JOINT APPLICATION FOR PERMITS

TOWN OF CLAYTON – RIVERWALK SHORELINE STABILIZATION

Submitted to
US Army Corps of Engineers
NYS Department of Environmental Conservation
NYS OGS Office of General Services
NYS DOS Department of State

Prepared for:
Town of Clayton

405 Riverside Drive
Clayton, NY 13624
TELEPHONE: 315/686.3512

Prepared by:
FOURTH COAST, INC.

745 Graves Street
CLAYTON, NY 13607
TELEPHONE: 315-783-6384

MARCH 2021
Town of Clayton
Riverwalk Shoreline Stabilization
Joint Application

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Joint Application for Permits
Town of Clayton
Riverwalk Shoreline Stabilization

JOINT APPLICATION FORM

March 2021
# 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:

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Check here to confirm you sent this form to NYSDEC.</th>
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<tbody>
<tr>
<td>NYS Department of Environmental Conservation</td>
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<td>Check all permits that apply:</td>
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<tr>
<td>• Stream Disturbance</td>
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<td>• Excavation and Fill in Navigable Waters</td>
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<td>• Docks, Moorings or Platforms</td>
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<td>• Dams and Impoundment Structures</td>
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<td>• 401 Water Quality Certification</td>
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<td>• Freshwater Wetlands</td>
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<td>• Tidal Wetlands</td>
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<td>• Wild, Scenic and Recreational Rivers</td>
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<td>• Coastal Erosion Management</td>
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<td>• Water Withdrawal</td>
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<td>• Long Island Well</td>
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<td>• Incidental Take of Endangered / Threatened Species</td>
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<tr>
<td>US Army Corps of Engineers</td>
<td></td>
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<tr>
<td>Check all permits that apply:</td>
<td></td>
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<tr>
<td>• Section 404 Clean Water Act</td>
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<td>• Section 10 Rivers and Harbors Act</td>
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<tr>
<th>Application Type</th>
<th>Check here to confirm you sent this form to NYSOGS.</th>
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<tr>
<td>NYS Office of General Services</td>
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<td>Check all permits that apply:</td>
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<tr>
<td>• State Owned Lands Under Water</td>
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<tr>
<td>• Utility Easement (pipelines, conduits, cables, etc.)</td>
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<tr>
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<tr>
<td>NYS Department of State</td>
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<td>Check if this applies:</td>
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<tr>
<td>• Coastal Consistency Concurrence</td>
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## 2. Name of Applicant

<table>
<thead>
<tr>
<th>Town of Clayton</th>
<th>Taxpayer ID (if applicant is NOT an individual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
<td>15-60001002</td>
</tr>
<tr>
<td>405 Riverside Drive</td>
<td>Post Office / City</td>
</tr>
<tr>
<td>Clayton</td>
<td>State NY</td>
</tr>
<tr>
<td>Zip 13624</td>
<td></td>
</tr>
<tr>
<td>Telephone 315.686.3512</td>
<td>Email <a href="mailto:peterson@townofclayton.com">peterson@townofclayton.com</a></td>
</tr>
</tbody>
</table>

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

## 3. Name of Property Owner (if different than Applicant)

Mailing Address                                      
Post Office / City                                   
State NY                                             
Zip                                                   
Telephone                                            
Email                                                

For Agency Use Only  
Agency Application Number:  

RESET  
Page 1 of 4
4. Name of Contact / Agent
Karen McMahon, Fourth Coast, Inc.
Mailing Address
745 Graves Street
Post Office / City
Clayton
State NY
Zip 13624
Telephone 716.359.8258 Email kgm@fourthcoast.com

5. Project / Facility Name
Clayton Riverwalk Shoreline Stabilization Property Tax Map Section / Block / Lot Number: 20.39-1-1.4
Project Street Address, if applicable
301 Webb Street
Post Office / City
Clayton
State NY
Zip 13624
Provide directions and distances to roads, intersections, bridges and bodies of water
Located along the shoreline of the St Lawrence River in the Village of Clayton adjacent to the Frink Waterside Development Area

□ Town  □ Village  □ City
County Jefferson Stream/Waterbody Name St Lawrence River
Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:
Latitude: 44° 14' 37.5" Longitude: 76° 05' 02.1"

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

a. Purpose of the proposed project:
The main purpose for this project will be to stabilize the current shoreline from erosion and high water levels from previous years. The project will be divided into three areas in which to stabilize.

b. Description of current site conditions:
The existing shoreline is currently deteriorating and is submerged under water as a result of elevated river levels. Loss of soil has resulted in numerous sink holes along the shoreline, and subsidence of the Rivewalk is evident. See attached report for photos.

c. Proposed site changes:
Recommended that shoreline stabilization methods be utilized along the shoreline to protect against further erosion. To provide for further shoreline protection, an additional wave attenuator could be constructed parallel with the shoreline near Frink Park, however this would be cost prohibitive. The stabilization methods proposed along the shoreline would vary based on the location. In Area #1, it is recommended that a heavy stone wall.

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.):
See Attached drawings

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

f. Is tree cutting or clearing proposed? □ Yes  □ 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:
Typical construction work methods to be used following all appropriate procedures and precautions. Heavy equipment to be used: Excavator, Dump Truck to haul and remove materials, and mobilization methods.

h. Describe the planned sequence of activities:
1. Site will become active and all equipment mobilized. 2. Erosion control measures will be installed as per plan. 3. Removal of rock and existing boat ramp. 4. Installation of new floating docks, and boat ramp will occur per plan (see attached). 5. Finally landscape and final site restoration.

i. Pollution control methods and other actions proposed to mitigate environmental impacts:
None expected.

j. Erosion and silt control methods that will be used to prevent water quality impacts:
Floating silt curtain will be placed at the beginning of the project, 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: 5/5/2021  Estimated Completion Date: 10/1/2020

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:
None

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.
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

[Signature]

Date 3/23/21

Applicant Must be (check all that apply):

☑ Owner  ☐ Operator  ☐ Lessee

Printed Name

Lance Peterson

Title

Signature of Owner (if different than Applicant)

[Signature]

Date

Printed Name

Title

Signature of Contact / Agent

[Signature]

Date 3/23/21

Printed Name

Karen McMahon

Title Environmental Specialist

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
Joint Application for Permits
Town of Clayton
Riverwalk Shoreline Stabilization

FEDERAL CONSISTENCY FORM

March 2021
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: Town of Clayton - Riverwalk Shoreline Stabilization
2. Address: 405 Riverside Drive
3. Telephone: Area Code ( ) 315.686.3512

B. PROPOSED ACTIVITY:

1. Brief description of activity:
   The main purpose for this project will be to stabilize the current shoreline from erosion and high water levels from previous years. The project will be divided into three areas in which to stabilize.

2. Purpose of activity:
   Protect shoreline and surrounding area from historic and future high water events

3. Location of activity:

   Jefferson County
   Clayton City, Town, or Village
   301 Webb Street Street or Site Description

4. Type of federal permit/license required: ACOE

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:
   DEC, DOS, OGS
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: ________________________________

Address: ________________________________________________

Telephone: Area Code (          ) ________________________________________________________________

Applicant/Agent's Signature: ____________________________ Date: ________________

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the New York State Department of State, Office of 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.
Joint Application for Permits
Town of Clayton
Riverwalk Shoreline Stabilization

ATTACHMENT C

PROJECT PLANS & PROJECT PHOTOS
Joint Application for Permits
Town of Clayton
Riverwalk Shoreline Stabilization

ATTACHMENT G

SHPO NO EFFECT LETTER

March 2021
August 18, 2020

Nichole Jobson
745 Graves Street
Clayton, NY 13624

Re: USACE
    Clayton Shoreline near Hotel & Riverwalk
    20PR05034

Dear Nichole Jobson:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay
Deputy State Historic Preservation Officer
Division for Historic Preservation
TOWN OF CLAYTON

WATERFRONT ASSESSMENT FORM

Application Number: ________________

Applicant’s Name: TOWN OF CLAYTON - PETTerson Phone #: (315) 686-3512

Address: 301 WEBB STREET - CLAYTON RIVERWALK SHORELINE STABILIZATION

Tax Map# 20.39 Block # 1 Lot 1.4

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, Town of Clayton agencies, shall complete the WAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by a Town of Clayton agency in making a determination of consistency.

2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Town of Clayton Clerk’s office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.

3. If any questions in Section C on this form is answered “yes”, then the proposed action may affect the achievement of the LWRP policy standards contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of agency action (check appropriate response):

   (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) CONSTRUCTION

   (b) Financial assistance (e.g. grant, loan, subsidy) REDI GRANT PROGRAM

   (c) Permit, approval, license, certification PERMIT

   (d) Agency undertaking action: USACE, NYS DEC, NYS OGS, NYS DOS

[1]
2. Describe nature and extent of action: The purpose of this project will be to stabilize the current shoreline from erosion and high water levels from previous years. The project will be divided into three areas in which to stabilize.

3. Location of action: Along Clayton Riverwalk shoreline at 301 Webb Street adjacent to the Clayton Harbor Hotel.

Street of Site Description

4. Size of site: Approximately 0.5 Acres

5. Present land use: ________________________________

6. Present zoning classification: RWC - Riverwalk C

7. Describe any unique or unusual land forms on the project site (i.e. steep slopes, swales, ground depressions, other geological formations): NONE

8. Percentage of site which contains slopes of 15% or greater: NONE

9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

   1) Name: St Lawrence River

   2) Size (in acres): ________________________________

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

   a. Name of applicant: ________________________________

   b. Mailing address: ________________________________

   c. Telephone number: Area Code ( ) ________________________________

   d. Application Number, if any: ________________________________

11. Will the action be directly undertaken, require funding, or approval by a state or federal agency? Yes  No. If yes, which state or federal agency? USACE, NYS DEC, NYS DOS, NYS OGS.
C. COASTAL ASSESSMENT
(Check either "Yes" or "No" for each of the following questions)

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

   a. Significant fish or wildlife habitats? ................................................................. __   X
   b. Scenic resources of local or statewide significance? ................................................ __  X
   c. Important agricultural lands? ................................................................................... __  X
   d. Natural protective features in an erosion hazard area ................................................ __  X

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

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

   a. Commercial or recreational use of fish and wildlife resources? ............ __  X
   b. Scenic quality of the waterfront environment? ....................................................... __  X
   c. Development of future, or existing water dependent uses? ................................. __  X
   d. Operation of the State’s major ports? ................................................................. __  X
   e. Land or water uses within a small harbor area? ..................................................... __  X
   f. Stability of the shoreline? ......................................................................................... __  X
   g. Surface or groundwater quality? ............................................................................. __  X
   h. Existing or potential public recreation opportunities? .............................................. __  X
   i. Structures, sites or districts of historic, archeological or cultural significance to the Town of Clayton, State or nation? ......................................................... __  X

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

   a. Physical alteration of land along the shoreline, land under water or waterfront waters? ................................................................. X  
   b. Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? ................................................................. X  

[3]
c. Expansion of existing public services or infrastructure in undeveloped or low density areas of the WRA? ................................................................. __ x

d. Energy facility not subject to Article VII or VIII of Public Service law?.. __ x

e. Mining, excavation, filling or dredging in WRA waters? ...................... __ x

f. Reduction of existing or potential public access to or along the shore? ................................................................. __ x

g. Sale or change in use of publicly-owned lands located on the shoreline or under water? ................................................................. __ x

h. Development within designated floor or erosion hazard area? ............. __ x

i. Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? ................. __ x

j. Construction or reconstruction of erosion protective structures? ........... x __

k. Diminished surface or groundwater quality? ................................................................. __ x

l. Removal of ground cover from the site? ................................................................. __ x

4. PROJECT

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

(1) Will water-related recreation be provided? ................................................................. __ y

(2) Will public access to the foreshore be provided? ................................................................. __ x

(3) Does the project require a waterfront site? ................................................................. x __

(4) Will it supplant a recreational or maritime use? ................................................................. __ x

(5) Do essential public services and facilities presently exist at or near the site? ................................................................. __ y

(6) Is it located to a flood prone area? ................................................................. x __

(7) Is it located in an area of high erosion? ................................................................. x __

[4]
(b) If the project site is publicly owned:

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<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td>(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(2) If located in the foreshore, will access to those and adjacent lands be provided?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(3) Will it involve the siting and construction of major energy facilities?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into waterfront facilities?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(c) Is the project site presently used by the community neighborhood as an open space or recreation area?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(d) Does the present site offer or include scenic views or vistas known to be important to the community?</td>
<td>X</td>
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<tr>
<td>(e) Is the project site presently used for commercial fishing or fish processing?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(f) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(h) Will the project involve any waste discharges into WRA waters?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(i) Does the project involve surface or subsurface liquid waste disposal?</td>
<td></td>
<td>X</td>
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<tr>
<td>(j) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?</td>
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<td>X</td>
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<tr>
<td>(k) Does the project involve shipment or storage of petroleum products?</td>
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<td>(l) Does the project involve discharge of toxics, hazardous substances or other pollutants into WRA waters?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>(m) Does the project involve or change existing ice management practices?</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
(n) Will the project affect any area designated as a tidal or freshwater wetland?  

   (o) Will the project alter drainage flow, patterns or surface water runoff on or 
       from the site? ......................................................................................................................... X

   (p) Will best management practices be utilized to control storm water runoff 
       into WRA waters? ....................................................................................................................... X

   (q) Will the project utilize or affect the quality or quantity of sole source or 
       surface water supplies? ............................................................................................................. X

   (r) Will the project cause emissions which exceed federal or state air quality 
       standards or generate significant amounts of nitrates or sulfates? ................................. X

D. REMARKS OR ADDITIONAL INFORMATION? (Add any additional sheets to complete this form.)

If assistance or further information is needed to complete this form, please contact the Zoning Officer at 405 Riverside Drive, Clayton, NY 13624; Phone: (315) 686-3512.

Preparer's Name: Karen McMahon  Telephone: (716) 359 - 8258

Title: ENVIRONMENTAL SPECIALIST  Agency: FOURTH COAST INC

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)
16 April 2021

State of New York
Department of State
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001

Attention: David J. Newman Coastal Resources Specialist
Office of Planning and Development

Reference: F-2021-0219 (REDI SJ 33)
U.S. ACOE Buffalo District Permit
NYSDEC Region 6 Permit
Application-Town of Clayton Riverwalk Shoreline Stabilization
301 Webb Street (St. Lawrence River)
Village of Clayton, Jefferson County

Subject: Additional information

Dear Mr. Newman,

We are in receipt of your letter dated April 8, 2021 regarding the above referenced project requesting necessary data and additional information regarding our permit applications.

This project is consistent with the policies of the Town and Village of Clayton’s LWRP. We have attached the completed “Waterfront Assessment Form” that indicates this project meets their policies.

The initial concept for this shoreline stabilization work assumed that the current Riverside bank could be stabilized with the addition of heavy (18” to 36”) and medium (12” to 18”) rip-rap placed along shoreline over existing cribs and concrete wall with minimal amount of rock added to the Riverside of the present cribs.

The bathymetry survey performed by Thew Associates on May 14, 2020 and presented in their drawings of June 22, 2020 indicated that there was a sufficient drop off from top of cribbing to the River bottom. This drop off information made the use of stone stabilization to River bottom impractical and excessively expensive without the addition of sheet piling in front of the present cribbing.

Our firm conducted a walking inspection and took numerous photos of the shoreline during the month of August 2020 and gathered additional ground survey information to tie into work of Thew Associates.
Response to NYS DOS 4/8/2021

The existing concrete wall on the south side of the present cribbing near the Village dock, appeared to have held up well since it was installed in 1956 (per stamp in the concrete surface). The elevation of this 280 foot long concrete wall varied between 248.38’ and 248.71. The wall has been above all high water events except for the one that occurred in 2019.

It was determined that this concrete wall with upgraded top could be utilized as the base for a stepped stone or imitation stone wall to compete the upper portion of the proposed bank stabilization and wave protection. Top of the stepped wall would be approximately 253.5’ and stay under the Riverwalk elevation of approximately 254’. The concrete wall would be extended to the wave attenuator to keep the appearance the same along the Riverfront.

The existing cribbing would remain in place and continue to support this concrete wall with the new upper section. The existing wooden and stone cribbing extends to the wave attenuator but has some sections that have been broken open by the wave action and deposited stones in front of the crib bottom. Upper damage to the cribs is visible along shoreline to the wave attenuator.

Probes were taken along the River shoreline on October 23, 2020 to determine depth to bedrock and the amount of current overburden that are needed to complete sheet pile design. Probe locations were noted on shore with pink ribbons tie to an item near each location for measurement purposes. A total of five probes were taken. The chart on sheet S1 tabulates the data obtained.

Additional photographs and measurements were taken on November 4, 2020 to tie probe information in to overall plan. During this site visit it was noticed that the medium sized rip-rap placed around wave attenuator abutment on the north side had been disturbed by the high water events and that the northern most “H” pile was exposed below the concrete cap. This reinforced our design of “H” piles beneath the concrete wall extension section and the need for sheet piling to the north side of the wave attenuator.

Following the virtual REDI meeting of April 6th and its discussion on submission of photographs along the shoreline, we revisited the site on April 9th to obtain current photos for submission. These photographs not only confirm the existing conditions but also verify our design assumptions and the recommended design submitted preliminarily for shoreline stabilization along the River in front of the Hotel/Riverwalk and along the Bay on the side of the Hotel/Riverwalk.

This project begins at the Village of Clayton’s main dock for large ships, just west of the Town owned Riverwalk and Hotel. The following photos show the existing concrete wall and wooden cribs filled with stone on the Town’s parcel with the Village’s dock constructed with sheet piling face in the background.
The transition between Village dock and the Town’s stabilization work is under discussion between the parties. We have amended our previous design as the existing wooded cribs extend into and under the Village docks as depicted in the photo below: Note: The water elevation on April 9th when photographs were taken is approximately 244.3’ based on an average of the Cape Vincent and Alexandria Bay Gaging stations.

Our new recommendation is to extend our sheet piling system to the Village dock and tie in to their sheet piling. This recommendation is presented on revised Sheet D4 that is attached with this letter.

The existing outer wooden & stone cribs were constructed in conjunction with the interior wooden & stone cribs that support the existing concrete wall. This is shown in the photos below that were taken during the current low water event:
Response to NYS DOS 4/8/2021

The existing outer crib face towards the River has a marked drop off as depicted with the dark water in the previous photographs and the ones shown below:

The photo below was taken underwater adjacent to the log shown in the right photo above.

This outer crib structure is mostly intact and follows the shoreline to the wave attenuator and around the corner, under its approach ramp and continues along the shoreline of the bay for some unknow distance. There are some open gaps in this outer crib where the exterior wall has given way, stone removed or partially removed, but in most cases, the perpendicular long logs remain. The vertical corner logs also remain with some below water line. Typical photos along the River are presented below travelling eastward toward the wave attenuator. Locations of probe work flagging, trees, and special features will be noted when applicable.
Note pink ribbon on tree. This indicates the approximate location of bedrock probe #5 taken a few feet north of outer crib wall on October 22, 2020.

Note pink ribbon on nail in crib long next to concrete wall. This indicates the approximate location of bedrock probes #3 & #4 taken a few feet north of outer crib wall on October 22, 2020.

Note pink ribbon tied to concrete wall. This indicates the approximate location of bedrock probe #2 taken a few feet north of outer crib wall on October 22, 2020.
The existing concrete wall ends at mooring bollard. Note the railroad type ties in photo to the left and to the right. Notice sagging soil.

Photo of supporting wood blocking below tree area. Notice the present gaps between stones and the wood blocking.

Photo of wooden crib and stone near Probe #1. Notice drop off north of stone spillage.

Note pink ribbon on crib rod to left of larger rock above. This indicates the approximate location of bedrock probe #1 taken a few feet north of outer crib wall on October 22, 2020.

Note concrete slabs above railroad type ties.
The following photos will cover the existing shoreline of the bay area heading southward to the adjacent property owner.

The left photo is looking East at wave attenuator, just before corner to the bay. The right photo is looking West toward the trees sitting on the wooden boards and railroad type ties.

These two photos show existing conditions at eastern end of the Riverside shore as it turns toward the wave attenuator abutement.

These four photos show the existing crib stone, shoreline, and the 2015 wave attenuator abutment. The existing rip-rap stone has been washed away during the high water events of 2017 and 2019. The abutment sits on three “HP12x53” piles. We plan to run sheet piling to the wave attenuator and place the heavy 18” to 36” stone rip-rap over the area in front of piles after smaller stone fill is placed.
Response to NYS DOS 4/8/2021

Left photo is looking north from wave attenuator utility platform shoreline. The right photo is looking south towards the existing floating docks.

These five photos cover the shoreline from wave attenuator to the existing concrete abutment that was installed in 1912 and raised in 1930 to support piping system to Washington Island. Northern portion of Area “B”.

These five photos cover the shoreline from the 1912/1930 abutment to the float dock gangway abutment installed in 2014. This is the southern portion of Shoreline Area “B”.
Shoreline Area “C” runs from present gangway, past the proposed “Day Dock” abutment to the southern boundary line of the Town’s property which is fenced off. During the inspection of this area on April 9th it was noticed that bedrock is visible along the shoreline in some areas beyond the proposed “Day Dock” abutment. Again the photos are presented in order from the present gangway southward.

The view back from this location towards the existing floating docks are presented below:

The bed of the bay area flattens out from here to the property line.
The following photos cover the shoreline from the brush area to the southern property line.

The flatness of the bay bottom and remnants of former structures are shown in the following photos:

The steepness of the present bank in a portion of the brush is depicted in the photos below:
Response to NYS DOS 4/8/2021

The junction of the Town’s property with their southern neighbor is presented below. Dockage belongs to the neighbor. Chain link fencing is along the property line.

![Images of the junction and property line]

The Town under the Clayton Municipal Harbor Marina project (AJ235) plans to extend its Riverwalk into this area and construct sitting and viewing areas of the bay similar to what they did along the Riverfront. The existing large trees will remain. Additional plantings may be added to minimize view of the neighbors boat storage area. A few photos are presented to close out the photographic walkthrough showing this proposed viewing area.

![Images of proposed viewing area]

The two photos above are looking south towards the neighbor with proposed viewing area in flat grass area. Small trees and brush to be removed to allow viewing the bay and harbor. The photo to the right shows the possible viewing area looking north towards the Harbor.

The following section of this letter report will discuss the changes reflected in our preliminary submission form that proposed in the original 10% submission.
Our original concept presented in the February 14, 2020 (10%) submission for the Riverside shoreline stabilization consisted of a stone stepped wall built on heavy rip-rap fill placed on a slope to the River bottom as shown in the figure below.

The probes taken on October 22, 2020 indicated that this idea of a heavy stone base extending into the River to support the proposed stone stepped wall may be subjected to future failure due to the existing overburden being soft and compressible. The long term consolation of the existing overburden could lead to failure of this rock supporting system. The removal of the existing overburden between the northern face of the existing cribbing and the River bottom at toe of stone fill would require excessive dredging and disposal work. Not only would this work be expensive, but a large area of the River environment would be disturbed.

A closeup inspection of the northern face of the crib wall was made during the probe work. The majority of the crib face was still intact with some locations where stone had completely spilled out and others where top surface of the crib had be disturbed and or damaged by the River’s wave action.

It was determined that the stone stepped wall would be built on the existing concrete wall that has been stable since 1956 when it was constructed. In the areas where the concrete wall was missing, “H” piles would be utilized similar to what was used for the wave attenuator abutment in 2014/2015. In conjunction with this the outside wall (northern face) of the existing cribbing to the wave attenuator would be strengthen and protected with a sheet piling wall, similar to that used on the existing Village main dock. The area between the sheet piling and the base of the stone stepped wall would be filled with stone and capped with heavy rip-rap (18” to 36”).

The toe of the new sheet piling is tentatively planned to be anchored with pins drilled through the existing overburden. The Town has retained Atlantic Testing Laboratories to perform on land borings to determine bedrock depth, bedrock condition, and what the present overburden along the bank of the River consists of. This work is scheduled for late April or early May.
Response to NYS DOS 4/8/2021

The original concept for the stabilization of the existing shoreline of the bay (now named Areas “B” and “C”) was flat heavy stones placed on a slope with locations for plantings, supported by stone rip-rap placed along the shoreline as depicted below:

![Diagram of Existing Shoreline Stabilization](image)

**PROPOSED SHORELINE CROSS SECTION (AREAS #2 AND #3), TYP.**

This area has been partially evaluated and presently just noted on our preliminary drawings as rip-rap along the adjusted bank between the wave attenuator and the southern property line. A full evaluation of various options will be made following the walkthrough of April 9\(^{th}\) and the suggestions offered in your letter of April 8\(^{th}\). Bedrock is exposed in some areas beyond the proposed “Day Docks” area that will be included in our evaluation.
Newman, David (DOS)

From: rjc@fourthcoast.com
Sent: Thursday, June 16, 2022 1:05 PM
To: Newman, David (DOS)
Cc: Farrell, Molly L (DEC); 'Uitvlugt, Michael P CIV USARMSY CELRB (USA)'; nlj@fourthcoast.com; sph@fourthcoast.com
Subject: Clayton Shoreline
Attachments: S-2 Plan in front of Hotel.pdf; S-3 and S-4 Plan from Attenuator to Jane Street.pdf; SK-1 - RETAINING WALL SECTIONS in front of Hotel.pdf

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

David,

See attached revised sections for the retaining wall in front of the Hotel as discussed yesterday. The extent of the rubble that has fallen from the cribs onto the river bottom from the deepwater dock to the west to the wave attenuator at the eastern end is delineated by the heavy grey dashed line on the plan. The quantity of this has been calculated at 6,500 cy over the 500 foot length. As we discussed, the actual amount may be less depending on the contractors ability to install the sheet through the rubble.

The shoreline from the attenuator south to Jane Street will include removal of up to 1,000 cy of debris and installation of 2,000 cy of small to medium rip rap for protection over the 700 foot length.

Rob

Rob Campany PE
Fourth Coast/St Lawrence Engineering
745 Graves Street
Clayton NY 13624

Virus-free. www.avast.com