



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-2014-01115-ESW
Issue Date: January 22, 2015
Expiration Date: February 21, 2015

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: Town of North Hempstead
Department of Public Works
285 Denton Avenue
New Hyde Park, New York 11040

ACTIVITY: Dredge rowing channel with upland beach nourishment.

WATERWAY: Upper Hempstead Harbor

LOCATION: Town of North 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. Comments provided will become a part of the public record for this action.

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2014-01115-ESW**

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 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.

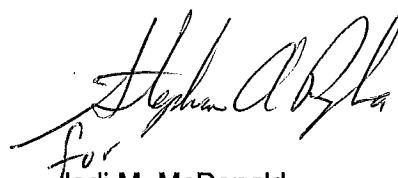
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application 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, One Commerce Plaza, 99 Washington Avenue, 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.

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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.

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>.

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



for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Town of North Hempstead, has requested Department of the Army authorization for dredging of a rowing channel with subsequent discharge/placement of the sand dredged material above and below the Spring High Tide Line on the adjacent shoreline for beach nourishment purposes. The regulated project work area is located in Upper Hempstead Harbor, Town of North Hempstead, Nassau County, New York.

The regulated work would involve dredging approximately 25,100 cubic yards of material consisting of approximately 99% sand and gravel and less than 1.0% silt, to a maximum depth of four feet below the plane of Mean Low Water with no proposed overdepth to create a channel measuring approximately 197-foot-wide by 4,922-foot-long. Dredged material will be dewatered in an upland parking area in a lined containment area. There will be a lined spillway for return flow associated with the dewatering that will consist of a bottom layer of riprap.

The primary site for the sand dredged material placement of approximately 25,100 cubic yards of material would be above and below the plane of Mean High Water on approximately 45,000 square feet of the western shore of the harbor adjacent to West Shore Road slightly north of the beginning of the proposed channel.

The applicant anticipates one additional maintenance dredging event, removing 10,000 cubic yards of sandy material over the ten-year life of this permit, if issued, with dredged material placement on the shoreline beach as described above.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable. Most of the impacts associated with the 10-year maintenance dredging project are temporary and would be offset by implementing best management practices associated with the proposed use of hydraulic dredge to minimize impacts. The use of a hydraulic dredge would provide the cleanest and least obtrusive method for sediment removal without damaging the sensitive environment.

The stated purpose of this regulated work is to establish a rowing course for recreational use.

Cashin Associates, P.C.

ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

CLIENT: TOWN OF NORTH HEMPSTEAD

DATE: JUNE 2014

PROJECT: PROPOSED ROWING COURSE – HEMPSTEAD HARBOR

CA NO.: 13014-1

TITLE: KEY MAP – FIGURE 1

SCALE: 1"=4,000'±

0 4000'



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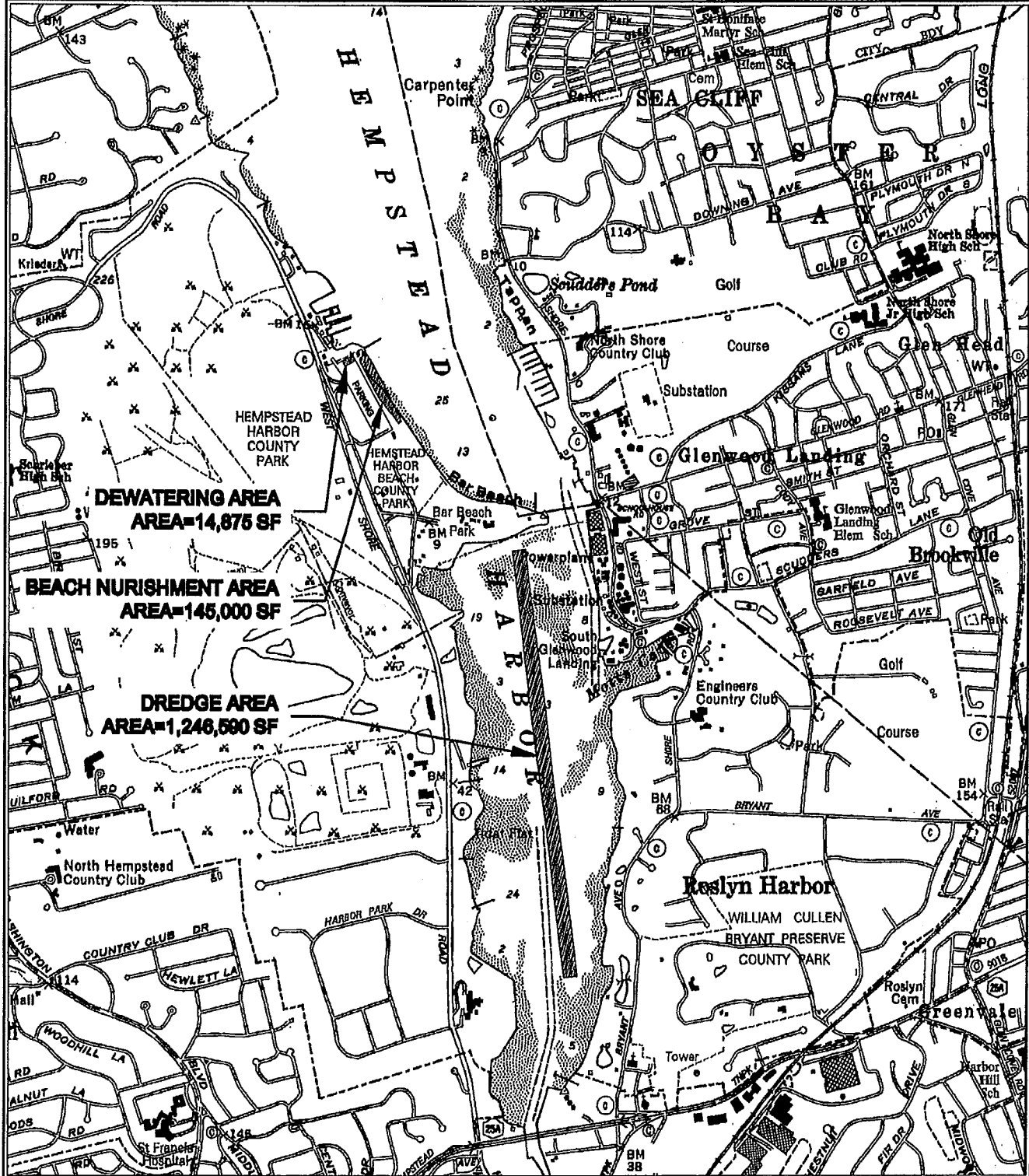
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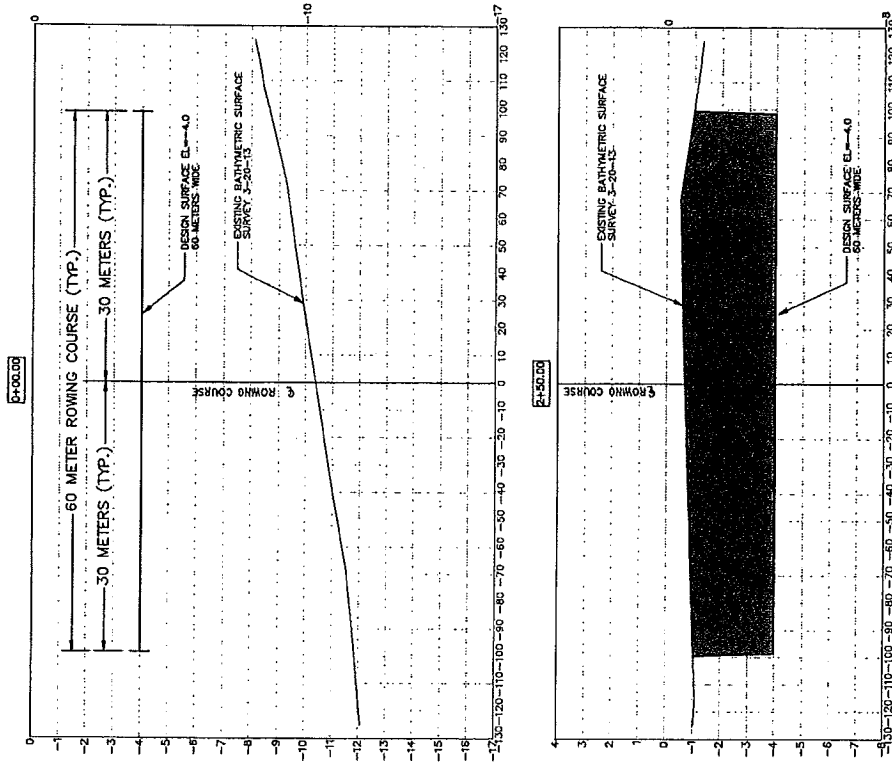
PROJECT: PROPOSED ROWING COURSE - HEMPSTEAD HARBOR

CA NO.: 13014-2

TITLE: OA SITE PLAN

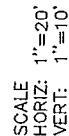
SCALE: 1"=2000'





SCALE
 HORIZ: 1"=20'
 VERT: 1"=2'

Coast Associates, P.C. ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT 12500 Veterans Memorial Highway • Hempstead, New York 11550 • 516.442.7400 800.947.6633 • Fax: 516.442.7400 • www.coastassoc.com		TOWN OF NORTH HEMPSTEAD HEMPSTEAD HARBOR 1500 METER PROPOSED ROWING COURSE		DATE: OCT 2014 DESIGNED BY: JH DRAWN BY: JH CHECKED BY: JH SCALE: AS SHOWN		COURSE X-SECTIONS STA 0+00 THRU 2+50 AND KEY MAP		DRAWING NUMBER C401 OCT 1 9 3	
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Cashin Associates, P.C.

ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

CLIENT: TOWN OF NORTH HEMPSTEAD

DATE: JUNE 2014

PROJECT: PROPOSED ROWING COURSE – HEMPSTEAD HARBOR

CA NO.: 13014-1

TITLE: BATHYMETRIC SURVEY & DREDGE VOLUME CALCULATION

SCALE: 1" = 1,400'

ALTERNATE 2, 1500m COURSE – FIGURE 2

0 1400'

POSSIBLE DEWATERING
AREA, SEE LOCATION
MAP FIGURE 4

BEACH NOURISHMENT AREA
SEE LOCATION MAP FIGURE 3

1500m x 60m ROWING COURSE
WITH 200m STAGING AREA
AT BEGINNING AND END
DREDGE TO ELEV. -4.0

	TOTAL DREDGE VOLUME CUT
COURSE - 1500 M	25,080 Cu. Yd.

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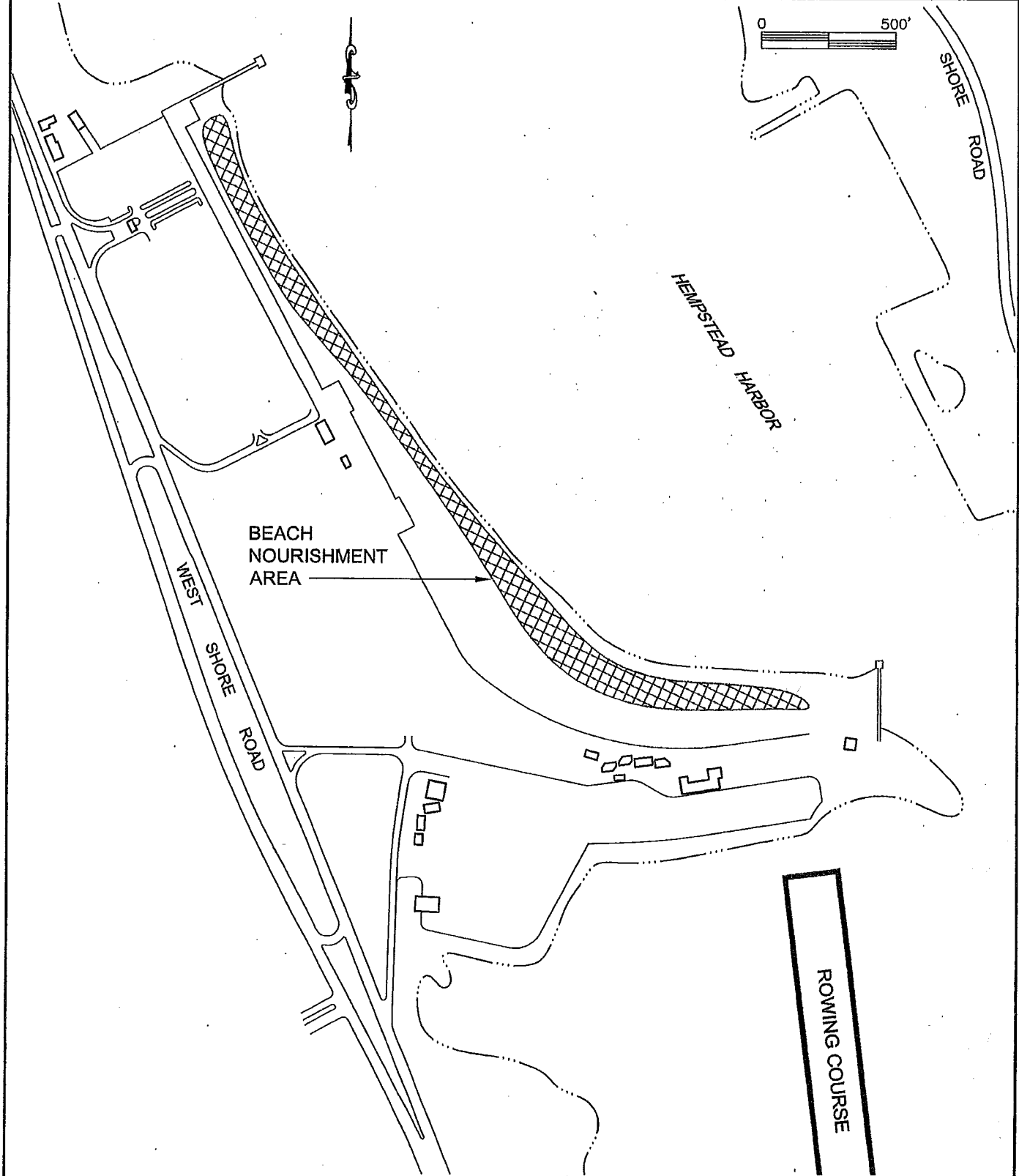
DATE: JUNE 2014

PROJECT: PROPOSED ROWING COURSE – HEMPSTEAD HARBOR

CA NO.: 13014-1

TITLE: BEACH NOURISHMENT AREA – FIGURE 3

SCALE: 1" = 500'



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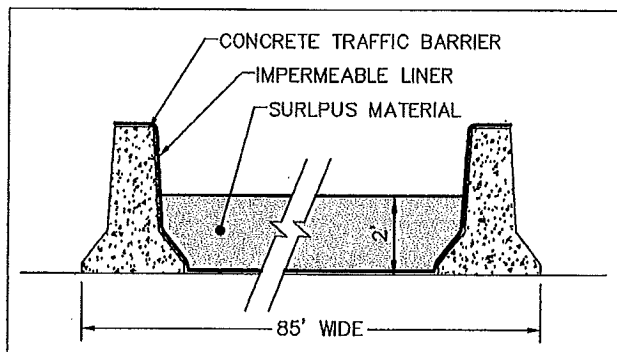
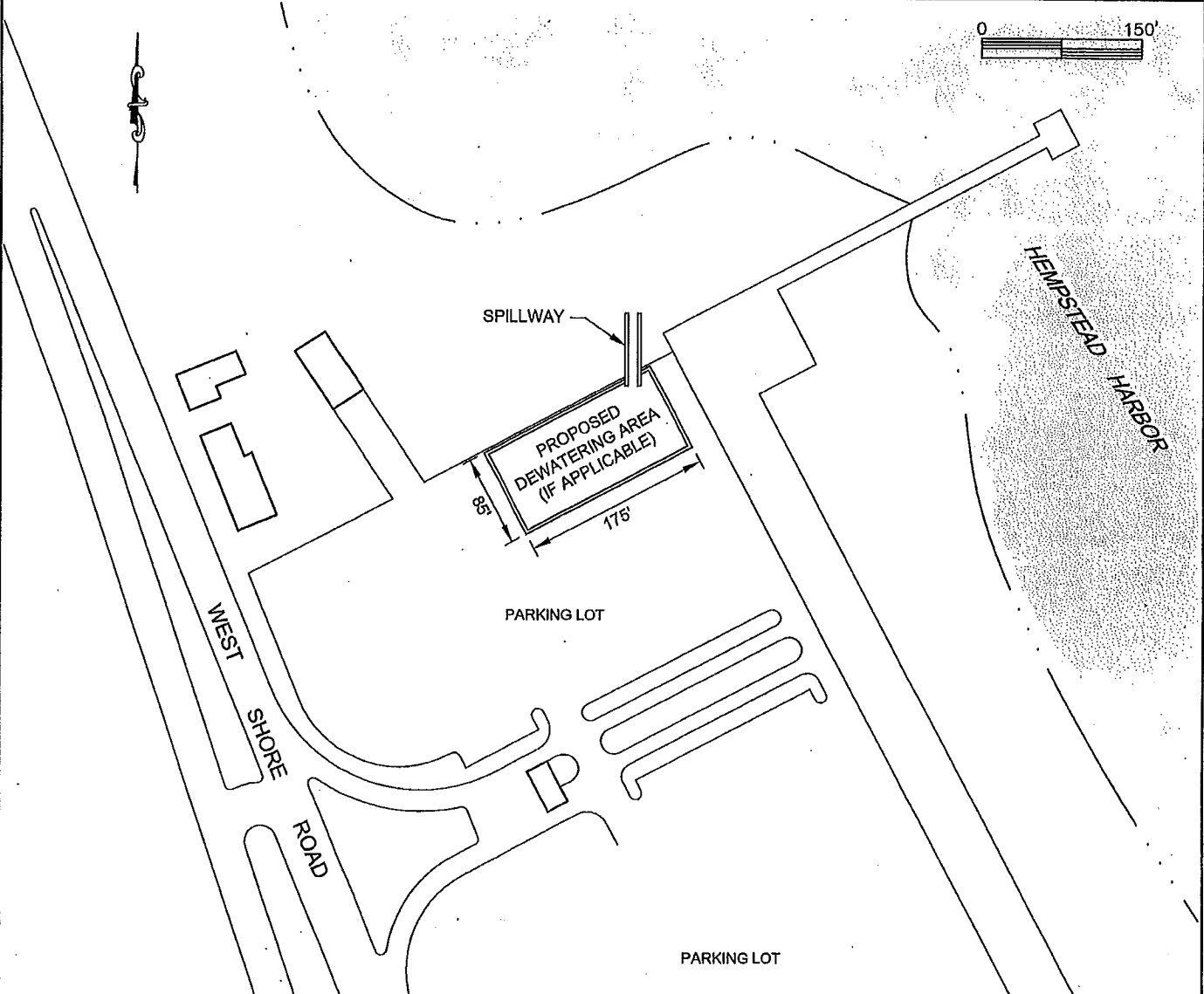
DATE: JUNE 2014

PROJECT: PROPOSED ROWING COURSE - HEMPSTEAD HARBOR

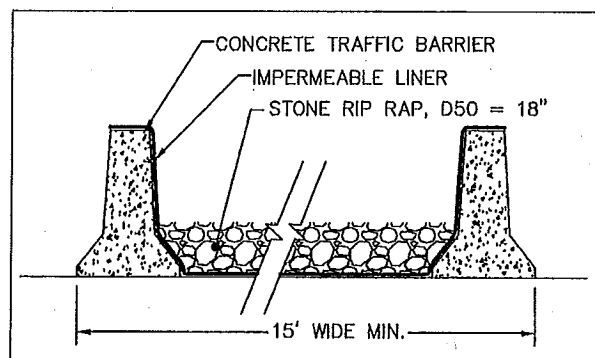
CA NO.: 13014-1

TITLE: DEWATERING AREA - FIGURE 4

SCALE: 1" = 150'



**DEWATERING
CONTAINMENT AREA DETAIL**
NOT TO SCALE



SPILLWAY DETAIL
NOT TO SCALE