

# 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-2018-01154-EBR Issue Date: February 8, 2021 Expiration Date: March 9, 2021

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 Hempstead Town Hall, 1 Washington Street Hempstead, New York 11550
WATERWAY: Jones Inlet, a tributary of the Atlantic Ocean
LOCATION: Point Lookout, Town of Hempstead, Nassau County, New York
ACTIVITY: Shoreline stabilization activities

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 EMAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Send comments to William.T.Bruno@usace.army.mil.

Comments submitted in response to this notice will be fully considered during the public interest

review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to adversely 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 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.

Review 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. The applicant has received a water quality certification from New York State Department of Environmental Conservation, Permit ID 1-2820-02003/00014 in accordance with Section 401 of the Clean Water Act.

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. The applicant has received New York State Department of State's General Concurrence, F-2018-0954, on the applicant's consistency determination. 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) 790-8516 and ask for William T. Bruno.

In order for us to better serve you, please complete our Customer Service Survey located at <u>http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx</u>.

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

**FOR AND IN BEHALF OF** Stephan A. Ryba Chief, Regulatory Branch

Enclosures

#### WORK DESCRIPTION

The applicant, Town of Hempstead, has requested Department of the Army (DA) authorization to conduct shoreline stabilization activities. The project is located at Jones Inlet, a tributary of the Atlantic Ocean in Point Lookout, Town of Hempstead, Nassau County, New York.

The proposed work includes shoreline stabilization activities within three Zones: A, B and C along the eastern shoreline of Point Lookout. Zone B is divided into three sections: B1, B2 and B3.

#### Zone A:

The rehabilitation of the existing revetment within Zone A would consist of the installation of a total approximate volume of 1,453 cubic yards (CY) of granular fill and armor stone within an approximately 556 linear foot section of shoreline. Of the total volume, approximately 59 CY will be placed over an approximately 847 square foot area seaward of the plane of Spring High Water (SHW). The remaining 1,394 CY will be placed landward of SHW.

Zone B:

The rehabilitation of the existing revetment within Zone B would consist of the installation of a total approximate volume of 7,647 CY of granular fill and armor stone within an approximately 1,774 linear foot section of shoreline. Of the total volume, approximately 165 CY will be placed over an approximately 1,507 square foot area seaward of the plane of SHW. The remaining 7,482 CY will be placed landward of SHW.

Zone C:

#### Revetment:

The construction of a new revetment within Zone C would consist of the installation of a total approximate volume of 10,368 CY of granular fill, underlayer stone and armor stone within an approximately 515 linear foot section of shoreline. Of the total volume, approximately 6,013 CY will be placed over an approximately 8,134 square foot area seaward of the plane of SHW. The remaining 4,355 CY will be placed landward of SHW.

#### Beach Area I:

The construction of Beach Area I consists of the excavation of approximately 2,500 CY of existing sand and the placement of approximately 1,380 CY of underlayer stone and armor stone within an approximate 8,030 square foot upland area to create a new intertidal area below SHW.

#### Beach Area II:

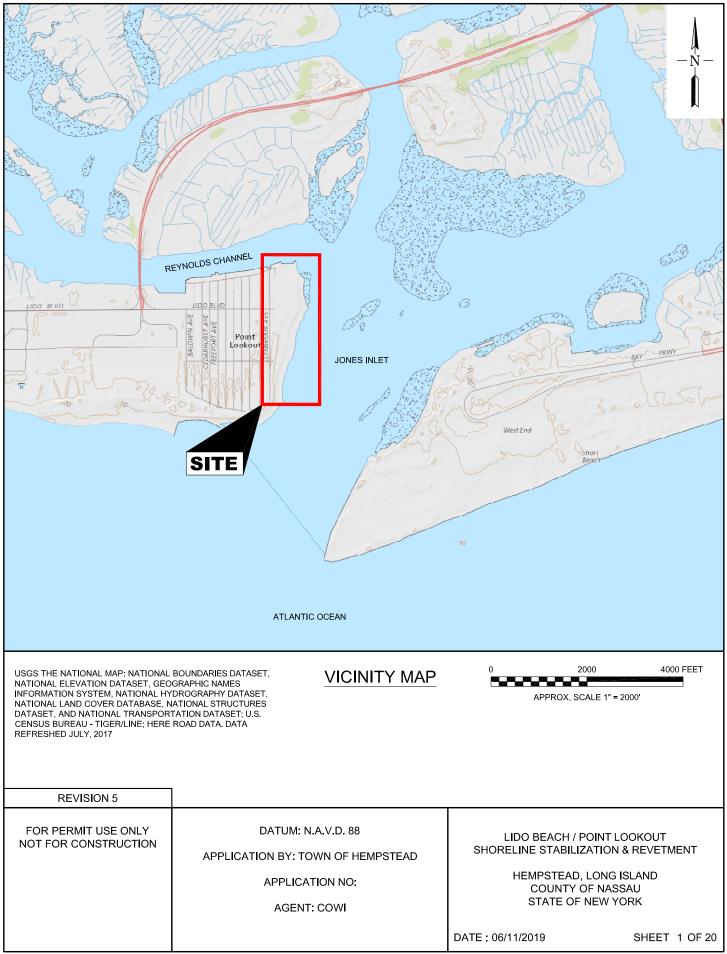
The construction of Beach Area II consists of the excavation of approximately 630 CY of existing sand and the placement of approximately 3,420 CY of granular fill, underlayer stone and armor stone within an approximate 14,070 square foot area below SHW to create upland.

#### Groin Removal:

The removal of two (2) existing groins to create intertidal areas and open water would consist of removal of the North Groin by excavating approximately 290 CY from an approximately 1,950 square foot area below SHW and removal of the South Groin by excavating approximately 580 CY from an approximately 3,900 square foot area below SHW.

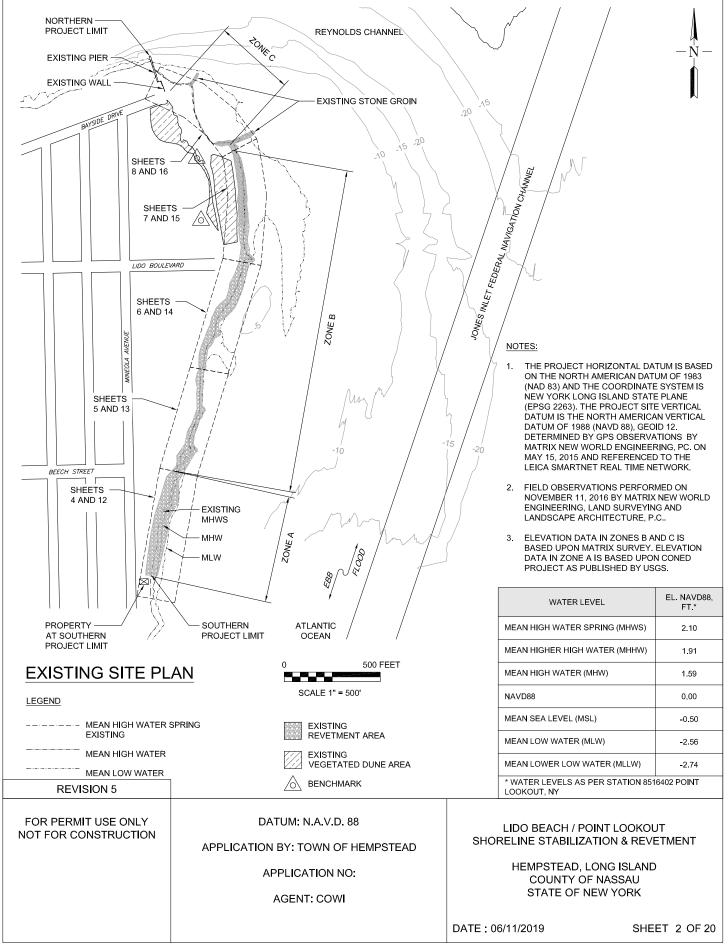
The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the project area to the minimum area required for shoreline stabilization and flood protection. The applicant has proposed to fill in a total of approximately 24,558 square feet of Waters of the United States (WOTUS) and create a total of approximately 26,853 square feet of WOTUS resulting in a net increase of 2,325 square feet of WOTUS.

The stated purpose of this project is to stabilize the shoreline of the eastern shore of Point Lookout.



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	ZONE A		ZONE B1		ZONE B2		ZONE B3	
	ABOVE MHWS	BELOW MHWS	ABOVE MHWS	BELOW MHWS	ABOVE MHWS	BELOW MHWS	ABOVE MHWS	BELOW MHWS
ARMOR STONE (D50=40 in; W50=3.05 ton) (yd <sup>3</sup> )	1,135	48	2,077	46	2,273	50	2,303	51
UNDERLAYER STONE (D50=16 in; W50=391 lbm) (yd <sup>3</sup> )	0	0	0	0	0	0	0	0
GRANULAR FILL (D50=7 in; W50=33 lbm) (yd³)	259	11	259	6	283	6	287	6
GEOTEXTILE FABRIC (ft <sup>2</sup> )	0	0	0	0	0	0	0	0

#### PROPOSED MATERIAL QUANTITIES (CONTINUED BELOW)

	ABOVE	MHWS	BELOW MHWS		
ZONE	CUT (yd³)	FILL (yd³)	CUT (yd³)	FILL (yd³)	
А	0	1,394	0	59	
B1	0	2,336	0	52	
B2	0	2,556	0	56	
В3	0	2,590	0	57	
С	-4,687	4,355	-4,668	6,014	
TOTAL	-4,687	13,231	-4,668	6,238	

PROPOSED CUT AND FILL VOLUMES

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	ZON	TOTAL	
	ABOVE MHWS	BELOW MHWS	IOTAL
ARMOR STONE (D50=40 in; W50=3.05 ton) (yd <sup>3</sup> )	2,769	3,768	14,520
UNDERLAYER STONE (D50=16 in; W50=391 lbm) (yd <sup>3</sup> )	1,284	1,697	2,981
GRANULAR FILL (D50=7 in; W50=33 lbm) (yd³)	302	548	1,968
GEOTEXTILE FABRIC (ft <sup>2</sup> )	13,989	18,499	32,487

#### PROPOSED MATERIAL QUANTITIES (CONTINUED)

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		ABOVE MHWS			BELOW MHWS			
ZONE	LENGTH (ft)	CUT (ft <sup>2</sup> )	FILL (ft <sup>2</sup> )	NET (ft <sup>2</sup> )	CUT (ft <sup>2</sup> )	FILL (ft <sup>2</sup> )	NET (ft <sup>2</sup> )	
Α	556	0	19,853	19,853	0	847	847	
B1	554	0	21,129	21,129	0	471	471	
B2	606	0	23,335	23,335	0	515	515	
B3	614	0	23,779	23,779	0	521	521	
С	515	-15,677	15,677	0	-26,883	22,204	-4,679	
TOTAL	2,845	-15,677	103,773	88,096	-26,883	24,558	-2,325	

#### NOTES:

1. CUT AND FILL QUANTITIES IN ZONES A, B1, B2, AND B3 WERE ESTIMATED VIA DIRECT TAKEOFF FROM DRAWINGS USING EXISTING AND PROPOSED MHWS CONTOURS. THE DESIGN INTENTION WITHIN ZONES A, B1, B2, AND B3 IS TO MINIMIZE, TO THE GREATEST EXTENT PRACTICAL, ANY CUT OR FILL OPERATIONS BELOW THE PLANE OF MHWS.

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2. PROPOSED CUT AND FILL VOLUMES SHOWN REPRESENT QUATITIES OF MATERIALS PLACED AND REMOVED WITHIN AREAS DELINIATED BY THE EXISTING MHWS CONTOUR AS SHOWN IN PLAN. MATERIALS MAY BREAK THE PLANE OF MHWS BUT ARE CATEGORIZED BASED ON THEIR LOCATION IN PLAN.

#### PROPOSED CUT AND FILL AREAS

**REVISION 5** 

FOR PERMIT USE ONLY

NOT FOR CONSTRUCTION

 DATUM: N.A.V.D. 88
 LIDO BEACH / POINT LOOKOUT

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 LIDO BEACH / POINT LOOKOUT

 APPLICATION BY: TOWN OF HEMPSTEAD
 SHORELINE STABILIZATION & REVETMENT

 APPLICATION NO:
 HEMPSTEAD, LONG ISLAND

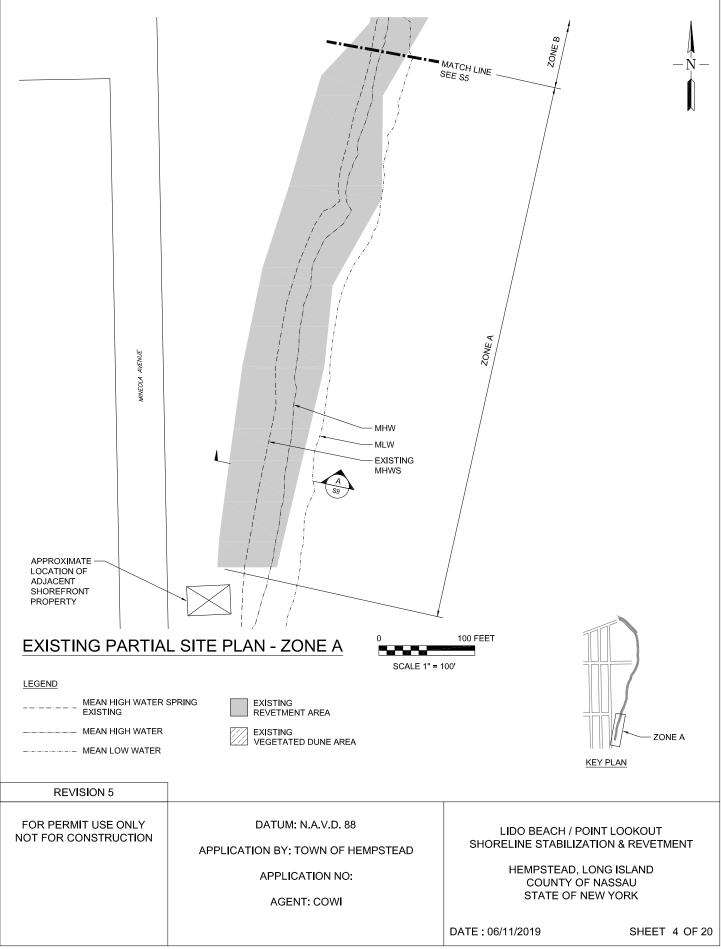
 AGENT: COWI
 STATE OF NEW YORK

DATE : 06/11/2019

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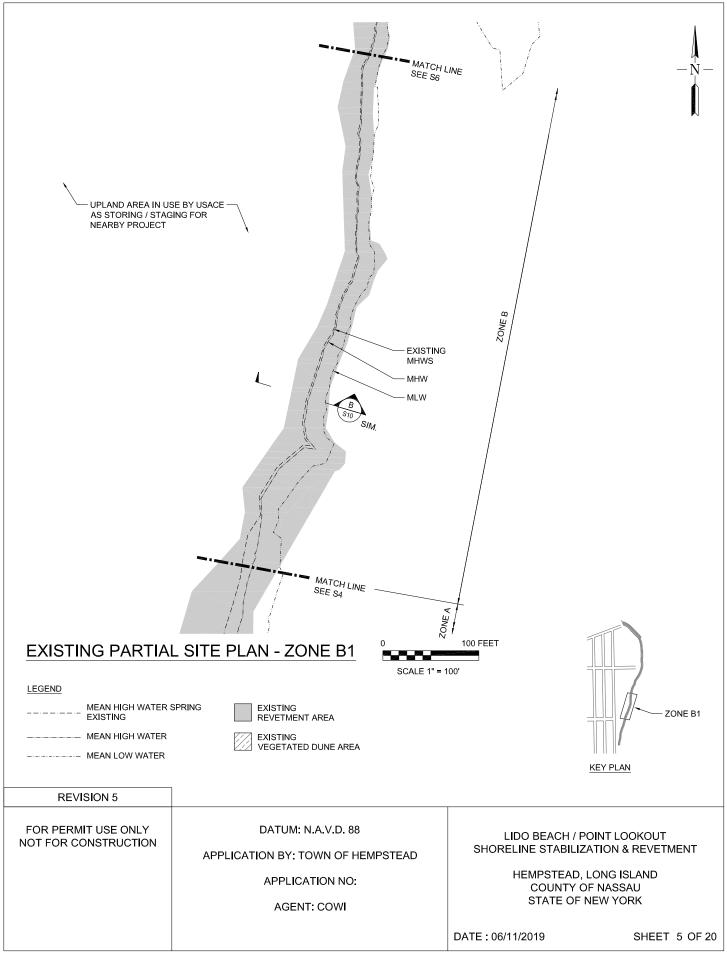
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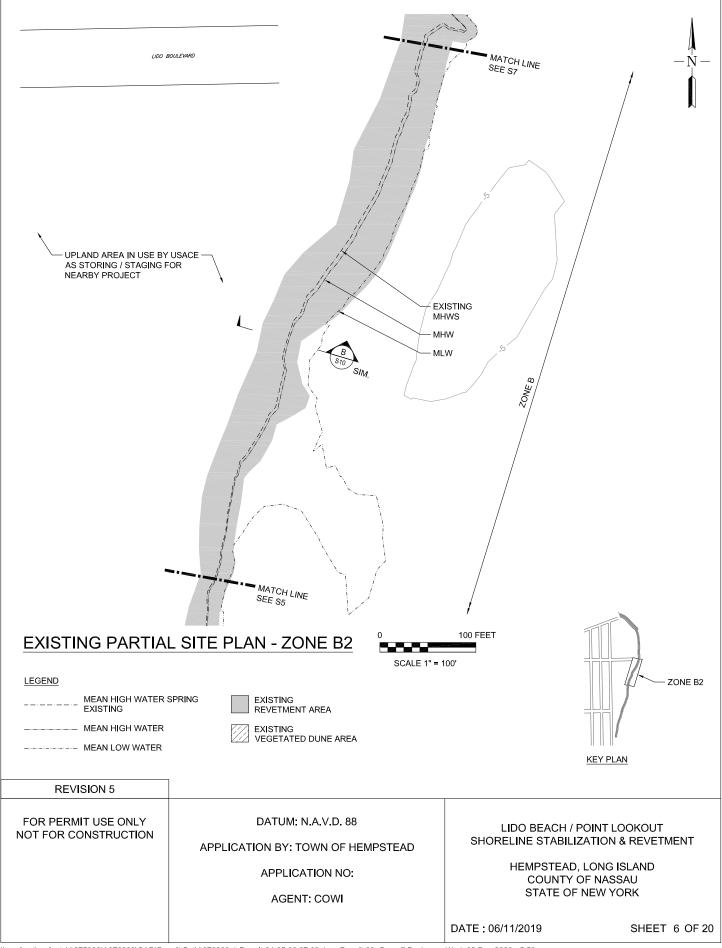


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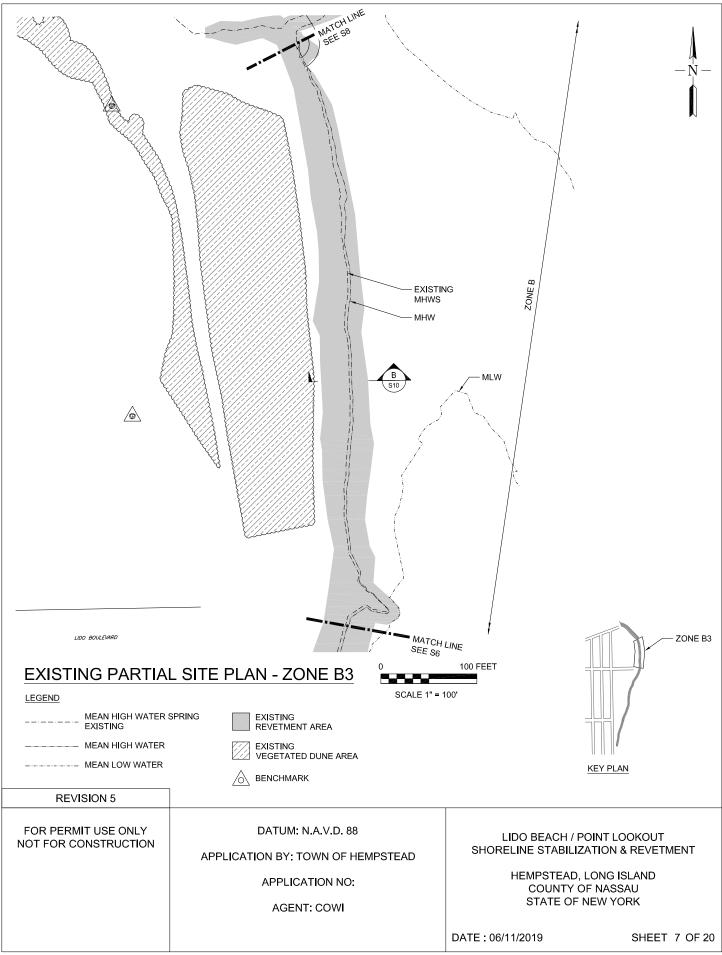


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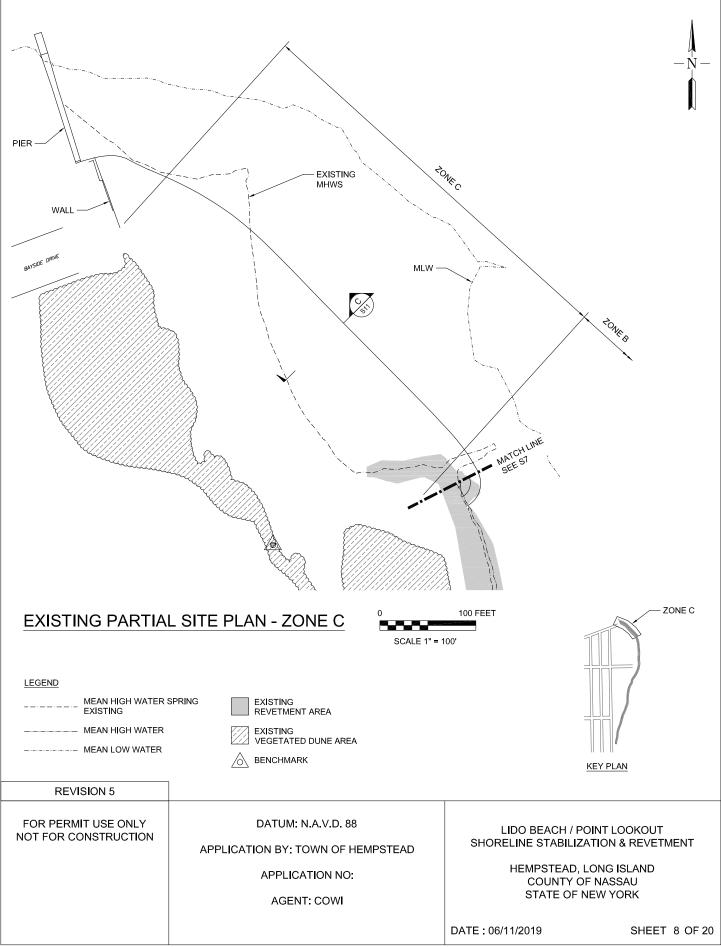
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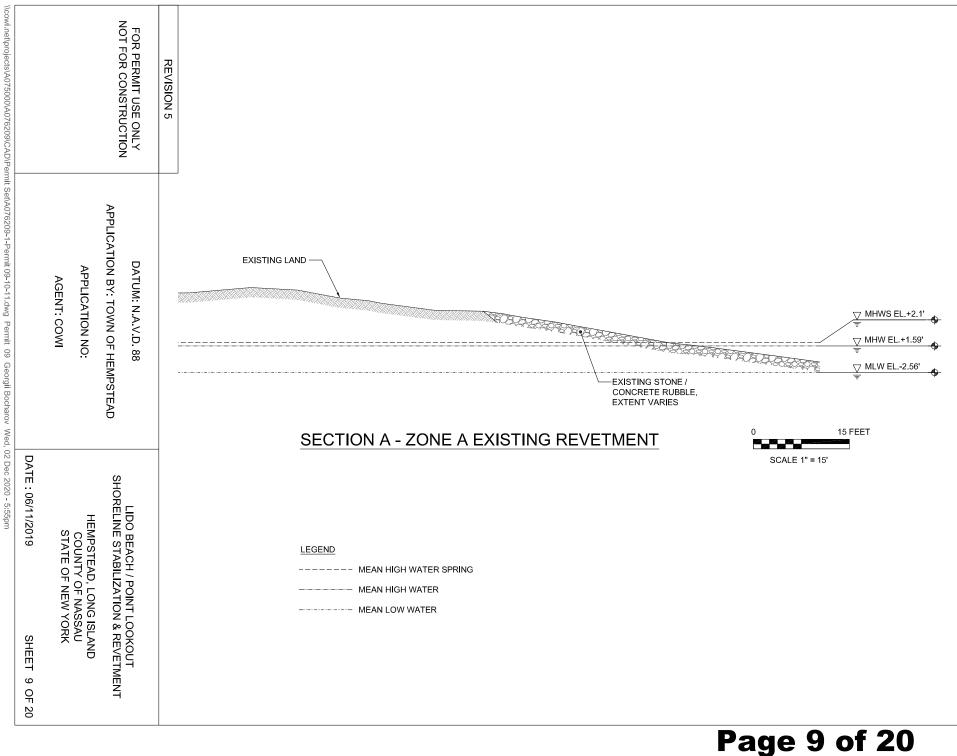
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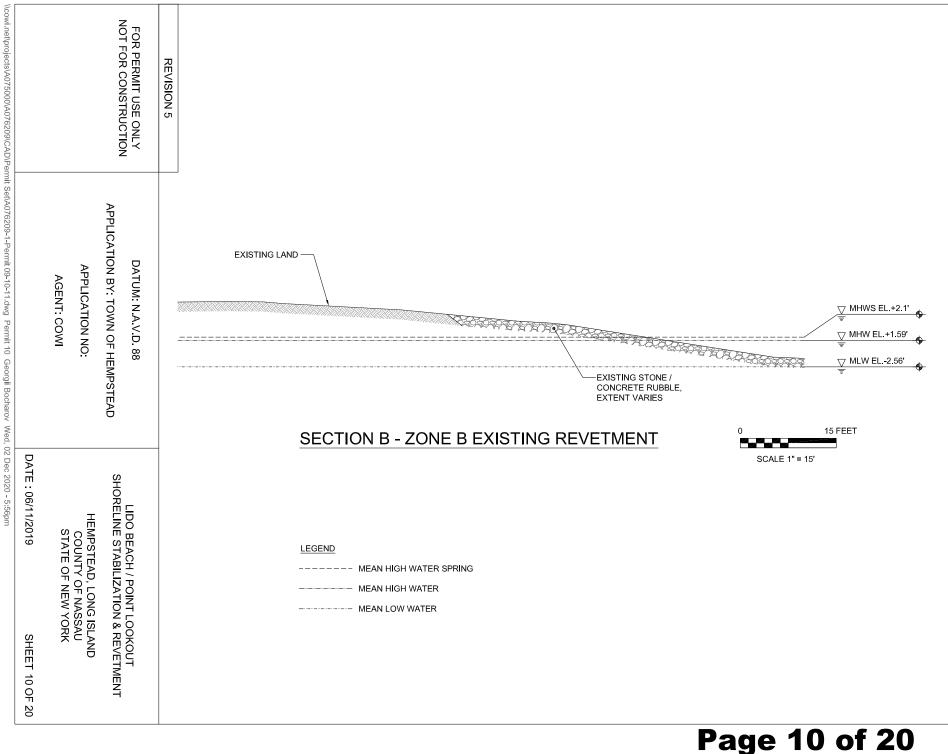
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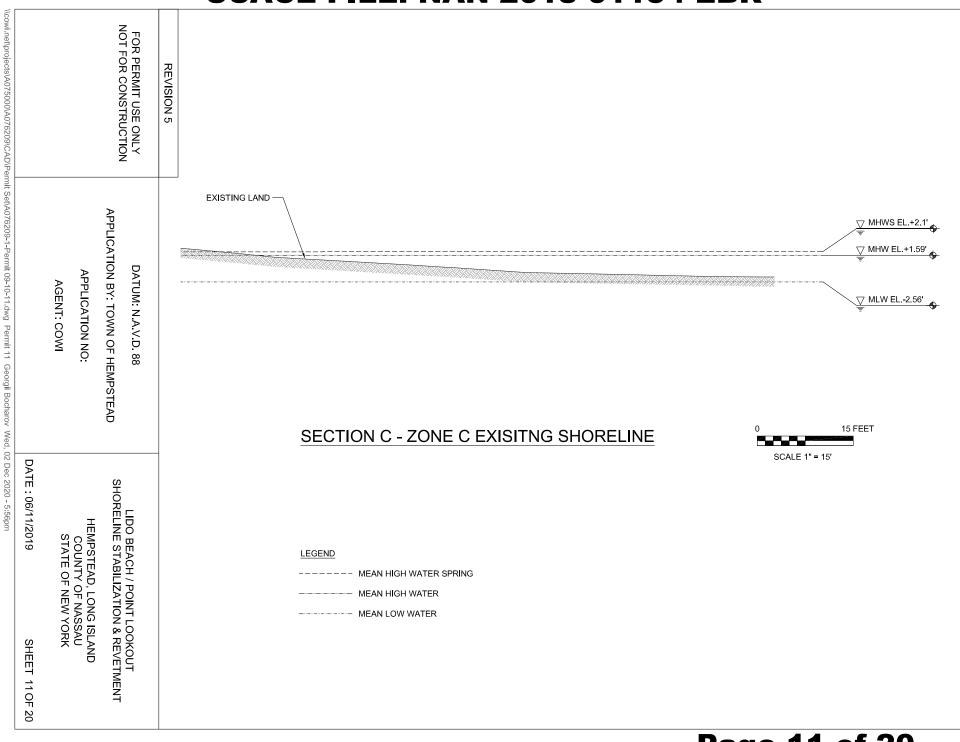


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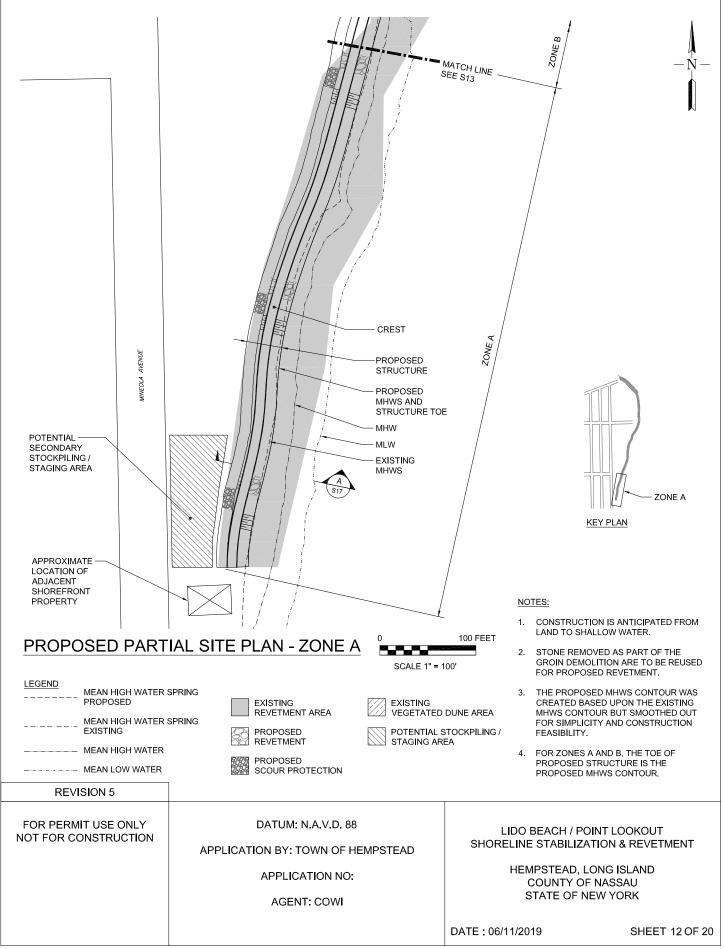
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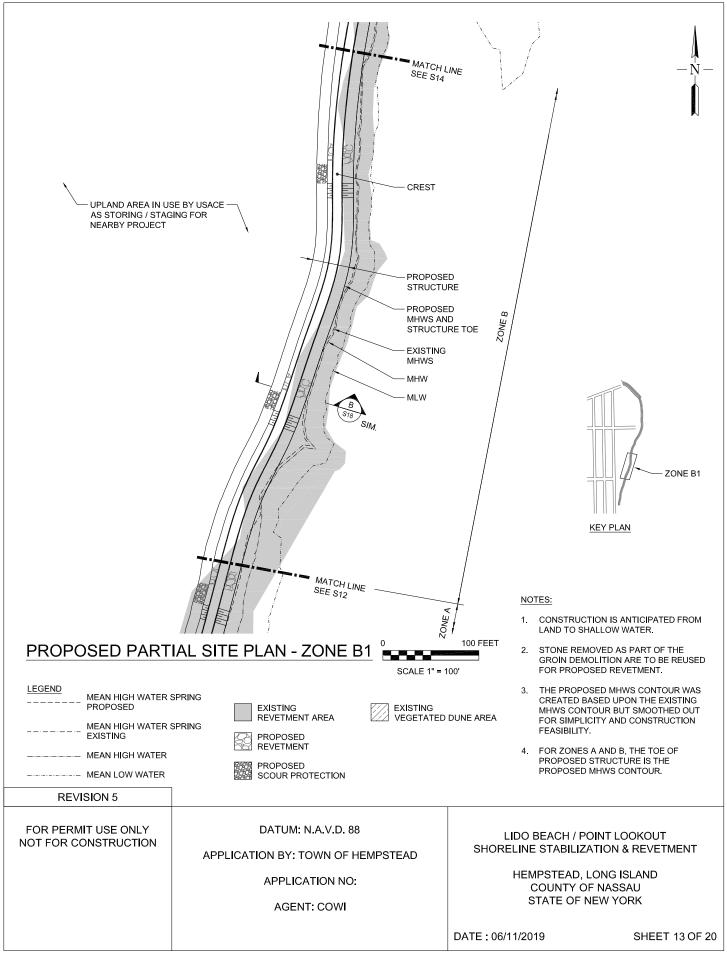


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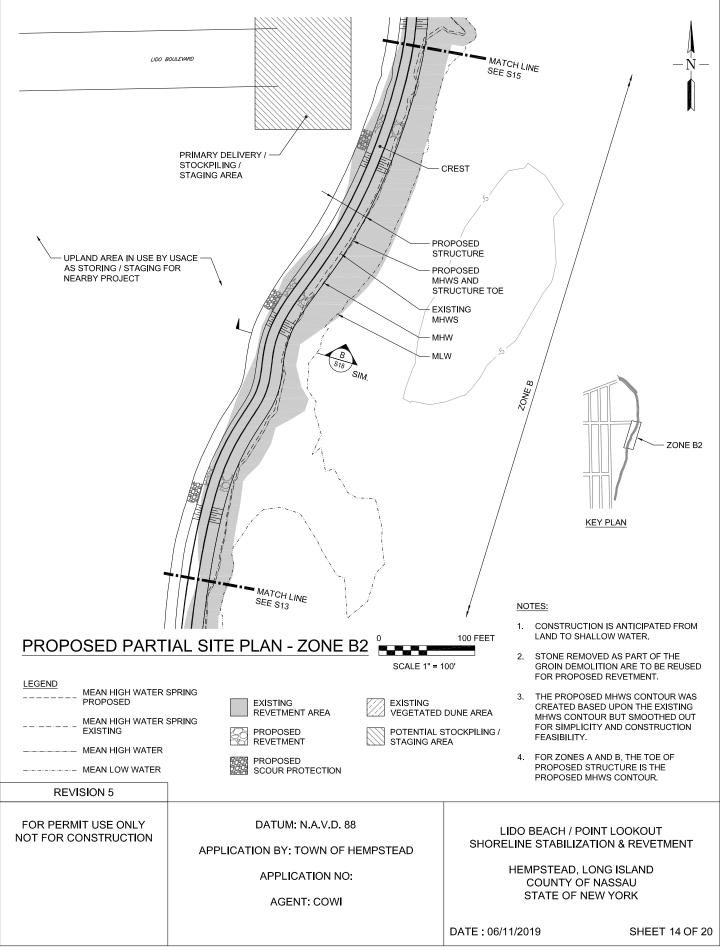
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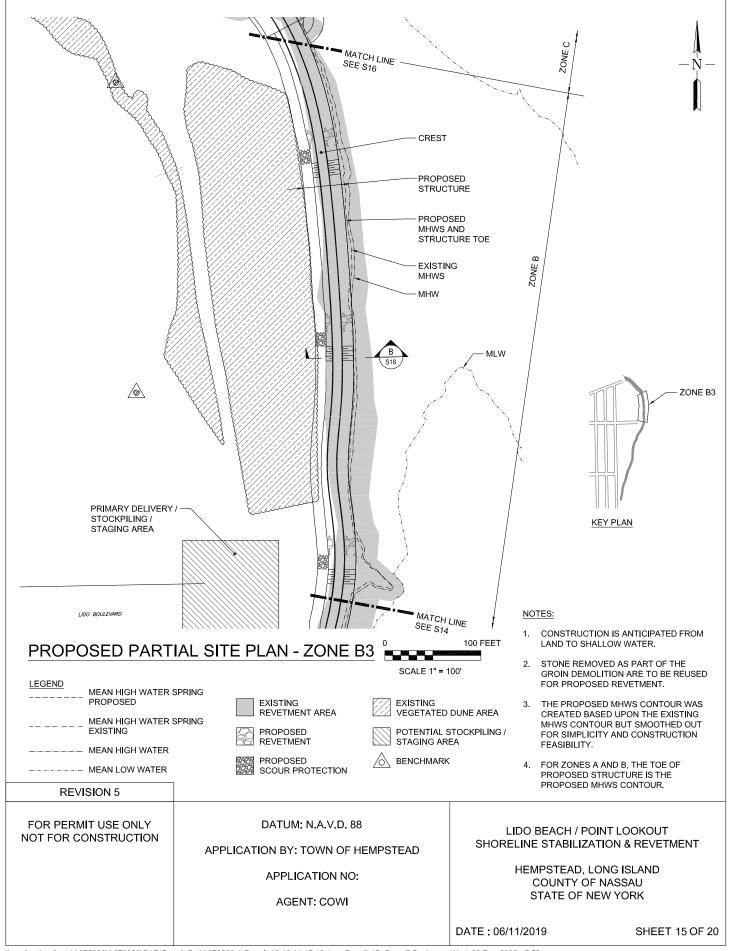
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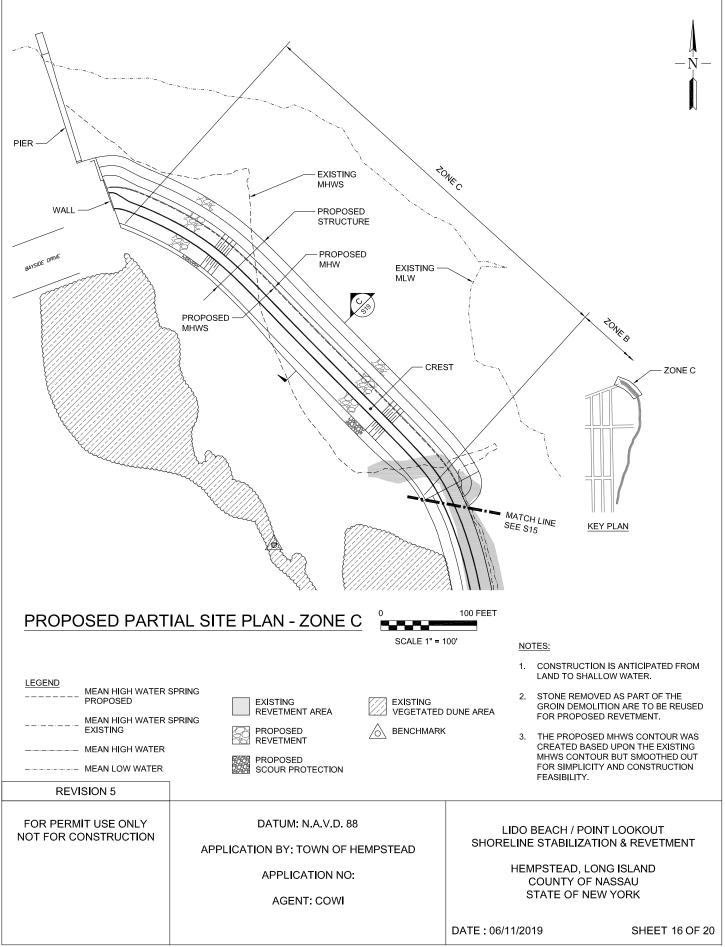
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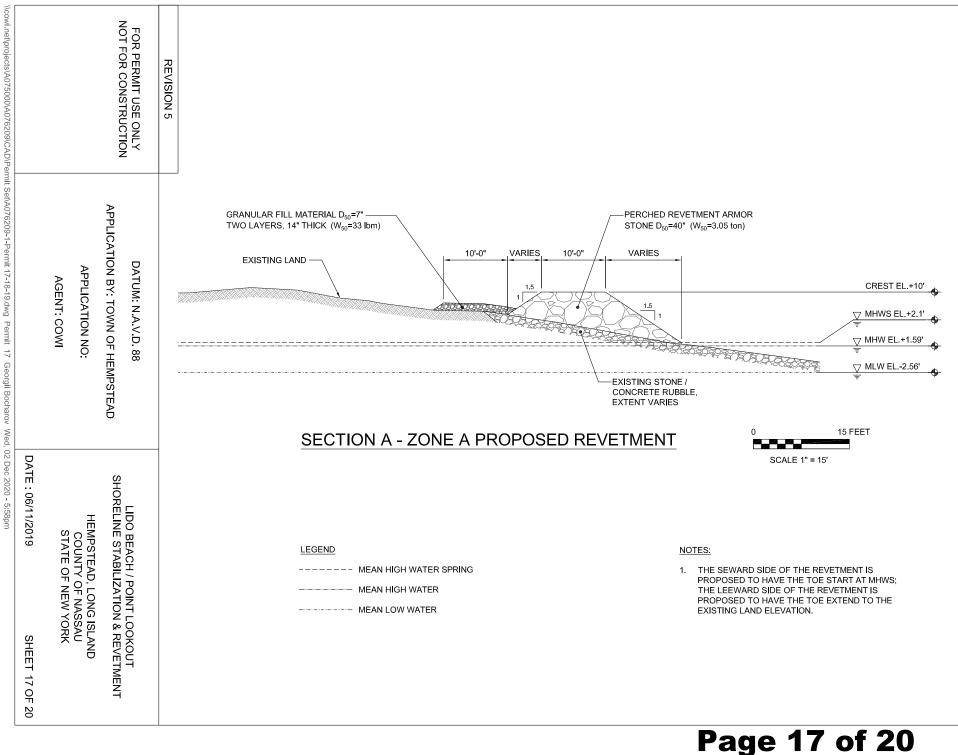
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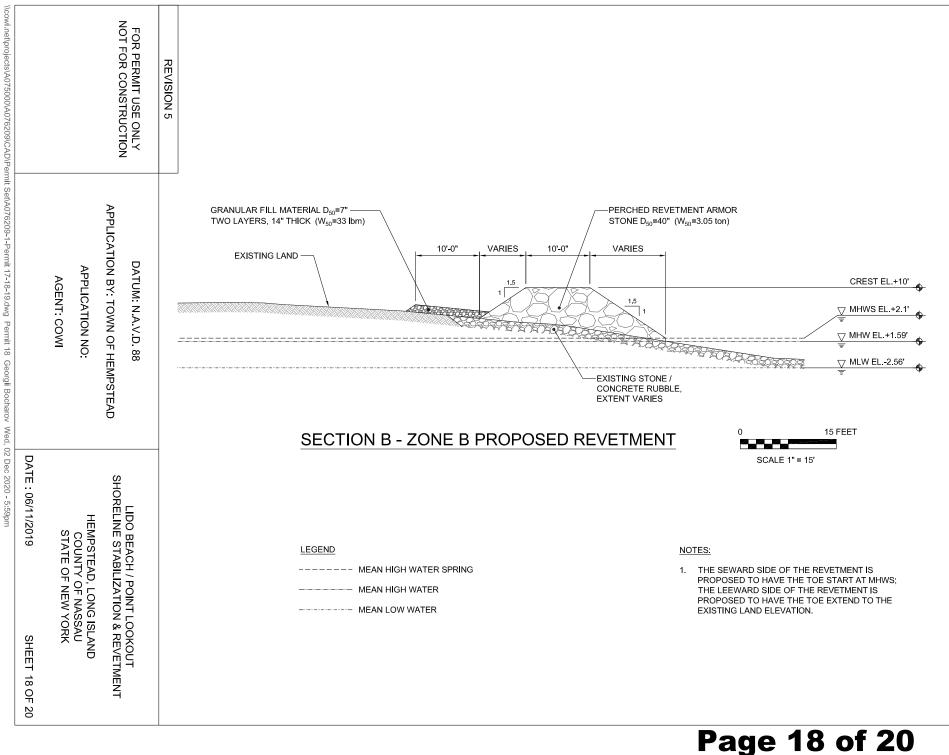
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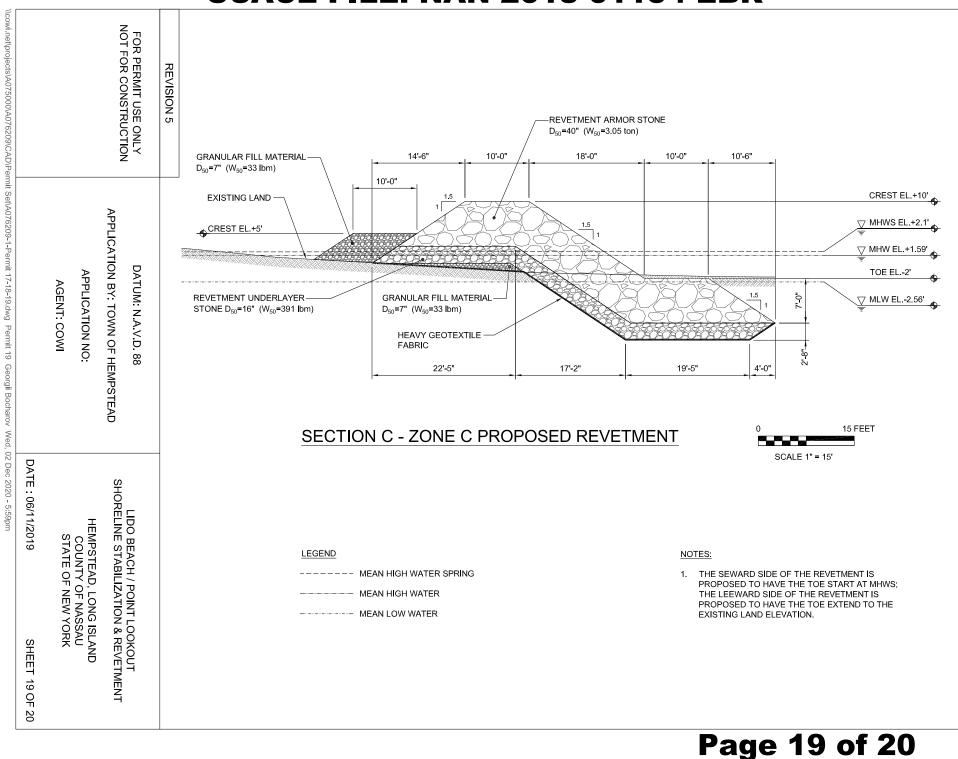


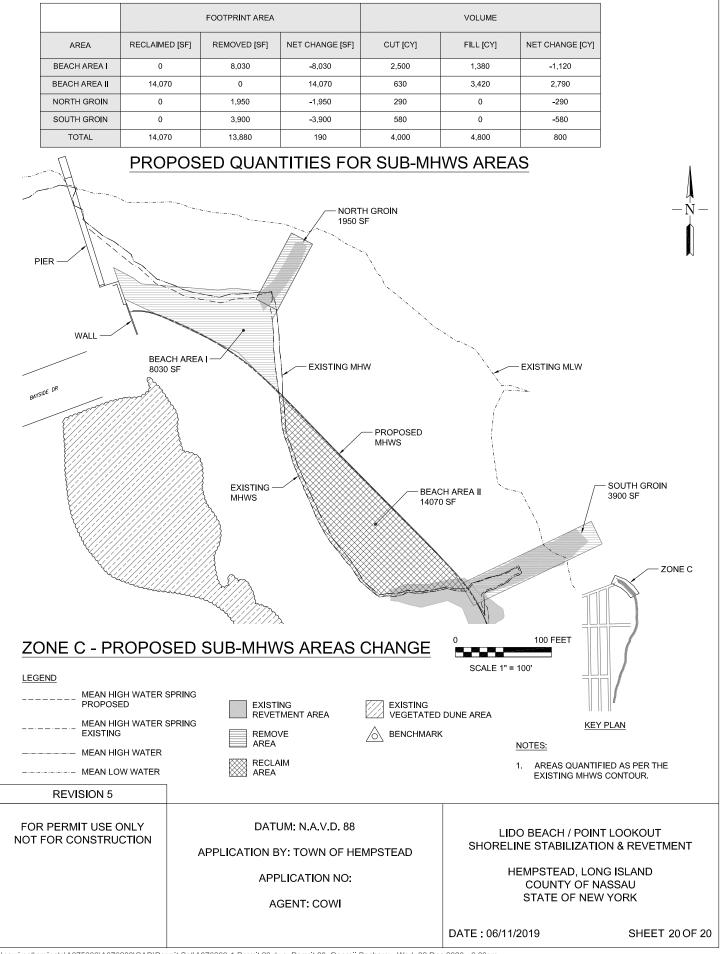
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