
**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

JOINT APPLICATION FOR PERMIT

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

Prepared For:

Village of Croton-on-Hudson
1 Van Wyck Street
Croton-on-Hudson, NY 10520

Prepared By:



Ocean and Coastal Consultants Engineering, P.C.
35 Corporate Drive
Trumbull, CT 06611

October 2011

OCC Project #210082

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Ocean and Coastal
Consultants Engineering, P.C.
35 Corporate Drive
Ste 1200
Trumbull, CT 06611
Tel 203 268 5007
Fax 203 268 8821
www.ocean-coastal.com

VIA FEDEX 2-DAY

(845)256-3054

New York State
Department of Environmental Conservation
Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1696

Attention: Regional Permit Administrator

Reference: Croton Yacht Club - Bulkhead Replacement
Croton-on-Hudson, New York
Joint Application for Permit

To Whom It May Concern:

Ocean and Coastal Consultants Engineering P.C. (OCCE), on behalf of the Village of Croton-on-Hudson, is pleased to submit the enclosed Joint Application for Permit to oversheet the existing steel sheet pile bulkhead at the Croton Yacht Club, located along the east bank of the Hudson River, in the Village of Croton-on-Hudson, Westchester County, New York.

Enclosed please find three (3) copies of the Application Package which includes the following:

- Joint Application for Permit
- Location Map
- Application Drawings
- Site Photographs
- SEQR- Short Environmental Assessment Form
- Permission to Inspect Property Supplement
- ACOE Environmental Questionnaire
- Federal Consistency Assessment Form with Coastal Policy Assessment
- Village of Croton-on-Hudson Coastal Assessment Form
- List of Adjacent Property Owners

One copy of the Application Package has been forwarded to each of the following: the New York District Corps of Engineers; the New York State Department of State, Consistency Review Unit; and the Village of Croton-on-Hudson Engineering Department, to help expedite your review.

Please feel free to contact the undersigned if you have any questions regarding this submittal.

Date

October 3, 2011

Your ref.

Joint Application for Permit

Our ref.

Project No. 210082

Very truly yours,

OCEAİ Aİ D COASTAL COİ SULTAİ TS, İİ C.

Azure Dee Sleicher, P.E.
Project Manager

Encl: As Stated

Copy: Marco J. Gennarelli, Village of Croton-on-Hudson
New York District Corps of Engineers, Western Permits Section
New York State Department of State – Division of Coastal Resources
Village of Croton-on-Hudson, Engineering Department



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VIA FEDEX 2-DAY

(518) 474-6000

New York State Department of State
Division of Coastal Resources
99 Washington Ave, Suite 1010
Albany, NY 12231-00001

Attention: Consistency Review Unit

Reference: Croton Yacht Club - Bulkhead Replacement
Croton-on-Hudson, New York
Joint Application for Permit

To Whom It May Concern:

Ocean and Coastal Consultants Engineering P.C. (OCCE), on behalf of the Village of Croton-on-Hudson, is pleased to submit the enclosed Joint Application for Permit to oversheet the existing steel sheet pile bulkhead at the Croton Yacht Club, located along the east bank of the Hudson River, in the Village of Croton-on-Hudson, Westchester County, New York.

Enclosed please one (1) copy of the Application Package which includes the following:

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- Location Map
- Application Drawings
- Site Photographs
- SEQR- Short Environmental Assessment Form
- Permission to Inspect Property Supplement
- ACOE Environmental Questionnaire
- Federal Consistency Assessment Form with Coastal Policy Assessment
- Village of Croton-on-Hudson Coastal Assessment Form
- List of Adjacent Property Owners

Concurrent with this submittal, applications have been submitted to the NYS Department of Environmental Conservation and the United States Army Corps of Engineers New York District. A copy of this application has also been sent to the Village-of-Croton on Hudson, Engineering Department, in order to facilitate the review of the Village's Coastal Assessment Form.

Please feel free to contact the undersigned if you have any questions regarding this submittal.

Date

October 3, 2011

Your ref.

Joint Application for Permit

Our ref.

Project No. 210082

Very truly yours,

OCEAİ Aİ D COASTAL COİ SULTAİ TS, İİ C.

Azure Dee Sleicher, P.E.
Project Manager

Encl: As Stated

Copy: Marco J. Gennarelli, Village of Croton-on-Hudson
New York District Corps of Engineers, Western Permits Section
New York State Department of Environmental Conservation - Region 3
Village of Croton-on-Hudson, Engineering Department



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VIA FEDEX 2-DAY

(917) 790-8411

Department of the Army – Regulatory Branch
New York District, Corps of Engineers
Jacob Javits Federal Building
26 Federal Plaza – Room 1937
New York, New York 10278-0090

Attention: Regulatory Branch - Western Permits

Reference: Croton Yacht Club - Bulkhead Replacement
Croton-on-Hudson, New York
Joint Application for Permit

To Whom It May Concern:

Ocean and Coastal Consultants Engineering P.C. (OCCE), on behalf of the Village of Croton-on-Hudson, is pleased to submit the enclosed Joint Application for Permit to oversheet the existing steel sheet pile bulkhead at the Croton Yacht Club, located along the east bank of the Hudson River, in the Village of Croton-on-Hudson, Westchester County, New York.

Enclosed please one (1) copy of the Application Package which includes the following:

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- Location Map
- Application Drawings
- Site Photographs
- SEQR- Short Environmental Assessment Form
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- ACOE Environmental Questionnaire
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- Village of Croton-on-Hudson Coastal Assessment Form
- List of Adjacent Property Owners

Concurrent with this submittal, applications have been submitted to the NYS Department of Environmental Conservation and the NYS Department of State, Consistency Review Unit. A copy of this application has also been sent to the Village-of-Croton on Hudson, Engineering Department, in order to facilitate the review of the Village's Coastal Assessment Form.

Please feel free to contact the undersigned if you have any questions regarding this submittal.

Date

October 3, 2011

Your ref.

Joint Application for Permit

Our ref.

Project No. 210082

Very truly yours,

OCEAİ Aİ D COASTAL COİ SULTAİ TS, İİ C.

Azure Dee Sleicher, P.E.
Project Manager

Encl: As Stated

Copy: Marco J. Gennarelli, Village of Croton-on-Hudson
New York District Corps of Engineers, Western Permits Section
New York State Department of Environmental Conservation - Region 3
Village of Croton-on-Hudson, Engineering Department



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VIA FEDEX 2-DAY

Village of Croton-on-Hudson
Engineering Department
Stanley H. Kellerhouse Municipal Building
1 Van Wyck Street
Croton-on-Hudson, New York 10520

Attention: Ronnie Rose

Reference: Croton Yacht Club - Bulkhead Replacement
Croton-on-Hudson, New York
Joint Application for Permit
Local Waterfront Revitalization Program

Dear Ms Rose:

Ocean and Coastal Consultants Engineering P.C. (OCCE), on behalf of the Village of Croton-on-Hudson, has submitted the enclosed Joint Application for Permit to oversheet the existing steel sheet pile bulkhead at the Croton Yacht Club, located along the east bank of the Hudson River, in the Village of Croton-on-Hudson, Westchester County, New York.

As required by the New York State Department of State, we are providing you with a copy of the Application Package which includes a consistency assessment for compliance with the Village of Croton-on-Hudson Local Waterfront Revitalization Program.

Enclosed please one (1) copy of the Application Package which includes the following:

- Joint Application for Permit
- Location Map
- Application Drawings
- Site Photographs
- SEQR- Short Environmental Assessment Form
- Permission to Inspect Property Supplement
- ACOE Environmental Questionnaire
- Federal Consistency Assessment Form with Coastal Policy Assessment
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- List of Adjacent Property Owners

Concurrent with this submittal, applications have been submitted to the NYS Department of Environmental Conservation and the NYS Department of State, Con-

Date

October 3, 2011

Your ref.

Joint Application for Permit
LWRP

Our ref.

Project No. 210082

sistency Review Unit, and the United States Army Corps of Engineers, New York District.

Please feel free to contact the undersigned if you have any questions regarding this submittal.

Very truly yours,

OCEA I A I D COASTAL CO I SULTA I TS, I I C.

Azure Dee Sleicher, P.E.
Project Manager

Encl: As Stated

Copy: Marco J. Gennarelli, Village of Croton-on-Hudson
New York District Corps of Engineers, Western Permits Section
New York State Department of Environmental Conservation - Region 3
New York District Corps of Engineers, Western Permits Section

ATTACHMENT 1

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

JOINT APPLICATION FORM

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**



JOINT APPLICATION FORM

For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water supply.



**New York
State**

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

**US Army Corps of
Engineers (USACE)**

APPLICATIONS TO		2. US Army Corps of Engineers	3. NYS Office of General Services	4. NYS Department of State
1. NYS Department of Environmental Conservation				
Check all permits that apply:		Check all permits that apply:	Check all permits that apply:	Check if this applies:
☐ Stream Disturbance	☐ Coastal Erosion Management	☒ Section 404 Clean Water Act	☐ State Owned Lands Under Water	☒ Coastal Consistency Concurrence
☒ Excavation and Fill in Navigable Waters	☐ Wild, Scenic and Recreational Rivers	☒ Section 10 Rivers and Harbors Act	☐ Utility Easement (pipelines, conduits, cables, etc.)	
☐ Docks, Moorings or Platforms	☐ Water Supply	☒ Nationwide Permit(s) - Identify Number(s): NWP # 3	☐ Docks, Moorings or Platforms	
☐ Dams and Impoundment Structures	☐ Long Island Well	Preconstruction Notification - ☒ Y / ☐ N		
☒ 401 Water Quality Certification	☐ Aquatic Vegetation Control			
☐ Freshwater Wetlands	☐ Aquatic Insect Control			
☐ Tidal Wetlands	☐ Fish Control			
	☐ Incidental Take of Endangered/Threatened Species			
☒ I am sending this application to this agency.		☒ I am sending this application to this agency.	☐ I am sending this application to this agency.	☒ I am sending this application to this agency.

5. Name of Applicant (use full name) Village of Croton-on-Hudson Attn: Abraham Zambrano, Village Manager		Applicant must be: ☒ Owner ☐ Operator ☐ Lessee (check all that apply)
Mailing Address 1 Van Wyck Street Croton-on-Hudson		
Post Office City NY 10520	Taxpayer ID (If applicant is NOT an individual):	
State Zip Code		
Telephone (daytime) 914-271-4848	Email azambrano@crotononhudson-ny.gov	

6. Name of Facility or Property Owner (if different than Applicant) same as applicant	
Mailing Address	
Post Office City	
State	Zip Code
Telephone (daytime)	Email

7. Contact/Agent Name Azure Dee Sleicher, P.E.	
Company Name Ocean and Coastal Consultants Engineering, P.C.	
Mailing Address 35 Corporate Drive	
Post Office City Trumbull	
State CT	Zip Code 06611
Telephone (daytime) 203-268-5007	
Email azsl@ocean-coastal.com	

8. Project / Facility Name Croton Yacht Club		Property Tax Map Section / Block / Lot Number 78.01-1-3	
Project Location - Provide directions and distances to roads, bridges and bodies of waters: The Croton Yacht Club is located directly adjacent to the Hudson River, on Elliott Way, directly north of Senasqua Park.			
Street Address, if applicable		Post Office City Croton-on-Hudson	State NY
Town / Village / City Village of Croton-on-Hudson		Zip Code 10520	
County Westchester			
Name of USGS Quadrangle Map Haverstraw		Stream/Water Body Name Hudson River	
Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude			
NYTM-E	NYTM-N	Latitude 41 12 18.5 N	Longitude 73 53 37.26 W

For Agency Use Only

DEC Application Number:

USACE Number:

JOINT APPLICATION FORM - PAGE 2 OF 2
Submit this completed page as part of your Application.

9. **Project Description and Purpose:** Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

See attached project description

Proposed Use: ☒ Private ☒ Public ☐ Commercial	Proposed Start Date: TBD	Estimated Completion Date: TBD,
--	--------------------------	---------------------------------

Has Work Begun on Project? ☐ Yes ☒ No If Yes, explain.

Will Project Occupy Federal, State or Municipal Land? ☒ Yes ☐ No If Yes, please specify.

Property is leased by Croton Yacht Club but is owned by Village of Croton-on-Hudson

10. List Previous Permit / Application Numbers (if any) and Dates:

N/A

11. Will this project require additional Federal, State, or Local Permits including zoning changes? ☒ Yes ☐ No If yes, please list:

Federal: USACE NWP #3; State: NY State Consistency Certification; Local: LWRP Consistency, Building Permit

12. **Signatures.** If applicant is not the owner, both must sign the application.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the 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	Abraham Zambrano Printed Name	Village Manager Title	Date
Signature of Owner	Printed Name	Title	Date
Signature of Agent	Azure Dee Sleicher, P.E. Printed Name	Project Manager Title	Date

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

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

Agency Representative: Name (printed) _____ Title _____
Signature _____ Date _____

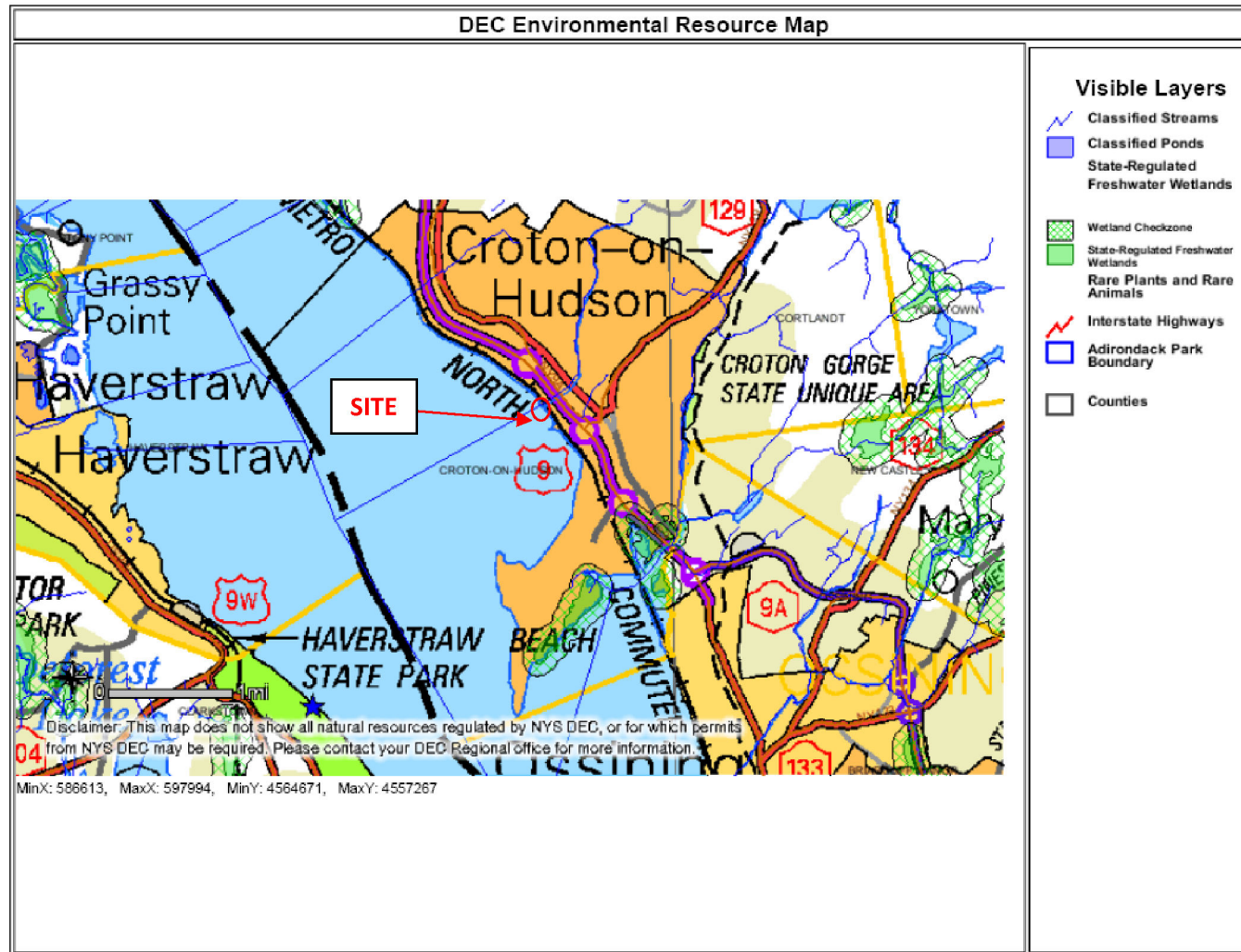
ATTACHMENT 2

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

LOCATION MAP

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**



Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

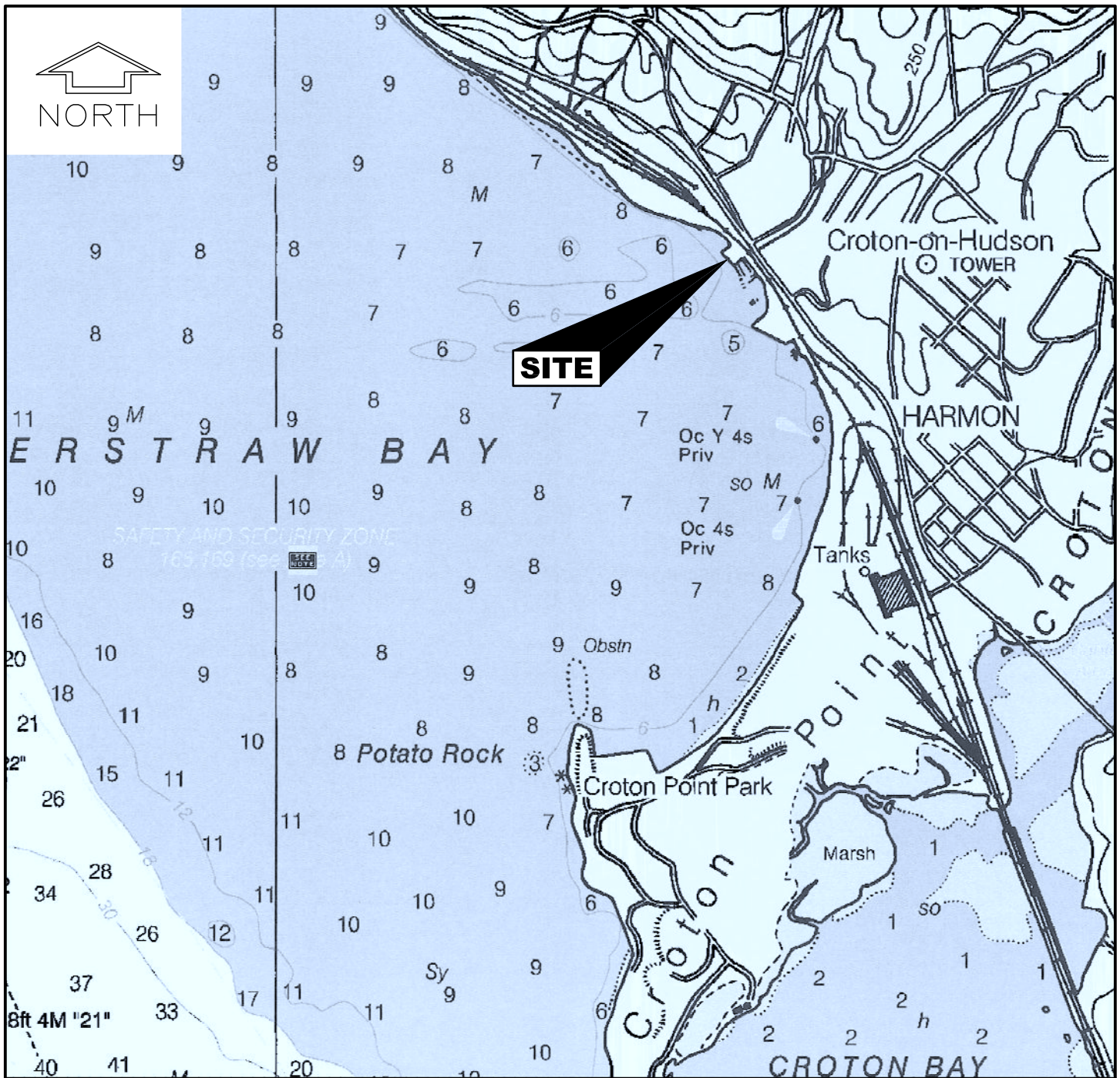
ATTACHMENT 3

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

APPLICATION DRAWINGS

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

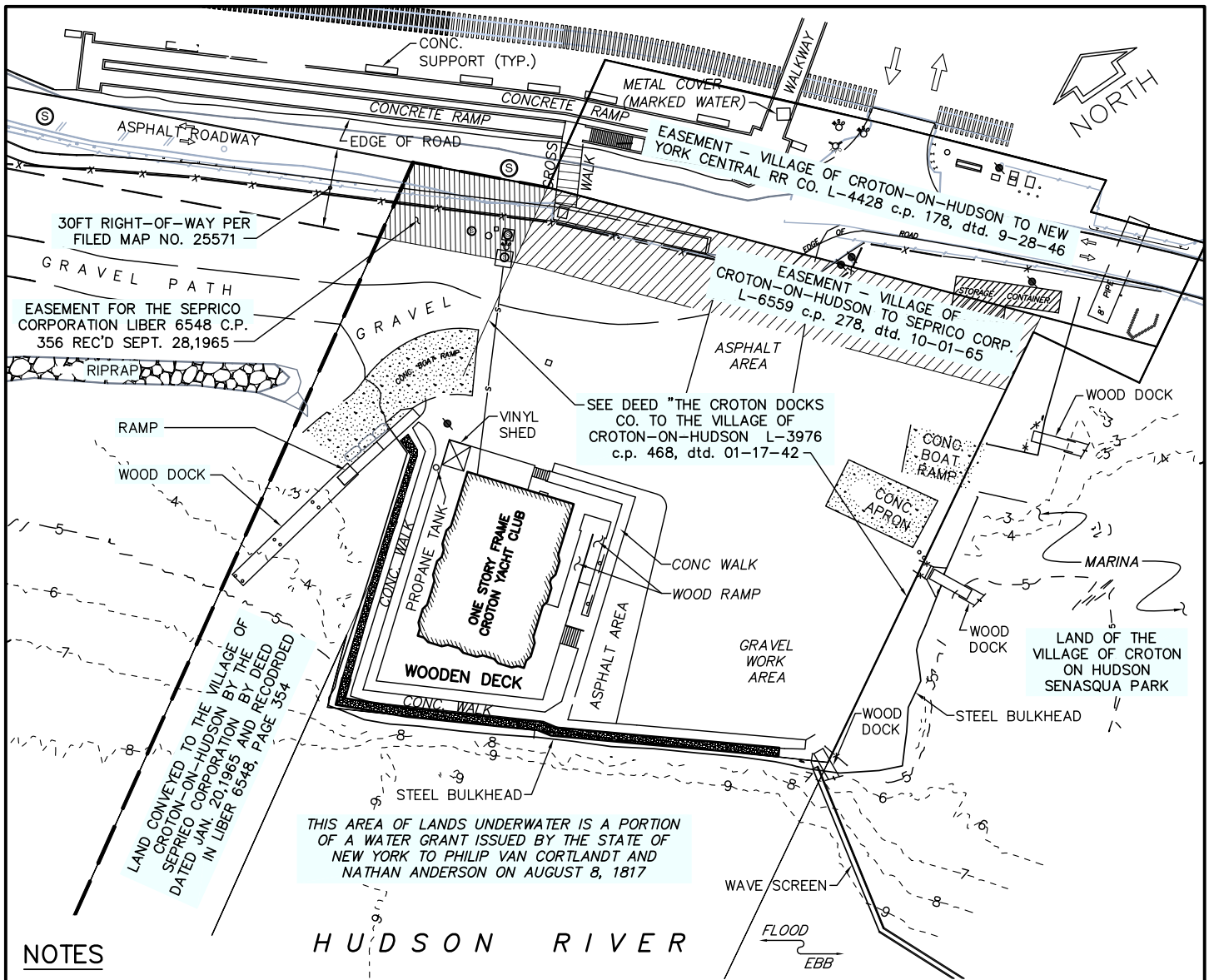
**CROTON-ON-HUDSON
NEW YORK**



VICINITY MAP

SCALE

SHEET 1 OF 8



NOTES

1. BASE PLAN TAKEN FROM DRAWING ENTITLED "TOPOGRAPHIC SURVEY OF PROPERTY SITUATED IN THE VILLAGE OF CROTON-ON-HUDSON TOWN OF CORTLANDT WESTCHESTER COUNTY NEW YORK" PREPARED BY LINK LAND SURVEYORS P.C., MAHOPAC, N.Y., DATED AUG. 8, 2005 WITH LATEST REVISION DATE OF JULY 13, 2006.
2. HYDROGRAPHIC SURVEY DATA SHOWN HEREON WAS COLLECTED BY SOUND SURVEYS, LLC ON MARCH 14, 2011 AND CAN ONLY REFLECT CONDITIONS AS THEY EXISTED AT THE TIME OF THE SURVEY.
3. ALL HYDROGRAPHIC CONTOURS ARE IN FEET, REFERENCE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD-29) AND ARE NEGATIVE UNLESS SHOWN WITH A PLUS (+).
4. ALL TOPOGRAPHIC CONTOURS ARE IN FEET, REFERENCE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD-29) AND ARE POSITIVE UNLESS SHOWN WITH A MINUS (-).
5. TIDAL INFORMATION FROM NOAA VERTICAL DATUM TRANSFORMATION (VDATUM) SOFTWARE.

	N.G.V.D.
M.H.H.W.	+3.02'
M.H.W.	+2.74'
M.S.L.	+1.09'
M.L.W.	-0.59'
M.L.L.W.	-0.76'

EXISTING SITE PLAN

0 60 120 FT.



SCALE 1"=60'-0"

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

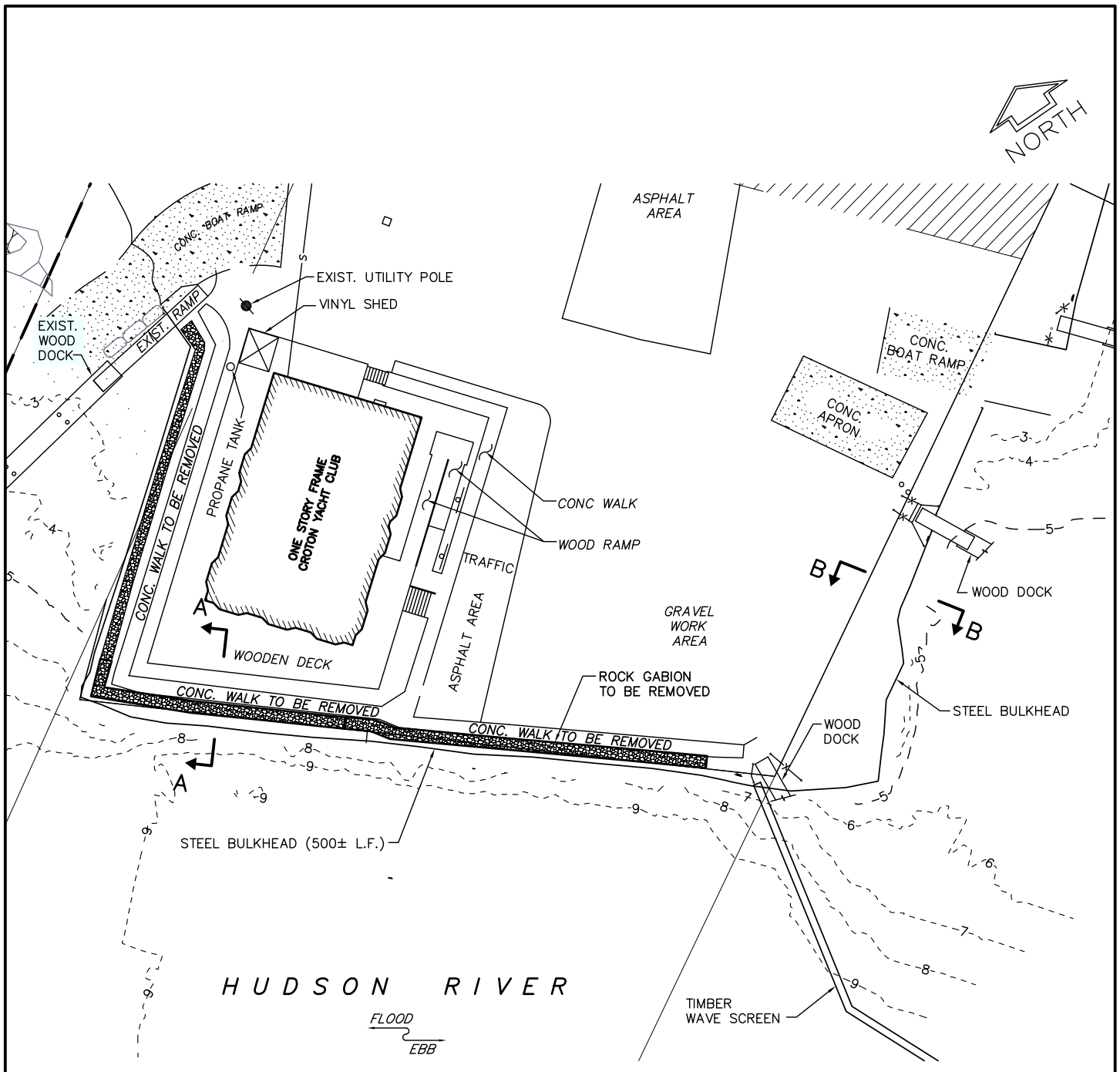
PROPOSED BULKHEAD OVERSHEETING

HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

DATE: 9/30/11

SHEET 2 OF 8



EXISTING AND DEMOLITION PLAN

0 60 120 FT.



SCALE 1"=60'-0"

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

PROPOSED BULKHEAD OVERSHEETING

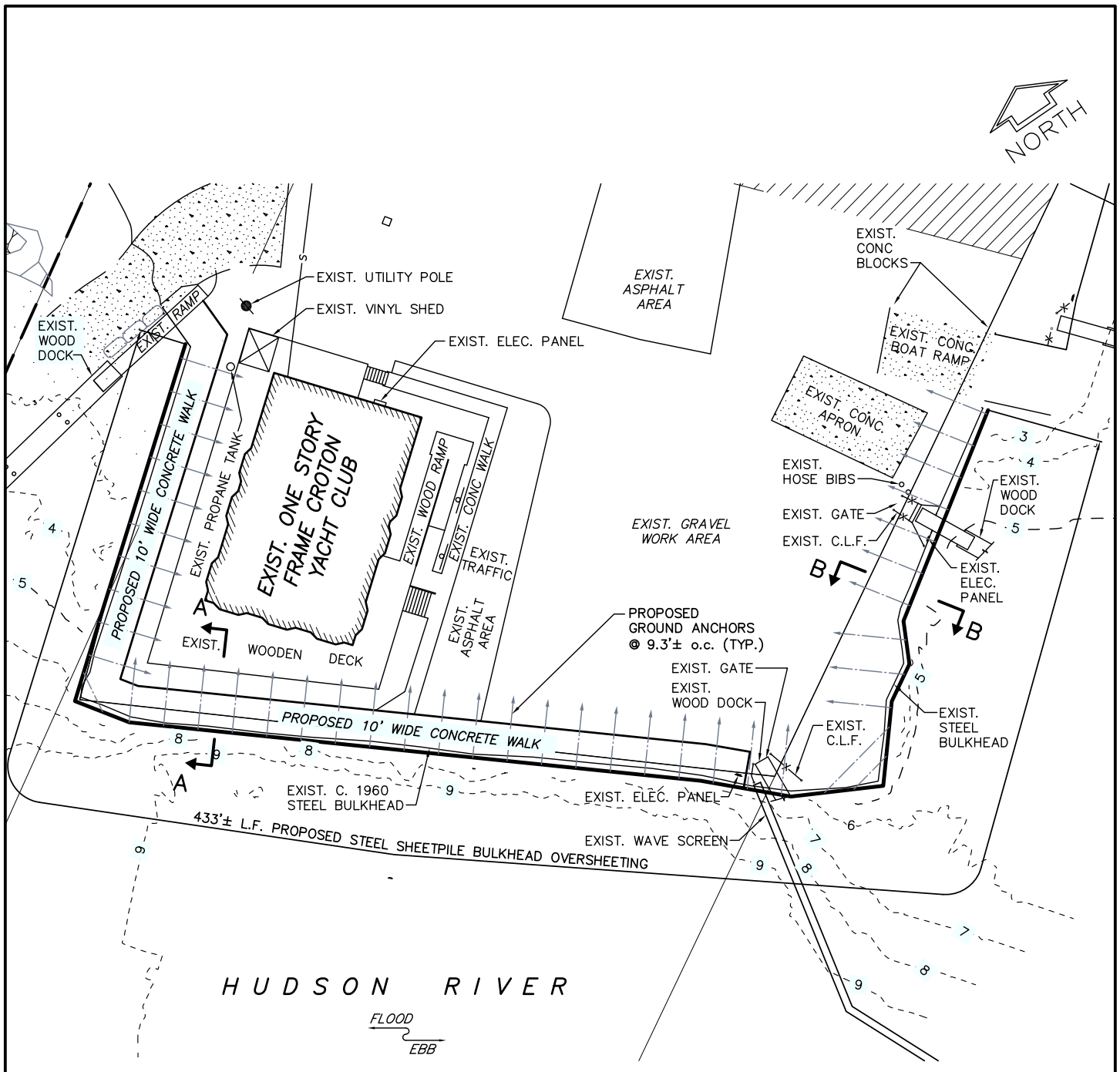
HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 9/30/11

SHEET 3 OF 8



PROPOSED SITE PLAN

0 40 80 FT.



SCALE 1"=40'-0"

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

PROPOSED BULKHEAD OVERSHEETING

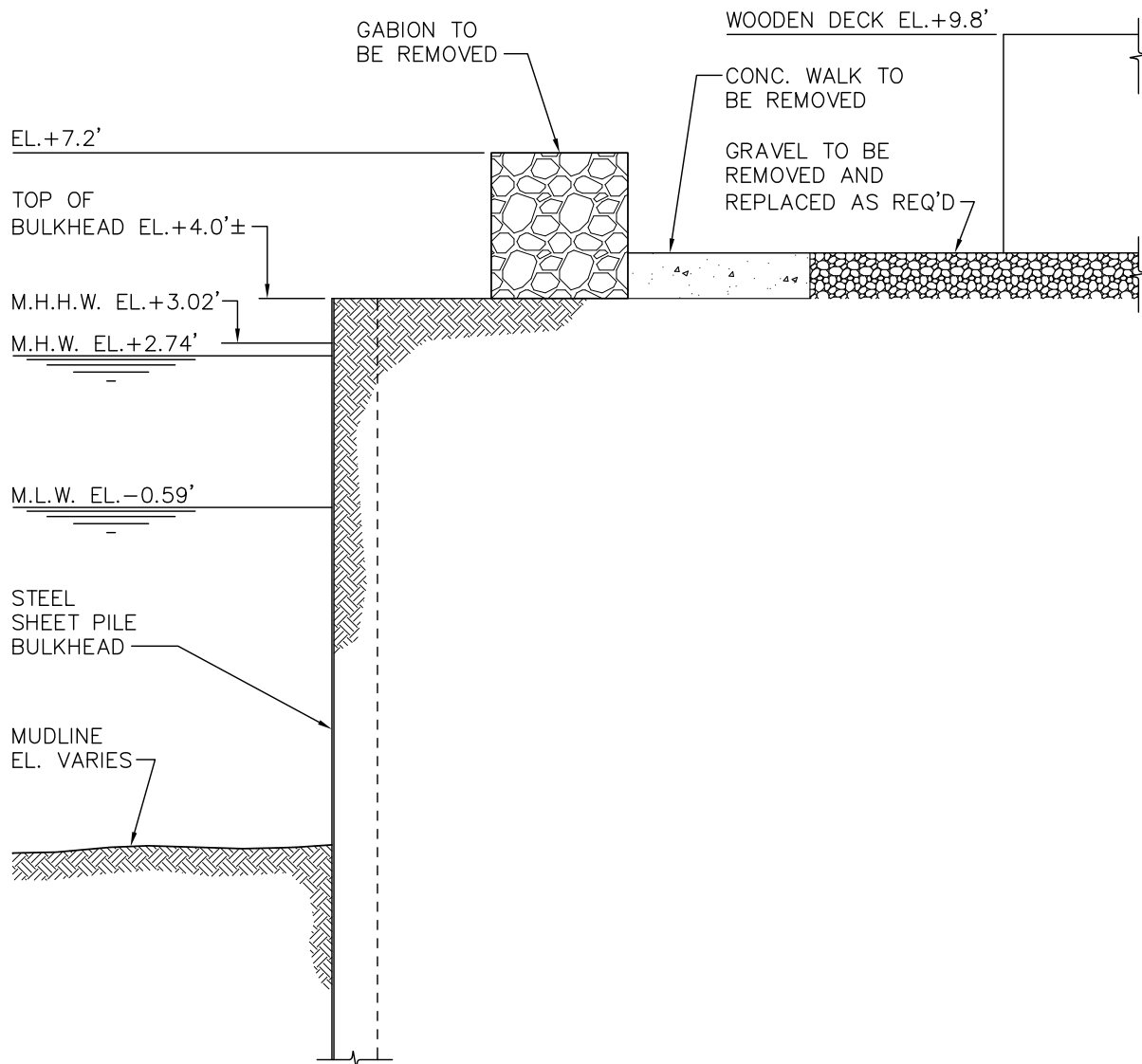
HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 9/30/11

SHEET 4 OF 8



EXISTING AND DEMOLITION SECTION A-A

0 4 8 FT.



SCALE $\frac{1}{4}"=1'-0"$

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

PROPOSED BULKHEAD OVERSHEETING

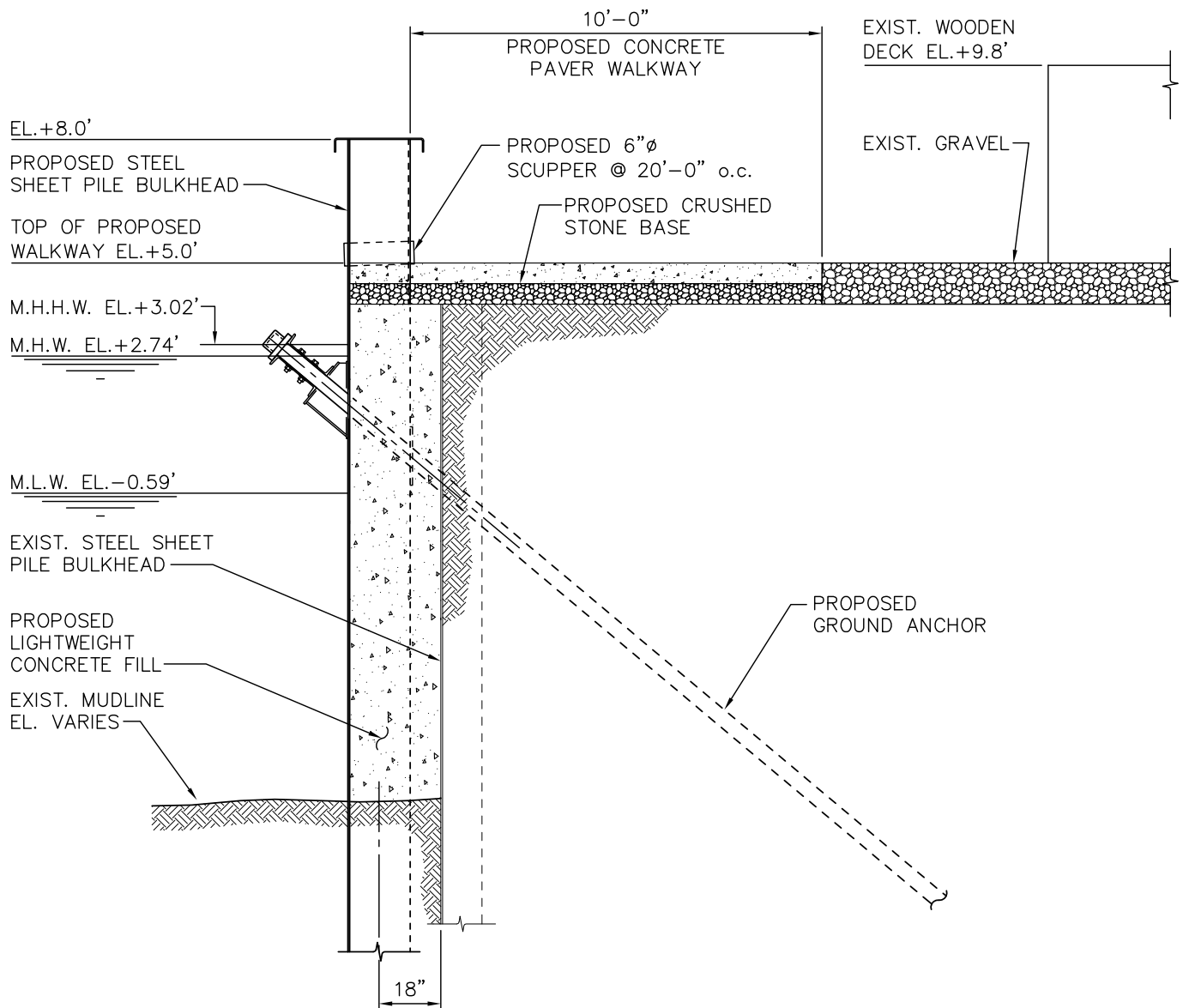
HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

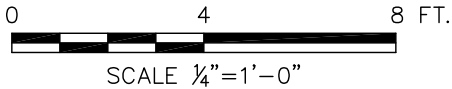
AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 9/30/11

SHEET 5 OF 8



PROPOSED SECTION A-A



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

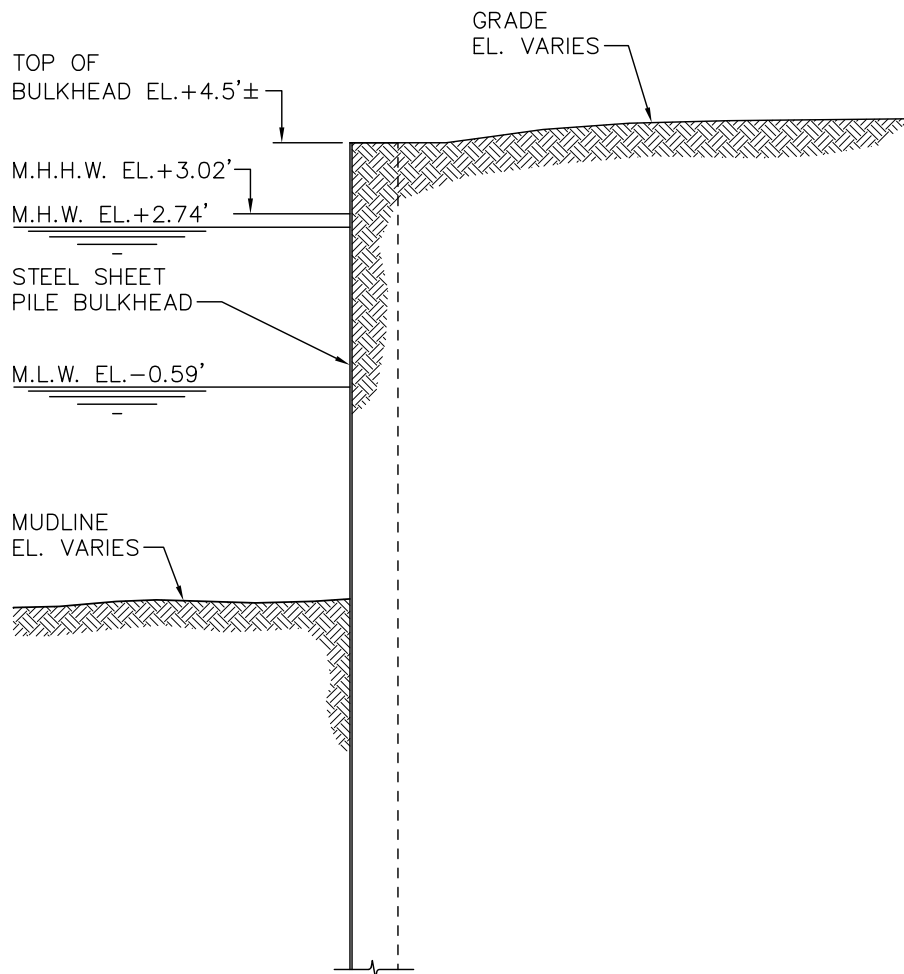
PROPOSED BULKHEAD OVERSHEETING

HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

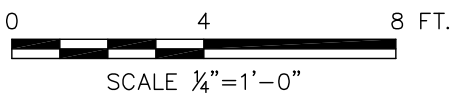
APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

DATE: 9/30/11

SHEET 6 OF 8



EXISTING SECTION B-B



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

PROPOSED BULKHEAD OVERSHEETING

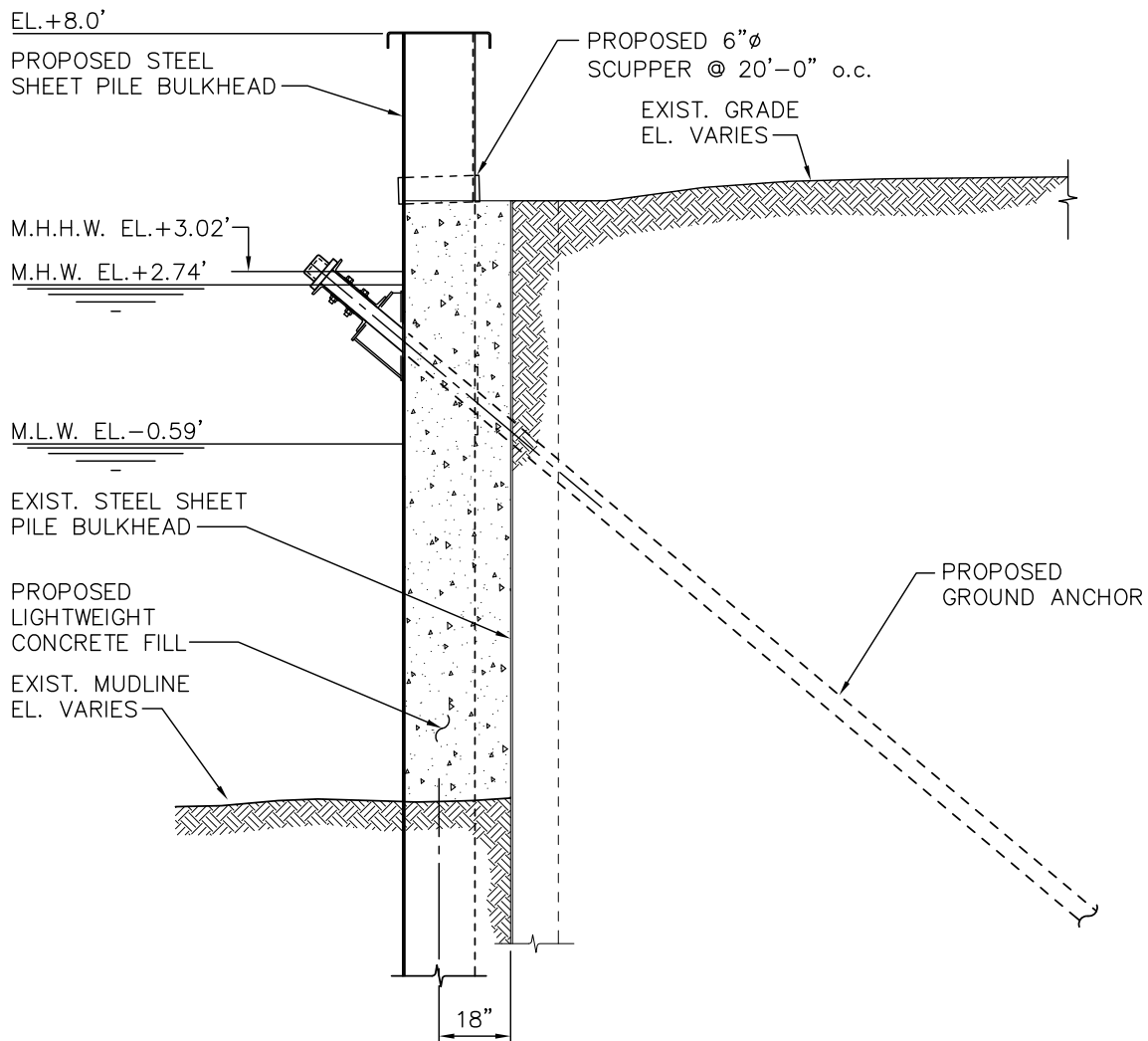
HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

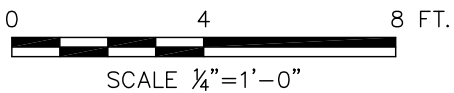
AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 9/30/11

SHEET 7 OF 8



PROPOSED SECTION B-B



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO REPLACE SHORELINE
STABILIZATION STRUCTURES

DATUM: N.G.V.D. 1929

ADJACENT PROPERTY OWNERS:
SEE ATTACHMENT

PROPOSED BULKHEAD OVERSHEETING

HUDSON RIVER
VILLAGE OF CROTON-ON-HUDSON
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: VILLAGE OF CROTON-ON-HUDSON

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 9/30/11

SHEET 8 OF 8

ATTACHMENT 4

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

SITE PHOTOGRAPHS

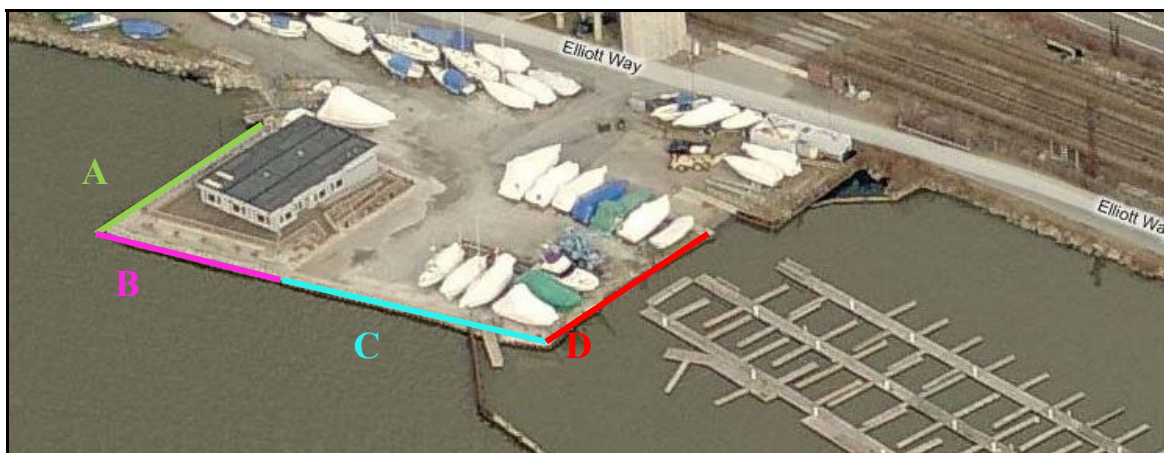
CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

SITE PHOTOGRAPHS



Photograph 1: Aerial photograph of project site.



Photograph 2: Aerial photograph identifying shoreline segments. Refer to Table 1 below.

Shoreline Segment	Linear Feet (FT)	Adjacent Upland Description
Segment A - North Building Area	101	Removable Dock, Gabion Baskets, Building
Segment B - Southwest Building Area	100	Gabion Baskets, Building
Segment C - Southwest Non-Building Area	125	Gabion Baskets, Gravel; Boat Storage
Segment D - South Non-Building Area	107	Gravel; Boat Storage
Total	433	

Table 1: Shoreline segment types.



Photograph 3: Shoreline Segment A - I orth Building Area. View looking south. March 8, 2011.



Photograph 4: Shoreline Segment B - Southwest Building Area. View looking west. March 8, 2011.



Photograph 5: Shoreline Segment C - Southwest In-Building Area. View looking east. Note timber wave screen and marina docks in background. March 8, 2011.



Photograph 6: Shoreline Segment D - South In-Building Area. View looking northeast. March 8, 2011.



Photograph 7: Typical deteriorated condition of bulkhead. March 8, 2011.

ATTACHMENT 5

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

SHORT ENVIRONMENTAL ASSESSMENT FORM

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

Appendix C**State Environmental Quality Review****SHORT ENVIRONMENTAL ASSESSMENT FORM****For UNLISTED ACTIONS Only****PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Village of Croton-on-Hudson, Attn: Abraham Zambrano	2. PROJECT NAME Croton Yacht Club - Bulkhead Replacement
3. PROJECT LOCATION: Municipality <u>Village of Croton-on-Hudson</u> County <u>Westchester</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Croton Yacht Club, located on Elliott Way, directly north of Senasqua Park	
5. PROPOSED ACTION IS: ☐ New ☐ Expansion ☒ Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Oversheeting of approximately 433 linear feet of existing steel sheet pile bulkhead with new steel sheet pile bulkhead with ground anchors. The new bulkhead will be installed within 18 inches of the existing bulkhead, to the extent possible (due to driving tolerances and existing conditions in which the existing bulkhead is not straight or plumb).	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.1</u> acres Ultimately <u>1.1</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? ☒ Yes ☐ No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? ☐ Residential ☐ Industrial ☒ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other Describe: Yacht club/marina. Land is in WC (Waterfront Commercial) district, leased by Croton Yacht Club, owned by Village of Croton-on-Hudson.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? ☒ Yes ☐ No If Yes, list agency(s) name and permit/approvals: USACE NWP#3; NYSDEC Permit; NYSDOS Consistency Cert.; Local Coastal Consistency & Building Permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? ☐ Yes ☒ No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? ☐ Yes ☒ No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Abraham Zambrano, Village Manager</u> Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? ☐ Yes ☐ No	If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. ☐ Yes ☐ No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? ☐ Yes ☐ No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? ☐ Yes ☐ No If Yes, explain briefly:	

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.	
_____ Name of Lead Agency	_____ Date
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)

Reset

ATTACHMENT 6

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

PERMISSION TO INSPECT PROPERTY SUPPLEMENT

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**



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):

Croton Yacht Club, Eliott Way, Croton-on-Hudson, NY 10520

*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.**

Abraham Zambrano,
Village Manager

Print Name and Title

Signature

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.

ATTACHMENT 7

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

ACOE ENVIRONMENTAL QUESTIONNAIRE

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

EI VIROI MEI TAL QUESTIOI I AIRE

This is intended to supplement EIG Form 4345, Application for Department of the Army Permit, or the Joint Application for Permit used in the State of New York. Please provide complete answers to all questions below which are relevant to your project. Any answers may be continued on separate sheet(s) of paper to be attached to this form.

PRIVACY ACT STATEMENT

The purpose of this form is to provide the Corps of Engineers with basic information regarding your project. This information will be used to facilitate evaluation of your permit application and for public dissemination as required by regulation. Failure to provide complete information may result in your application being declared incomplete for processing, thereby delaying processing of your application.

GENERAL- APPLICABLE TO ALL PROJECTS

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

This application proposes the bulkhead overshooting of a deteriorated steel sheet pile bulkhead located at the Croton Yacht Club, on the property of the Village of Croton-on-Hudson. The structures provide erosion protection to the site and facilitate water dependant activities.

2. Provide the names and addresses of property owners adjacent to your work site (if not shown on the application form or project drawings).

See Attachment 11.

(Please note that depending upon the nature and extent of your project, you may be requested to provide the names and addresses of additional property owners proximate to your project site to ensure proper coordination.)

3. Photographs of the project site should be submitted. For projects in tidal areas, photographs of the waterway vicinity should be taken at low tide. Using a separate copy of your plan view, indicate the location and direction of each photograph as well as the date and time at which the photograph was taken. Provide a sufficient number of photographs so as to provide a clear understanding of conditions on and proximate to your project site.

See attached Site Photographs (Attachment 4) and Application Drawings (Attachment 3).

4. Provide a copy of any environmental impact statement, or any other environmental report which was prepared for your project.

A copy of the SEQR short environmental assessment form is attached to this permit application (Attachment 5).

5. Provide a thorough discussion of alternatives to your proposal. This discussion should include, but not necessarily be limited to, the "no action" alternative and alternative(s)

resulting in less disturbance to waters of the United States. For filling projects in waters of the United States, including wetlands, your alternatives discussion should demonstrate that there are no practicable alternatives to your proposed filling and that your project meets with current mitigation policy (i.e. avoidance, minimization and compensation).

Alternatives that were considered are as follows:

Do-nothing

This approach is not recommended due to the deteriorated state of the existing bulkhead. Continued corrosion and loss of fill may compromise the yacht club building and cause loss of property in addition to environmental harm that would occur as a result of structure collapse and deposition of upland fill into the Hudson River.

Temporary repairs

Repairs to the existing structure are not appropriate since the structure is so badly deteriorated.

In-kind, in-place replacement

In-kind, in-place replacement of the bulkhead is also not practicable. The existing sheet piles are in a critical deteriorated state. The force required to remove the deeply driven sheets would cause them to break, leaving obstructions that would not allow the driving of new piles in the same location. Also, the temporary removal of the existing bulkhead would leave the upland soil unsupported and would cause it to be subject to erosion, potentially causing loss of land.

Installing a new bulkhead landward of the existing bulkhead

The proximity of the yacht club building, as well as the presence of the existing tie-back system behind the existing bulkhead would not allow sheets to be driven landward of the existing bulkhead.

Stone Revetment

A stone revetment was ruled out as a possibility due to the usage of the upland area adjacent to the shoreline, regulatory concerns, and navigational limitations. Permitting such a structure would require limiting encroachment into the water area past the existing bulkhead. In order to maintain the proper slope and the encroachment limitations, the bottom of the revetment would have to be in line with the current bulkhead and the top of the revetment would fall very close to the yacht club building. This would decrease the usable land area for yacht storage, reduce or eliminate the proposed public access area, and would limit the ability to launch boats.

Bulkhead oversheeting was determined to be the most practicable repair solution due to the site constraints.

DREDGING PROJECTS

Answer the following if your project involves dredging.

1. Indicate the estimated volume of material to be dredged and the depth (below mean low water) to which dredging would occur. Would there be overdepth dredging?

Not Applicable

2. You can apply for a ten-year permit for maintenance dredging. If you wish to apply for a ten-year permit, please provide the number of additional dredging events during the ten-year life of the permit and the amount of material to be removed during future events.

Not Applicable

3. Indicate of your drawings the dewatering area (if applicable) and disposal site for the dredged material (except landfill sites). Submit a sufficient number of photographs of the dewatering and disposal sites as applicable so as to provide a clear indication of existing conditions. For ten-year maintenance dredging permits, indicate the dewatering/disposal sites for future dredging events, if known.

Not Applicable

4. Describe the method of dredging (i.e. clamshell, dragline, etc.) and the expected duration of dredging.

Not Applicable

5. Indicate the physical nature of the material to be dredged (i.e. sand, silt, clay, etc.) and provide estimated percentages of the various constituents if available. For beach nourishment projects, grain size analysis data is required.

Not Applicable

6. Describe the method of dredged material containment (i.e. hay bales, embankment, bulkhead, etc.) and whether return flow from the dewatering/disposal site would reenter any waterway. Also indicate if there would be any barge overflow.

Not Applicable

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, non- commercial 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).

Not Applicable

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.

Not Applicable

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.

Not Applicable

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

Not Applicable

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.

Not Applicable

BULKHEAD II G/BAI K STABILIZATION / FILL II G ACTIVITIES

Answer the following if your project includes construction of bulkheading (also retaining walls and seawalls) with backfill, filling of waters/wetlands, or any other bank stabilization fills such as riprap, revetments, gabions, etc.

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.

The total amount of backfill to be used in the project is approximately 340.5 cubic yards, with approximately 295 cubic yards of backfill below the plane of spring high tide. There will be no fill placed directly into waters of the United States as it will all be contained behind the bulkhead.

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

The fill material will consist of lightweight concrete fill between the existing and proposed steel sheet pile bulkheads.

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.

The concrete fill will be delivered to the site by a ready mix concrete truck and placed by chute in a flowable condition, directly into the cavity to be filled, or into a pump for final placement. The concrete will fill the void between the existing and proposed steel sheet pile bulkheads, from the mudline up to the existing grade elevation.

No temporary fills will be required in waterways or wetlands. The fill will be placed directly into its final location.

The foregoing requests basic information on the most common types of projects requiring Department of the Army permits. It is intended to obviate or reduce the need for requesting additional information; however, additional information may be requested above and beyond what is requested in this form.

Please feel free to add any additional information regarding your project which you believe may facilitate our review.

ATTACHMENT 8

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

FEDERAL COASTAL SYSTEMS ASSESSMENT FORM

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

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: Village of Croton-on-Hudson, Attn: Marco Gennarelli, Superintendent of Public Works
2. Address: 1 Van Wyck Street, Croton-on-Hudson, NY 10520
3. Telephone: Area Code (914) 271-3775

B. PROPOSED ACTIVITY

1. Brief description of activity:

Oversheeting approximately 433 linear feet of existing steel sheet pile bulkhead with new steel sheet pile bulkhead with ground anchors. The new bulkhead will be installed within 18 inches of existing bulkhead, to the extent possible (due to driving tolerances and existing conditions in which the existing bulkhead is not straight or plumb).

2. Purpose of activity:

Replace an existing severely deteriorated bulkhead.

3. Location of activity:

<u>Westchester</u>	<u>Croton-on-Hudson</u>	<u>Croton Yacht Club</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: Nationwide Permit No. 3
5. Federal application number, if known: N/A

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:

NYS DEC Permit & NYS DOS Coastal Consistency Certification - pending

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) | ☐ | ☒ |
| 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) | ☐ | ☒ |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | ☒ | ☐ |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | ☐ | ☒ |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | ☐ | ☒ |
| 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) | ☐ | ☒ |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | ☐ | ☒ |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | ☒ | ☐ |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | ☐ | ☒ |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | ☐ | ☒ |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | ☐ | ☒ |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | ☐ | ☒ |

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) | ☒ | ☐ |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17,) | ☒ | ☐ |
| c. State designated significant fish and/or wildlife habitat? (7) | ☒ | ☐ |
| d. State designated significant scenic resource or area? (24) | ☐ | ☒ |
| e. State designated important agricultural lands? (26) | ☐ | ☒ |
| f. Beach, dune or barrier island? (12) | ☐ | ☒ |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | ☐ | ☒ |
| h. State, county, or local park? (19, 20) | ☒ | ☐ |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | ☐ | ☒ |

3. Will the proposed activity require any of the following: YES / NO

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

4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local 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: Azure Dee Sleicher, P.E., Ocean and Coastal Consultants Engineering, P.C.

Address: 35 Corporate Drive, Trumbull CT 06611

Telephone: Area Code (203) 268-5007

Applicant/Agent's Signature: _____ Date: _____

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, 1 Commerce Plaza, 99 Washington Avenue - Suite 1010, 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 9

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

**ANALYSIS OF POTENTIALLY AFFECTED COASTAL
POLICIES**

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

NEW YORK STATE COASTAL POLICIES

DEVELOPMENT POLICIES

POLICY 1: RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL, AND OTHER COMPATIBLE USES.

The proposed project involves replacing an existing deteriorated steel sheet pile bulkhead at the Croton Yacht Club. The site is currently utilized for recreational boating access to the Hudson River. The proposed bulkhead replacement will allow for continued safe recreational use of the site, and is therefore in compliance with this policy.

POLICY 2: FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Croton Yacht Club is a yacht club and marina. The project site currently facilitates water dependant uses by providing access for boaters to the Hudson River. The proposed bulkhead replacement will protect the site and will enable continued use of the Club's facilities, consistent with this policy.

FISH AND WILDLIFE POLICIES

POLICY 7: SIGNIFYING COASTAL FISH AND WILDLIFE HABITATS WILL BE PROTECTED, PRESERVED, AND WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

According to the Village of Croton-on-Hudson Local Waterfront Revitalization Program, Haverstraw Bay is designated by both the NYSDEC and NYSDOS as a significant fish and wildlife habitat area.

Haverstraw Bay regularly comprises a substantial part of the nursery area for striped bass, tomcod, and Atlantic sturgeon that are produced in the Hudson. Other anadromous species, such as American shad, blueback herring, and alewife, spawn in upstream freshwater areas, but move south and feed in this area before returning to the River in the fall. Haverstraw Bay is also an important nursery and feeding area within the Hudson for certain marine species, most notably bay anchovy, Atlantic menhaden, bluefish, weakfish, and blue claw crab. Depending on location of the salt front, a majority of the spawning and juvenile Atlantic sturgeon wintering in the Hudson may reside in Haverstraw Bay. A portion of the shortnose sturgeon population, a Federal endangered species, also winters in this area.

Because the nature of the proposed activities is limited to driving steel sheet pile directly adjacent to an existing steel sheet pile bulkhead, any disturbances from such activities will be temporary and localized, and are not expected to have a significant effect upon essential fish habitat. These organisms have experienced regular disturbances in the Haverstraw Bay from

such activities as dredging and boating, and it is presumed that their migratory and feeding patterns have adapted to such activities.

The proposed activity will not substantially degrade water quality, increase turbidity or sedimentation, or alter water salinities or temperatures in Haverstraw Bay, and therefore are not expected to result in a significant impairment of habitat. Although the project does involve bulkhead oversheeting and placing approximately 295 cubic yards of fill below the Spring High Tide Line, the fill will not be placed directly into the habitat area as it will be contained behind the bulkhead. The new bulkhead will be driven within 18 inches of the existing bulkhead and therefore will not result in a significant loss of habitat. Although impacts from the proposed activities are expected to be temporary and localized, the applicant will comply with any State or Federally issued time restrictions on the proposed work, if deemed necessary.

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11: BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERMENT OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

There are no new structures proposed, only the replacement of existing erosion control structures. This bulkhead replacement will provide structural stability to inland areas and structures, as well as provide continued erosion control to 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.

The proposed project will have no adverse impacts to natural resources and/or property. The plan to oversheet the existing bulkhead will not cause adverse impacts to the site. The site is currently bordered on three sides by a steel sheet pile bulkhead, and no natural protective features such as beaches, dunes, or bluffs exist at the site. The proposed work will maintain the current nature of the shoreline by replacing the existing bulkhead which is severely deteriorated, thereby preventing future erosion that could occur if the bulkhead were allowed to deteriorate further. In addition, the top of new bulkhead elevation will be 3 feet above existing and proposed grade elevation. The increased elevation of the top of the bulkhead will afford some additional protection from flooding to the upland property. The above-grade portion of the bulkhead will have scuppers at 20 feet on-center, in order to allow drainage of surface water from the upland to the Hudson River, as it currently exists.

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 bulkhead is estimated to have been constructed in the late 1950's but is at the end of its service life. The steel sheet pile bulkhead overshooting will provide a minimum of 30 years of protection. While the standard steel sheet pile bulkhead has a design life of approximately 30 years, routine maintenance can prolong the design life. Newer technology such as protective coatings and cathodic protection can help maintain a bulkhead in good condition for a longer period of time. The applicant is considering the installation of an impressed current cathodic protection (ICCP) system on the bulkhead, and intends to perform routine inspections and maintenance such as protective coating repair, in order to maximize the bulkhead's service life. With the ICCP system and protective coating in place and properly maintained, the anticipated design life of the bulkhead is 50 years.

POLICY14: 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.

All proposed structures are to be built equal to, if not better than, the erosion control structures in place at the site now. The proposed structures will have no measurable increase in erosion or flooding at the site. The proposed replacement structures will not increase erosion or flooding off site.

POLICY 15: MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN IN A MANNER WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

The proposed work will not involve any mining, excavation, or dredging in coastal waters. The proposed work involves overshooting of an existing steel sheet pile bulkhead. Therefore, the current nature of the shoreline will be maintained and the proposed work will not significantly interfere with natural coastal processes or cause an increase in erosion for adjacent lands.

POLICY 16: PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE, AND FEW 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

II. CREATING EROSION AND ADVERSE EFFECTS OF NATURAL PROTECTIVE FEATURES.

The project site is owned by the Village of Croton-on-Hudson, and therefore the proposed project will be undertaken using public funds. The use of public funds for this project is compliant with this policy because it involves the replacement of an existing erosion protection structure at an existing development. The existing site is currently leased by and used by the Croton Yacht Club, which facilitates water dependent use by members of the community. The proposed repair will allow for continued water dependent use of the site. In addition, the proposed project includes a 10 foot wide walkway which is intended for public access along the Hudson River waterfront.

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 SET BACK OF BUILDINGS AND STRUCTURES; (2) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FILLING AND DRAINAGE; (3) THE RESHAPING OF BLUFFS; AND (4) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

It is estimated that the existing structures have been in place since the late 1950's. Due to the age and location of the existing structures, non-structural measures to protect the property from flooding and erosion are not feasible. Future improvements to the property may include non-structural measures such as elevating and flood proofing new buildings.

PUBLIC ACCESS POLICIES

POLICY 19: PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES.

The proposed project will protect and maintain the existing publicly owned property and its use as a yacht club and marina. While the yacht club is private, many members of the local community are members and utilize the club's facilities for recreation.

POLICY 20: ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED AND IT SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES.

The proposed project includes a 10 foot wide walkway immediately adjacent to the water's edge, which is intended for public access along the Hudson River waterfront. This proposed walkway will replace an existing, narrower walkway, and will be entirely compatible with existing adjoining uses of the property, such as boating, by yacht club members.

RECREATION

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

The proposed project will encourage water-dependent and water-enhanced recreation by maintaining the existing water-dependent use of the property as a yacht club and marina.

POLICY 22: DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, WHENEVER SUCH USE IS COMPATIBLE WITH REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES, AND IS COMPATIBLE WITH THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Croton Yacht Club is a yacht club and marina. The proposed structures are intended to provide continued protection the property and to provide access to the Hudson River so that water-related recreation is allowed to continue.

WATER AND AIR RESOURCES POLICIES

POLICY 30: MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

No discharge of pollutants into coastal waters is anticipated to result from the proposed activity. The proposed work involves driving steel sheet pile 18 inches outboard of the existing steel sheet pile bulkhead, and filling the void between the existing and new steel sheet pile bulkhead with lightweight concrete fill. The fill will be isolated from coastal waters since it will be contained behind the new steel sheet pile bulkhead. Therefore the proposed work is in compliance with this policy.

POLICY 35: DREDGING AND FILLING OF COASTAL WATERS AND DISPOSAL OF DREDGED MATERIAL WILL BE UNDERTAKEN IF A MAJOR PROJECT THAT MEETS EXISTING STATE PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCIENTIFIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

The proposed work involves backfilling with lightweight concrete fill between the existing and proposed steel sheet pile bulkheads. The total amount of backfill to be used in the project is approximately 340.5 cubic yards, with approximately 295 cubic yards of backfill below the plane of spring high tide. The concrete fill will be delivered to the site by a ready mix concrete truck and placed by chute in a flowable condition, directly into the cavity to be filled, or into a pump for final

placement. The concrete will fill the void between the existing and proposed steel sheet pile bulkheads, from the mudline up to the existing grade elevation. There will be no fill placed directly into coastal waters, as it will all be contained behind the bulkhead; therefore, the proposed placement of fill is not anticipated to have an adverse impact on water quality, fish and wildlife habitats, or other important coastal resources. The applicant will comply with any State or Federally issued permit requirements.

POLICY 38: THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUNDWATER SUPPLIES WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.

The proposed work will have no effect on the quality or quantity of surface or groundwater supplies. Therefore, this policy is not applicable.

POLICY 40: EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNLAWFUL TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.

The proposed site is not an electric generating or industrial facility. Therefore, this policy is not applicable.

WETLANDS POLICY

POLICY 44: PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS.

By definition, all lands surrounding the coastal waters of New York are considered tidal wetlands. Therefore, by definition, the proposed activity will be located in an area of Tidal Wetlands. The impact of the proposed structures on the natural environment will be minimized through proper planning and design, replacing damaged erosion control structures with steel sheet pile bulkhead overshooting.

ATTACHMENT 10

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

**VILLAGE OF CROTON-ON-HUDSON COASTAL
ASSESSMENT FORM**

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

Village of Croton-on-Hudson

COASTAL ASSESSMENT FORM

A. INSTRUCTIONS (Please print or type all answers)

1. *Applicants, or in the case of direct actions (city, town, village) agencies, shall complete this CAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a (city, town, village) agency in making a determination of consistency.*
2. *Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the (city, town, village) clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.*
3. *If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.*

B. DESCRIPTION OF SITE AND PROPOSED ACTION:

1. Type of (city, town, village) agency action (check appropriate response):
 - a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) construction
 - b) Financial assistance (e.g. grant, loan, subsidy) _____
 - c) Permit, approval, license, certification _____
 - d) Agency undertaking action Village of Croton-on-Hudson
2. Describe nature and extent of action: replacement of approximately 433 LF of existing steel sheet pile bulkhead, by oversheeting with new steel sheet pile bulkhead

3. Location of actions: Croton Yacht Club
(street or site description)
4. Size of site: 1.1 acres
5. Present land use: yacht club, marina
6. Present zoning classification: WC (Waterfront Commercial)

7. List and describe any unique or unusual land forms within or contiguous to the project site (i.e. bluffs, dunes, swales, ground depressions, other geological formations:
N/A. Site is currently surrounded on 3 sides by a steel sheet pile bulkhead.

8. Percent of site which contains slopes of 15% or greater: 0

9. List and describe streams, lakes, ponds or wetlands existing within or contiguous to the project area. Give name and size of each if available:

a) Name: N/A

b) Size (in acres):

10. If an application for the proposed action has been filed with the (city, town, village) agency, the following information shall be provided:

a) Name of applicant:

b) Mailing address:

c) Telephone number: (area code) (____)

d) Application number, if any:

11. Will the action be directly undertaken, require funding or approval by a state or federal agency? NO YES X

If yes, which state or federal agency? NYSDEC, NYSDOS, USACE
(approvals required)

C. COASTAL ASSESSMENT:

(Check either "yes" or "no" for each of the following questions)

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:	<u>X</u>	<u></u>
a) Significant fish or wildlife habitats?	<u>X</u>	<u></u>
b) Scenic resources of local or statewide significance?	<u></u>	<u>X</u>
c) Important agricultural lands?	<u></u>	<u>X</u>
d) Natural protective features in an erosion hazard area?	<u></u>	<u>X</u>

If the answer to any question above is "yes", please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>
2. Will the proposed action have a significant effect upon:		
a) Commercial or recreational use of fish and wildlife resources?	<u>X</u>	<u> </u>
b) Scenic quality of the coastal environment?	<u>X</u>	<u> </u>
c) Development of future or existing water dependent uses?	<u>X</u>	<u> </u>
d) Operation of the State's major ports?	<u> </u>	<u>X</u>
e) Land or water uses within a small harbor area?	<u>X</u>	<u> </u>
f) Stability of the shoreline?	<u>X</u>	<u> </u>
g) Surface or groundwater quality?	<u> </u>	<u>X</u>
h) Existing or potential public recreation opportunities?	<u>X</u>	<u> </u>
i) Structures, sites or districts of historic, archeological or cultural significance to the (city, town, village), State or nation?	<u> </u>	<u>X</u>
3. Will the proposed action involve or result in any of the following:		
a) Physical alteration of land along the shoreline, land under water or coastal waters?	<u>X</u>	<u> </u>
b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?	<u> </u>	<u>X</u>
c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?	<u> </u>	<u>X</u>
d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<u> </u>	<u>X</u>
e) Mining, excavation, filling or dredging in coastal waters?	<u> </u>	<u>X</u>
f) Reduction of existing or potential public access to or along the shore?	<u> </u>	<u>X</u>
g) Sale or change in use of publicly-owned lands located on shoreline or under water?	<u> </u>	<u>X</u>
h) Development within a designated flood or erosion hazard area?	<u>X</u>	<u> </u>
i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	<u> </u>	<u>X</u>
j) Construction or reconstruction of erosion protective structures?	<u>X</u>	<u> </u>
k) Diminished surface or groundwater quality?	<u> </u>	<u>X</u>
l) Removal of ground cover from the site?	<u> </u>	<u>X</u>

4. Project

a) If project is to be located adjacent to shore:

	<u>YES</u>	<u>NO</u>
1. Will water-related recreation be provided?	<u>X</u>	<u> </u>
2. Will public access to the foreshore be provided?	<u>X</u>	<u> </u>
3. Does the project require a waterfront site?	<u>X</u>	<u> </u>
4. Does it supplant a recreational or maritime use?	<u> </u>	<u>X</u>
5. Do essential public services and facilities presently exist at or near the site?	<u>X</u>	<u> </u>
6. Is it located in a flood prone area?	<u>X</u>	<u> </u>
7. Is it located in an area of high erosion?	<u> </u>	<u>X</u>

b) If the project site is publicly owned:

1. Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	<u>X</u>	<u> </u>
2. If located in the foreshore, will access to those and adjacent lands be provided?	<u>X</u>	<u> </u>
3. Will it involve the siting and construction of major energy facilities?	<u> </u>	<u>X</u>
4. Will it involve the discharge of effluent from major steam electric generating and industrial facilities into coastal facilities?	<u> </u>	<u>X</u>

c) Is the project site presently used by the community neighborhood an open space or recreation area?

X

d) Does the present site offer or include scenic views or vistas known to be important to the community?

X

e) Is the project site presently used for commercial fishing or fish processing?

 X

f) Will the surface area of any waterways or wetland area be increased or decreased by the proposals?

X

g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?

 X

h) Will the project involve any waste discharges into coastal waters?

 X

i) Does the project involve surface or subsurface liquid waste disposal?

 X

j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?

 X

	<u>YES</u>	<u>NO</u>
k) Does the project involve shipment or storage of petroleum products?	_____	<u>X</u>
l) Does the project involve discharge of toxic hazardous substances or other pollutants into coastal waters?	_____	<u>X</u>
m) Does the project involve or change existing ice management practices?	_____	<u>X</u>
n) Will the project affect any area designated as a tidal or freshwater wetland?	<u>X</u>	_____
o) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	_____	<u>X</u>
p) Will best management practices be utilized to control storm water runoff into coastal waters?	<u>X</u>	_____
q) Will the project utilize or affect the quality or quantity of sole source or surface water supplies?	_____	<u>X</u>
r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates?	_____	<u>X</u>

D. REMARKS OR ADDITIONAL INFORMATION.

For questions answered “yes” in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions.

(Add any additional sheets necessary to complete this form)

See attachment.

E. SUBMISSION REQUIREMENTS.

The final version of this form shall be sent to the Department of State (*New York State Dept. of State, Coastal Management Program, 162 Washington Avenue, Albany, NY 12231*) if any question in Section C is answered “yes” and either of the following conditions is met.

- Section B.1 (a) or B.1 (b) is checked **OR**
- Section B.1 (c) and B.11 is answered “yes”

=====

If assistance or further information is needed to complete this form, please contact the Village Engineer at (914) 271-4783.

Preparer's Name: Azure Dee Sleicher, P.E.

Title: Project Manager

Agency: Ocean and Coastal Consultants Engineering, P.C.

Telephone No.: (203) 268-5007 E-mail: azsl@ocean-coastal.com

Date: October 2011

VILLAGE OF CROTON-ON-HUDSON COASTAL ASSESSMENT

C. COASTAL ASSESSMENT

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map?

a) Significant fish or wildlife habitats? YES

According to the Village of Croton-on-Hudson Local Waterfront Revitalization Program, Haverstraw Bay is designated by both the NYSDEC and NYSDOS as a significant fish and wildlife habitat area.

Haverstraw Bay regularly comprises a substantial part of the nursery area for striped bass, tomcod, and Atlantic sturgeon that are produced in the Hudson. Other anadromous species, such as American shad, blueback herring, and alewife, spawn in upstream freshwater areas, but move south and feed in this area before returning to the River in the fall. Haverstraw Bay is also an important nursery and feeding area within the Hudson for certain marine species, most notably bay anchovy, Atlantic menhaden, bluefish, weakfish, and blue claw crab. Depending on location of the salt front, a majority of the spawning and juvenile Atlantic sturgeon wintering in the Hudson may reside in Haverstraw Bay. A portion of the shortnose sturgeon population, a Federal endangered species, also winters in this area.

Because the nature of the proposed activities is limited to driving steel sheet pile directly adjacent to an existing steel sheet pile bulkhead, any disturbances from such activities will be temporary and localized, and are not expected to have a significant effect upon essential fish habitat. These organisms have experienced regular disturbances in the Haverstraw Bay from such activities as dredging and boating, and it is presumed that their migratory and feeding patterns have adapted to such activities.

The proposed activity will not substantially degrade water quality, increase turbidity or sedimentation, or alter water salinities or temperatures in Haverstraw Bay, and therefore are not expected to result in a significant impairment of habitat. Although the project does involve bulkhead oversheeting and placing approximately 295 cubic yards of fill below the Spring High Tide Line, the fill will not be placed directly into the habitat area as it will be contained behind the bulkhead. The new bulkhead will be driven within 18 inches of the existing bulkhead and therefore will not result in a significant loss of habitat. Although impacts from the proposed activities are expected to be temporary and localized, the applicant will comply with any State or Federally issued time restrictions on the proposed work, if deemed necessary.

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

a) Commercial or recreational use of fish and wildlife resources? YES

The proposed project will have a beneficial effect upon recreational use of fish and wildlife resources. The proposed work involves replacing an existing deteriorated steel sheet pile bulkhead at the Croton Yacht Club, and therefore will allow continued use of this facility for boating and access to the Hudson River for such activities as fishing and passive viewing of the wildlife resources in the area.

b) Scenic quality of the coastal environment? YES

The proposed project will have a positive impact upon the scenic quality of the coastal environment because it will involve the rehabilitation of the shoreline by installing a new steel sheet pile bulkhead to replace an existing deteriorated steel sheet pile bulkhead. The appearance of this portion of the shoreline will therefore be improved.

c) Development of future or existing water dependent uses? YES

The proposed project will maintain a site that has existing water dependent uses, by replacing an existing deteriorated steel sheet pile bulkhead. In addition, this project involves the construction of a 10 foot wide public access walkway along the water's edge.

e) Land or water uses within a small harbor area? YES

Croton Yacht Club is a yacht club and marina. The project site currently facilitates water dependant uses by providing access for boaters to the Hudson River. The proposed bulkhead replacement will protect the site and will enable continued use of the Club's facilities, consistent with this policy.

f) Stability of the shoreline? YES

The proposed bulkhead replacement will provide structural stability to inland areas and structures, as well as provide continued erosion control to the site.

h) Existing or potential public recreation opportunities? YES

The proposed project involves replacing an existing deteriorated steel sheet pile bulkhead at the Croton Yacht Club. The site is currently utilized for recreational boating access to the Hudson River. The proposed bulkhead replacement will allow for continued safe recreational use of the site.

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

- a) Physical alteration of land along shoreline, land under water, or coastal waters? YES

The proposed work will involve very minor alteration of land along the shoreline. The work involves oversheeting an existing steel sheet pile bulkhead, and therefore will not change the character of the shoreline. The new bulkhead structure will be located 18 inches offshore of the existing bulkhead, resulting in minimal encroachment into coastal waters.

- h) Development within a designated flood or erosion hazard area? YES

The project site is located in a flood zone. The existing grade of the upland is only approximately 2 feet above Mean Higher High Water (MHHW) and therefore the site floods regularly. A 3-foot-high rock gabion currently lines the offshore perimeter of the property, on the northwest and southwest sides. The gabion serves as additional protection for the upland during flood events. The proposed work involves removing this rock gabion, and constructing the new bulkhead such that the top of new bulkhead elevation will be 3 feet above existing and proposed grade elevation. The increased elevation of the top of the bulkhead will afford some additional protection from flooding to the upland property. The above-grade portion of the bulkhead will have scuppers at 20 feet on-center, in order to allow drainage of surface water from the upland to the Hudson River, as it currently exists.

- j) Construction or reconstruction of erosion protective structures? YES

The proposed project will involve replacement of the existing erosion control structure by oversheeting the existing steel sheet pile bulkhead with new a steel sheet pile bulkhead.

4. Project

- a) If project is to be located adjacent to shore:

- 1) Will water-related recreation be provided? YES

The site is a yacht club and marina that facilitates water dependant uses by providing access for boaters to the Hudson River. The proposed replacement of the existing bulkhead will enable continued use of the Club's facilities for water-related recreation.

- 2) Will public access to the foreshore be provided? YES

The proposed structures will enable access to the foreshore as it currently exists.

- 3) Does the project require a waterfront site? YES

See item (1) above.

5) Do essential public services and facilities presently exist at or near the site? YES

The site is an established yacht club and marina. Services and facilities that exist at the site will remain.

6) Is it located in a flood prone area? YES

The project site is located in a flood zone. The proposed structures will aid to reduce the adverse impacts of floods.

b) If the project site is publicly owned:

1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? YES

The proposed project will protect and maintain the existing publicly owned property and its use as a yacht club and marina. While the yacht club is private, many members of the local community are members and utilize the club's facilities for recreation. In addition, the proposed project includes a 10 foot wide walkway immediately adjacent to the water's edge, which is intended for public access along the Hudson River waterfront. This proposed walkway will replace an existing, narrower walkway, and will be entirely compatible with existing adjoining uses of the property, such as boating, by yacht club members.

2) If located in the foreshore, will access to those and adjacent lands be provided? YES

The project site is located above the high tide line and therefore not in the foreshore. However, access to the adjacent upland will be provided to the public by means of a newly constructed 10 foot wide public access walkway.

c) Is the project site presently used by the community neighborhood as an open space or recreation area? YES

While the club is private, many members of the local community are members and utilize the club's facilities for recreation.

d) Does the present site offer or include scenic views or vistas known to be important to the community? YES

Similar to above, while the club is private, it does provide important scenic views to its members. The proposed public access walkway will encourage use of the site by the public.

- f) Will the surface area of any waterways or wetland area be increased or decreased by the proposals? YES

The new steel sheet pile bulkhead will be driven 18 inches outboard of the existing steel sheet pile bulkhead. This will result in a net decrease of approximately 830 square feet of surface area of the adjacent waterway. This decrease in waterway surface area is considered to be minimal, as it will be distributed over 433 linear feet of bulkhead shoreline.

- n) Will the project affect any area designated as a tidal or freshwater wetland? YES

By definition, all lands surrounding the coastal waters of New York are considered tidal wetlands. Therefore, by definition, the proposed activity will be located in an area of Tidal Wetlands. The impact of the proposed structures on the natural environment will be minimized through proper planning and design.

- p) Will best management practices be utilized to control storm water runoff into coastal waters? YES

The new bulkhead is proposed to be constructed such that the top of new bulkhead elevation will be 3 feet above existing and proposed grade elevation. The increased elevation of the top of the bulkhead will afford some additional protection from flooding to the upland property. The above-grade portion of the bulkhead will have scuppers at 20 feet on-center, in order to allow drainage of surface water from the upland to the Hudson River, as it currently exists. Therefore, the proposed work will not significantly alter drainage, flow patterns, or surface water runoff.

VILLAGE OF CROTON - OF HUDSON COASTAL POLICIES

DEVELOPMENT POLICIES

POLICY 1: RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

The proposed project involves replacing an existing deteriorated steel sheet pile bulkhead at the Croton Yacht Club. The site is currently utilized for recreational boating access to the Hudson River. The proposed bulkhead replacement will allow for continued safe recreational use of the site, and is therefore in compliance with this policy.

POLICY 2: FACILITATE THE SITING OF WATER DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Croton Yacht Club is a yacht club and marina. The project site currently facilitates water dependant uses by providing access for boaters to the Hudson River. The proposed bulkhead replacement will protect the site and will enable continued use of the Club's facilities, consistent with this policy.

POLICY 3: THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF MAJOR PORTS IS NOT APPLICABLE TO CROTON.

Not applicable.

POLICY 4: THE STATE COASTAL POLICY REGARDING THE STRATEGICITY OF SMALL HARBORS IS NOT APPLICABLE TO CROTON.

Not applicable.

POLICY 5: ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE, EXCEPT WHEN SUCH DEVELOPMENT HAS SPECIAL FUNCTIONAL REQUIREMENTS OR OTHER CHARACTERISTICS WHICH NECESSITATE ITS LOCATION IN OTHER COASTAL AREAS.

The proposed project involves replacing a deteriorated steel sheet pile bulkhead at an existing marina and yacht club facility, which will allow for continued safe recreational use of the site. Services and facilities at this location are adequate and will be maintained. Therefore, the proposed work is in compliance with this policy.

POLICY 6: EXPEDITE PERMIT PROCEDURES IN ORDER TO FACILITATE THE SITING OF DEVELOPMENT ACTIVITIES AT SUITABLE LOCATIONS.

Since the Village of Croton-on-Hudson is the applicant, it is likely that coordination between State and Town can be streamlined in order to expedite permit procedures.

FISH AND WILDLIFE POLICIES

POLICY 7: SIGNIFICANT COASTAL FISH AND WILDLIFE HABITATS WILL BE PROTECTED, PRESERVED, AND, WHERE PRACTICAL, RESTORED SO AS TO MAINTAIN THEIR VIABILITY AS HABITATS.

According to the Village of Croton-on-Hudson Local Waterfront Revitalization Program, Haverstraw Bay is designated by both the NYSDEC and NYSDOS as a significant fish and wildlife habitat area.

Haverstraw Bay regularly comprises a substantial part of the nursery area for striped bass, tomcod, and Atlantic sturgeon that are produced in the Hudson. Other anadromous species, such as American shad, blueback herring, and alewife, spawn in upstream freshwater areas, but move south and feed in this area before returning to the River in the fall. Haverstraw Bay is also an important nursery and feeding area within the Hudson for certain marine species, most notably bay anchovy, Atlantic menhaden, bluefish, weakfish, and blue claw crab. Depending on location of the salt front, a majority of the spawning and juvenile Atlantic sturgeon wintering in the Hudson may reside in Haverstraw Bay. A portion of the shortnose sturgeon population, a Federal endangered species, also winters in this area.

Because the nature of the proposed activities is limited to driving steel sheet pile directly adjacent to an existing steel sheet pile bulkhead, any disturbances from such activities will be temporary and localized, and are not expected to have a significant effect upon essential fish habitat. These organisms have experienced regular disturbances in the Haverstraw Bay from such activities as dredging and boating, and it is presumed that their migratory and feeding patterns have adapted to such activities.

The proposed activity will not substantially degrade water quality, increase turbidity or sedimentation, or alter water salinities or temperatures in Haverstraw Bay, and therefore are not expected to result in a significant impairment of habitat. Although the project does involve bulkhead oversheeting and placing approximately 295 cubic yards of fill below the Spring High Tide Line, the fill will not be placed directly into the habitat area as it will be contained behind the bulkhead. The new bulkhead will be driven within 18 inches of the existing bulkhead and therefore will not result in a significant loss of habitat. Although impacts from the proposed activities are expected to be temporary and localized, the applicant will comply with any State or Federally issued time restrictions on the proposed work, if deemed necessary.

POLICY 8: PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIO-ACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

This policy is not applicable. The proposed work is not anticipated to result in the introduction of hazardous wastes or other pollutants into the coastal area.

POLICY 9: EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RECREABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

The proposed work will maintain an existing facility that provides access for recreational use of fish and wildlife resources in a coastal area. Therefore, the proposed work is compliant with this policy.

POLICY 10: FURTHER DEVELOP COMMERCIAL FISH, SHELLFISH AND CRUSTACEAN RESOURCES IN THE COASTAL AREA BY ENCOURAGING THE CONSTRUCTION OF NEW OR IMPROVEMENT OF EXISTING OFF-SHORE COMMERCIAL FISHING FACILITIES, INCREASING MARKETING OF THE STATE'S SEAFOOD PRODUCTS, MAINTAINING ADEQUATE STOCKS, AND EXPANDING AQUACULTURE FACILITIES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RECREABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

This policy is not applicable. The project site is not a commercial fishing facility.

FLOODING AND EROSION POLICIES

POLICY 11: BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERMENT OF HUMAN LIVES CAUSED BY FLOODING AND EROSION.

There are no new structures proposed, only the replacement of existing erosion control structures. This bulkhead replacement will provide structural stability to inland areas and structures, as well as provide continued erosion control to 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.

The proposed project will have no adverse impacts to natural resources and/or property. The plan to oversheet the existing bulkhead will not cause adverse impacts to the site. The site is currently bordered on three sides by a steel sheet pile bulkhead, and no natural protective features such as beaches, dunes, or bluffs exist at the site. The proposed work will maintain the current nature of the shoreline by replacing the existing bulkhead which is severely deteriorated, thereby preventing future erosion that could occur if the bulkhead were allowed to deteriorate further. In addition, the top of new bulkhead elevation will be 3 feet above existing and proposed grade elevation. The increased elevation of the top of the bulkhead will afford some additional protection from flooding to the upland property. The above-grade portion of the bulkhead will have scuppers at 20 feet on-center, in order to allow drainage of surface water from the upland to the Hudson River, as it currently exists.

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 bulkhead is estimated to have been constructed in the late 1950's but is at the end of its service life. The steel sheet pile bulkhead oversheeting will provide a minimum of 30 years of protection. While the standard steel sheet pile bulkhead has a design life of approximately 30 years, routine maintenance can prolong the design life. Newer technology such as protective coatings and cathodic protection can help maintain a bulkhead in good condition for a longer period of time. The applicant is considering the installation of an impressed current cathodic protection (ICCP) system on the bulkhead, and intends to perform routine inspections and maintenance such as protective coating repair, in order to maximize the bulkhead's service life. With the ICCP system and protective coating in place and properly maintained, the anticipated design life of the bulkhead is 50 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.

All proposed structures are to be built equal to, if not better than, the erosion control structures in place at the site now. The proposed structures will have no measurable increase in erosion or flooding at the site. The proposed replacement structures will not increase erosion or flooding off site.

POLICY 15: MINING, EXCAVATION OR DREDGING IN COASTAL WATERS SHALL NOT SIGNIFICANTLY INTERFERE WITH THE NATURAL COASTAL PROCESSES WHICH SUPPLY BEACH MATERIALS TO LAND ADJACENT TO SUCH WATERS AND SHALL BE UNDERTAKEN BY A MEASURE WHICH WILL NOT CAUSE AN INCREASE IN EROSION OF SUCH LAND.

The proposed work will not involve any mining, excavation, or dredging in coastal waters. The proposed work involves oversheeting of an existing steel sheet pile bulkhead. Therefore, the current nature of the shoreline will be maintained and the proposed work will not significantly interfere with natural coastal processes or cause an increase in erosion for adjacent lands.

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.

The project site is owned by the Village of Croton-on-Hudson, and therefore the proposed project will be undertaken using public funds. The use of public funds for this project is compliant with this policy because it involves the replacement of an existing erosion protection structure at an existing development. The existing site is currently leased by and used by the Croton Yacht Club, which facilitates water dependent use by members of the community. The proposed repair will allow for continued water dependent use of the site. In addition, the proposed project includes a 10 foot wide walkway which is intended for public access along the Hudson River waterfront.

POLICY 17: WHENEVER POSSIBLE, USE NON-STRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE: (i) THE SETBACK OF BUILDINGS AND STRUCTURES; (ii) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FILLING AND DRAINAGE; (iii) THE RE-SHAPING OF BLUFFS; AND (iv) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

It is estimated that the existing structures have been in place since the late 1950's. Due to the age and location of the existing structures, non-structural measures to protect the property from flooding and erosion are not feasible. Future improvements to the property may include non-structural measures such as elevating and flood proofing new buildings.

POLICY 18: TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL AND ENVIRONMENTAL INTERESTS OF THE STATE AND OF ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

The proposed work is not considered to be a major action, since it involves oversheeting of an existing steel sheet pile bulkhead at an existing facility. The proposed work will allow the current use of the site to be maintained, and is therefore in the best interest of the State, Village, and its Citizens. The work will be performed using best management practices and in accordance with any applicable permit conditions, and is not anticipated to have any significant environmental impact. Therefore the proposed work is compliant with this policy.

PUBLIC ACCESS POLICIES

POLICY 19: PROTECT, MAINTAIN, AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY WILL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

The proposed project will protect and maintain the existing publicly owned property and its use as a yacht club and marina. While the yacht club is private, many members of the local community are members and utilize the club's facilities for recreation. The proposed work is consistent with this policy.

POLICY 20: ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED AND IT SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

The proposed project includes a 10 foot wide walkway immediately adjacent to the water's edge, which is intended for public access along the Hudson River waterfront. This proposed walkway will replace an existing, narrower walkway, and will be entirely compatible with existing

adjoining uses of the property, such as boating, by yacht club members. Therefore, the proposed work is consistent with this policy.

RECREATION POLICIES

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.

The proposed project will encourage water-dependent and water-enhanced recreation by maintaining the existing water-dependent use of the property as a yacht club and marina. Therefore, the proposed work is consistent with this policy.

POLICY 22: DEVELOPMENT WHEN LOCATED ADJACENT TO THE SHORE WILL 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.

Croton Yacht Club is a yacht club and marina. The proposed structures are intended to provide continued protection the property and to provide access to the Hudson River so that water-related recreation is allowed to continue. Therefore, the proposed work is consistent with this policy.

POLICY 23: PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OF SITES THAT ARE OF SIGNIFICANCE TO THE HISTORY, ARCHITECTURE, ARCHAEOLOGY OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

The project site is not located in an area of historic, archeologic, architectural, or cultural significance. Therefore, this policy is not applicable.

POLICY 24: PREVENT IMPAIRMENT OF SCENIC RESOURCES OF STATE WIDE SIGNIFICANCE AS IDENTIFIED ON THE COASTAL AREA MAP. IMPAIRMENT SHALL INCLUDE: (i) THE IRREVERSIBLE MODIFICATION OF GEOLOGIC FORMS, THE DESTRUCTION OR REMOVAL OF VEGETATION, THE DESTRUCTION, OR REMOVAL

OF STRUCTURES, WHETHER THE GEOLOGIC FORMS, VEGETATION OR STRUCTURES ARE SIGNIFICANT TO THE SCENIC QUALITY OF A IDENTIFIED RESOURCE; AND (ii) THE ADDITION OF STRUCTURES WHICH BECAUSE OF SITING OR SCALE WILL REDUCE IDENTIFIED VIEWS OR WHICH BECAUSE OF SCALE, FORM, OR MATERIALS WILL DIMINISH THE SCENIC QUALITY OF A IDENTIFIED RESOURCE.

The proposed work will not impair any scenic resources. Therefore, this policy is not applicable.

POLICY 25: PROTECT, RESTORE OR ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATE-WIDE SIGNIFICANCE, BUT WHICH CONTRIBUTE TO THE OVERALL SCENIC QUALITY OF THE COASTAL AREA.

Oversheeting the existing deteriorated steel sheet pile bulkhead will improve the appearance of the shoreline. Therefore, the proposed work is in compliance with this policy.

POLICY 26: THE STATE COASTAL POLICY REGARDING THE PROTECTION OF AGRICULTURAL LANDS IS NOT APPLICABLE TO CROTON.

Not applicable.

POLICY 27: DECISIONS OF THE SITING AND CONSTRUCTION OF MAJOR ENERGY FACILITIES IN THE COASTAL AREA WILL BE BASED ON PUBLIC ENERGY NEEDS, COMPATIBILITY OF SUCH FACILITIES WITH THE ENVIRONMENT, AND THE FACILITY'S NEED FOR A SHOREFRONT LOCATION.

The proposed work does not involve an energy facility. Therefore, this policy is not applicable.

POLICY 28: ICE MANAGEMENT PRACTICES SHALL NOT DAMAGE SIGNIFICANT FISH AND WILDLIFE AND THEIR HABITATS, INCREASE SHORELINE EROSION OR FLOODING, OR INTERFERE WITH THE PRODUCTION OF HYDROELECTRIC POWER.

The proposed work does not include ice management practices. Therefore, this policy is not applicable.

POLICY 29: THE STATE COASTAL POLICY REGARDING THE DEVELOPMENT OF ENERGY RESOURCES IS NOT APPLICABLE TO CROTON.

Not applicable.

WATER AND AIR RESOURCES POLICIES

POLICY 30: MUNICIPAL, INDUSTRIAL, AND COMMERCIAL DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO, TOXIC AND HAZARDOUS SUBSTANCES, INTO COASTAL WATERS WILL CONFORM TO STATE AND NATIONAL WATER QUALITY STANDARDS.

No discharge of pollutants into coastal waters is anticipated to result from the proposed activity. The proposed work involves driving steel sheet pile 18 inches outboard of the existing steel sheet pile bulkhead and filling the void between the existing and new steel sheet pile bulkhead with lightweight concrete fill. The fill will be isolated from coastal waters since it will be contained behind the new steel sheet pile bulkhead. Therefore the proposed work is in compliance with this policy.

POLICY 31: STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT.

The proposed work is entirely compliant with State and Village of Croton-on-Hudson Coastal Policies and LWRP.

POLICY 32: ENCOURAGE THE USE OF ALTERNATIVE OR INNOVATIVE SANITARY WASTE SYSTEMS IN SMALL COMMUNITIES WHERE THE COSTS OF CONVECTIONAL FACILITIES ARE UNREASONABLY HIGH, GIVEN THE SIZE OF THE EXISTING TAX BASE OF THESE COMMUNITIES.

The proposed work involves maintenance of shoreline erosion protection structures at an existing yacht club and marina. The existing sanitary waste system will be maintained. Therefore the proposed work is in compliance with this policy.

POLICY 33: BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

The proposed work does not involve any stormwater or sewage outfalls. The new bulkhead is proposed to be constructed such that the top of new bulkhead elevation will be 3 feet above existing and proposed grade elevation. The increased elevation of the top of the bulkhead will afford some additional protection from flooding to the upland property. The above-grade portion of the bulkhead will have scuppers at 20 feet on-center, in order to allow drainage of surface water from the upland to the Hudson River, as it currently exists. Therefore, the proposed work

will not significantly alter drainage, flow patterns, or surface water runoff, and is compliance with this policy.

POLICY 34: DISCHARGE OF WASTE TO COASTAL WATERS FROM VESSELS WILL BE LIMITED SO AS TO PROTECT SENSITIVE FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS.

The proposed work is intended to replace shoreline erosion control structures at the project site so that its current use as a yacht club and marina can be maintained. The Croton Yacht Club intends to maintain its existing facilities and control measures which limit the discharge of waste into coastal waters from vessels. Therefore the proposed work is in compliance with this policy.

POLICY 35: DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SENSITIVE FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

The proposed work involves backfilling with lightweight concrete fill between the existing and proposed steel sheet pile bulkheads. The total amount of backfill to be used in the project is approximately 340.5 cubic yards, with approximately 295 cubic yards of backfill below the plane of spring high tide. The concrete fill will be delivered to the site by a ready mix concrete truck and placed by chute in a flowable condition, directly into the cavity to be filled, or into a pump for final placement. The concrete will fill the void between the existing and proposed steel sheet pile bulkheads, from the mudline up to the existing grade elevation. There will be no fill placed directly into coastal waters, as it will all be contained behind the bulkhead; therefore, the proposed placement of fill is not anticipated to have an adverse impact on water quality, fish and wildlife habitats, or other important coastal resources. The applicant will comply with any State or Federally issued permit requirements.

POLICY 36: ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES; AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

The current use of the site and the proposed work do not involve any shipment or storage of petroleum or other hazardous materials. Therefore, this policy is not applicable.

POLICY 37: BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE POTENTIAL DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

The proposed work involves oversheeting an existing deteriorated steel sheet pile bulkhead. The new steel sheet pile bulkhead will provide continued erosion protection to the site. No adverse impacts or discharge of excess nutrients or organics are anticipated. Therefore, the proposed work is in compliance with this policy.

POLICY 38: THE QUALITY AND QUANTITY OF SURFACE WATER AND GROUND WATER SUPPLIES, WILL BE CONSERVED AND PROTECTED, PARTICULARLY WHERE SUCH WATERS CONSTITUTE THE PRIMARY OR SOLE SOURCE OF WATER SUPPLY.

The proposed work will have no effect on the quality or quantity of surface or groundwater supplies. Therefore, this policy is not applicable.

POLICY 39: THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT AGRICULTURAL LANDS AND SCENIC RESOURCES.

The proposed work does not involve transport, storage, treatment, or disposal of solid or hazardous wastes. Therefore, this policy is not applicable.

POLICY 40: EFFLUENT DISCHARGED FROM MAJOR STEAM ELECTRIC GENERATING AND INDUSTRIAL FACILITIES INTO COASTAL WATERS WILL NOT BE UNLAWFUL TO FISH AND WILDLIFE AND SHALL CONFORM TO STATE WATER QUALITY STANDARDS.

The proposed site is not an electric generating or industrial facility. Therefore, this policy is not applicable.

POLICY 41: LAND USE OR DEVELOPMENT IN THE COASTAL AREA WILL NOT CAUSE FEDERAL OR STATE AIR QUALITY STANDARDS TO BE VIOLATED.

The proposed work is not anticipated to have a significant effect on air quality. Therefore, this policy is not applicable.

POLICY 42: COASTAL MANAGEMENT POLICIES WILL BE CONSIDERED IF THE STATE RECLASSIFIES LAND AREAS PURSUANT TO THE

**PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS
OF THE FEDERAL CLEAN AIR ACT.**

The proposed work is entirely compliant with State and Village of Croton-on-Hudson Coastal Policies and LWRP.

**POLICY 43: LAND USE OR DEVELOPMENT IN THE COASTAL AREA MUST NOT
CAUSE THE GENERATION OF SIGNIFICANT AMOUNTS OF THE
ACID RAIN PRECURSORS: NITRATES AND SULFATES.**

The proposed work involves oversheeting an existing steel sheet pile bulkhead and is not anticipated to generate any nitrates and sulfates. Therefore, this policy is not applicable.

WETLANDS POLICY

**POLICY 44: PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS
AND PRESERVE THE BENEFITS DERIVED FROM THESE AREAS**

By definition, all lands surrounding the coastal waters of New York are considered tidal wetlands. Therefore, by definition, the proposed activity will be located in an area of Tidal Wetlands. The impact of the proposed structures on the natural environment will be minimized through proper planning and design, replacing damaged erosion control structures with steel sheet pile bulkhead oversheeting.

ATTACHMENT 11

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
&
UNITED STATES ARMY CORPS OF ENGINEERS**

ADJACENT PROPERTY OWNERS

CROTON YACHT CLUB - BULKHEAD REPLACEMENT

**CROTON-ON-HUDSON
NEW YORK**

PROPERTY OWNERS

Reference: Village of Croton-on-Hudson Town Hall
Research Date: September 2011

APPLICANT

The applicant, Village of Croton-on-Hudson, is the property owner. The property is leased by the Croton Yacht Club.

Property Designation (Section-Block-Lot)	Property Owner	Designated Use
78.01-1-3	Village of Croton-on-Hudson	Yacht Club, Marina

ABUTTERS (FROM NORTH TO SOUTH)

Property Designation (Section-Block-Lot)	Property Owner	Designated Use
78.08-1-1	Village of Croton-on-Hudson	Croton Landing Park
78.12-1-1	Village of Croton-on-Hudson	Senasqua Park (Village Park)