

Harbor and Coastal Zone Management Commission Agenda

VILLAGE OF MAMARONECK HARBOR COASTAL ZONE MANAGEMENT AGENDA

March 30, 2022 AT 7:30 PM - Zoom

NOTICE OF FIRE EXITS AND REQUEST TO TURN OFF ELECTRONIC DEVICES

1. WATCH VIDEO
 - A. Please click the link below to join the webinar:
<https://us06web.zoom.us/j/95104812461>
One tap mobile: +16465588656,,95104812461#
Telephone: 646 558 8656
Webinar ID: 951 0481 2461
2. OPEN MEETING
3. ATTENDANCE
4. ADMINISTRATIVE ACTION(S)
 - A. **Communication regarding proposed bulkhead replacement.**
5. ADJOURN MEETING

ANY HANDICAPPED PERSON NEEDING SPECIAL ASSISTANCE IN ORDER TO ATTEND THE MEETING SHOULD CALL THE VILLAGE MANAGER'S OFFICE AT 914-777-7703

All Board of Trustee Regular, ZBA, Planning Board, and HCZM Meetings are Broadcast Live on LMC-TV:

Verizon FIOS Channels 34, 35 & 36

Cablevision Channels: 75, 76 & 77

And Streamed on the Web: www.lmc-tv.org

Village of Mamaroneck, NY

Item Title: WATCH VIDEO

Item Summary: Please click the link below to join the webinar: <https://us06web.zoom.us/j/95104812461>
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Webinar ID: 951 0481 2461

Fiscal Impact:

Village of Mamaroneck, NY

Item Title: Harbor Bulkhead App

Item Summary: Communication regarding proposed bulkhead replacement.

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Bulkhead Replacement - LWRP Memo	3/23/2022	Backup Material
Bulkhead Replacement Application & FCAF	3/23/2022	Backup Material

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

NYS DEPARTMENT OF STATE
Office of Planning, Development and Community Infrastructure

MEMORANDUM

To: Thomas Burt

From: NYS Department of State, Coastal Consistency Unit

Date: March 10, 2022

Re: F-2022-0143-Scott Deutermann, Mamaroneck Boats and Motors, Inc., proposes to remove 97 lf, of deteriorated timber sheet pile bulkhead, pilings and walers; excavate and stockpile 50 cys of soil from 200 sf waterward of existing bulkhead; excavate and stockpile 500 cys of soil and fill from 3000 sf landward of existing bulkhead; install 97 lf of timber sheet pile bulkhead with new soldier pilings and walers, 75 cys of 1.25" stone, 1500 sf geotextile fabric, 90 lf deadman consisting of 27 cys of concrete and 11 steel tie rods; backfill area landward of new bulkhead with stockpiled soils; pour new steel-reinforced concrete pad at 622 Rushmore Avenue, Mamaroneck.

Village of Mamaroneck, Westchester County, Mamaroneck Harbor

* * *

Enclosed is a copy of the Federal Consistency Assessment form and permit application for the above-referenced project for your information and preliminary review. Please contact Donna Morelli, the DOS reviewer assigned to this project, at Donna.Morelli@dos.ny.gov or 518-474-3745 to discuss applicable LWRP policies and concerns, and any additional information which may be necessary to assist you in reviewing this project.

Any comments you may have will assist the Department in reaching a decision as to the consistency of the proposed action with the approved LWRP.

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



From: [John Hilts](#)
To: [dos.sm.Cstl.CR](#)
Cc: [scottedeutermann@gmail.com](#); [Debra Sganga](#)
Subject: Mamaroneck Boats and Motors, Inc. 622 Rushmore Avenue, Mamaroneck, NY 10543
Date: Thursday, February 24, 2022 6:51:48 PM
Attachments: [Mamaroneck Bulkhead jointapp pkg.pdf](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

To Whom It May Concern:

Attached please find an electronic copy of a Joint Application and FCAF for a proposed bulkhead replacement at the above-referenced location. Please confirm receipt of this email and attachment, and let me know the file number assigned by your office.

Per your office's instructions, please note the following:

Applicant: Mamaroneck Boats and Motors, Inc.
Attention: Mr. Scott Deutermann
622 Rushmore Avenue, Mamaroneck, NY 10543
phone: (914) 698-2500
email: scottedeutermann@gmail.com and deb@mamaroneckboats.com

Agent: Mr. John Hilts
Post Office Box 47, Rowayton, CT 06853-0047
phone: (475) 441-1244
email: mrhilts@erols.com

Description: Remove 97 l.f. of deteriorated timber sheet pile bulkhead, pilings and walers; excavate and stockpile 50 c.y. of soil from 200 s.f. waterward of existing bulkhead; excavate and stockpile 500 c.y. of soil and fill from 3000 s.f. landward of existing bulkhead; install 97 l.f. of timber sheet pile bulkhead with new soldier pilings and walers, 75 c.y. of 1.25" stone, 1500 sf geotextile fabric, 90 l.f. deadman consisting of 27 c.y. of concrete and 11 steel tierods; backfill area landward of new bulkhead with stockpiled soils; pour new steel-reinforced concrete pad. Work is for continued structural erosion control at a commercial marina.

Project Location: 622 Rushmore Avenue, Mamaroneck, NY 10543 in Mamaroneck Harbor;
Latitude 40° 56' 28"N Longitude 73° 43' 46"W

Thank you for your assistance. I look forward to your reply.

Best,

John Hilts

Mamaroneck Boats and Motors, Inc.
622 Rushmore Avenue
Mamaroneck, NY 10543

24 February 2022

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

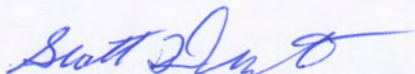
To Whom It May Concern:

I request a permit for the proposed activities as described in the enclosed New York State Department of Environmental Conservation/U.S. Army Corps of Engineers Joint Application for Permit.

I, Mr. Scott Deutermann of Mamaroneck Boats and Motors, Inc. certify that the proposed activities in Mamaroneck Harbor at 622 Rushmore Avenue, Mamaroneck, NY comply with the New York State Department of State's approved Coastal Management Program and the Village of Mamaroneck's approved Local Waterfront Revitalization Program, and that said activities will be conducted in a manner consistent with these programs.

I further agree to supply, upon request, any supplemental information in support of this application.

Sincerely,



Mr. Scott Deutermann
Mamaroneck Boats and Motors, Inc.

enclosures

copies furnished: U.S. Army Corps of Engineers, New York, NY
New York State Department of State, Albany, NY
New York State Office of General Services, Albany, NY

Mamaroneck Boats and Motors, Inc.
622 Rushmore Avenue
Mamaroneck, NY 10543

24 February 2022.

Department of the Army
ATTN: Regulatory Branch
New York District, Corps of Engineers
26 Federal Plaza
New York, NY 10278-0090

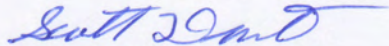
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Sincerely,



Mr. Scott Deutermann
Mamaroneck Boats and Motors, Inc.

enclosures

copies furnished: New York State Department of Environmental Conservation, New Paltz, NY
New York State Department of State, Albany, NY
New York State Office of General Services, Albany, NY

Mamaroneck Boats and Motors, Inc.
622 Rushmore Avenue
Mamaroneck, NY 10543

24 February 2022

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

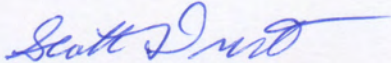
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Mamaroneck Boats and Motors, Inc.

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New York State Department of Environmental Conservation, New Paltz, NY
New York State Department of State, Albany, NY

Mamaroneck Boats and Motors, Inc.
622 Rushmore Avenue
Mamaroneck, NY 10543

24 February 2022

New York State Department of State
Division of Coastal Resources
41 State Street - 8th Floor
Albany, NY 12231

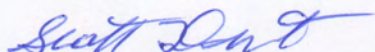
To Whom It May Concern:

Enclosed please find a completed Federal Consistency Assessment Form for the proposed activities as outlined in the attached copy of the U.S. Army Corps of Engineers/New York State Department of Environmental Conservation Joint Application for Permit.

I, Mr. Scott Deutermann of Mamaroneck Boats and Motors, Inc. certify that the proposed activities in Mamaroneck Harbor at 622 Rushmore Avenue, Mamaroneck, NY comply with the New York State Department of State's approved Coastal Management Program and the Village of Mamaroneck's approved Local Waterfront Revitalization Program, and that said activities will be conducted in a manner consistent with these programs.

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Mr. Scott Deutermann
Mamaroneck Boats and Motors, Inc.

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copies furnished: New York State Department of Environmental Conservation, New Paltz, NY
U.S. Army Corps of Engineers, New York, NY
New York State Office of General Services, Albany, NY



JOINT APPLICATION FORM

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

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

1. Applications To:
>NYS Department of Environmental Conservation
Check all permits that apply: Stream Disturbance, Dams and Impoundment Structures, Tidal Wetlands, Water Withdrawal, etc.
>US Army Corps of Engineers
Check all permits that apply: Section 404 Clean Water Act, Section 10 Rivers and Harbors Act
>NYS Office of General Services
Check all permits that apply: State Owned Lands Under Water, Utility Easement, Docks, Moorings or Platforms
>NYS Department of State
Check if this applies: Coastal Consistency Concurrence

2. Name of Applicant
Mailing Address, Telephone, Email, Taxpayer ID, Post Office / City, State, Zip
Applicant Must be (check all that apply): Owner, Operator, Lessee

3. Name of Property Owner (if different than Applicant)
Mailing Address, Telephone, Email, Post Office / City, State, Zip

For Agency Use Only Agency Application Number:

4. Name of Contact / Agent

Mailing Address _____ Post Office / City _____ State _____ Zip _____

Telephone _____ Email _____

5. Project / Facility Name _____ Property Tax Map Section / Block / Lot Number: _____

Project Street Address, if applicable _____ Post Office / City _____ State _____ Zip _____

_____ NY _____

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

Town Village City County _____ Stream/Waterbody Name _____

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

Latitude: _____° _____' _____" Longitude: _____° _____' _____"

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

a. Purpose of the proposed project:

b. Description of current site conditions:

c. Proposed site changes:

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

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

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

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

Number of trees to be cut: _____ Acreage of trees to be cleared: _____

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

h. Describe the planned sequence of activities:

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

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

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

l. Proposed use: Private Public Commercial

m. Proposed Start Date: Estimated Completion Date:

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

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

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

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

Yes If Yes, list below. No

7. Signatures.

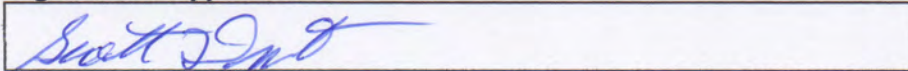
Applicant and Owner (If different) must sign the application. If the applicant is the landowner, the **landowner attestation form** can be used as an electronic signature as an alternative to the signature below, if necessary. Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

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

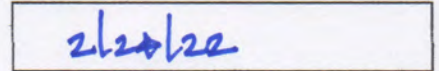
Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted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

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

Signature of Applicant



Date



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

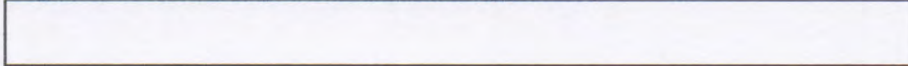
Printed Name

Mr. Scott Deutermann

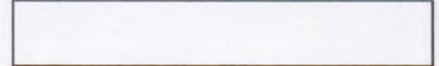
Title

Owner and Applicant

Signature of Owner (if different than Applicant)



Date



Printed Name



Title



Signature of Contact / Agent



Date

24 FEBRUARY 2022

Printed Name

Mr. John Hilts

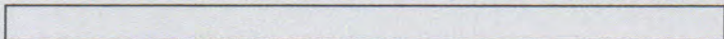
Title

Application Preparer and Agent

For Agency Use Only

DETERMINATION OF NO PERMIT REQUIRED

Agency Application Number 

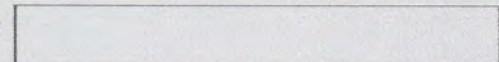
 (Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative:

Printed Name



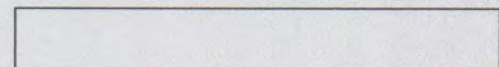
Title



Signature



Date





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):

622 Rushmore Avenue, Mamaroneck, NY 10543

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.*

Mr. Scott Deuterman, Owner

Print Name and Title

Signature

2/24/22

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.



Department of Environmental Conservation

APPLICATION FOR PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION OR EXPANSION OF DOCKING AND MOORING FACILITIES (Including Platforms and Breakwaters)

Supplement D-2

FOR AGENCY USE ONLY
DEC APPLICATION NUMBER:
U.S. ARMY CORPS OF ENGINEERS APPLICATION NUMBER:

Please read all instructions on the following page. TYPE OR PRINT CLEARLY IN INK. Attach additional information as needed.

PROJECT CONSTRUCTION DESCRIPTION: Mamaroneck Boats and Motors, Inc. Bulkhead Replacement

- 1. TYPE OF ACTIVITY: [] New Facility Construction [x] Substantial Reconstruction [] Expansion [] Change in Use

2. CAPACITY OF DOCKING FACILITY OR MOORING AREA:
Maximum number of boats to be docked: 79
Maximum number of boats to be moored: 0
Boat type and size ranges to be served: Outboard powered runabouts, ~ 30' l.o.a.
Total surface area of facility perimeter: ~ 44,000 square feet

3. IDENTIFY STRUCTURE TYPES AND THE USE OF SUCH STRUCTURES, INCLUDE SIZE, TYPE OF CONSTRUCTION AND MATERIALS TO BE USED, IF SUBSTANTIAL RECONSTRUCTION IS REQUIRED, EXPLAIN EXTENT OF ACTIVITY INCLUDING PERCENTAGE OF THE TOTAL STRUCTURE SIZE AFFECTED.
Remove 97 l.f. of deteriorated timber sheet pile bulkhead, pilings and walers; excavate and stockpile 50 c.y. of soil from 200 s.f. waterward of existing bulkhead; excavate and stockpile 500 c.y. of soil and fill from 3000 s.f. landward of existing bulkhead; install 97 l.f. of timber sheet pile bulkhead with new soldier pilings and walers, 75 c.y. of 1.25" stone, 1500 sf geotextile fabric, 90 l.f. deadman consisting of 27 c.y. of concrete and 11 steel tierods; backfill area landward of new bulkhead with stockpiled soils; pour new steel-reinforced concrete pad. Work will involve 97 l.f. out of 307 l.f. of bulkhead.

(continue on attached sheet if necessary)

- 4. FOR NEW FACILITY, EXPANSION OF EXISTING FACILITY OR CHANGE IN USE, CHECK APPROPRIATE ITEMS AND DESCRIBE THE SERVICES TO BE PROVIDED:
[] Water Supply:
[] Sewage Disposal:
[] Electrical Supply:
[] Gas Supply:
[] Gasoline/Oil Supply:
[] Other:

(continue on attached sheet if necessary)

5. SIGNATURE: [Handwritten Signature]

DATE: 2/24/22

ENVIRONMENTAL QUESTIONNAIRE

This is intended to supplement ENG 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.

PLEASE REFER TO LAST SHEET FOR ALL APPLICABLE RESPONSES.

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

(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.

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

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).

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?

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.

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.

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

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.

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.

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).

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.

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.

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.

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.

BULKHEADING/BANK STABILIZATION/FILLING 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.

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

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 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.

GENERAL:

1. The proposed work is needed due to the deterioration of the existing bulkhead at the site. Its purpose is substantial maintenance to an existing erosion-control structure.

2. The adjacent property owners are as follows:

Howard McMichael, et.al. 700 Rushmore Avenue, Mamaroneck, NY 10543

Indian Cove Property Owners 10 Indian Cove, Mamaroneck, NY 10543

3. Please refer to sheet 2 of 5 of the application plan drawings for photograph locations.

4. No environmental impact statement or environmental report has been prepared.

5. There are two potential alternatives to the proposed activity:

A. The first alternative is No Action. This would result in the complete failure of the deteriorated section of bulkhead, resulting in damage to the adjacent berthing area, loss of use of the adjacent upland, and potential failure of the adjacent sections of bulkhead.

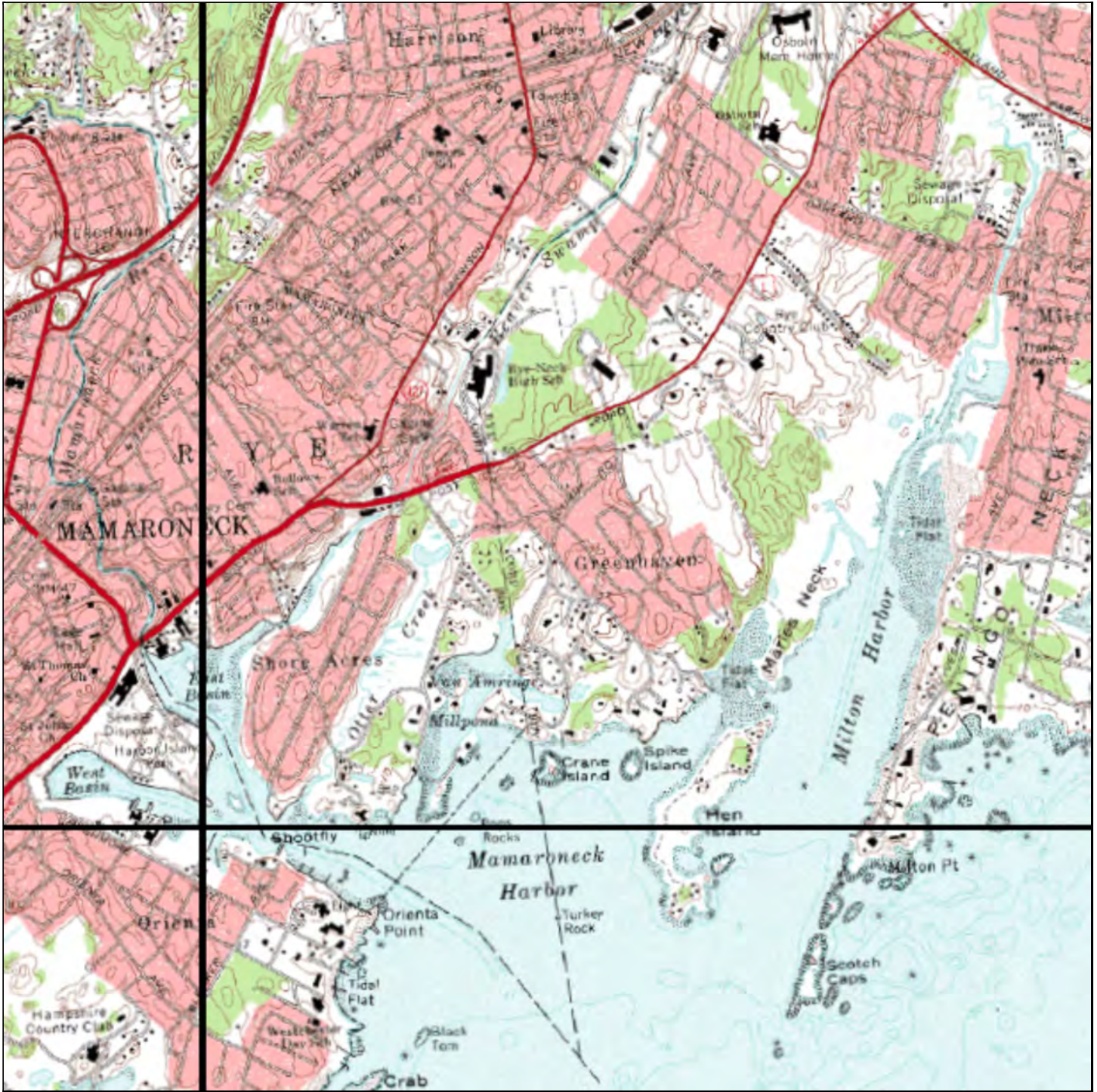
B. The second alternative is the construction of a new revetment landward of the existing bulkhead. This would eliminate use of a substantial area of the applicant's upland and would potentially compromise the adjacent sections of bulkhead.

BULKHEADING:

1. 50 cubic yards of eroded soils excavated from waterward of the existing bulkhead along with 75 cubic yards of clean 1.25" diameter stone will be placed landward of the new bulkhead as shown on the application plan drawings. The 7 cubic yards of 1.25: diameter stone will replace a like quantity of existing backfill.

2. 75 cubic yards of clean 1.25" diameter stone will be sourced from local contractors' supplies. The excavated soils will be screened to remove large stones and organic matter.

3. The stockpiled soils will be placed by excavator bucket and allowed to compact hydraulically. No temporary fill will be required for construction equipment access.



VICINITY MAP

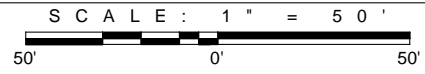
FROM U.S.G.S. MAMARONECK QUADRANGLE MAP

SCALE: 1:24000

PURPOSE: MAINTAIN STRUCTURAL EROSION CONTROL
 DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988
 ADJ. OWNERS: HOWARD McMICHAEL, ET. AL.; INDIAN COVE PROPERTY OWNERS
 APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED TIMBER BULKHEAD REPLACEMENT IN MAMARONECK HARBOR AT 622
 RUSHMORE AVENUE, VILLAGE OF MAMARONECK, WESTCHESTER COUNTY, NY
 APPLICANT: MAMARONECK BOATS AND MOTORS, INC.
 DATE: 2/22/22 SHEET 1 OF 5 REVISION NUMBER: DATE:

EXISTING GENERAL PLAN VIEW



- NOTES:
1. PREPARED IN PART FROM A SURVEY DATED 8/24/09 BY RICHARD A. SPINELLI, L.S., AND SITE VISIT ON 12/01/21.
 2. SPRING HIGH WATER LINE (EL. +4.1'), MEAN HIGH WATER LINE (EL. +3.4') AND MEAN LOW WATER LINE (EL. -3.9') ARE COINCIDENT WITH BULKHEADS.
 3. REFER TO NYS DEC 3-5532-00351_00005 AND USACOE NAN-2010-00236 FOR MOST RECENT WORK AT SITE.
 4. LOCATIONS OF STRUCTURES AT NEIGHBORING PROPERTIES ARE APPROXIMATE AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
 5. ALL DRAWINGS ARE INTENDED SOLELY FOR REGULATORY REVIEW.



PROPERTY N/F OF INDIAN COVE PROPERTY OWNERS
10 INDIAN COVE

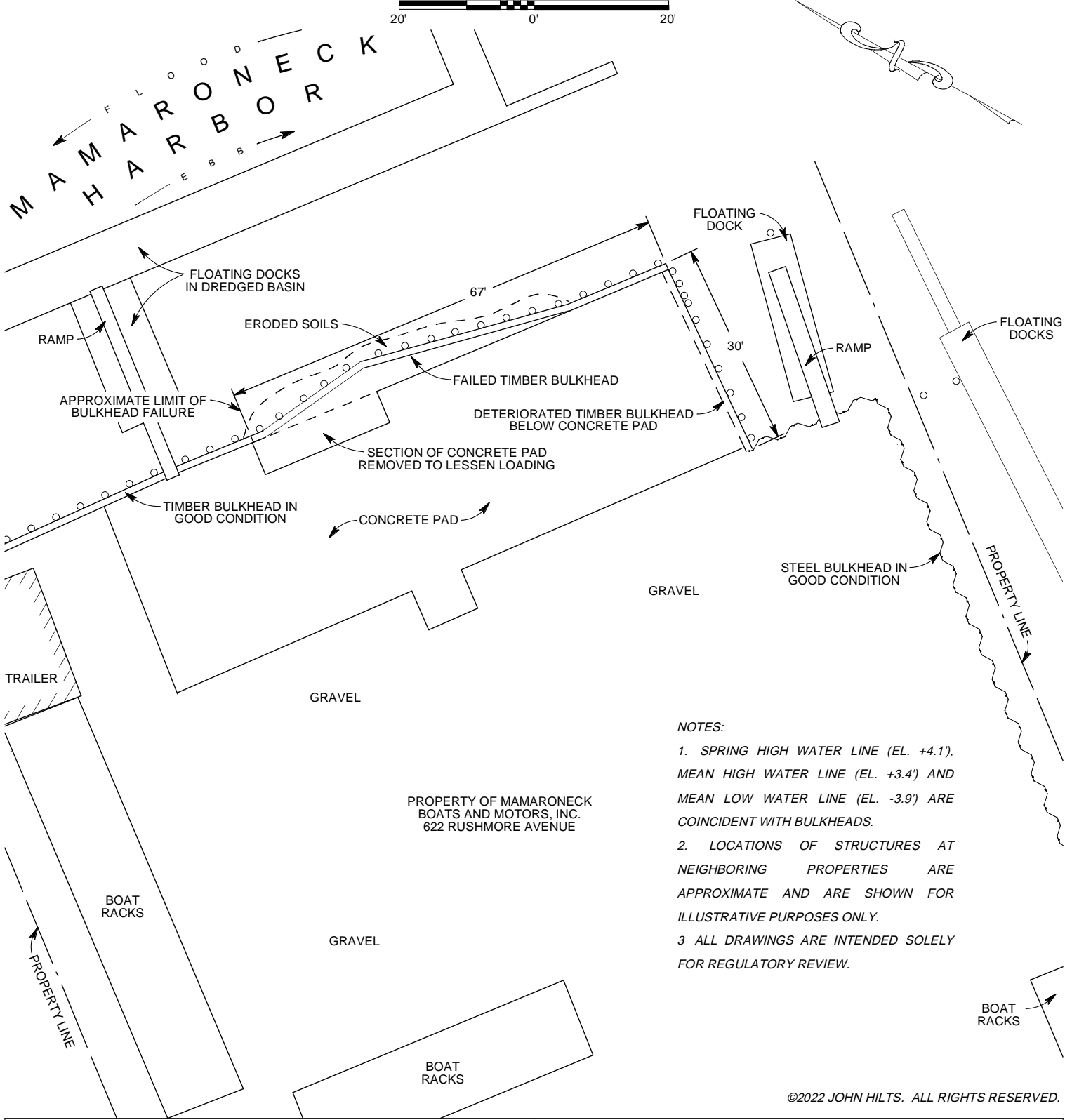
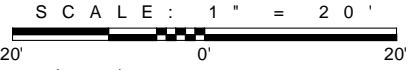
PROPERTY OF MAMARONECK BOATS AND MOTORS, INC.
622 RUSHMORE AVENUE

PROP. N/F OF HOWARD McMICHAEL, ET.AL.
(McMICHAEL'S BOAT YARD)
700 RUSHMORE AVENUE

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<p>PURPOSE: MAINTAIN STRUCTURAL EROSION CONTROL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 ADJ. OWNERS: HOWARD McMICHAEL, ET. AL.; INDIAN COVE PROPERTY OWNERS APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853</p>	<p>PROPOSED TIMBER BULKHEAD REPLACEMENT IN MAMARONECK HARBOR AT 622 RUSHMORE AVENUE, VILLAGE OF MAMARONECK, WESTCHESTER COUNTY, NY APPLICANT: MAMARONECK BOATS AND MOTORS, INC. DATE: 2/22/22 SHEET 2 OF 5 REVISION NUMBER: DATE:</p>
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EXISTING DETAIL PLAN VIEW

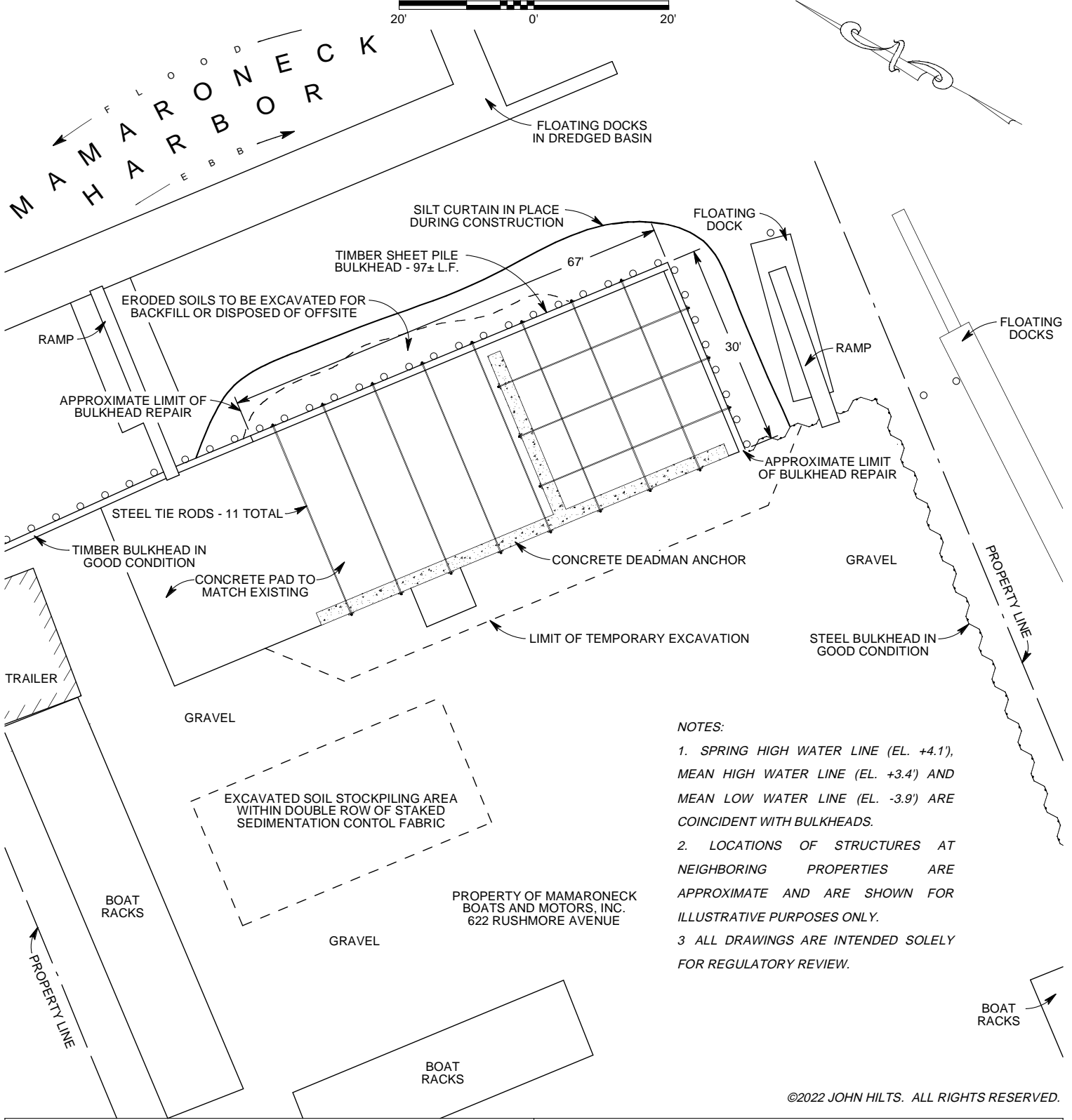
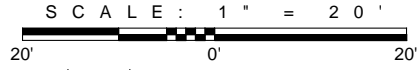


- NOTES:
1. SPRING HIGH WATER LINE (EL. +4.1), MEAN HIGH WATER LINE (EL. +3.4') AND MEAN LOW WATER LINE (EL. -3.9') ARE COINCIDENT WITH BULKHEADS.
 2. LOCATIONS OF STRUCTURES AT NEIGHBORING PROPERTIES ARE APPROXIMATE AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
 - 3 ALL DRAWINGS ARE INTENDED SOLELY FOR REGULATORY REVIEW.

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<p>PURPOSE: MAINTAIN STRUCTURAL EROSION CONTROL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 ADJ. OWNERS: HOWARD McMICHAEL, ET. AL.; INDIAN COVE PROPERTY OWNERS APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853</p>	<p>PROPOSED TIMBER BULKHEAD REPLACEMENT IN MAMARONECK HARBOR AT 622 RUSHMORE AVENUE, VILLAGE OF MAMARONECK, WESTCHESTER COUNTY, NY APPLICANT: MAMARONECK BOATS AND MOTORS, INC. DATE: 2/22/22 SHEET 3 OF 5 REVISION NUMBER: DATE:</p>
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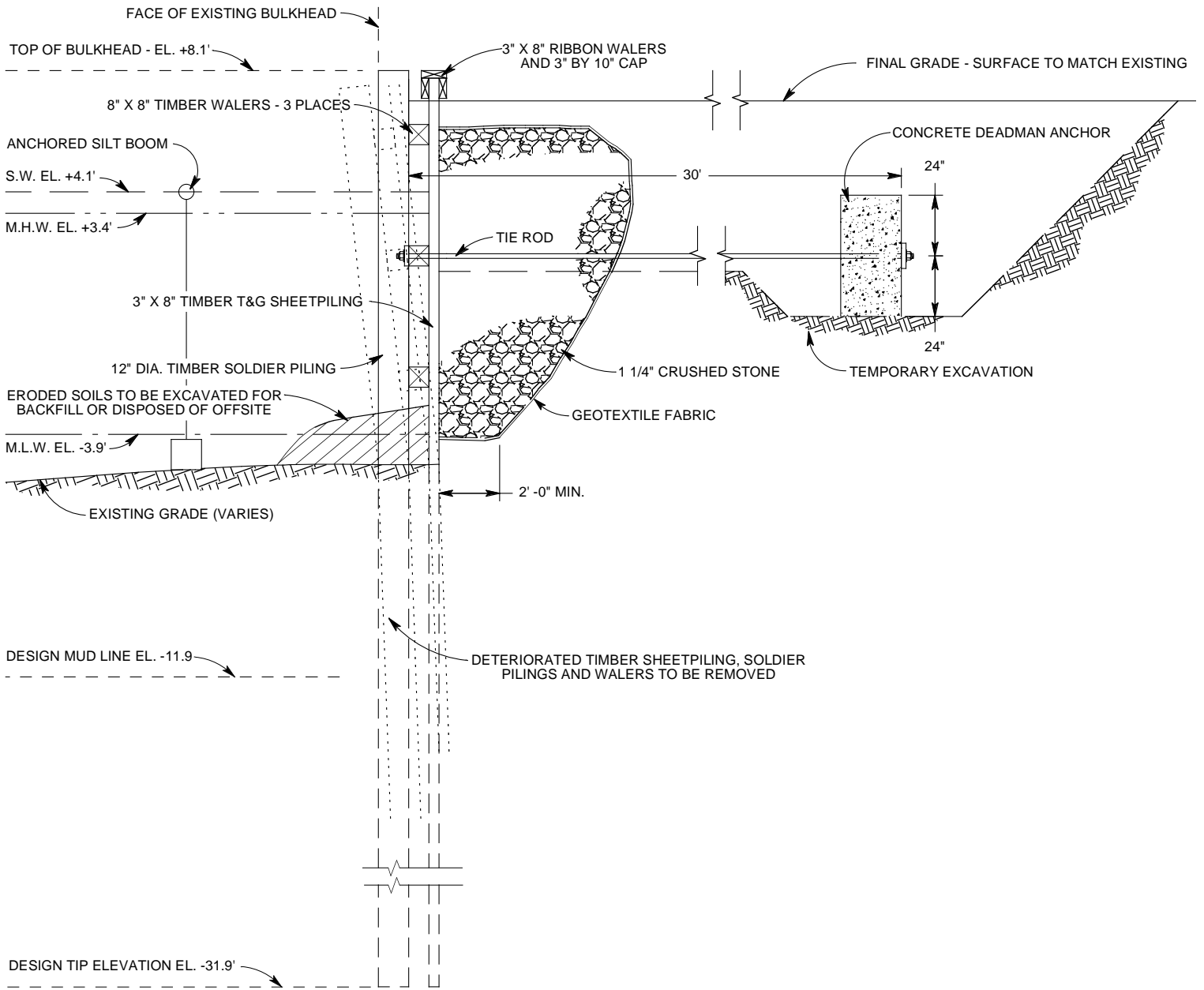
PROPOSED DETAIL PLAN VIEW



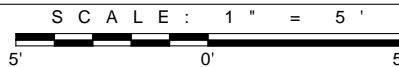
- NOTES:
1. SPRING HIGH WATER LINE (EL. +4.1), MEAN HIGH WATER LINE (EL. +3.4) AND MEAN LOW WATER LINE (EL. -3.9) ARE COINCIDENT WITH BULKHEADS.
 2. LOCATIONS OF STRUCTURES AT NEIGHBORING PROPERTIES ARE APPROXIMATE AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
 - 3 ALL DRAWINGS ARE INTENDED SOLELY FOR REGULATORY REVIEW.

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<p>PURPOSE: MAINTAIN STRUCTURAL EROSION CONTROL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 ADJ. OWNERS: HOWARD McMICHAEL, ET. AL.; INDIAN COVE PROPERTY OWNERS APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853</p>	<p>PROPOSED TIMBER BULKHEAD REPLACEMENT IN MAMARONECK HARBOR AT 622 RUSHMORE AVENUE, VILLAGE OF MAMARONECK, WESTCHESTER COUNTY, NY APPLICANT: MAMARONECK BOATS AND MOTORS, INC. DATE: 2/22/22 SHEET 4 OF 5 REVISION NUMBER: DATE:</p>
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PROPOSED BULKHEAD SECTION



PURPOSE: MAINTAIN STRUCTURAL EROSION CONTROL
 DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988
 ADJ. OWNERS: HOWARD McMICHAEL, ET. AL.; INDIAN COVE PROPERTY OWNERS
 APPLICATION PREPARED BY: JOHN HILTS P.O. BOX 47, ROWAYTON, CT 06853

PROPOSED TIMBER BULKHEAD REPLACEMENT IN MAMARONECK HARBOR AT 622
 RUSHMORE AVENUE, VILLAGE OF MAMARONECK, WESTCHESTER COUNTY, NY
 APPLICANT: MAMARONECK BOATS AND MOTORS, INC.
 DATE: 2/22/22 SHEET 5 OF 5 REVISION NUMBER: DATE:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND
U.S. ARMY CORPS OF ENGINEERS JOINT APPLICATION FOR PERMIT
ADDITIONAL INFORMATION A.iii SITE PHOTOGRAPHS

MAMARONECK BOATS & MOTORS, INC. 622 RUSHMORE AVENUE, MAMARONECK, NY 10543



1. 12/01/21 1552 hrs.



2. 12/01/21 1548 hrs.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND
U.S. ARMY CORPS OF ENGINEERS JOINT APPLICATION FOR PERMIT
ADDITIONAL INFORMATION A.iii SITE PHOTOGRAPHS

MAMARONECK BOATS & MOTORS, INC. 622 RUSHMORE AVENUE, MAMARONECK, NY 10543



3. 12/01/21 1542 hrs.



4. 12/01/21 1539 hrs.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)				
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):				
<input type="checkbox"/> Parkland				

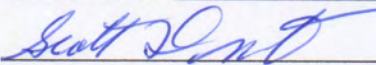
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input checked="" type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input checked="" type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Mr. Scott Deutermann for Mamaroneck Boats & Motors, Inc.</u> Date: <u>2/24/22</u>		
Signature: <u></u> Title: <u>Owner and Applicant</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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

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: _____
2. Address: _____
3. Telephone: Area Code () _____

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

2. Purpose of activity:

3. Location of activity:

_____	_____	_____
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

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

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, or State-approved regional coastal management program?
(see policies in program document*) | — — |

D. ADDITIONAL STEPS

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

E. CERTIFICATION

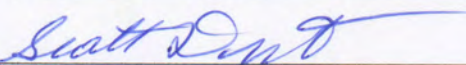
The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this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

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

Applicant/Agent's Name: Mr. Scott Deutermann / Mamaroneck Boats & Motors, Inc.

Address: 622 Rushmore Avenue, Mamaroneck, NY 10543

Telephone: Area Code () 914-698-2500

Applicant/Agent's Signature:  Date: 2/24/22

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
 - a. Copy of original signed form.
 - b. Copy of the completed federal agency application.
 - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

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

**NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM
FEDERAL CONSISTENCY ASSESSMENT FORM**

**MAMARONECK BOATS & MOTORS, INC.
622 RUSHMORE AVENUE, MAMARONECK, NY 10543**

C: COASTAL ASSESSMENT:

1.h. (15, 35) The excavation of existing soils will take place inside an anchored silt curtain, and will be primarily landward of the existing deteriorated timber bulkhead. Excavated soils will be stockpiled on the applicant's upland, away from tidal waters and within appropriate barriers. Excavation will take place during low water to provide visual access by the excavator. Backfilling will be performed only after the new timber sheet piling bulkhead is complete. All of these measures will prevent localized turbidity and will not alter the existing relationship between eroding and depositional actions.

2.a. (44) The proposed work will replace an existing erosion-control structure. No tidal wetland vegetation is located in the immediate area of proposed activities, and the intertidal region is submerged at most times during the tidal cycle. The applicant will use erosion and sedimentation control methods to contain runoff during construction.

2.b. (11,12,17) The proposed work will replace an existing erosion-control structure and poses no hazard to life or property. The work will not adversely alter the coastal features in the vicinity. No alteration in existing natural features will occur that might increase the potential for damage due to flooding. The proposed bulkhead replaces a like section of existing bulkhead, which has withstood normal flooding for several decades.

3.a. (2, 21, 22) The proposed work will support continued water-dependent use of the site. The existing developed shorefront (bulkhead at and adjacent to the site) precludes a non-structural alternative.

3.c. (13, 14, 16) The proposed work will replace an existing erosion-control structure that has been in place since before the 1980s. It will be sited so as not to increase the potential for flooding or erosion at or adjacent to the site. No public funds will be used for the proposed work.

3.d. (30, 38, 40) No discharges into the adjacent waterway will result as part of the proposed work or the use associated with the proposed structure.

4. The proposed work should comply with the Local Waterfront Revitalization Program for the Village of Mamaroneck. A separate filing for a determination of consistency will take place concurrently with the processing of State and Federal authorizations.

NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Worksheet

This worksheet is your essential fish habitat (EFH) assessment. It provides us with the information necessary to assess the effects of your action on EFH under the Magnuson Stevens Fishery Conservation and Management Act and on NOAA trust resources under the Fish and Wildlife Coordination Act (FWCA). Consultation is not required if:

1. there is no adverse effect on EFH or NOAA trust resources (see page 10 for more info).
2. no EFH is designated and no trust resources may be present at the project site.

Instructions

Federal agencies or their non-federal designated lead agency should email the completed worksheet and necessary attachments to nmfs.gar.efh.consultation@noaa.gov. Include the public notice (if applicable) or project application and project plans showing:

- location map of the project site with area of impact.
- existing and proposed conditions.
- all waters of the U.S. on the project site with mean low water (MLW), mean high water (MHW), high tide line (HTL), and water depths clearly marked.
- sensitive habitats mapped, including special aquatic sites (submerged aquatic vegetation, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), hard bottom or natural rocky habitat areas, and shellfish beds.
- site photographs, if available.

We will provide our EFH conservation recommendations and recommendations under the FWCA, as appropriate, within 30 days of receipt of a complete EFH assessment (60 days if an expanded consultation is necessary). Please submit complete information to minimize delays in completing the consultation.

This worksheet provides us with the information required¹ in an EFH assessment:

1. A description of the proposed action.
2. An analysis of the potential adverse effects on EFH and the federally managed species.
3. The federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

Your analysis **should focus on impacts that reduce the quality and/or quantity of the habitat or result in conversion to a different habitat type** for all life stages of species with designated EFH within the action area.

Use the information on the [HCD website](#) and [NOAA's EFH Mapper](#) to complete this worksheet. If you have questions, please contact the appropriate [HCD staff member](#) to assist you.

¹ The EFH consultation process is guided by the requirements of our EFH regulation at 50 CFR 600.905.

EFH ASSESSMENT WORKSHEET

General Project Information

Date Submitted:

Project/Application Number:

Project Name:

Project Sponsor/Applicant:

Federal Action Agency (if state agency acting as delegated):

Fast-41 or One Federal Decision Project: Yes No

Action Agency Contact Name:

Contact Phone: Contact Email:

Latitude: Longitude:

Address, City/Town, State:

Body of Water:

Project Purpose:

Project Description:

Anticipated Duration of In-Water Work or Start/End Dates:

Habitat Description

EFH includes the biological, chemical, and physical components of the habitat. This includes the substrate and associated biological resources (e.g., benthic organisms, submerged aquatic vegetation, shellfish beds, salt marsh wetlands), the water column, and prey species.

Is the project in designated EFH²? Yes No

Is the project in designated HAPC²? Yes No

Is this coordination under FWCA only? Yes No

Total area of impact to EFH (indicate sq ft or acres):

Total area of impact to HAPC (indicate sq ft or acres):

Current water depths: Salinity: Water temperature range:

Sediment characteristics³:

What habitat types are in or adjacent to the project area and will they be permanently impacted?
 Select all that apply. Indicate if impacts will be temporary, if site will be restored, or if permanent conversion of habitat will occur. A project may occur in overlapping habitat types.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
	Marine				
	Estuarine				
	Riverine (tidal)				
	Riverine (non-tidal)				
	Intertidal				
	Subtidal				
	Water column				
	Salt marsh/ Wetland (tidal)				
	Wetland (non-tidal)				

² Use the tables on pages 7-9 to list species with designated EFH or the type of designated HAPC present.

³ The level of detail is dependent on your project – e.g., a grain size analysis may be necessary for dredging.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
	Rocky/hard bottom ⁴ :				
	Sand				
	Shellfish beds or oyster reefs				
	Mudflats				
	Submerged aquatic vegetation (SAV) ⁵ , macroalgae, epifauna				
	Diadromous fish (migratory or spawning habitat)				

Indicate type(s) of rocky/hard bottom habitat (pebble, cobble, boulder, bedrock outcrop/ledge) and species of SAV:

Project Effects

Select all that apply	Project Type/Category
	Hatchery or Aquaculture
	Agriculture
	Forestry
	Military (e.g., acoustic testing, training exercises)
	Mining (e.g., sand, gravel)
	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, beach renourishment, mitigation bank/ILF creation)

⁴ Indicate type(s). The type(s) of rocky habitat will help you determine if the area is cod HAPC.

⁵ Indicate species. Provide a copy of the SAV report and survey conducted at the site, if applicable.

Select all that apply	Project Type/Category
	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port)
	Energy development/use
	Water quality (e.g., TMDL, wastewater, sediment remediation)
	Dredging/excavation and disposal
	Piers, ramps, floats, and other structures
	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
	Other

Select all that apply	Potential Stressors Caused by the Activity	Select all that apply and if temporary or permanent		Habitat alterations caused by the activity
		Temp	Perm	
	Underwater noise			
	Water quality/turbidity/contaminant release			Water depth change
	Vessel traffic/barge grounding			Tidal flow change
	Impingement/entrainment ⁶			Fill
	Prevent fish passage/spawning			Habitat type conversion
	Benthic community disturbance			Other:
	Impacts to prey species			Other:

⁶ Entrainment is the voluntary or involuntary movement of aquatic organisms from a water body into a surface diversion or through, under, or around screens and results in the loss of the organisms from the population. Impingement is the involuntary contact and entrapment of aquatic organisms on the surface of intake screens caused when the approach velocity exceeds the swimming capability of the organism.

Details: project impacts and mitigation

The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. Attach supplemental information if necessary.

Describe how the project would impact each of the habitat types selected above. Include temporary and permanent impact descriptions and direct and indirect impacts.

What specific measures will be used to avoid impacts, including project design, turbidity controls, acoustic controls, and time of year restrictions? If impacts cannot be avoided, why not?

What specific measures will be used to minimize impacts?

Is compensatory mitigation proposed?

Yes

No

If no, why not? If yes, describe plans for mitigation and how this will offset impacts to EFH. Include a conceptual compensatory mitigation and monitoring plan, if applicable.

Federal Action Agency's EFH determination (select one)	
	There is no adverse effect ⁷ on EFH or EFH is not designated at the project site. EFH Consultation is not required. This is a FWCA-only request.
	The adverse effect ⁷ on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
	The adverse effect ⁷ on EFH is substantial. This is a request for an expanded EFH consultation. We will provide more detailed information, including an alternatives analysis and NEPA document, if applicable.

EFH and HAPC designations⁸

Use the [EFH mapper](#) to determine if EFH may be present in the project area and enter all species and lifestages that have designated EFH. Optionally, you may review the EFH text descriptions linked to each species in the EFH mapper and use them to determine if the described habitat is present. We recommend this for larger projects to help you determine what your impacts are.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/spawning adults	

⁷ An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

⁸ Within the Greater Atlantic Region, EFH has been designated by the New England, Mid-Atlantic, and South Atlantic Fisheries Management Councils and NOAA Fisheries.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/spawning adults	

HAPCs

Select all that are in your action area.

	Summer flounder: SAV ⁹		Alvin & Atlantis Canyons
	Sandbar shark		Baltimore Canyon
	Sand Tiger Shark (Delaware Bay)		Bear Seamount
	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)		Heezen Canyon
	Inshore 20m Juvenile Cod		Hudson Canyon
	Great South Channel Juvenile Cod		Hydrographer Canyon
	Northern Edge Juvenile Cod		Jeffreys & Stellwagen
	Lydonia Canyon		Lydonia, Gilbert & Oceanographer Canyons
	Norfolk Canyon (Mid-Atlantic)		Norfolk Canyon (New England)
	Oceanographer Canyon		Retriever Seamount
	Veatch Canyon (Mid-Atlantic)		Toms, Middle Toms & Hendrickson Canyons
	Veatch Canyon (New England)		Washington Canyon
	Cashes Ledge		Wilmington Canyon

⁹ Summer flounder HAPC is defined as all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH. In locations where native species have been eliminated from an area, then exotic species are included. Use local information to determine the locations of HAPC.

More information

The [Magnuson-Stevens Fishery Conservation and Management Act \(MSA\)](#) mandates that federal agencies conduct an [essential fish habitat \(EFH\) consultation](#) with NOAA Fisheries on any actions they authorize, fund, or undertake that may adversely affect EFH. An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

We designed this worksheet to help you to prepare EFH assessments. It is important to remember that an adverse effect determination is a trigger to consult with us. It does not mean that a project cannot proceed as proposed, or that project modifications are necessary. It means that the effects of the proposed action on EFH must be evaluated to determine if there are ways to avoid, minimize, or offset adverse effects.

This worksheet should be used as your EFH assessment or as a guide to develop your EFH assessment. At a minimum, you should include all the information required to complete this worksheet in your EFH assessment. The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. If your answers in the worksheet and supplemental information you attach do not fully evaluate the adverse effects to EFH, we may request additional information to complete the consultation.

You may need to prepare an expanded EFH assessment for more complex projects to fully characterize the effects of the project and the avoidance and minimization of impacts to EFH. While the EFH assessment worksheet may be used for larger projects, the format may not be sufficient to incorporate the extent of detail required, and a separate EFH assessment may be developed. However, regardless of format, you should include an analysis as outlined in this worksheet for an expanded EFH assessment, along with any additional necessary information. This additional information includes:

- the results of on-site inspections to evaluate the habitat and site-specific effects.
- the views of recognized experts on the habitat or the species that may be affected.
- a review of pertinent literature and related information.
- an analysis of alternatives that could avoid or minimize the adverse effects on EFH.

Please contact our Greater Atlantic Regional Fisheries Office, [Protected Resources Division](#) regarding potential impacts to marine mammals or threatened and endangered species.

Useful Links

[National Wetland Inventory Maps](https://www.fws.gov/wetlands/)

<https://www.fws.gov/wetlands/>

[EPA's National Estuary Program \(NEP\)](https://www.epa.gov/nep/local-estuary-programs)

<https://www.epa.gov/nep/local-estuary-programs>

[Northeast Regional Ocean Council \(NROC\) Data Portal](https://www.northeastocean.org/)

<https://www.northeastocean.org/>

Mid-Atlantic Regional Council on the Ocean (MARCO) Data Portal

<http://portal.midatlanticocean.org/>

Resources by State

Maine

[Maine Office of GIS Data Catalog](https://geolibrary-maine.opendata.arcgis.com/datasets#data)

<https://geolibrary-maine.opendata.arcgis.com/datasets#data>

[Town shellfish information including shellfish conservation area maps](https://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html)

<https://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html>

[State of Maine Shellfish Sanitation and Management](https://www.maine.gov/dmr/shellfish-sanitation-management/index.html)

<https://www.maine.gov/dmr/shellfish-sanitation-management/index.html>

[Eelgrass maps](https://www.maine.gov/dmr/science-research/species/eelgrass/index.html)

<https://www.maine.gov/dmr/science-research/species/eelgrass/index.html>

[Casco Bay Estuary Partnership](https://www.cascobayestuary.org/)

<https://www.cascobayestuary.org/>

[Maine GIS Stream Habitat Viewer](https://www.arcgis.com/home/item.html?id=5869c2d20f0b4c3a9742bdd8abef42cb)

<https://www.arcgis.com/home/item.html?id=5869c2d20f0b4c3a9742bdd8abef42cb>

New Hampshire

[NH's Statewide GIS Clearinghouse, NH GRANIT](http://www.granit.unh.edu/)

<http://www.granit.unh.edu/>

[NH Coastal Viewer](http://www.granit.unh.edu/nhcoastalviewer/)

<http://www.granit.unh.edu/nhcoastalviewer/>

[State of NH Shellfish Program](https://www.des.nh.gov/organization/divisions/water/wmb/shellfish/)

<https://www.des.nh.gov/organization/divisions/water/wmb/shellfish/>

Massachusetts

[MA Shellfish Sanitation and Management Program](https://www.mass.gov/shellfish-sanitation-and-management)

<https://www.mass.gov/shellfish-sanitation-and-management>

[MassGIS Data, Including Eelgrass Maps](http://maps.massgis.state.ma.us/map_ol/oliver.php)

http://maps.massgis.state.ma.us/map_ol/oliver.php

[MA DMF Recommended TOY Restrictions Document](https://www.mass.gov/files/documents/2016/08/ry/tr-47.pdf)

<https://www.mass.gov/files/documents/2016/08/ry/tr-47.pdf>

[Massachusetts Bays National Estuary Program](https://www.mass.gov/orgs/massachusetts-bays-national-estuary-program)

<https://www.mass.gov/orgs/massachusetts-bays-national-estuary-program>

[Buzzards Bay National Estuary Program](http://buzzardsbay.org/)

<http://buzzardsbay.org/>

[Massachusetts Division of Marine Fisheries](https://www.mass.gov/orgs/massachusetts-division-of-marine-fisheries)

<https://www.mass.gov/orgs/division-of-marine-fisheries>

[Massachusetts Office of Coastal Zone Management](#)

<https://www.mass.gov/orgs/massachusetts-office-of-coastal-zone-management>

Rhode Island

[RI Shellfish and Aquaculture](#)

<http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/shellfish-aquaculture.php>

[RI Shellfish Management Plan](#)

<http://www.shellfishri.com/>

Eelgrass Maps

<http://edc.maps.arcgis.com/apps/View/index.html?appid=db52bb689c1e44259c06e11fd24895f8>

[RI GIS Data](#)

<http://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=87e104c8adb449eb9f905e5f18020de5>

[Narragansett Bay Estuary Program](#)

<http://nbep.org/>

[Rhode Island Division of Marine Fisheries](#)

<http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/index.php>

[Rhode Island Coastal Resources Management Council](#)

<http://www.crmc.ri.gov/>

Connecticut

[CT Bureau of Aquaculture](#)

<https://www.ct.gov/doag/cwp/view.asp?a=3768&q=451508&doagNav=>

[CT GIS Resources](#)

https://www.ct.gov/deep/cwp/view.asp?a=2698&q=323342&deepNav_GID=1707

[Natural Shellfish Beds in CT](#)

<https://cteco.uconn.edu/viewer/index.html?viewer=aquaculture>

[Eelgrass Maps](#)

https://www.fws.gov/northeast/ecologicalservices/pdf/wetlands/2012_CT_Eelgrass_Final_Report_11_26_2013.pdf

[Long Island Sound Study](#)

<http://longislandsoundstudy.net/>

[CT GIS Resources](#)

<http://cteco.maps.arcgis.com/home/index.html>

[CT DEEP Office of Long Island Sound Programs and Fisheries](#)

<https://www.ct.gov/deep/site/default.asp>

[CT River Watershed Council](#)

<https://www.ctriver.org/>

New York

[Eelgrass Report](#)

http://www.dec.ny.gov/docs/fish_marine_pdf/finalseagrassreport.pdf

[Peconic Estuary Program](#)

<https://www.peconicestuary.org/>

[NY/NJ Harbor Estuary](#)

<https://www.hudsonriver.org/estuary-program>

New York GIS Clearinghouse

<https://gis.ny.gov/>

New Jersey

[Submerged Aquatic Vegetation Mapping](http://www.crssa.rutgers.edu/projects/sav/)

<http://www.crssa.rutgers.edu/projects/sav/>

[Barnegat Bay Partnership](https://www.barnegatbaypartnership.org/)

<https://www.barnegatbaypartnership.org/>

[NJ GeoWeb](https://www.nj.gov/dep/gis/geoweb splash.htm)

<https://www.nj.gov/dep/gis/geoweb splash.htm>

[NJ DEP Shellfish Maps](https://www.nj.gov/dep/landuse/shellfish.html)

<https://www.nj.gov/dep/landuse/shellfish.html>

Pennsylvania

[Delaware River Management Plan](https://www.fishandboat.com/Fish/Fisheries/DelawareRiver/Documents/delaware_river_plan_exec_draft.pdf)

https://www.fishandboat.com/Fish/Fisheries/DelawareRiver/Documents/delaware_river_plan_exec_draft.pdf

[PA DEP Coastal Resources Management Program](https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Coastal%20Resources%20Management%20Program/Pages/default.aspx)

<https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Coastal%20Resources%20Management%20Program/Pages/default.aspx>

[PA DEP GIS Mapping Tools](https://www.dep.pa.gov/DataandTools/Pages/GIS.aspx)

<https://www.dep.pa.gov/DataandTools/Pages/GIS.aspx>

Delaware

[Partnership for the Delaware Estuary](http://www.delawareestuary.org/)

<http://www.delawareestuary.org/>

[Center for Delaware Inland Bays](http://www.inlandbays.org/)

<http://www.inlandbays.org/>

[Delaware FirstMap](http://delaware.maps.arcgis.com/home/index.html)

<http://delaware.maps.arcgis.com/home/index.html>

Maryland

[Submerged Aquatic Vegetation Mapping](http://web.vims.edu/bio/sav/)

<http://web.vims.edu/bio/sav/>

[MERLIN](http://dnrweb.dnr.state.md.us/MERLIN/)

<http://dnrweb.dnr.state.md.us/MERLIN/>

[Maryland Coastal Bays Program](https://mdcoastalbays.org/)

<https://mdcoastalbays.org/>

Virginia

[Submerged Aquatic Vegetation mapping](http://www.mrc.virginia.gov/regulations/Guidance_for_SAV_beds_and_restoration_final_approved_by_Commission_7-22-17.pdf)

http://www.mrc.virginia.gov/regulations/Guidance_for_SAV_beds_and_restoration_final_approved_by_Commission_7-22-17.pdf

[VDGIF Time of Year Restrictions \(TOYR\) and Other Guidance](https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf)

<https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>