



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant:

U.S. Merchant Marine Academy

Published:

Expires:

New York District

Permit Application No. NAN-2025-00874-MMI

TO WHOM IT MAY CONCERN: The New York District of the U.S. Army Corps of Engineers (Corps), Regulatory Division has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: U.S. Merchant Marine Academy
300 Steamboat Road
Kings Point, NY 11024-1699

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Little Neck Bay. The project/review area is the Hague Basin, located at the U.S. Merchant Marine Academy facility, Town of North Hempstead; at Latitude 40.8121 and Longitude -73.7650; in Kings Point, Nassau County, New York.

EXISTING CONDITIONS: The Hague Basin is located at the U.S. Merchant Marine Academy (USMMA) facility. The basin is shoaled and impeding with the ability for the Training Vessel (T/V Kings Pointer) to safely navigate and berth within the basin.

PROJECT PURPOSE: The applicant's stated purpose for the project is to provide safe navigational depths and berthing for the T/V Kings Pointer and other USMMA sailing crafts.

PROPOSED WORK: The applicant requests authorization to dredge approximately 9,375 CY of material to a depth of 15 feet below MLLW with 2 feet overdepth dredging from Area 1 and dredge approximately 42,265 cubic yards (CY) of material to a depth of 12 feet below Mean Lower Low Water (MLLW) with 2 feet overdepth dredging from Area 2 for a total 4.35 acres. The dredged material will be processed and placed at a contractor-furnished, state-permitted upland placement site(s).

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant has stated that they have avoided, minimize, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredging footprint to the minimum area required for safe and reasonable navigation. Any potential impacts would be temporary and would be offset by implementing best

management practices associated with using a mechanical clamshell dredge and an environmental bucket.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The proposed work is dredging and does not require compensatory mitigation.

LEAD FEDERAL AGENCY: The United States Maritime Administration (MARAD) is serving as the lead federal agency for the proposed work and is responsible for coordinating review in accordance with the National Environmental Policy Act (NEPA). The New York District, Operations Division of the Corps is serving as agent and assisting MARAD with preparation of NEPA documents and consultations.

CULTURAL RESOURCES:

MARAD has evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. MARAD has consulted the latest published version of the National Register of Historic Places and initially determines that:

Historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places), are present within the Corps' permit area; however, the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO and/or THPO.

MARAD's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: MARAD has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Greater Atlantic Region Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, MARAD has made a preliminary determination that the proposed project may affect species and critical habitat listed in Table 1. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Common Name	Scientific Name	Status	Agency
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	USFWS
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	USFWS

Piping Plover	<i>Charadrius melodus</i>	Endangered	USFWS
Roseate Tern	<i>Sterna dougallii dougallii</i>	Endangered	USFWS
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened	USFWS
Sandplain Gerardia	<i>Agalinis acuta</i>	Endangered	USFWS
Seabeach Amaranth	<i>Amaranthus pumilus</i>	Threatened	USFWS
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	USFWS
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened	USFWS and NMFS
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered	USFWS and NMFS
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Endangered	USFWS and NMFS
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened	USFWS and NMFS
Atlantic Sturgeon	<i>Acipenser oxyrinchus oxyrinchus</i>	Endangered	NMFS
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	Endangered	NMFS

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. MARAD is the lead Federal agency for ESA consultation for the proposed action and any required consultation will be completed by MARAD.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

MARAD intends to initiate Essential Fish Habitat (EFH) consultation separately from this public notice. A separate EFH consultation package will be sent to the National Marine Fisheries Service (NMFS). The Corps will not make a permit decision until the consultation process is complete.

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: 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.

COASTAL ZONE MANAGEMENT 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. 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, should be so addressed.

OTHER AUTHORIZATIONS: 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

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics,

esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New York District will receive written comments on the proposed work, as outlined above, until the expiration date of this public notice. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Christopher Minck at Christopher.W.Minck@usace.army.mil. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

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.

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

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

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



▨ AREA 1: -15' + 2' OD MLLW
▨ AREA 2: -12' + 2' OD MLLW



NSRS BENCHMARK	LOCAL CONTROL
BENCHMARK: 851 6945 TIDAL 5 (PID:DE792)	BENCHMARK: 851 6945 D
ELEVATION: 10.88'	ELEVATION: 11.66'

PROJECT SPECIFIC NOTES:

- THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS THE GENERAL CONDITIONS EXISTING AT THAT TIME.
- THE SOUNDINGS ON THIS MAP MEET EM 1110-2-1003 ACCURACY STANDARDS.
- THIS MAP IS CEPD COMPLIANT IN ACCORDANCE WITH ER 1110-2-8160 AND EM 1110-2-6058.
- COORDINATES REFER TO US STATE PLANE COORDINATE SYSTEM NAD 1983, LONG ISLAND LAMBERT - ZONE 3104, US SURVEY FEET.
- SOUNDINGS ON THIS MAP REFER TO THE PLANE OF MEAN LOWER LOW WATER (MLLW) [EPOCH 1983-2001].
- MEAN LOWER LOW WATER IS 4.1 FEET BELOW NAVD88 AS DETERMINED USING VDATUM (VER: 4.6.1)
- SOUNDINGS DEPICTED ON THIS MAP ARE BASED ON A 3' x 3' MEDIAN CELL, SORTED TO A 10' INTERVAL.
- CONTOURS ON THIS MAP WERE GENERATED USING THE 3 x 3 DATA SET.
- THE DATA DEPICTED ON THIS MAP SHOULD NOT BE USED FOR VOLUME CALCULATION PURPOSES.
- AERIAL IMAGERY PROVIDED BY NYGIN 2023 AND IS FOR ORIENTATION PURPOSES ONLY.
- THE PLANIMETRICS DEPICTED ON THIS MAP ARE FOR ORIENTATION PURPOSES ONLY.
- THIS SURVEY WAS PERFORMED USING REAL TIME KINEMATIC GPS FROM STATION "851 6945 TIDAL 5".



PR	ESQ
MP	BRH

DATES OF SURVEY: 15-17 SEPTEMBER 2025	REQUEST NUMBER: 56151N4
SCALE: ONE INCH = 40 FEET	FIELD BOOKS: DINA10

DESIGNED: DAVID GRIFFIN PROJECT ENGINEER	REVIEWED: JESSICA WILSON PROJECT ENGINEER
APPROVED: RYAN FERGUSON CHIEF OF TECHNICAL SUPPORT SECTION	APPROVED: MICHAEL OSEBACK CHIEF OF OPERATIONS SUPPORT BRANCH
DATE: 01-OCT-25	

U.S. MERCHANT MARINE ACADEMY KINGS POINT, NEW YORK 11024	U.S. ARMY CORPS OF ENGINEERS OPERATIONS DIVISION OPERATIONS SUPPORT BRANCH TECHNICAL SUPPORT SECTION
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U.S. MERCHANT MARINE ACADEMY
HAGUE BASIN
KINGS POINT, NEW YORK
PLANS & SPECIFICATIONS SURVEY

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