



# 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-2007-00935-EHA  
Issue Date: January 2, 2009  
Expiration Date: February 2, 2009

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: Town of Babylon  
200 East Sunrise Highway  
Lindenhurst, NY 11757

ACTIVITY: Install bulkhead, floating dock, piles, rip-rap, dredge with ten years maintenance and upland placement.

WATERWAY: Great South Bay, a tributary to the Atlantic Ocean

LOCATION: Town of Babylon, 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.

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

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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 and a seasonal no-work window to avoid impacts will be in place. 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 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 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) 790-8523 and ask for Naomi Handell.

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

  
RT/ Richard L. Torner  
Chief, Regulatory Branch

Enclosures

## WORK DESCRIPTION

The applicant, Town of Babylon, has requested Department of the Army authorization to install a new bulkhead, floating dock, piles, rip-rap, and dredge with ten years maintenance and upland placement in the Great South Bay, a tributary to the Atlantic Ocean, Town of Babylon, Suffolk County, New York.

The work would involve the following:

Install a 14 foot long by 3 foot wide ramp, and a 20 foot long by 6.6 foot wide pile-supported float leading to a 426.6 foot long by 6.6 foot wide floating dock situated parallel to the shoreline with a 20 foot long by 6.6 foot wide "L" section at the west end and eighteen (18) 20 foot long by 3.3 foot wide finger piers on the north side of the dock to create 35 new mooring slips. The floating dock will be secured with 12 inch diameter pilings. (See Sheets 3 and 4 of 4).

At the east end of the marina, remove an existing 23 foot long by 9 inch wide timber pier and replace with a 23 foot long by 10 inch wide vinyl sheathing pier (see Sheet 3 of 4).

Install 450 feet of new, smooth-faced vinyl bulkhead at the spring high water line, resulting in the placement of approximately 357 square feet of fill waterward of the spring high water line. Install a 450 foot long by approximately 7 foot wide stone revetment, resulting in the placement of approximately 450 cubic yards and 3,150 square feet of fill material waterward of the spring high water line. (See Sheets 3 and 4 of 4).

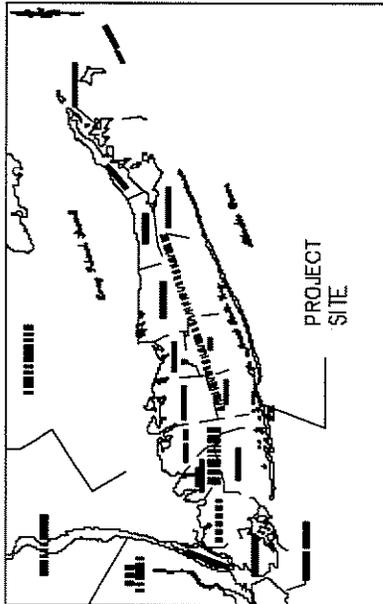
Dredge via clamshell dredge, approximately 300 cubic yards of material composed of sand from an irregularly shaped area at the east end of the marina to a depth of 4 feet below the plane of mean low water (see Sheet 3 of 4). The dredged material would be placed at an upland area on site with no return flow to the Great South Bay. Subsequent maintenance dredging would be undertaken every 3-4 years, if a 10 year permit is issued, with approximate removal of 300 cubic yards of material at each event. The dredged material would be placed in the same upland location.

The stated purpose of this project is to prevent boats from beaching at the shoreline, prevent erosion, increase public safety and allow for a safe navigation.

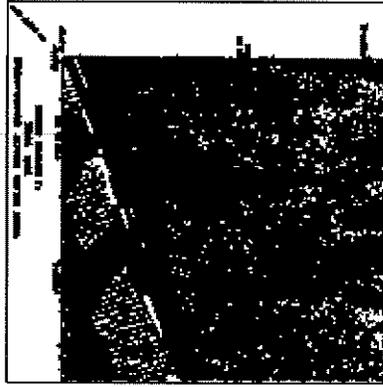
# TOWN OF BABYLON

## GILGO BEACH MARINA IMPROVEMENTS

APRIL, 2008



LONG ISLAND REGIONAL MAP



LOCATION MAP

PROJECT  
SITE

### LIST OF DRAWINGS

SHEET NO.	DRAWING NO.	DRAWING TITLE
1.	G001	TITLE SHEET
2.	C201	SITE PLAN
3.	CB01	DETAILS

NOTE: THE ABOVE DRAWINGS ALONG WITH THE CONTRACT SPECIFICATIONS COMPRISE THE CONTRACT DOCUMENTS

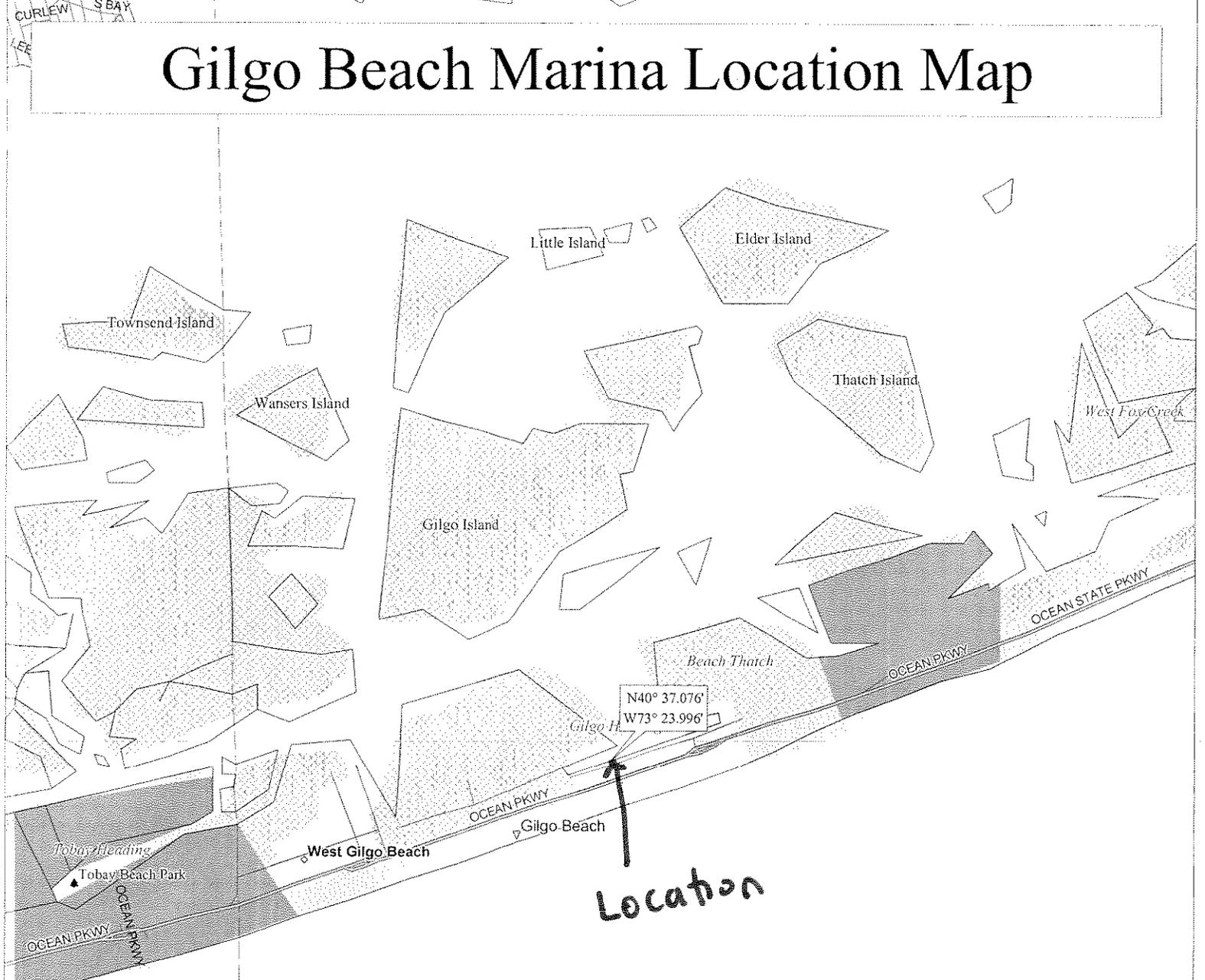


**Cashin Associates, P.C.**  
ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

1200 Veterans Memorial Highway Hauppauge, New York 11788 631.348.7600  
601 Briddell Key Drive Miami, Florida 33131 305.579.2006

Sheet 1 of 4  
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# Gilgo Beach Marina Location Map



Location

N40° 37.076'  
W73° 23.996'

Mag 14.00  
 Fri Dec 19 09:32 2008  
 Scale 1:31,250 (at center)

2000 Feet

1000 Meters

- Secondary SR, Road, Hwy Ramp
- ▬ Interstate/Limited Access
- ◇ Town, Small City
- ▽ Geographic Feature
- ▲ Park or Reservation
- County Boundary
- Population Center

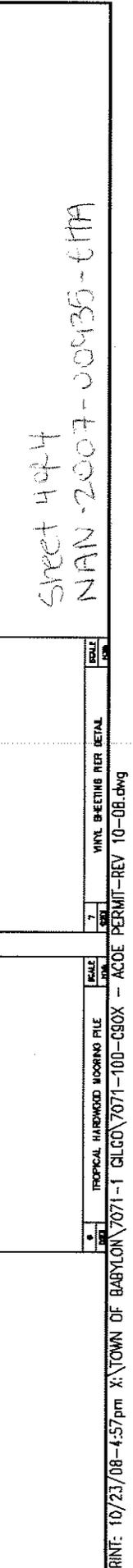
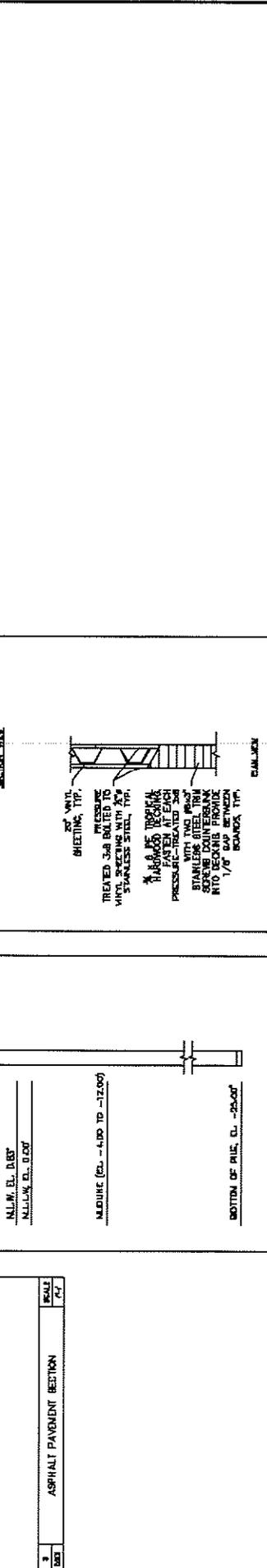
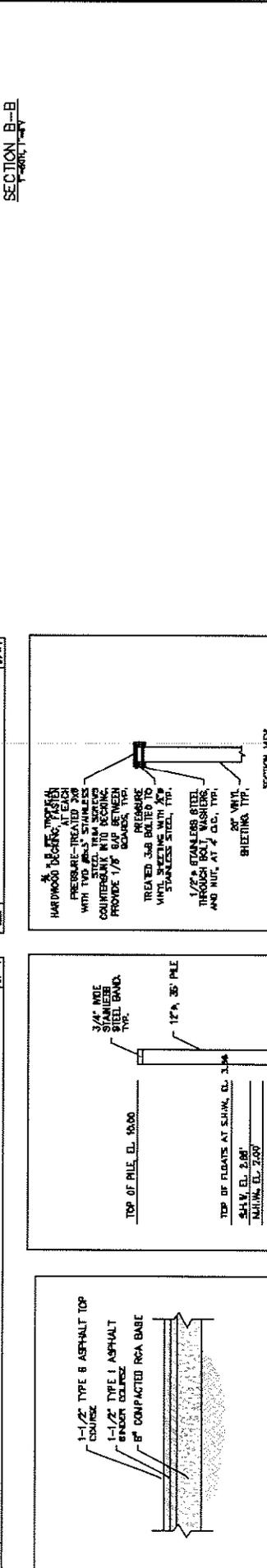
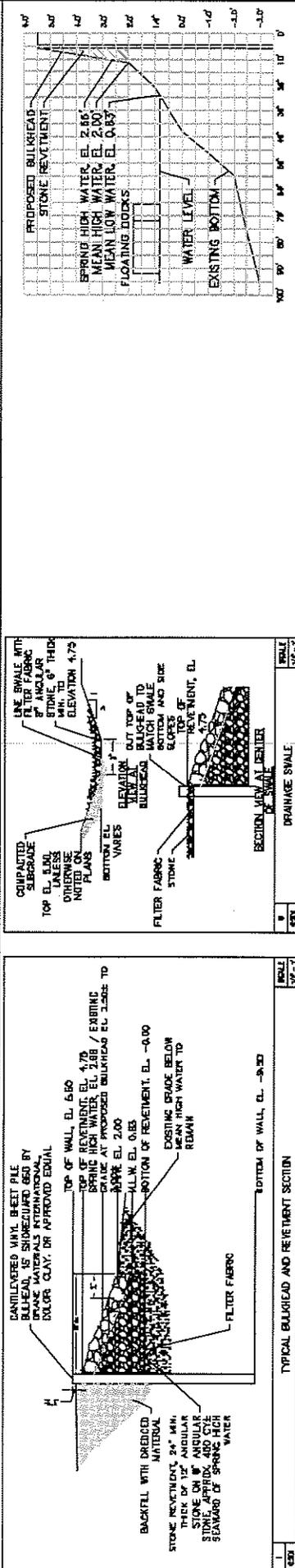
Sheet 2 of 4  
 NAN-2007-00935-ETA

Town of Babylon  
 Suffolk County, NY



CLIENT: TOWN OF BABYLON  
 PROJECT: GILGO BEACH MARINA IMPROVEMENTS (GREAT SOUTH BAY)  
 TITLE: C901 DETAILS

DATE: 4/22/08  
 CA NO.: 7071.100  
 SCALE: NONE



Sheet 4 of 4  
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