



# 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: 2005-00396-L5  
Issue Date: **JAN 20 2006**  
Expiration Date: **FEB 20 2006**

## 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:** Lattingtown Harbor Property Owners Association  
P.O. Box 168  
Locust Valley, NY 11560

**ACTIVITY:** Dredge Channel and Extend Jetty.

**WATERWAY:** Frost Creek and Long Island Sound.

**LOCATION:** Lattingtown, 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 permit decision process and bears the same weight as that furnished at a public hearing.

**CENAN-OP-RE**  
**PUBLIC NOTICE NO. 2005-00396-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 U.S. Army Corps of Engineers 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. 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.

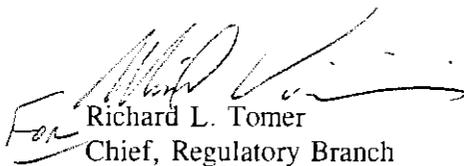
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application 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 (917) 790-8518 and ask for Rosita Rama.

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

  
For Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

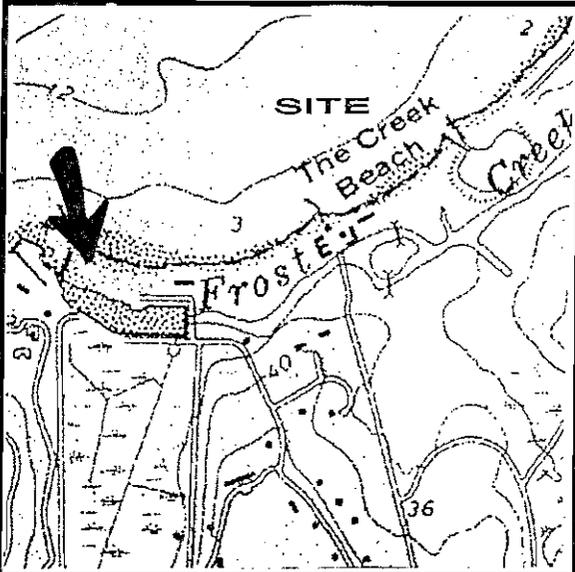
**WORK DESCRIPTION**

The applicant, Lattingtown Harbor Property Owners Association, has requested Department of the Army authorization to dredge with upland disposal and extend a jetty in Frost Creek and Long Island Sound at Lattingtown, Town of Oyster Bay, Nassau County, New York.

The work would involve the following activities:

- Hydraulically dredge approximately 5,500 cubic yards of material from a pre-existing channel with dimensions of 500 linear feet by 50 feet wide to a depth of 8 feet below the plan of mean low water with 3 to 1 side slopes. The dredged material would be deposited landward of the spring high tide line on the adjacent beach as beach replenishment and sand berm creation;
- Create a new sand berm jetty with approximately 2,500 cubic yards of sand over an area of 4,000 square feet below the spring high tide line to extend an existing stone jetty approximately 85 feet shoreward; and,
- Deposit 1,600 cubic yards of sand over an area of 4,700 square feet landward of the spring high tide line as replenishment located near the beach club building.

The stated purpose of this project is to maintain the tidal exchange efficiency and water quality of Frost Creek, and enhance and protect the existing dune/beach system.



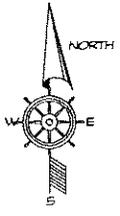
- NOTES:**
- ELEVATION DATUM IS MEAN SEA LEVEL. CONTOURS AND ELEVATIONS ARE BASED ON NASSAU COUNTY VERTICAL DATUM.
  - TIDE DATA IS TAKEN FROM THE 2004 NOAA TIDE TABLES. REFERENCE GLEN COVE AND OYSTER BAY (AHWL EL 9.2± MHWL EL 7.8 ABOVE MLW).
  - PROJECT DESCRIPTION:**  
DREDGE 5,500±CY OF SAND OVER 42,000±SF BY HYDRAULIC DREDGE FOR UPLAND DISPOSAL ON THE ADJACENT BEACH. EXTEND AN EXISTING JETTY, LANDWARD 85± WITH A SAND BERM, APPROXIMATELY 2,500±CY OVER 4,000±SF. PLACE 1,600±CY OF BEACH SAND REPLENISHMENT OVER 4,700±SF.
  - PROJECT PURPOSE:**  
THE DREDGING IS TO RESTORE TIDAL FLOW, WATER QUALITY AND ACCESS TO AN EXISTING TIDAL CREEK. THE JETTY EXTENSION IS FOR THE CHANNEL SEDIMENTATION PROTECTION AND THE DREDGED SAND WILL BE USED FOR BEACH RESTORATION.
  - THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS. REFERENCE IS MADE TO TOPOGRAPHIC SURVEYS BY T. EASON LAND SURVEYOR DATED NOVEMBER 9, 2003 AND MAY 2004 DOCUMENTING FIELD CONDITIONS OBSERVED. THE COASTAL EROSION HAZARD AREA DEPICTED HAS BEEN TRANSPOSED FROM THE COASTAL EROSION HAZARD AREA MAP DATED 12/5/88.

**6. ADJOINING PROPERTY OWNERS:**

**WEST:**  
MR. EDGAR APPLEBY  
PECOK PT.  
LOCUST VALLEY, NEW YORK 11560

**SOUTH:**  
VILLAGE OF LATTINGTOWN  
VILLAGE HALL  
LATTINGTOWN ROAD  
LATTINGTOWN, NEW YORK 11560

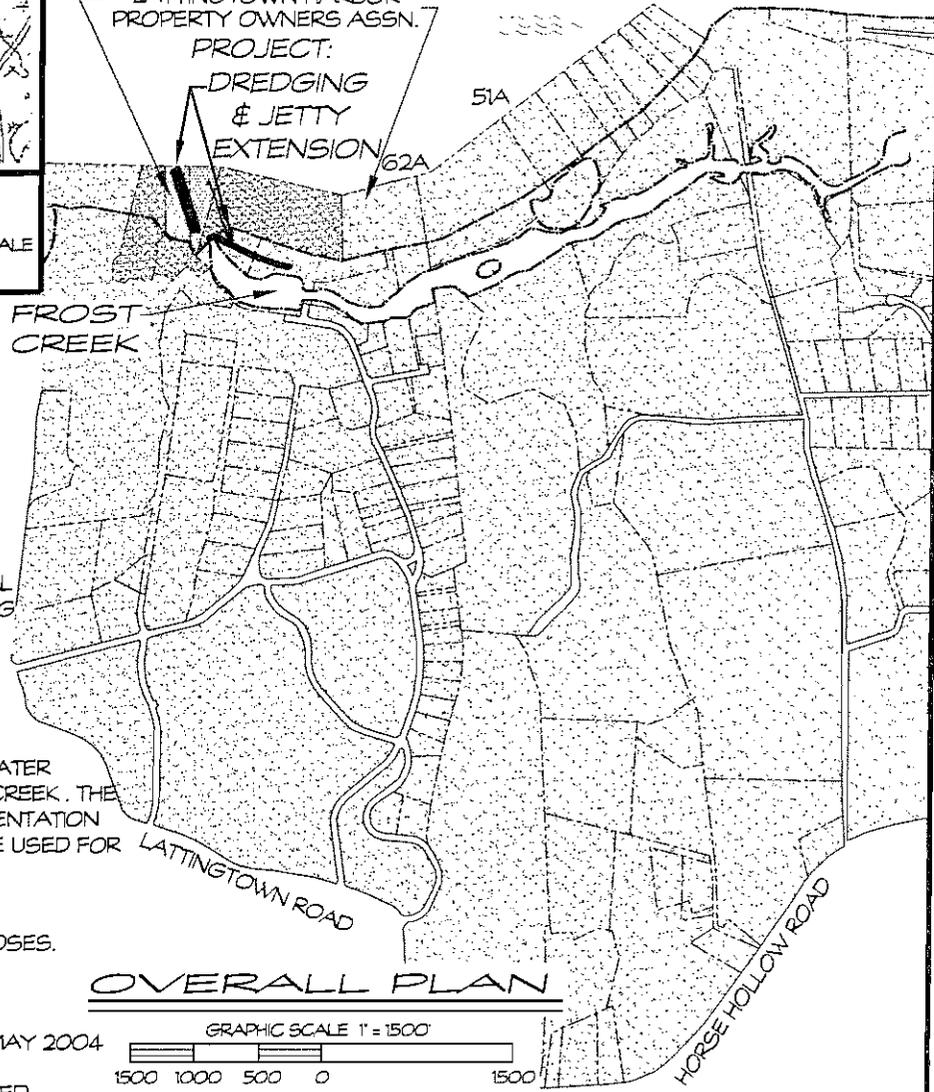
**LONG ISLAND SOUND**



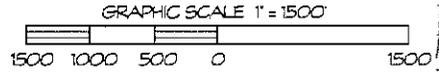
**EAST:**  
THE CREEK INC.  
PO BOX 427  
LOCUST VALLEY, NEW YORK 11560

N/F PROPERTY OF  
LATTINGTOWN HARBOR  
PROPERTY OWNERS ASSN.

**PROJECT:**  
DREDGING  
& JETTY  
EXTENSION

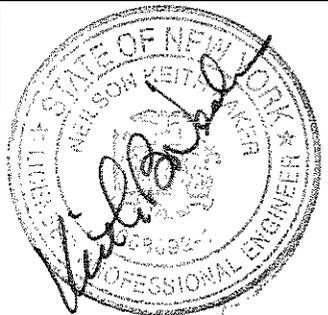


**OVERALL PLAN**

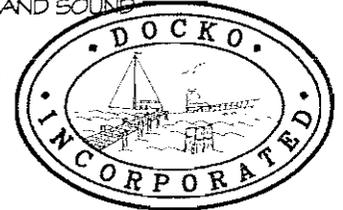


REVISED 6-16-05 DEC DESCRIPTION

REVISED 11-01-05 LHOPA DESCRIPTION

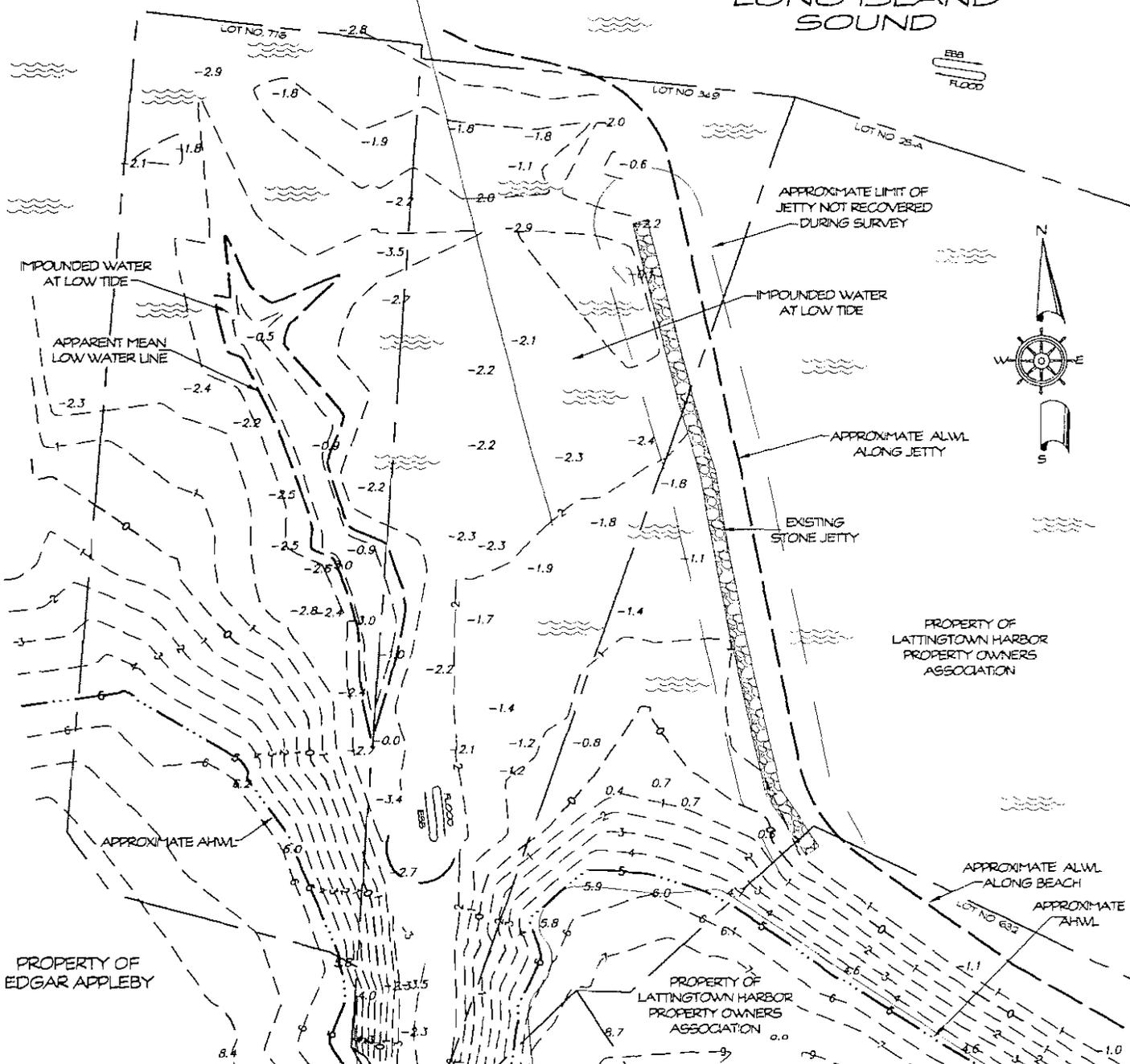


**PROJECT:** MAINTENANCE DREDGING, BEACH REPLENISHMENT & JETTY EXTENSION  
**LOCATION:** VILLAGE of LATTINGTOWN  
 NASSAU COUNTY, NEW YORK  
**WATERWAY:** FROST CREEK/LONG ISLAND SOUND  
**DATE:** MARCH 28, 2005  
**APPLICANT:** LATTINGTOWN HARBOR PROPERTY OWNERS ASSOCIATION  
**AGENT:** SHEET 1 OF 6  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net

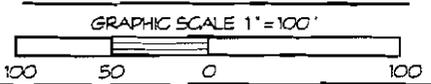


DWG 04-04-1544

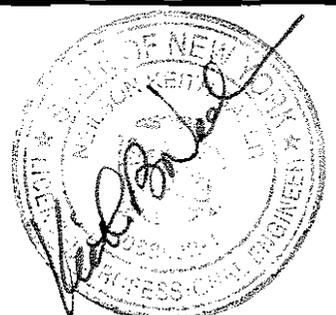
# LONG ISLAND SOUND



## EXISTING CONDITIONS FROST CREEK



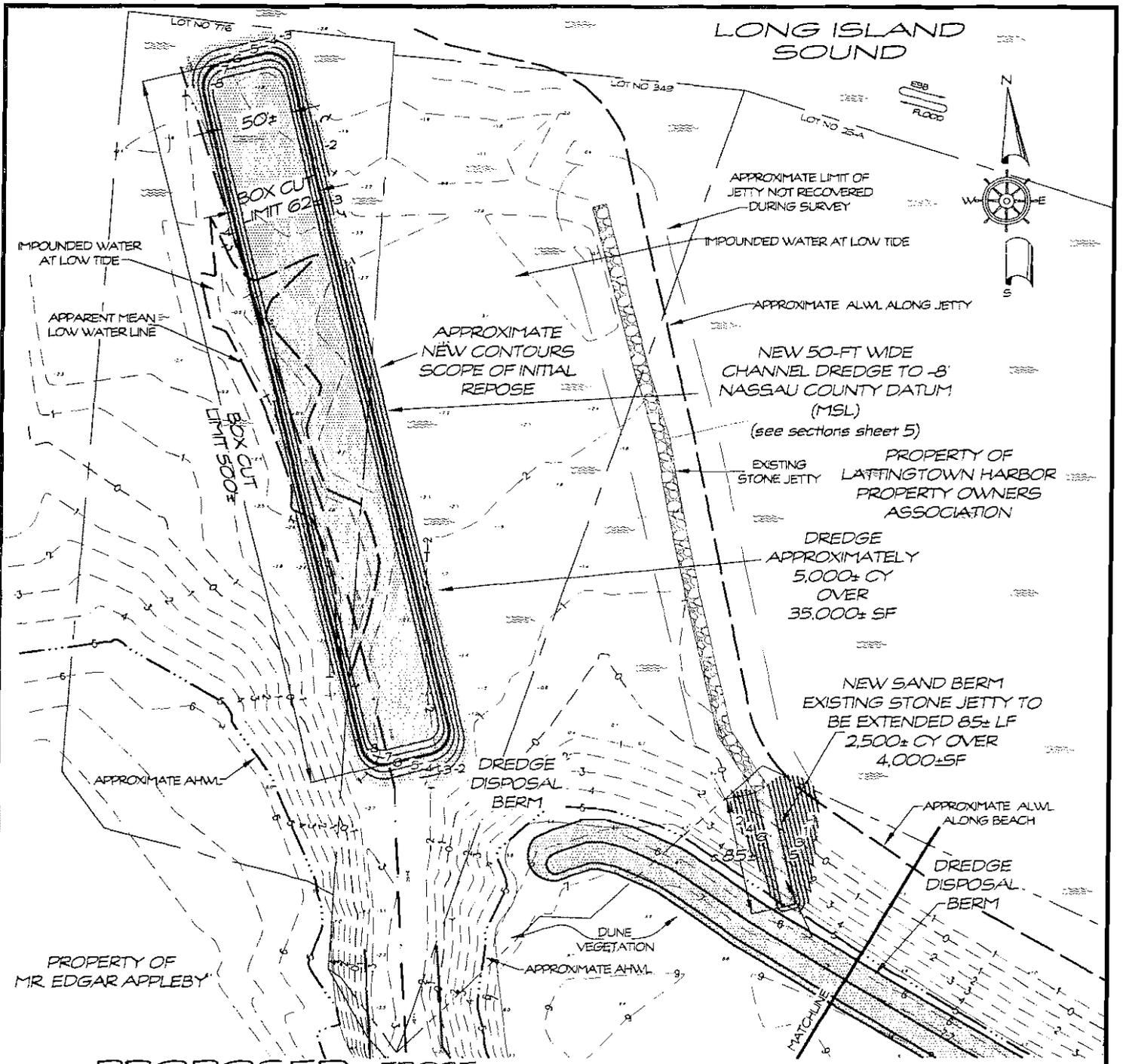
Survey by T. Eason Land Surveyor



REVISED 6-16-05 DEC ALWL & CALLOUTS  
 REVISED 7-8-05 DEC AHWL  
 REVISED 11-01-05 DEC LAND OWNERSHIP CALLOUT

PROJECT: MAINTENANCE DREDGING, BEACH REPLENISHMENT and JETTY EXTENSION  
 LOCATION: VILLAGE of LATTINGTOWN NASSAU COUNTY, NEW YORK  
 WATERWAY: FROST CREEK/LONG ISLAND SOUND  
 DATE: MARCH 24, 2005  
 APPLICANT: LATTINGTOWN HARBOR PROPERTY OWNERS ASSOCIATION  
 AGENT: SHEET 2 OF 6  
**DOCKO, INC.**  
 Keith B. Neilson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net

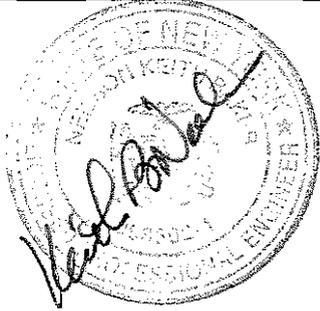
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**PROPOSED FROST CREEK  
PLAN VIEW**



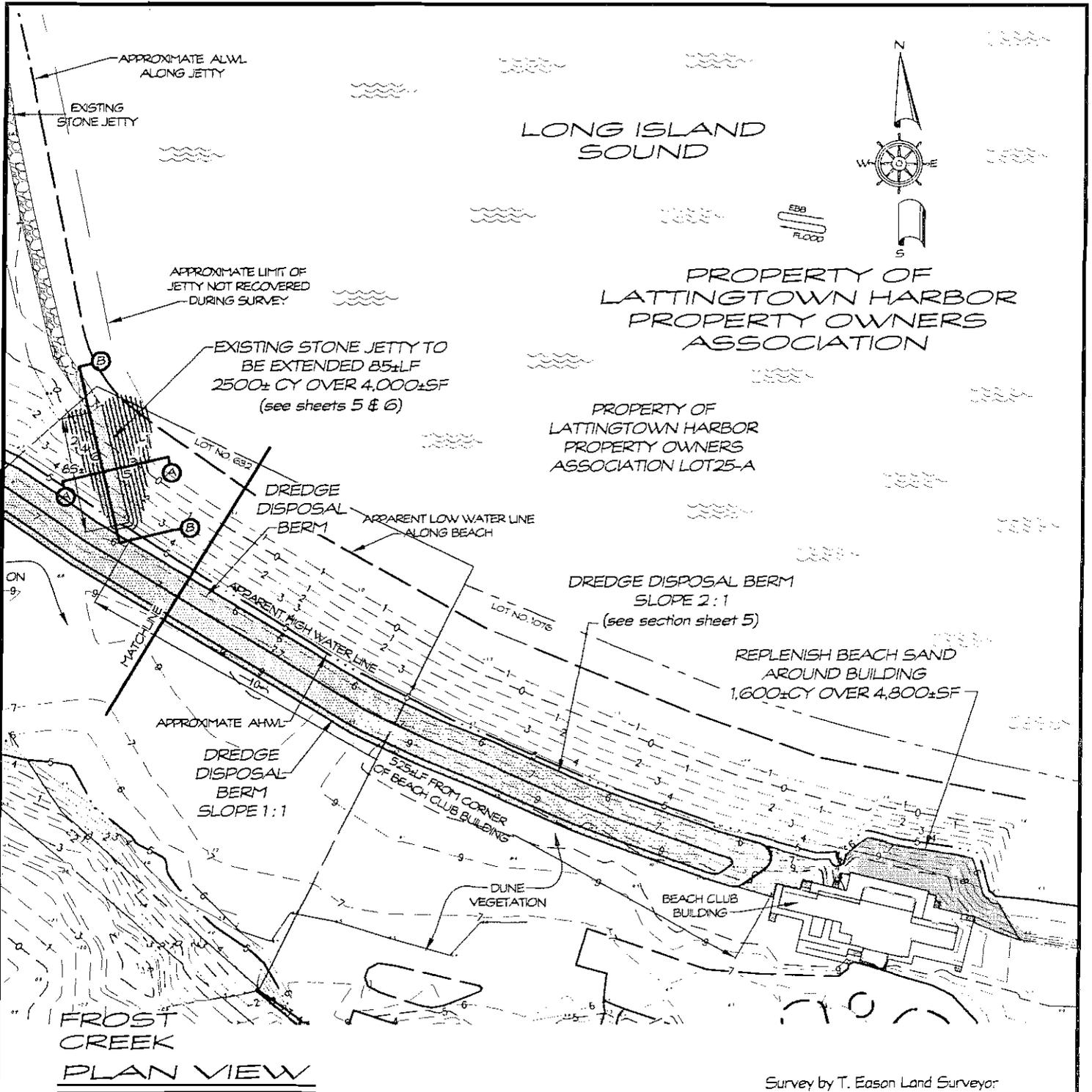
Survey by T. Eason Land Surveyor



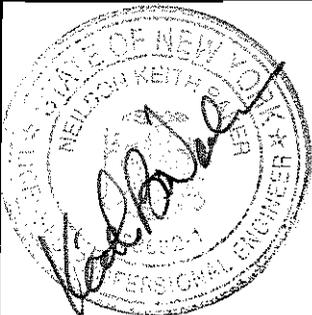
REVISED 6-16-05 DEC ALWL & CALLOUTS  
 REVISED 7-8-05 DEC AHWL & VEGETATION  
 REVISED 11-01-05 LHPOA DREDGE LOCATION

**PROJECT:** MAINTENANCE DREDGING, BEACH REPLENISHMENT and JETTY EXTENSION  
**LOCATION:** VILLAGE of LATTINGTOWN  
 NASSAU COUNTY, NEW YORK  
**WATERWAY:** FROST CREEK/LONG ISLAND SOUND  
**DATE:** MARCH 24, 2005  
**APPLICANT:** LATTINGTOWN HARBOR PROPERTY OWNERS ASSOCIATION  
**AGENT:** SHEET 3 OF 6  
**DOCKO, INC.**  
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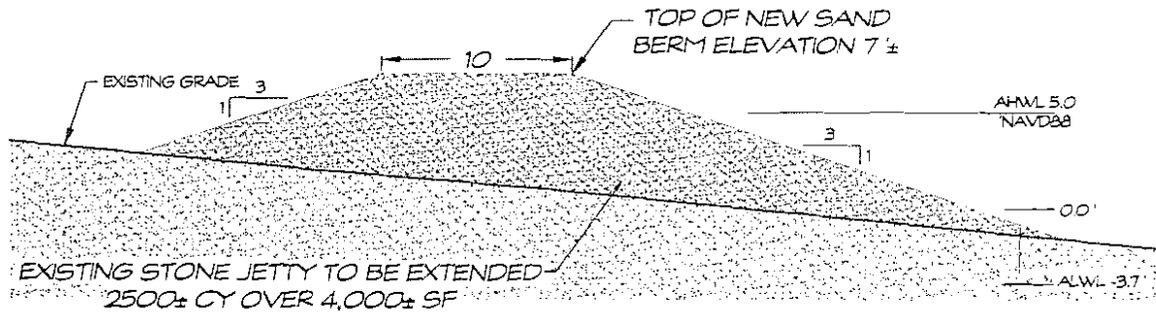
Survey by T. Eason Land Surveyor



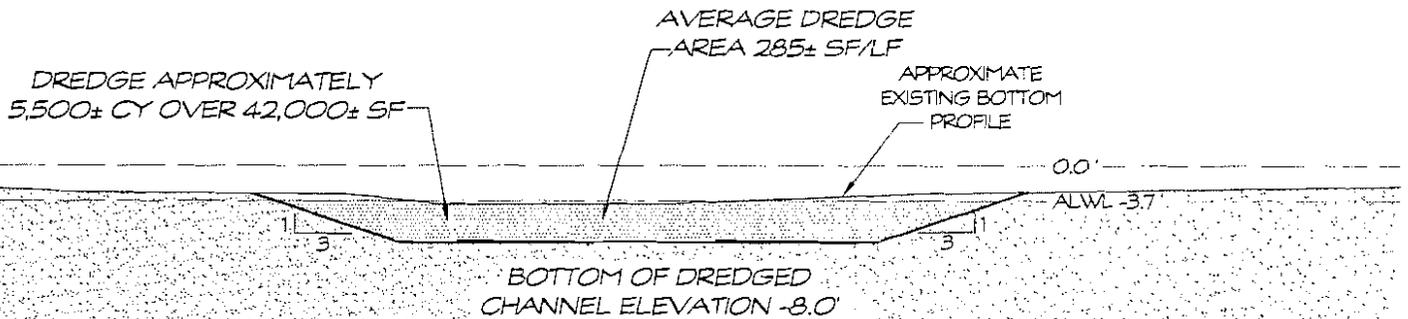
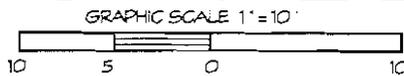
REVISED 6-16-05 DEC ALWL & CALLOUTS  
 REVISED 7-8-05 DEC AHWL & VEGETATION  
 REVISED 11-01-05 LHPOA JETTY EXT. MATERIAL & BEACH REPLENISHMENT

PROJECT: MAINTENANCE DREDGING, BEACH REPLENISHMENT and JETTY EXTENSION  
 LOCATION: VILLAGE of LATTINGTOWN NASSAU COUNTY, NEW YORK  
 WATERWAY: FROST CREEK LONG ISLAND SOUND  
 DATE: MARCH 24, 2005  
 APPLICANT: LATTINGTOWN HARBOR PROPERTY OWNERS ASSOCIATION  
 AGENT: SHEET 4 OF 6  
**DOCKO, INC.**  
 Keith B. Nelson, PE  
 Mystic, CT 06355  
 860 572 8939 FAX 860 572 7569  
 EMAIL: docko@snet.net

DWG 04-04-1544

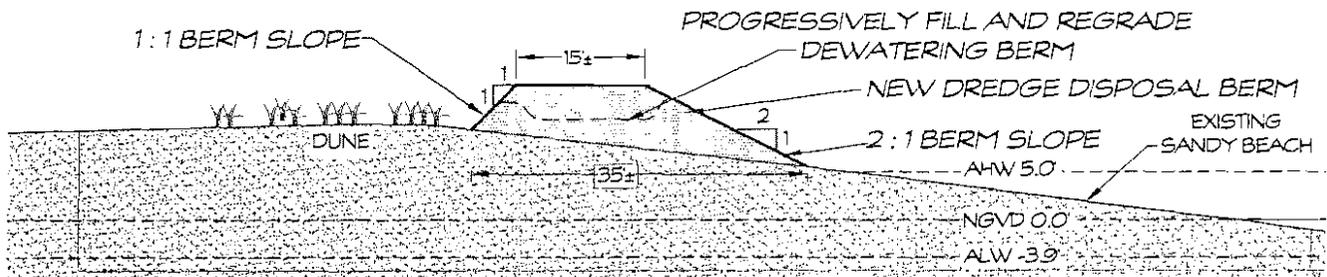


**SECTION A-A STONE JETTY EXTENSION**



**TYPICAL DREDGE SECTION**

GRAPHIC SCALE 1" = 20"



**TYPICAL DISPOSAL BERM SECTION**

GRAPHIC SCALE 1" = 20"

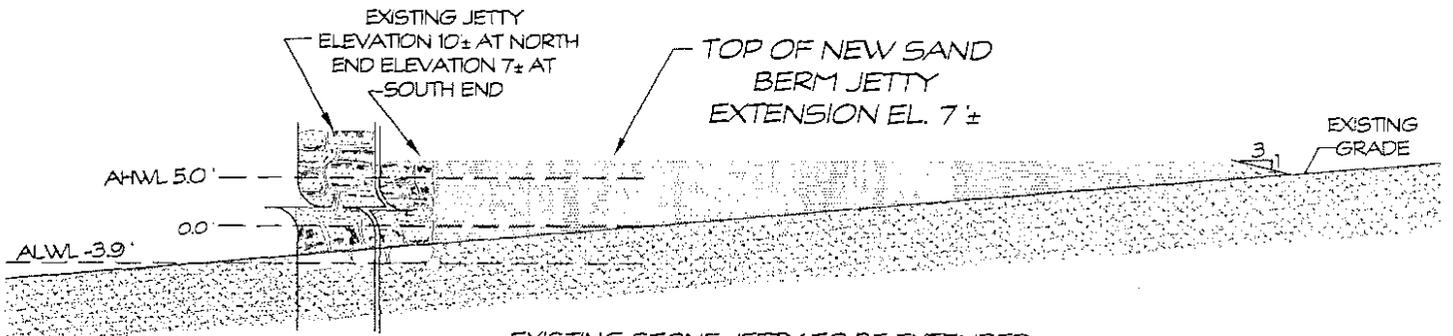


REVISED 6-16-05 DEC  
CALLOUTS  
REVISED 7-8-05 DEC  
TIDE LINES  
REVISED 11-01-05 LHPOA  
DREDGE LOCATION  
& QUANTITY  
JETTY EXT. MATERIAL

PROJECT: MAINTENANCE DREDGING, BEACH  
REPLENISHMENT and JETTY EXTENSION  
LOCATION: VILLAGE of LATTINGTOWN  
NASSAU COUNTY, NEW YORK  
WATERWAY: FROST CREEK/LONG ISLAND SOUND  
DATE: MARCH 24, 2005  
APPLICANT: LATTINGTOWN HARBOR  
PROPERTY OWNERS ASSOCIATION  
AGENT: SHEET 5 OF 6  
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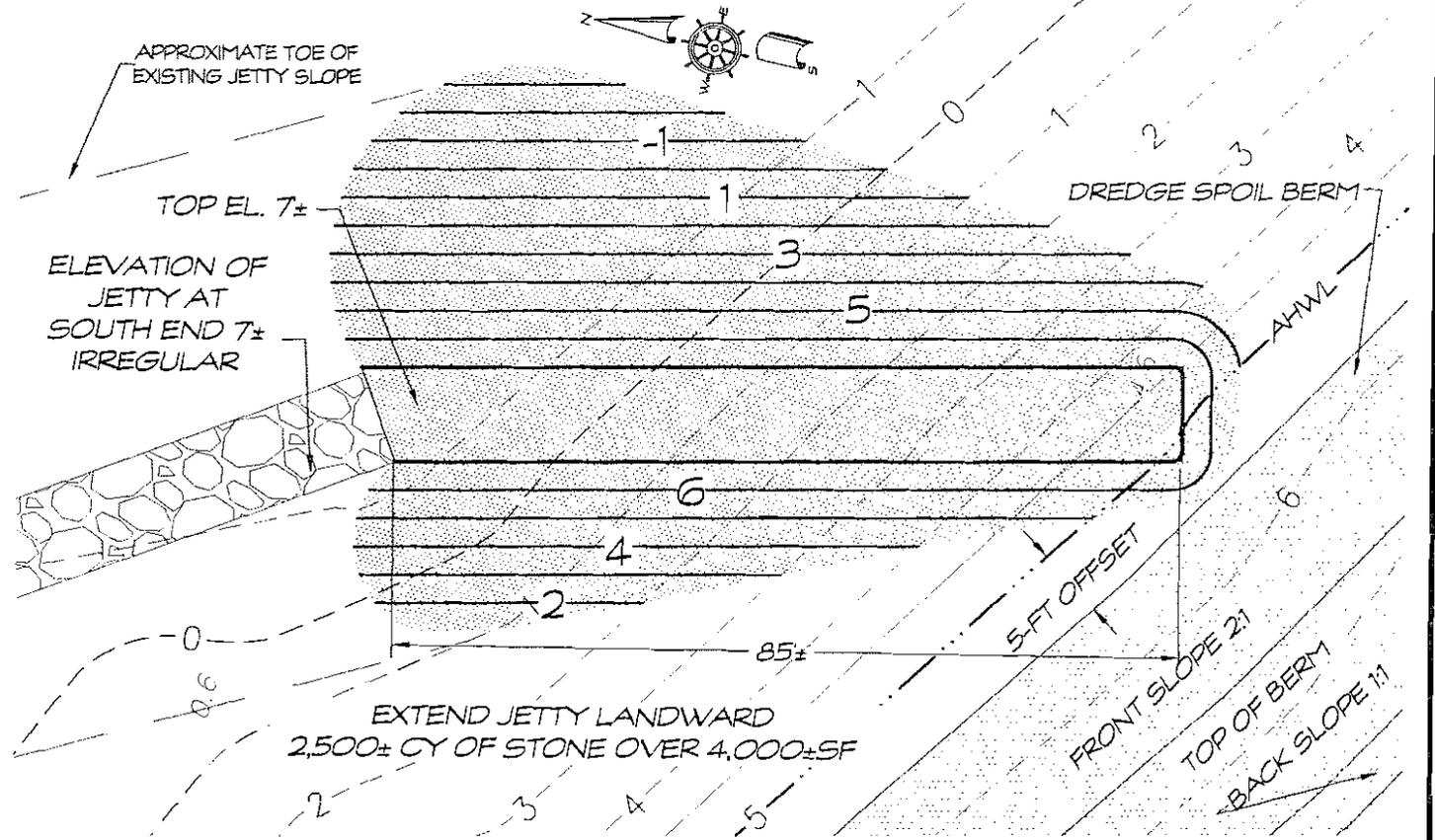
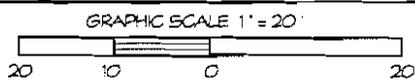


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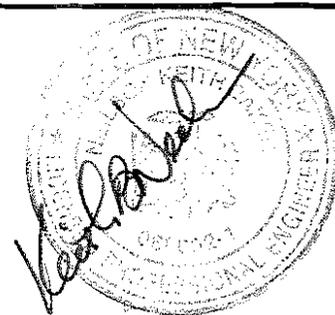
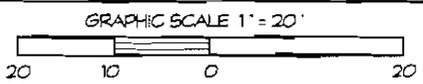


EXISTING STONE JETTY TO BE EXTENDED  
2500±CY OF BERMED SAND OVER 4,000± SF

**SECTION B-B JETTY EXTENSION**



**ENLARGED PLAN VIEW  
JETTY EXTENSION**



REVISED 6-16-05 DEC  
PROFILE & CALLOUTS

REVISED 7-8-05 DEC  
TIDE LINES & CALLOUTS

REVISED 11-01-05 LHPOA  
JETTY EXT. MATERIAL

PROJECT: MAINTENANCE DREDGING, BEACH REPLENISHMENT and JETTY EXTENSION

LOCATION: VILLAGE of LATTINGTOWN  
NASSAU COUNTY, NEW YORK

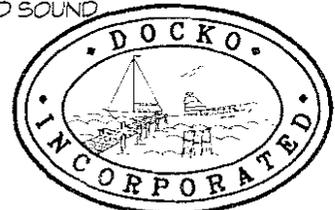
WATERWAY: FROST CREEK/LONG ISLAND SOUND

DATE: MARCH 24, 2005

APPLICANT: LATTINGTOWN HARBOR PROPERTY OWNERS ASSOCIATION

AGENT: SHEET 6 OF 6

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