

## APPLICATION FOR PERMIT

Read instructions on back before completing this application. Please type or print clearly in ink. Use separate addenda and exhibits to provide all data and explanations for which space on this form is inadequate.

- ARTICLE 15, TITLE 3 (CONTROL OF AQUATIC INSECTS, WEEDS, OR UNDESIRABLE FISH)  
 ARTICLE 15, TITLE 5 (PROTECTION OF WATERS)  
 For the construction, reconstruction, or repair of a DAM or other impoundment structure.  
 For the disturbance of a STREAM BED or excavation in or fill of navigable waters.  
 ARTICLE 15, TITLE 15  WATER SUPPLY  LONG ISLAND WELL  
 ARTICLE 24 (FRESHWATER WETLANDS)  Permit  Letter of Permission  
 ARTICLE 25 (TIDAL WETLANDS)

To reclaim land from lake bottom due to high water and ice damage caused by changes in existing dam at lower end of Eagle Lake

## 1. NAME OF APPLICANT:

Robert W and Marilyn L. Emerich

## 2. APPLICANT IS A/AN

- Individual  Partnership  Association  Corporation  Municipality  Governmental Agency

## 3. NAME AND TITLE OF OFFICIAL SIGNING APPLICATION

Robert W and Marilyn L Emerich - owners

## PHONE

518-458-1377

## STREET ADDRESS/POST OFFICE

P.O. Box 11335

## POST OFFICE

Loudonville New York 12211

## STATE

NY

## ZIP CODE

12211

## 4. NAME AND ADDRESS OF OWNER (If not applicant)

## PHONE

## STREET ADDRESS/POST OFFICE

## POST OFFICE

## STATE

## ZIP CODE

## 5. PROJECT LOCATION:

## a) City or Village

EAGLE LAKE

## Town

Town of Crown Point

## County

Essex

## NAME OF STREAM OR OTHER WATER BODY:

If appropriate; if un-named, show on map—See Item 5b)

EAGLE LAKE

## 6. WILL PROJECT UTILIZE STATE-OWNED LAND?

- Yes  No

b) Specific project site or area is marked on U.S.G.S. or equivalent map, attached as Exhibit Number 1 of 4

## 7. PROPOSED USE:

- Private  
 Public  Commercial

## 8. PROPOSED STARTING DATE:

August 1986

## 9. APPROXIMATE COMPLETION DATE:

Winter/spring 1986

## 10. FEE OF

\$ 10.00 Enclosed

## 11. PROJECT DESCRIPTION:

Feet of rip-rap new channel; cubic yards of material to be removed; draining, dredging, filling, and location of disposal sites; type of structure to be installed; height of dam; size of impoundment; capacities of proposed water sources; extent of distribution system; etc.

4 - 4'x4' Concrete Pads, or smaller  
 1 to 6 cubic yards sand reclaimed from lake bottom

## 12. THIS PROJECT WILL REQUIRE ADDITIONAL PERMITS, APPLICATIONS FOR WHICH ARE THE RESPONSIBILITY OF OTHERS:

- Dam  Excavation/Fill  Stream Disturbance  SPDES/NPDES  Water Supply  L.I. Wells  Freshwater Wetland  
 Tidal Wetlands

## 13. NAME AND ADDRESS OF OFFICIAL NEWSPAPER OF LOCALITY WHERE PROPOSED WORKS ARE LOCATED:

?

## 14. IS ANY PORTION OF THE ACTIVITY FOR WHICH A PERMIT IS SOUGHT NOW BEGUN OR COMPLETED?

- Yes  No If YES, explain in addenda, giving reasons and dates, and show existing work on drawings or map.

## 15. CERTIFICATION:

I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. As a condition to the issuance of a permit, 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.

DATE

SIGNATURE

— SEE REVERSE SIDE —

PERMIT ADMINISTRATOR



**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
For UNLISTED ACTIONS Only

**PART I Project Information (To be completed by Applicant or Project sponsor)**

1. Applicant/sponsor <b>Robert W and Marilyn L Emerich</b>	2. Project Name <b>Eagle Lake Boat House</b>
3. Project location: Municipality <b>Eagle Lake, Town of Crown Point</b> County <b>Essex</b>	
4. Is proposed action: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
5. Describe project briefly: <b>Reclaimie lost shore line, replace ripped up shoring, relocate supports of existing boat house (built 1900) to keep them out of the water - due to the work on the dam by D. E. C. We need to build 2 new concrete supports and enlarge 2 existing supports to place 2 new cantilevered beams thru</b>	
6. Precise location (road intersections, prominent landmarks, etc. or provide map) <b>the existing boat house.</b>  <b>See Map</b>	
7. Amount of land affected: <b>less than 60' x 30' Ultimately</b> Initially _____ acres    Ultimately _____ acres	
8. Will proposed action comply with existing zoning or other existing land use restrictions? <input type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly <b>We are not changing our use of this land area.</b>	
9. What is present land use in vicinity of project? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Parkland open space <input checked="" type="checkbox"/> Other Describe: <b>Resource Management</b>	
10. Does action involve a permit/approval, or funding, now or ultimately, from any other governmental agency (Federal, state or local)? <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals <b>Not that we know of -</b>	
11. Does any aspect of the action have a currently valid permit or approval? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval type	
12. As result of proposed action will existing permit/approval require modification? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <b>Robert W and Marilyn L Emerich</b> Date: <b>7/26/86</b>	
Signature: <b>Marilyn L Emerich</b>	

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

OVER

DEC PERMIT NUMBER 52-86-0213
FACILITY/PROGRAM NUMBER(S)



**PERMIT**  
Under the Environmental Conservation Law

EFFECTIVE DATE <b>SEP 3 1986</b>
EXPIRATION DATE(S) May 30, 1987

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Article 15, Title 5:<br>Protection of Water _____        | <input type="checkbox"/> Article 17, Titles 7, 8: SPDES _____                    | <input type="checkbox"/> Article 27, Title 7:<br>Solid Waste Management _____      |
| <input type="checkbox"/> Article 15, Title 15:<br>Water Supply _____                         | <input type="checkbox"/> Article 19:<br>Air Pollution Control _____              | <input type="checkbox"/> Article 27, Title 9:<br>Hazardous Waste Management _____  |
| <input type="checkbox"/> Article 15, Title 15:<br>Water Transport _____                      | <input type="checkbox"/> Article 23, Title 27:<br>Mined Land Reclamation _____   | <input type="checkbox"/> Article 34:<br>Coastal Erosion Management _____           |
| <input type="checkbox"/> Article 15, Title 15:<br>Long Island Wells _____                    | <input type="checkbox"/> Article 24:<br>Freshwater Wetlands _____                | <input type="checkbox"/> Article 36:<br>Floodplain Management _____                |
| <input type="checkbox"/> Article 15, Title 27:<br>Wild, Scenic and Recreational Rivers _____ | <input type="checkbox"/> Article 25:<br>Tidal Wetlands _____                     | <input type="checkbox"/> Articles 1, 3, 37; 6NYCRR 380:<br>Radiation Control _____ |
| <input type="checkbox"/> 6NYCRR 608:<br>Water Quality Certification _____                    | N—New, R—Renewal, M—Modification<br>C—Construction, O—Operation, (If Applicable) |  |

PERMIT ISSUED TO Robert and Marilyn Emerich			
ADDRESS OF PERMITTEE P.O. Box 11335, Loudonville, NY 12211			
AGENT FOR PERMITTEE/CONTACT PERSON			TELEPHONE NUMBER 518-458-1377
NAME AND ADDRESS OF FACILITY (If different from Permittee)			
LOCATION OF PROJECT Eagle Lake	COUNTY Essex	TOWN/CITY/VILLAGE Crown Point	UTM COORDINATES
DESCRIPTION OF PROJECT/FACILITY Repair an existing boathouse by placement of four 4' X 4' concrete support pads, and reclaim up to 6 cubic yards of sand and stone washed out from behind an existing log retaining wall in accordance with the project plan attached to and made a part of this permit.			

**GENERAL CONDITIONS**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.**

- The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
- The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires.
- The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
- The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
  - the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
  - the permit was obtained by misrepresentation or failure to disclose relevant facts; or
  - newly discovered information or significant physical changes are discovered since the permit was issued.
- The permittee is responsible for keeping the permit active by submitting a renewal application, including any forms, fees or supplemental information which may be required by the Department, no later than 30 days (180 days for SPDES or Solid or Hazardous Waste Management permits) prior to the expiration date.
- This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit.
- The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of way which may be required for this project.
- Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
- Any modification of this permit granted by the Department must be in writing and attached hereto.

PERMIT ISSUANCE DATE <b>SEP 3 1986</b>	PERMIT ADMINISTRATOR <b>Richard A. Wild</b>	ADDRESS Rt. 86, Ray Brook, NY 12977
AUTHORIZED SIGNATURE <i>X Richard A. Wild</i>		Page 1 of <u>2</u>

10. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
  11. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
  12. That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained.
  13. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
  14. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.
  15. If any material is to be deposited or dumped under this permit, either in the waterway or on shore above high-water mark, it shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material into the waterway.
  16. There shall be no unreasonable interference with navigation by the work herein authorized.
  17. If granted under Articles 24 or 25, and if upon the expiration or revocation of this permit, modification of the wetland hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
  18. If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.
  19. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.
- Such approved plans were prepared by the applicant  
\_\_\_\_\_ on July 8<sup>6</sup>

#### SPECIAL CONDITIONS

20. Disturbance to the bed and banks of Eagle Lake shall be kept to the minimum necessary to complete the project.
21. Any debris or excess materials resulting from construction of this project shall be completely removed from the bed and banks of Eagle Lake to an appropriate upland area for disposal.
22. Adequate precautions shall be taken to prevent the entrance of fresh concrete into the waters of Eagle Lake and equipment and tools used in this project shall be cleaned in such a manner as to prevent wash water from entering Eagle Lake.
23. The Warrensburg (518-623-3671) Fire Control Office shall be notified instead of the Regional Permit Administrator at least 48 hours prior to commencement of activities authorized by this permit. Notification must be made on weekdays (excluding holidays) between the hours of 8:30 a.m. and 4:30 p.m.

*phoned + turned over to <sup>office of</sup> Regional Permit Administrator - woman - Fri Sept 5 11:30ish - she said she will notify Fire Control and Ranger that we have already started + are complying with these rules.*

DEC PERMIT NUMBER

52-86-0213

PROGRAM/FACILITY NUMBER

Richard A. Wild

Page 2 of 2