



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-2022-00688-EMI**
Issue Date: August 9, 2022
Expiration Date: September 8, 2022

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).

APPLICANT: Town of Hempstead
P.O. Box 180
Point Lookout, New York 11569

ACTIVITY: Ten-Year Maintenance Dredging with Upland Disposal

WATERWAY: Reynolds Channel

LOCATION: Curtis Fisher West Marina (1401 Lido Boulevard), Lido Beach, 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 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.

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otherwise, it will be presumed that there are no objections to the activity.

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 email 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. 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.

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, 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,

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should be so addressed.

In addition to any required 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. Please send all comments and questions concerning this application to Christopher.W.Minck@usace.army.mil.

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

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

 Date: 2022.08.04
10:16:36 -04'00'

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

Enclosures

WORK DESCRIPTION

The permit applicant, Town of Hempstead, has requested Department of the Army (DA) authorization to conduct dredging, with ten-years maintenance with upland placement of all resultant dredged material. The project is located at Reynolds Channel at Curtis Fisher West Marina (1401 Lido Boulevard), Lido Beach, Town of Hempstead, Nassau County, New York.

The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by mechanical dredge, approximately 38,123 cubic yards (CY) of material from an approximately 235,702 square foot (5.41 acres) area within the marina basin to a depth of six feet below the plane of Mean Low Water (MLW). The dredged material would be transported via dump trucks to two upland containment and dewatering locations for drying. The material once dry would be used to replenish the upland dune systems on Town owned properties.

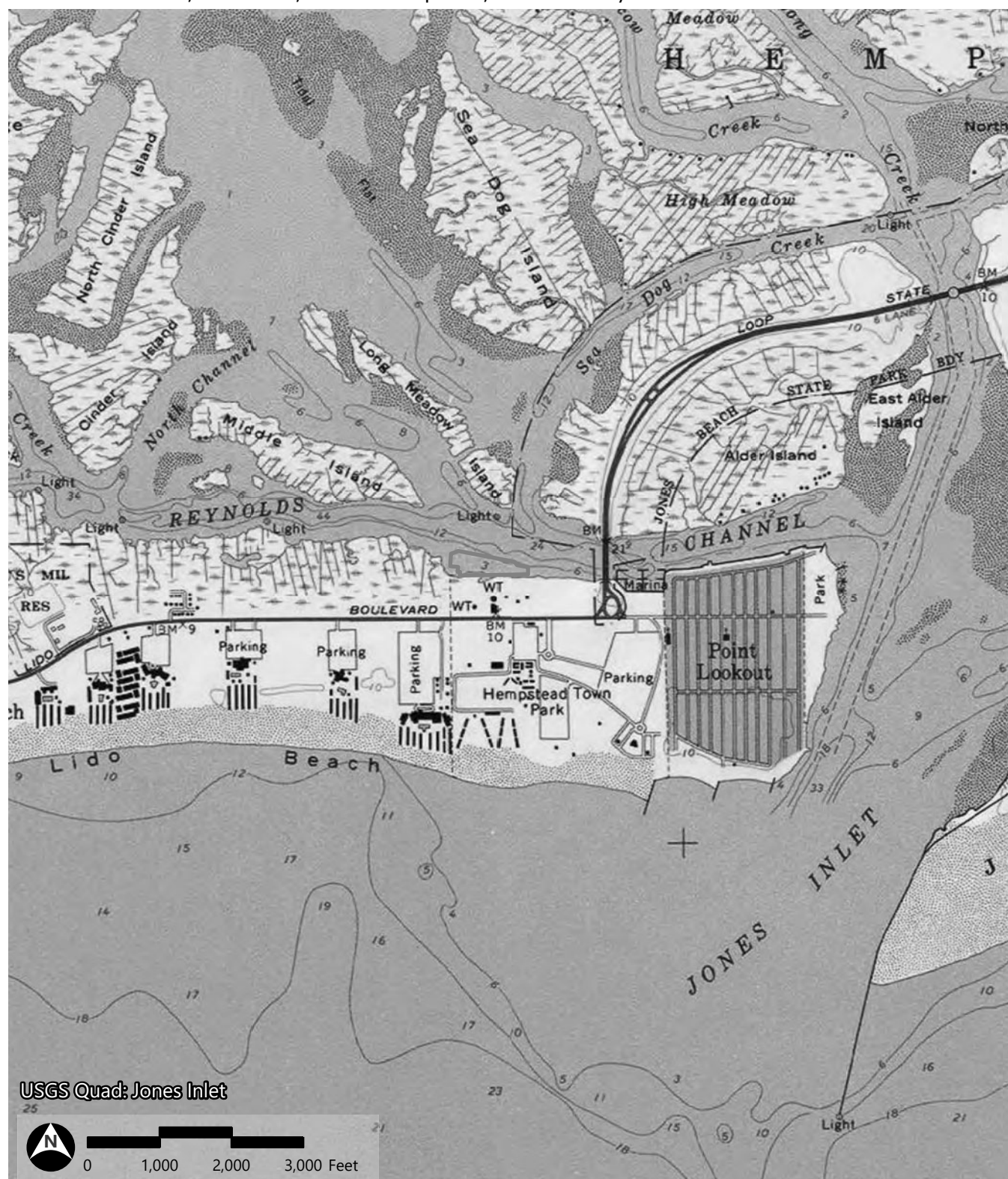
The applicant plans to conduct up to four (4) additional dredging events within the ten-year maintenance dredging period removing a maximum of 20,000 CY per event from within the same dredging areas with the same upland disposal and dewatering location.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation within the marina. Any potential impacts would be temporary and would be offset by implementing best management practices using a turbidity curtain around the dredge area and using silt fencing to contain dredged material.

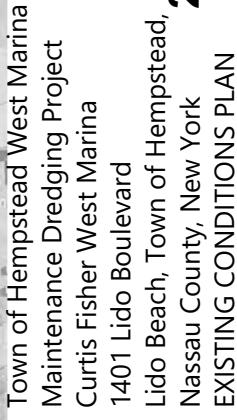
The stated purpose of this project is to maintain safe navigable depths for vessel use in the marina.

Figure 2: USGS Topographic Map

Town of Hempstead West Marina Maintenance Dredging Project
1401 Lido Boulevard, Lido Beach, Town of Hempstead, Nassau County



Source: USGS



0 75 150 300 Feet

1. SURVEY PERFORMED BY CASHIN ASSOCIATES, P.C.DATED 4-12-22.
SURVEY TIED TO NAVD88 DATUM BY BENCHMARK KU1529 AND
BENCHMARK KU4895

MEAN LOW WATER (MLW) ELEVATION = -2.84
MEAN HIGH WATER (MHW) ELEVATION = 1.82
SPRING HIGH TIDE (MHS) ELEVATION = 2.16

1. TURBIDITY CURTAINS WILL BE INSTALLED AND MAINTAINED AROUND THE PERIMETER OF THE DREDGE AREA DURING DREDGING AND WILL NOT BE REMOVED UNTIL DREDGING IS COMPLETE AND TURBIDITY RETURNS TO AMBIENT LEVELS
2. PRIMARY CONTAINMENT/DEWATERING AREA TO BE SURROUNDED WITH SILT FENCE AND ENCLOSED WITH 4-FOOT LONG x 2-FOOT WIDE x 2-FOOT HIGH CONCRETE BLOCKS

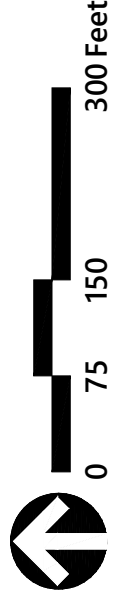


NOTES:

1. SURVEY PERFORMED BY CASHIN ASSOCIATES, P.C. DATED 4-12-22. SURVEY TIED TO NAVD88 DATUM BY BENCHMARK KU1529 AND BENCHMARK KU4895
2. MHW'S ELEVATION = 2.16
MHW ELEVATION = 1.82
MLW ELEVATION = -2.84
3. DREDGE DEPTH TO 6 FEET BELOW MLW = -8.84
4. DREDGE AREA = 235,702 SF
TOTAL DREDGE VOLUME = 38,123 CY
5. DREDGING WILL OCCUR WITH BARGE-MOUNTED CLAMSHELL DREDGE AND CONTAINER SCOWS
6. DREDGE SEDIMENTS WILL BE TRANSPORTED TO THE PRIMARY CONTAINMENT/DEWATERING AREA WITH DUMP TRUCKS FOR 3-6 WEEKS OF WEEKLY TURNING TO FACILITATE DEWATERING AND AERATION
7. FOLLOWING DEWATERING, THE DREDGE SEDIMENTS WILL BE TRANSPORTED WITH DUMP TRUCKS TO THE SECONDARY CONTAINMENT AREA AT POINT LOOKOUT TOWN PARK FOR STORAGE AND ADDITIONAL WEEKLY TURNING (SEE DWG. 3)

DREDGE TABLE

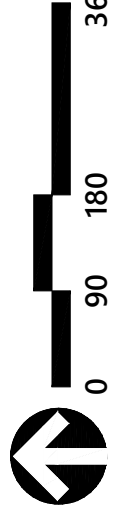
Dredge Depth	Color	Volume (CY)
0.00' - 2.00'		17,322 CY
2.00' - 4.00'		15,208 CY
4.00' - 6.00'		5,381 CY
6.00' - 7.48'		212 CY
TOTAL		38,123 CY





NOTES:

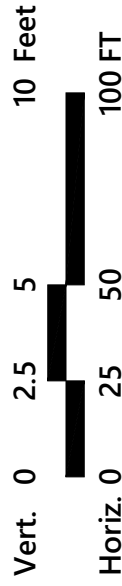
SECONDARY CONTAINMENT AREA TO BE ENCLOSED
WITH 4-FOOT LONG x 2-FOOT WIDE x 2-FOOT HIGH
CONCRETE BLOCKS



Town of Hempstead West Marina
Maintenance Dredging Project
Curtis Fisher West Marina
1401 Lido Boulevard
Lido Beach, Town of Hempstead,
Nassau County, New York
SECONDARY CONTAINMENT AREA

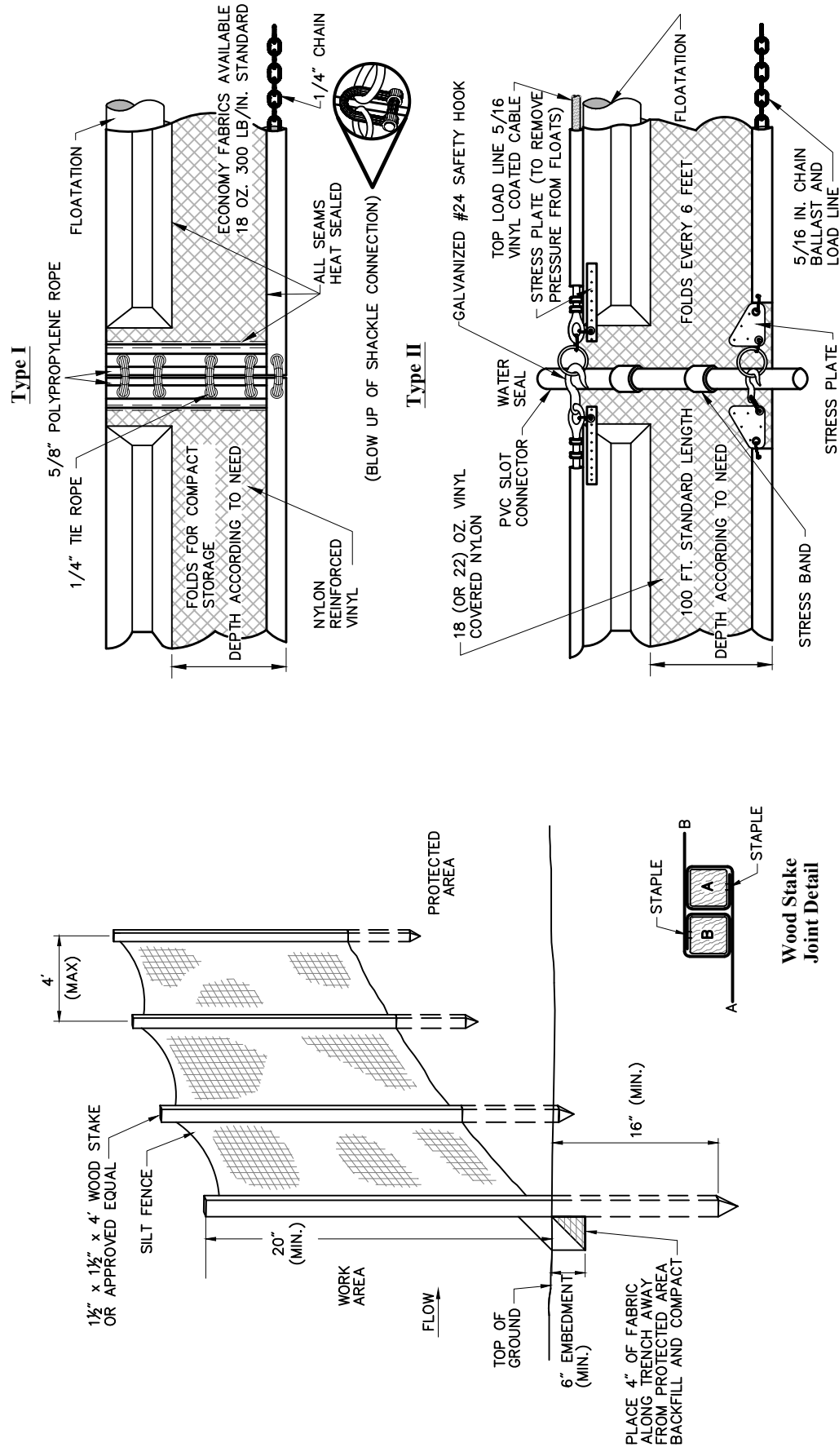


Station



DWG.-4
5 OF 6

June 27, 2022



Silt Fence Barrier

N.T.S.

Source: VHB

Turbidity Curtain

N.T.S.

Source: VHB

REV



Town of Hempstead West Marina
Maintenance Dredging Project
Curtis Fisher West Marina
1401 Lido Boulevard
Lido Beach, Town of Hempstead,
Nassau County, New York
DETAILS