



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: 2003-01113-L5
Issue Date: November 3, 2004
Expiration Date: December 3, 2004

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 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Village of Freeport Department of Public Works
46 North Ocean Avenue
Freeport, NY 11520

ACTIVITY: Repair/construct Bulkhead, Construct Low Sill Bulkhead, Dredging, Rehabilitation of Marina,
Fill, Wetland Mitigation

WATERWAY: Miller Channel and Little Swift Creek, off Hempstead Bay

LOCATION: Incorporated 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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.

CENAN-OP-2003-01113-L5
PUBLIC NOTICE NO. 2003-01113-L5

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 of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to not be substantial. Further consultation with NMFS 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.

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 (212) 264-3813 and ask for Zarife Koko Cronin.

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, the Incorporated Village of Freeport Department of Public Works, has requested Department of the Army authorization for Repair/construct Bulkhead, Construct Low Sill Bulkhead, Dredging, Rehabilitation of Marina, Fill, Wetland Mitigation in Hempstead Bay, Town of Hempstead, Nassau County, New York.

The work would involve: 1. Repair and replacement of approximately 848 linear feet of existing bulkhead in Little Swift Creek and Miller Channel. The replacement bulkhead in Little Swift Creek would be constructed approximately four feet landward of the currently deteriorated bulkhead to create additional navigation fairway through Little Swift Creek. 2. Construction of approximately 250 linear feet of new low sill bulkhead at the terminus of Miller Avenue. The low sill bulkhead would be constructed at an elevation of 3.1 feet above the plane of Mean Low Water to facilitate the proposed wetland plantings. 3. Clamshell dredge approximately 2,040 cubic yards of material to depth of five feet (Miller Channel) and six feet (Marina Basin) below the plane of Mean Low Water. The majority of the dredge material would be used to grade and fill upland portions behind the proposed bulkhead, augmented with clean upland fill. 4. Place approximately 679 cubic yards of dredged material behind the proposed low sill bulkhead to facilitate the proposed wetland mitigation plan (10,500 square feet/0.241 acres). 5. Rehabilitate a former marina by constructing a T-shaped floating pier configuration, consisting of one (1) 4-foot wide by 16-foot long ramp leading to four (4) 3-foot wide by 20-foot long floats placed end-to-end and perpendicular to the bulkhead, and thirteen (13) 8-foot wide by 20-foot long floats placed end-to-end along the lengthwise portion of the marina basin. The float assembly would be secured by thirty-three (33) guide piles. The applicant also proposes to install twenty-five (25) mooring piles waterward of the proposed float assembly.

The stated purpose of this project is to create a more aesthetic waterfront for the residents of the Village of Freeport by improving public access to and along the waterfront and the waterway; enhanced protection of publicly held land from flooding and erosion; improved maintenance of local navigation channels and the elimination of shoaling deposits; restoration of boating activities in this region of the Village; and creation of a wetland marsh.

GENERAL NOTES

1. NOTIFY THE ENGINEER (977-2233) AT LEAST 48 HOURS PRIOR TO STARTING ANY WORK ON THIS CONTRACT. THE CONTRACTOR MUST PROVIDE EACH HOMEOWNER ADJOINING BULKHEADS WITH AT LEAST 48 HOURS WRITTEN NOTICE PRIOR TO WORKING ON CONNECTIONS TO THEIR PROPERTY.
2. THE CONTRACTOR SHALL STOCKPILE MATERIALS SUCH AS TIMBER AND FILL, IN AREAS WHERE INSTALLATION OPERATIONS ARE IN PROGRESS AND SHALL NOT BLOCK ACCESS TO THOROUGHFARES OR PROPERTIES.
3. DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. THE CONTRACTOR SHOULD HAVE HIS INSURANCE COMPANY SAFETY ENGINEER VISIT THE JOB SITE PERIODICALLY.
4. ALL ELEVATIONS REFER TO MASSAU COUNTY DATUM.
5. THE CONTRACTOR SHALL PERFORM, BUT NOT BE LIMITED TO, THE FOLLOWING MISCELLANEOUS WORK UNDER THIS CONTRACT:
 - A. HAND DIGGING AROUND AND BRACING ANY POLES OR OTHER EXISTING SURFACE OR SUBSURFACE STRUCTURES.
 - B. PROVIDING PROTECTION OF UNDERGROUND UTILITIES, ADJOINING SIDEWALKS, CURBS, DRIVEWAY APRONS, LAWN, SHRUBS AND ROADWAY PAVEMENTS. RESTORATION WORK REQUIRED OUTSIDE OF THE CONTRACT LIMITS, DUE TO THE CONTRACTOR'S OWN NEGLIGENCE, SHALL BE PERFORMED AT HIS OWN EXPENSE
6. ANY TRENCH, PIT OR OTHER EXCAVATION THAT IS OPEN AND UNATTENDED SHALL BE PROTECTED AS DIRECTED BY THE ENGINEER, WITH FENCE, BARRICADES OR OTHER APPROVED METHOD. NO DIRECT PAYMENT WILL BE MADE FOR THIS WORK.
7. REMOVAL OF EXISTING BULKHEAD MATERIALS, TIMBER, TIE-RODS, FENCING, ETC. WILL BE PAID FOR UNDER ITEM 503A FOR BULKHEADING.
8. REMOVAL OF EXISTING DRAINAGE STRUCTURES AND PIPE, AS NOTED ON THE PLANS, WILL BE PAID FOR UNDER ITEM 1X.
9. PLACING AND GRADING OF SELECT FILL MATERIAL (BANK-RUN SAND AND GRAVEL) WILL BE PAID FOR UNDER THE ITEM FOR SELECT FILL.
10. AT COMPLETION OF WORK, THE CONTRACTOR SHALL CLEAR ALL WORK AREAS OF CONSTRUCTION DEBRIS TO THE SATISFACTION OF THE ENGINEER AND LEAVE THE AREA IN A NEAT, ORDERLY CONDITION. NO DIRECT PAYMENT WILL BE MADE FOR THIS WORK.

<p>E ——— EXISTING UNDERGROUND ELECTRIC LINE</p> <p>T ——— EXISTING UNDERGROUND TELEPHONE LINE</p> <p>V ——— EXISTING WATER MAIN OR SERVICE</p> <p>S ——— EXISTING SANITARY SEWER OR SERVICE</p> <p>D ——— EXISTING STORM DRAINAGE</p> <p>(E) ——— ELECTRIC MANHOLE</p> <p>(T) ——— TELEPHONE MANHOLE</p> <p>(S) ——— SEWER MANHOLE</p>	<p>(S) SEWER MANHOLE</p> <p>(D) DRAIN MANHOLE</p> <p>I.D.B. EL. TOP OF BULKHEAD ELEVATION</p> <p>C.B. CATCH BASIN</p> <p>HYDRANT</p> <p>UP. UTILITY POLE</p> <p>PROPERTY LINE (PLAN OR PROFILE)</p> <p>CONCRETE SIDEWALK</p> <p>HANDICAP RAMP</p>	<p>————— FENCE</p> <p>⊕ 10" TREE AND DIAMETER</p> <p>————— PROPOSED BULKHEAD</p> <p>————— EXISTING BULKHEAD TO REMAIN</p> <p>————— LIMITS OF DISTURBANCE</p> <p>(X.XX) PROPOSED GRADES</p> <p>X.XX EXISTING GRADES</p> <p>————— DREDGE AREA</p>
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LEGEND

11. ALL EXCAVATIONS SHALL BE CONDUCTED IN COMPLIANCE WITH NEW YORK STATE INDUSTRIAL CODE RULE NO. 23 AND RULE NO. 53. THIS INCLUDES THE NOTIFICATION TO ALL OPERATORS OF UNDERGROUND UTILITIES.

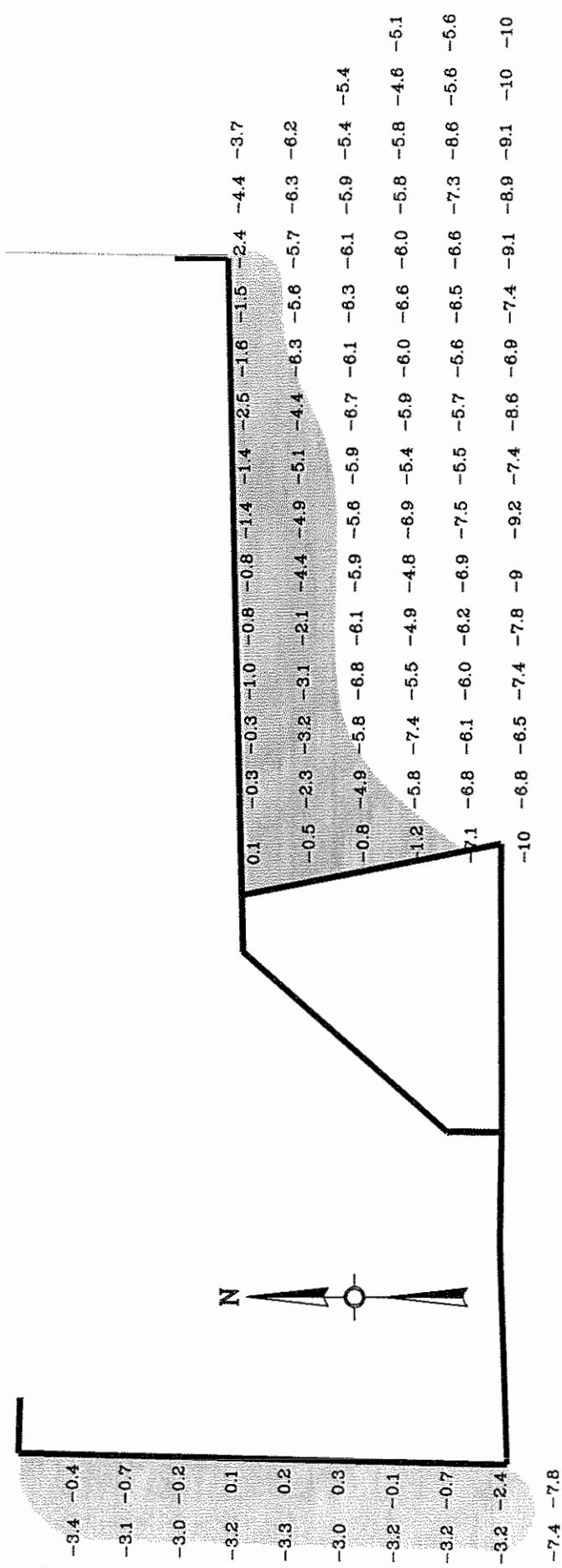
12. THE CONTRACTOR'S ATTENTION IS DIRECTED TO THE FACT THAT GROUNDWATER IS AFFECTED BY TIDAL ACTIVITY AND HE SHOULD SCHEDULE HIS WORK AND EXCAVATIONS ACCORDINGLY.

13. TIMBER BULKHEAD TO BE CONSTRUCTED OF THE FOLLOWING MATERIALS (SEE SPECS.):

- A. PILES - SOUTHERN YELLOW PINE STRUCTURAL GRADE 58, MIN. SIZE 12-INCHES x 8-INCHES, 3- FEET FROM ENDS, PRESSURE TREATED CCA RETENTION 2.5 POUNDS PER CUBIC FOOT OF WOOD.
- B. WHALES - SOUTHERN YELLOW PINE STRUCTURAL GRADE, MIN. ALLOWABLE BENDING STRESS 1600 P.S.I. PRESSURE TREATED CCA RETENTION 2.5 POUNDS PER CUBIC FOOT OF WOOD.
- C. TIE RODS AND HARDWARE - HOT-DIPPED GALVANIZED PER ASTM A-307, GRADE A.
- D. ANCHOR PILES - CONTRACTOR MAY REUSE EXISTING PILES AS ANCHOR PILES. IF NEW PILES ARE NEEDED THEY SHALL BE UNTREATED OAK, MIN. SIZE 12-INCHES.
- E. DRIVING - SHALL BE IN CONFORMANCE WITH MASSAU COUNTY STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF HIGHWAYS AND BRIDGES.
- F. FILTER CLOTH - MIRAFI 140N, OR APPROVED EQUAL (SEE SPECS.). OVERLAP MIN. 36 INCHES.
- G. INTERLOCKING VINYL SHEET PILING - INTERLOCKING SHOREGUARD SEAWALL, SERIES 500 OR "APPROVED EQUAL."

14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY SURVEY WORK REQUIRED TO CONSTRUCT ALL ELEMENTS OF THE PROJECT. NO DIRECT PAYMENT WILL BE MADE FOR THIS WORK.

15. THE VILLAGE WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY LOCAL, TOWN OF HEMPSTEAD, STATE OF NEW YORK AND U.S. ARMY CORPS OF ENGINEERS PERMITS.



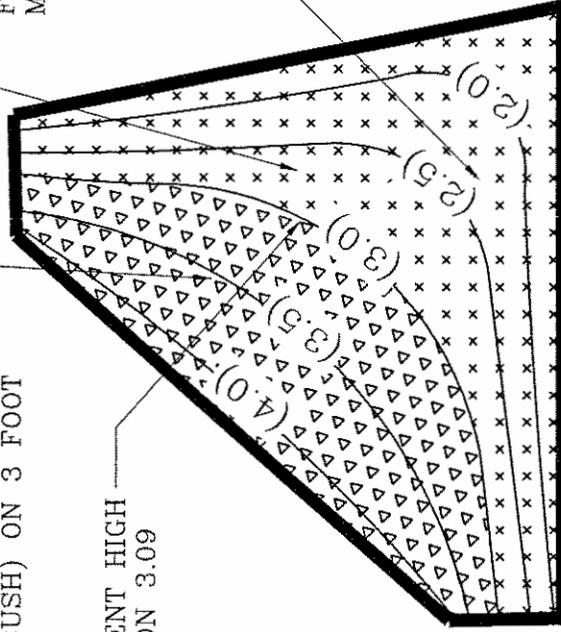
DREDGING & FILL PLAN

N.T.S.

	SEA BREEZE PARK BULKHEAD REPLACEMENT	VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING DREDGING PLAN	4 OF 12
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AREA LANDWARD OF THE LINE OF APPARENT HIGH WATER TO BE PLANTED WITH SPARTINA PATENS (SALT HAY) ON 12 INCH CENTERS AND BACCHARIS HALIMIFOLIA (GROUNDSEL BUSH) ON 3 FOOT CENTERS.

LINE OF APPARENT HIGH WATER ELEVATION 3.09



ONLY FILL NECESSARY TO ACHIEVE THE REQUIRED GRADE OR ESTABLISH A SUITABLE SUBSTRATE FOR THE SURVIVAL OF THE PLANT MATERIAL SHOULD BE BROUGHT IN

AREA SEAWARD OF THE LINE OF APPARENT HIGH WATER TO BE PLANTED WITH SPARTINA ALTERNIFLORA (SMOOTH CORDGRASS) ON 12 INCH CENTERS.

GRADING & PLANTING PLAN

N.T.S.

SEA BREEZE PARK
BULKHEAD REPLACEMENT

VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING
GRADING & PLANTING PLAN

DATE: 07/27/07
DESIGNED BY: J.P.
CHECKED BY: J.P.
SCALE: AS SHOWN
SHEET NO.

APPROX. VOLUME OF BACKFILL MATERIAL= 462cy

BACKFILL TO BE CLEAN GRANULAR BANK RUN MATERIAL

ITEM 503A

TBH ELEV. 7.00' MSL

20'-0" MIN.

4'x6" NAILER WALE

PROPOSED 10' WIDE WOOD WALK

3'-0" MIN.

CLEAN GRANULAR BACKFILL ONLY ITEM 5C

SPRING HIGH TIDE ELEV. +3.80

MHW ELEV. +3.09

DAP PILES TO PROVIDE SEAT FOR WHALE

EXISTING GRADE VARIES

MLW ELEV. -1.16

4' MIN.

DREDGE AREA

PROPOSED GRADE

10'-0" MIN. PENETRATION (GRAN. MATERIAL)

5'-0" MIN. PENETRATION (GRAN. MATERIAL)

NOTE:
EXISTING PILES, SHEETING, HARDWARE & ANCHOR PILING TO BE REMOVED AS REQUIRED.

NEW CONTINUOUS PILE BEHIND ANCHOR PILES. TIE ROD TO BE THROUGH BOTH ANCHOR PILE AND NEW SUPPORT PILE. NEW PILE TO BE 12% TOP 6% BOTTOM AT 3' FROM TIPS

PROVIDE NEW BACKUP WASHER

REUSE EXISTING SHEETING TO PROVIDE ADDITIONAL RESISTANCE. USE 4' LONG MIN. SHEETING AS REQUIRED

ANCHOR PILES, 14' LONG MIN. USE PILES REMOVED FROM EXISTING BULKHEAD OR PROVIDE NEW PILES AS ORDER BY ENGINEER (8" MIN. DIA. TOP AND BOTTOM)

APPROXIMATE DREDGING AREA REMOVAL NOT TO EXCEED 4'-0" BELOW MSL. CONTRACTOR TO STOCKPILE DREDGE MATERIAL ON SITE

APPROX. VOLUME OF DREDGING= 2040cy
DREDGE SPOILS TO BE TRUCKED TO AN APPROVED UPLAND DUMP SITE
DREDGING TO BE DONE WITH CLAM SHELL BUCKET

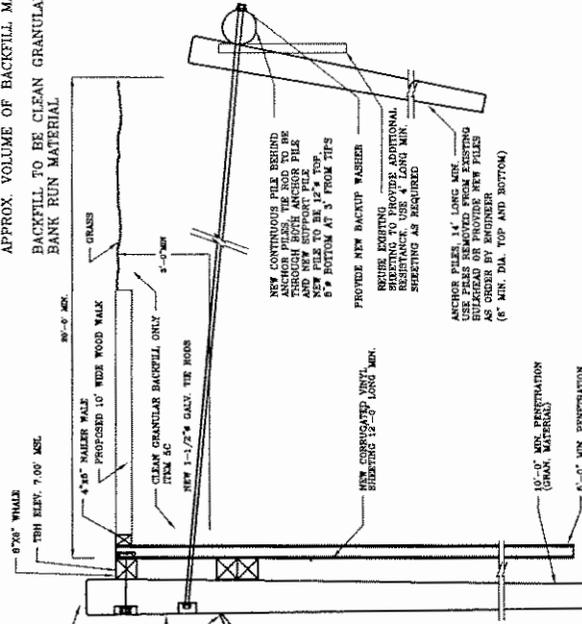
TYPE A BULKHEAD TYPICAL SECTION

NOT TO SCALE

SEA BREEZE PARK
BULKHEAD REPLACEMENT

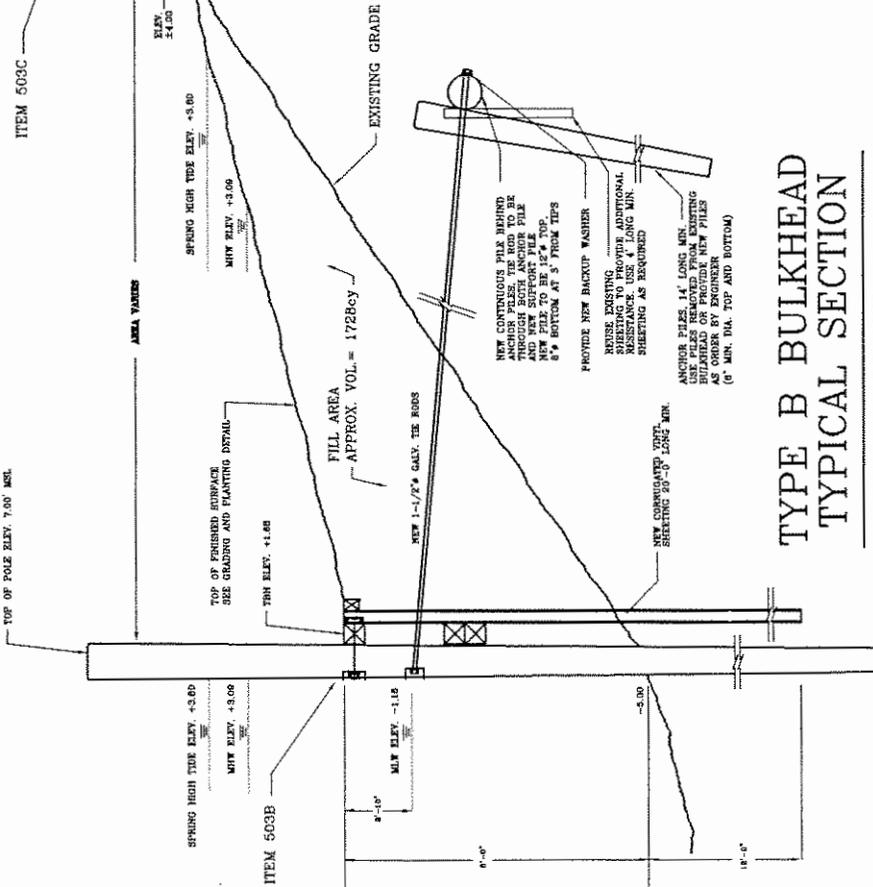
VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING
TYPE A BULKHEAD DETAIL

APPROX. VOLUME OF BACKFILL MATERIAL = 462cy
 BACKFILL TO BE CLEAN GRANULAR
 BANK RUN MATERIAL



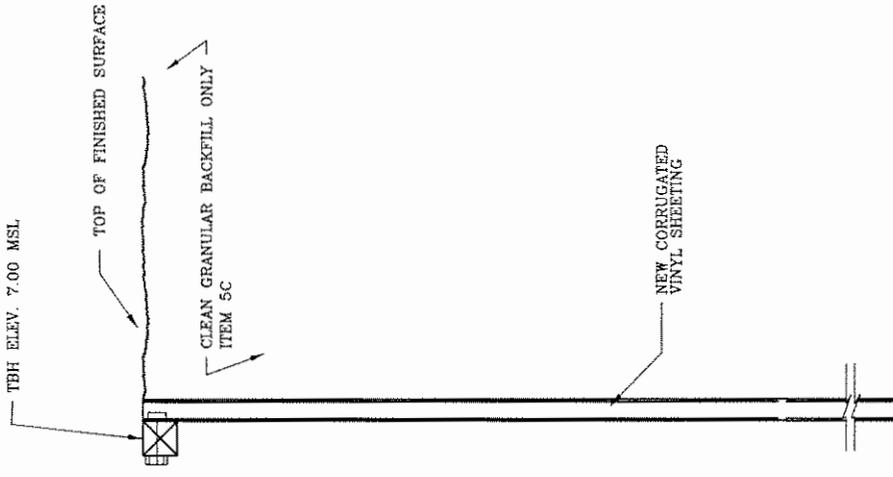
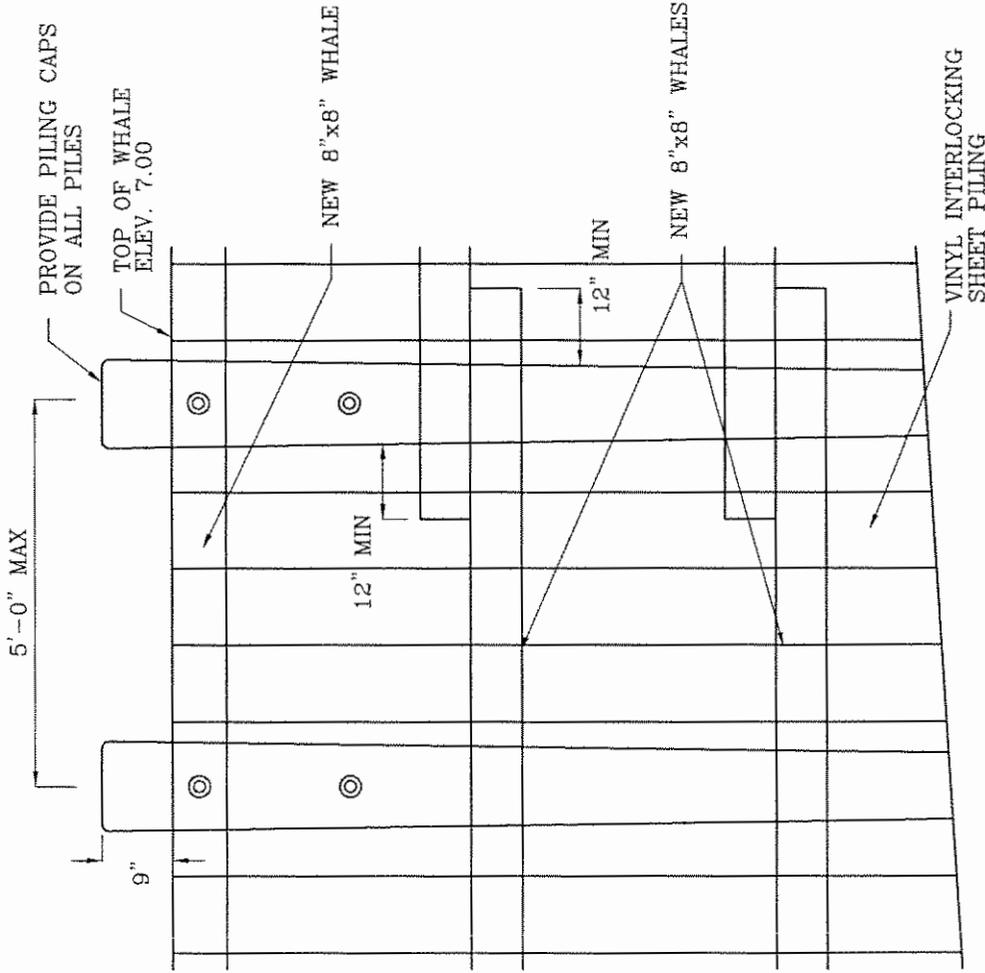
TYPE C BULKHEAD TYPICAL SECTION

NOT TO SCALE



TYPE B BULKHEAD TYPICAL SECTION

NOT TO SCALE



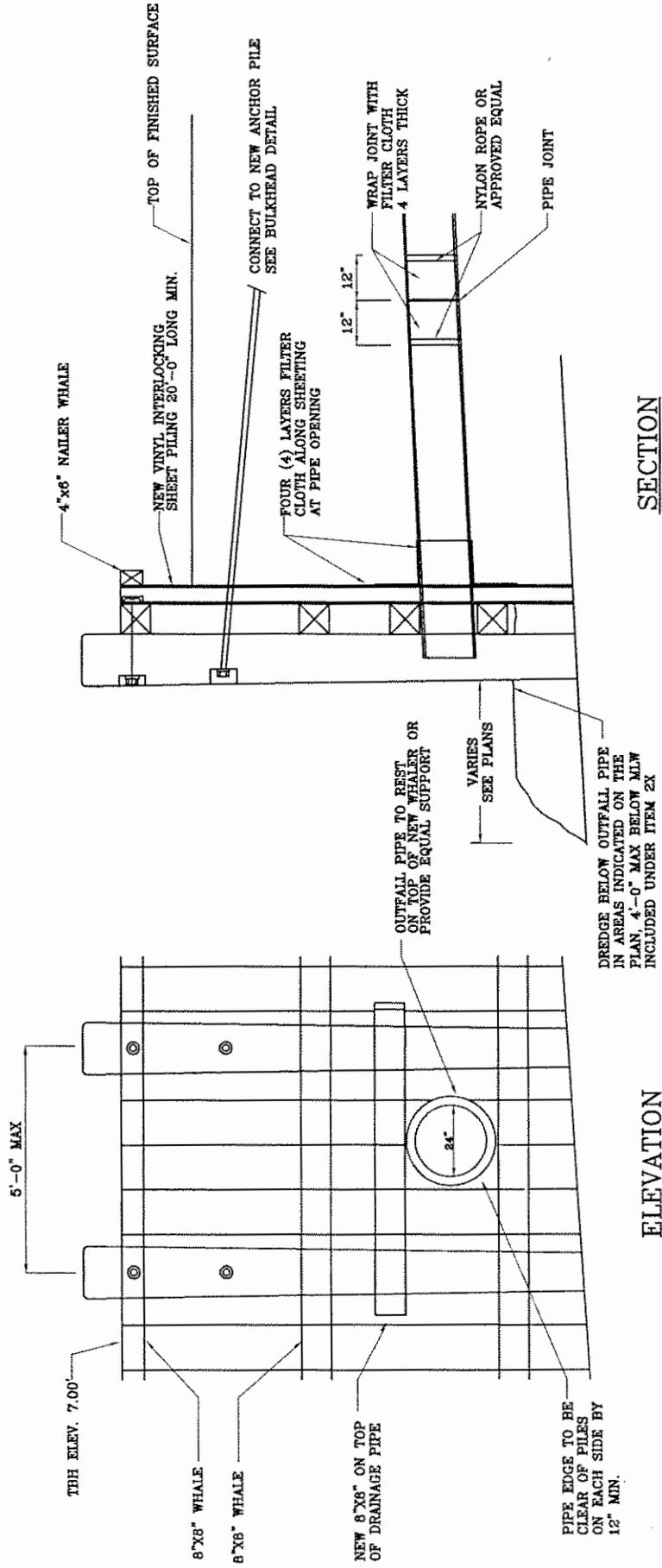
TYPE A BULKHEAD TYPICAL ELEVATION

BULKHEAD RETURN

NOT TO SCALE

NOT TO SCALE

<p>DATE: 01/11/19 DRAWN BY: JMM CHECKED BY: JMM SCALE: AS SHOWN SHEET NO: 8 OF 12</p>	<p>VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING TYPE A BULKHEAD ELEVATION & RETURN DETAIL</p>	<p>SEA BREEZE PARK BULKHEAD REPLACEMENT</p>	<p>8 OF 12</p>
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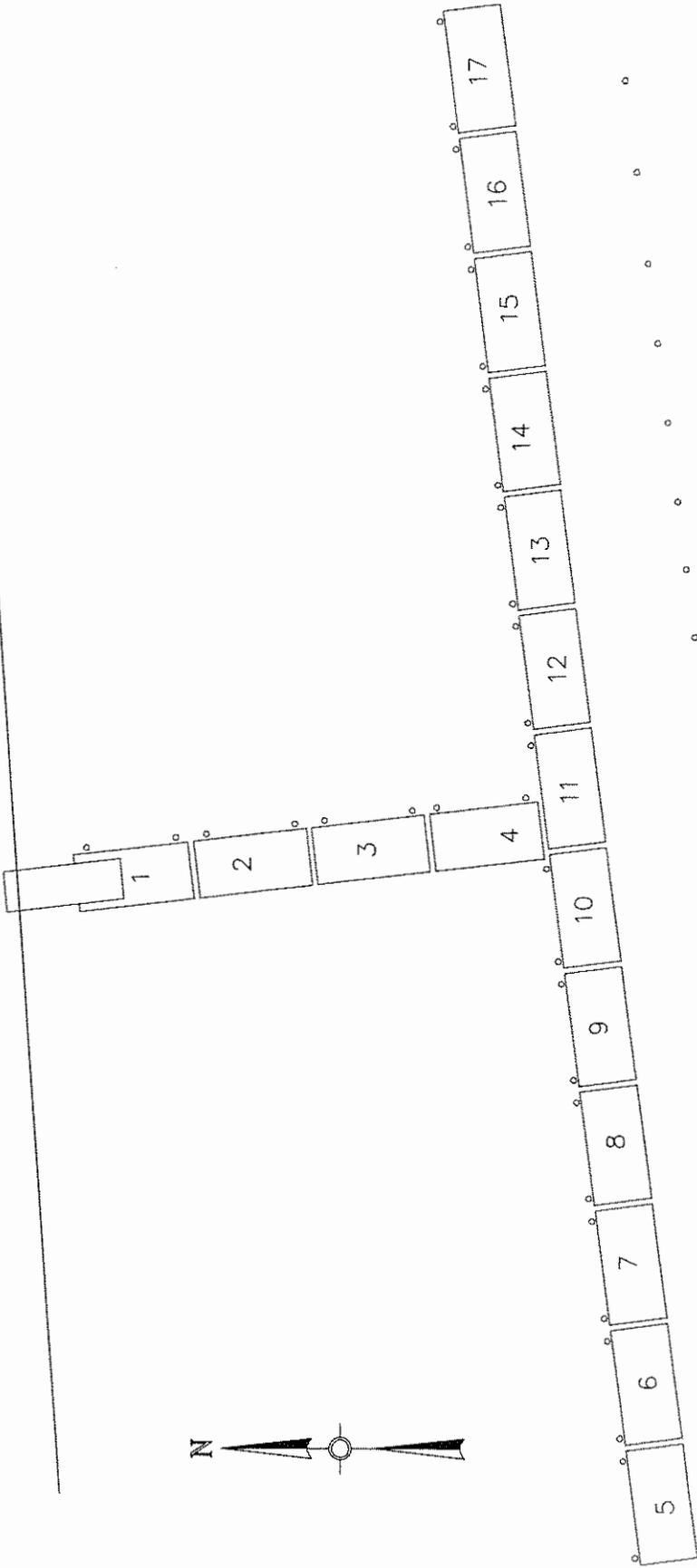
SECTION

ELEVATION

DETAIL OF OUTFALL

SCALE: 1/4" = 1'-0"

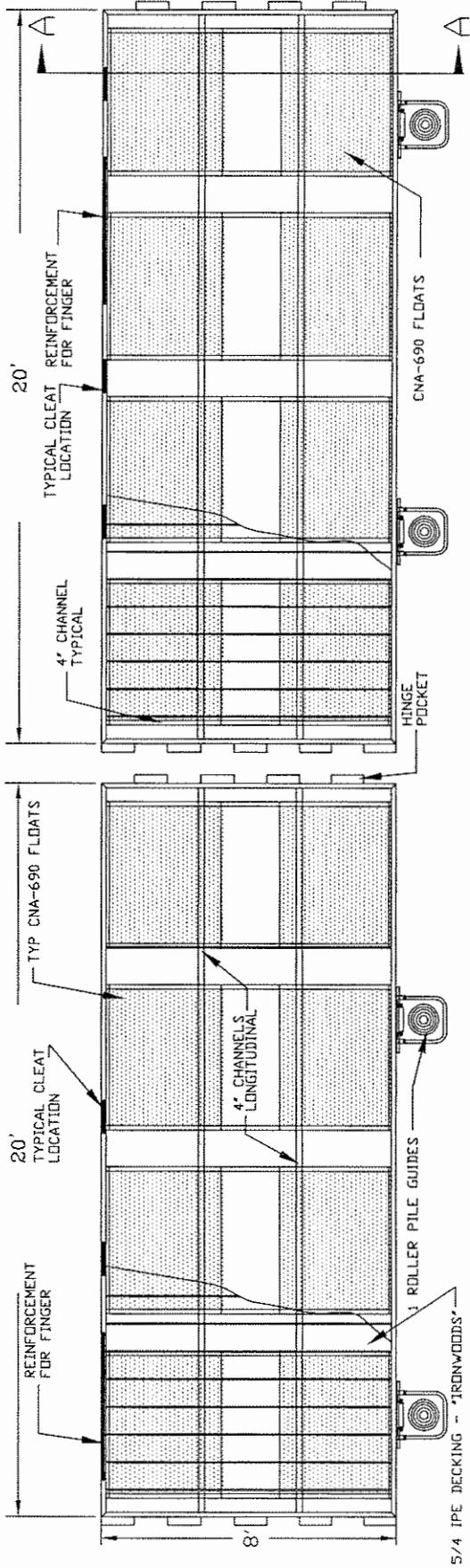
<p>DATE: 11/11/10 DRAWN BY: J. B. B. CHECKED BY: J. B. B. DATE: JUNE 2008 DRAWING NO.</p>	<p>VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING OUTFALL DETAIL</p>	<p>SEA BREEZE PARK BULKHEAD REPLACEMENT</p>	<p>9 OF 12</p>
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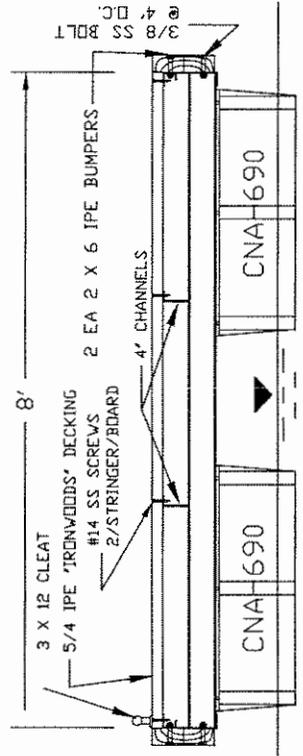
FLOATING DOCK PLAN

N.T.S.

DATE: 11/11/11 DRAWN BY: J.P. [unclear] CHECKED BY: J.P. [unclear] SCALE: 1/4" = 1'-0" DRAWING NO.	VILLAGE OF FREEPORT DEPARTMENT OF ENGINEERING FLOATING DOCK PLAN	SEA BREEZE PARK BULKHEAD REPLACEMENT	10 OF 12
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TYPICAL DOCK
N.T.S.



SECTION A - A
N.T.S.

