

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-2011-01145-EYO
Issue Date: June 7, 2012
Expiration Date: July 6, 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: Elizabeth Lawrence
521 Centre Island
Oyster Bay, New York 11771

ACTIVITY: Discharge of fill material for the construction of a stone wall and construction of a headwall with a tidal flap gate valve.

WATERWAY: Oyster Bay Harbor

LOCATION: Town of Oyster Bay, 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

CENAN-OP-RE
MEMORANDUM FOR THE RECORD

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, 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

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) 790-8425 and ask for Larry C Young.

CENAN-OP-RE
MEMORANDUM FOR THE RECORD

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>.

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

WORK DESCRIPTION

The applicant, Elizabeth Lawrence, has requested Department of the Army authorization to construct a stone wall in Oyster Bay Harbor, Town of Oyster Bay, Nassau County, New York.

The work would involve the removal of an existing deteriorated seawall and replacing it with a 171-foot-long sea wall. The seawall would be constructed of 100-275 pound boulders, 29 cubic yards of fill material would be placed below the Spring High Water Line (SHW). The applicant also proposes to install a 30-foot-long headwall with a tidal valve in a channel connecting a freshwater pond to the Oyster Bay Harbor. The headwall would be placed on 23 cubic yards of clean sand and comprised of 32 cubic yards of D50 stone; both would be placed below the SHW.

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 applicant's stated purpose of this project is to restore the historical presence of a freshwater pond on the property and to establish a high-quality, diverse freshwater habitat for water fowl and songbirds.

Lawrence-Centre Island

Proposed Invasive Species Control, Shoreline Stabilization and Headwall/Tidal Valve Installation, and Freshwater Wetland Restoration

NCTM # 28-A-441, Centre Island Road, Centre Island, NY

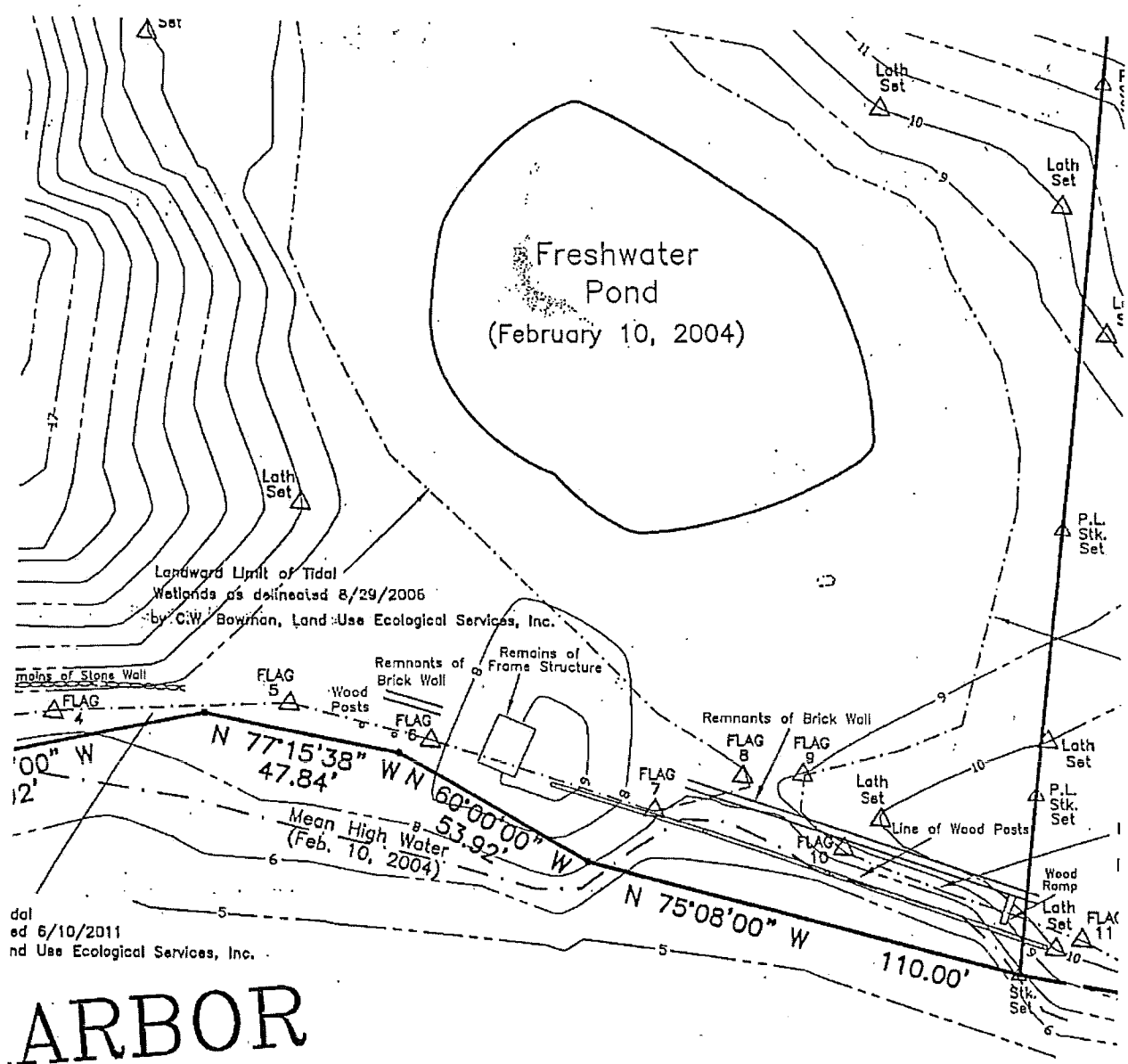
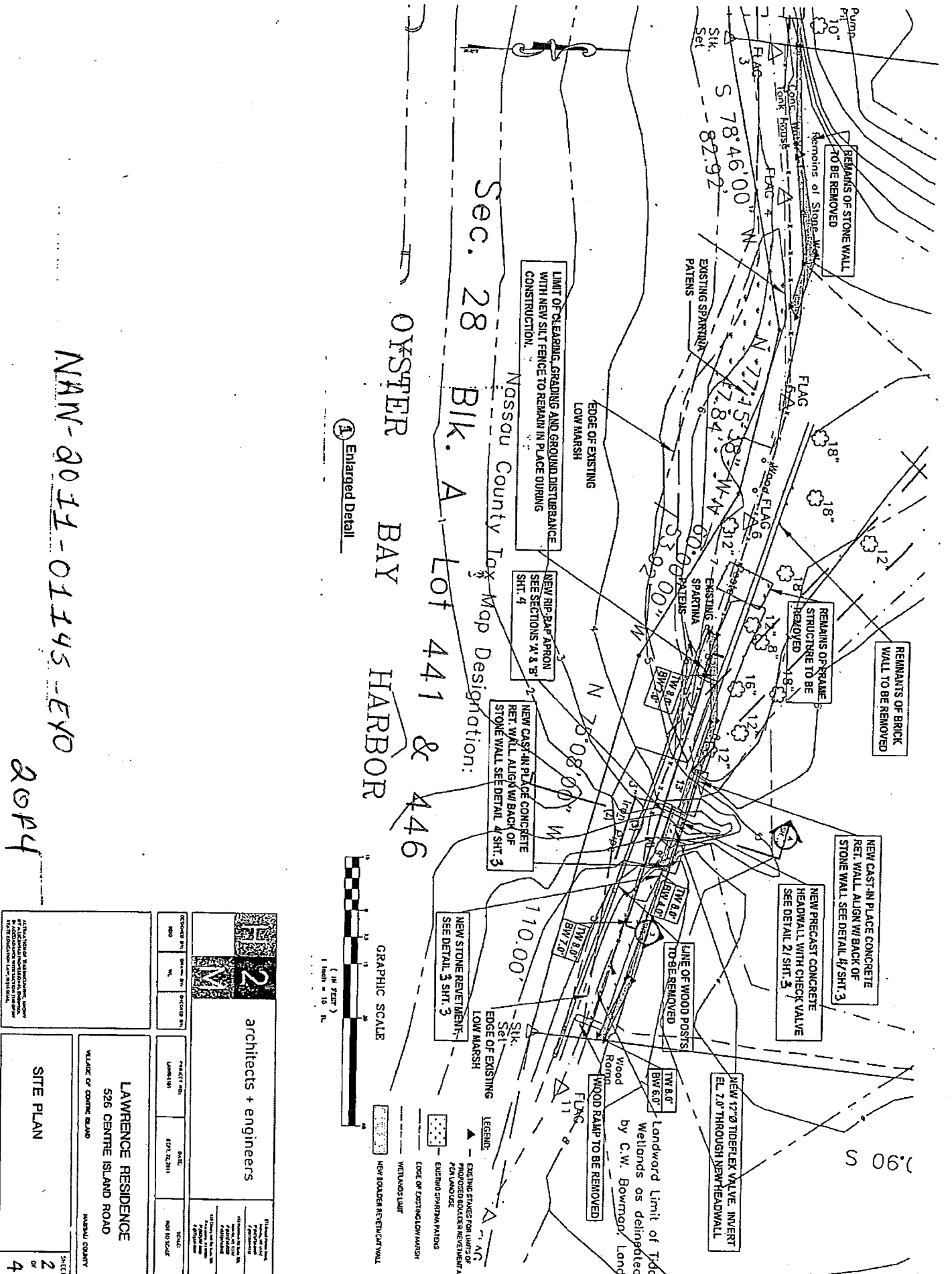


Figure 4: Topographic Survey Prepared by Bladykas & Panetta (dated March 15 2011) based on topographical survey data from 2004.



Sec. 28 BIK. A Lot 441 & 446
 Nassau County Tax Map Designation:

OYSTER BAY HARBOR

1 Enlarged Detail



- LEGEND
- ▲ EXISTING STAKES FOR LIMITS OF PARCEL OR LOT
 - EXISTING SPARTINA PATENS
 - ▨ EDGE OF DISTINGUISH MARSH
 - ▨ WETLANDS LIMIT
 - ▨ NEW ROUGH RECONSTRUCTION

	OWNER BY	DATE	SCALE
	NO. 19	12/21/11	NOT TO SCALE

architects + engineers

LAWRENCE RESIDENCE
 526 CENTRE ISLAND ROAD
 VILLAGE OF CORAL BLAND
 NASSAU COUNTY

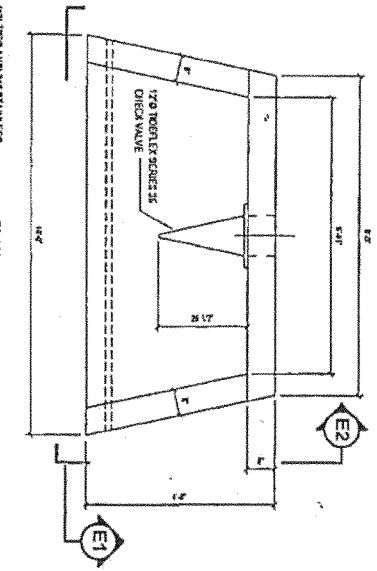
SITE PLAN

SHEET 2 of 4

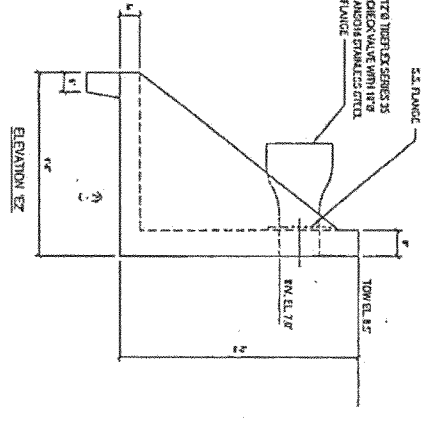
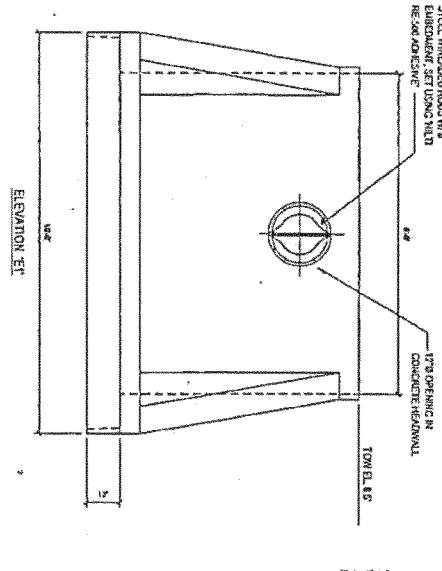
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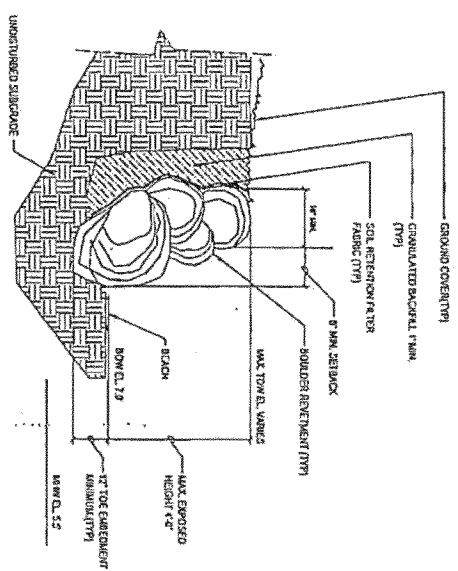
**382STM10HDWL
10' WINGED HEADWALL
BY: OLD CASTLE PRECAST**



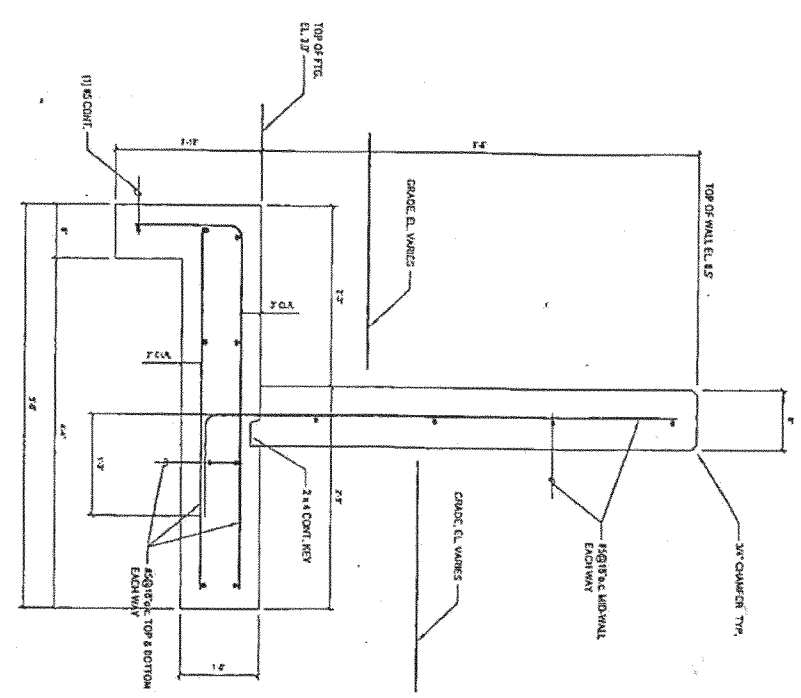
SIZE	10'
MAX. CURB	5'
MAX. RCP	48"
WT./#	6575
WT./# W/TOT	8185



2 Detail - 10'-0" Winged Headwall

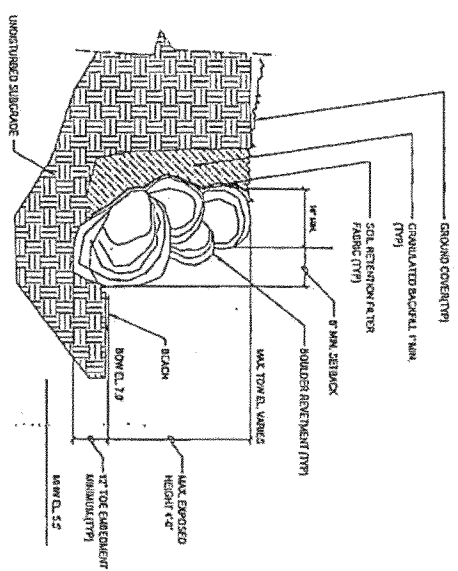


4 Detail - Concrete Retaining Wall



- NOTES**
- CONCRETE SHALL BE 4000 PSI AT 28 DAYS.
 - REINFORCING SHALL BE ASTM A618, GRADE 60, NEW BULLET STEEL.

3 Detail - Boulder Retention



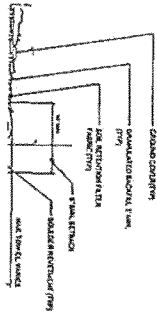
MAN-2011-61145-EX0

3044

	<p>2</p>		<p>architects + engineers</p>	<p>2000 1000 500</p>	<p>SCALE</p>	<p>DATE</p>	<p>PROJECT NO.</p>	<p>DATE</p>	<p>SCALE</p>
	<p>1000 500</p>	<p>DATE</p>							
<p>LAWRENCE RESIDENCE 526 CENTRE ISLAND ROAD NASSAU COUNTY</p>									
<p>SITE DETAILS</p>									

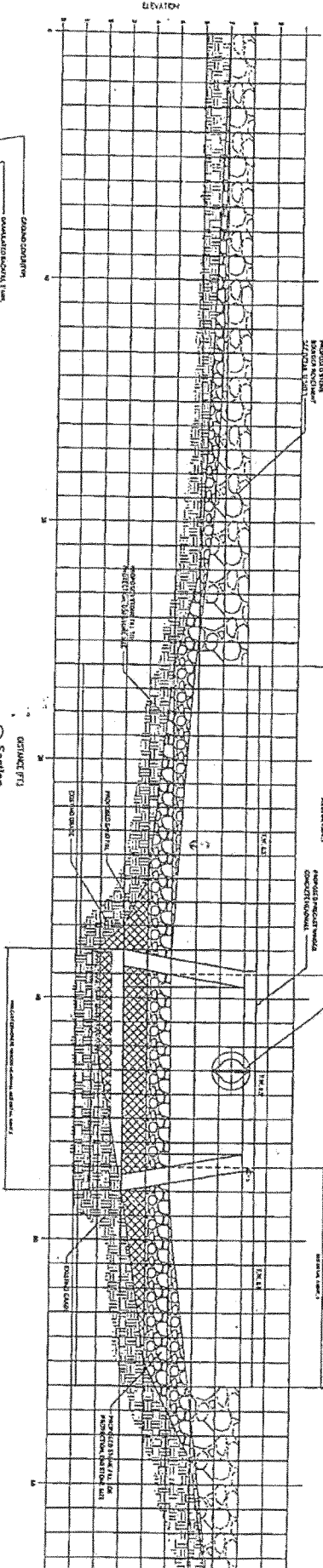
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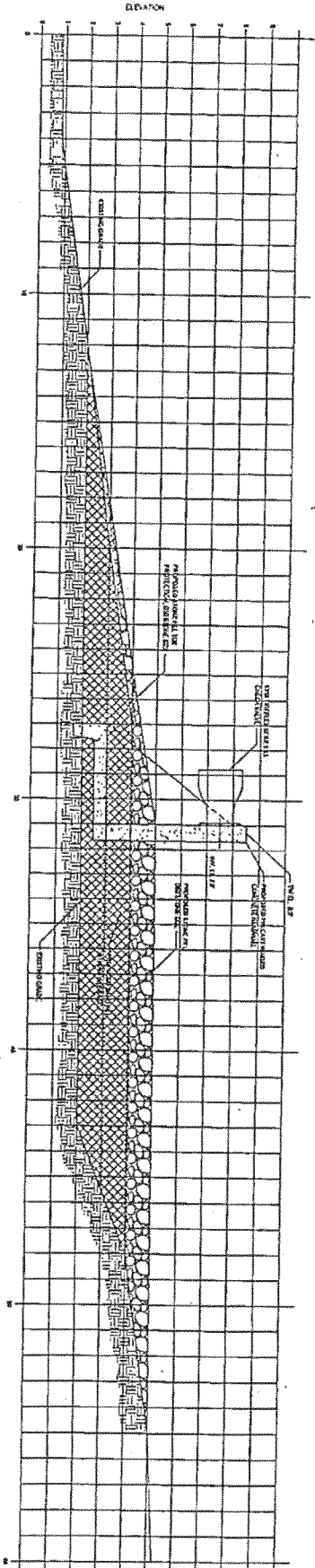


Proposed Fill Volumes		
TYPE	LOCATION	VOLUMES
DSE STONE	TOE PROTECTION	21 cy
SAND	CHANNEL FILL	23 cy
ROCKERS	REINFORCEMENT	3 cy
	ROCKERS	51 cy

(B) Section



(A) Section



ALTAIR ENGINEERING CONSULTANTS INC. ENGINEERS
 1400 EASTERN AVENUE, SUITE 100
 VANCOUVER, BC V6L 4R6
 TEL: 604-681-2222 FAX: 604-681-2223
 WWW.ALTAIRENG.COM

PROJECT NO. 14000181
 SHEET NO. 4 OF 4

LAWRENCE RESIDENCE
 628 CENTRE ISLAND ROAD
 VILLAGE OF CENTRE ISLAND
 NANAIMO COUNTY

SITE SECTIONS

architects + engineers

1400 EASTERN AVENUE, SUITE 100
 VANCOUVER, BC V6L 4R6
 TEL: 604-681-2222 FAX: 604-681-2223
 WWW.ALTAIRENG.COM

PROJECT NO. 14000181
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