



# 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-2011-01173-ETA  
Issue Date: April 16, 2012  
Expiration Date: May 16, 2012

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: Kevin R. Kreuser  
103 East Riviera Drive  
Lindenhurst, NY 11757

ACTIVITY: Close off a boat ramp; replace a bulkhead; dredge and use the dredged material to fill in the boat ramp

WATERWAY: Grande Canal

LOCATION: Lindenhurst, Suffolk 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.

**PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE**

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2011-01173-ETA

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 is 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.

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 occurs. 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.

In addition to any required 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/business/buslinks/regulat/index.php?survey>.

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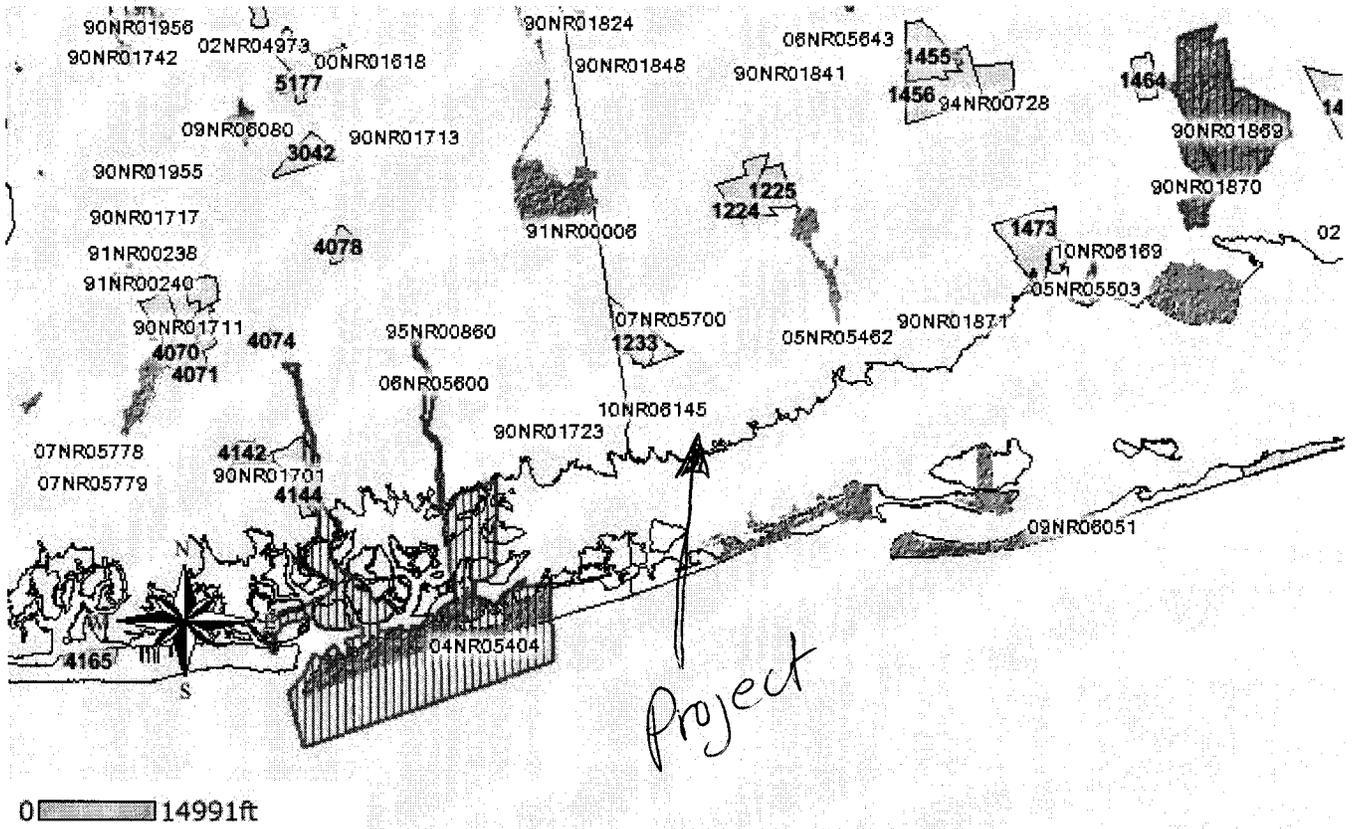
It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8521 and ask for Frank Tangorra.

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



Richard L. Tomer  
Chief, Regulatory Branch

Enclosures



NAN-2011-01173-ETA

# VICINITY MAP



GOOGLE MAPS

PURPOSE: REPAIR AND MAINTENANCE

DATUM: MLW = 0.00'  
 MHW = 0.65'  
 SHW = 0.83'

PREPARED BY  
 SHORE SOLUTIONS - DM  
 32 LINCOLN AVE  
 MASSAPEQUA, NY 11758

SCTM#S SD 100 / SEC 190 / BLK 4  
 LOT 135  
 FOR: KEVIN R. KREUSER  
 AT: MOORING LOT #135 ACROSS FROM  
 103 EAST RIVIERA DRIVE  
 LINDENHURST, NY 11757  
 TOWN OF BABYLON  
 SUFFOLK COUNTY  
 ON: CANAL GRANDE

**SITE**

LAT 40° 40' 3.9786" N  
 LONG 73° 22' 47.0748" W

*NAN-2011-01173-ETA*

**WORK DESCRIPTION**

The applicant, Kevin R. Kreuser, has requested Department of the Army authorization to close off a boat ramp; replace a bulkhead; and dredge and use the dredged material to fill in the boat ramp. The project is located in Grande Canal, in Lindenhurst, Suffolk County, New York.

The work would involve the replacement, in-place and 18-inches higher, of approximately 80 linear feet of timber flushface bulkhead with vinyl navy bulkhead; closing off a 10-foot-wide by 18-foot-long boat ramp, and filling in and revegetating the existing boat ramp area with approximately 60 cubic yards of material; and dredging of approximately 10 cubic yards of material 10-feet off the entire length of the bulkhead to a depth of 4 feet below Mean Low Water.

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

The stated purpose of this project is to provide a mooring facility for the applicant's recreational vessel(s) and to close off an existing boat slip.

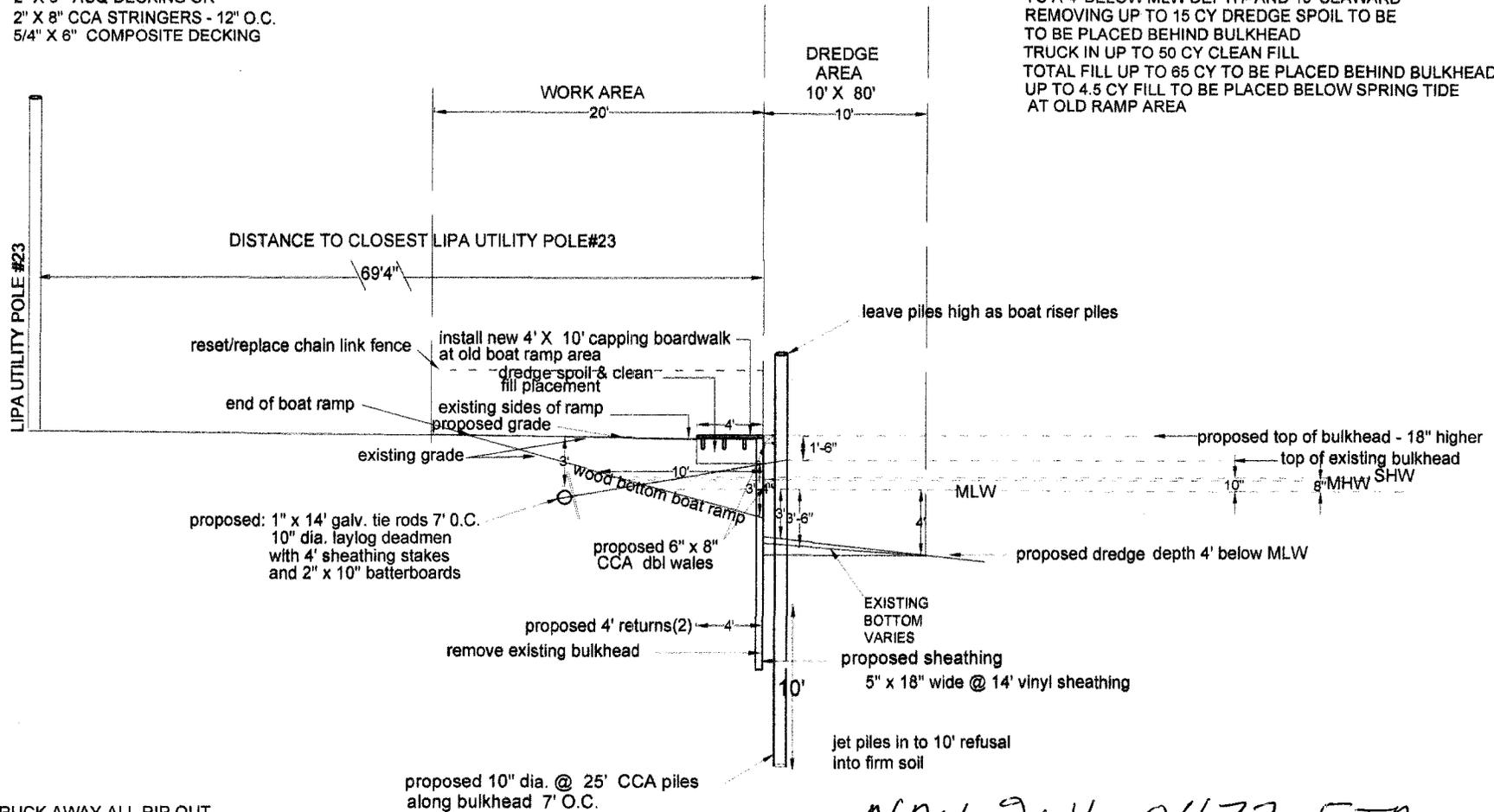




PROJECT PLAN CROSSVIEW#2 CLOSE OFF BOAT RAMP

BOARDWALK CONSTRUCTION:  
 2" X 8" CCA STRINGERS - 18" O.C.  
 2" X 6" ACQ DECKING OR  
 2" X 8" CCA STRINGERS - 12" O.C.  
 5/4" X 6" COMPOSITE DECKING

RECOVER DREDGE ALONG BULKHEAD TO MAINTAIN  
 A NAVIGABLE DEPTH - CLAM SHELL BUCKET DREDGE  
 TO A 4' BELOW MLW DEPTH- AND 10' SEAWARD  
 REMOVING UP TO 15 CY DREDGE SPOIL TO BE  
 TO BE PLACED BEHIND BULKHEAD  
 TRUCK IN UP TO 50 CY CLEAN FILL  
 TOTAL FILL UP TO 65 CY TO BE PLACED BEHIND BULKHEAD  
 UP TO 4.5 CY FILL TO BE PLACED BELOW SPRING TIDE  
 AT OLD RAMP AREA



TRUCK AWAY ALL RIP OUT  
 TO AN APPROVED UPLAND SITE

*NAN-2011-01173-ETA*

PURPOSE: REPAIR AND MAINTENANCE

PROPOSED: CLOSE OFF 10' X 18' WOOD BOTTOM BOAT RAMP BY RAISING 10' SECTION 4' 10" TO HEIGHT OF NEW BULKHEAD  
 MAKING ONE CONTINUOUS 80 LF BULKHEAD AT SAME HEIGHT / RAISE TOP OF BULKHEAD 18" TO MEET WITH UPLAND GRADE  
 INSTALL NEW 4' X 10' CAPPING BOARDWALK AT OLD RAMP AREA / RECOVERY DREDGE

MLW= 0.00'  
 MHW = 0.65'  
 SHW = 0.83'

LAT 40° 40' 3.9786" N  
 LONG 73° 22' 47.0748" W

PAGE 4 OF 4

SCALE 1" = 10'

PREPARED BY SHORE SOLUTIONS  
 10/12/2011

SCTM#S: SD 100 / SEC 190 / BLK 4 / LOT 135  
 MOORING LOT#135  
 ACROSS FROM 103 EAST RIVIERA DRIVE  
 LINDENHURST, NY 11757  
 FOR: KEVIN R. KREUSER