCRIPTION	DATE
-----	-------------	------

- REVISIONS -

DRAWING TITLE

SITE PLAN, DETAILS
& NOTES

Benedict A. Salanitro, P.E., P.C.
CONSULTING ENGINEER

609 BROOK STREET
Mamaroneck, New York 10543

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IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER ANY ITEM ON THIS DRAWING AND/OR RELATED SPECIFICATION. ALL ALTERATIONS MUST BE MADE IN COMPLIANCE WITH THE NEW YORK STATE EDUCATION LAW. THE PROFESSIONAL ENGINEER WHOSE SEAL APPEARS HEREON ASSUMES NO RESPONSIBILITY FOR ANY SUCH ALTERATION OR RE-USE WITHOUT HIS CONSENT.

PROJECT No: 100417
DATE : 10/04/17
SCALE : AS.NOTED
DRAWN BY : D.G.
CHECKED BY: B.S.

SHEET No

S-2

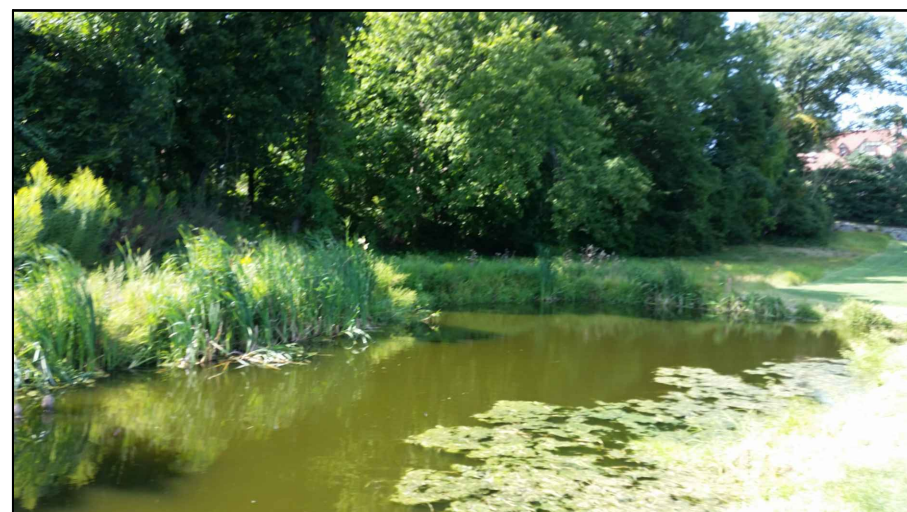
[illegible]

S-3

MAPS PRODUCED BY
WestinghouseLandmark GIS
A DIVISION OF WESTINGHOUSE ELECTRONIC SYSTEMS GROUP

This topographic map depicts a section of a golf course with the following features:

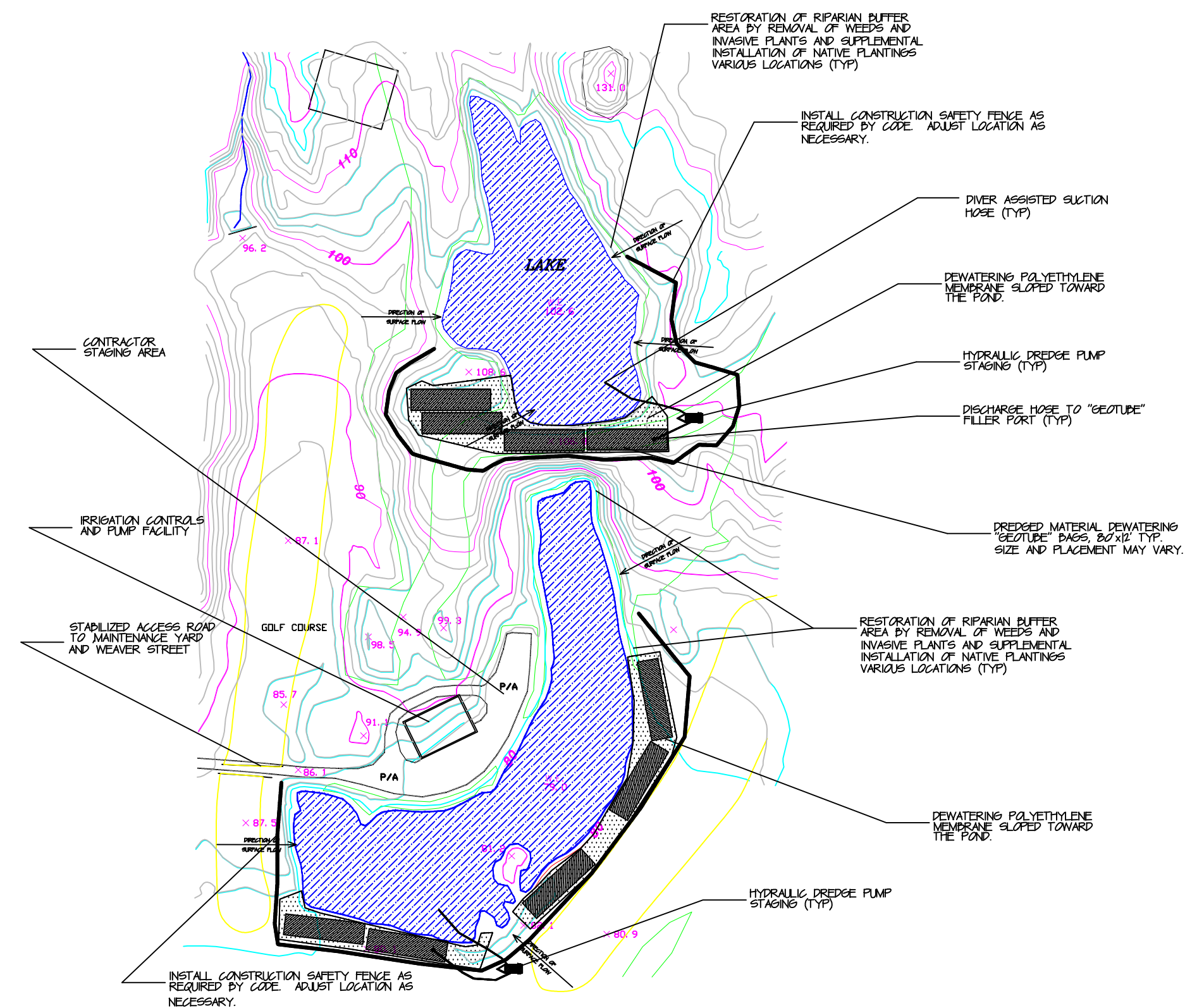
- Fairways:** Three fairways are labeled in green: 10TH FAIRWAY, 17TH FAIRWAY, and 18TH FAIRWAY.
- Hatched Area:** A blue hatched area is located on the left side of the map, with a note indicating "P202 (HEIGHT = 242 FEET + 2) (NO. 10) = 10 FEET + 2".
- Elevation Points:** Numerous points are marked with 'x' and numerical values: 116.6, 118.9, 122.5, 122.9, 127.0, 133.5, 138.0, 149.9, 153.7, 147.2, 148.4, and 157.
- Contours:** Contour lines are shown in various colors (pink, blue, green, yellow) with labels such as 110, 120, 130, 140, and 150.
- Other Features:** A "GOLF COURSE" label is in the top right. A "LOCATION #1 LIMITS OF WORK" is marked with a line. A "LA" label is near the bottom left. A "2" label is near the bottom left corner.
- Scale and Orientation:** A north arrow is located in the top right. A scale bar at the bottom right indicates distances in feet (0 to 100) and meters (0 to 30).



S-4

[illegible]

1. Removal of Accumulated Matter – To restore the natural depths of both man made ponds, the golf club proposes to remove the accumulated silt and organic debris using hydraulic dredging method employing dewatering "geotube" sacs. As an alternate method, the club may explore the option to draw down each pond and utilize "long arm" excavators to accomplish the results. The materials removed would be dewatered on site then stockpiled on the property for future "beneficial reuse." The anticipated frequency for this task is a one time event to remove the present 12,500 cubic yards+/- followed by maintenance dredges at an estimated interval of every ten years.
2. Trim Maintain and Supplement Riparian Plantings – The golf club proposes remove fallen timber and to cut back and prune existing fringe plantings and install new native plantings as needed every two years.
3. Removal of Weeds and Invasive Plant Species – The golf club proposes to inspect the site regularly and perform maintenance activities related to the eradication of weeds and invasive plants as necessary.
4. Erosion and Sediment Control Measures – The golf club will notify the Town Building, Engineering and Conservation Departments and apply for all permits necessary prior to performing any activities for the work area. A silt fence shall be installed downgrade from all work and shall surround debris stockpiles during the dewatering process. Such protections shall be in conformance to "Best Management Practices" as standardized by NYSDEC Publication entitled "Standards and Specifications for Erosion and Sediment Control."



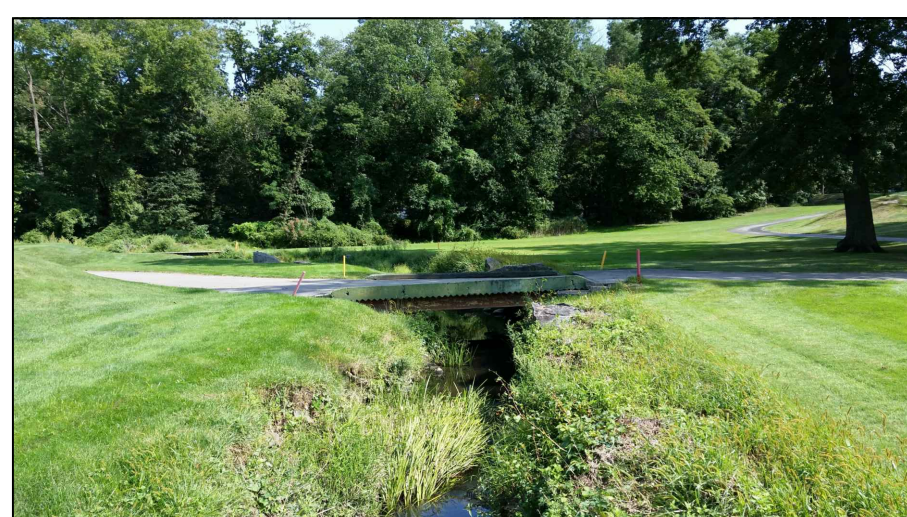
SCALE: NONE

CHECKED BY: B. S.



This topographic map depicts a golf course area with various features and elevation data. Key elements include:

- Water Features:** The **SHELDRASE RIVER** flows from the top left, and the **EAST BRANCH** is a smaller waterway. A **CASEMENT DRAIN** is also shown.
- Topography:** Contour lines indicate elevation, with labels such as 100, 110, 120, and 130. Numerous spot elevations are marked with 'x' (e.g., 106.4, 108.7, 109.2, 111.1, 112.9, 113.1, 106.2, 108.3, 104.1, 103.5, 113.5, 107.9, 106.7, 109.0, 103.5, 101.0, 98.5, 98.8, 101.2, 102.1, 97.0, 108.5, 106.2, 108.4, 95.2, 97.2, 95.8, 96.1, 105.3, 118.6, 119.0, 120.7).
- Infrastructure:** A **ROAD** runs along the right side, with a **VIPT-004** marker. A **RAILROAD** is visible at the top right.
- Other Features:** Several areas are labeled **GOLF COURSE**. There are also shaded regions and specific markers labeled **2** and **3**.
- Orientation and Scale:** A north arrow is located in the top right corner, and a scale bar indicates distances in feet (0, 50, 100).



DESCRIPTION: The work site consists of a man made pond created from existing surface water flow tributary to the Sheldrake River East Branch, a portion of the Sheldrake River East Branch and a tributary stream connecting both water bodies. The small pond, created in the early 2000s, through approvals received from the Town of Mamaronock, is approximately 300 feet in length by 60 foot width by 7 foot maximum depth. The water body contains a single aerator that is controlled by the golf club. The segment of the Sheldrake River is approximately 350 feet in length by 8 foot width by a depth that varies. The interconnecting stream is approximately 320 feet by 6 feet width also containing depths that vary with weather.

EXISTING CONDITIONS: Presently there are an estimated 350 cubic yards of accumulated sediment, decomposed leaf and other organic debris located in the pond. As a result of the diminished water depth, algae blooms are common during the summer months. Along the stream and section of Sheldrake River, there are sections of perimeter stone walls partially collapsed and deposits of sandy silts at various locations. The peripheral plantings along the riparian fringes of all three water bodies are encroached upon by weeds and invasive plant species.

1. Removal of Accumulated Matter - As the width of the water courses are narrow and accessible on all sides, the golf club proposes to remove the accumulated silt and organic debris using a backhoe. The materials removed would be dewatered on site then stockpiled on the property for future "beneficial reuse." The anticipated frequency for this task is a one time event to remove the present ~~350~~ cubic yards+/- followed by biannual maintenance cleaning of the stream and river and revisiting the pond every ten years or as needed.
2. Trim, Maintain and Supplement Riparian Plantings - The golf club proposes to cut back and prune existing fringe plantings and install new native plantings as needed every two years.
3. Removal of Weeds and Invasive Plant Species - The golf club proposes to inspect the site regularly and perform maintenance activities related to the eradication of weeds and invasive plants as necessary.
4. Repair of rock walls and removal of silt - The golf club proposes repair sections of fallen walls and remove accumulated silt and to inspect the site regularly and perform annual maintenance as needed.
5. Erosion and Sediment Control Measures - The golf club will notify the Town Building, Engineering and Conservation Departments and apply for all permits necessary prior to performing any activities for the work area. A silt fence shall be installed downgrade from all work and shall surround debris stockpiles during the decanting process. Such protections shall be in conformance to "Best Management Practices" as standardized by ~~NYSDEC~~ Publication entitled "Standards and Specifications for Erosion and Sediment Control."

[illegible]

Schematic Illustration of Erosion Controls

RESTORED POND IN POND WITH NATIVE PLANT SPECIES (M9)

WORK LOCATION #3 - POND

AVERAGE POND WIDTH = 60 FEET $\pm 1'$
 (LENGTH = 160 FEET $\pm 1'$)

GRASS ELEV. 8.00 FEET $\pm 1'$

MAXIMUM POND DEPTH 12 FEET $\pm 1'$

SHANK PLUTE LINE

ACCUMULATED DEBRIS, UNCOMPOSED LEAF AND BRACKEN LITTERED, AND OTHER SOLID WASTE

EXISTING POND MAIN MADE BOTTOM

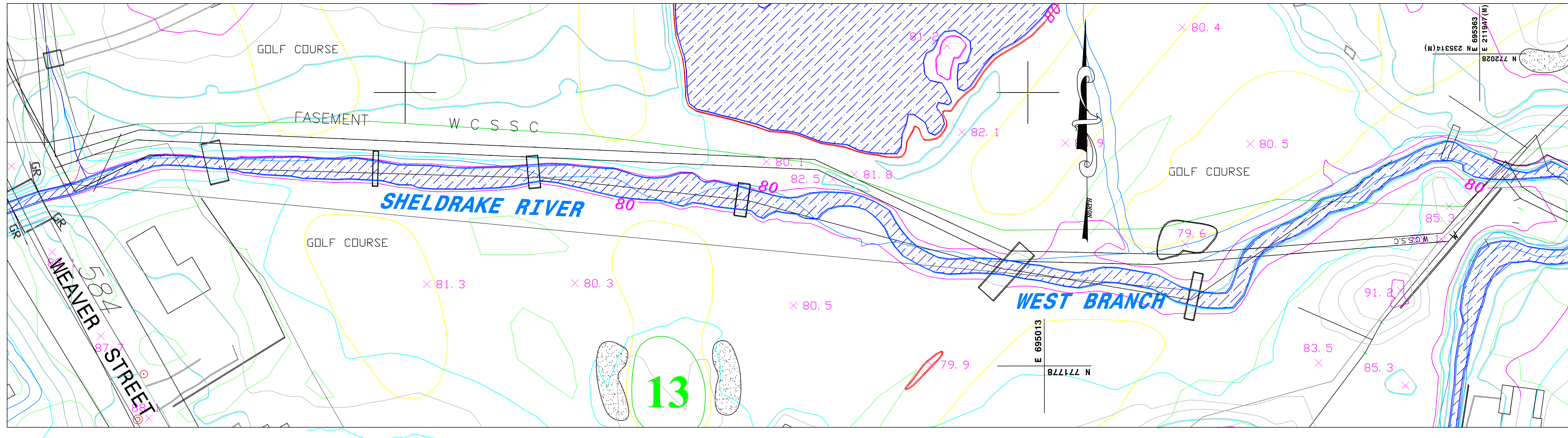
A cross-sectional diagram of a stream channel. The channel is defined by stone walls on both sides. The water level is indicated by a dashed line labeled 'STREAM DEPTH (FEET)'. The channel bed is labeled 'GRAVEL BED (FEET)'. The channel width is labeled 'AVERAGE CHANNEL WIDTH = 6.0 FEET +/-' and 'TOTAL LENGTH = 40 FEET +/-'. The channel is labeled 'RESTORED STREAM CHANNELMENT AT WOODS LOCATION (1/11)'. The channel is labeled 'DRAIN SLOPE LINE'. The channel is labeled 'EXISTING STREAM CHANNEL'. The channel is labeled 'UNSATURATED SILT RECOMPOSED'. The channel is labeled 'REFURBISHED WALLS WITH EXISTING MASONRY STONE #1'.



DRAWN BY : D. G.
CHECKED BY : B. E.

S-6

WORK LOCATION #4 - Sheldrake River West Branch Tributary through the Golf Course



SURFACE WATER, SEDIMENT AND EROSION CONTROL PLAN FOR WATERCOURSE MAINTENANCE

FOR
BONNIE BRIAR
COUNTRY CLUB

808 WEAVER STREET
LARCHMONT, NY 10538

SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

SITE LOCATIONS W/ PROTECTION DETAILS

PROPOSED IMPROVEMENTS

WORK LOCATION 4
STREAM TRIBUTARY TO THE
SHELDRAKE RIVER
WEST BRANCH

DO NOT SCALE DRAWINGS

[illegible]

No.	DESCRIPTION	DATE
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- REVISIONS -

DRAWING TITLE

SITE PLAN, DETAILS
& NOTES

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CONSULTING ENGINEER

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10/04/17

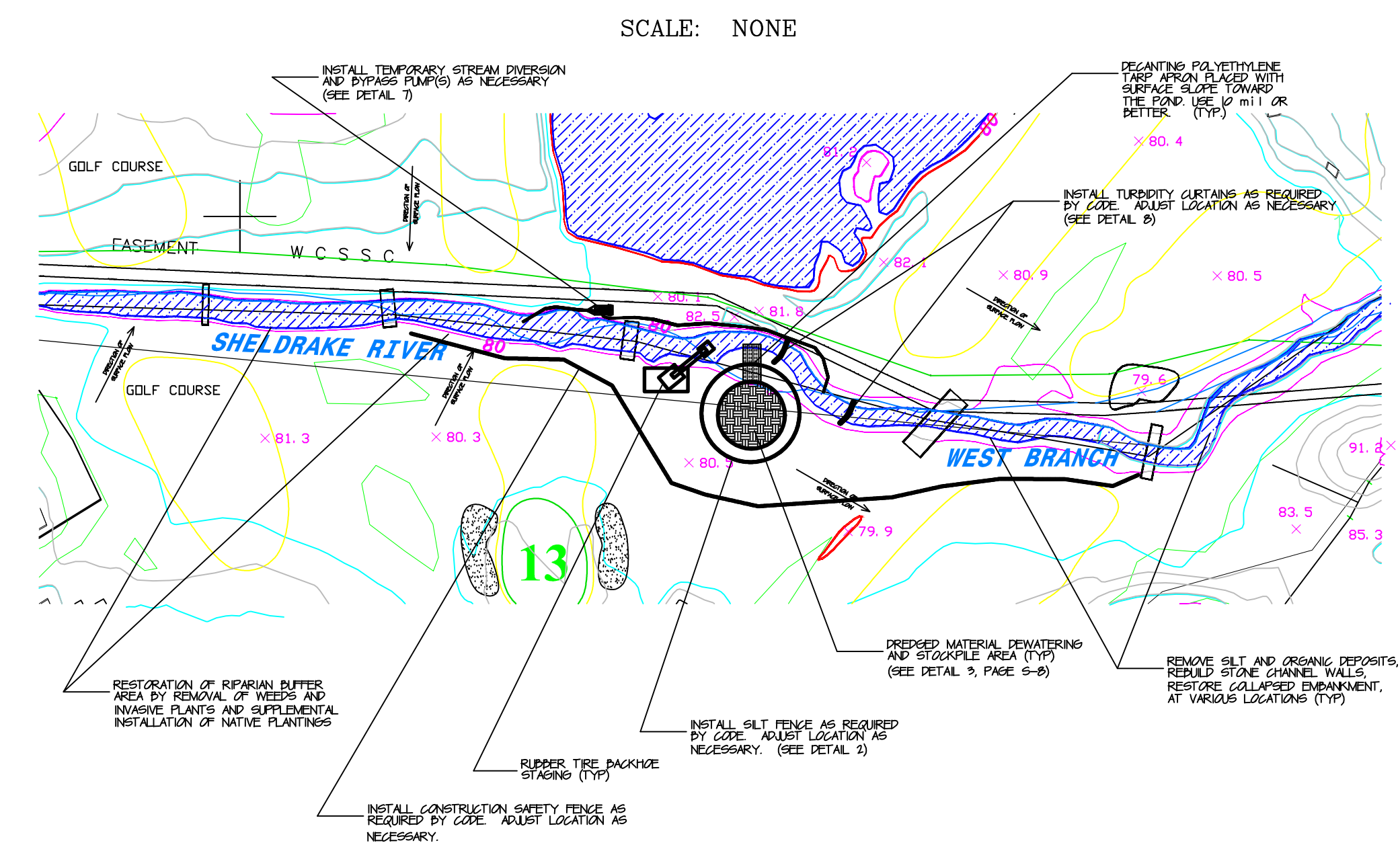
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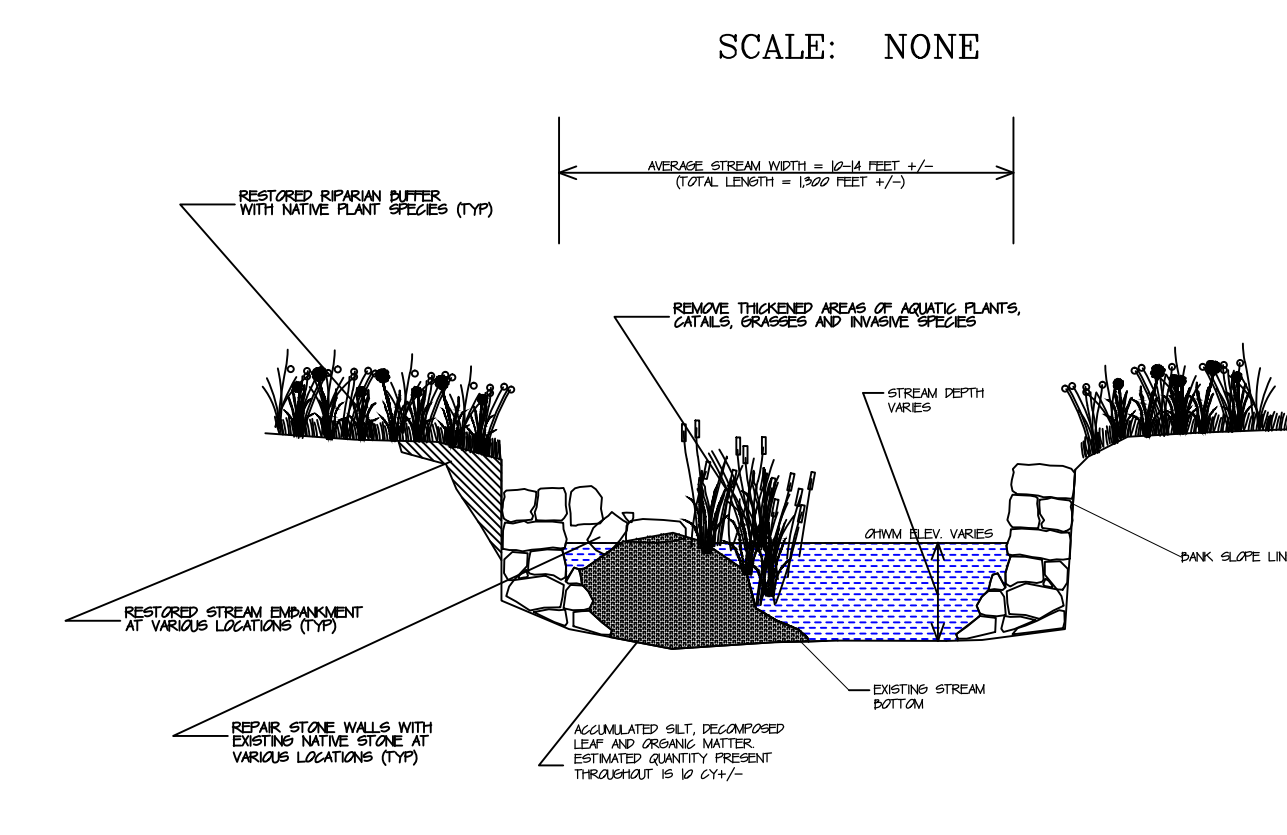
SHEET No

S-7

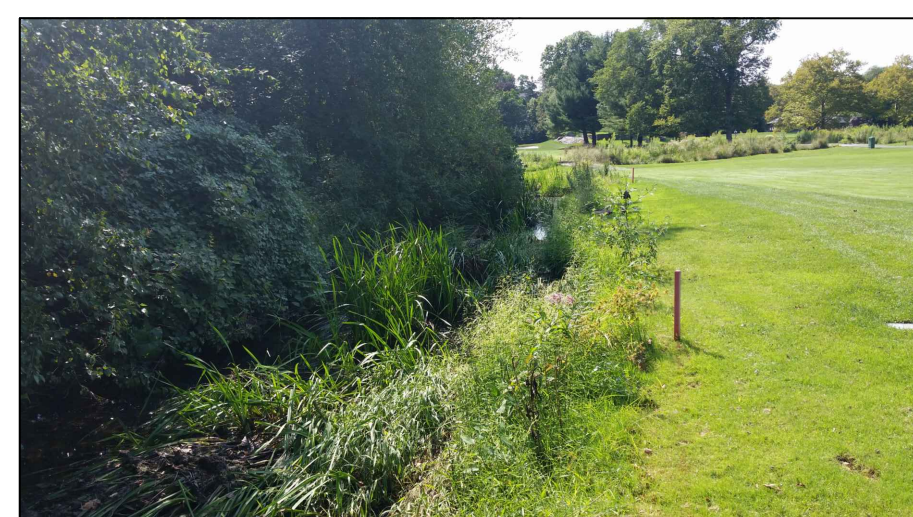
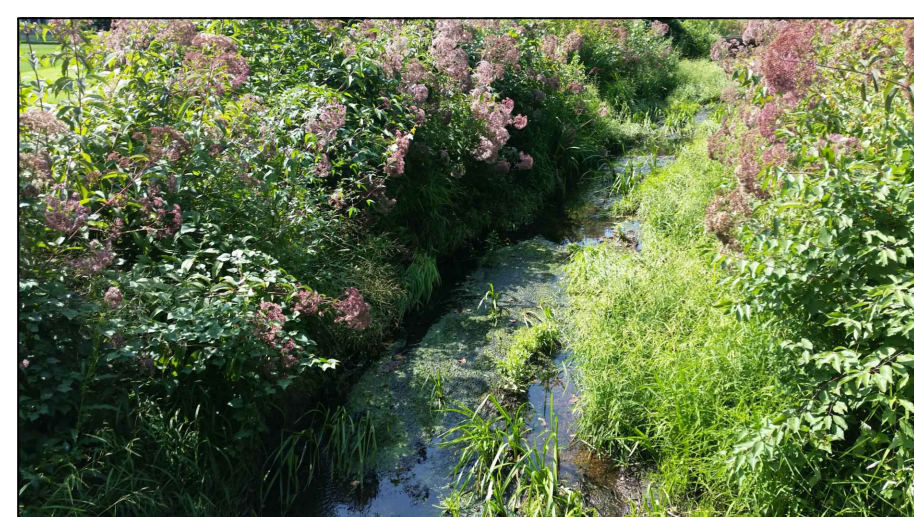
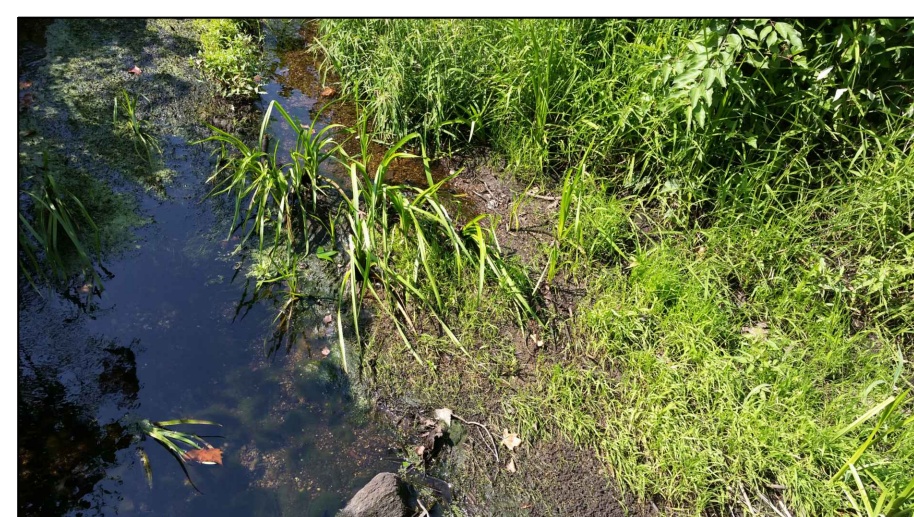
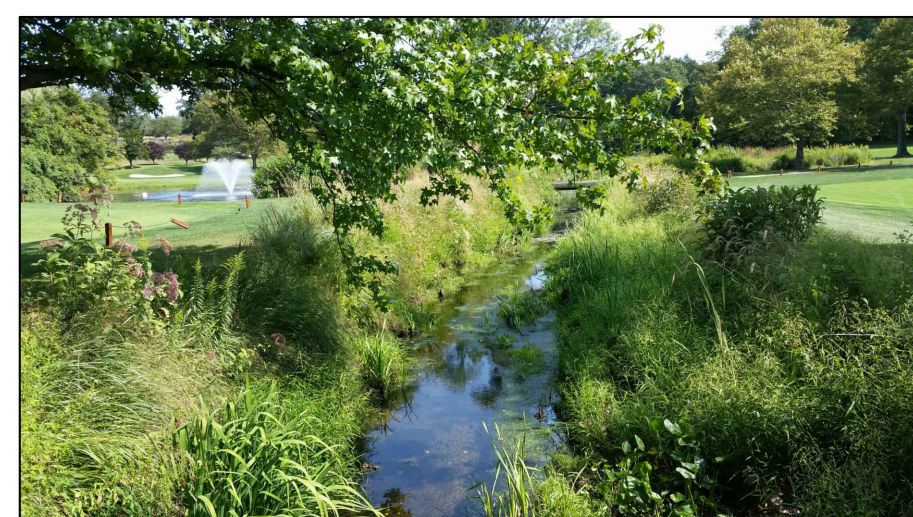
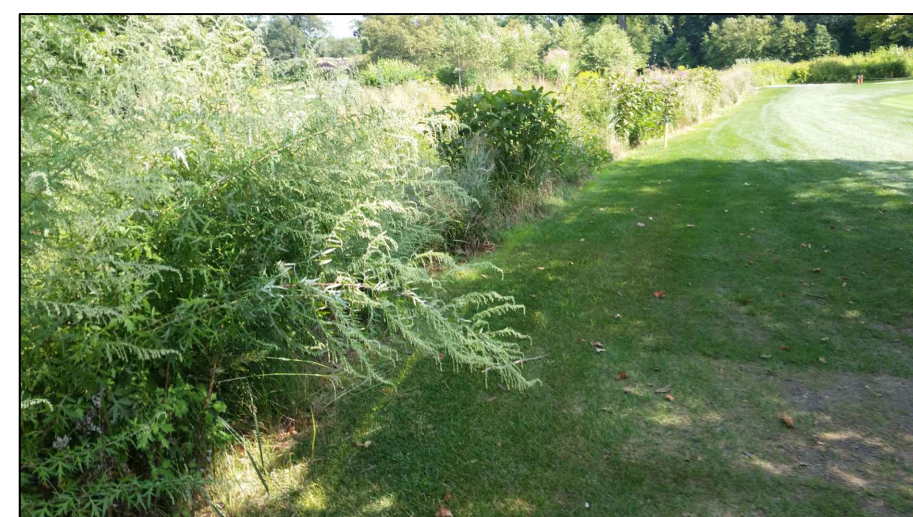
Schematic Illustration of Erosion Controls



Schematic Illustration of Stream Cross-Section



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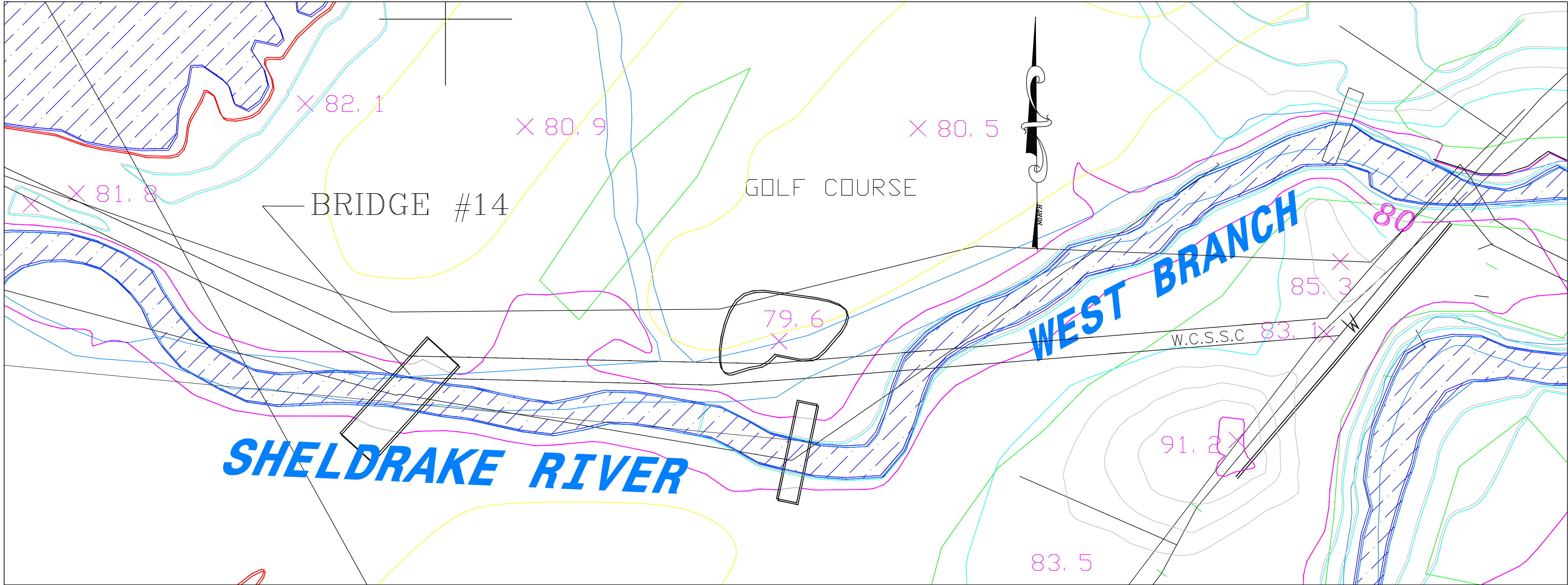
WORK PLAN NARRATIVE:

DESCRIPTION: The work site consists of a 1300 foot length by 12 foot width section of the Sheldrake River West Branch directly downstream from the Larchmont Reservoir. The Town of Mamaroneck, in the event of heavy rain forecasts, operates a discharge pipe at the reservoir outfall for flood protective measures. In the early 1000's, the Town, with funding and assistance from the Westchester County Planning Department, performed a stream bank restoration activity which included the installation stabilization materials along with aquatic and riparian buffer plantings.

EXISTING CONDITIONS: The plantings over the years have thickened in mass and have migrated to most areas of river bed where they now impede the natural water velocity which is allowing for the settlement and accumulation of silt and debris. Along the stream there are sections of perimeter stone walls partially collapsed. The peripheral plantings along the riparian fringes of all three water bodies are encroached upon by weeds and invasive plant species.

PROPOSED ACTION: Elements of the work plan proposed for the maintenance of this man made water course are the following:

1. Removal of Accumulated Matter - As the width of the water course is narrow and accessible on all sides, the golf club proposes to remove the accumulated silt and organic debris using a backhoe. The materials removed would be dewatered on site then stockpiled on the property for future "beneficial reuse." The anticipated frequency for this task is annual inspection with maintenance performed as needed.
2. Trim Maintain and Supplement Riparian Plantings - The golf club proposes to cut back and prune existing fringe plantings that have thickened across the river bed and install new native plantings as needed every two years.
3. Removal of Weeds and Invasive Plant Species - The golf club proposes to inspect the site regularly and perform maintenance activities related to the eradication of weeds and invasive plants as necessary.
4. Repair of rock walls and removal of silt - The golf club proposes to repair sections of fallen walls and remove accumulated silt and to inspect the site regularly and perform annual maintenance as needed.
5. Erosion and Sediment Control Measures - The golf club will notify the Town Building, Engineering and Conservation Departments and apply for all permits necessary prior to performing any activities for the work area. A silt fence shall be installed downgrade from all work and shall surround debris stockpiles during the dewatering process. Turbidity curtains shall be installed across the stream bed when conditions warrant. Such protections shall be in conformance to "Best Management Practices" as standardized by NYSDEC Publication entitled "Standards and Specifications for Erosion and Sediment Control."



SURFACE WATER, SEDIMENT
AND EROSION CONTROL PLAN
FOR WATERCOURSE
MAINTENANCE

FOR
BONNIE BRIAR
COUNTRY CLUB

808 WEAVER STREET
LARCHMONT, NY 10538

SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

BRIDGE
REPLACEMENT
PLAN

14TH FAIRWAY
BRIDGE ACROSS
STREAM TRIBUTARY TO THE
SHELDRAKE RIVER
WEST BRANCH

DO NOT SCALE DRAWINGS

No.	Added Bridge Replacements	11/22/17
	DESCRIPTION	DATE

- REVISIONS -

DRAWING TITLE
SITE PLAN, DETAILS
& NOTES

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CLIENT
BONNIE BRIAR
COUNTRY CLUB

SITE
808 WEAVER ST.
LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#14 HOLE

SPECIFICATION
TYPE WOODY
SIZE 41X10
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 10,000 LB

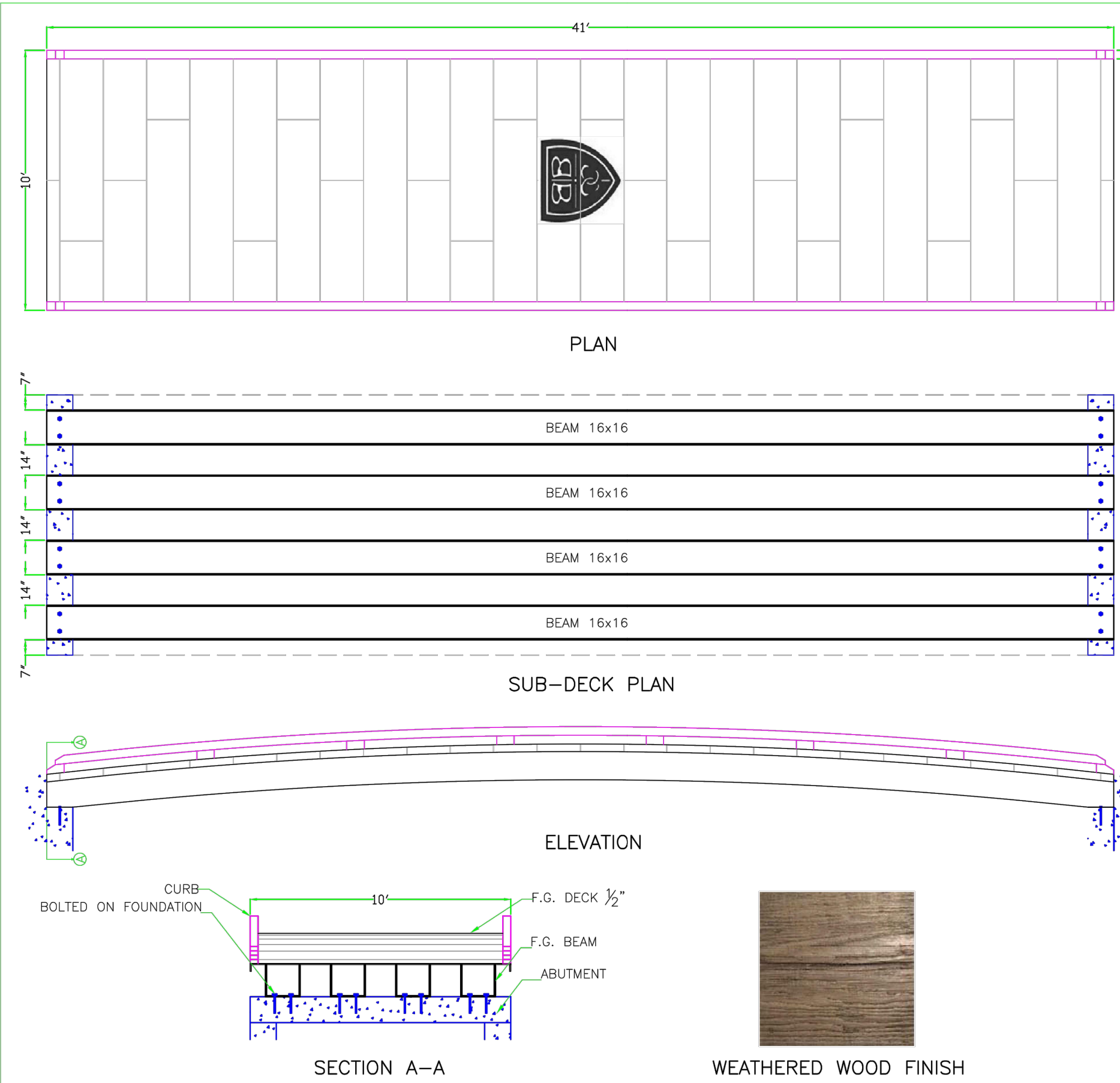
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COUNTRY CLUB

SITE
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LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#14 HOLE

SPECIFICATION
TYPE WOODY
SIZE 41X10
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 10,000 LB

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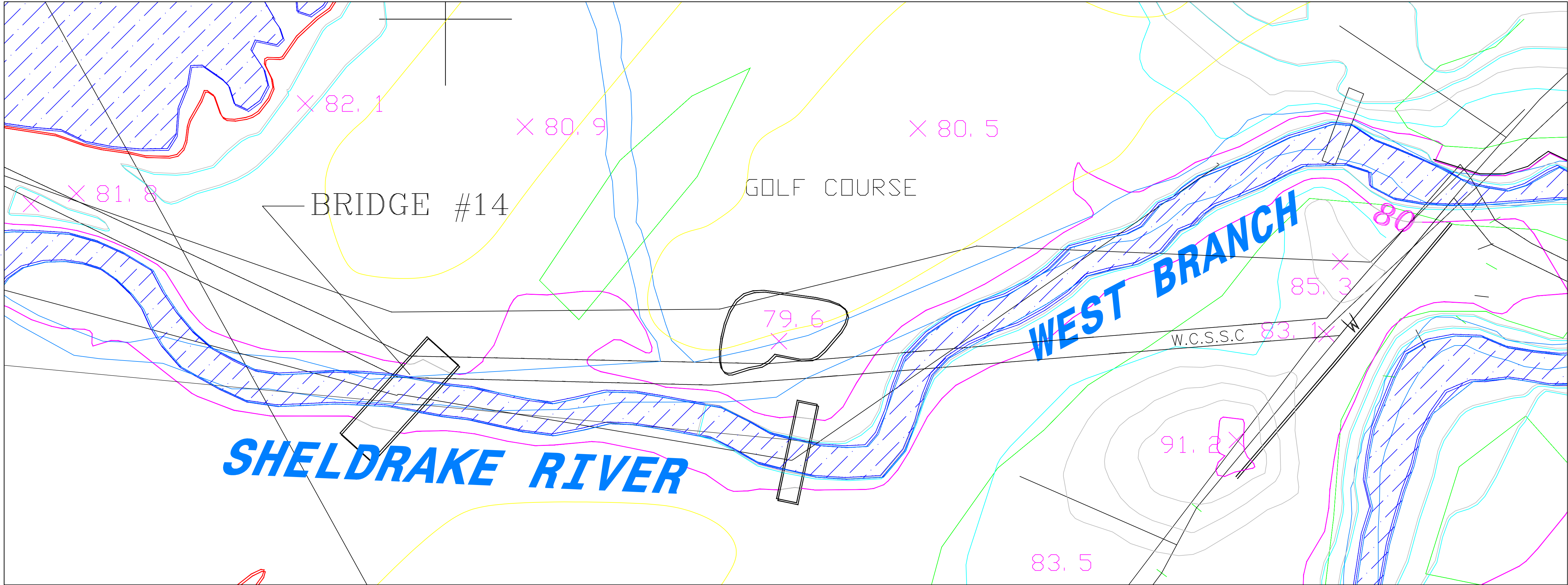
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DATE 30 SEPT 2017 SHEET #
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GOLF CART BRIDGE REPLACEMENT - 14TH FAIRWAY



SURFACE WATER, SEDIMENT
AND EROSION CONTROL PLAN
FOR WATERCOURSE
MAINTENANCE

FOR
BONNIE BRIAR
COUNTRY CLUB

808 WEAVER STREET
LARCHMONT, NY 10538

SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

BRIDGE
REPLACEMENT
PLAN

16TH FAIRWAY
BRIDGE ACROSS
STREAM TRIBUTARY TO THE
SHELDRAKE RIVER
WEST BRANCH

DO NOT SCALE DRAWINGS

No.	Added Bridge Replacements	11/22/17
	DESCRIPTION	DATE

- REVISIONS -

DRAWING TITLE
SITE PLAN, DETAILS
& NOTES

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CLIENT
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COUNTRY CLUB

SITE
808 WEAVER ST.
LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#16 HOLE

SPECIFICATION
TYPE WOODY
SIZE 35X8
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 4000 LB

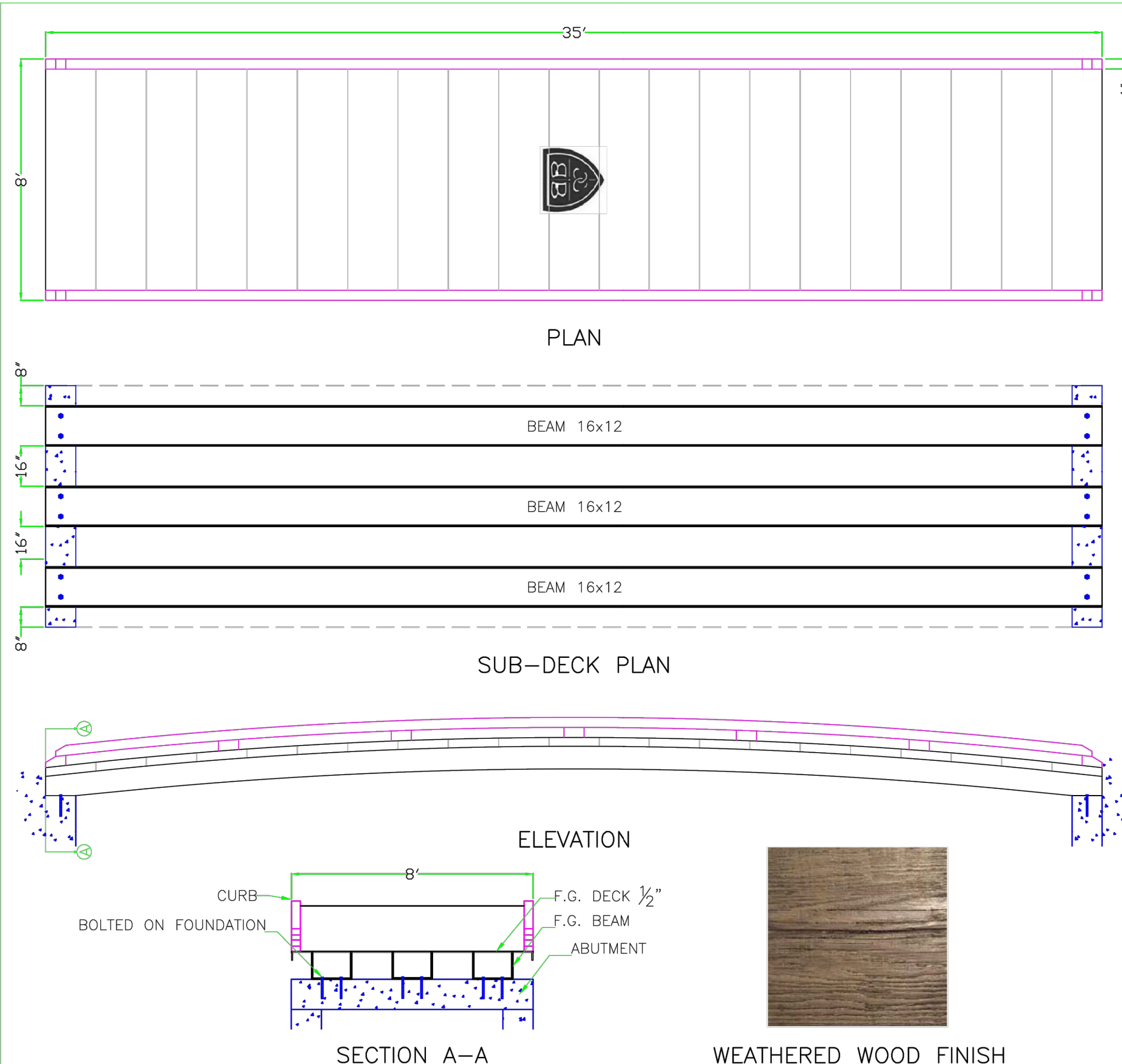
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SITE
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LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#16 HOLE

SPECIFICATION
TYPE WOODY
SIZE 35X8
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 4000 LB

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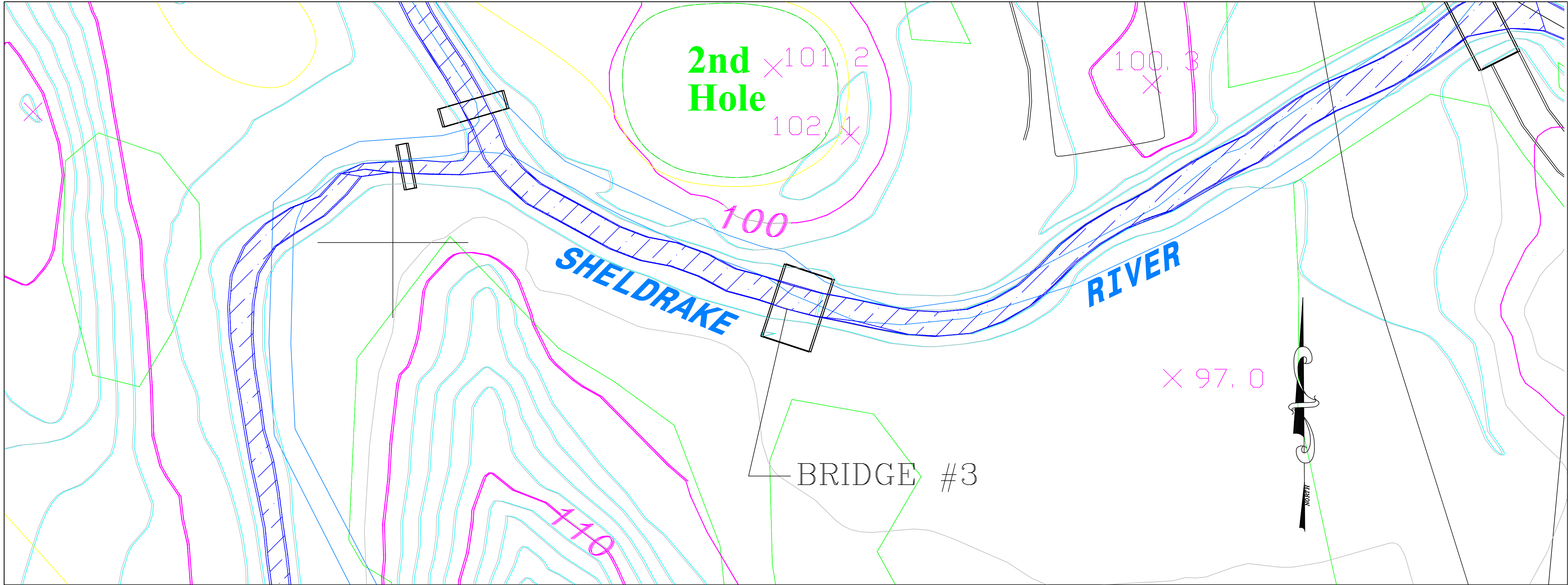
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ENGINEERING:
#16 - 35X8

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GOLF CART BRIDGE REPLACEMENT - 16TH FAIRWAY



SURFACE WATER, SEDIMENT
AND EROSION CONTROL PLAN
FOR WATERCOURSE
MAINTENANCE

FOR
BONNIE BRIAR
COUNTRY CLUB

808 WEAVER STREET
LARCHMONT, NY 10538

SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

BRIDGE
REPLACEMENT
PLAN

3RD FAIRWAY
BRIDGE ACROSS
STREAM TRIBUTARY TO THE
SHELDRAKE RIVER
WEST BRANCH

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No.	Added Bridge Replacements	11/22/17
No.	DESCRIPTION	DATE

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& NOTES

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SITE
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BRIDGE LOCATION
#3 HOLE

SPECIFICATION
TYPE WOODY
SIZE 25X10
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 15,000 LB

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DATE 30 SEPT 2017 SHEET #

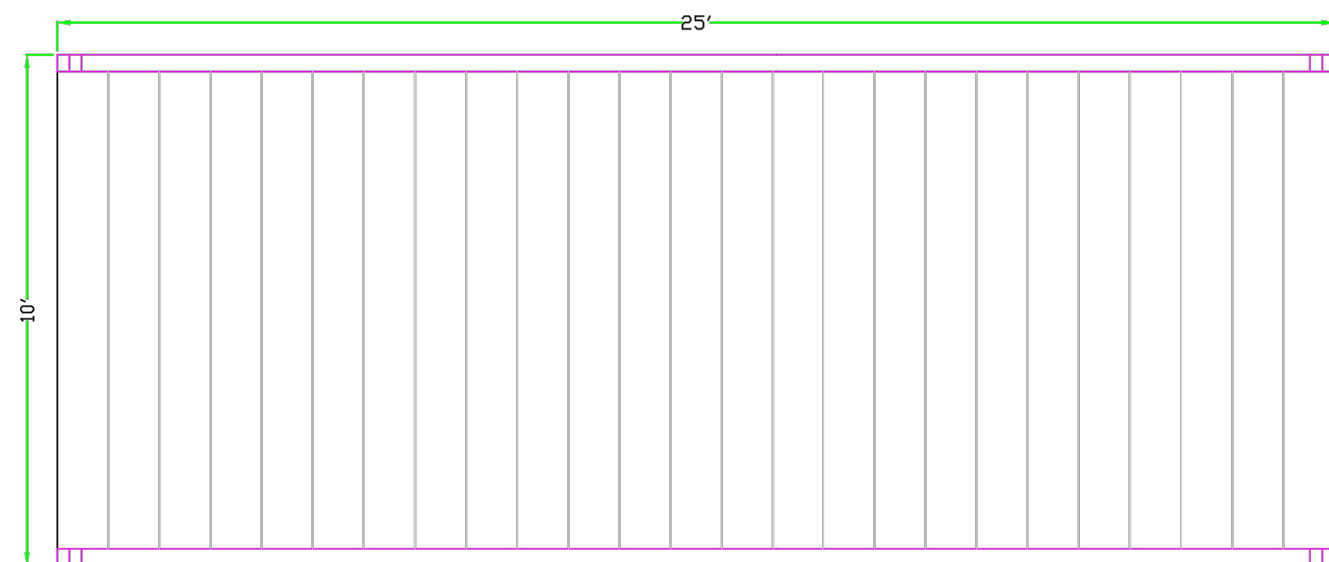
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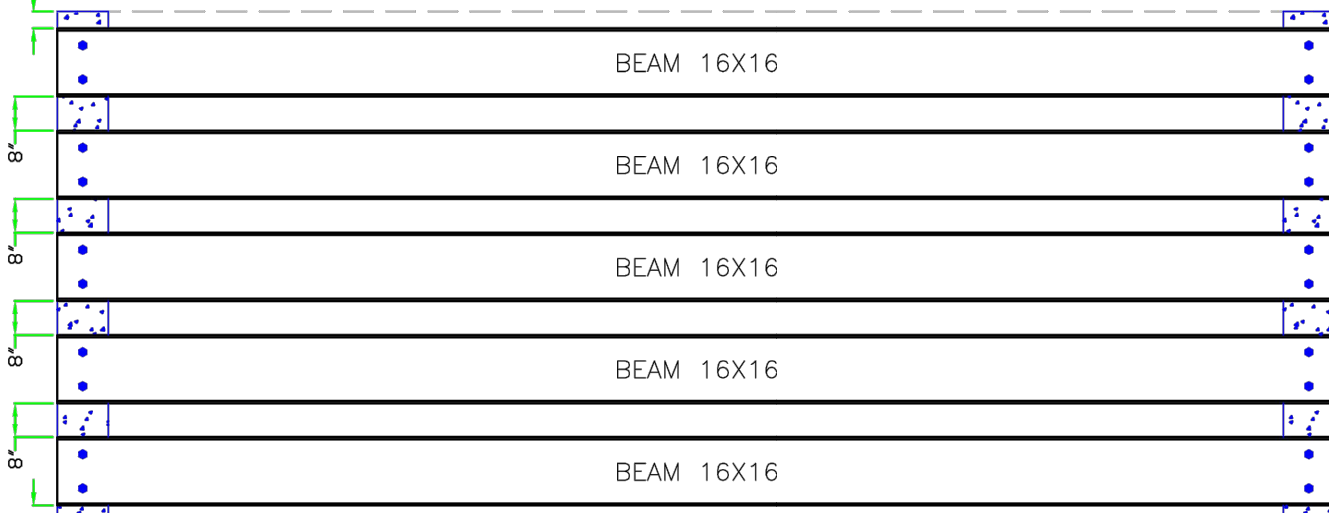
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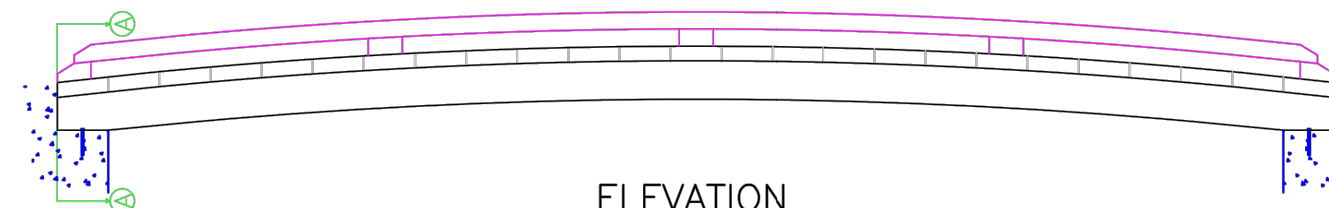
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PLAN



SUB-DECK PLAN



ELEVATION

BOLTED ON FOUNDATION
CURB
F.G. DECK 1/2"
F.G. BEAM
ABUTMENT

SECTION A-A



WEATHERED WOOD FINISH



CLIENT
BONNIE BRIAR
COUNTRY CLUB

SITE
808 WEAVER ST.
LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#3 HOLE

SPECIFICATION
TYPE WOODY
SIZE 25X10
FINISH WEATHERED WOOD
GUARD RAIL CURB
ULL 100 PSF
VLL 15,000 LB

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ENGINEERING:
#3 - 25X10

DATE 30 SEPT 2017 SHEET #

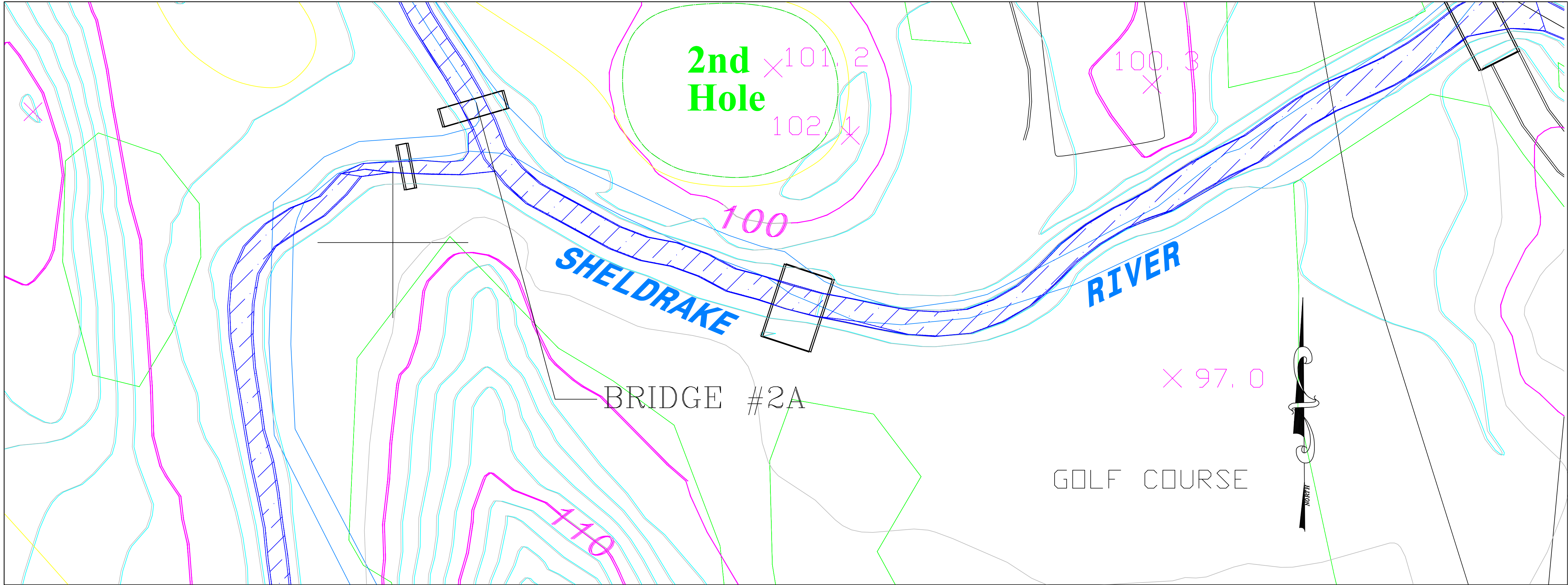
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SURFACE WATER, SEDIMENT
AND EROSION CONTROL PLAN
FOR WATERCOURSE
MAINTENANCE

FOR
BONNIE BRIAR
COUNTRY CLUB

808 WEAVER STREET
LARCHMONT, NY 10538

SECTION: 2
BLOCK: 25
LOT: 1.1
ZONE: RECREATION

BRIDGE
REPLACEMENT
PLAN

2ND HOLE
BRIDGE ACROSS
STREAM TRIBUTARY TO THE
SHELDRAKE RIVER
WEST BRANCH

DO NOT SCALE DRAWINGS

No.	DESCRIPTION	DATE
1	Added Bridge Replacements	11/22/17

- REVISIONS -

DRAWING TITLE
SITE PLAN, DETAILS
& NOTES

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CONSULTING ENGINEER

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CLIENT
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COUNTRY CLUB

SITE
808 WEAVER ST.
LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#2 HOLE

SPECIFICATION
TYPE WOODY
SIZE 25X3
FINISH WEATHERED WOOD
GUARD RAIL CURB
LL 100 PSF
VLL N.A.

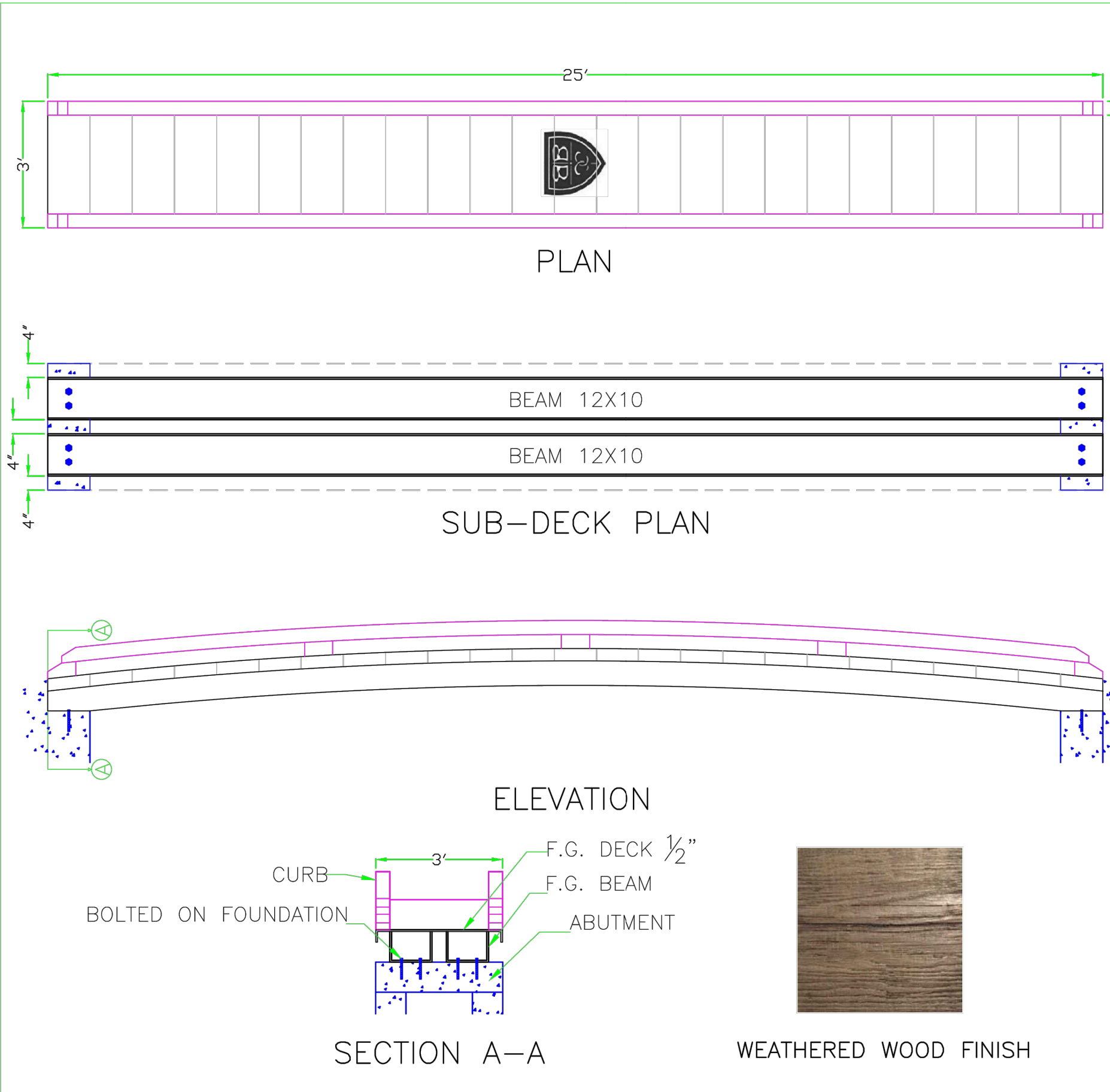
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SITE RENDERING:
#2 - 25X3

DATE 30 SEPT 2017 SHEET #
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COUNTRY CLUB

SITE
808 WEAVER ST.
LARCHMONT, NY 10538
U.S.A.

BRIDGE LOCATION
#2 HOLE

SPECIFICATION
TYPE WOODY
SIZE 25X3
FINISH WEATHERED WOOD
GUARD RAIL CURB
LL 100 PSF
VLL N.A.

ISSUE # 01 FOR APPROVAL

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ENGINEERING:
#2 - 25X3

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PEDESTRIAN BRIDGE REPLACEMENT - 2ND HOLE

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Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Acting Commissioner

February 11, 2019

Mr. Ralph Engel
Chair, Town of Mamaroneck Planning Board
740 West Boston Post Road
Mamaroneck, NY 10543

Re: Winged Foot Golf Club
851 Fenimore Road
Mamaroneck, NY 10543
Westchester County

Dear Mr. Engel:

We are pleased to inform you that the property, noted above, will be considered by the New York State Board for Historic Preservation at its next meeting, **March 21, 2019**, for nomination to the National and State Registers of Historic Places. These registers are the official lists of properties that are significant in history, architecture, engineering, landscape design, and culture. Listing in the registers provides recognition of our national, state and local heritage and assistance in preserving it. Enclosed is a copy of the criteria under which properties are evaluated for listing.

Listing in the National and State Registers affords properties a measure of protection from the effects of federal and/or state sponsored or assisted projects, provides eligibility for certain federal and/or state tax credits and renders properties owned by non-profits or municipalities eligible for state preservation grants. In general, there are no restrictions placed upon private owners of registered properties. The results of listing are explained more fully in the attached fact sheet.

Owners of private properties proposed for listing in the National Register must be given the opportunity to concur in or object to the listing. If you are the sole owner of the property proposed for listing and you submit a notarized objection to the listing, the property cannot be listed. If there is more than one owner, a majority of the private owners must submit notarized objections in order to prevent listing. Each private property owner has one vote regardless of what portion of a single property that party owns.

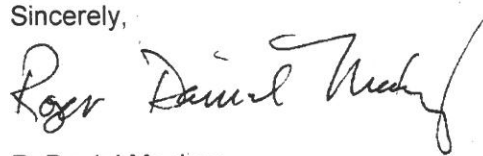
If a property owner wishes to object to the proposed listing, he/she must submit a notarized acknowledgement that he/she is the owner of the property in question and that he/she objects to the proposed National Register listing. Objections must be submitted before the property is listed.

If a property cannot be listed because of owner objection, the SHPO will submit the nomination to the Keeper of the National Register for a determination of eligibility for listing. Properties formally determined eligible for National Register listing by the Keeper are subject to the same protection from the effects of federally sponsored or assisted projects as are listed properties. There are no provisions in the New York State Historic Preservation Act that allow an owner to prevent listing in the State Register by means of objection.

If you wish to comment on whether or not the property should be nominated to the National and State Registers, please send your comments to the SHPO at the address below. Comments must be received by **March 20, 2019**, in order to be considered by the State Board for Historic Preservation when it reviews this district.

A draft copy of the proposed nomination will be posted on our web site (www.nysparks.com/shpo) prior to the board meeting. For more information, contact Bill Krattinger, Division for Historic Preservation, Peebles Island State Park, P.O. Box 189, Waterford, New York 12188, (518) 268-2167.

Sincerely,



R. Daniel Mackay
Deputy Commissioner for Historic Preservation and
Deputy State Historic Preservation Officer

Enclosure: Fact Sheet
Criteria for Evaluation

Frequently Asked Questions about the State and National Registers of Historic Places in New York State

What are the State and National Registers of Historic Places? The State and National Registers are the official lists of properties significant in history, architecture, engineering, landscape design, archeology, and culture. Properties may be significant in local, state and/or national contexts. More than 120,000 properties in New York have received this prestigious recognition.

What qualifies a property for listing on the registers? The registers recognize all aspects of New York's diverse history and culture. Eligible properties must represent a significant historic theme (e.g., architecture, agriculture, industry, transportation) and they must be intact enough to illustrate their association with that theme. Properties must usually be more than 50 years of age to be considered for listing.

What are the benefits of being listed on the registers? The State and National Registers are a recognized and visible component of public and private planning. The registers promote heritage tourism, economic development and appreciation of historic resources. Benefits include:

- Official recognition that a property is significant to the nation, the state, or the local community.
- Eligibility to apply for the state homeowner tax credit and/or the state and federal commercial historic rehabilitation tax credits.
- Eligibility (not-for-profit organizations and municipalities only) to apply for New York State historic preservation grants. Other grants, also requiring listing, may be available through other public and private sources.
- Properties that meet the criteria for registers listing receive a measure of protection from state and federal undertakings regardless of their listing status. State and federal agencies must consult with the SHPO to avoid, minimize, or mitigate adverse effects to listed or eligible properties.

Will State and National Registers listing restrict the use of a property? If you are not using *federal or state funds* to complete your project (e.g. a grant or tax credit, CD funds, a Main Street Grant) and you do not require a *state or federal permit* to undertake it (e.g. DEC permit), you are free to remodel, alter, paint, manage, subdivide, sell, or even demolish a National or State Register listed property (as long as you comply with local zoning). If state or federal funds are used or if a state or federal permit is required, proposed alterations may be reviewed by SHPO staff if the property is either listed or determined eligible for listing.

What kinds of properties can be included in the registers? Buildings and structures such as residences, churches, commercial buildings and bridges; sites such as cemeteries, landscapes and archaeological sites; districts, including groups of buildings, structures or sites that are significant as a whole, such as farmsteads, residential neighborhoods, industrial complexes and cultural landscapes; and objects, such as fountains and monuments.

What is a historic district? A historic district is a group of buildings, structures, and sites that are significant for their historical and physical relationships to each other. Properties in districts are not usually significant individually but gain meaning from their proximity and association with each other. A district may include any number of properties.

What is the process for listing a property on the registers? To begin, an application must be submitted to the State Historic Preservation Office (SHPO) for evaluation. If the property is determined eligible for listing, the nomination sponsor is responsible for providing documentation that describes the property's setting and physical characteristics, documents its history, conveys its significance in terms of its historic context, and demonstrates how it meets the

register criteria. The New York State Board for Historic Preservation reviews completed nominations. If the board recommends the nomination, the New York State Historic Preservation Officer (Commissioner of the Office of Parks, Recreation and Historic Preservation) lists the property on the State Register and forwards it to the National Park Service for review and listing on the National Register.

Can an owner object to having his or her property listed on the registers? Yes. Private property owners may object to National Register listing. If the property has *one owner*, that owner's objection will prevent the listing. If the property has *multiple* owners, the *majority* of the owners must object in order to prevent listing. For properties with multiple owners, such as districts, objections only count toward the listing of the district as a whole. No one owner can exempt himself or herself from listing in a district by means of an objection. Although the State Register does not recognize owner objections, it is the policy of the SHPO to avoid listings with significant objections and to work with nomination sponsors and communities to provide information and education about the registers program.

How long does it take to get a property listed? The length of time required for the preparation and review of an individual nomination is typically six to twelve months, depending on the quality of the application and staff workloads. Historic districts generally require at least a year to account for their greater complexity and the additional need for public comment.

How do the State and National Registers differ from local landmark designation? State and National Registers listing should not be confused with local landmark designation. Many communities have enacted local landmark ordinances that establish commissions with the authority to review proposed work on locally designated properties. These commissions are established and operated independently from the State and National Registers, which do not regulate the actions of private property owners unless state or federal funds are used or a state or federal permit is required. National Register listing does not automatically lead to local landmark designation, and local districts often differ from those listed on the registers.

Must owners of listed buildings open their buildings to the public? No. There is absolutely no requirement to open register-listed properties to the public.

Will a property owner be able to leave his property to his children or anyone else he/she wishes? Yes. Listing on the registers in no way affects the transfer of property from one owner to another.

Will listing on the State and National Registers, either individually or in a historic district, affect local property taxes or zoning? No. Listing has no direct bearing on any of these local actions.

How can an owner get a State and National Registers plaque to display on his or her building? Although the SHPO does not provide plaques, a list of manufacturers is available upon request.

How does listing protect a building and its surroundings? The registers are a valuable tool in the planning of publicly funded, licensed or permitted projects. Government agencies are responsible for avoiding or reducing the effects of projects on properties that are eligible for or listed on the registers. Listing raises awareness of the significance of properties, helping to ensure that preservation issues are considered early and effectively in the planning process.

Where can I find out more about the State and National Registers? Contact the Division for Historic Preservation at (518) 237-8643, visit our website at www.nysparks.state.ny.us/shpo/register/index.htm or see the National Park Service website at www.nps.gov/history/nr/.

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National and State Registers Criteria for Evaluation

The following criteria are used to evaluate properties (other than areas of the National Park Service and National Historic Landmarks) for listing on the National and State Registers of Historic Places.

The quality of significance in American history, architecture, archeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association and

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or
- D. that have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the State and National Registers. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building when accurately executed in a suitable environment and presented as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. a property achieving significance within the past 50 years if it is of exceptional importance.

