



VILLAGE OF HASTINGS-ON-HUDSON

Municipal Building
7 Maple Avenue
Hastings-on-Hudson, New York 10706

By Email and Regular Mail

August 31, 2021

Heather Gierloff, Marine Biologist II
Angela Schimizzi, Marine Biologist
New York State Department of
Environmental Conservation
625 Broadway
Albany, NY 12233

Re: Harbor at Hastings Site (former Anaconda Wire & Cable Plant Site) Hastings-on-Hudson – NIDEC Site #3-60-022

Dear Ms. Gierloff and Ms. Schimizzi:

I write in furtherance of recent discussions you had with Trustee Morgen Fleisig and Village Manager Mary Beth Murphy regarding the Village of Hastings-on-Hudson's potential relocation of the historic water tower, currently on the above-noted site, to the jetty that is part of the Tower Ridge Yacht Club located to the north of the Village's MacEachron Waterfront Park. When last discussed, you expressed concern that this location for the tower might be jeopardized if the jetty had not been legally permitted. We appreciate this concern, and have followed up. As explained below, the jetty was permitted by both the Department and the U.S. Army Corps of Engineers.

The Tower Ridge Yacht Club applied for both Department and Corps of Engineers permits for the jetty (described as a breakwater in the applications) in 1974. The Department issued its permit in December 1974 (which was slightly amended in February 1975) and the Corps of Engineers issued its permit in April 1975. A copy of each of those permits accompanies this letter

The Village recognizes that the placement of the water tower on the jetty might require a permit, and we would like to set up a call to discuss this with you and others in the Department

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Nicola C. Armacost".

Nicola Armacost
Mayor, Hastings-on-Hudson

Cc: Jess LeClair

DIGITIZATION FILE COVER SHEET

Clearly Print Each Field on Form

INDEX FIELDS

Applicant Name Tower Ridge Yacht Club

Application Number 1974-00538

Permit Number 9235

Waterway Hudson River

Permit Issued Date 28 Apr 1975

Box Number 128

J. Yan	JY	19-Apr-11
Prepared by (Name)	(Initials)	(Date)

Application No. 74-533
Name of Applicant Tower Ridge Yacht Club
Effective Date 28 April 1975
Expiration Date (If applicable) 28 April 1978

FILE COPY

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 5 December 1974, for a permit to:

(☒) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

**Tower Ridge Yacht Club
River Road
Hastings-on-Hudson, N.Y. 10706**

◀ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to **construct 120 feet of steel breakwater at a distance of 180 feet offshore of the high water line in order to protect a private marina consisting of a 165 foot pier with finger floats to be constructed**

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in **Hudson River**

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

at **Hastings-on-Hudson, Westchester County, New York.**

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks):

1522-15 (Hudson River - Tower Ridge Yacht Club - breakwater & pier @ Hastings-on-Hudson, N.Y.)

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

Plotted 7/3/75
J. A. B.

States.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United

appropriate legal proceedings.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute

by the Chief of Engineers.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not stated on or before 28th day of April, 1976, (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 28th day of April, 1978, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

PERMITTEE

Henry Van Hook
Tower Ridge Yacht Club

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

THOMAS C. HUNTER, JR.
Colonel, Corps of Engineers
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFeree

DATE

DATE

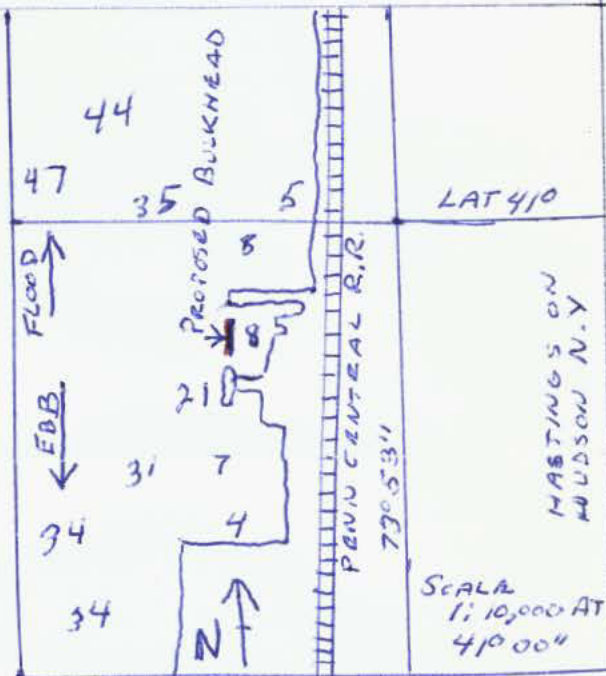
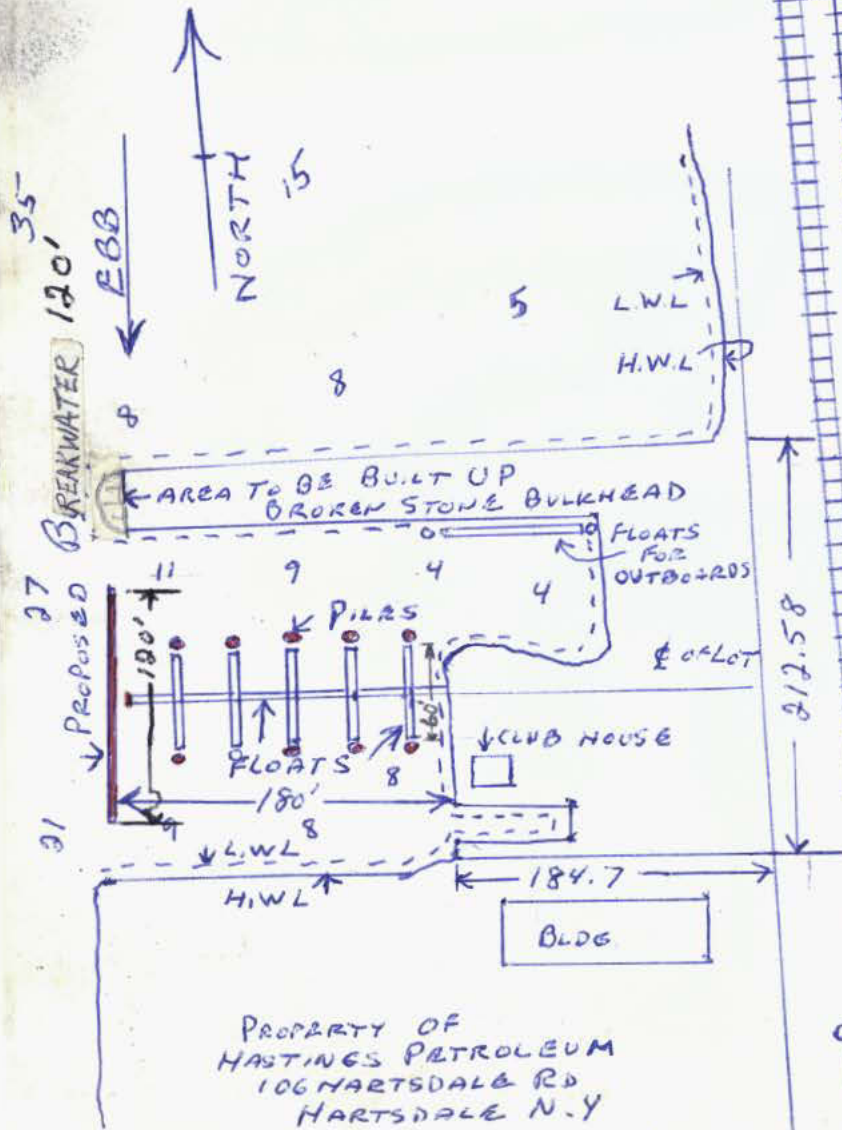
28 April 1975

DATE

April 25, 1975

1522-15 (Hudson River - Tower Ridge Yacht Club - Breakwater & Pier @ Hastings-on - Hudson, N.Y.)

FLOOD
HUDSON RIVER



LOCATION MAP FROM
C.G.S. CHART #748

NORTHERN BOUNDARY
PROPERTY OF
J & H ROSE
349 E 149ST
N Y N Y
SUBMERGED

PROPOSED BREAKWATER
IN TOWER RIDGE YACHT CLUB
AT HASTINGS ON HUDSON N.Y.
COUNTY WESTCHESTER STATE N.Y.

APPLICATION BY JOSEPH BAKA
CHAIRMAN HOUSE COMM.

SCALE OF FEET



1/10/75
Sheet 1 of 2

Side View of Breakwater

NOTES

Piles to be steel H-piles

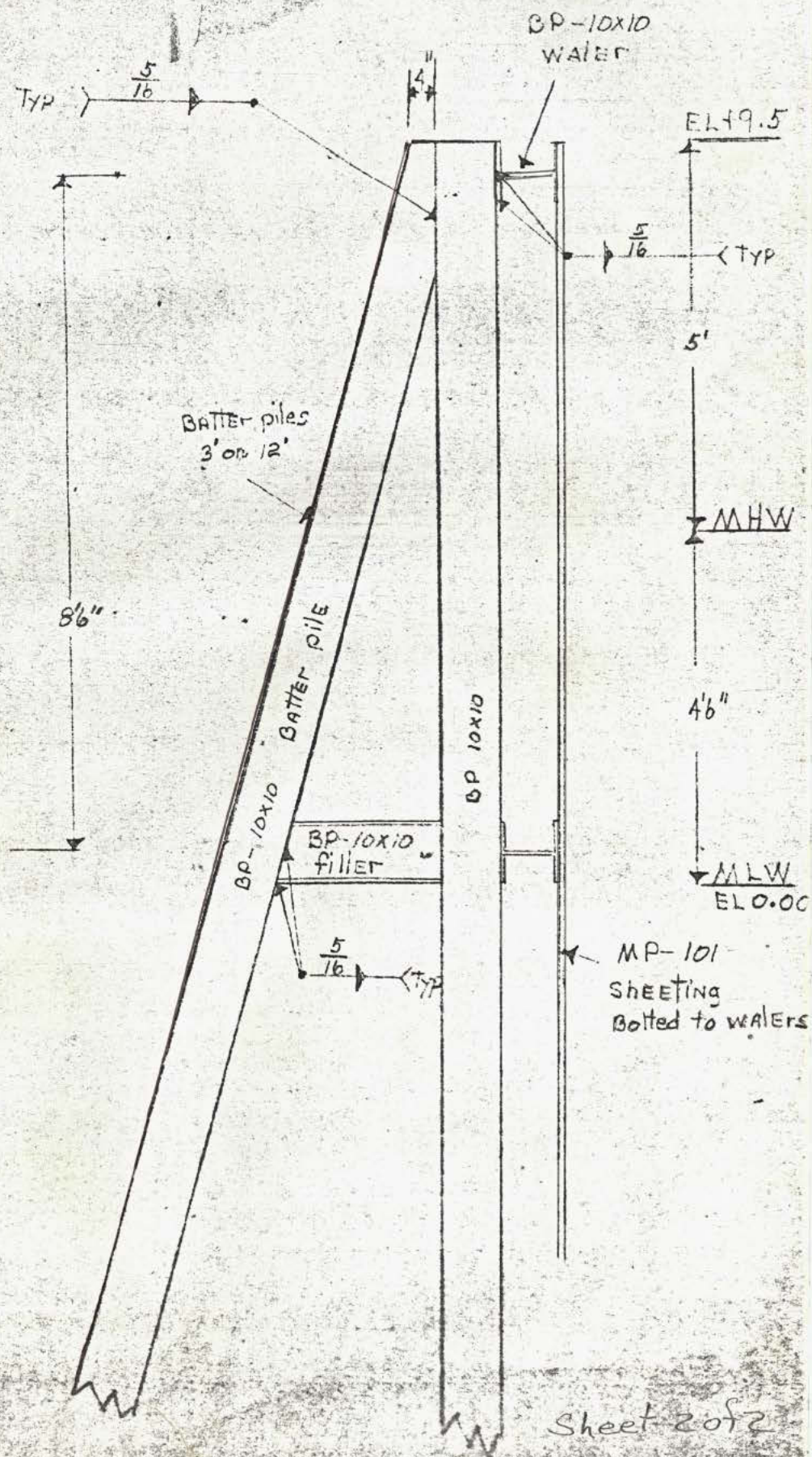
BP-10x10-42 lbs. per ft.

Sheeting to be MP-101

35 lbs. per lin. ft.

All connections on piles & wales to be welded.

Sheeting to be bolted to wales. $\frac{7}{8}$ " squarehead machine bolts - GALVANIZED



Proposed Breakwater

BY Tower Ridge Yacht Club

Hastings-on-Hudson
New York.

MICROFILM COVER SHEET

File Number 1522-15
 Application Number 74-538
 Applicant's Name Tower Ridge Yacht Club
 Waterway Hudson River
 Date of Application 5 December 1974
 Public Notice Number & Date 8004 - 10 March 1975
 Letter of Coordination Date _____
 Date Final Action 28 April 1975
 Type Final Action I
 Permit Number 9235
 Activity BW, FL

PRIVACY ACT STATEMENT

The information contained within this record is subject to the Privacy Act of 1974 (5 U.S.C. 552a) and as such cannot be divulged to anyone without the written authorization of the subject-named patient or the officer charged with the custody of this record.

Long. 73°53'
 Lat. 41°00'

AUTHENTICATION

The microphotographs appearing on this film are true copies of the documents.

Production started _____ date _____ hour _____

The microfilming was done by a competent employee.

DAVID FREE

 Signature of Camera Operator

AUTHORITY

/

PERMIT INSPECTION REPORT		Number 80-104
Subject's Name & Address TOWER RIDGE YACHT CLUB, RIVER ROAD, HASTINGS, N.Y. 2010706		
Work Location CLUB LOCATION (SAME)	Waterway HUDSON RIVER, EAST BANK	
Type of Project CONSTRUCT BREAKWATER	U.S. Code	
Initiated By <input checked="" type="checkbox"/> Routine Patrol <input type="checkbox"/> Request from Permits Section, dated		
Name of Inspector Assigned BAXTER		Date
Date of Inspection	Inspection By <input checked="" type="checkbox"/> Vehicle <input type="checkbox"/> Boat <input type="checkbox"/> Air	
Inspection was performed <input type="checkbox"/> Before commencement of construction work <input type="checkbox"/> During construction activity <input checked="" type="checkbox"/> After completion of construction work		
Application No. Assigned # 8004		
Findings a. <input type="checkbox"/> Permit No. 9235 date 28 Apr. 1975 <input type="checkbox"/> Permit has not been issued b. <input type="checkbox"/> Work has not been performed on the project <input type="checkbox"/> Work will not be performed on the project <input type="checkbox"/> Work was commenced on _____ and completed on _____ <input type="checkbox"/> Work is incomplete. It was commenced on _____ and will be completed on or about _____ c. (If permit has been issued and work is completed): <input checked="" type="checkbox"/> Work has been performed in accordance with the permit <input type="checkbox"/> Deviation from work authorized in permit <input type="checkbox"/> Violation. See Case Number _____		
(Include pictures and additional remarks on reverse side/blank sheet of paper)		
Inspector's Signature Ronald Baxter		Date 18 Mar 1980



911381
Tower Ridge Yacht Club
River Road, Hastings-on-Hudson
Cofc Permit 9235
Report 80-104

18 MAR 1980

J. Baxter - Insp

DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is The Adjutant General's Office.

REFERENCE OR OFFICE SYMBOL

NANOP-E

SUBJECT

Application for permit to construct a breakwater and seasonnaly install a floating pier in the Hudson River at Hastings, New York.

TO Memo for the Record

FROM C, Regulatory Branch
THRU: C, Operations Division

DATE 24 April 1975
FINN/mr/0184

CMT 1

1. In the review of the subject application, (74-538), the following have been considered:

a. Need for the Work: The pier will provide mooring for pleasure craft which will be protected from wave wash by the breakwater.

b. Alternatives: In view of the fact that the proposed work presents no constraints from the standpoint of environmental concerns or general public interests the consideration of addition alternatives is unwarranted.

c. Effect on Uses for which Area is Suited: The proposed project is in a generally industrialized area. The actual site of the project is an existing yacht club. None of the uses for which the area is suited will be adversely affected by the work.

d. Impact on Other Structures in the Area: It is not anticipated the adjacent marine structures associated with this project, which include bulkheading, piers and piles, will be significantly affected by the proposed work.

2. Factors that have been considered in the evaluation of this application included conservation, economics, esthetics, general environmental concerns, historic values, fish and wildlife, water quality, navigation and, in general, the needs and welfare of the people. The Environmental Assessment prepared for this project on 31 March 1975, has also been considered. The assessment described the proposed work, all permits received by the applicant, its controversial features and comments received in response to Public Notice No. 8004. It was determined by the District Engineer that the issuance of a permit for the proposed work will not constitute a major Federal action significantly affecting the quality of the human environment and, therefore, an Environmental Impact Statement is not required.

3. In view of the foregoing, and a review of the papers related to the subject application, it is considered that the proposed work is in the general public interest and there is no significant objection to the work from the standpoint of navigation, natural resources, water quality, or other factors affecting the public interest. It is recommended, therefore, that a permit be granted.

JOHN ZAMMIT

Chief, Regulatory Branch

APPROVED:

LOUIS W. PINATA

Chief, Operations Division

DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is The Adjutant General's Office.

REFERENCE OR OFFICE SYMBOL

NANDE

SUBJECT Environmental Assessment and findings regarding need of EIS for a proposal by Tower Ridge Yacht Club to construct a steel bulkhead in the Hudson River within the limits of Hastings-on-the-Hudson, New York.

TO

Memo for the Record

FROM

District Engineer

DATE

31 MAR 1975

CMT 1

1. Objective: The purpose of this assessment, File No. 74-538 is to present and review the possible environmental effects of the subject application as described below and to determine whether an Environmental Impact Statement is required. This assessment includes consideration of environmental information provided by the applicant, and developed by the staff, and any advice received from Federal, State and local agencies and comments from the public received prior to issuance of the Public Notice. Coordination with the U.S. Environmental Protection Agency, U.S. Department of the Interior and the appropriate state as well as objections of an environmental nature received from shipping, towing and other marine interests, marine terminals, marinas, boat yards, and yacht clubs, contractors and engineers, newspapers, commercial fisherman and conservationists, in response to the public notice, will be addressed prior to the issuance of a Department of the Army permit by Disposition Form from the District Engineer.

2. Project Description: By letter dated 5 December 1974, application has been made by Tower Ridge Yacht Club, Hastings-on-the-Hudson, New York for a Department of the Army permit to construct a steel bulkhead on the Hudson River, within the limits of Hastings-on-the-Hudson, New York.

The applicant proposes to construct 70 feet of steel bulkhead in the Hudson River. The bulkhead is to be centered in the basin area to create a sheltered harbor for the yachts currently using the facility. Materials are presently on the proposed site. The sheeting is in 10' sections and will be secured to H section steel piles and whales. The proposed bulkhead will act as a breakwater and is necessary to insure a safe harbor for the member's craft.

A diagram of the proposed plans is presented in Appendix A.

3. Environmental Impacts:

a. Navigation: Based upon a review of the size and location of the proposed project, along with its proximity to the main navigational channel in the waterway, it is anticipated that if implemented, the project would not significantly affect navigation in the area. U.S. Pierhead and Bulkhead Lines have been established for the Hudson River in the project area.

A Federal Project Channel exists in the waterway which provides, in part, for a channel 32 feet deep and 600 feet wide. This project is approximately 500 feet shoreward of this channel.

Utilization of the project site after the project has been completed will not affect the normal navigational profile of the area. Appendix B gives a detailed account of the staff's procedure in assessing possible navigational impacts of the proposed project. Utilization of the project site will consist of a harbor and boat basin. However, no additional boats are expected to use the facility as a result of this project.

b. Flood Heights and Drift: Based upon the considerations contained in Appendix C, the staff concludes that the proposed project will not significantly affect either flood heights or drift. There is no indication that operations either during construction or during utilization of the project site would cause drift material to enter the waterway. There is an old wooden ship's hull adjacent to the site which is a present source of drift.

c. Water Quality: Based upon an analysis of available information and of background data developed during the preparation of environmental assessments of similar projects, the staff concludes that the water quality of the area will not be significantly affected by this project should it be implemented. Water quality effects for this size project usually consist of increased turbidity and suspended solids.

However, due to the time frame of operations (less than 30 days) and to the natural dispersal characteristics of the receiving waters, the staff is of the opinion that these factors will tend to reduce or eliminate any significant pollution potential.

Continued utilization of the project site at present levels, following project completion, should not significantly affect water quality.

d. Fish and Wildlife: Using information concerning similar projects in the area, the length of time of the proposed project, and the absence of unique biological features of the area, the staff concludes that the project, if implemented, would not significantly affect fish and wildlife of the area.

e. Air Quality: Air emissions from equipment used on this project basically include exhaust emissions from a crane, barges, pile driver, and trucks (for materials delivery).

In most cases one truck is needed for each 10-25 cubic yards of materials delivery. For barge utilization in delivery, usually 1,500 cubic yards can be handled per barge.

Based upon the proposed operations, 2 barges and 4 truck loads will be involved in materials delivery activities. Emission factors for these vehicles and for other equipment are given in Appendix D. Due to the time duration of the project (less than 30 days) and to the local atmospheric dispersal characteristics, effects of the project on air quality are considered by the staff to be small and of minor consequence.

Continued utilization of the project site at present levels, following project completion, should not cause any significant increase in area air emissions and therefore will not significantly affect air quality.

f. Noise: Those vehicles/equipment noted in 3e above contribute to the noise profile of the area. Based upon the proximity to population centers, time duration of the project, and the nature of the area, it is not expected that noise will interfere with on-going activities and therefore will not have a significant impact on the environment, see Appendix E. The resultant sound level from the various construction equipment is calculated at 78 dB(A) over an 8 hour day, based upon a distance of 1,000 feet to the nearest population center. Comparing this noise level with the figure in Appendix E, this noise level is considered normally acceptable.

In this case no additional vehicles will be involved in the utilization of the completed project.

g. Socio/Economic: The area of the proposed project is an industrialized area. As an overall estimate the staff concludes that the area is of low to medium esthetic value. The staff believes that the project, if implemented, will not affect the overall socio/economic climate of the area nor will it affect the esthetic value of the area. Appendix F presents the staff's approach to esthetic evaluation.

h. Adjacent Marine Structures: The adjacent marine structures associated with this project include bulkheading, piers and piles. These structures would be considered to be affected by the proposed project if the project altered erosion or accretion rates normally expected in the area, or if it interfered with their use. It is not anticipated that the proposed action would indeed create the conditions necessary to significantly affect any marine structures in the area.

i. Beach Erosion and Accretion: The proposed project, if implemented, does not inherently involve factors that would significantly affect the yearly erosion or accretion patterns currently expected in the area.

j. Safety, Historical, Alternatives:

Safety: No safety problems are anticipated with this project. There are no peculiar or special aspects of project operations that would tend to subject the workers or general public to any significant safety hazard. Additionally, utilization of the project site would not generate additional safety hazards. See Appendix G.

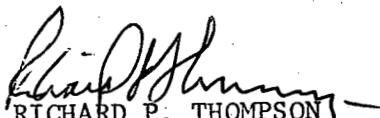
Historical: A search of the National Register of Historic Places has indicated that no sites of historical or archaeological significance are present in the project area. The approach used by the staff in making this assessment is given in Appendix H.

Alternatives: The no project alternatives to this action would typically not affect the environment, but would not provide protection for the boats moored at the yacht club.

4. Additional Comments: It does not appear that this action was the subject of or referred to in any other environmental impact statement or assessment. Furthermore, the action is not in variance with any known land use plan nor will it help or hinder any other known project. Additionally, the staff has assessed the potential for a cumulative environmental impact based upon this project. Based upon known information covering the project area, it does not appear that this action, if implemented, will cause other actions of this type to occur or will add significantly to the environmental impact of previously completed projects.

A site inspection was conducted by the staff on 17 December 1974. The information obtained from that inspection along with information supplied by the applicant and reviewed by the staff was used to prepare this assessment. Pertinent photographs of the site are given in Appendix I.

5. Conclusion: Based on the data contained in the previous paragraphs, I have determined that the proposed work will not have a significant adverse effect on the environment or be environmentally controversial and that the issuance of a permit for the proposed work will not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an Environmental Impact Statement is not required.


RICHARD P. THOMPSON
LTC, Corps of Engineers
Acting District Engineer

Incl - as

Areas of possible construction or dredging on navigable waters are controlled by the location of harbor lines and Federal Project Channels. The term "harbor lines" is a generic name covering U.S. Pierhead Lines and U.S. Bulkhead lines. The lines now act as guide-lines for orderly development along navigable waters. These lines are located for a particular project by consulting the "Index Map--N.Y. Harbor Lines" and the pertinent map indicated by this index. Federal Project Channels indicate definite areas where, for navigation purposes, a certain depth is maintained. No construction is allowed to interfere with any of these projects. The Federal Project Channels are located for a proposed project area by referring to the following document:

Project Maps--Rivers & Harbors
U.S. Army Engineer District, New York
Corps of Engineers
New York, N. Y.

This document consists of an index sheet of all projects and an individual large scale map and description of each.

Additionally, comments from other Federal agencies, such as the Coast Guard, will be obtained as required.

APPENDIX C

FLOOD HEIGHTS AND DRIFT

The Staff, in assessing the impact of the proposed project as to any possible effects on flood height and drift considers several factors. These factors are discussed below.

FLOOD HEIGHTS

Projects which may influence flood heights and changes thereof include:

1. Improvements of tidal inlets, sea walls, bulkheads, or breakwaters,
2. Land fill projects, and,
3. Dredging.

Tidal Inlets

The improvement of tidal inlets generally have two potential problems associated with wave heights. First, increasing the volume of sea water into the bay, consequently, changing the ratio of fresh water volume to salt water volume and at times extending the range of salt water intrusion. These are really not of concern as far as heights are concerned, but may present an ecological concern, i.e., change in percent of salt water. Second, such improvements may change the mode of oscillation in the bay, i.e., if the improvement is such that the fundamental mode of oscillation of the bay is within approximately twenty percent of the normal surf beat expected at the tidal entrance, the possibility of oscillation in the fundamental mode is very high. Such oscillations tend to increase wave heights by a factor of about two. Most improvements of this nature are very large and readily recognizable.

Sea Walls

Sea walls have a tendency to reflect waves. This reflection increases the wave height anywhere from a factor of one to a factor of two. Such reflections not only raise water heights locally, but have been known to cause problems to adjacent areas that receive the reflected waves.

Land Fill Projects

Land fill projects may affect flood heights depending upon the percentage decrease in bay volume the project represents. A fill volume of approximately one percent would have an almost negligible affect on flooding potential. With an increase of about ten percent, flooding in the surrounding areas would also be on the order of ten percent. With greater than ten percent fill, the increased flooding may present a severe problem.

Dredging

For small projects (defined as a percentage increase in water volume of no more than ten to twenty percent) dredging will have little effect and in most cases would tend to diminish flooding problems. Large projects would improve flooding conditions, i.e., diminish the areas of flooding.

In general, flood heights will be altered by projects which change the volume of the body of water, cause waves to be reflected, and which change the oscillatory characteristics of the body of water. If any of these effects are about ten percent to twenty percent, the project probably will have a significant impact on the environment (flooding potential increased).

DRIFT

There are basically three definitions for drift. These are:

(a) Speed at which a current flows.

If a project extends into a region where a current exists, its' speed will be altered and/or its location and direction changed. The consequences of such changes must be examined to determine their severity. In most cases, these effects would be minimal.

(b) Floating Material

If the accumulation of drift on the project site is currently a problem, then any project built on the site would be affected by the drift, i.e., a pier built on such a site might have an excessive amount of drift to contend with. If drift is not a current problem, the project probably would not cause any increased effect on accumulation.

A floating material of particular concern is oil and grease, normally in conjunction with projects involving new oil depots. In such cases if the natural circulation pattern is such that drift from the site tends to deposit upon a given beach area, then that area is probably likely to be affected by any spill, and would be of concern to the staff.

- (c) Littoral drift (The on-shore, off-shore, along-shore movement of beach material)

Any project built within the littoral drift zone, which lies between the beach and the breaker area, will have some effect upon the littoral drift. Such interference will change to some degree the local rates of erosion and/or accretion, and must be assessed on an individual basis.

APPENDIX D

AIR QUALITY

The Staff, in assessing the impact of the proposed project on the air quality of the area, considers both the effect of construction and of any potential on-going utilization of the project products. For example, the Staff considers the effects on air quality of the actual construction of the facility as it does the effects on air quality of the potential utilization of the pier.

As one of the first steps in the Staff analysis, an estimate of the atmospheric emissions due to construction equipment is developed. For these estimates, emission factors compiled by the U.S. Environmental Protection Agency are used and are given below.

EMISSION FACTORS FOR HEAVY DUTY DIESEL POWERED EQUIPMENT (lb/10³ gal)*

<u>Pollutant</u>	<u>Loco- motive</u>	<u>Heavy- Duty truck</u>	<u>Wheel Tractor</u>	<u>Wheel Dozer</u>	<u>Off- Highway Truck</u>	<u>Miscel- laneous</u>
Carbon Monoxide	130	225	161 (211)	66 (335)	93 (610)	94 (188)
Hydro- carbons	94	37	51 (67)	21 (106)	30 (198)	35 (71)
Nitrogen Oxides	370	370	342 (451)	450 (2290)	524 (3460)	494 (1030)

The Staff in utilizing this information estimates the equipment that may be used at the project site as well as the length of time that the project will be in the area.

The analysis basically consists of summing the total emissions from construction activities and comparing the gross emissions to normal vehicle emissions in the area. Data on traffic is obtained by a brief survey of traffic during the site inspection as well as noting the probable traffic from both conversations with local residents and by the general nature of the neighborhood. For this purpose the following values are used:

<u>Pollutants From Light Duty Gasoline Powered Vehicles</u>	<u>lb/10³ gal</u>	<u>Emissions gm/ml</u>
Carbon Monoxide	1500	70
Hydrocarbons	132	6
Nitrogen Oxides	66	3

*Numbers in () are in units of gm/hr.

In addition to the length of project time and emissions, the Staff notes dispersion characteristics of the area, i.e., canyon effect, and any "sensitive" receptor groups in the area, e.g., hospitals and schools.

For comparison, motor vehicles emissions in the New York City Air Quality Control Region amounted to the following (as reported in the New York City Metropolitan Area Air Quality Implementation Plan, January 1972):

- . Carbon monoxide, 3.9×10^6 tons
- . Hydrocarbons, 0.6×10^6 tons
- . Nitrogen oxides, 0.3×10^6 tons

Whenever piers or other docking facilities are being constructed the Staff takes into consideration the additional emissions due to waterborne sources. For these estimates, the Staff uses emission factors that were developed* for outboard motors with a range of 4 to 65 horsepower. These factors are as follows:

<u>Pollutant</u>	<u>Emissions lb/10³ gal</u>
Carbon Monoxide	3300
Hydrocarbons	1100
Nitrogen Oxides	7

For larger vessels, utilizing inboard power systems the following data applies (steamships are any ships that have steam turbines driven by an external combustion engine; motor ships have internal combustion engines operated on the diesel cycle):

<u>Pollutant</u>	<u>Emissions</u>			
	<u>Steamship</u>		<u>Motor Ship</u>	
	<u>Underway (lbs/mi)</u>	<u>In-Berth (lbs/day)</u>	<u>Underway (lbs/mi)</u>	<u>In-Berth (lbs/day)</u>
Carbon Monoxide	0.002	0.08	1.2	46
Hydrocarbons	0.2	9	0.9	33
Nitrogen Oxides	4.6	200	1.4	50

As previously noted under the construction analysis, the resultant emissions are compared to estimated background values (or actual value where practical) of the area, along with the dispersal characteristics of the area, and their effect on air quality is estimated.

The analysis presented above is not meant to be fixed or rigid for each permit application. When additional procedures or analysis are warranted, they will be developed and utilized.

*By the U. S. Environmental Protection Agency

APPENDIX E

NOISE

The staff, in assessing the environmental impact resulting from project related noise, considers both the noise generated during construction activities as well as noise generated during utilization of the facility. As one of the first steps in the staff's analysis, the general nature of the area is determined--e.g., commercial, residential, industrial. From this the general traffic pattern and nature of the area low, medium, or high background levels are assumed.

As far as the effects of construction activities, equipment used, total construction time and proximity to population centers (and to sensitive areas such as hospitals or schools) are determined. Approximation of noise levels resulting from the equipment used are obtained from Table 1 (derived from data in the "Report of the Administration of The Environmental Protection Agency to the President and Congress on Noise," Senate Document No. 92-93, February 1972). These levels are then compared to the levels given in Figure 1 (from Prevention and Control of Environmental Noise Pollution, New York State Department of Environmental Conservation, August 1973). The resultant impact on the environment is thus gauged as normally acceptable, normally unacceptable or unacceptable (and thus either interfering or not interfering with ongoing activities).

As far as utilization is concerned, the number of any additional vehicles present as a result of the project are compared to existing traffic patterns and the resultant noise levels are assessed.

TABLE 1
RESULTANT SOUND LEVELS FROM CONSTRUCTION EQUIPMENT

SOURCE	SOUND LEVEL, dBA AT INDICATED DISTANCE FROM SOURCE				
	50 ft.	100 ft.	200 ft.	500 ft.	1000 ft.
TRUCKS, CRANES, BULLDOZERS, ETC. (FEATURING DIESEL-TYPE INTERNAL COMBUSTION ENGINES)	70-95	64-89	58-83	50-75	44-69
AIR COMPRESSORS AND OTHER STATIONARY SOURCES, TYPICALLY DIESEL POWERED	76-86	70-80	64-74	56-66	50-60
PILE DRIVER	105	99	99	85	79
FRONT END LOADERS	73-86	67-80	61-74	53-66	47-60

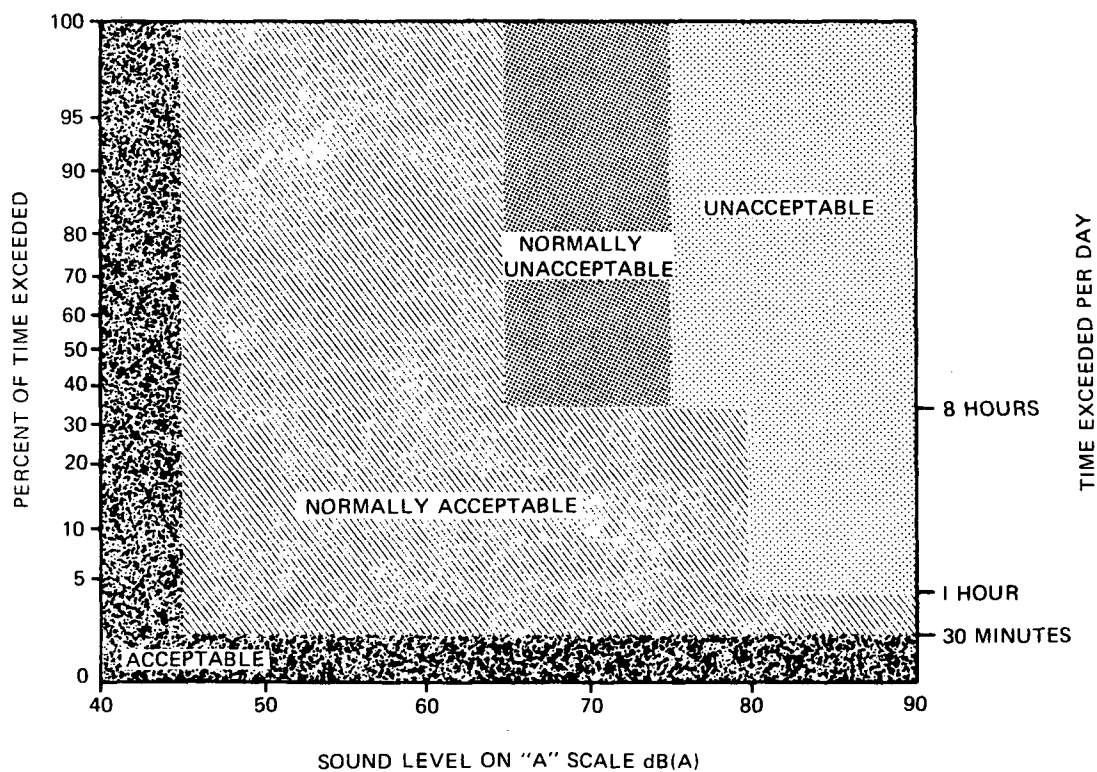


FIGURE 1
NOISE CRITERIA

APPENDIX F

ESTHETICS

To some degree, the esthetic impact of any change in the environment will always involve subjective judgment. This fact is evidenced by such events as the occasional costly law suit intended to prevent construction of a house regarded by the plaintiff as "not-fitting," although the defendant has paid a handsome sum to have it designed as a thing of beauty. Nevertheless, there are principles -- frequently illustrated in legal actions such as the above -- by which resolution of questions of esthetic impact tends to be guided. The principles which the Staff uses as criteria in the present study are listed below. Some of these must be applied subjectively and no single criterion can be made rigorously quantitative. But in the list which follows, some indication is given as to how qualitative assessment of an environmental change or ranking on an ordinal scale may be related to numerical values.

These criteria are applied sequentially until the Staff has determined the esthetic impact of the project or until all have been considered. The sequence reflects a decreasing order of objectivity: i.e., each criterion requires more subjectivity in applying it than does the one immediately preceeding it.

1. Potential Impact - Uniqueness of the New Environmental Feature

The first criterion applied expresses the degree to which the new feature resulting from the change can esthetically affect the immediate environment, whether beneficially or adversely. If unlike anything else in the neighborhood, the potential impact of the new feature will be great, but if it is only another addition to what already exists it will have small effect. One more land-fill operation or one more pipeline with protruding cutoff valves and exposed overpasses will go unnoticed, where the first such will draw attention. The decrease in impact as the number of similar features goes up is essentially logarithmic. It could be measured approximately on a scale (from 1 to 0) as $1 - \log n$, for $n \leq 10$ and 0 for $n > 10$ where n is the total number of such features that will exist when the proposed environmental change is effected.

In some situations, the potential impact may not be measurable by counting additions because it depends on elimination of one or more features or even in changing completely the character of the environment. Here again, the impact must be proportional to the extent of the change. If an entire wooded area is cleared of all trees or a marshland is filled in, the potential impact is maximum. Where the change involves eliminating k of n picturesque or historic features, k/n provides some measure of the potential impact.

2. Intensity of Impact - Magnitude of the New Environmental Feature

A large change in the environment impacts more heavily than a small one. No attempt is made to define an exact ratio scale, but for visual impact, the intensity should be proportional to the cubic volume. It is not unreasonable that a 400 foot cooling tower with an average diameter of 100 feet should have 15 or 16 times the impact of a substation 100 x 100 x 20 feet, or that a drainage ditch a mile long has five times the impact of one of equivalent width and depth running for 1000 feet. The bulk effect can, of course, be mitigated by making the feature blend in with the surroundings (see 4, below); in this regard, massive size imposes a constraint on the ability to conceal or camouflage. The substation may be set below a hill or below tree level, whereas the cooling tower will loom over the surroundings.

Esthetic considerations are, of course, not limited to visual impact, although effects on the other senses are rarer and when they occur may be treated under other considerations (e.g., noise). Although offensive odors are generally covered in terms of the amount of pollutants emitted, the odor is an additional impact which it is only reasonable to assess in terms of the magnitude of disagreeable output on essentially the same scale as for pollutant emission, (e.g., 5 times the output by volume or weight has 5 times the esthetic impact as well as 5 times the effect in polluting the air).

3. Sensitivity of Area(s) Affected

Different types of areas vary as to the degree that they will be affected esthetically by even the most extensive environmental changes. Constructing a drainage ditch or carrying out dredging operations in the midst of an area zoned for waste disposal will be perceived as having negligible esthetic impact in contrast with such changes in parkland or suburban residences. To apply this consideration, areas are ranked as follows in ascending order of sensitivity to the type of environmental change likely to be encountered in the present study:

- Waste land or any area of land and/or water specifically authorized for the disposition of waste products, including their processing through sewage plants, incineration, etc.
- Industrial area
- Commercial
- Undeveloped open land, public or private (e.g., farmland, stretches along highways, unimproved urban or suburban lots of sufficient size to be considered distinct from the zoned area of which they may be part, etc.)
- Recreational, including parkland, undisturbed woodland and other wilderness areas, beaches and coastal areas not used commercially or industrially

- Residential, which can be subgraded on an ascending scale from multiple apartment houses through garden-type apartments and townhouses to detached single family dwellings

The above scale is intended to be ordinal only. Thus, the esthetic impact is minimal for a change in waste land adjacent to industrial areas and maximal for one in a residential zone surrounded by other living establishments and recreational areas. However, no attempt is made to create an interval or ratio scale by suggesting that the impact on a residential area is six times that on wasteland, etc. Some subjectivity in applying the scale may be required, particularly where up-to-date and realistic zoning is not available as a guide.

4. Deviation or Incongruity

Given that the environmental change introduces an unusual feature of sufficient magnitude into a neighborhood where its effect can be perceptible, an important consideration becomes how well it can blend or harmonize with its surroundings. In areas of older towns that have been recreated or preserved, new commercial establishments are frequently built in a style that minimizes their difference from original homes and other structures. In residential areas where utilities are placed underground, junction-boxes may be set into small hillsides or otherwise situated to take advantage of topographic features that render them inconspicuous, and painted olive green they are accepted as part of the landscape, whereas bright vermilion might excite a howl. Functional bodies of water required for industrial purposes can be given the aspect of recreational ponds or scenic lakes.

In applying this consideration, there is currently no substitute for sound subjective judgment based on experience by the Staff. The more the environmental change is deemed to blend with its surroundings and the less conspicuous and/or incongruous it is, the smaller is its esthetic impact.

5. Inherent Value - Positive or Negative

The last criterion applied reflects whether the environmental change adds to or subtracts from the neighborhood esthetically. This consideration is placed last because it is the most subjective and it is, therefore, advantageous to avoid it altogether, if possible, by prior determination. Applying this criterion is equivalent to the mathematical operation of determining whether a value is greater than zero, corresponding to a positive or advantageous esthetic effect, or less than zero, corresponding to a negative or harmful effect. If the absolute magnitude of a quantity, E , is small enough, in practice it is a matter of indifference whether $E > 0$ or $E < 0$. Thus, in any event the effect of a subjective judgment as to whether a change is "good" or "bad" esthetically will not be significant if the impact of the change can be determined to be small.

APPENDIX G

SAFETY

The Staff believes that this project will not constitute a significant safety hazard, either to members of the various work crews or to the general public. This conclusion is based on the history of such projects which has shown that it is not essentially more hazardous than other construction activities. Especially significant in this regard is the industrial practices used along with the standards of safety that will be maintained in accord with industrial safety laws and applicable union codes. In particular, it is anticipated that a vigorous safety program to ensure continuing worker awareness of requirements in regard to procedures, protective clothing, and other precautionary measures will minimize accidents. While it is true that construction and other outdoor activities have historically reflected a somewhat higher accident rate than have indoor operations,⁺ it has also been statistically established that labor-saving machinery reducing fatigue and, more particularly, the application of safety programs result in significantly lowering the accident rate. Thus, concurrent with increasing mechanization, the death rate from work accidents has been almost steadily downward (from 16.4 per 10⁵ population in 1929 to 6.8 in 1972).^{*} The trend can also be seen^{**} from the fact that since 1933 the work force increased from under 30 million to over 80 million, whereas the death rate per 10⁵ worker declined about 50% from over 35 to about 17. The significance of safety programs is seen in the superior record of member companies of the National Safety Council, whose rates for both frequency and severity of injuries has, since 1965, ranged from 23 to 73% lower than the rates of non-member companies.^{***}

*The National Safety Council, Accident Facts, 1973 Edition. p. 13.

**Ibid, p. 23.

***Ibid, p. 27.

⁺For example, in 1972, the rate of disabling injuries per million man-hours in construction was 14.96, as contrasted with 1.26 in tobacco, 4.32 in textiles, 3.87 in steel, and 2.27 in aerospace.

APPENDIX H
HISTORICAL SIGNIFICANCE

INTRODUCTION

This section outlines the steps taken in determining if the proposed project (or action) has any effect on any historical site within the project area. The evaluation is comprised of the following three steps:

- (1) historic site identification
- (2) determination of any potential project effects on the sites identified in (1)
- (3) mechanism for addressing effects

HISTORIC SITE DETERMINATION

The Staff, in evaluating the possibility that the proposed action, if implemented, would affect any historical site in the area uses the National Register of Historic Places* as the primary source for determining sites of historic significance for the area. This document is a listing compiled and updated by the National Park Service of the Department of the Interior. This yearly summary also includes a list of State Liaison Officers responsible for State activities under the National Historic Preservation Act. These Officers will serve as the second source for historic data. They will have information on sites which the States are nominating for inclusion in the National Register and can supply the name of the county historical society which may have additional historic data for the site under consideration.

The criteria for listing a site in the Historic Register are found in the National Register of Historic Places and are as follows:

"The quality of the site with respect to significance in American history, architecture, archeology, and culture, that possess integrity of location, design, setting, materials, workmanship, feeling and association and:

1. that are associated with events that have made a significant contribution to the broad patterns of our history; or
2. that are associated with the lives of persons significant in our past; or
3. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

*1974 Edition, Federal Register, February 19, 1974, 39 FR 6401-6481.

4. that have yielded, or may be likely to yield information important in prehistory or history.

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

(a) A religious property deriving primary significance from architectural or artistic distinction or historical importance.

(b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(g) A property achieving significance within the past 50 years if it is of exceptional importance."

PROJECT EFFECT

Once sites, building, etc. have been identified as being in the project area, the criteria used to define effect as outlined in the National Historic Preservation Act (NHPA)* are used. These criteria for effect are as follows:

Criteria for Effect

A federal, federally assisted, or federally licensed undertaking shall be considered to have an effect on a National Register property or property eligible for inclusion in the National Register (districts, sites, buildings, structures, and objects, including their setting) when any conditions of the undertaking causes or may cause any change, beneficial or adverse, in the quality of the historical, architectural, archeological, or cultural character that qualified the property under the National Register Criteria.

Criteria for Adverse Effect

Generally, adverse effects occur under conditions which include but are not limited to:

- (a) Destruction or alteration of all or part of a property;
- (b) Isolation from or alteration of its surrounding environment;
- (c) Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its settings;
- (d) Transfer or sale of a federally owned property without adequate conditions or restrictions regarding preservation, maintenance, or use; and
- (e) Neglect of a property resulting in its deterioration or destruction.

The Staff uses these guidelines in determining whether or not the proposed action, if implemented, will affect any site.

PERMIT NO.

360-11-0072 (SP284)

DAM NO.

PERMIT UNDER ARTICLE 15, TITLE 5 (PROTECTION OF WATER) OF THE ENVIRONMENTAL CONSERVATION LAW

PERMITTEE	
Tower Ridge Yacht Club, % Joseph Baka	
PERMITTEE'S ADDRESS	
39 Hamilton Avenue, Yonkers, New York 10705	
PERMITTEE IS HEREBY PERMITTED TO:	
Install a bulkhead and floats and place fill in the Hudson River.	
FOR CARRYING OUT THE FOLLOWING WORKS:	
Construct 70 feet of steel sheathing bulkhead, install mooring piles and 18 floats, and extend an existing broken concrete and stone breakwater an additional 15 feet.	
LOCATION	
County	Westchester
	XXX Village of Hastings-on-Hudson
SECTION OF STREAM TO WHICH THIS PERMIT APPLIES	
Eastern shore of Hudson River, approximately 200 feet north of the Hastings Petroleum Corporation.	

Note: (a) This permit does not relieve the permittee of responsibility for damages to riparian owners or others.

(b) If the structure or work herein authorized is not completed on or before 31st day of December, 1975, this permit, if not specifically extended, shall cease and be null and void.

CONDITIONS

1. The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation who may order the work suspended if the public interest so requires.

2. The permittee shall file in the office of the Local Permit Agent a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him promptly in writing of the completion of the work.

3. As a condition of the issuance of this permit, the applicant has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.

4. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway.

5. Any material to be deposited or dumped under this permit, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material into the waterway.

6. There shall be no unreasonable interference with navigation by the work herein authorized.

7. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or endanger the health, safety or welfare of the people of the State, or loss or destruction of

the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

8. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

9. That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the owner.

10. All work carried out under this permit shall be performed in accordance with established engineering practice and in a workmanlike manner.

11. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands of others to perform the permitted work or as authorizing the impairment of any right, title or interest in real or personal property held or vested in a person not a party to the permit.

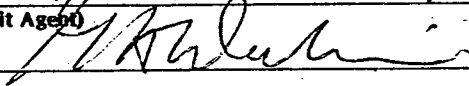
12. Nothing in this permit shall be deemed to affect the responsibility of the permittee to comply with any applicable Rules and Regulations of the U.S. Army Corps of Engineers or any other governmental agency having jurisdiction.

OTHER CONDITIONS:

13. The work authorized by this permit shall be conducted in accordance with plans dated May 31, 1974 and April 23, 1974 and specification submitted in support of the application. It is noted that approximately 150 feet of the breakwater designated as proposed on these plans has been completed.

14. The granting of this permit does not relieve the permittee of the responsibility of obtaining any other permit or approval which may be required and of obtaining any grant or easement from the Bureau of Surplus Real Property of the Office of General Services which may be required for any encroachment on state owned lands underwater.

The issuance of this permit certifies that it is not contrary to the public interest that the proposed works be done.
The applicant in accepting this permit signifies his agreement to abide by the conditions set forth above.

Application Date April 20, 1974	Expiration Date December 31, 1975	Permit Issued November 20, 1974
By (Permit Agent) 	(Name and Address) George A. Danskin Local Permit Agent 21 South Putt Corners Road New Paltz, New York 12561	

cc: W. H. McKeon
G. A. Odell
D. A. Zumbach
U. S. Army Corps of Engineers, N.Y. District

New York State Department of Environmental Conservation

21 South Platt Corners Road, New Paltz, N.Y. 12561



Ogden Reid
~~James L. Biggane~~
Commissioner

Warren H. McKeon,
Regional Director

February 20, 1975

74-538

Tower Ridge Yacht Club
% Mr. Joseph Baka
39 Hamilton Avenue
Yonkers, New York 10705

Re: Permit No. 360-11-0072 (SP284)
Permittee: Tower Ridge Yacht Club
% Joseph Baka

Dear Mr. Baka:

AMENDMENT TO PERMIT

In accordance with your written request of February 14, 1975 the above permit is hereby amended to allow the installation of an additional 50 lineal feet of steel sheathing bulkhead. The 70 lineal feet of bulkhead authorized by the original permit is to be extended 30 feet to the south and 20 feet to the north.

This letter may be considered an amendment to the original permit and, as such, is incorporated in the original permit.

All other conditions remain as written in the original permit.

Sincerely,

George A. Danskin
Local Permit Agent
Environmental Analysis
Region 3

cc: G. A. Odell
C. M. Nash
U.S. Army Corps of Engineers, N.Y. District

Enclosure

GAD/WES/mdw

PERMIT UNDER ARTICLE 15, TITLE 5 (PROTECTION OF WATER) OF THE ENVIRONMENTAL CONSERVATION LAW

PERMIT NO.

360-11-0072 (SP284)

DAM NO.

PERMITTEE	
Tower Ridge Yacht Club, % Joseph Baka	
PERMITTEE'S ADDRESS	
39 Hamilton Avenue, Yonkers, New York 10705	
PERMITTEE IS HEREBY PERMITTED TO:	
Install a bulkhead and floats and place fill in the Hudson River.	
FOR CARRYING OUT THE FOLLOWING WORKS:	
Construct 70 feet of steel sheathing bulkhead, install mooring piles and 18 floats, and extend an existing broken concrete and stone breakwater an additional 15 feet.	
LOCATION	
County	Westchester XXX Village of Hastings-on-Hudson
SECTION OF STREAM TO WHICH THIS PERMIT APPLIES	
Eastern shore of Hudson River, approximately 200 feet north of the Hastings Petroleum Corporation.	

Note: (a) This permit does not relieve the permittee of responsibility for damages to riparian owners or others.

(b) If the structure or work herein authorized is not completed on or before 31st day of December, 1975, this permit, if not specifically extended, shall cease and be null and void.

CONDITIONS

1. The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation who may order the work suspended if the public interest so requires.

2. The permittee shall file in the office of the Local Permit Agent a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him promptly in writing of the completion of the work.

3. As a condition of the issuance of this permit, the applicant has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.

4. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway.

5. Any material to be deposited or dumped under this permit, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material into the waterway.

6. There shall be no unreasonable interference with navigation by the work herein authorized.

7. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or endanger the health, safety or welfare of the people of the State, or loss or destruction of

the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

8. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

9. That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the owner.

10. All work carried out under this permit shall be performed in accordance with established engineering practice and in a workmanlike manner.

11. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands of others to perform the permitted work or as authorizing the impairment of any right, title or interest in real or personal property held or vested in a person not a party to the permit.

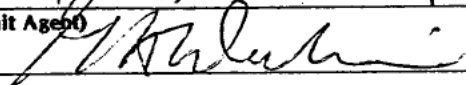
12. Nothing in this permit shall be deemed to affect the responsibility of the permittee to comply with any applicable Rules and Regulations of the U.S. Army Corps of Engineers or any other governmental agency having jurisdiction.

OTHER CONDITIONS:

13. The work authorized by this permit shall be conducted in accordance with plans dated May 31, 1974 and April 23, 1974 and specification submitted in support of the application. It is noted that approximately 150 feet of the breakwater designated as proposed on these plans has been completed.

14. The granting of this permit does not relieve the permittee of the responsibility of obtaining any other permit or approval which may be required and of obtaining any grant or easement from the bureau of Surplus Real Property of the Office of General Services which may be required for any encroachment on state owned lands underwater.

The issuance of this permit certifies that it is not contrary to the public interest that the proposed works be done.
The applicant in accepting this permit signifies his agreement to abide by the conditions set forth above.

Application Date April 20, 1974	Expiration Date December 31, 1975	Permit Issued November 20, 1974
By (Permit Agent) 	(Name and Address) George A. Danskin Local Permit Agent 21 South Putt Corners Road New Paltz, New York 12561	

cc: W. H. McKeon
G. A. Odell
D. A. Zumbach
U. S. Army Corps of Engineers, N.Y. District

PERMIT


No. 360-111-0072 (SP284)

has been issued to: TOWER RIDGE YACHT CLUB, c/o JOSEPH BAKA

address: 39 HAMILTON AVENUE, YONKERS, NEW YORK 10705

for: INSTALLATION OF A BULKHEAD AND FLOATS AND PLACE FILL IN THE HUDSON RIVER,

under the Environmental Conservation Law,
Article 15, Title 5 (Protection of Water)


GEORGE A. DANSKIN
Permit Agent

New York State
Department of Environmental Conservation

NOVEMBER 20, 1974

Date Issued

DECEMBER 31, 1975

Expiration Date