

# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**  
Public Notice Number: NAN-2013-01493-ESW  
Issue Date: November 14, 2014  
Expiration Date: December 14, 2014

## To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Patrick McBride  
315 Westside Avenue  
Freeport, New York 11520

ACTIVITY: Boat ramp closure, new bulkhead construction and new dock installation.

WATERWAY: Randall Bay

LOCATION: Village of Freeport, Town of Hempstead, Nassau County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any

**CENAN-OP-RE**  
**PUBLIC NOTICE No. NAN-2013-01493-ESW**

Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at:  
<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8618 and ask for Amanda Switzer.

For more information on New York District Corps of Engineers programs, visit our website at  
<http://www.nan.usace.army.mil>

  
Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

## **WORK DESCRIPTION**

The applicant, Patrick McBride, has requested Department of the Army authorization to close an existing boat ramp, construct a new bulkhead and install new dock structures in Randall Bay in the Village of Freeport, Town of Hempstead, Nassau County, New York.

The regulated work consists of closing an existing boat ramp by constructing a new 70.3 linear foot vinyl bulkhead, including a 36.6 linear foot replacement of existing timber bulkhead and a new 33.7 linear foot extension to the south property line to align with the seaward face of the existing timber bulkhead. The boat slip will be backfilled with 209 cubic yards of clean sand from an upland source.

The applicant also proposes to install a new 6-foot-wide by 50-foot-long floating dock parallel to the new bulkhead with three (3) 4-foot-wide by 20-foot-long finger floats and 20 associated piles. The project includes moving the existing 13.7-foot-wide by 12.5-foot-long boat lift to be located between two of the proposed finger piers.

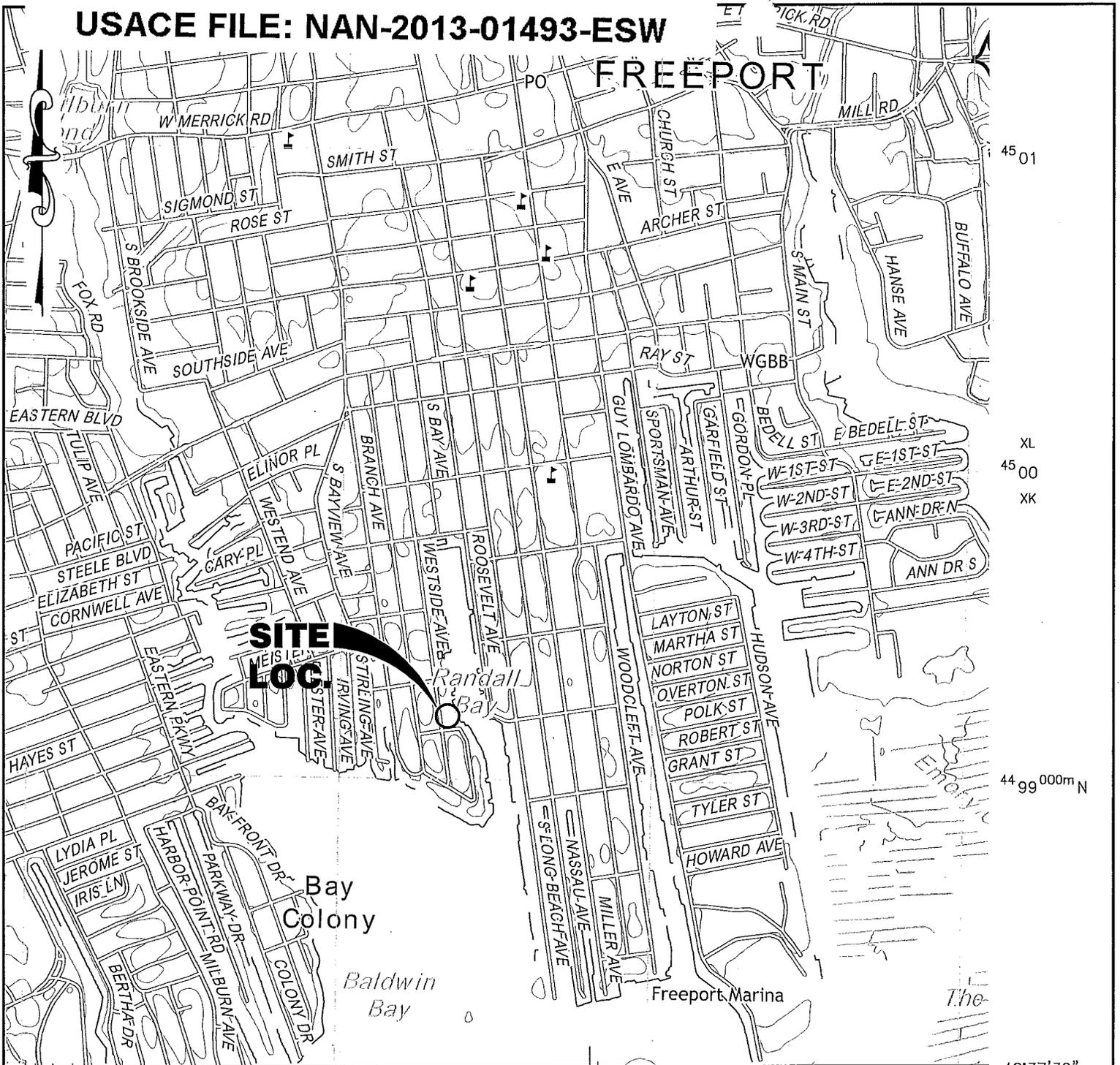
The total length of the structures will extend approximately 62.3 feet from the plane of Mean High Water into Randall Bay in the Village of Freeport, Town of Hempstead, Nassau County, New York.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by implementing best management practices and by limiting construction to the smallest area practicable

The stated purpose of the regulated work is to provide maintenance, storm risk reduction and safe access for recreational navigation.

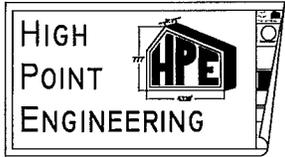
**USACE FILE: NAN-2013-01493-ESW**

**FREEPORT**

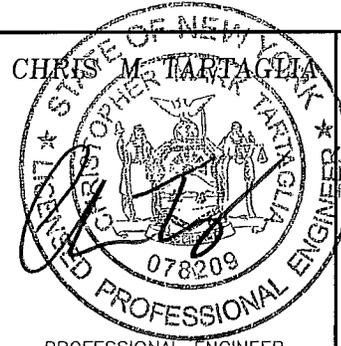


618 619 73°35' 620 621 40°37'30"

USGS QUADRANGLE  
FREEPORT, NY  
1:1500



521 CONKLIN STREET  
FARMINGDALE, NY 11735  
(516) 777-4320 FAX: (516) 777-4321  
ALL PHASES OF ENGINEERING DESIGN,  
SURVEYING, CODE CONSULTING,  
ZONING ANALYSIS & BID SPECIFICATION  
www.HPEng.com



PROFESSIONAL ENGINEER  
NEW YORK LICENSE No. 078209

FILE# NAN-2013-01493-ESW  
APPLICANT: PATRICK McBRIDE  
ADJACENT PROPERTY OWNERS:  
1. ROBERT HECKETT/ JAMES ST. AGNUS CHURCH  
50 N. PARK AVE., ROCKVILLE CENTRE, NY 11570  
2. JOHN TALTY  
10 CLINTON ST., FREEPORT, NY 11520

LOCATION: 315 WEST SIDE AVENUE  
VILLAGE OF FREEPORT, NY 11520  
SECTION: 62  
BLOCK: 034  
LOT: 168

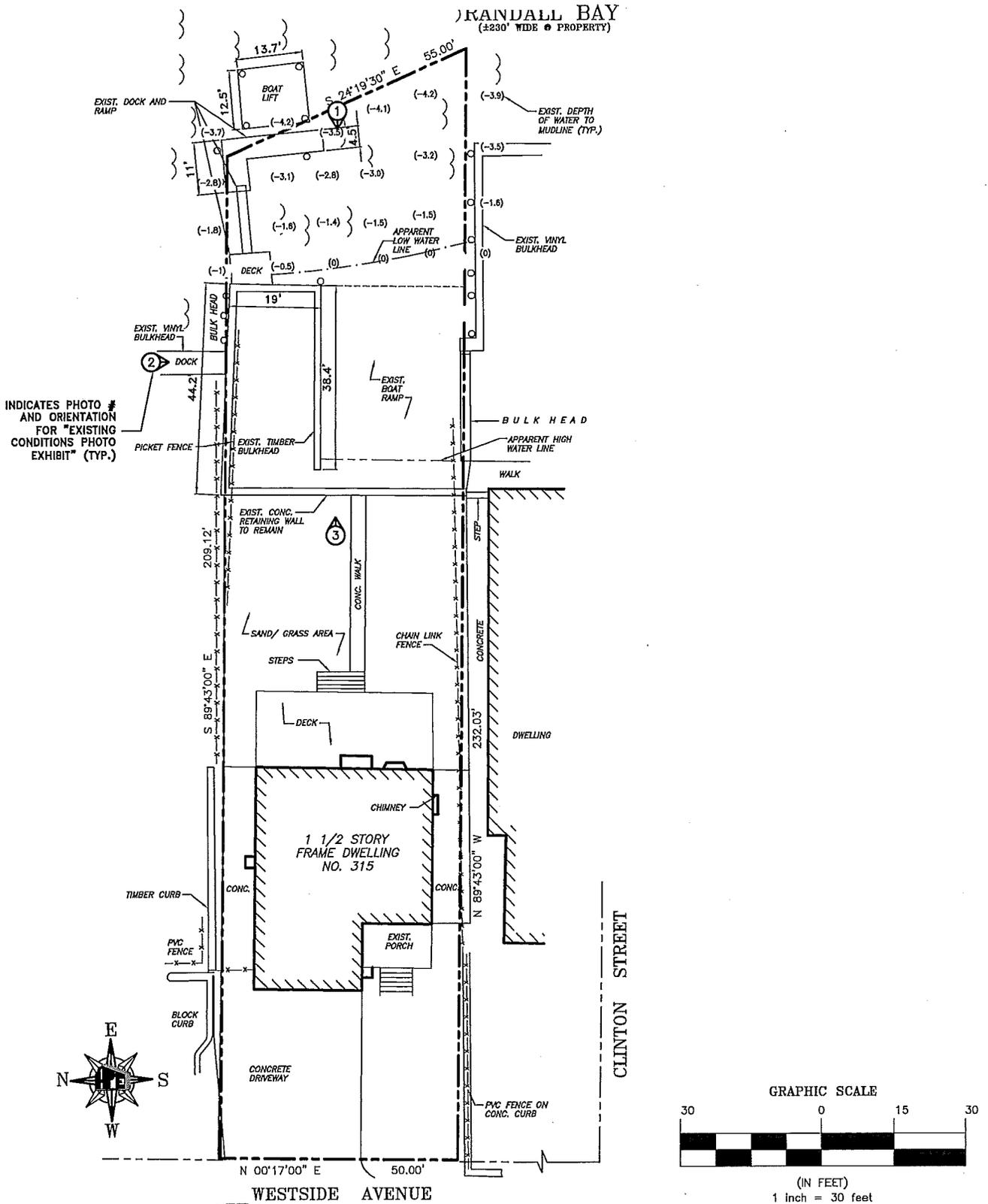
LAT./LONG: 40.664/73.589  
PAGE # 1 OF 6 REV. DATE: 9/16/14

PROPOSED PROJECT:  
BULKHEAD REPLACEMENT  
  
IN: RANDALL BAY  
NEAR/ AT: INC. VILLAGE OF FREEPORT  
COUNTY: NASSAU  
STATE: NY

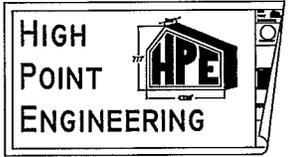
SCALE:	1"=1500'	HPE: RELI13-01
DATE:	6/24/14	DWG: RELI13-01-AC-SP.0

TITLE:	VICINITY MAP	SHEET NO:	SP-1
--------	--------------	-----------	------

# USACE FILE: NAN-2013-01493-ESW



INDICATES PHOTO # AND ORIENTATION FOR "EXISTING CONDITIONS PHOTO EXHIBIT" (TYP.)



521 CONKLIN STREET  
FARMINGDALE, NY 11735  
(516) 777-4320 FAX: (516) 777-4321  
ALL PHASES OF ENGINEERING DESIGN,  
SURVEYING, CODE CONSULTING,  
ZONING ANALYSIS & BID SPECIFICATION  
www.HPEng.com



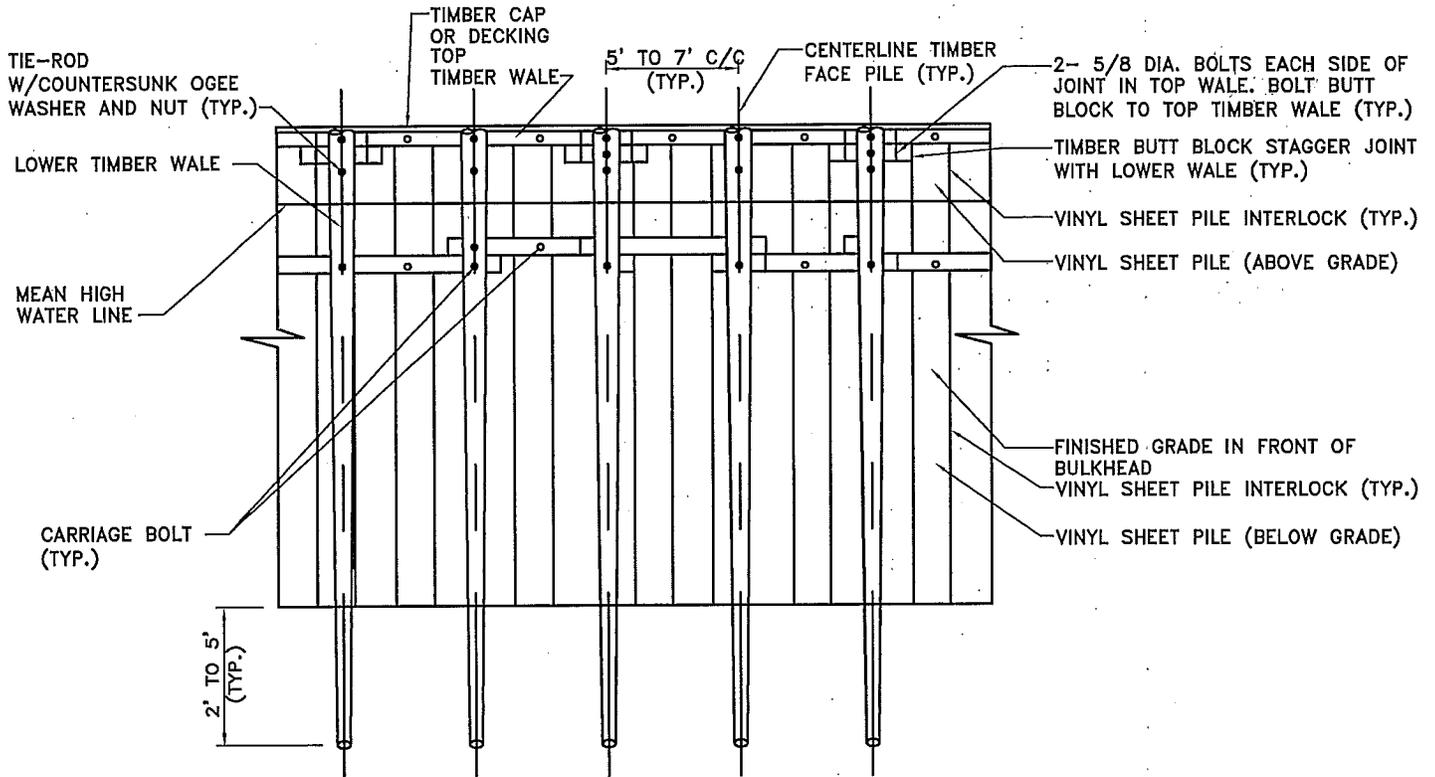
FILE# NAN-2013-01493-ESW  
APPLICANT: PATRICK McBRIDE  
ADJACENT PROPERTY OWNERS:  
1. ROBERT HECKET/ JAMES ST. AGNUS CHURCH  
50 N. PARK AVE., ROCKVILLE CENTRE, NY 11570  
2. JOHN TALTY  
10 CLINTON ST., FREEPORT, NY 11520  
LOCATION: 315 WEST SIDE AVENUE  
VILLAGE OF FREEPORT, NY 11520  
SECTION: 62  
BLOCK: 034  
LOT: 168  
LAT./LONG: 40.664/73.589  
PAGE # 2 OF 6 REV. DATE: 9/16/14

PROPOSED PROJECT:  
BULKHEAD REPLACEMENT

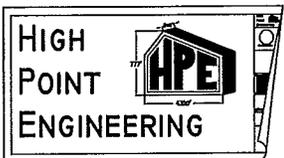
IN: RANDALL BAY  
NEAR/ AT: INC. VILLAGE OF FREEPORT  
COUNTY: NASSAU  
STATE: NY

SCALE: 1"=30'	HPE # REL113-01
DATE: 6/24/14	DWG # REL113-01-AC-SP.0
TITLE: <b>EXISTING SITE PLAN</b>	
SHEET NO: <b>SP-2</b>	





TYPICAL ELEVATION VIEW OF NAVY STYLE BULKHEAD (VIEW C-C)



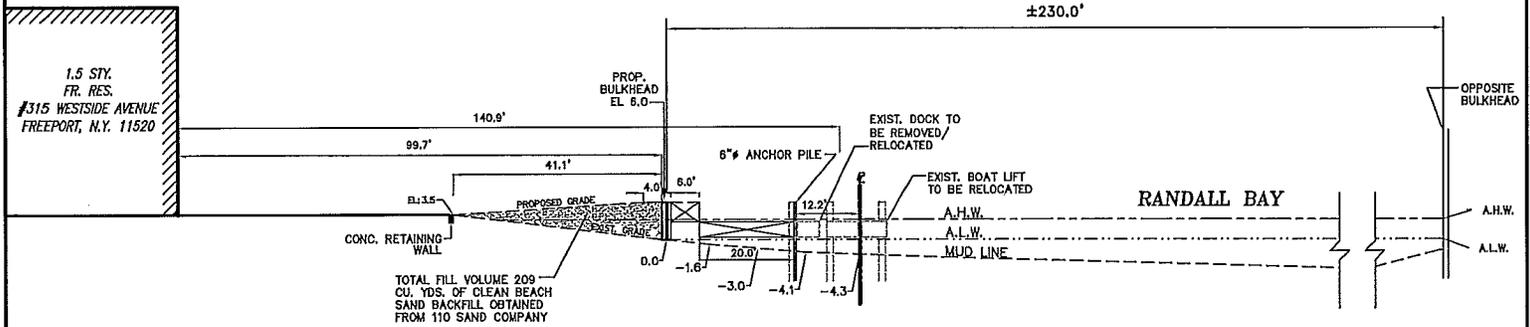
521 CONKLIN STREET  
 FARMINGDALE, NY 11735  
 (516) 777-4320 FAX: (516) 777-4321  
 ALL PHASES OF ENGINEERING DESIGN,  
 SURVEYING, CODE CONSULTING,  
 ZONING ANALYSIS & BID SPECIFICATION  
 www.HPEng.com



FILE# NAN-2013-01493-ESW  
 APPLICANT: PATRICK McBRIDE  
 ADJACENT PROPERTY OWNERS:  
 1. ROBERT HECKET/ JAMES ST. AGNUS CHURCH  
 50 N. PARK AVE., ROCKVILLE CENTRE, NY 11570  
 2. JOHN TALTY  
 10 CLINTON ST., FREEPORT, NY 11520  
 LOCATION: 315 WEST SIDE AVENUE  
 VILLAGE OF FREEPORT, NY 11520  
 SECTION: 62  
 BLOCK: 034  
 LOT: 168  
 LAT./LONG: 40.664/73.589  
 PAGE # 4 OF 6 REV. DATE: 9/16/14

PROPOSED PROJECT:  
 BULKHEAD REPLACEMENT  
 IN: RANDALL BAY  
 NEAR/ AT: INC. VILLAGE OF FREEPORT  
 COUNTY: NASSAU  
 STATE: NY

SCALE:	NTS	HPE #:	RELI13-01
DATE:	6/24/14	DWG #:	RELI13-01-AC-SP.0
TITLE:	DETAIL SHEET #2		SHEET NO:
			SP-5

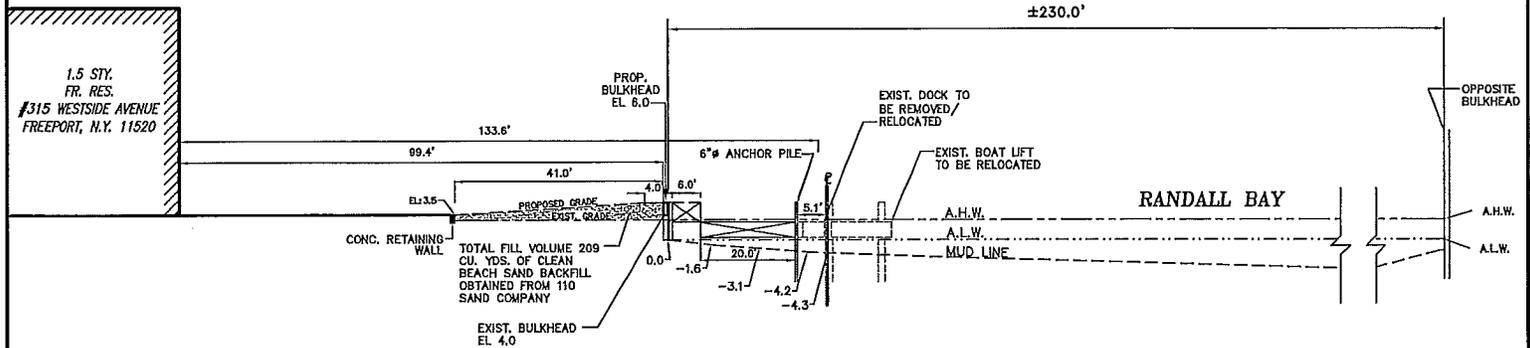


## RECONSTRUCTED BULKHEAD

### SECTION D-D

VINYL DOCK AND FLOAT

Note: VINYL AND TIMBER AS PER VILLAGE OF FREEPORT CODE

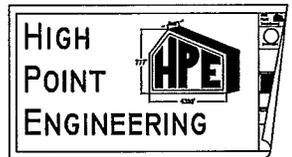
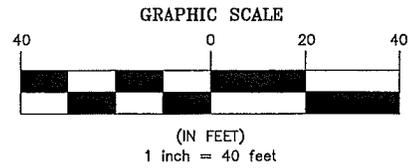


## RECONSTRUCTED BULKHEAD

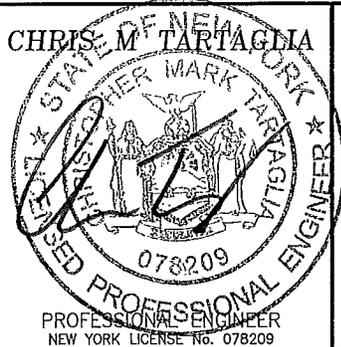
### SECTION E-E

VINYL DOCK AND FLOAT

Note: VINYL AND TIMBER AS PER VILLAGE OF FREEPORT CODE



521 CONKLIN STRBET  
 FARMINGDALE, NY 11735  
 (516) 777-4320 FAX: (516) 777-4321  
 ALL PHASES OF ENGINEERING DESIGN,  
 SURVEYING, CODE CONSULTING,  
 ZONING ANALYSIS & BID SPECIFICATION  
 www.HPEng.com

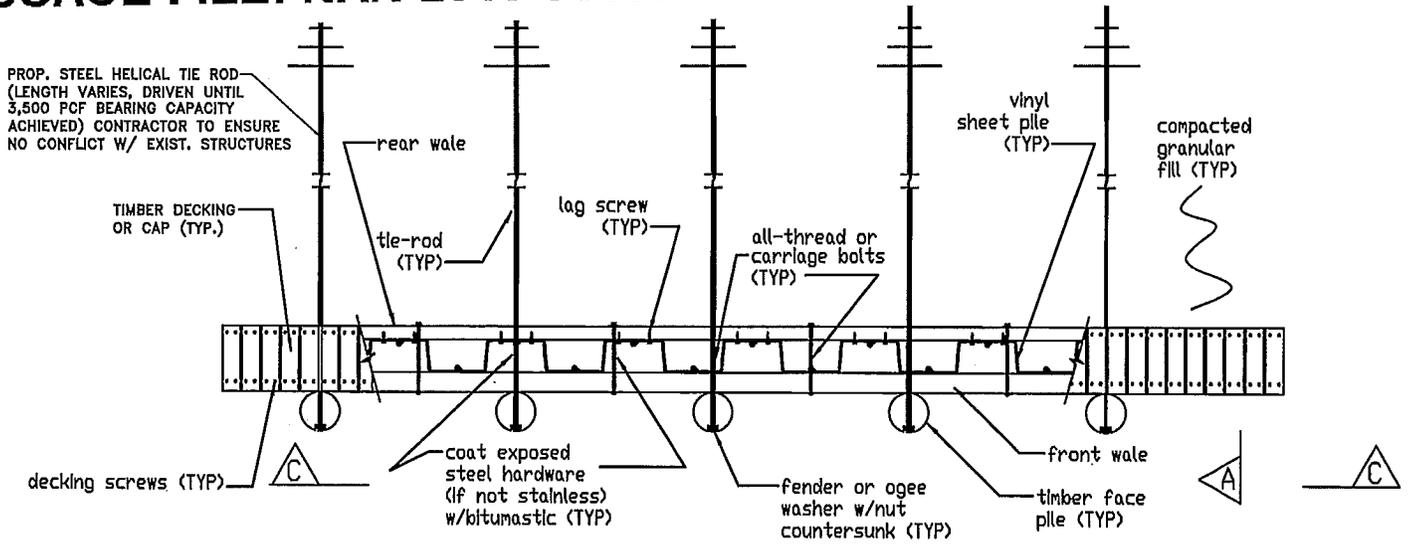


FILE# NAN-2013-01493-ESW  
 APPLICANT: PATRICK McBRIDE  
 ADJACENT PROPERTY OWNERS:  
 1. ROBERT HECKET/ JAMES ST. AGNUS CHURCH  
 50 N. PARK AVE., ROCKVILLE CENTRE, NY 11570  
 2. JOHN TALTY  
 10 CLINTON ST., FREEPORT, NY 11520  
 LOCATION: 315 WEST SIDE AVENUE  
 VILLAGE OF FREEPORT, NY 11520  
 SECTION: 62  
 BLOCK: 034  
 LOT: 168  
 LAT./LONG: 40.664/73.589  
 PAGE # 5 OF 6 REV. DATE: 9/16/14

PROPOSED PROJECT:  
 BULKHEAD REPLACEMENT  
 IN: RANDALL BAY  
 NEAR/ AT: INC. VILLAGE OF FREEPORT  
 COUNTY: NASSAU  
 STATE: NY

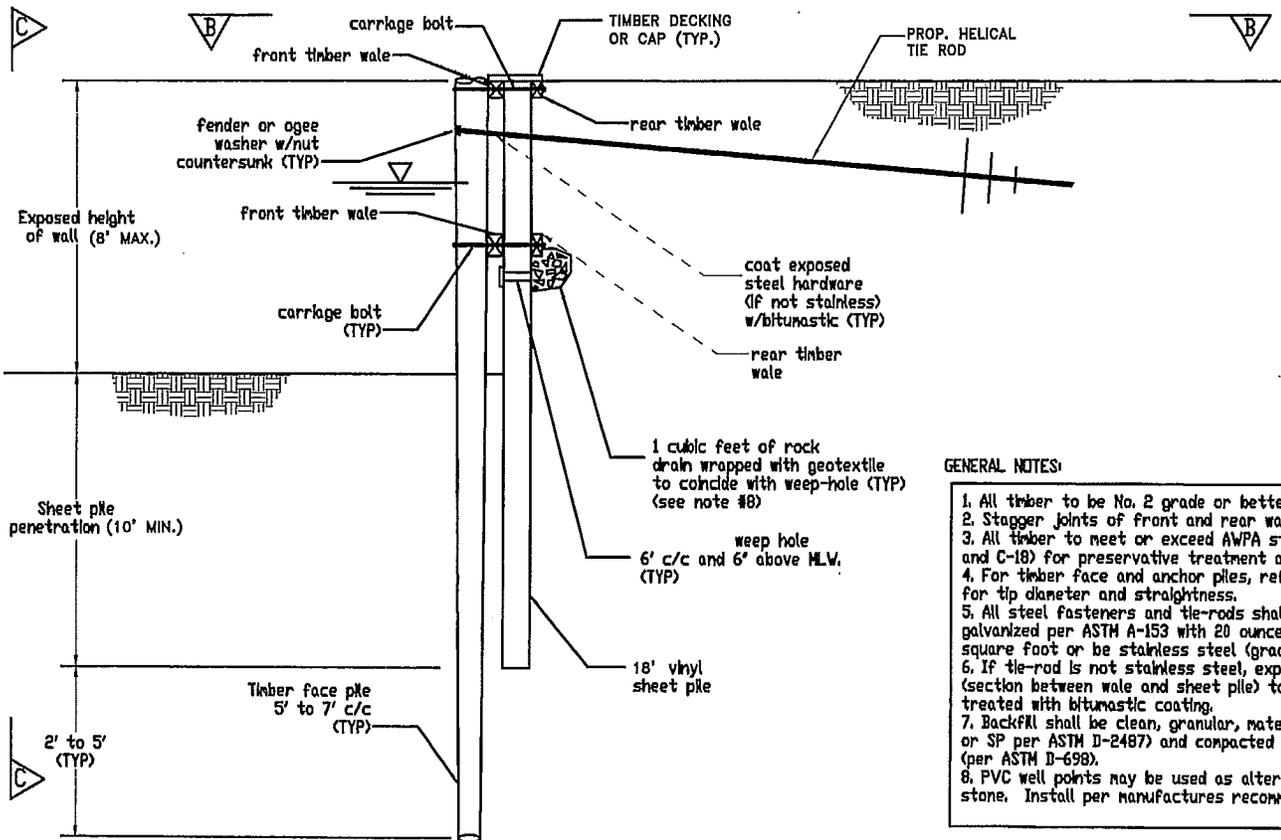
SCALE:	1"=40'	HPE #:	RELI13-01
DATE:	6/24/14	DWG #:	RELI13-01-AC-SP.0
TITLE:	BULKHEAD CROSS SECTION		SHEET NO:
			SP-6

# USACE FILE: NAN-2013-01493-ESW



**TYPICAL PLAN VIEW OF NAVY STYLE BULKHEAD (VIEW B-B)**

N.T.S.

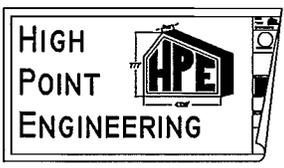


**TYPICAL SECTION OF NAVY STYLE BULKHEAD (View A-A)**

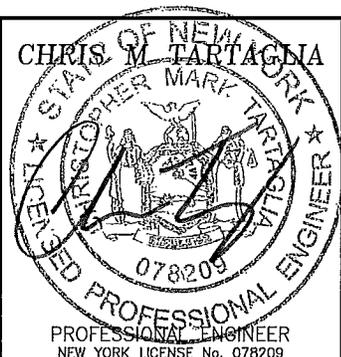
N.T.S.

**GENERAL NOTES:**

1. All timber to be No. 2 grade or better.
2. Stagger joints of front and rear wales.
3. All timber to meet or exceed AWWA standards (C-2 and C-18) for preservative treatment as applicable.
4. For timber face and anchor piles, refer to ASTM D-25 for tip diameter and straightness.
5. All steel fasteners and tie-rods shall be hot dip galvanized per ASTM A-153 with 20 ounces of zinc per square foot or be stainless steel (grade 304 or 316).
6. If tie-rod is not stainless steel, exposed regions (section between wale and sheet pile) to be field treated with bitumastic coating.
7. Backfill shall be clean, granular, material (GW, GP, SW, or SP per ASTM D-2487) and compacted at least 95% (per ASTM D-698).
8. PVC well points may be used as alternate to drainage stone. Install per manufactures recommendations.



**HIGH POINT ENGINEERING**  
 521 CONKLIN STREET  
 FARMINGDALE, NY 11735  
 (516) 777-4320 FAX: (516) 777-4321  
 ALL PHASES OF ENGINEERING DESIGN,  
 SURVEYING, CODE CONSULTING,  
 ZONING ANALYSIS & BID SPECIFICATION  
 www.HPEng.com



FILE# NAN-2013-01493-ESW  
 APPLICANT: PATRICK McBRIDE  
 ADJACENT PROPERTY OWNERS:  
 1. ROBERT HECKET/ JAMES ST. AGNUS CHURCH  
 50 N. PARK AVE., ROCKVILLE CENTRE, NY 11570  
 2. JOHN TALTY  
 10 CLINTON ST., FREEPORT, NY 11520  
 LOCATION: 315 WEST SIDE AVENUE  
 VILLAGE OF FREEPORT, NY 11520  
 SECTION: 62  
 BLOCK: 034  
 LOT: 168  
 LAT./LONG: 40.664/73.589  
 PAGE # 6 OF 6 REV. DATE: 9/16/14

PROPOSED PROJECT:  
 BULKHEAD REPLACEMENT  
 IN: RANDALL BAY  
 NEAR/ AT: INC. VILLAGE OF FREEPORT  
 COUNTY: NASSAU  
 STATE: NY

SCALE:	NTS	HPE #:	REL113-01
DATE:	6/24/14	DWG #:	REL113-01-AC-SP.0
TITLE:	<b>DETAIL SHEET #1</b>		SHEET NO:
			<b>SP-4</b>