

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2460

www.dec.ny.gov

Transmitted electronically to: andy.kitzman@partner.nps.gov

May 23, 2022

Andy Kitzmann, Assistant Director
Erie Canalway Heritage Fund, Inc.
PO Box 219
Waterford, New York 12188-0219

**Re: Blanket Water Quality Certification –
NWP #3 and NWP #13
DEC #4-0103-00079/00001 & 00002
Matton Shipyard Stabilization Project
200 Delaware Avenue
City of Cohoes, Albany County**

Dear Andy Kitzmann:

On March 16, 2021, the New York State Department of Environmental Conservation (DEC) received your water quality certification application for the Matton Shipyard Bank Stabilization project, which is proposed on the northern part of Van Schaick Island in Cohoes. According to our resource information, there no state-regulated wetlands in the vicinity of the proposed project and the Hudson River is Class C with C standards in the project's location (see attached NYS Resources Map). Since the owner of the property, the New York State Office of Parks, Recreation and Historic Places (OPRHP), is exempt from Article 15 permitting and no freshwater wetlands were identified, the project is not subject to the DEC's Article 15 or Article 24 permitting requirements.

However, in accordance with Section 401 of the federal Clean Water Act, applicants requiring a Section 404 permit from the US Army Corps of Engineers (USACE) need to obtain a Water Quality Certification from the DEC that demonstrates the proposed activity will not violate state water quality standards. On October 15, 2021, the DEC issued a "blanket" Section 401 Water Quality Certification for certain activities that are authorized under Nationwide Permits (NWP) issued by the USACE.

The DEC anticipates that project will be authorized by the USACE under NWP #3 and NWP #13. Based on the submission materials and the pending USACE authorization, it appears that the proposed activity meets the conditions of the "blanket" Water Quality Certification authorized by



the DEC. **No further authorization is required from the DEC provided that the activities are conducted in accordance with the conditions of the Section 401 Water Quality Certification.** If the scope of the project expands or changes, please contact the DEC again as additional permitting standards may apply.

Please feel free to contact me by e-mail at trish.gabriel@dec.ny.gov or by telephone at (518) 357-2445 if you have any questions.

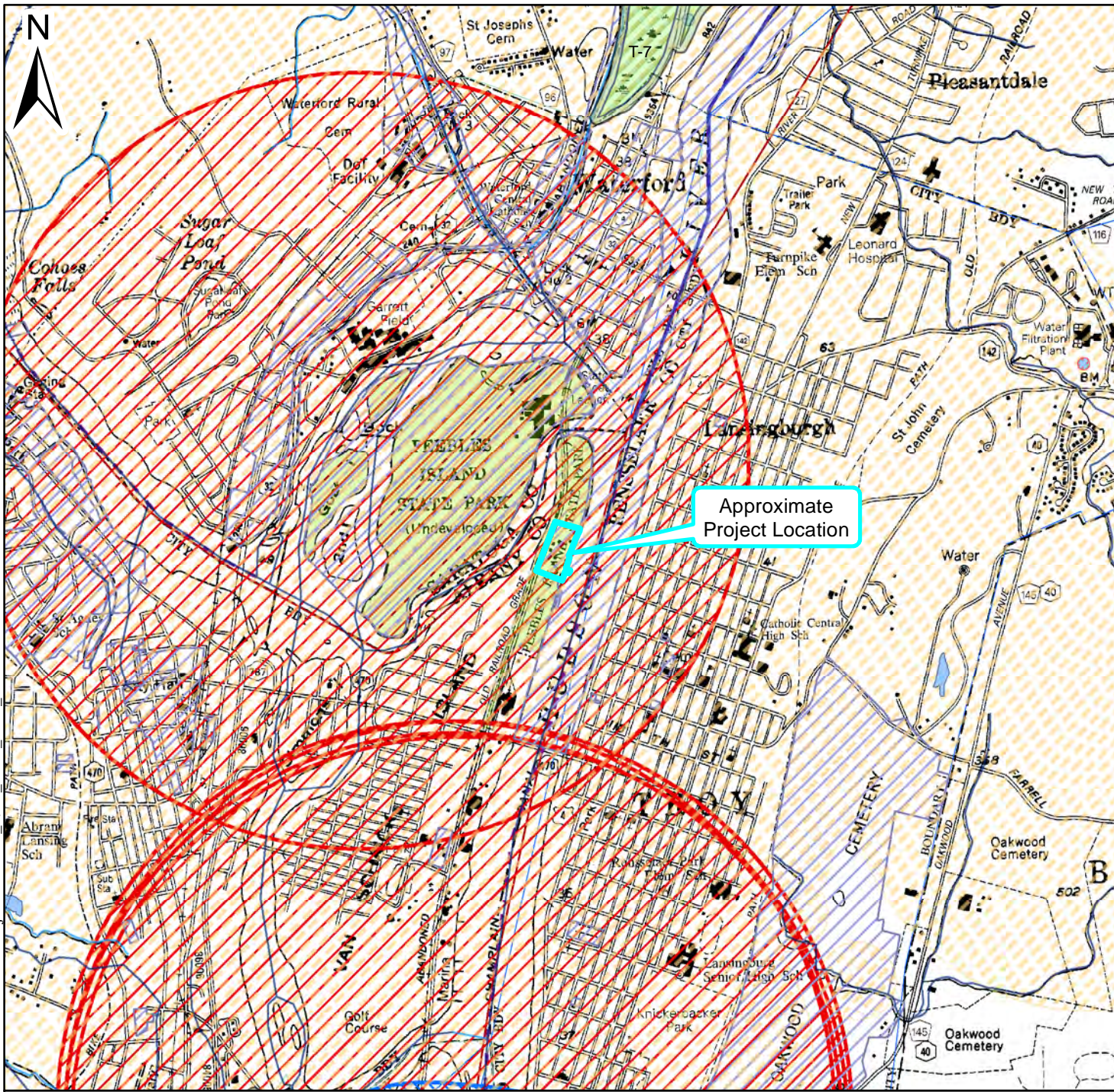
Sincerely,



Patricia M. Gabriel
Deputy Regional Permit Administrator

Encl.: NYS Resources Map

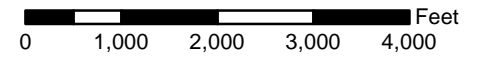
ecc: Andrew Dangler, USACE (NAN-2021-00276-USH)
Trevor Brady, DEC R4 BEH (Stamford)
Ralph Hill, OGS
Andrew Farry, OPRHP
Alane Ball Chinian, OPRHP
Barbara Beall, LaBella Associates
Mayor, City of Cohoes



NYS RESOURCES MAP

ERIE CANALWAY HERITAGE FUND MATTON SHIPYARD STABILIZATION 200 Delaware Avenue City of Cohoes Albany County

March 19, 2021



1 inch equals 2,000 feet

Legend

- Regulated Adjacent Area Boundary
- Freshwater Wetland Class 1
- Freshwater Wetland Class 2
- Freshwater Wetland Class 3
- Freshwater Wetland Class 4
- Freshwater Wetland Separation Line
- Freshwater Wetland (linear)
- Unprotected Streams
- Protected Streams
- Archeological Sensitivity
- National/State Historic Register Site
- Threatened or Endangered Mussels
- S1 or S2 Freshwater Mussels
- All E&T species, except fish
- E&T Freshwater Mussels
- E&T Fish
- Critical Environmental Areas
- State Park
- State Park Preserve
- State Trail
- Conservation Easement
- Other
- State Marine Park
- Marine Facility

Disclaimer: This map was prepared by Region 4 NYSDEC Division of Environmental Permits using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data. This map may contain information that is considered sensitive and therefore the distribution of this map is strictly prohibited. Additional resources may be present but not depicted on this map.