



# 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: 2006-00184-RS  
Issue Date: March 1, 2006  
Expiration Date: March 16, 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 USC 403).

APPLICANT: United States Merchant Marine Academy  
300 Steamboat Road  
Kings Point, NY 11024-1699

ACTIVITY: Dredge with Upland Placement

WATERWAY: Little Neck Bay

LOCATION: Kings Point, 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.

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

**CENAN-OP-RW**  
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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 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 NOAA Fisheries Service (NFS) 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 Corps of Engineers has made the preliminary determination that the site-specific adverse effects are not likely to be substantial based on the use of conservation measures described in the Work Description. Further consultation with the NFS 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 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: Permit from the 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) 790-8417 and ask for Steven A. Schumach. 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 United States Merchant Marine Academy (USMMA), has requested Department of the Army authorization to dredge with ten years maintenance, the Hague Basin in Little Neck Bay, at the USMMA facility, Kings Point, Town of North Hempstead, Nassau County, New York.

The work would involve dredging with ten years maintenance approximately 35,675 cubic yards of primarily black organic silt from two areas totalling 167,388 square feet, as follows:

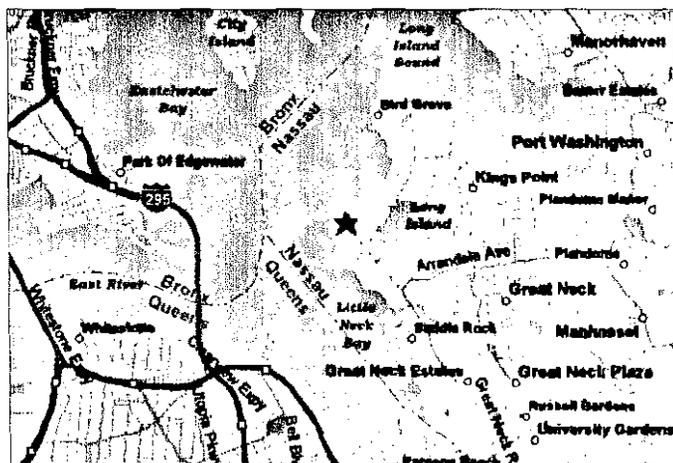
1. Western portion consisting of 13,645 cubic yards from an area of approximately 64,965 square feet to a depth of 15 feet below mean low water plus a 2 foot overdredge
2. Eastern portion consisting of 22,030 cubic yards from an area of 102,423 square feet to a depth of 12 feet below mean low water plus a 2 foot overdredge.

The dredging would be performed using a closed clamshell environmental bucket without barge overflow, over an estimated 10-20 day time frame. The dredged material will be processed with a minimum of 8% cement and beneficially reused as alternate grading material under the barrier layer of the final cover at the Fresh Kills Landfill or other "state-approved" upland location.

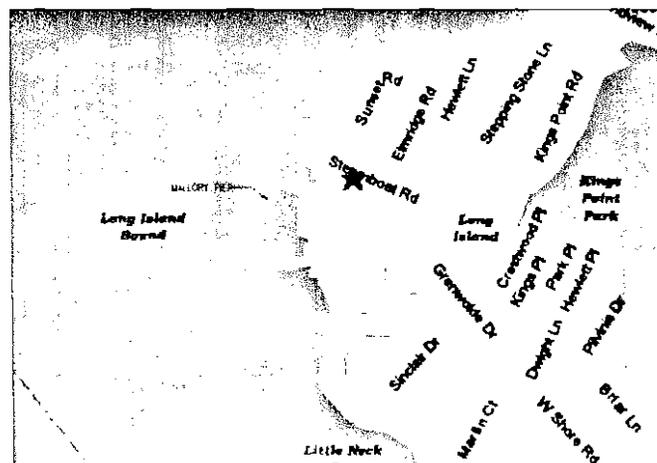
The stated purpose of this project is to provide safe navigational depths and berthing for the engineering Training Vessel (T/V Kings Pointer) and recreational craft.

In addition to using an environmental bucket for dredging and avoiding barge overflow, no dredging will be allowed from June 1 to September 30 to reduce impacts to the aquatic environment. The initial dredging is proposed to take place in May, 2006.

# MAINTENANCE DREDGING US MERCHANT MARINE ACADEMY KINGS POINT, NEW YORK



VICINITY MAP

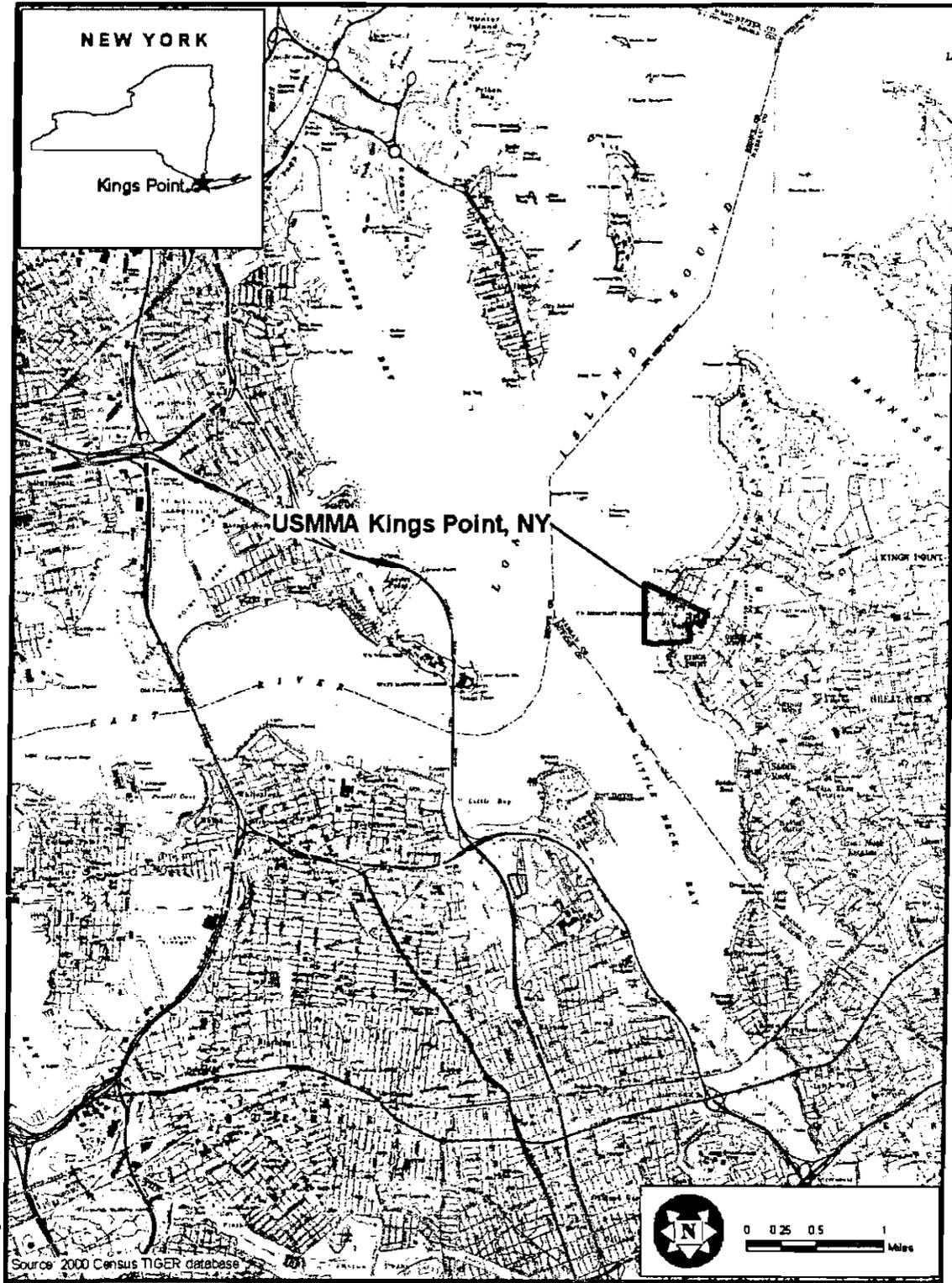


LOCATION MAP

## LIST OF DRAWINGS

Purpose: Maintenance Dredging  
 IN: Hague Basin, Little Neck Bay  
 AT: U.S. Merchant Marine Academy, Kings Point  
 COUNTY: Nassau STATE: NY  
 APPLICATION BY: U.S. Merchant Marine Academy  
 SHEET: 1 of 4 DATE: 11/10/05

WRCA

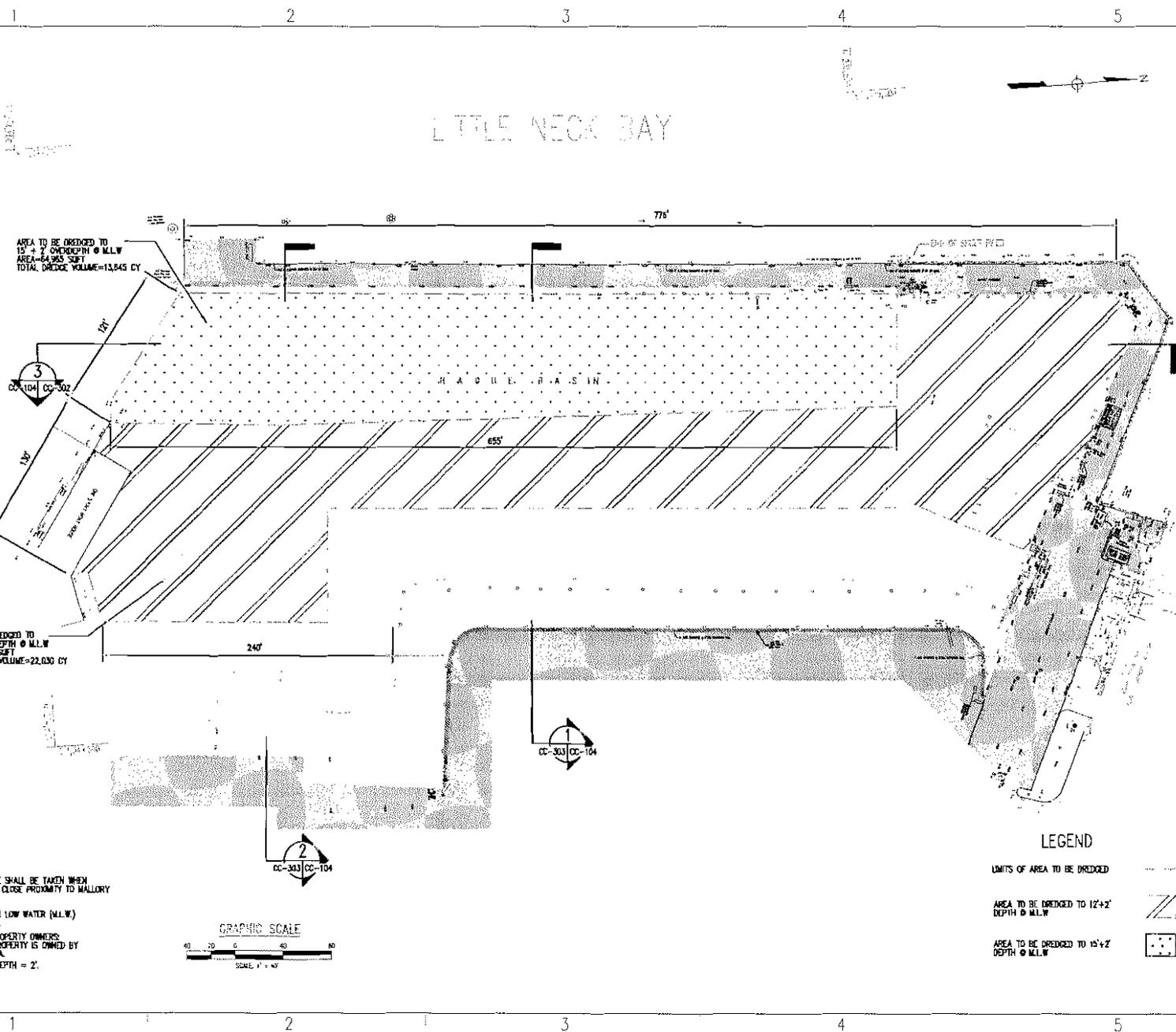


**Figure 1-1**  
**Location Map of USMMA**

Creation Date 06/03/04  
 Rev Date 03/14/04  
 Project Manager B. Wardwell  
 Prepared By D. Raddliffe  
 Project No P-6918

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 SHEET: 2 of 4 DATE: 11/10/05

# LITTLE NECK BAY



AREA TO BE DREDGED TO  
15' + 2' DEPTH @ M.L.W.  
AREA=64,385 SQFT  
TOTAL DREDGE VOLUME=13,845 CY

AREA TO BE DREDGED TO  
12' + 2' DEPTH @ M.L.W.  
AREA=102,423 SQFT  
TOTAL DREDGE VOLUME=22,030 CY

RAVINE BASIN

655'

240'

CC-303/CC-104

CC-104/CC-302

CC-303/CC-104

## LEGEND

- LIMITS OF AREA TO BE DREDGED
- AREA TO BE DREDGED TO 12'+2' DEPTH @ M.L.W.
- AREA TO BE DREDGED TO 15'+2' DEPTH @ M.L.W.

- NOTES:
1. SPECIAL CARE SHALL BE TAKEN WHEN DREDGING IN CLOSE PROXIMITY TO MALLORY PER.
  2. DATUM: MEAN LOW WATER (M.L.W.) = OLD ELEV.
  3. ADJACENT PROPERTY OWNERS: ADJACENT PROPERTY IS OWNED BY THE U.S. NAVY.
  4. OVERLAP: DEPTH = 2'.



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/1/00
2	REVISED	10/1/00
3	REVISED	10/1/00
4	REVISED	10/1/00
5	REVISED	10/1/00
6	REVISED	10/1/00
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