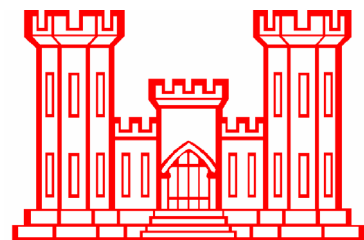
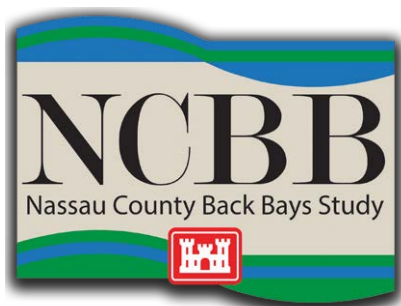

**ENVIRONMENTAL COMPLIANCE: AGENCY
COORDINATION AND RELEVANT CORRESPONDENCE
APPENDIX**

**NASSAU COUNTY BACK BAYS
COASTAL STORM RISK MANAGEMENT
FEASIBILITY STUDY**

PHILADELPHIA, PENNSYLVANIA

APPENDIX G1

August 2021



**U.S. Army Corps of Engineers
Philadelphia District**

CONTENT:

NOTICE OF INTENT (NOI)

ONE FEDERAL DECISION

AGENCY COORDINATION MEETING RECORDS

COMPLIANCE CORRESPONDENCE

NOTICE OF INTENT DOCUMENTATION

- **NOI 2017**
- **Withdrawal of 2017 NOI**
- **NOI 2020**
- **Agency Responses**

NOI 2017

the Commission's observation of market participants' compliance with part 43's requirements, the Commission is increasing this estimate and now estimates that market participants will incur an aggregate of 77,230 annual burden hours in connection with the election to have a swap transaction treated as a large notional off-facility swap.¹⁹

Authority: 44 U.S.C. 3501 *et seq.*

Dated: April 18, 2017.

Robert N. Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2017-08097 Filed 4-20-17; 8:45 am]

BILLING CODE 6351-01-P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting Notice

TIME AND PLACE: Thursday, April 27, 2017, 9:30 a.m.–11:30 a.m.

PLACE: Hearing Room 420, Bethesda Towers, 4330 East-West Highway, Bethesda, Maryland.

STATUS: Commission Meeting—Open to the Public.

MATTER TO BE CONSIDERED:

Decisional Matter: Safety Standard Addressing Blade-Contact Injuries on Table Saws—Notice of Proposed Rulemaking

A live webcast of the Meeting can be viewed at www.cpsc.gov/live.

CONTACT PERSON FOR MORE INFORMATION:

Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, (301) 504-7923.

Dated: April 19, 2017.

Todd A. Stevenson,

Secretary.

[FR Doc. 2017-08191 Filed 4-19-17; 11:15 am]

BILLING CODE 6355-01-P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review, Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (CNCS) has

63,000 total annual elections. 67,500 elections × 0.0334 hours (two minutes) of burden per response = 2,255 total annual burden hours).

¹⁹ 2,312,265 large notional off-facility swaps × 0.0334 hours (two minutes) of burden per response = 77,230 total annual burden hours.

submitted a public information collection request (ICR) entitled AmeriCorps Application Instructions: State Commissions, State and National Competitive, Professional Corps, Indian Tribes, States and Territories without Commissions, and State and National Planning Grants for review and approval in accordance with the Paperwork Reduction Act of 1980. Copies of this ICR, with applicable supporting documentation, may be obtained by calling CNCS, Jill Graham, at 202-606-6905 or email to jgraham@cns.gov. Individuals who use a telecommunications device for the deaf (TTY-TDD) may call 1-800-833-3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

DATES: Comments may be submitted, identified by the title of the information collection activity, within May 22, 2017.

ADDRESSES: Comments may be submitted, identified by the title of the information collection activity, to the Office of Information and Regulatory Affairs, Attn: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service, by any of the following two methods within 30 days from the date of publication in the **Federal Register**:

- (1) By fax to: 202-395-6974, Attention: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service; or
- (2) By email to: smar@omb.eop.gov.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments

A 60-day Notice requesting public comment was published in the **Federal Register** on January 23, 2017 at 82 FR 7804. This comment period ended

March 24, 2017. No public comments were received from this Notice.

Description: CNCS seeks to renew the current AmeriCorps State and National Application Instructions. The information collection will be used in the same manner as the existing Instructions. CNCS also seeks to continue using the current application until the revised application is approved by OMB. The current application expired on January 31, 2017.

Type of Review: Renewal.

Agency: Corporation for National and Community Service.

Title: AmeriCorps Application Instructions: State Commissions, State and National Competitive, Professional Corps, Indian Tribes, States and Territories without Commissions, and State and National Planning.

OMB Number: 3045-0047.

Agency Number: None.

Affected Public: Nonprofit organizations, States, Territories, and Local, and Tribal eligible entities.

Total Respondents: 1,159.

Frequency: Annually.

Average Time per Response: Averages 80 hours.

Estimated Total Burden Hours: 92,720.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Dated: April 18, 2017.

Jennifer Bastress Tahmasebi,

Acting Director, AmeriCorps State and National.

[FR Doc. 2017-08124 Filed 4-20-17; 8:45 am]

BILLING CODE 6050-28-P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Nassau Back Bays Coastal Storm Risk Management Study—NEPA Scoping Meetings and Public Comment Period

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of Intent/NEPA Scoping meeting and public comment period.

SUMMARY: Pursuant to the requirements of the National Environmental Policy Act, the U.S. Army Corps of Engineers (Corps) plans to prepare a Feasibility Study with an integrated Environmental Impact Statement (EIS) to evaluate environmental impacts from reasonable project alternatives and to determine the potential for significant impacts related to reduce future flood risk in ways that support the long-term resilience and

sustainability of the coastal ecosystem and surrounding communities due to sea level rise, local subsidence and storms, and to reduce the economic costs and risks associated with largescale flood and storm events in the area known as the Atlantic Coast of New York, the Nassau County Back Bays.

ADDRESSES: Send written comments and suggestions concerning the scope of issues to be evaluated within the EIS to Robert Smith, Project Biologist/NEPA Coordinator, U.S. Army Corps of Engineers, New York District, Planning Division, Environmental, 26 Federal Plaza, New York, NY 10279-0090; Phone: (917) 790-8729; email: robert.j.smith@usace.army.mil.

FOR FURTHER INFORMATION CONTACT: Questions about the overall Nassau County Back Bays Coastal Storm Risk Management Feasibility Study should be directed to Mark Lulka, Project Manager, U.S. Army Corps of Engineers, New York District, Programs and Project Management Division, Civil Works Programs Branch, 26 Federal Plaza, Room 2145, New York, NY 10279-0090; Phone: (917) 790-8205; email: mark.f.lulka@usace.army.mil.

DATES: Scoping meetings will be held on May 2 and 3, 2017. For further information on these scoping meetings, please read the **SUPPLEMENTARY INFORMATION** section.

SUPPLEMENTARY INFORMATION:

1. Background

As a result of Hurricane Sandy in October 2012, Congress passed Public Law 113-2, which authorized supplemental appropriations to Federal agencies for expenses related to the consequences of Hurricane Sandy. The Corps is investigating measures to reduce future flood risk in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities, and reduce the economic costs and risks associated with flood and storm events. In support of this goal, the Corps completed the North Atlantic Coast Comprehensive Study (NAACS), which identified nine high risk areas on the Atlantic Coast for further analysis based on preliminary findings. The Nassau County Back Bays area was identified as one of the nine areas of high risk, or Focus Areas, that warrants an in-depth investigation into potential coastal storm risk management measures.

During Hurricane Sandy, the study area communities were severely affected with large areas subjected to erosion, storm surge, and wave damage along the Atlantic Ocean shoreline, and flooding of communities within and surrounding

Bays. Along the Atlantic Ocean, surge and waves inundated low lying areas, and contributed to the flooding along the shoreline of the interior of the Bays. Hurricane Sandy illustrated the need to re-evaluate the entire back-bay area as a system, when considering risk-management measures. Acknowledging the amount of analyses required to comprehensively reevaluate the study area considering the influence of the Atlantic Ocean shorefront conditions on the back-bay system, an EIS will be prepared. The EIS will build upon the extensive Atlantic shoreline alternatives analysis and environmental and technical studies and outreach conducted to date. The scope of analysis will be appropriate to the level of detail necessary for an EIS and will receive input from the public and reviewing agencies. The analysis will provide the basis for the alternatives to problems associated with storm surge and wave damage along the back-bays.

2. Study Area

The study area includes all of the tidally influenced bays and estuaries located in and hydraulically connected to the south shore of Nassau County, New York, located on Long Island, NY, directly east of Queens County and west of Suffolk County for approximately 98 square miles.

3. Corps Decision Making

As required by Council on Environmental Quality's Principles, Requirements and Guidelines for Water and Land Related Resources Implementation Studies all reasonable alternatives to the proposed Federal action that meet the purpose and need will be considered in the EIS. These alternatives will include no action and a range of reasonable alternatives for managing flood risk within the Nassau County Back Bays Area. The measures to be evaluated will be the subject of additional public stakeholders and agency coordination. The result of this coordination early on in the process will identify any concerns, potential impacts, relevant effects of past actions and possible alternative actions which will aid in the Corps developing an EIS for the entire study area. This decision making approach will allow time to address agency policy issues and build consensus among cooperating agencies and the public.

4. Scoping/Public Participation

The Corps has scheduled meeting to invite the public to come and comment on the scope of the issues and alternatives to be addressed in the draft

EIS. The Nassau County Back Bay, NEPA Scoping Meeting will be held:

When: Tuesday, May 02, 2017 6:00 p.m.–9:00 p.m.

Where: Seaford High School Auditorium, Seaford, NY

When: Wednesday, May 03, 2017 6:00 p.m.–9:00 p.m.

Where: Freeport Village Hall, Freeport, NY

Each of the public meetings will begin with an informal open house followed by the formal presentation. Input will also be received through written comments, comments may be submitted during the scoping meetings, or via mail or email at any time.

5. Lead and Cooperating Agencies

The Corps is the lead federal agency and the New York Department of Environmental Conservation will be the nonfederal sponsor for the study and the preparation of the EIS and meeting the requirements of the NEPA and its Implementing Regulations of the President's Council on Environmental Quality (40 CFR 1500–1508). Federal agencies interested in participating as a Cooperating Agency are requested to submit a letter of intent to Colonel David A. Caldwell, District Engineer (see **ADDRESSES**). The preparation of the EIS will be coordinated with New York State and Nassau County offices with discretionary authority relative to the proposed actions. The Draft Integrated Feasibility Report/EIS is currently scheduled for distribution to the public in 2019.

Dated: April 12, 2017.

Peter M. Weppler,

Chief, Environmental Analysis Branch, Planning Division, New York District.

[FR Doc. 2017-08095 Filed 4-20-17; 8:45 am]

BILLING CODE 3720-58-P

DEPARTMENT OF EDUCATION

Applications for New Awards; Educational Technology, Media, and Materials for Individuals With Disabilities—Stepping-Up Technology Implementation

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for new awards for fiscal year (FY) 2017 for Educational Technology, Media, and Materials for Individuals with Disabilities—Stepping-up Technology Implementation, Catalog of Federal

WITHDRAWAL OF 2017 NOI

1715 or by phone at (703) 227-9022 or email, lavernnm@nro.mil.

SUPPLEMENTARY INFORMATION: The NRO Technology Fellowship and Enrichment Program was discontinued. Following the decommissioning of the information system, all records were destroyed in accordance with the records retention and disposal policies as published in the SORN.

The DoD notices for Systems of Records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy, Civil Liberties and Transparency Division website at <https://dpcl.d.defense.gov>.

The proposed system reports, as required by the Privacy Act, as amended, were submitted on May 18, 2020, to the House Committee on Oversight and Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to Section 6 of OMB Circular No. A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," revised December 23, 2016 (December 23, 2016, 81 FR 94424).

SYSTEM NAME AND NUMBER:

Technology Fellowship and Enrichment Programs and Events, QNRO-30.

HISTORY:

May 19, 2008, 73 FR 28801.

Dated: June 2, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020-12296 Filed 6-5-20; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Board of Actuaries; Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Personnel and Readiness, Department of Defense (DoD).

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The DoD is publishing this notice to announce that the following Federal Advisory Committee meeting of the Department of Defense Board of Actuaries will take place.

DATES: Open Board meeting from 10:00 a.m. to 1:00 p.m. on Friday, June 26, 2020.

ADDRESSES: This meeting will be held virtually. For information regarding how to access the meeting, please contact Kathleen Ludwig, (703) 653-4758 or Kathleen.A.Ludwig.civ@mail.mil after June 12, 2020.

FOR FURTHER INFORMATION CONTACT:

Inger Pettygrove, (703) 225-8803 (Voice), (571) 372-1975 (Facsimile), inger.m.pettygrove.civ@mail.mil (Email). Mailing address is Defense Human Resources Activity, DoD Office of the Actuary, 4800 Mark Center Drive, STE 03E25, Alexandria, VA 22350-8000. Website: <http://actuary.defense.gov/>. The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.140 and 102-3.150.

Purpose of the Meeting: The purpose of the meeting is for the Board to review DoD actuarial methods and assumptions to be used in the valuations of the Education Benefits Fund, the Military Retirement Fund, and the Voluntary Separation Incentive Fund, in accordance with the provisions of Section 183, Section 2006, Chapter 74 (10 U.S.C. 1464 *et seq.*), and 10 U.S.C. 1175.

Agenda

Military Retirement Fund/VSI Fund

1. Recent and Proposed Legislation
2. Briefing on Investment Experience
3. September 30, 2019, Valuation of the Military Retirement Fund *
4. Proposed Methods and Assumptions for September 30, 2020, Valuation of the Military Retirement Fund *
5. Proposed Methods and Assumptions for September 30, 2019, VSI Fund Valuation *

Education Benefits Fund

1. Fund Overview
2. Briefing on Investment Experience
3. September 30, 2019, Valuation Proposed Economic Assumptions *
4. September 30, 2019, Valuation Proposed Methods and Assumptions—Reserve Programs *
5. September 30, 2019, Valuation Proposed Methods and Assumptions—Active Duty Programs *
6. Developments in Education Benefits

* Board approval required

Meeting Accessibility: Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165, this meeting is open to the public.

Written Statements: Persons desiring to attend the DoD Board of Actuaries meeting or make an oral presentation or submit a written statement for consideration at the meeting must notify Kathleen Ludwig at (703) 653-4758, or Kathleen.A.Ludwig.civ@mail.mil, by June 12, 2020.

Dated: June 2, 2020.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2020-12292 Filed 6-5-20; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF THE DEFENSE

Department of the Army, Corps of Engineers

Withdrawal of the Notice of Intent To Prepare an Environmental Impact Statement for the Nassau County Back Bay Coastal Storm Risk Management Feasibility Study

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent; withdrawal.

SUMMARY: The U.S. Army Corps of Engineers, Philadelphia District, Planning Division is notifying interested parties that it has withdrawn the Notice of Intent (NOI) to develop an environmental impact statement (EIS) for the proposed Nassau County Back Bay (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study. The original NOI to prepare an EIS was published in the **Federal Register** on Friday, April 21, 2017. An Environmental Assessment (EA) will be prepared instead of an EIS.

DATES: The notice of intent to prepare an EIS published in the **Federal Register** on April 21, 2017 (82 FR 18746), is withdrawn as of June 8, 2020.

ADDRESSES: U.S. Army Corps of Engineers, Philadelphia District, Environmental Resources Branch, (CENAP-PL-E), 100 Penn Square East, Wanamaker Building, Philadelphia, PA 19107-3390.

FOR FURTHER INFORMATION CONTACT: Questions regarding the withdrawal of this NOI should be addressed to Ms. Angela Sowers, 410-962-7440, or angela.sowers@usace.army.mil.

SUPPLEMENTARY INFORMATION: On March 20, 2018, the Office of Management and Budget (OMB) and the Council on

Environmental Quality (CEQ) issued an OMB/CEQ Memorandum for Heads of Federal Departments and Agencies titled "One Federal Decision Framework for the Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order [E.O.] 13807." Additionally, twelve Federal agencies, including Department of the Army, signed a Memorandum of Understanding (MOU) as an appendix to the OMB/CEQ Memorandum. The MOU is titled "Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807" and was effective on April 10, 2018. E.O. 13807 sets a goal for agencies by reducing the time for completing environmental reviews and authorization decisions to an agency average of not more than two years from publication of a NOI to prepare an EIS.

Subsequent to the publication of the NOI, the NCBBS CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years, as required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. This exemption was granted on 5 February 2020. Therefore, in order to align the revised study schedule with E.O. 13807, it is necessary to withdraw the existing NOI to develop and re-scope a NEPA coordination/review schedule with the appropriate Federal and state resource agencies that have statutory jurisdiction over the review process for any action being contemplated in the course of the feasibility study and development of an environmental impact statement. The exemption was contingent on reducing the scope of the study to focus on critical infrastructure and highly vulnerable areas outside of Coastal Barrier Resources Act units. Due to the resulting limited scope, it is appropriate at this time to prepare an EA rather than an EIS. Should information be identified during the study to support the need for an EIS, a NOI will be issued at a future time. Public, agency and stakeholder comments and feedback will continue to be accepted during the re-scoping of the NEPA review schedule.

Dated: June 2, 2020.

Karen J. Baker,

Programs Director, North Atlantic Division.

[FR Doc. 2020-12309 Filed 6-5-20; 8:45 am]

BILLING CODE 3720-58-P

DEPARTMENT OF ENERGY

[OE Docket No. EA-182-E]

Application To Export Electric Energy; H.Q. Energy Services (U.S) Inc.

AGENCY: Office of Electricity, Department of Energy.

ACTION: Notice of application.

SUMMARY: H.Q. Energy Services (U.S.) Inc. (Applicant or HQUS) has applied for authorization to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before July 8, 2020.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to Electricity.Exports@hq.doe.gov, or by facsimile to (202) 586-8008.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE) regulates exports of electricity from the United States to a foreign country, pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b) and 42 U.S.C. 7172(f)). Such exports require authorization under section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)).

On August 18, 2015, DOE issued Order No. EA-182-D, which authorized HQUS to transmit electric energy from the United States to Canada as a power marketer for a five-year term using existing international transmission facilities appropriate for open access. This authorization expires on August 21, 2020. On June 1, 2020, HQUS filed an application (Application or App.) with DOE for renewal of the export authorization contained in Order No. EA-182-D.

HQUS says its principal place of business is in Hartford, Connecticut, and that it "is a wholly-owned subsidiary and the marketing arm of Hydro-Quebec Production, a division of Hydro-Quebec." See App. at 1. HQUS adds that it "does not own or operate any facilities for the generation, transmission or distribution of electricity in the United States or any other country, and neither HQUS nor any of its affiliates has a franchise or service territory for the transmission, distribution or sale of electricity in the United States." *Id.* at 2.

HQUS further states that it "will purchase the power to be exported from a variety of sources such as power marketers, independent power producers or U.S. electric utilities and

Federal power marketing agencies." App. at 3. HQUS contends that its proposed exports "will not impair the sufficiency of the electric power supply within the United States." *Id.*

The existing international transmission facilities to be utilized by the Applicant have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning HQUS's Application should be clearly marked with OE Docket No. EA-182-E. Additional copies are to be provided directly to Hélène Cossette, 4th Floor, 75, boul. René-Lévesque Ouest, Montréal, Québec H2Z 1A4, Canada, Cossette.Helene@hydro.qc.ca; and Jerry L. Pfeffer, 1440 New York Avenue, NW, Washington, DC 20005, jerry.pfeffer@skadden.com.

A final decision will be made on this Application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE determines that the proposed action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <http://energy.gov/node/11845>, or by emailing Matthew Aronoff at matthew.aronoff@hq.doe.gov.

Signed in Washington, DC, on June 2, 2020.

Christopher Lawrence,

Management and Program Analyst, Transmission Permitting and Technical Assistance, Office of Electricity.

[FR Doc. 2020-12311 Filed 6-5-20; 8:45 am]

BILLING CODE 6450-01-P

NOI 2020

2020. DoD proposes that OMB extend its approval for use for three additional years beyond the current expiration date.

DATES: DoD will consider all comments received by November 9, 2020.

ADDRESSES: You may submit comments, identified by OMB Control Number 0704-0446, using any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Email: osd.dfars@mail.mil. Include OMB Control Number 0704-0446 in the subject line of the message.

Mail: Defense Acquisition Regulations System, Attn: Ms. Carrie Moore, OUSD(A&S)DPC/DARS, 3060 Defense Pentagon, Room 3B938, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Carrie Moore, at 571-372-6093.

SUPPLEMENTARY INFORMATION: *Title and OMB Number:* Defense Federal Acquisition Regulation Supplement (DFARS): Evaluation Factor for Use of Members of the Armed Forces Selected Reserve; OMB Control Number 0704-0446.

Affected Public: Businesses or other for-profit and not-for profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Type of Request: Revision.

Number of Respondents: 13.

Responses per Respondent: 1.

Annual Responses: 13.

Average Burden per Response:

Approximately 20 hours.

Annual Burden Hours: 620.

Reporting Frequency: On occasion.

Needs and Uses: DFARS 215.370-3 prescribes the use of the provision at DFARS 252.215-7005, Evaluation Factor for Employing or Subcontracting with Members of the Selected Reserve, in solicitations that include an evaluation factor to provide a preference for offerors that intend to perform the contract using employees or individual subcontractors who are members of the Selected Reserve. The documentation provided by an offeror with their proposal will be used by contracting officers to validate that Selected Reserve members will be utilized in the performance of the contract. This information collection implements a requirement of section 819 of the National Defense Authorization Act for Fiscal Year 2006 (Pub. L. 109-163).

For solicitations that include the provision at DFARS 252.215-7005, the

provision requires offerors to include documentation with their proposal that supports their intent to use employees or individual subcontractors who are members of the Selected Reserve in order to receive a preference under the associated evaluation factor. Such documentation may include, but is not limited to, existing company documentation indicating the names of the Selected Reserve members who are currently employed by the company, or a statement that positions will be set aside to be filled by Selected Reserve members, along with verifying documentation.

Jennifer Lee Hawes,

Regulatory Control Officer, Defense Acquisition Regulations System.

[FR Doc. 2020-19980 Filed 9-9-20; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF THE DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare an Environmental Impact Statement for the Nassau County Back Bays Coastal Storm Risk Management Feasibility Study

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: Pursuant to the requirements of the National Environmental Policy Act, the U.S. Army Corps of Engineers (Corps) plans to prepare an integrated Environmental Impact Statement (EIS) for the proposed Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study. The EIS will evaluate environmental impacts from reasonable project alternatives designed to reduce future flood risk in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities due to sea level rise, local subsidence and storms; and to reduce the economic costs and risks associated with large scale flood and storm events in the area known as the Atlantic Coast of New York, the Nassau County Back Bays.

ADDRESSES: Send written comments and suggestions concerning the scope of issues to be evaluated within the EIS to Scott Sanderson, Project Manager, U.S. Army Corps of Engineers, Philadelphia District, Planning Division—Coastal Section, (CENAP-PL-PC), 100 Penn Square East, Wanamaker Building, Philadelphia, PA 19107-3390, scott.a.sanderson@usace.army.mil or

via email to Angela Sowers, NEPA coordinator, angela.sowers@usace.army.mil.

FOR FURTHER INFORMATION CONTACT:

Questions about the overall NCBB CSRM Feasibility Study should be directed to Scott Sanderson at scott.a.sanderson@usace.army.mil or (215) 656-6571.

SUPPLEMENTARY INFORMATION:

1. Background

As a result of Hurricane Sandy in October 2012, Congress passed Public Law 113-2, which authorized supplemental appropriations to Federal agencies for expenses related to the consequences of Hurricane Sandy. The Corps is investigating measures to reduce future flood risk in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities, and reduce the economic costs and risks associated with flood and storm events. In support of this goal, the Corps completed the North Atlantic Coast Comprehensive Study (NAACS), which identified nine high risk areas on the Atlantic Coast for further analysis based on preliminary findings. The NCBB area was identified as one of the nine areas of high risk, or Focus Areas, that warrants an in-depth investigation into potential CSRM measures. During Hurricane Sandy, the study area communities were severely affected with large areas subjected to erosion, storm surge, and wave damage along the Atlantic Ocean shoreline, and flooding of communities within and surrounding bays. Along the Atlantic Ocean, surge and waves inundated low lying areas, and contributed to the flooding along the shoreline of the interior of the bays. Hurricane Sandy illustrated the need to re-evaluate the entire back-bay area as a system, when considering risk management measures.

The original Notice of Intent (NOI) to prepare an EIS was published in the **Federal Register** on Friday, April 21, 2017 (82 FR 18746), but was withdrawn by publication in the **Federal Register** on June 8, 2020 (85 FR 35801). The original NOI was withdrawn in order to align the rescoped study schedule with Executive Order (E.O.) 13807, "One Federal Decision Framework for the Environmental Review and Authorization Process for Major Infrastructure Projects under E.O. 13807."

The purpose of the study is to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the

resilience of communities, critical infrastructure, and the natural environment. The study is needed because the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem; and is susceptible to relative sea level change.

On 5 February 2020, the NCBBS CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years; required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. The exemption was contingent on re-scoping the study to focus on critical infrastructure and highly vulnerable areas outside of Coastal Barrier Resources Act units. As a result, storm surge barriers are no longer under consideration at any of the inlets to the back bays from the Atlantic Ocean. The original NOI was withdrawn on June 8, 2020 (85 FR 35801) due to the need to re-scope and align updated schedules consistent with E.O. 13807. The NEPA coordination/review schedule for the re-scoped study is being aligned and coordinated with the appropriate Federal and state resource agencies, as required by E.O. 13807. This includes cooperating agencies that have statutory jurisdiction over the review process for any action being contemplated in the course of the feasibility study and development of the EIS.

Acknowledging the complex analyses required to comprehensively reevaluate the study area considering the influence of the Atlantic Ocean shorefront conditions on the back-bay system and the potential for large-scale marine construction to implement flood protection measures, an EIS will be prepared. The EIS will build upon the extensive Atlantic shoreline alternatives analysis and environmental and technical studies and outreach conducted to date. The scope of analysis will be appropriate to the level of detail necessary for an EIS and will receive input from the public and reviewing agencies. The analysis will provide the basis for the alternatives to problems associated with storm surge and wave damage along the back-bays. Public, agency and stakeholder comments and feedback will continue to be accepted at any time during the feasibility study and preparation of the EIS.

2. Study Area

The study area includes all of the tidally influenced bays and estuaries within Nassau County, New York,

located on Long Island, NY, that are hydraulically connected to the south shore of Nassau County, directly east of Queens County and west of Suffolk County for approximately 98 square miles.

3. Corps Decision Making

As required by Council on Environmental Quality's Principles, Requirements and Guidelines for Water and Land Related Resources Implementation Studies (2013), alternatives to the proposed Federal action that meet the purpose and need will be considered in the EIS. These alternatives will include no action and a range of reasonable alternatives for managing flood risk within the Nassau County Back Bays Area. The measures to be evaluated will consider applicable public stakeholders and agency coordination received since the study commenced in 2017, and through future outreach efforts. Coordination early in the process identified concerns and potential impacts, relevant effects of past actions, and possible alternative actions that were pivotal in defining the re-scoped study. The decision making approach will allow time to address agency policy issues and build consensus among cooperating agencies and the public.

4. Scoping/Public Participation

Prior scoping meetings were held in May 2017 and June 2019. At this time, additional scoping meetings are not scheduled. However, input can be provided to the contacts identified here within, at any time during the feasibility study and preparation of the EIS. Public meetings will be conducted during the public review period of the draft EIS.

5. Lead and Cooperating Agencies

The Corps is the lead federal agency and the New York Department of Environmental Conservation (in partnership with Nassau County, NY) is the nonfederal sponsor for the study and the preparation of the EIS in meeting the requirements of the NEPA and its Implementing Regulations of the President's Council on Environmental Quality (40 CFR 1500–1508). The U.S. Fish and Wildlife Service (FWS), the National Oceanic and Atmospheric Administration (NOAA), the Federal Emergency Management Agency (FEMA), and the U.S. Environmental Protection Agency (EPA) have been identified as cooperating agencies. The preparation of the EIS will be coordinated with New York State and Nassau County offices with discretionary authority relative to the proposed actions. The Draft Integrated

Feasibility Report/EIS is currently scheduled for distribution to the public in 2021.

Dated: September 4, 2020.

Karen J. Baker,

Programs Director, North Atlantic Division.

[FR Doc. 2020–20031 Filed 9–9–20; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Withdrawal of the Notice of Intent To Prepare an Environmental Impact Statement for the Upper Susquehanna River Basin, New York, Comprehensive Flood Damage Reduction Feasibility Study

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent; withdrawal.

SUMMARY: The U.S. Army Corps of Engineers (USACE), Baltimore District, is notifying interested parties that it has withdrawn the notice of intent (NOI) to develop an EIS for the proposed Upper Susquehanna River Basin, New York, Comprehensive Flood Damage Reduction Feasibility Study.

DATES: The notice of intent to prepare an EIS published in the **Federal Register** on April 4, 2016 (81 FR 76936), is withdrawn as of September 10, 2020.

ADDRESSES: U.S. Army Corps of Engineers, Baltimore District, Planning Division, Civil Project Development Branch (CENAB–PL–CPD), 2 Hopkins Plaza, Baltimore, MD, 21201.

FOR FURTHER INFORMATION CONTACT:

Questions regarding the withdrawal of this NOI should be addressed to Mr. Charles Leasure, telephone 410–962–5175; email address: *charles.w.leasure@usace.army.mil*.

SUPPLEMENTARY INFORMATION: The study was authorized by a Resolution of the House Committee on Transportation and Infrastructure, on 24 September 2008. The USACE undertook the study in partnership with the New York State Department of Environmental Conservation (NYSDEC). The study investigated structural and non-structural flood-risk management (FRM) strategies and projects to reduce flood risk. The study resulted in no viable flood risk management economically justified alternatives that could be implemented through federal policies. Based on these findings, USACE has concluded that construction of a federal FRM project by USACE is not recommended under this study.

AGENCY RESPONSES

From: [Norris, J. Michael](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Janowicz, Jon A](#); [Jacobsen, Eric](#)
Subject: [Non-DoD Source] Fw: ENVIRONMENTAL REVIEW (ER) NEW POSTING NOTIFICATION: ER20/0388 - NOI to Prepare an EIS for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study, Atlantic Coast of New York
Date: Monday, September 14, 2020 1:25:41 PM

The USGS has no comments to offer on this until the EIS has been prepared for review.
J. Michael Norris

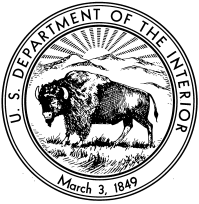
James Michael Norris (Mike)
Water Mission Area
Office of Quality Assurance
Manager of Environmental Document Review Program
603 226-7847
cell 603 831-0013
mnorris@usgs.gov
331 Commerce Way, Pembroke NH, 03275

From: oepchq@ios.doi.gov <oepchq@ios.doi.gov>
Sent: Thursday, September 10, 2020 7:41 AM
To: Reddick, Virginia; Treichel, Lisa C; Alam, Shawn K; Braegelmann, Carol; Kelly, Cheryl L; Howerton, B J; Yazzie, Harrilene J; ERs, FWS HQ; ERs, FWS HQ; Werdel, Nancy; Runkel, Roxanne; samuel_fox@nps.gov; Norris, J. Michael; McGhee, Chester; oepchq@ios.doi.gov; Raddant, Andrew; Lazinsky, Diane
Subject: ENVIRONMENTAL REVIEW (ER) NEW POSTING NOTIFICATION: ER20/0388 - NOI to Prepare an EIS for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study, Atlantic Coast of New York

This e-mail alerts you to a Environmental Review (ER) request from the Office of Environmental Policy and Compliance (OEPC). This ER can be accessed here.<Blockedhttps://ecl.doi.gov/ER_summary.cfm?id=35574>

To access electronic ERs visit the Environmental Assignments website: Blocked<https://ecl.doi.gov/ERs.cfm>. For assistance, please contact the Environmental Review Team at 202-208-5464.

Comments due to Agency by: 10/26/20



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, New York 13045



October 1, 2020

Mr. Scott Sanderson
Project Manager
U.S. Army Corps of Engineers
Philadelphia District
Planning Division-Coastal Section (CENAP-PL-PC)
100 Penn Square East, Wanamaker Building
Philadelphia, PA 19107-3390

Dear Mr. Sanderson:

This is in response to the U.S. Army Corps of Engineers' (USACE or Corps) Notice of Intent (NOI) to prepare an Integrated Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) (NEPA) for the Corps' project entitled, "*Nassau County Back Bays, New York, Coastal Storm Risk Management (CSRM) Feasibility Study*" [Federal Register (FR) Vol. 85, No. 176 dated September 10, 2020] (NCBB Study or Feasibility Study). The NCBB Study is one of nine feasibility studies that are underway by several other Corps' Districts in the Northeast as part of a North Atlantic Coast Comprehensive Study (NACCS; see USACE 2015).

AUTHORITY

The U.S. Fish and Wildlife Service (Service) is commenting on the NOI as part of our statutory responsibilities pursuant to the NEPA. These comments do not preclude additional comments on forthcoming environmental documents. Our comments are also provided pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*) (FWCA), the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et. seq.*) (ESA), the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. Section 703-712), the Clean Water Act (86 Stat. 816, 33 U.S.C. 1344 *et seq.*) (CWA), the Emergency Wetlands Resource Act (P.L. 99-645; 100 Stat. 3582), the National Wildlife Refuge System Improvement Act, as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd - ee), Executive Order (EO) 11988, Floodplain Management (May 24, 1977; 42 FR 26951), and EO 11990, Protection of Wetlands (May 24, 1977; 42 FR 26961).

INTRODUCTION

This is the first major undertaking by the Corps' Planning Division to address mainland flooding in the back bay system in Nassau County. The current NOI follows the original April 21, 2017, NOI (82 FR 18746) which was withdrawn by publication in the FR on June 8, 2020 (85 FR 35801). The Corps informed us during a July 21, 2020, interagency meeting that rescoping was necessary due to the Corps' assessment of storm surge barrier impacts on the Coastal Barrier Resource System (CBRS), and the potential for induced flooding from the barriers, environmental impacts, and life safety impacts related to the three Coast Guard stations in the Study Area.

The EIS will include an evaluation of environmental impacts from reasonable project alternatives designed to reduce future flood risk in ways that support the long term resilience and sustainability of the coastal ecosystem and surrounding communities due to sea level rise, local subsidence and storms; and to reduce the economic costs and risks associated with large scale flood and storm events in the area known as the Atlantic Coast of New York, the NCBBS (FR Vol. 85, No. 176 dated September 10, 2020).

As relayed to the Service on July 21, 2020, the EIS and Feasibility Study will focus on 1) Critical Infrastructure (structures that improve community resilience such as evacuation routes, police, hospitals, economic drivers), and vulnerable populations that are at immediate and short term risk; 2) Nonstructural measures and consideration of neighborhood cohesiveness; 3) Natural and Nature-Based Features evaluated as complementary measures.

Pursuant to the Council of Environmental Quality's (CEQ) NEPA Implementing Regulations (40 CFR §1501.6), we are participating as a cooperating agency in the EIS process due to our jurisdiction by law and special expertise in fish and wildlife resources. As a cooperating agency, we expect to fully engage in the NEPA process by participating in EIS scoping; developing information and preparing environmental analyses; and contributing to the interdisciplinary capability of the lead agency. Our role is to assist the Corps during this phase of the EIS process in identifying potential alternatives that are sufficiently protective of fish and wildlife resources and their respective habitats, while meeting the NCBBS Study purpose. As an initial step, we provided comments on the Feasibility Study's Purpose and Need Statement in correspondence to the Corps dated August 10, 2020 (enclosure). Those comments are incorporated by reference herein.

The FWCA requires that decision makers give equal consideration to fish and wildlife resource issues during the development of water resource development projects. During the course of the EIS alternative identification and evaluation, we intend to submit a FWCA 2(b) Report, which will identify fish and wildlife resource issues and concerns, and opportunities to conserve fish and wildlife resources in the Study Area. We will identify the environmentally preferred alternative and recommend measures to mitigate for impacts for each of the alternatives evaluated in the Draft EIS. The FWCA 2 (b) Report will accompany the Corps' Feasibility Report when it is sent to Congress for project authorization.

STUDY AREA

The Study Area includes all of the tidally influenced bays and estuaries within Nassau County, New York (FR Vol. 85, No. 176 dated September 10, 2020). Figure 1 shows the boundaries of the Study Area, including the mainland and barrier lands and their corresponding watersheds. This map was provided to the Service on July 21, 2020, and used in the development of these comments.

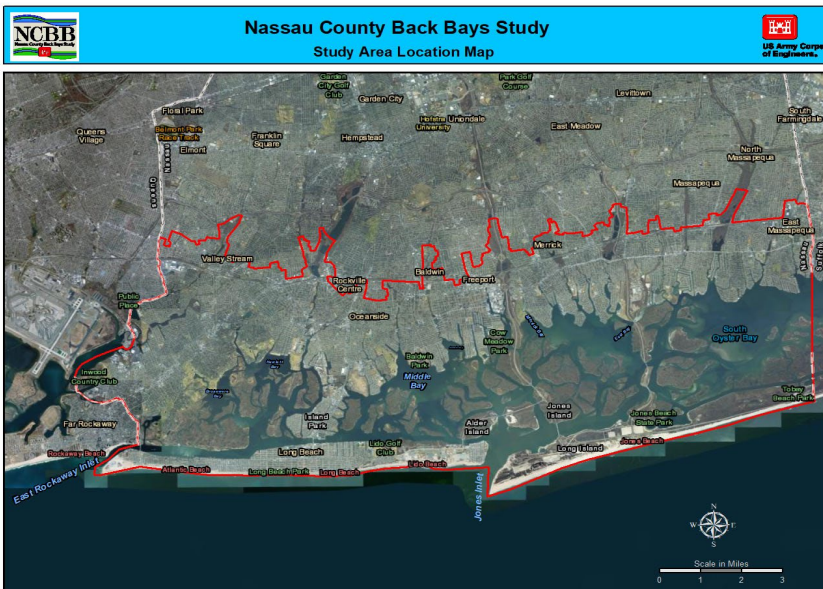


Figure 1. Map showing location of the Study Area (USACE 2020).

National Wildlife Refuges

The Study Area encompasses all 22 acres of the Lido Beach Wildlife Management Area (LBWMA) which is managed by Long Island National Wildlife Refuge Complex, Shirley, New York (Figure 2). The LBWMA includes saltmarsh, open water, and scrub-shrub habitat important to many species of plants and wildlife including shorebirds, grassland species, waders, and waterfowl.

Any Study alternative proposed for advancement by the Corps which may impact (directly or indirectly) Federal refuges will receive a heightened level of review from the Service. The Service recommends that any Study alternative consider the enabling legislation for which the national wildlife refuge lands were acquired. This includes not advancing any Study alternative that may adversely affect the LBWMA.



Figure 2. Map showing location of the Lido Beach Wildlife Management Area (light green polygon) in the Study Area.

Coastal Barrier Resources Act

The Coastal Barrier Resources Act (16 U.S.C. 3501 *et seq.*) (CBRA) established the CBRS, a defined set of geographic units along the Atlantic, Gulf of Mexico, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. Congress enacted CBRA to minimize the loss of human life, wasteful Federal expenditures, and damage to natural resources associated with coastal barriers. The Secretary of the Interior, through the Service, is responsible for administering the CBRA. The CBRS Units are depicted on a set of maps that are maintained by the Service and are available for viewing and download at <https://www.fws.gov/CBRA/>. Most new Federal expenditures and financial assistance that encourage development are prohibited within the CBRS. The Corps is required to consult with the Service prior to committing funds for projects or actions within or affecting the CBRS. Activities that are proposed in a CBRS Unit must meet the purposes of the CBRA or meet the exceptions allowed by the CBRA.

On 5 February 2020, the NCBBS CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years; required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. The exemption was contingent on re-scoping the study to focus on critical infrastructure and highly vulnerable areas outside of CBRA units (FR Vol. 85, No. 176 dated September 10, 2020). This change presumably has excluded consideration of tidal barriers across the barrier land inlets within the CBRS. However, CBRS Unit NY-59 extends across a large portion of the Study Area. As a result, any alternatives developed in the EIS should consider all CBRA prohibitions and exemptions relative to this CBRS Unit (Figure 3).

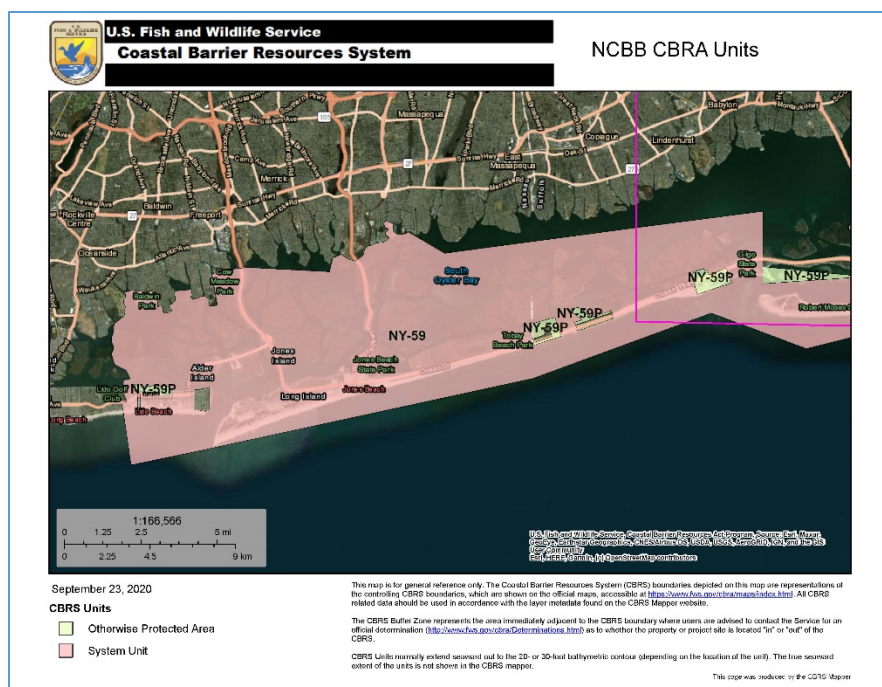


Figure 3. Map showing Coastal Barrier System Units in the Study Area.

South Shore Estuary Reserve

The Long Island South Shore Estuary Reserve (Reserve) was established by the New York State Legislature in 1993. The Reserve extends 75 miles (mi) east from the Nassau County/New York City line to the Village of Southampton in Suffolk County. From south to north, the Reserve extends from the mean high tide line on the ocean side of the barrier island to the inland limits of the drainage areas (<https://www.dos.ny.gov/opd/sser/>). The western portion of the Reserve watershed is in the geographic boundary of the Study Area. A Comprehensive Management Plan (CMP) was developed in cooperation with many Federal, State, and local government agencies, and non-governmental organizations. It is available at <https://www.dos.ny.gov/opd/sser/pdf/Full%20CMP%20Document.pdf>.

For further information about the Reserve and efforts to protect its watershed, habitats, and species, we recommend that the Corps coordinate with the New York State Department of State's Office of Planning and Development at Suite 1010, One Commerce Place, 99 Washington Avenue, Albany, New York 12231-0001, 518-474-6000; and the Long Island South Shore Estuary Reserve Office at 250 Veterans Memorial Highway, Room #2A15, Hauppauge, New York 11788, 516- 470-2297 or 518-474-6000.

Essential Fish Habitat

Portions of the tidally inundated areas of the Study Area are deemed essential fish habitat (EFH) and as such are regulated pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (90 Stat. 331; 16 U.S.C. 1801-1882). The National Marine Fisheries Service (NMFS) has designated much of the Study Area essential to the life stages of numerous recreational and commercial finfish species. Alternatives developed during the EIS process

should be coordinated with the NMFS to assess potential impacts and mitigation measures to EFH.

OTHER RELATED CORPS' ACTIVITIES IN THE STUDY AREA

There are numerous overlapping and potentially interrelated Corps' projects in the Study Area. These are already approved under separate Congressional authorization and should be evaluated in the context of any alternatives developed for the EIS and Feasibility Study. The Corps' Operations and Maintenance Dredging Program (O&M), including the maintenance of the Jones Inlet, Fire Island Inlet, and East Rockaway Inlet Federal Navigation Channels are likely the most relevant of the authorized and ongoing projects as they establish inlet channel depths, lengths, and cross-sectional areas, which influence tidal and storm induced flooding levels in the NCBBs. In addition, the Corps' Planning Division recently completed the Jones Inlet to East Rockaway Inlet, Long Beach Island Storm Damage Risk Management Project from Jones Inlet to the western boundary of the City of Long Beach on the Atlantic Ocean. This project is intended to reduce the potential for overwash and breaching of the Long Beach barrier island and reduce flooding on the mainland. The Corps also administers CWA applications for private and public agency dock and pier projects, dredging, and shoreline protection efforts in the back bays. The construction, maintenance, and authorization of projects in these programs could become interrelated with alternatives in the EIS and Feasibility Study (e.g., potential source of clean sand needed for nature based projects) and as such should be closely evaluated to determine potential beneficial use compatibility. They should also be evaluated as noted above for potential adverse effects to the alternatives, the existing environment, and fish and wildlife resources.

FISH AND WILDLIFE RESOURCES

Threatened and Endangered Species

Any activity that may adversely affect listed species should be addressed in Section 7 ESA consultation. However, the Service recommends that the Corps minimize impacts on federally listed species such that informal consultation can be completed for any alternative(s) selected by the Corps for advancement.

Piping Plover

There are known nesting occurrences of the federally listed piping plover (*Charadrius melodus*; threatened) along New York's Atlantic Coast shoreline in the Study Area, including at Silver Point Nassau County Beach, the Village of Atlantic Beach, Nickerson County Beach, Lido Town of Hempstead Beach, Point Lookout Town of Hempstead Beach and Jones Beach State Park, and Tobay Town of Oyster Bay Beach.

These small, territorial shorebirds are present on the Atlantic Coast between March and the end of August. Piping plovers nest above the high tide line, usually on sandy ocean beaches and barrier islands, but also on gently sloping foredunes, blowout areas behind primary dunes, washover areas cut into or between dunes, the ends of sand spits, and deposits of suitable dredged or pumped sand. Threats to piping plover include beach stabilization efforts (beach

armoring, sand fences, sea walls, groins, jetties, and riprap); habitat loss; and intensive recreational use. The extent of their use of the back bays in the Study Area as foraging habitat during the breeding or migration periods is unknown at this time.

Based on the propensity of the piping plover to historically nest on the Atlantic Coast and its many inlets, including many areas in the Study Area, the Service recommends that the Corps fully evaluate the effects of potential alternatives in the EIS and Feasibility Study on piping plover habitat on the barrier islands, and any documented or potential foraging habitat in the back bays. We also recommend that the Corps evaluate opportunities for conservation measures that could be implemented to promote the recovery of the species. This analysis will aid in the preparation of a biological assessment as per 50 *Code of Federal Regulations* (CFR) Part 402.12, Implementing Regulations for Interagency Cooperation Under the ESA, which requires a biological assessment for major construction activities.

Red knot

A final rule to list the red knot (*Calidris canutus rufa*) as threatened under the ESA was published on December 11, 2014, with an effective date of January 12, 2015. Small numbers of red knots may occur in New York year-round, while large numbers of birds rely on Delaware Bay and Atlantic Coast stopover habitats during the spring (mid-May through early June) and fall (late-July through October) migration periods, respectively. These small shorebirds fly up to 9,300 mi from south to north every spring and reverse the trip every autumn, making the red knot one of the longest-distance migrating animals. Migrating birds break their spring migration into non-stop segments of 1,500 mi or more, ending at stopover sites called staging areas. Red knots converge in large flocks on stop-over and staging areas along the Delaware Bay and Atlantic Coast. The full extent of habitat use throughout the entire Study Area is not known, although concentrations occur in and around Jones Beach, Jones Inlet, and Town of Hempstead and Nassau County ocean beaches. Threats to red knot include beach stabilization efforts (beach armoring, sand fences, sea walls, groins, jetties, and riprap); habitat loss; and intensive recreational use.

The Service recommends that the Corps fully evaluate the effects of any alternative being considered in the EIS and Feasibility Study on the red knot. We also recommend that the Corps evaluate opportunities for conservation measures that could be implemented to promote the recovery of the species. This analysis will aid in the preparation of a biological assessment as per 50 CFR Part 402.12.

Seabeach Amaranth

Seabeach amaranth (*Amaranthus pumilus*; threatened) is found along the Atlantic shoreline in the Study Area. It is an annual plant endemic to Atlantic Coast beaches and barrier islands (U.S. Fish and Wildlife Service 1996), occurring historically from Nantucket, Massachusetts, to Folly Beach, South Carolina. By 1987, the plant was extirpated from nearly three-fourths of its earlier range (Hancock and Hosier 2003). Although the species recolonized much of those former areas between 1990 and 2000, populations in the recolonized states dropped sharply after an initial surge. Numbers remain below the recovery objective, with the possibility of local extirpations

occurring again. The seabeach amaranth recovery objective is to have 75 percent of the sites with suitable habitat within the historical range occupied for 10 consecutive years (U.S. Fish and Wildlife Service 1996).

The primary habitat of seabeach amaranth consists of overwash flats at accreting ends of islands, lower foredunes, and upper strands of non-eroding beaches (landward of the wrackline), although the species occasionally establishes small temporary populations in other habitats, including sound-side beaches, blowouts in foredunes, interdunal areas, and on sand and shell material deposited for beach replenishment or as dredge spoil. Seabeach amaranth usually is found growing on a nearly pure sand substrate, occasionally with shell fragments mixed in. Seabeach amaranth occupies elevations from 8 inches to 5 feet above mean high tide. The plant is intolerant of even occasional flooding during its growing season. Seabeach amaranth is dependent on a terrestrial, upper beach habitat that is not flooded during the growing season from May into the fall. Such habitat is sparsely vegetated with annual herbs and, less commonly, perennial herbs (mostly grasses) and scattered shrubs. Vegetative associates of seabeach amaranth include sea rocket (*Cakile edentula*), seabeach spurge (*Chamaesyce polygonifolia*), and other species of open, sandy beach habitats. Seabeach amaranth is often associated with beaches managed for the protection of beach nesting birds such as the piping plover and the State listed (endangered) least tern (*Sterna antillarum*) and black skimmer (*Rynchops niger*), and (Species of Concern) American oystercatcher (*Haematopus palliatus*) and common tern (*Sterna hirundo*). Threats to seabeach amaranth include beach stabilization efforts (beach armoring, sand fences, sea walls, groins, jetties, and riprap); habitat loss; intensive recreational use; invasive species such as the Asiatic sand sedge (*Carex kobomugi*); and herbivory by webworms.

The Service recommends that the Corps fully evaluate the effects of any barrier island focused alternative being considered in the Draft EIS and Feasibility Study on seabeach amaranth. We also recommend that the Corps evaluate opportunities for conservation measures that could be implemented to promote the recovery of the species. This analysis will aid in the preparation of a biological assessment required as per 50 CFR Part 402.12.

Northern long-eared bat

The upland portion of the Study Area is located within the summer range of the federally listed northern long-eared bat (*Myotis septentrionalis*; threatened) (NLEB). During the summer, NLEB typically roost singly or in colonies underneath bark, crevices, or hollows of both live and dead trees and or snags typically increases diurnal roosting. The NLEB is opportunistic in selecting roosts, selecting varying roost tree species throughout its range. During the winter, NLEBs predominately hibernate in caves and abandoned mine portals. Maternity colonies generally consist of 30 to 60 females and young. Males and non-reproductive females may occur within the breeding and foraging range of maternity colonies, but some individuals are solitary in the summer and may roost in cooler places such as caves and mines. Roosting NLEBs have also been observed in man-made structures, such as buildings, barns, sheds, cabins, under eaves of buildings, and in bat houses.

The Service recommends that the Corps fully evaluate the effects of any alternative being considered in the subject Feasibility Study on the NLEB. This analysis will aid in the preparation of a biological assessment as per 50 CFR Part 402.12.

CONSERVATION ACTIVITIES UNDER THE ESA

Section 7(a)(1) of the ESA requires all Federal agencies to utilize their authorities, in consultation with the Service, to develop and carry out programs to conserve all species listed under the ESA. Additionally, Section 2(c)(1) of the ESA declares that all Federal agencies shall utilize their authorities to further the purposes of the ESA. The purpose of the ESA is to protect and recover threatened and endangered species and the ecosystems upon which they depend. To ensure full consideration of this conservation mandate, the Service recommends early coordination with the Service. Overall, whenever possible and appropriate the Corps should adopt a strategy of incorporating the habitat needs of the federally listed species in the alternative design process.

MIGRATORY BIRDS

The back bays and associated mainland and barrier island habitats support many species of resident and migratory birds, including waterfowl, shorebirds, upland birds, and marine grassland birds. Species of special concern or at-risk species known to occur include saltmarsh sparrow (*Ammodramus caudatus*), American black duck (*Anas rubripes*), American oystercatcher (*Haematopus palliatus*), dunlin (*Calidris alpina*), and semi-palmated sandpiper (*Calidris pusilla*).

The Service recommends that the Corps incorporate EO 13186 into the EIS process as soon as practicable to collaboratively work with other agencies and stakeholders to protect, restore, and enhance migratory bird habitats towards the development of reasonable and effective conservation measures for actions that promote bird conservation.

OTHER FISH AND WILDLIFE AND THEIR HABITATS

American Eel

American eel (*Anguilla rostrata*), are distributed in the Atlantic Ocean from Greenland to Brazil. Along the Atlantic Coast of the United States, eels are found from Maine and Florida. The American eel spawns in the Sargasso Sea, a warm water area in the middle of the North Atlantic between the Azores and West Indies. American eel larvae spend 9 to 12 months as leptocephali larvae (glass eels) during which time they are transported by the Gulf Stream into coastal U.S. waters, including all of the waters identified in the Corps Study Area. American eels are managed under an interstate fishery management plan developed by the Atlantic States Marine Fisheries Commission (ASMFC) and implemented in 2001. Total American eel landings declined markedly from 1979 until 1996, and have since remained relatively low but stable. The ASMFC indicate the American eel population in U.S. waters is depleted (<https://www.nefsc.noaa.gov/sos/spsyn/op/eel/>, <http://www.asmfc.org/species/american-eel>). American eel stocks along the U.S. Atlantic Coast underwent a status review by the Service in

2011 in response to a petition to list the species as threatened or endangered under the ESA. On October 7, 2015, the Service determined the listing of the American eel was not warranted. The Service recommends that any alternatives evaluated and selected during the development of the EIS identify potential adverse impacts to the American eel and any nature-based mitigation strategies that could mitigate or potentially aid in the recovery of American eel.

Striped Bass

The striped bass (*Marone saxatilis*) is found throughout the Study Area. The Atlantic Striped Bass Conservation Act (16 U.S.C. Section 5151 *et seq.*) is intended to support and encourage the development, implementation, and enforcement of effective interstate action for the conservation and management of the Atlantic striped bass. The Atlantic Coastal Fisheries Cooperative Management Act provides a vehicle for the Secretary of Commerce, in cooperation with the Secretary of the Interior, to support the ASMFC's striped bass management efforts.

Striped bass are one of the species most sought-after by recreational anglers on the Atlantic Coast. From 2005-2014, recreational harvest along the Atlantic Coast averaged 26.2 million pounds, generating significant revenues to the Nation's economy. Recreational landings for striped bass make up roughly 75-80 percent of the coastal landings. Along the Atlantic Coast, the striped bass ranges from the St. Lawrence River in Canada to the St. John's River in Florida. Striped bass larvae and post larvae drift downstream toward nursery areas located in river deltas and the inland portions of the coastal sounds and estuaries. Juveniles typically remain in estuaries for 2 to 4 years and then migrate out to the Atlantic Ocean. Striped bass spend the majority of their adult life in coastal estuaries or the ocean.

Commercial fishermen harvest striped bass with a variety of gear including gill nets, pound nets, haul seines, and hook-and-line. From 2005-2014, commercial harvest averaged 6.7 million pounds. Striped bass are managed directly by the state jurisdictions on the Atlantic Coast through the ASMFC (<https://chesapeakebay.noaa.gov/fish-facts/striped-bass>).

The Service recommends that any alternatives evaluated and selected during the development of the EIS identify potential adverse impacts to the striped bass and any nature-based mitigation strategies that could mitigate loss of habitat or potentially aid in striped bass conservation.

Shellfish

Harvested species in the Study Area include hard clams (*Mercenaria mercenaria*). Bricelj (2009) reported on hard clam production in Middle Bay or adjacent to the Study Area and provides information about the factors influencing hard clams in the estuary. The Town of Hempstead Department of Conservation and Waterways operates a shellfish hatchery and they should be consulted regarding additional information on shellfish resources in the Study Area. They can be reached at P.O. Box 180, Lido Boulevard, Point Lookout, NY 11569, 516-431-9200.

Threats to shellfish include poor water quality that is generally attributable to contamination from stormwater runoff and other nonpoint sources rather than single, point source discharges.

Additional threats to shellfish include overharvesting, the general eutrophication of host waters, algae blooms, pathogens, loss of seagrass beds, increased turbidity from dredging, and burial from dredge spoils.

The Service recommends that any alternatives evaluated and selected during the development of the EIS identify potential adverse impacts to shellfish populations and any nature-based mitigation strategies that could mitigate for the loss of habitat or potentially aid in shellfish recruitment and restoration.

Seagrasses or Submerged Aquatic Vegetation

Seagrasses or submerged aquatic vegetation (SAV) is found in the Study Area (see <https://www.dec.ny.gov/lands/110813.html>). It is found in shallow salty and brackish waters in many parts of the world, from the tropics to the Arctic Circle. Seagrasses serve as habitat and food for many recreationally and commercially important estuarine and marine species [e.g., bay scallop (*Argopecten irradians*), blue mussel (*Mytilus edulis*), blue crab (*Callinectes sapidus*), and weakfish (*Cynoscion regalis*)]. Seagrass beds support commercial fisheries, biodiversity, and also play a significant role in nutrient cycling, carbon sequestration, filtering of essential elements, and wave dampening. Seagrasses can form dense underwater meadows. Because of these benefits, seagrasses are believed to be the third most valuable ecosystem in the world (only preceded by estuaries and wetlands) (<https://ocean.si.edu/ocean-life/plants-algae/seagrass-and-seagrass-beds>). Threats to seagrass beds include dredging, filling, prop wash, turbidity, algae blooms, and the general eutrophication of the seagrasses host waters.

In the Study Area, the understanding of the extent of seagrass distribution is not complete and should be evaluated by the Corps so that potential alternatives can be fully evaluated.

NATIONAL ENVIRONMENTAL POLICY ACT

The goal of the NEPA is to reduce adverse impacts to the environment, including cumulative impacts and to take actions that protect, restore, and enhance the environment (40 CFR Parts 1500 to 1508). The Study Area is a mosaic of habitats ranging from tidal to non-tidal. Adverse effects to these habitats should be avoided in order to fulfill the goals of NEPA (*i.e.*, to protect and enhance the quality of the human environment). The filling of an undetermined amount of wetlands and waters of the U.S. is not supported by several Congressional initiatives aimed at the protection and restoration of wetlands and flood plains (E.O. for Flood Plains, and Wetlands). The Service strongly recommends the Corps expend considerable effort on alternatives that provide an ecological uplift and not pursue alternatives that could further degrade the aquatic environment.

Cumulative Effects

The Study Area is impaired due to the cumulative actions of humans over the last two centuries. Any additional loss of wetlands or open waters in the Study Area should be discussed in the context of the alternatives evaluated and selected. The EIS and Feasibility Study should reference that wetlands and their corresponding ecological functions and values (including flood

protection) continue to be lost and further stressed in New York due to development, the effects of sea level rise, nitrification and its effects on vegetation growth, and the subsidence of marsh plains. The EIS should also reference that the current mitigation strategy of converting lesser quality aquatic habitats (*i.e.*, a *Phragmites* dominated marsh) to another of higher value does not necessarily result in added flood protection to the region. To offset the continuing cumulative effects of historic and current wetland losses in the Study Area, full consideration of EO 11988 (Floodplain Management), and EO 11990 (Protection of Wetlands) is necessary in the EIS. A restoration strategy achieving a “net benefit to the aquatic environment” should be a major theme throughout the EIS and Feasibility Study.

The Service recommends that any alternative selected during the development of a DEIS identify potential adverse impacts to SAV and any nature-based mitigation strategies that could mitigate for the loss of habitat or potentially aid in SAV habitat restoration.

Alternative Analysis

The CEQ states (40 CFR Part 1508.25) that a range of actions, alternatives, and impacts shall be considered in a NEPA document. The Service recommends that alternatives that focus on hard engineered structures, such as a levee or flood wall, should be given less priority unless they are accompanied by significant ecological gains for the Study Area. The Service recommends the Corps to work closely with the affected stakeholders and pursue alternatives that improve water quality, shorebird habitat, finfish and shellfish habitat, wetlands habitat, and fish passage using nature-based engineering practices. Improvement in aquatic functions and habitat can potentially lead to additional flood storage and storm attenuation in the Study Area. The use of nature-based alternatives has considerable ecological and community benefits that appear just as practicable economically and environmentally as a seawall or other hard structure that offers minimum ecological benefit.

SERVICE CONCLUSIONS AND RECOMMENDATIONS

The Service will continue to provide recommendations that result in the protection and conservation of fish and wildlife resources, including species protected under the ESA, and their respective habitats throughout the EIS process and coordination under the FWCA and ESA. At this early stage, the Service recommends the following:

- Preferable alternatives would be those that avoid or minimize activities (such as breakwater, levee, and floodwall construction) in the aquatic environment with a goal of improving water quality and the habitats of numerous fish, shellfish, and migratory birds whenever possible. We recommend that alternatives include provisions to address population declines of at-risk and species of special concern, wetland and seagrass losses, and fish migration impediments;
- Review enabling legislation for National Wildlife Refuges and avoid alternatives that may adversely affect the LBWMA;
- Coordinate with the New York State Department of State and Long Island South Shore Estuary Reserve Office to ensure compatibility with the Reserve CMP;

- Coordinate with the New York State Department of Environmental Conservation – Bureaus of Wildlife and Marine Habitat Protection;
- Consult with the NMFS to ensure the effects of any Study alternative are evaluated pursuant to ESA and the Magnuson-Stevens Fishery Conservation and Management Act;
- Work with the Corps' O&M Division to evaluate the beneficial use of dredged material;
- Continue informal ESA consultation with the Service to identify beneficial conservation measures for listed species and on potential effects of Study alternatives on listed species and their habitats;
- Evaluate the cumulative effects on listed species regarding actions taken by the Corps to further the goals of the NACCS;
- Adopt a strategy for the selection of Study alternatives that prioritize the habitat needs of any affected listed species, at-risk, or species of special concern, and other high priority fish and wildlife resource;
- Seek opportunities to further migratory bird conservation pursuant to EO 13186;
- Evaluate impacts to the American eel, striped bass, seagrasses, shellfish, and other fish and wildlife resources and develop Study alternatives that further conservation efforts for these species;
- Avoid the selection of hard structure Study alternatives by seeking Study alternatives that provide an ecological uplift while meeting the Study's purpose and need;
- Evaluate the interrelationship and interdependence of the current Study with other previously authorized Corps activities in the Study Area;
- Evaluate the CBRA prohibitions and exemptions for alternatives considered in CBRS Unit NY-59; and
- Ensure the Study's NEPA document advances the goals of EOs 11988 and 11990.

We appreciate the opportunity given to provide comments and pertinent recommendations on the environmental aspects of the EIS and Feasibility Study planning process. We look forward to continued coordination as a cooperating agency. If you need further assistance or have any questions, please contact Steve Papa of the Long Island Field Office at 631-286-0485 or steve_papa@fws.gov.

Sincerely,

David A. Stilwell
Field Supervisor

References Cited

Bricelj, V.M. 2009. The Hard Clam Research Initiative: Factors Controlling *Mercenaria* Populations in South Shore Bays of Long Island, NY. New York Sea Grant, Report NYSGI-T-09-001, 43 pages.

Hancock, T.E. and P.E. Hosier. 2003. Ecology of the threatened species, *Amaranthus pumilus* Rafinesque. *Castanea* 68(3):236-244.

U.S. Fish and Wildlife Service. 1996b. Recovery Plan for Seabeach Amaranth (*Amaranthus pumilus*) Rafinesque. Atlanta, Georgia. 59 pp.

U.S. Army Corps of Engineers. 2015. North Atlantic Coast Comprehensive Study. 2015. U.S. Army Corps of Engineers North Atlantic Division. 140 pp.

Enclosure

ONE FEDERAL DECISION AND AGENCY COORDINATION

- **Cooperating Agency Invitations and Responses**
- **Concurrence Point #1: Purpose and Need**
- **Concurrence Point #2: Alternatives Analysis**
- **Permitting Timetable**

COOPERATING AGENCY INVITATIONS AND RESPONSES



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 6, 2017

Planning Division

Paul Phifer, PhD
Assistant Regional Director - Ecological Services Northeast Region
Department of the Interior
U.S. Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9587

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study

Dear Mr. Phifer:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risks associated with large scale flood and storm events in the area. The NCBB CSRM Study will build on and supplement any ongoing local, state, and federal efforts by other agencies and groups to improve regional resiliency.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise, specifically responsibilities under the Fish and Wildlife Coordination Act, Coastal Barrier Resources Act, and Endangered Species Act. The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline.

as well as in determining the range of alternatives to be considered for the project. These opportunities will build on the early participation opportunities that were provided during the Alternatives Analysis process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Robert J Smith, Project Biologist at Robert.j.smith@usace.army.mil.

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until October 31, 2017.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Smith at (917) 790-8729 or email above.

Sincerely,


Clifford S. Jones
Chief, Planning Division

Cc David Stilwell (NYFO)
Eric Schrading (NJFO)

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007

From: [Sowers, Angela M CIV USARMY CENAB \(US\)](#)
To: steve_sinkevich@fws.gov; terra_willi@fws.gov
Subject: Nassau County Back Bays Coastal Storm Risk Management Study
Date: Tuesday, July 2, 2019 2:56:00 PM

Hello,

I am the lead environmental specialist for USACE's Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study. I would like to request a teleconference with the appropriate FWS personnel to discuss the study and USFWS involvement. Please provide the name of the primary USFWS contact with whom we should coordinate this study. A letter requesting that USFWS participate in the study as a cooperating agency was sent to Paul Phifer in the Northeast Regional Office on 6 October 2017 from USACE's New York District. No response was received. Since the beginning of 2019, USACE's Philadelphia District has been assigned as the lead district to complete the NCBB study. We would like to reengage FWS 1) on the involvement of your agency as a cooperating agency, 2) to develop a scope of work to fulfill compliance with the Fish and Wildlife Coordination Act (FWCA) and Section 7 of the Endangered Species Act (ESA), and 3) to discuss study planning efforts and the Coastal Barrier Resources Act. Do you have any availability on either July 9 or 11 to begin discussion of these topics? I plan to submit a formal letter to your agency requesting initiation of FWCA and ESA coordination following our discussion. We would also like to convene an interagency meeting in the near future to coordinate efforts for this study between USACE, USFWS, National Oceanic and Atmospheric Administration National Marine Fisheries Service, U.S. Environmental Protection Agency, and the Federal Emergency Management Administration and develop a Permitting Timetable (schedule) as directed by Executive Order 13807. Please reply as to whether you are willing to participate in this effort. If so, we will reach out to coordinate a date for that meeting via email.

Respectfully,
Angie Sowers

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
DETAIL to Philadelphia District through May 25, 2019
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410)962-7440



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 6, 2017

Planning Division

John Bullard
Regional Administrator
Greater Atlantic Region Fisheries
Office of National Marine Fisheries Service
55 Great Republic Drive
Gloucester, Massachusetts 01930

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study

Dear Mr. Bullard:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risks associated with large scale flood and storm events in the area. The NCBB CSRM Study will build on and supplement any ongoing local, state, and federal efforts by other agencies and groups to improve regional resiliency.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise, specifically responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act, Fish and Wildlife Coordination Act and Endangered Species Act. The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline.

As part of the environmental review process for this project, the District is required by

as well as in determining the range of alternatives to be considered for the project. These opportunities will build on the early participation opportunities that were provided during the Alternatives Analysis process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Robert J Smith, Project Biologist at Robert.j.smith@usace.army.mil.

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until October 31, 2017.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Smith at (917) 790-8729 or email above.

Sincerely,



Clifford S. Jones
Chief, Planning Division

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007.

From: [Sowers, Angela M CIV USARMY CENAB \(US\)](#)
To: [Karen Greene - NOAA Federal](#); ursula.howson@noaa.gov
Subject: Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study
Date: Tuesday, July 2, 2019 2:57:00 PM

Hello Karen and Ursula,

I am the lead environmental specialist for USACE's Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study. I would like to request a teleconference with the appropriate NOAA personnel to discuss the study and your agency's involvement. Please provide the name of the primary NOAA contact with whom we should coordinate this study. A letter requesting that USFWS/NOAA/NMFS participate in the study as a cooperating agency was sent to John Bullard 6 October 2017 from USACE's New York District. No response was received. Since the beginning of 2019, USACE's Philadelphia District has been assigned as the lead district to complete the NCBB study. We would like to reengage NOAA/NMFS 1) on the involvement of your agency as a cooperating agency and 2) to initiate consultation for Section 7 of the Endangered Species Act (ESA) and for Essential Fish Habitat (EFH) under the Magnuson Stevens Fishery Conservation and Management Act (MSA). Do you have any availability on either July 9 or 11 to begin discussion of these topics? I plan to submit a formal letter to your agency requesting initiation of EFH and ESA coordination following our discussion. We would also like to convene an interagency meeting in the near future to coordinate efforts for this study between USACE, USFWS, National Oceanic and Atmospheric Administration National Marine Fisheries Service, U.S. Environmental Protection Agency, and the Federal Emergency Management Administration and develop a Permitting Timetable (schedule) as directed by Executive Order 13807. Please reply as to whether you are willing to participate in this effort. If so, we will reach out to coordinate a date for that meeting via email.

Respectfully,
Angie Sowers

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410)962-7440



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

July 26, 2019

Peter R. Blum, Chief
Planning Division
Philadelphia District
U.S. Army Corps of Engineers
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390

Re: Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study; Cooperating Agency Invitation

Dear Mr. Blum:

Thank you for your invitation to participate as a cooperating agency in the environmental review for the Nassau County Back Bay (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study. We understand that this request was originally sent to us by the New York District in October 2017, but it is unclear if the request was ever received by our office. No response was sent to the New York District at the time. The Philadelphia District was assigned the lead to complete the NCBB study in early 2019 and you are now seeking to reengage our involvement. The study area extends approximately 30 miles along the south shore of Long Island, NY and includes Nassau County and portions of Queens and Suffolk Counties.

The purpose of the NCBB feasibility study is to investigate potential ways to reduce the risk to people, critical infrastructure, and businesses caused by coastal storms such as Hurricane Sandy. The study team is investigating potential solutions that could reduce flood risk in ways that support the long-term resilience and sustainability of communities and the environment, and that reduce the economic costs and risks associated with coastal storm damage. The team will look into the feasibility of a number of measures, which includes but is not limited to storm surge barriers, bulkheads, floodwalls, levees, seawalls, shoreline stabilization, stormwater improvements, beach nourishment, living shorelines, wetland restoration, and the elevation, floodproofing, and/or relocation of structures.

The U.S. Army Corps of Engineers has determined that this project is a major infrastructure project and that the One Federal Decision (OFD) policies of Executive Order 13807 apply. Accordingly, because we have authorizing decision responsibilities in this action through our authorities under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Endangered Species Act (ESA), we accept your invitation to become a cooperating agency for this project.



Our role and degree of involvement is dependent on existing staff and fiscal resources, and our contribution to the process will be limited to participating in project meetings and providing written comments in response to your documents prepared as part of the National Environmental Policy Act (NEPA) process. We will provide technical information identifying aquatic species and habitats of concern, identification of issues to be considered and evaluated during the NEPA process and guidance on evaluating, avoiding, and minimizing project effects to our trust resources. At this time we are unable to undertake any data collection, conduct analyses or to prepare any sections of the NEPA document as our staff and resources are fully committed to other obligatory programs of NOAA Fisheries.

Please note that our involvement as a cooperating agency does not constitute an endorsement of this project, nor does it obviate the need for consultations required under the Magnuson-Stevens Fishery Conservation and Management Act, Fish and Wildlife Coordination Act, and the Endangered Species Act.

We look forward to working with you and your staff as the project moves forward. If you have any questions regarding this matter, please contact Karen Greene in our Highlands, NJ field office at (732) 872-3023 or karen.greene@noaa.gov for information regarding essential fish habitat and other trust resources, or Edith Carson-Supino in our Protected Resources Division at (978) 282-8490 or edith.carson-supino@noaa.gov regarding threatened and endangered species listed by us under the ESA.

Sincerely,

A handwritten signature in blue ink that reads "Karen M. Greene" followed by a stylized "for" in cursive.

Louis A. Chiarella
Assistant Regional Administrator
Habitat Conservation Division

cc: ACOE - A. Sowers.
GAR HCD- Greene
GAR PRD -Murray Brown, Carson-Supino
OPR- Youngkins



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 6, 2017

Planning Division

Ms. Catherine McCabe
Acting Regional Administrator
U.S. Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007-1866

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study

Dear Ms. McCabe:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risks associated with large scale flood and storm events in the area. The NCBB CSRM Study will build on and supplement any ongoing local, state, and federal efforts by other agencies and groups to improve regional resiliency.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise, specifically responsibilities under the Clean Water Act. The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline.

As part of the environmental review process for this project, the District is required by law¹ to identify, as early as practicable, any federal and non-federal agencies that may have an interest in the project, and invite such agencies to become participating

¹ Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), as amended

asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Robert J Smith, Project Biologist at Robert.j.smith@usace.army.mil.

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until October 31, 2017.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Smith at (917) 790-8729 or email above.

Sincerely,


Clifford S. Jones
Chief, Planning Division

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007

From: [Sowers, Angela M CIV USARMY CENAB \(US\)](#)
To: Poetzsch.Michael@epa.gov
Subject: Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study
Date: Tuesday, July 2, 2019 3:02:00 PM

Hello Mr. Poetzsch,

I am the lead environmental specialist for USACE's Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study. A letter requesting that EPA participate in the study as a cooperating agency was provided to EPA's Region 2 office on 6 October 2017 from USACE's New York District. A positive response was received from Grace Musumeci, the Chief of the Environmental Review Section on 25 October 2017. Since the beginning of 2019, USACE's Philadelphia District has been assigned as the lead district to complete the NCBB study. We would like to reengage EPA to 1) provide a status update and 2) discuss efforts toward compliance with the Clean Air Act. Do you have any availability on either July 9 or 11 to discuss these topics? We would also like to convene an interagency meeting in the near future to coordinate efforts for this study between USACE, USFWS, National Oceanic and Atmospheric Administration National Marine Fisheries Service, U.S. Environmental Protection Agency, and the Federal Emergency Management Administration and develop a Permitting Timetable (schedule) as directed by Executive Order 13807. Please reply as to whether you are willing to participate in this effort. If so, we will reach out to coordinate a date for that meeting via email.

Respectfully,
Angie Sowers

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
DETAIL to Philadelphia District through May 25, 2019
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410)962-7440



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT 25 2017

Clifford S. Jones
Chief, Planning Division
U.S Army Corps of Engineers
New York District
26 Federal Plaza
New York, NY 10278-0090

RE: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM)

Dear Mr. Jones:

This is in response to an October 6, 2017 letter requesting that the U.S. Environmental Protection Agency (EPA) serve as a cooperating agency for the NCBB CSRM study. As stated in your letter, the U.S. Army Corps of Engineers, New York District, in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. EPA is pleased to accept the Corps invitation to be a cooperating agency. Please note that due to resource constraints, EPA may be limited in our ability to physically attend project meetings. If conference lines are made available, we would be happy to participate by telephone or webinar.

We would like to remind you that our participation does not preclude our review under the National Environmental Policy Act and comment authority under Section 309 of the Clean Air Act. We look forward to working with you on this project, and to reviewing any preliminary environmental documents.

If you have any questions, please contact Mike Poetzsch at (212) 637-4147 or poetzsch.michael@epa.gov, or me at (212) 637-3738 or musumeci.grace@epa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Grace Musumeci", is written over a horizontal line.

Grace Musumeci, Chief
Environmental Review Section



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 6, 2017

Planning Division

Captain Michael Day
Commander
US Coast Guard
Section New York
212 Coast Guard Drive
Staten Island, New York 10305

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study

Dear Mr. Day:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risks associated with large scale flood and storm events in the area. The NCBB CSRM Study will build on and supplement any ongoing local, state, and federal efforts by other agencies and groups to improve regional resiliency.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise. The construction of this project may affect navigation within the project area. The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline.

As part of the environmental review process for this project, the District is required by law¹ to identify, as early as practicable, any federal and non-federal agencies that

¹ Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), as amended

were provided during the Alternatives Analysis process. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate;
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation to be a cooperating agency or a participating agency. If, however, you elect not to become a cooperating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, or does not intend to submit comments on the project³. The declination may be transmitted electronically to Mr. Robert J Smith, Project Biologist at Robert.j.smith@usace.army.mil.

In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until October 31, 2017.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Smith at (917) 790-8729 or email above.

Sincerely,


Clifford S. Jones
Chief, Planning Division

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK NEW YORK 10278-0090

October 6, 2017

Planning Division

John Rabin
Acting Regional Administrator
Federal Emergency Management Agency – Region II
Mitigation Division/EHP
One World Trade Center
New York, New York 10007

Subject: Invitation to be a Cooperating Agency in the Environmental Review for the New York Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study

Dear Mr. Rabin:

The U.S. Army Corps of Engineers, New York District (District), in cooperation with the New York State Department of Environmental Conservation (NYSDEC), and in partnership with the County of Nassau, is undertaking a feasibility study to examine measures to reduce future flood risk and the economic costs and risks associated with flood and storm events that are affecting the NCBB study area, while contributing to the resilience of communities, important infrastructure, and the environment. As part of the feasibility study, the District will prepare environmental compliance documents pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The NEPA documents will evaluate environmental impacts from reasonable project alternatives and determine the potential for significant impacts related to reducing coastal storm risks in ways that support the long-term resilience and sustainability of the coastal ecosystem and surrounding communities as it relates to sea level rise, local subsidence and storms, as well as to reduce the economic costs and risks associated with large scale flood and storm events in the area. The NCBB CSRM Study will build on and supplement any ongoing local, state, and federal efforts by other agencies and groups to improve regional resiliency.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise. The team is in the preliminary stages of the feasibility study and environmental impact analysis, and does not yet have a detailed timeline.

As part of the environmental review process for this project, the District is required by law¹ to identify, as early as practicable, any federal and non-federal agencies that

¹ Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), as amended

asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;
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- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

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In order to give your agency adequate opportunity to weigh the relevance of your participation as either a cooperating agency or a participating agency or both in this environmental review process, written response to this invitation is not due until October 31, 2017.

We look forward to your response to this request and your role as a cooperating or participating agency on this study. If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study process, please contact Mr. Smith at (917) 790-8729 or email above.

Sincerely,



Clifford S. Jones
Chief, Planning Division

³ Per Section 1005 of WRRDA 2017, which amends Section 2045 of WRDA 2007

From: [Sowers, Angela M CIV USARMY CENAB \(US\)](#)
To: patrick.tuohy@fema.dhs.gov
Subject: Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study
Date: Tuesday, July 2, 2019 4:21:00 PM

Hello Mr. Tuohy,

I am the lead environmental specialist for USACE's Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study. A letter requesting that FEMA participate in the study as a cooperating agency was provided to the Region II office on 6 October 2017 from USACE's New York District. No response was received. Since the beginning of 2019, USACE's Philadelphia District has been assigned as the lead district to complete the NCBB study. We would like to reengage FEMA 1) on the involvement of your agency as a cooperating agency and 2) to develop the Permitting Timetable (schedule) as directed by Executive Order 13807. To do this, we would like to convene an interagency meeting in the near future to coordinate efforts for this study between USACE, USFWS, National Oceanic and Atmospheric Administration National Marine Fisheries Service, U.S. Environmental Protection Agency, and the Federal Emergency Management Administration and develop a Permitting Timetable (schedule) as directed by Executive Order 13807. Please reply as to whether you are willing to participate in this effort. If so, we will reach out to coordinate a date for that meeting via email.

Respectfully,
Angie Sowers

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
DETAIL to Philadelphia District through May 25, 2019
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410)962-7440

From: [Tuohy, Patrick](#)
To: [Sowers, Angela M CIV USARMY CENAB \(US\)](#); [McKee, John](#); [Dawson, John](#)
Subject: [Non-DoD Source] Fwd: Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Study
Date: Tuesday, September 10, 2019 8:47:37 PM
Attachments: [NCBB FEMA Coop Agency Invite.pdf](#)

Hi Angie,

Copying our Regional environmental officer John McKee and Unified Federal Review coordinator, John Dawson. After speaking with them, We will be a cooperating agency on the study. Please let us know if you need something more formal.

Thanks,
Patrick

Get Outlook for iOS <Blocked<https://aka.ms/o0ukef>>

CONCURRENCE POINT #1: PURPOSE AND NEED

Nassau County Back Bays, NY, Coastal Storm Risk Management Feasibility Study

U.S. Army Corps of Engineers, Philadelphia
District

Agency Coordination/One Federal Decision
Check Point #1 Meeting

Non-Federal Sponsor: New York State
Department of Environmental Conservation
in Partnership with Nassau County, NY

21 July 2020



Nautical Mile, Freeport, NY (2015)



Hurricane Sandy Damage, Oceanside, NY (2012)

REVISED 3x3x3 EXEMPTION REQUEST and STUDY RECAP

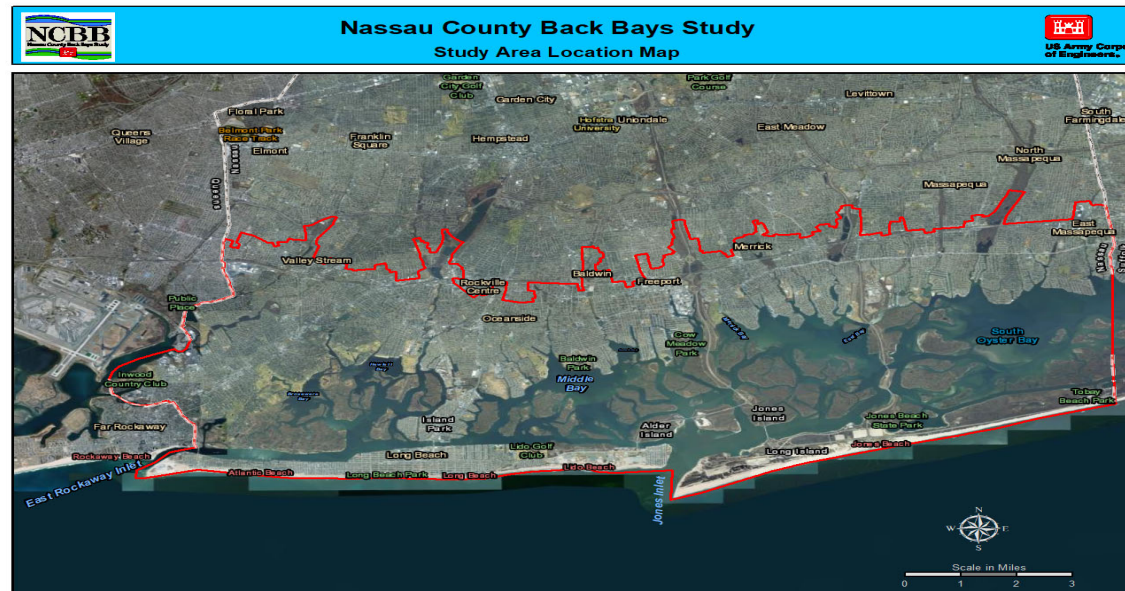
■ Background:

- ▶ Study officially transitioned to NAP with funding – March 2019; Interim Report – April 2019
- ▶ June 2019 – 3x3x3 Exemption Request requesting budget increase from \$3M to \$9.1M and schedule increase from 3 years to 6 years submitted through VT to ASA(CW)
- ▶ September 2019 – 3x3x3 Exemption Request denied and study subsequently expired 30 SEP 2019
- ▶ November 2019 – Per the SEP 2019 Exemption denial and VT coordination, revised 3x3x3 Exemption Request submitted through VT to ASA(CW)
 - Study to be re-scoped to focus on critical infrastructure and highly vulnerable areas in Nassau County, NY
 - Study budget to be increased to <\$6M and study schedule to be increased by ~2 years
- ▶ February 2020 – Revised 3x3x3 Exemption Request approved by ASA(CW), including transition to FY18 Supplemental Program
- ▶ March 2020 – FCSA Amendment coordinated with NFS to transition to FY18 Supplemental Program
- ▶ May 2020 – NFS informs NAP of additional 1 to 2 month delay for FCSA Amendment execution
- ▶ June 8, 2020 – NOI withdraw published in Federal Register (originally published April 21, 2017)

Rescoping was necessary due to the impact of the CBRA System Units, potential impacts/conflicts with Coast Guard stations, and water quality concerns and potentially limited effectiveness of the surge barriers.

FEASIBILITY STUDY SCOPE ADJUSTMENTS

- ❑ While the study scope has been revised, the study goal remains to promote resilience and sustainability of the communities in the study area.
- ❑ Resilience incorporates hazard mitigation and land use planning strategies; critical infrastructure; environmental and cultural resources protection and preservation; and sustainability practices to reconstruct the built environment, and revitalize the economic, social and natural environments.



FEASIBILITY STUDY SCOPE ADJUSTMENTS

- Focus on 1) Critical Infrastructure (structures that improve community resilience such as evacuation routes, police, hospitals, economic drivers), and vulnerable populations that are at immediate and short term risk; 2) Nonstructural measures and consideration of neighborhood cohesiveness; 3) Natural and Nature-Based Features (NNBF) evaluated as complementary measures.
- Further consideration of large surge barriers has been eliminated due to Coastal Barrier Resources Act (CBRA) conflicts. Other risks that have been identified related to storm surge barriers include:
 - potential induced flooding
 - environmental impacts
 - life safety impacts related to the three Coast Guard stations in the study area



U.S. Army Corps
of Engineers



FEASIBILITY STUDY PLAN FORMULATION

Problems:

- Frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms
- High risk of coastal storm flooding and threat to life safety
- Ecosystem degradation in the back bays
- Relative Sea Level Change

Opportunities:

- Manage coastal storm flood risk
- Better communicate coastal storm risk to communities
- Restore natural systems in ways that may provide Coastal Storm Risk Management (CSRM) benefits
- Contribute to community rebuilding and resilience



FEASIBILITY STUDY PLAN FORMULATION

Objectives:

- Reduce the risk of coastal storm damage to public infrastructure and important societal resources, as well as highly vulnerable portions of southern Nassau County through 2080.
- Contribute to the long-term sustainability and resilience of coastal communities in southern Nassau County through 2080.
- Contribute to the long-term sustainability and resilience of the back bay environment in southern Nassau County through 2080.

Constraints:

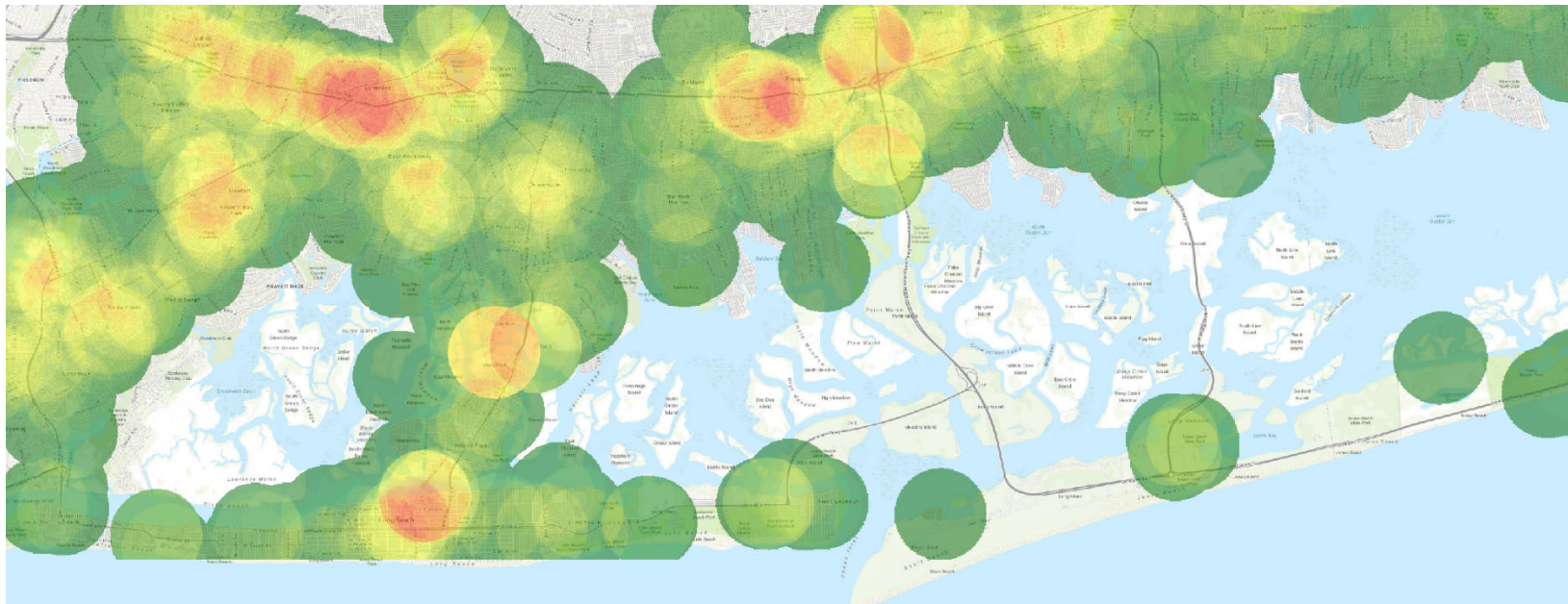
- Avoid impacts to Federal navigation channels
- Avoid impacts to constructed and planned resilience projects
- Avoid induced coastal flooding in adjacent communities, and flooding from rainfall or overwhelming of existing interior drainage systems
- Avoid impacts to Threatened and Endangered Species
- Avoid degradation to water quality
- Minimize or avoid effects on cultural resources and historic structures, sites and features



FEASIBILITY STUDY PLAN FORMULATION STATUS

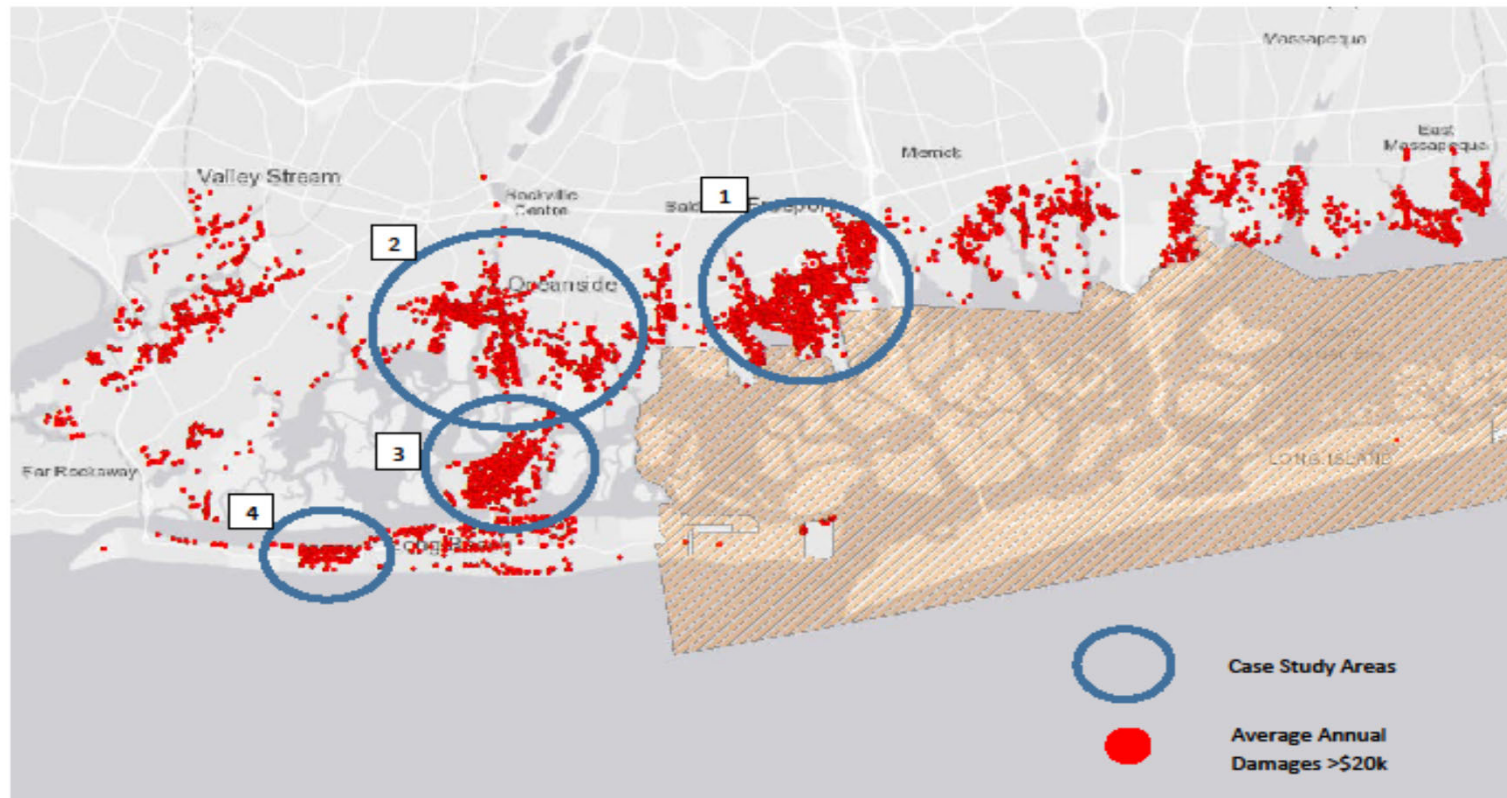
- Structural Measures
- Non-Structural Measures
- Complimentary NNBF

Solutions will be incrementally justified and ultimately combined to form a County wide plan.



FEASIBILITY STUDY SCOPE ADJUSTMENTS – PATH FORWARD

NASSAU COUNTY BACK BAY – CASE STUDY AREAS



1 – Freeport Village 2- Oceanside & East Rockaway Villages 3 – Island Park Village 4 – Long Beach (West Side)

*All areas were chosen due to the high volume of Average Annual Damages and high volume of Critical Infrastructure. Case Study 2 encompasses two (2) villages due to the amount of Critical Infrastructure within both. Case Study 4 only includes the west side of Long Beach since a local flood protection project is planned easterly of that area.

PLAN FORMULATION

- Localized flood wall alignments developed for the case study areas for 5-year, 20-year and 100-year storm events.
- Evaluated floodwall elevations ranging from +9, +13 and +16 NAVD88, respectively.
- Currently evaluating the impact of the proposed floodwalls, with particular focus on the 5-year plan to see if it has significantly lower real estate impacts based on the lower elevation and potential smaller impact on water access.



PLAN FORMULATION (CON'T)

- 5-year plan includes one continuous bulkhead throughout the study area, as the PDT tried to add minimal amount of wall.
- 20-year plan is similar to the perimeter plan for NJBB and includes miter gates, road closure gates, etc.
- 100-year plan is similar to the 20-year plan but at a higher elevation.

RE-SCOPED SCHEDULE & COST COMPARISON

Original Exemption Schedule and Budget v. Post Exemption Approval Schedule and Budget				
Milestone	Original Exemption Request	Original Exemption Request Cost	Date (Post Revised Exemption Approval)	Cost (Post Revised Exemption Approval)
FCSA	30 Sept 2016 (A)	\$199,391	Complete	\$1,500,000 (plus ~\$3M sunk cost)
PMP	No date		Complete	
AMM	16 Aug 2019 (A)	\$3,977,082	Complete	
Status Report	April 2019 (A)		Complete	
TSP	May 2020 (S)	\$1,404,055	August 2020*	<\$1,500,000
Draft FS/EIS	June 2020 (S)		October 2020*	
ADM	Jan 2021 (S)	\$3,299,933	March 2021*	
Final FS/EIS	Jan 2022 (S)	\$304,498	July 2021	
Chief's Report	April 2022 (S)		Nov 2021	
Exemption Request Total Cost		\$9,185,000	New Cost	<\$6,000,000
* Date will need to be revised based on funding delay				

- Revised Schedule: Extend the schedule by less than 2 years (for a total study duration of just less than 5 years),
- Revised Budget: Increase the cost by less than an additional \$3 million (for a total study cost of just less than \$6 million).



ONE FEDERAL DECISION

The OFD MOU identifies three concurrence points in the environmental review process where the lead Federal agency must request the concurrence (written) of cooperating agencies with authorization decision responsibilities:

1. Purpose and need (prior to the issuance of the notice of intent)
2. Alternatives to be carried forward for evaluation (prior to detailed analysis in the draft EIS)
3. Identified preferred alternative (prior to the final EIS)

Cooperating agencies – USFWS, NOAA/NMFS, EPA, FEMA, USCG

- authorization decision responsibilities – FWS, EPA, and NOAA/NMFS



ONE FEDERAL DECISION – CHECK POINT #1

DRAFT PURPOSE AND NEED STATEMENT

The purpose of the study is to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the resilience of communities, important infrastructure, and the natural environment.

Nassau County is a highly developed, low-lying region in the New York City metropolitan area that is home to over 700,000 residents and thousands of businesses. In addition, the area includes significant critical infrastructure including: Long Island Rail Road (serving 31.5 million annual rides); over 2 dozen police, fire and emergency support service facilities; 3 major hospitals; energy facilities; communication and information technology facilities; water and wastewater facilities; and public housing (including that for low-income senior citizens). *The study is needed because the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem; and is susceptible to relative sea level change (RSLC).*

As a result of Hurricane Sandy, Congress authorized USACE to undertake the North Atlantic Coast Comprehensive Study (NACCS) to address flood risks of vulnerable coastal populations in areas affected by Hurricane Sandy. The January 2015 NACCS final report identified nine high-risk focus areas in the North Atlantic region that were deemed to warrant additional analyses to address coastal flood risk, including the development of strategies to manage risk associated with RSLC. One of the nine focus areas is Nassau County. This study will be a targeted investigation into opportunities to address flood risks within Nassau County.



ONE FEDERAL DECISION – *DRAFT* PERMITTING TIMETABLE

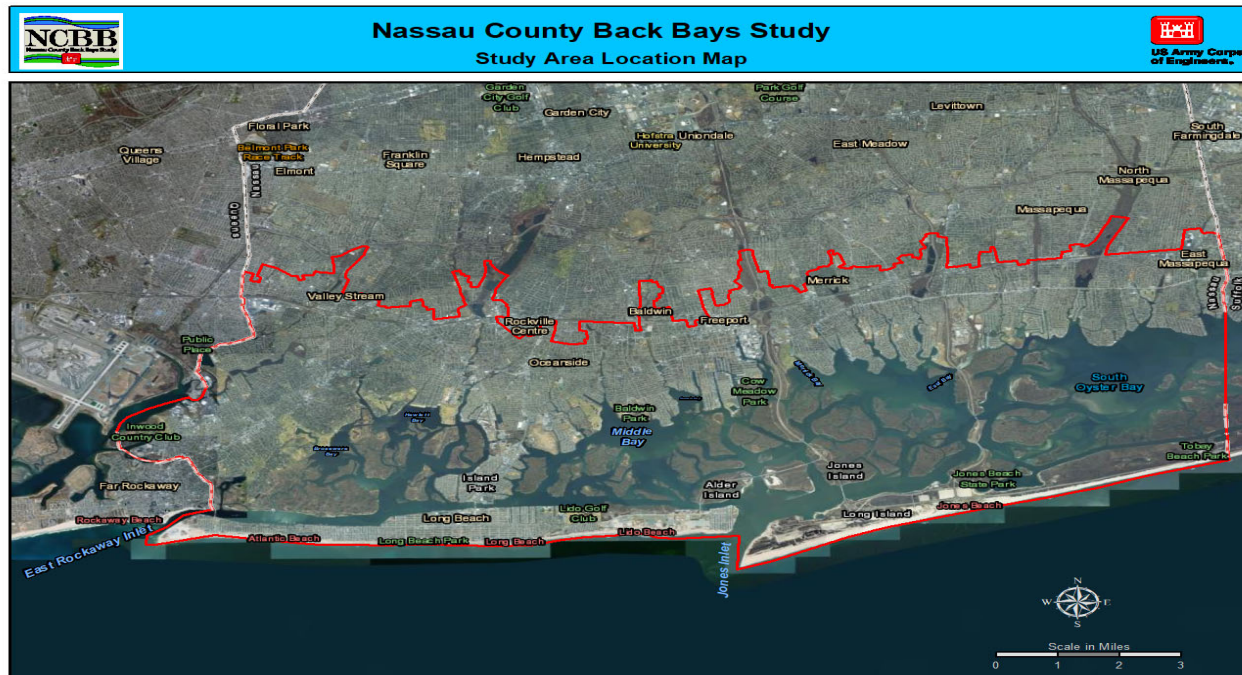
(switch to table file)

..\..\NEPA\OFD\Draft NCBB
Permitting Milestone
Schedule for agencies.pdf

File Name



QUESTIONS/COMMENTS



From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Arvind Goswami](#); [Beth Bachor](#); [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [LCDR Josh Buck](#); [LT Don Raby](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#); karen.greene@noaa.gov
Subject: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study
Date: Tuesday, August 4, 2020 10:47:00 PM
Attachments: [NCBB ConcurPt1 P&N.DOCX](#)
[NCBB Presentation 21July2020 ChkPt1 AgencyCoord.pdf](#)

Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study on 21 July 2020. As discussed, USACE is seeking your agency's concurrence for the first of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). We are also developing a revised schedule, including the re-issue of the Notice of Intent (NOI) and a permitting timetable, in accordance with E.O. 13807. I have attached the slide deck from last month's meeting for your reference.

BACKGROUND:

USACE initially announced the preparation of an integrated Feasibility Report/EIS for the study in a NOI on 21 April 2017 (82 FR 18746). Two public NEPA scoping meetings were held in May 2017 within the study area, along with interagency teleconferences since that time. To further provide the public with study information, a Status Report (see <https://www.nap.usace.army.mil/Portals/39/docs/Civil/Nassau-Back-Bays/>) was released on 30 April 2019 that identified the Study approach, purpose and scope; provided an overview of the focused array of alternatives; and preliminary economic, environmental, engineering and other studies performed to date of the alternatives referenced in the report and prior NOI withdrawal. Comments, concerns, and information were received by USACE during two public meetings in June 2019. Subsequent to the publication of the NOI and the Status Report, the NCBB CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years, as required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. This exemption was granted on 5 February 2020. Therefore, in order to align the revised study schedule with E.O. 13807, a Notice to Withdraw the original NOI was published in the 8 June 2020 Federal Register.

ONE FEDERAL DECISION COMPLIANCE:

As the lead agency, USACE is required to develop a "permitting timetable" (see "Memorandum of Understanding (MOU) Implementing One Federal Decision Under Executive Order 13807" [attached]) in consultation with the project sponsor, cooperating agencies, and participating agencies. As discussed at the 21 July 2020 Agency coordination meeting, USACE is currently working to draft a timetable that will be consistent with study/project planning milestones. While we are still developing the study milestones and further adjustments to the draft timetable, we welcome your comments on the version of the permitting timetable provided at last month's meeting. We will provide a revised draft for coordination with your respective offices this month. It is required that these permitting/authorization milestones be entered and tracked in the online OFD Permitting Dashboard (<https://www.permits.performance.gov/>) within 30 days after issuing a NOI. We are working to re-issue the NOI by mid-September. Therefore, when the re-issued NOI is published in the Federal Register, USACE (as Lead Agency) will verify with your agency the input data for the "Permitting Dashboard" and enter these schedules within 30 days.

Additionally, the OFD MOU provides guidelines and three concurrence points with cooperating agencies (See Section XI). The three concurrence points are: 1. Purpose and Need; 2. Alternatives to be Carried Forward for

Evaluation; and 3. Preferred Alternative. Paragraph 2 states "The lead agency will request written concurrence on each concurrence point from all cooperating agencies whose authorization is required for the project. "Concurrence" for the purpose of this MOU means confirmation by the agency that the information is sufficient for that stage, and the environmental review process, as set forth in the lead agency's request for written concurrence."

Therefore, in order to align with the MOU with respect to the current study milestone, we are seeking written concurrence for the purpose and need statement (provided in attached file names NCBB_ConcurPt#1_P&N) within 10 business days from cooperating agencies with authorization responsibility. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #1. Based on similar studies, these agencies would be FWS, NOAA/NMFS, and EPA. Please reach out to discuss with us any disagreements to the identification of agencies which hold authorization responsibilities.

If there are any questions, please contact me via email or phone.

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

NASSAU COUNTY BACK BAYS COASTAL STORM RISK MANAGEMENT STUDY

Draft PURPOSE AND NEED

ONE FEDERAL DECISION – CONCURRENCE POINT #1

The purpose of the study is to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the resilience of communities, important infrastructure, and the natural environment. Nassau County is a highly developed, low-lying region in the New York City metropolitan area that is home to over 700,000 residents and thousands of businesses. In addition, the area includes significant critical infrastructure including: Long Island Rail Road (serving 31.5 million annual rides); over 2 dozen police, fire and emergency support service facilities; 3 major hospitals; energy facilities; communication and information technology facilities; water and wastewater facilities; and public housing (including that for low-income senior citizens). The study is needed because the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem; and is susceptible to relative sea level change (RSLC).

As a result of Hurricane Sandy, Congress authorized USACE to undertake the North Atlantic Coast Comprehensive Study (NACCS) to address flood risks of vulnerable coastal populations in areas affected by Hurricane Sandy. The January 2015 NACCS final report identified nine high-risk focus areas in the North Atlantic region that were deemed to warrant additional analyses to address coastal flood risk, including the development of strategies to manage risk associated with RSLC. One of the nine focus areas is Nassau County. This study will be a targeted investigation into opportunities to address flood risks within Nassau County.



The Delaware Tribe of Indians of Oklahoma
Delaware Tribe Historic Preservation
126 University Circle
Stroud Hall, Rm. 437
East Stroudsburg PA 18301
sbachor@delawaretribe.org

August 5, 2020

U.S. Army Corps of Engineers
Att: Angie Sowers, Ph.D.
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 212010

RE: Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study

Dear Ms. Sowers,

Thank you for providing the Delaware Tribe with information regarding the above referenced study. We concur with the first point of purpose and need. We look forward to continued consultation.

If you have any questions, feel free to contact this office by phone at (610) 761-7452 or by e-mail at sbachor@delawaretribe.org.

Sincerely,

Susan Bachor, M.A.
Archaeologist
Delaware Tribe Historic Preservation



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

August 10, 2020

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
2 Hopkins Plaza
Baltimore, MD 21201
(via email)

Re: ACE
Nassau County Back Bays Coastal Storm Risk Management Feasibility Study
18PR07371

Dear Dr. Sowers:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966.

These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon our review of the submitted Purpose and Needs statement, the New York SHPO concurs that the information is sufficient.

If I can be of any further assistance, please do not hesitate to contact me at (518) 268-2166 or john.bonafide@parks.ny.gov.

Sincerely,

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, New York 13045



August 10, 2020

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District - Planning Division
Civil Project Development Branch
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201

Dear Dr. Sowers:

This is in response to your August 4, 2020, request for comments on the Draft Purpose and Need Statement (Draft Statement; enclosed) for the U.S. Army Corps of Engineers' (USACE) project entitled, "*Nassau County Back Bays, New York, Coastal Storm Risk Management Feasibility Report.*" These comments are provided pursuant to the National Environmental Policy Act (42 U.S.C.; 4321 et seq), and in support of the development of a Fish and Wildlife Coordination Act 2(b) Report (FWCAR) pursuant to the Fish and Wildlife Coordination Act (FWCA; 48 Stat. 401, as amended; 661 et seq). In regard to the FWCA consultation and preparation of a FWCAR, we anticipate finalizing a transfer of funding agreement with your office in the near future.

U.S. Fish and Wildlife Service Comments

In providing feedback to this request, we were guided by several documents including the USACE's "*North Atlantic Coast Comprehensive Study (NACCS): Resilient Adaptation to Reducing Risk Main Report*" (USACE 2015), National Oceanic and Atmospheric Administration (NOAA) and USACE Infrastructure Systems Rebuilding Principles (NOAA and USACE 2013), the U.S. Fish and Wildlife Service's (Service) report to the USACE NACCS entitled, "*Biological Resources and Habitats Vulnerable to Sea Level Rise and Storm Activity in the Northeast United States: Planning Aid Report*" (USFWS 2014), and the Atlantic Coast Joint Venture's (ACJV) *Salt Marsh Bird Conservation Plan* (https://www.acjv.org/documents/salt_marsh_bird_plan_final_web.pdf).

The Draft Statement currently lists residences, businesses, infrastructure, services, etc., that may be threatened by storms and sea level rise in the planning area. In terms of the natural environment it only mentions, "...a degraded back bay ecosystem..." To address this deficit, we recommend that the Draft Statement similarly identify the ecosystems, habitats, and species

which are also threatened by loss of habitat via natural or man-made processes, sea level rise, or perturbations to the estuary due to storms.

In addition to identifying those resources within the planning area, the Draft Statement should indicate that protection and restoration of natural systems can contribute to addressing coastal storm risk reduction and improve resiliency to the system as a whole. This approach is expressed in the two goals established for the NACCS: 1) Provide a risk management framework, consistent with the NOAA/USACE Infrastructure Systems Rebuilding Principles (2013); and 2) Support resilient coastal communities and robust, sustainable coastal landscape systems, considering future sea level and climate change scenarios, to manage risk to vulnerable populations, property, ecosystems, and infrastructure.

Specifically, the principles of the NOAA/USACE Infrastructure Systems and Rebuilding Principles (2013) include (emphases added):

- Work together in a collaborative manner across multiple scales of governance (i.e., local, State, Tribal, and Federal) and with relevant entities outside the government to develop long-term strategies that promote public safety, **protect and restore natural resources and functions of the coast**, and enhance coastal resilience;
- Improve coastal resilience by **pursuing a systems approach that incorporates natural, social, and built systems** as a whole; and
- Promote increased recognition and awareness of risks and consequences among decision makers, stakeholders, and the public.

Therefore, the Draft Statement should identify a system-wide, integrated approach as described in the NACCS (USACE 2015) to address opportunities for incorporating natural resource protection and augmentation into a coastal storm risk management plan: “In addition to providing engineering functions related to managing risks from coastal storms, **integrated solutions can provide a range of additional ecosystem services. A true systems approach** to coastal storm risk management and resilience requires consideration of the full range of functions, services, and benefits produced by coastal projects and blended solutions. These include **benefits related to commercial and recreational fisheries, tourism, clean water, habitat for threatened and endangered species**, and support for cultural practices.” (emphases added).

Sensitive species and habitats vulnerable to sea level rise are identified in our report entitled, “*Biological Resources and Habitats Vulnerable to Sea Level Rise and Storm Activity in the Northeast United States: Planning Aid Report*” (USFWS 2014), which was submitted to the USACE pursuant to the FWCA. As noted in the report, “The Long Island south shore bay systems and barrier island from Hempstead Bay to Shinnecock Bay provide important feeding and breeding habitat for common terns [*Sterna hirundo*] and least terns [*Sterna antillarum*]. Major colonies occur, but are not limited to, the bay island wetlands in Hempstead. The Hempstead Bay islands also contain important breeding sites for green heron [*Butorides virescens*], black-crowned night heron [*Nycticorax nycticorax*], herring gull [*Larus argentatus*],

and other species. These low-lying islands will be vulnerable to the effects of accelerating sea level rise and increased storm activity.”

In this particular section of western Great South Bay and Hempstead Bay, saltmarshes, colonial waterbirds, and at-risk species such as the saltmarsh sparrow (*Ammospiza caudacuta*) could be identified as resources where opportunities exist to address conservation and resiliency as part of this planning effort. The saltmarsh sparrow is declining at an alarming rate and an estimated 80 percent of the population has disappeared in just the last 15 years. At the observed rate of decline of 9 percent per year, the population has presumably shrunk from around 50,000 individuals (in 2011/2012) to fewer than 30,000 currently with a population collapse possible in the next 50 years (<https://acjv.org/saltmarsh-sparrow-2/>). Opportunities also exist to consider and include other sensitive or at-risk species such as eastern black rail (*Laterallus jamaicensis jamaicensis*), clapper rail (*Rallus crepitans*), coastal plain swamp sparrow (*Melospiza georgiana nigrescens*), etc. (https://www.acjv.org/documents/salt_marsh_bird_plan_final_web.pdf), into this planning process.

We appreciate the opportunity given to us to provide comments and recommendations on the Draft Statement. If you need further assistance or have any questions, please contact Steve Papa of the Long Island Field Office at 631-286-0485 or steve_papa@fws.gov.

Sincerely,

David A. Stilwell
Field Supervisor

Enclosure

cc: NYSDEC, Stony Brook (M. Gibbons)

References Cited

National Oceanic and Atmospheric Administration and U.S. Army Corps of Engineers. 2013. *Infrastructure Systems Rebuilding Principles*. 4 pp. Available at <http://coastalmanagement.noaa.gov/resources/docs/infsysrebuildingprinciples.pdf>. Accessed on August 5, 2020.

Salt Marsh Bird Conservation Plan for the Atlantic Coast. 2019. Atlantic Coast Joint Venture. www.acjv.org. 144 pp.

U.S. Army Corps of Engineers. 2015. North Atlantic Coast Comprehensive Study. 2015. U.S. Army Corps of Engineers North Atlantic Division. 140 pp.

U.S. Fish and Wildlife Service. 2014. Planning Aid Report: Biological Resources and Habitats Vulnerable to Sea Level Rise and Storm Activity in the Northeast U.S. 119 pp.

Enclosure

“Draft PURPOSE AND NEED

ONE FEDERAL DECISION – CONCURRENCE POINT #1

“The purpose of the study is to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the resilience of communities, important infrastructure, and the natural environment. Nassau County is a highly developed, low-lying region in the New York City metropolitan area that is home to over 700,000 residents and thousands of businesses. In addition, the area includes significant critical infrastructure including: Long Island Rail Road (serving 31.5 million annual rides); over 2 dozen police, fire and emergency support service facilities; 3 major hospitals; energy facilities; communication and information technology facilities; water and wastewater facilities; and public housing (including that for low-income senior citizens). The study is needed because the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem; and is susceptible to relative sea level change (RSLC).

As a result of Hurricane Sandy, Congress authorized USACE to undertake the North Atlantic Coast Comprehensive Study (NACCS) to address flood risks of vulnerable coastal populations in areas affected by Hurricane Sandy. The January 2015 NACCS final report identified nine high-risk focus areas in the North Atlantic region that were deemed to warrant additional analyses to address coastal flood risk, including the development of strategies to manage risk associated with RSLC. One of the nine focus areas is Nassau County. This study will be a targeted investigation into opportunities to address flood risks within Nassau County.”

From: [Karen Greene - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Peter Johnsen](#); [Dale Youngkin - NOAA Federal](#); [Helen Chabot - NOAA Federal](#)
Subject: [Non-DoD Source] Re: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study
Date: Tuesday, August 11, 2020 2:50:15 PM

Dear Ms. Sowers:

We have reviewed the Purpose and Need statement for the Nassau County Back Bay Study. We concur that sufficient information has been presented for the environmental review to proceed to the next stage of the National Environmental Policy Act process. We look forward to continued coordination with you as this project moves forward.

If you have any questions or would like to discuss this further, please feel free to contact me.

Thank you.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

NOTE: All NOAA staff are teleworking until further notice. I will be checking my office voicemail, but the best way to reach me is by email or my cell at 978 559-9871.

On Tue, Aug 4, 2020 at 10:53 PM Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil> <<mailto:Angela.Sowers@usace.army.mil>> wrote:

Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study on 21 July 2020. As discussed, USACE is seeking your agency's concurrence for the first of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). We are also developing a revised schedule, including the re-issue of the Notice of Intent (NOI) and a permitting timetable, in accordance with E.O. 13807. I have attached the slide deck from last month's meeting for your reference.

BACKGROUND:

USACE initially announced the preparation of an integrated Feasibility Report/EIS for the study in a NOI on 21 April 2017 (82 FR 18746). Two public NEPA scoping meetings were held in May 2017 within the study area,

along with interagency teleconferences since that time. To further provide the public with study information, a Status Report (see Blocked<https://www.nap.usace.army.mil/Portals/39/docs/Civil/Nassau-Back-Bays/>) was released on 30 April 2019 that identified the Study approach, purpose and scope; provided an overview of the focused array of alternatives; and preliminary economic, environmental, engineering and other studies performed to date of the alternatives referenced in the report and prior NOI withdrawal. Comments, concerns, and information were received by USACE during two public meetings in June 2019. Subsequent to the publication of the NOI and the Status Report, the NCBBS CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years, as required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. This exemption was granted on 5 February 2020. Therefore, in order to align the revised study schedule with E.O. 13807, a Notice to Withdraw the original NOI was published in the 8 June 2020 Federal Register.

ONE FEDERAL DECISION COMPLIANCE:

As the lead agency, USACE is required to develop a "permitting timetable" (see "Memorandum of Understanding (MOU) Implementing One Federal Decision Under Executive Order 13807" [attached]) in consultation with the project sponsor, cooperating agencies, and participating agencies. As discussed at the 21 July 2020 Agency coordination meeting, USACE is currently working to draft a timetable that will be consistent with study/project planning milestones. While we are still developing the study milestones and further adjustments to the draft timetable, we welcome your comments on the version of the permitting timetable provided at last month's meeting. We will provide a revised draft for coordination with your respective offices this month. It is required that these permitting/authorization milestones be entered and tracked in the online OFD Permitting Dashboard (Blocked<https://www.permits.performance.gov/>) within 30 days after issuing a NOI. We are working to re-issue the NOI by mid-September. Therefore, when the re-issued NOI is published in the Federal Register, USACE (as Lead Agency) will verify with your agency the input data for the "Permitting Dashboard" and enter these schedules within 30 days.

Additionally, the OFD MOU provides guidelines and three concurrence points with cooperating agencies (See Section XI). The three concurrence points are: 1. Purpose and Need; 2. Alternatives to be Carried Forward for Evaluation; and 3. Preferred Alternative. Paragraph 2 states "The lead agency will request written concurrence on each concurrence point from all cooperating agencies whose authorization is required for the project. "Concurrence" for the purpose of this MOU means confirmation by the agency that the information is sufficient for that stage, and the environmental review process, as set forth in the lead agency's request for written concurrence."

Therefore, in order to align with the MOU with respect to the current study milestone, we are seeking written concurrence for the purpose and need statement (provided in attached file names NCBBS_ConcurPt#1_P&N) within 10 business days from cooperating agencies with authorization responsibility. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #1. Based on similar studies, these agencies would be FWS, NOAA/NMFS, and EPA. Please reach out to discuss with us any disagreements to the identification of agencies which hold authorization responsibilities.

If there are any questions, please contact me via email or phone.

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil <<mailto:angela.sowers@usace.army.mil>>
(410) 962-7440

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Arvind Goswami](#); [Beth Bachor](#); [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [LCDR Josh Buck](#); [LT Don Raby](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#); karen.greene@noaa.gov
Subject: RE: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study
Date: Monday, October 5, 2020 1:33:00 PM
Attachments: [NCBB ConcurPt1 P&N v2.docx](#)

Good afternoon,

We have incorporated input received from partners and revised the Purpose and Need statement for the Nassau County Back Bays CSRM Study. Please see the attached word document. We must ask again for concurrence, and apologize for any duplication of effort this causes. I also must apologize. I thought I sent this last month, but just saw that it got stuck in my email unnoticed for some time.

USACE is seeking your agency's concurrence for the first of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). We are seeking written concurrence for the purpose and need statement within 10 business days from cooperating agencies with authorization responsibility. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #1. Based on similar studies, these agencies would be FWS, NOAA/NMFS, and EPA.

I will follow-up this month with the permitting timetable for your review.

Thank you,
Angie

-----Original Message-----

From: Sowers, Angela M CIV USARMY CENAB (USA)
Sent: Tuesday, August 4, 2020 10:48 PM
To: Arvind Goswami <arvind.goswami@dec.ny.gov>; Beth Bachor <sbachor@delawaretribe.org>; BOSN4 Emmanuel Zambrana <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <thpo@estoo.net>; Brian Schneider <bschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@srmt-nsn.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Erin Thompson-Paden <ethompson@delawarenation-nsn.gov>; Jennifer Street <Jennifer.Street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Jesse Bergevin <jbergevin@oneida-nation.org>; John Bonafide <John.Bonafide@parks.ny.gov>; John Dawson <john.dawson@fema.dhs.gov>; John McKee <john.mckee@fema.dhs.gov>; Kaetlyn Jackson <kaetlyn_jackson@nps.gov>; LCDR Josh Buck <Joshua.W.Buck@uscg.mil>; LT Don Raby <Donald.D.Raby@uscg.mil>; LT Jennifer Sheehy <Jennifer.L.Sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Bilecki <michael_bilecki@nps.gov>; Michael Moriarty <michael.moriarty@fema.dhs.gov>; Mike Poetzsch <poetzsch.Michael@epa.gov>; Minnichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Minnichbach@usace.army.mil>; Nathan Allison <nathan.allison@mohican-nsn.gov>; Patrick Tuohy <patrick.tuohy@fema.dhs.gov>; Paul Lepsch <paul.lepsch@snl.org>; Peter Johnsen <peter.b.johnsen@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith <shavonnesmith@shinnecock.org>; Shawn Fisher <scfisher@usgs.gov>; Spiller, Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve_papa@fws.gov>; Weichenberg, Rena CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>; karen.greene@noaa.gov
Subject: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study

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If there are any questions, please contact me via email or phone.

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
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10-E-04
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NASSAU COUNTY BACK BAYS COASTAL STORM RISK MANAGEMENT

FINAL PURPOSE AND NEED

ONE FEDERAL DECISION – CONCURRENCE POINT #1

The purpose of the study is to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the resilience of communities, important infrastructure, and the natural environment. Nassau County is a highly developed, low-lying region in the New York City metropolitan area that is home to over 700,000 residents and thousands of businesses. The area includes significant critical infrastructure at risk to future flooding and coastal storms including: Long Island Rail Road (serving 31.5 million annual rides); over 2 dozen police, fire and emergency support service facilities; 3 major hospitals; energy facilities; communication and information technology facilities; water and wastewater facilities; and public housing (including that for low-income senior citizens). Additionally, the study area includes important habitat for federally threatened and endangered species including piping plover (*Charadrius melodus*) (threatened), red knot (*Calidris canutus rufa*) (threatened), sandplain gerardia (*Agalinis acuta*) (endangered), and seabeach amaranth (*Amaranthus pumilus*) (threatened) as well as other sensitive species such as the saltmarsh sparrow (*Ammodramus caudatus*), least terns (*Sterna antillarum*), and eastern black rail (*Laterallus jamaicensis jamaicensis*). The study is needed because the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem supporting sensitive species and habitats; and is susceptible to relative sea level change (RSLC). The study will utilize a system-wide, integrated approach that incorporates the natural, social, and built systems to support resilient coastal communities and sustainable ecosystems. Protection and restoration of natural systems can contribute to addressing coastal storm risk reduction and improve resiliency to the system.

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From: [Postzuch, Michael](#)
To: [Sowers, Angela M CIV USARMY CENAP \(USA\)](#)
Subject: [Re: DOD Source] RE: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study
Date: Tuesday, October 6, 2020 8:35:54 AM

EPA Region 2 agrees with the first concurrence point.

-----Original Message-----

From: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Sent: Monday, October 05, 2020 1:34 PM
To: Arvind Goswami <arvind.goswami@dec.ny.gov>; Beth Bachor <bachor@delawaretribe.org>; BOSN4 Emmanuel Zambrana <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <bthpo@estco.net>; Brian Schneider <bhschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@seri-nm.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Delaware Nation of Oklahoma <delawarenation-nm.gov>; Jennifer Street <jennifer.street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Bergevin, Jesse <jbergevin@onedia-nation.org>; John Bonafide <John.Bonafide@parks.ny.gov>; John Dawson <john.dawson@fema.dhs.gov>; John McKee <john.mckee@fema.dhs.gov>; LCDR Josh Black <Joshua.W.Black@uscg.mil>; LT Don Raby <Donald.D.Raby@uscg.mil>; LT Jennifer Sheehy <jennifer.l.sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Moriarty <michael.moriarty@fema.dhs.gov>; Postzuch, Michael <Postzuch.Michael@epa.gov>; Mimichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Mimichbach@usace.army.mil>; Nathan Allison <nathan.allison@mobiscan-nm.gov>; Patrick Tusby <patrick.tusby@fema.dhs.gov>; Paul Lepsch <paul.lepsch@usgs.gov>; Peter Johnson <peter.h.johnson@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith <ShavonneSmith@shimcocek.org>; Shawn Fisher <sfisher@usgs.gov>; Spiller, Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve.papa@fws.gov>; Weichenberg, Rena CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>; karen.greene@noaa.gov
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Angie

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From: Sowers, Angela M CIV USARMY CENAB (USA)
Sent: Tuesday, August 4, 2020 10:48 PM
To: Arvind Goswami <arvind.goswami@dec.ny.gov>; Beth Bachor <bachor@delawaretribe.org>; BOSN4 Emmanuel Zambrana <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <bthpo@estco.net>; Brian Schneider <bhschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@seri-nm.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Erin Thompson-Paden <erinthompson@delawarenation-nm.gov>; Jennifer Street <jennifer.street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Jesse Bergevin <jbergevin@onedia-nation.org>; John Bonafide <John.Bonafide@parks.ny.gov>; John Dawson <john.dawson@fema.dhs.gov>; John McKee <john.mckee@fema.dhs.gov>; LCDR Josh Black <Joshua.W.Black@uscg.mil>; LT Don Raby <Donald.D.Raby@uscg.mil>; LT Jennifer Sheehy <jennifer.l.sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Blacks <michael_black@nps.gov>; Michael Moriarty <michael.moriarty@fema.dhs.gov>; Mike Postzuch <postzuch.michael@epa.gov>; Mimichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Mimichbach@usace.army.mil>; Nathan Allison <nathan.allison@mobiscan-nm.gov>; Patrick Tusby <patrick.tusby@fema.dhs.gov>; Paul Lepsch <paul.lepsch@usgs.gov>; Peter Johnson <peter.h.johnson@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith <shavonnesmith@shimcocek.org>; Shawn Fisher <sfisher@usgs.gov>; Spiller, Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve.papa@fws.gov>; Weichenberg, Rena CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>; karen.greene@noaa.gov
Subject: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study

Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study on 21 July 2020. As discussed, USACE is seeking your agency's concurrence for the first of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). We are also developing a revised schedule, including the re-issuance of the Notice of Intent (NOI) and a permitting timetable, in accordance with E.O. 13807. I have attached the slide deck from last month's meeting for your reference.

BACKGROUND:

USACE initially announced the preparation of an integrated Feasibility Report/EIS for the study in a NOI on 21 April 2017 (82 FR 18746). Two public NEPA scoping meetings were held in May 2017 within the study area, along with interagency teleconferences since that time. To further provide the public with study information, a Status Report (see <https://geo01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.map.usace.army.mil%2FPortals%2F39%2Fdocs%2FPCivP%2F2FNassau-Back-Bays%2F&data=02%7C01%7CPostzuch.Michael%40epa.gov%7C408678d6019457d8b6c0f6d8695c0116%7C88b378b367484867ac4979aacbeca76%7C0%7C0%7C63737519118300447&skamp;data=AwaXf7M4ZX0rm33ee6vsnXlW6V4d%2BwW8b30XFMfMsD&skampreserved=0>) was released on 30 April 2019 that identified the study approach, purpose and scope, provided an overview of the focused array of alternatives, and preliminary economic, environmental, engineering and other studies performed to date of the alternatives referenced in the report and prior NOI withdrawal. Comments, concerns, and information were received by USACE during two public meetings in June 2019. Subsequent to the publication of the NOI and the Status Report, the NCBB CSRM Feasibility Study was granted an exemption from the requirement to complete the feasibility study within 3 years, as required in Section 1001(a) of the Water Resources Reform and Development Act of 2014. This exemption was granted on 5 February 2020. Therefore, in order to align the revised study schedule with E.O. 13807, a Notice to Withdraw the original NOI was published in the 8 June 2020 Federal Register.

ONE FEDERAL DECISION COMPLIANCE:

As the lead agency, USACE is required to develop a "permitting timetable" (see "Memorandum of Understanding (MOU) Implementing One Federal Decision Under Executive Order 13807" [attached]) in consultation with the project sponsor, cooperating agencies, and participating agencies. As discussed at the 21 July 2020 Agency coordination meeting, USACE is currently working to draft a timetable that will be consistent with study/project planning milestones. While we are still developing the study milestones and further adjustments to the draft timetable, we welcome your comments on the version of the permitting timetable provided at last month's meeting. We will provide a revised draft for coordination with your respective offices this month. It is required that these permitting/authorization milestones be entered and tracked in the online OFD Permitting Dashboard (<https://geo01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.permits.performance.gov%2F&skamp;data=02%7C01%7CPostzuch.Michael%40epa.gov%7C408678d6019457d8b6c0f6d8695c0116%7C88b378b367484867ac4979aacbeca76%7C0%7C0%7C63737519118300447&skamp;data=HrbylyfW30D4pX69QZvwh0f0tq%2BCEBECOA029xJM%3D&skampreserved=0>) within 30 days after issuing a NOI. We are working to re-issue the NOI by mid-September. Therefore, when the re-issued NOI is published in the Federal Register, USACE (as Lead Agency) will verify with your agency the input data for the "Permitting Dashboard" and enter these schedules within 30 days.

Additionally, the OFD MOU provides guidance and three concurrence points with cooperating agencies (See Section XI). The three concurrence points are: 1. Purpose and Need; 2. Alternatives to be Carried Forward for Evaluation; and 3. Preferred Alternative. Paragraph 2 states "The lead agency will request written concurrence on each concurrence point from all cooperating agencies whose authorization is required for the project." Concurrence for the purpose of this MOU means confirmation by the agency that the information is sufficient for that stage, and the environmental review process, as set forth in the lead agency's request for written concurrence."

Therefore, in order to align with the MOU with respect to the current study milestone, we are seeking written concurrence for the purpose and need statement (provided in attached file names NCBB_ConcurPt#1_P&N) within 10 business days from cooperating agencies with authorization responsibility. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #1. Based on similar studies, these agencies would be FWS, NOAA/NMFS, and EPA. Please reach out to discuss with us any disagreements to the identification of agencies which hold authorization responsibilities.

If there are any questions, please contact me via email or phone.

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

From: [Karen Greene - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Edith Carson-Supino](#); [Peter Johnsen](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: [Non-DoD Source] Re: One Federal Decision Concurrence Point One for Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study
Date: Tuesday, October 13, 2020 2:42:46 PM

Hi Angie,

The revisions do not change our original August 11, 2020, concurrence that sufficient information has been presented for the environmental review to proceed to the next stage of the National Environmental Policy Act process.

Thanks.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

NOTE: All NOAA staff are teleworking until further notice. I will be checking my office voicemail, but the best way to reach me is by email or my cell at 978 559-9871.

On Mon, Oct 5, 2020 at 1:36 PM Sowers, Angela M CIV USARMY CENAB (USA)
<Angela.Sowers@usace.army.mil <<mailto:Angela.Sowers@usace.army.mil>> > wrote:

Good afternoon,

We have incorporated input received from partners and revised the Purpose and Need statement for the Nassau County Back Bays CSRM Study. Please see the attached word document. We must ask again for concurrence, and apologize for any duplication of effort this causes. I also must apologize. I thought I sent this last month, but just saw that it got stuck in my email unnoticed for some time.

USACE is seeking your agency's concurrence for the first of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). We are seeking written concurrence for the purpose and need statement within 10 business days from cooperating agencies with authorization responsibility. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #1. Based on similar studies, these agencies would be FWS, NOAA/NMFS, and EPA.

I will follow-up this month with the permitting timetable for your review.

Thank you,

From: [Eastern Historic Preservation](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#)
Subject: Re: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting Timetable
Date: Thursday, October 29, 2020 4:13:54 PM

Great, then my earlier letter still applies.

Susan Bachor, M.A.
Archaeologist
Delaware Tribe Historic Preservation
October 13, 2020
EFFECTIVE IMMEDIATELY!
ALL DELAWARE TRIBAL OFFICES ARE OPEN.
Please call for appointment in person.

126 University Circle
Stroud Hall, Rm. 437
East Stroudsburg PA 18301
office - 1.570.422.2023
sbachor@delawaretribe.org

cell-1.610.761.7452 - preferred during shutdown

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From: "Sowers, Angela M CIV USARMY CENAB (USA)"
<Angela.Sowers@usace.army.mil>
To: Eastern Historic Preservation <temple@delawaretribe.org>
Cc: "Minnichbach, Nicole C CIV USARMY CENAP (USA)"
<Nicole.C.Minnichbach@usace.army.mil>
Sent: 10/29/2020 9:04 AM
Subject: RE: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting Timetable

Hi,

We added additional language to the purpose and need in September to address FWS comments received from the August review. The purpose and need didn't change, but now highlighted habitat more directly. As a result of the revisions, we had to recirculate for concurrence in October. Your August letter is still acceptable to us if it is to you based on the updated P&N (attached).

Thanks,
Angie

-----Original Message-----

From: Eastern Historic Preservation [mailto:temple@delawaretribe.org]
Sent: Thursday, October 29, 2020 9:50 AM

To: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Cc: Minnichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Minnichbach@usace.army.mil>
Subject: Re: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting Timetable

I sent this response back in August. Is there something else I should be responding to?

Susan Bachor, M.A.

Archaeologist

Delaware Tribe Historic Preservation

October 13, 2020

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From: "Sowers, Angela M CIV USARMY CENAB (USA)"

<Angela.Sowers@usace.army.mil>

To: Eastern Historic Preservation <temple@delawaretribe.org>

Cc: "Minnichbach, Nicole C CIV USARMY CENAP (USA)"

<Nicole.C.Minnichbach@usace.army.mil>

Sent: 10/29/2020 8:30 AM

Subject: RE: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting Timetable

Hi Susan,

You caught an error so I have to thank you. The reference in that entry to an interim report is not relevant at this time, and I did not catch it to delete. We previously published a Status report in April 2019. The Purpose and Need were circulated in mid-October, but were not associated with an interim report. Please let me know if there is anything else you'd like at this time.

Thanks,

Angie

-----Original Message-----

From: Eastern Historic Preservation [mailto:temple@delawaretribe.org]

Sent: Thursday, October 29, 2020 9:20 AM

To: Sowers, Angela M CIV USARMY CENAB (USA)

<Angela.Sowers@usace.army.mil>

Subject: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting
Timetable

My apologies found the timetable. If we are here (see below) we would like to be part of the Interim Report review.

CENAP

NEPA

Concurrence Point #1: Purpose and Need

CENAP will coordinate with the agencies to approve Purpose and Need via review of the Interim Report.

15 October 2020

In Progress

Best,

Susan Bachor, M.A.

Archaeologist

Delaware Tribe Historic Preservation

October 13, 2020

EFFECTIVE IMMEDIATELY!

ALL DELAWARE TRIBAL OFFICES ARE OPEN.

Please call for appointment in person.

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From: "Sowers, Angela M CIV USARMY CENAB (USA)"
<Angela.Sowers@usace.army.mil>
To: Arvind Goswami <arvind.goswami@dec.ny.gov>, Beth Bachor
<sbachor@delawaretribe.org>, BOSN4 Emmanuel Zambrana
<Emmanuel.Zambrana@uscg.mil>, "Brandreth, Mary E CIV USARMY CENAP (USA)"
<Mary.E.Brandreth@usace.army.mil>, Brett Barnes <thpo@estoo.net>, Brian Schneider
<bschneider@nassaucountyny.gov>, Chris Schubert <schubert@usgs.gov>, Darren
Bonaparte <darren.bonaparte@srmt-nsn.gov>, Edith Carson-Supino <edith.carson-
supino@noaa.gov>, Delaware Nation of Oklahoma <ethompson@delawarenation-nsn.gov>,
Jennifer Street <Jennifer.Street@dos.ny.gov>, Jeremy Campbell
<jeremy.campbell@dos.ny.gov>, "Bergevin, Jesse" <jbergevin@oneida-nation.org>, John
Bonafide <John.Bonafide@parks.ny.gov>, John Dawson <john.dawson@fema.dhs.gov>,
John McKee <john.mckee@fema.dhs.gov>, Kaetlyn Jackson <kaetlyn_jackson@nps.gov>,
Karen Green <karen.greene@noaa.gov>, LCDR Josh Buck <Joshua.W.Buck@uscg.mil>,
"Brian.E.Gracey@uscg.mil" <Brian.E.Gracey@uscg.mil>, LT Jennifer Sheehy
<Jennifer.L.Sheehy@uscg.mil>, Mark Eberle <mark_eberle@nps.gov>, Michael Bilecki
<michael_bilecki@nps.gov>, Michael Moriarty <michael.moriarty@fema.dhs.gov>, Mike
Poetzsch <poetzsch.Michael@epa.gov>, "Minnichbach, Nicole C CIV USARMY CENAP
(USA)" <Nicole.C.Minnichbach@usace.army.mil>, Nathan Allison
<nathan.allison@mohican-nsn.gov>, Patrick Tuohy <patrick.tuohy@fema.dhs.gov>, Paul
Lepsch <paul.lepsch@sni.org>, Peter Johnsen <peter.b.johnsen@noaa.gov>, Ryan Hodgetts
<Ryan.Hodgetts@dec.ny.gov>, "Sanderson, Scott A CIV USARMY CENAP (USA)"
<Scott.A.Sanderson@usace.army.mil>, Shavonne Smith
<shavonnesmith@shinnecock.org>, Shawn Fisher <scfisher@usgs.gov>, "Spiller, Kimberly
J" <kimberly_spiller@fws.gov>, Steve Papa <Steve_papa@fws.gov>, "Weichenberg, Rena
CIV USARMY CENAD (USA)" <Rena.Weichenberg@usace.army.mil>, "Whalon, Valerie
M CIV (USA)" <Valerie.M.Whalon@usace.army.mil>
Sent: 10/29/2020 7:57 AM
Subject: RE: Nassau County Back Bays CSRM draft Permitting Timetable

Good morning,

I wanted to check-in one final time about any revisions or comments you may have on the permitting timetable. The requested deadline was last Friday. Please respond with any remaining comments or inform us if your agency is working on a response. Over the next two weeks we will circulate the revised timetable for your concurrence. We have set a target to populate the dashboard for November 30.

Thank you,
Angie

-----Original Message-----

From: Sowers, Angela M CIV USARMY CENAB (USA)
Sent: Tuesday, October 13, 2020 11:09 AM
To: Arvind Goswami <arvind.goswami@dec.ny.gov>; Beth Bachor
<sbachor@delawaretribe.org>; BOSN4 Emmanuel Zambrana
<Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA)
<Mary.E.Brandreth@usace.army.mil>; Brett Barnes <thpo@estoo.net>; Brian Schneider
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John McKee <john.mckee@fema.dhs.gov>; Kaetlyn Jackson <kaetlyn_jackson@nps.gov>;
Karen Green <karen.greene@noaa.gov>; LCDR Josh Buck <Joshua.W.Buck@uscg.mil>;
Brian.E.Gracey@uscg.mil; LT Jennifer Sheehy <Jennifer.L.Sheehy@uscg.mil>; Mark
Eberle <mark_eberle@nps.gov>; Michael Bilecki <michael_bilecki@nps.gov>; Michael
Moriarty <michael.moriarty@fema.dhs.gov>; Mike Poetzsch
<poetzsch.Michael@epa.gov>; Minnichbach, Nicole C CIV USARMY CENAP (USA)
<Nicole.C.Minnichbach@usace.army.mil>; Nathan Allison <nathan.allison@mohican-
nsn.gov>; Patrick Tuohy <patrick.tuohy@fema.dhs.gov>; Paul Lepsch
<paul.lepsch@sni.org>; Peter Johnsen <peter.b.johnsen@noaa.gov>; Ryan Hodgetts
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J <kimberly_spiller@fws.gov>; Steve Papa <Steve_papa@fws.gov>; Weichenberg, Rena
CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M
CIV (USA) <Valerie.M.Whalon@usace.army.mil>
Subject: Nassau County Back Bays CSRM draft Permitting Timetable

All,

In accordance with One Federal Decision, please review the draft Permitting Timetable attached for the Nassau County Back Bays Coastal Storm Risk Management Study. Please provide any revisions by Friday, October 23. Feel free to reach out to me with questions or to discuss anything. I have also attached the NOI published in the Federal Register on September 10 in case it was missed.

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

CONCURRENCE POINT #2: ALTERNATIVES ANALYSIS

NASSAU COUNTY BACK BAYS CSRM STUDY

AGENCY COORDINATION AND OUTREACH – OFD CONCURRENCE PT #2 AND PERMITTING DASHBOARD

Angie Sowers/Scott Sanderson

17 November 2020

"The views, opinions and findings contained in this report are those of the authors(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."

File Name



**US Army Corps
of Engineers.**



MEETING PURPOSE

1. Prep for OFD Concurrence Point #2 – Alternatives Analysis
2. Final Review of Permitting Timetable before populating on the Dashboard



UPCOMING SCHEDULE

1. Create OFD Dashboard – 30 November 2020
2. Provide Cooperating Agencies with request for OFD Concurrence Point #2 – Alternatives Analysis – 1 December 2020 to complete by 11 December 2020
3. Study Tentatively Selected Plan Milestone – 14 December 2020
4. Draft Integrated Feasibility Study and EIS for Review – 15 February 2020

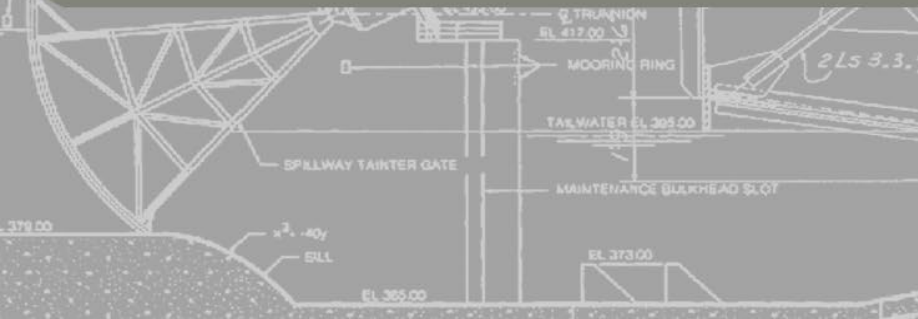


Nassau County Back Bays, NY, Coastal Storm Risk Management Feasibility Study

U.S. Army Corps of Engineers, Philadelphia District – Tentatively Selected Plan Milestone Meeting

Non-Federal Sponsor: New York State Department of Environmental Conservation in Partnership with Nassau County, NY

14 December 2020



DISCUSSION TOPICS

- Opening Remarks
- Study Background
- Bottom Line Up Front (BLUF) – Tentatively Selected Plan
- Plan Formulation (Plan Formulation Pivot)
- Non-Federal Sponsor Views
- Path Forward
- Schedule
- TSP Decision
- Questions & Discussion



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STUDY AUTHORITY

Public Law 71, Chapter 140 (15 June 1955) - *That in view of the severe damage to the coastal and tidal areas of the eastern and southern United States from the occurrence of hurricanes, particularly the hurricanes of August 31, 1954, and September 11, 1954, in the New England, New York, and New Jersey coastal and tidal areas... The Secretary of the Army... is hereby authorized and directed to cause an examination and survey to be made of the eastern and southern seaboard of the United States with respect to hurricanes, with particular reference to areas where severe damages have occurred.*

Public Law 113-2 (Disaster Relief Appropriations Act of 2013) – *North Atlantic Coast Comprehensive Study (NACCS) identified Nassau County Back Bays as one of nine high risk focus areas to manage risk associated with coastal flooding and sea level rise.*



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STUDY PURPOSE & NEED

- **PURPOSE** – to determine the feasibility of a project to reduce the risk of coastal storm damage in the back bays of Nassau County, New York, while contributing to the resilience of communities, important infrastructure, and the natural environment.
- **NEED** - the study area experiences frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms; is considered at high risk to coastal storm flooding with an associated threat to life safety; includes a degraded back bay ecosystem supporting sensitive species and habitats; and is susceptible to relative sea level change.



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PLAN FORMULATION

Problems:

- Frequent flooding from high tides, spring tides, sunny day flooding, and coastal storms
- High risk of coastal storm flooding and threat to life safety
- Ecosystem degradation in the back bays
- Relative Sea Level Change

Opportunities:

- Manage coastal storm flood risk
- Better communicate coastal storm risk to communities
- Restore natural systems in ways that may provide CSRM benefits
- Contribute to community rebuilding and resilience



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PLAN FORMULATION

Overall Objective:

The objective of the NCBB CSRM Feasibility Study is to develop solutions to reduce damages from coastal flooding affecting critical infrastructure and highly vulnerable risk areas.

Specific Planning Objectives:

- Reduce potential life loss related to coastal flooding in the study area through 2080.
- Reduce the risk of coastal storm damage to public infrastructure and important societal resources, as well as highly vulnerable portions of Nassau County through 2080.
- Contribute to the long-term sustainability and resilience of coastal communities in Nassau County through 2080.

Specific Planning Constraints:

- Avoid construction within Coastal Barrier Resources Act (CBRA) System Units
- Avoid impacts to life safety activities for the U.S. Coast Guard
- Avoid impacts to Federal navigation channels
- Avoid impacts to constructed and planned resilience projects
- Avoid impacts to Threatened and Endangered Species
- Minimize or avoid effects on cultural resources and historic structures, sites and features

Specific Planning Considerations:

- Avoid induced coastal flooding in adjacent communities, and flooding from rainfall or overwhelming of existing interior drainage systems
- Avoid degradation to water quality



FOCUSED ARRAY OF ALTERNATIVES

1. Non-Structural (NS) Countywide Plan
 - Residential Elevation
 - Non-residential dry floodproofing
2. Structural Highly Vulnerable Area (HVA) Plan – Comprehensive floodwalls at each HVA
3. Critical Infrastructure (CI) Plan – Structural (localized floodwalls) and NS measures to manage risk to CI
4. NS HVA Plan
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
5. Structural HVA & CI Plan
 - Comprehensive floodwalls at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI
6. Structural HVA & NS Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
7. Structural HVA, NS & CI Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI

Note: Each alternative in the focused array will potentially include NNBF measures as complementary features to be evaluated further during plan optimization.

BLUF SLIDE – TSP FIGURE



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BLUF SLIDE – TSP ECONOMIC DATA



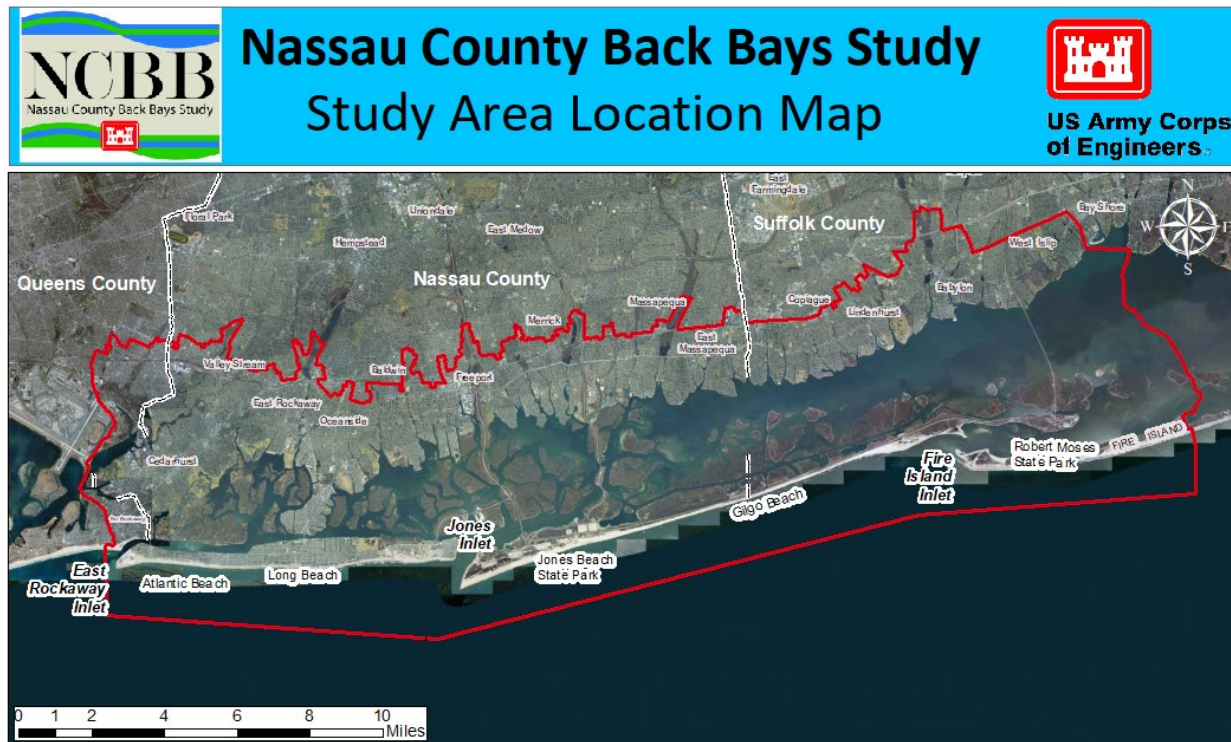
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PLAN FORMULATION

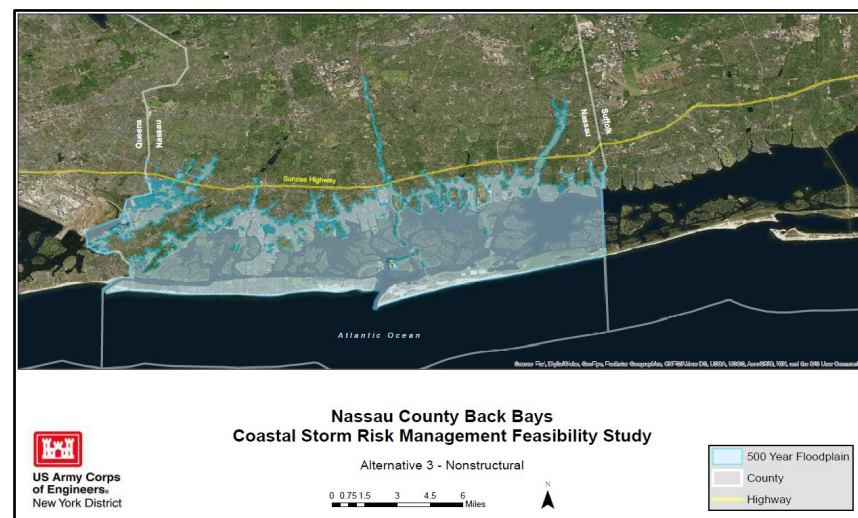
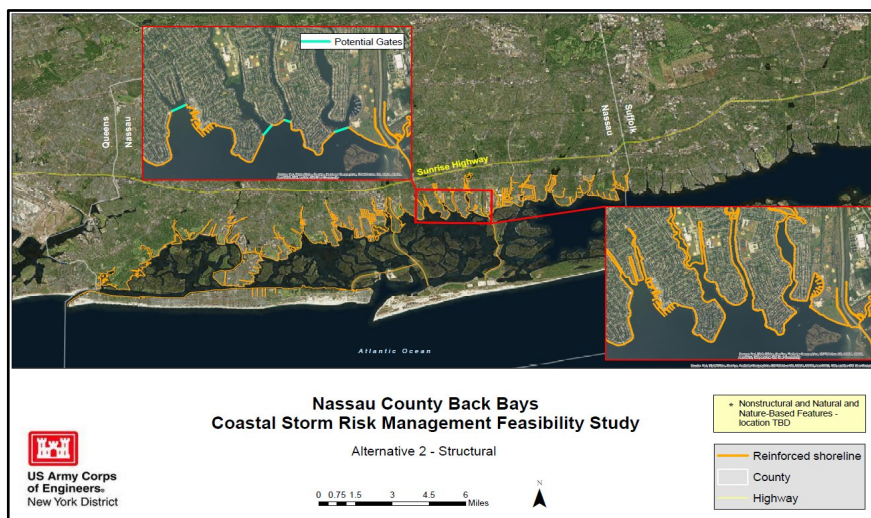
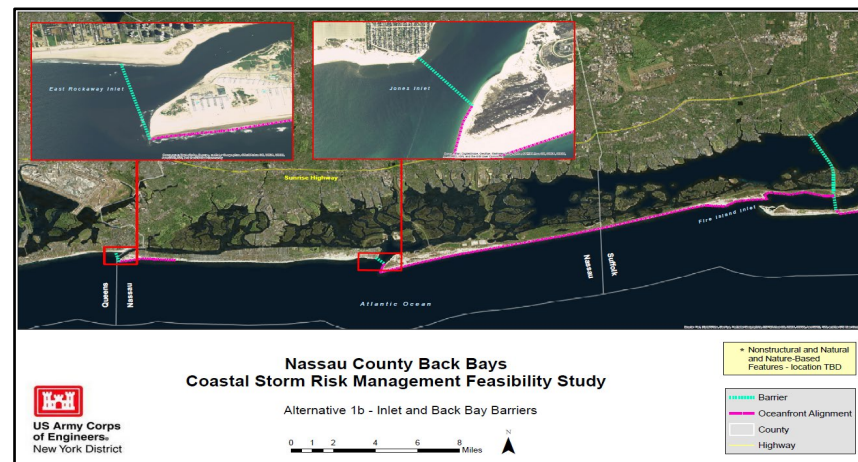
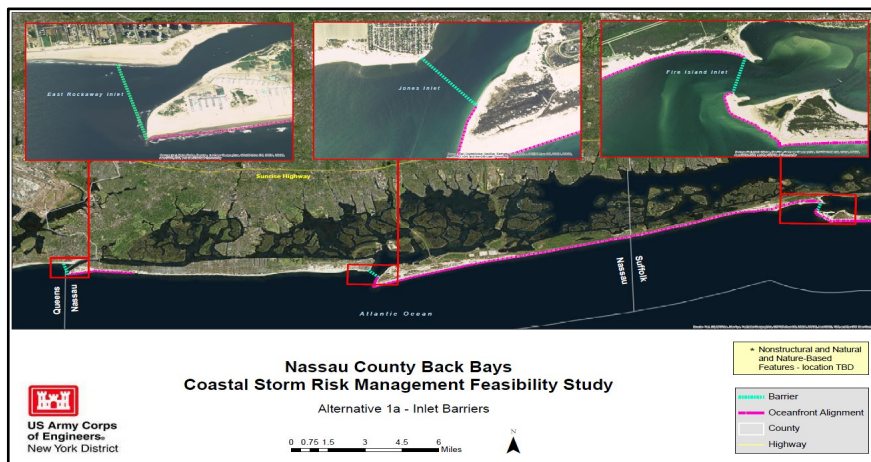
Original Study Area:

- Northern Boundary – Mainland of Long Island @+19 feet NAVD88
 - Established using NACCS water level statistics for the 500-year return period (0.2% AEP) at 13 locations.
- Southern Boundary – Atlantic Ocean offshore of Long Beach, Jones, and Fire Islands.
- East/West Boundary – Extended approximately 30 miles primarily in Nassau County, but also in adjacent portions of Queens and Suffolk Counties



PLAN FORMULATION

Original Array of Alternatives: Alternatives Milestone (AMM)



PLAN FORMULATION – POST AMM ANALYSIS



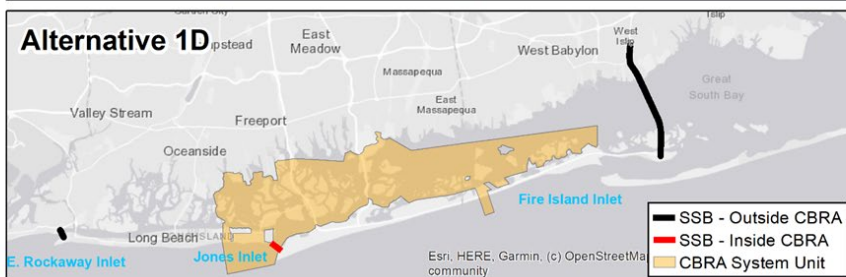
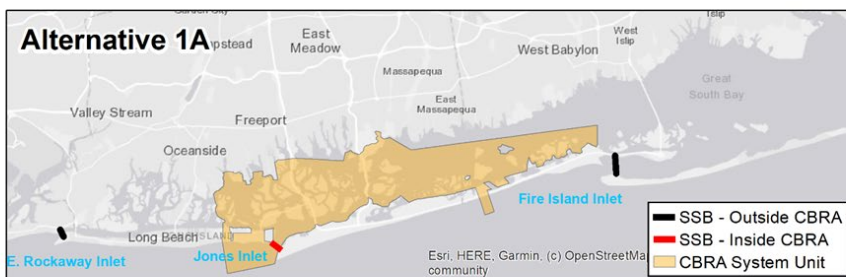
- Four additional storm surge barrier/interior bay closure combinations were evaluated and modeled by the USACE ERDC:
- **Alternative 1A** - inlet closures alone are only able to reduce the 1% AEP water elevation by approximately one foot, from 10 feet NAVD88 to 9 feet NAVD88. into the study area limiting the effectiveness of Alternative 1A)
- **Alternatives 1B, 1C, and 1D** combinations of storm surge barriers/interior bay closures successfully reduce water elevations inside the storm surge barrier/interior bay closure system. However, outside the system, specifically east of the bay closures in Great South Bay, the 1% AEP water elevations increase by 2 to 4 feet over extensive areas (10 to 20 miles).



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PLAN FORMULATION – POST AMM ANALYSIS & REFORMULATION



- Alternatives 1A through 1D have at least one storm surge barrier and/or interior bay closure located entirely within the footprint of a CBRA System Unit.
- Eliminating storm surge barrier and/or interior bay closures located in a CBRA System Unit will render these alternatives even less effective at reducing storm surge by severely limiting their ability to block storm surge from both of the principal processes responsible for NCBB back bay flooding.



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REFORMULATION

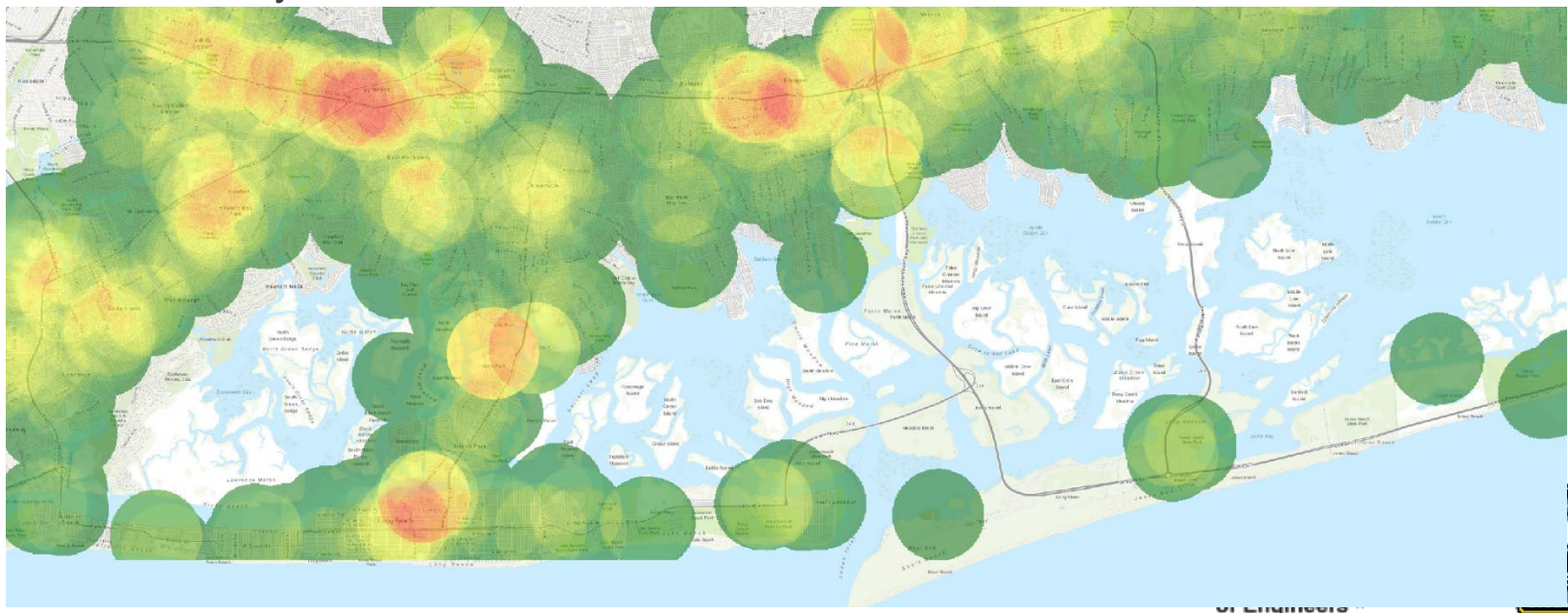
- Reformulation based on additional consideration of the planning constraints associated with the CBRA System Unit and the updated storm surge barrier/interior bay closure modeling results
- USACE in coordination with the ASA-CW reformulated
 - Focus on Critical Infrastructure (structures that improve community resilience such as evacuation routes, police, hospitals, economic drivers), and vulnerable populations that are at immediate and short-term risk;
 - Non-structural measures and consideration of neighborhood cohesiveness;
 - NNBF evaluated as complementary measures.
 - Further consideration of large surge barriers has been eliminated due to:
 - CBRA issues.
 - Potential induced flooding
 - Environmental impacts
 - Life safety impacts related to the three Coast Guard stations in the study area



REFORMULATION

Identification of Critical Infrastructure: Per the NACCS, the Department of the Army Field Manual (FM) 3-34.170 was utilized to rank infrastructure that supports populations and communities.

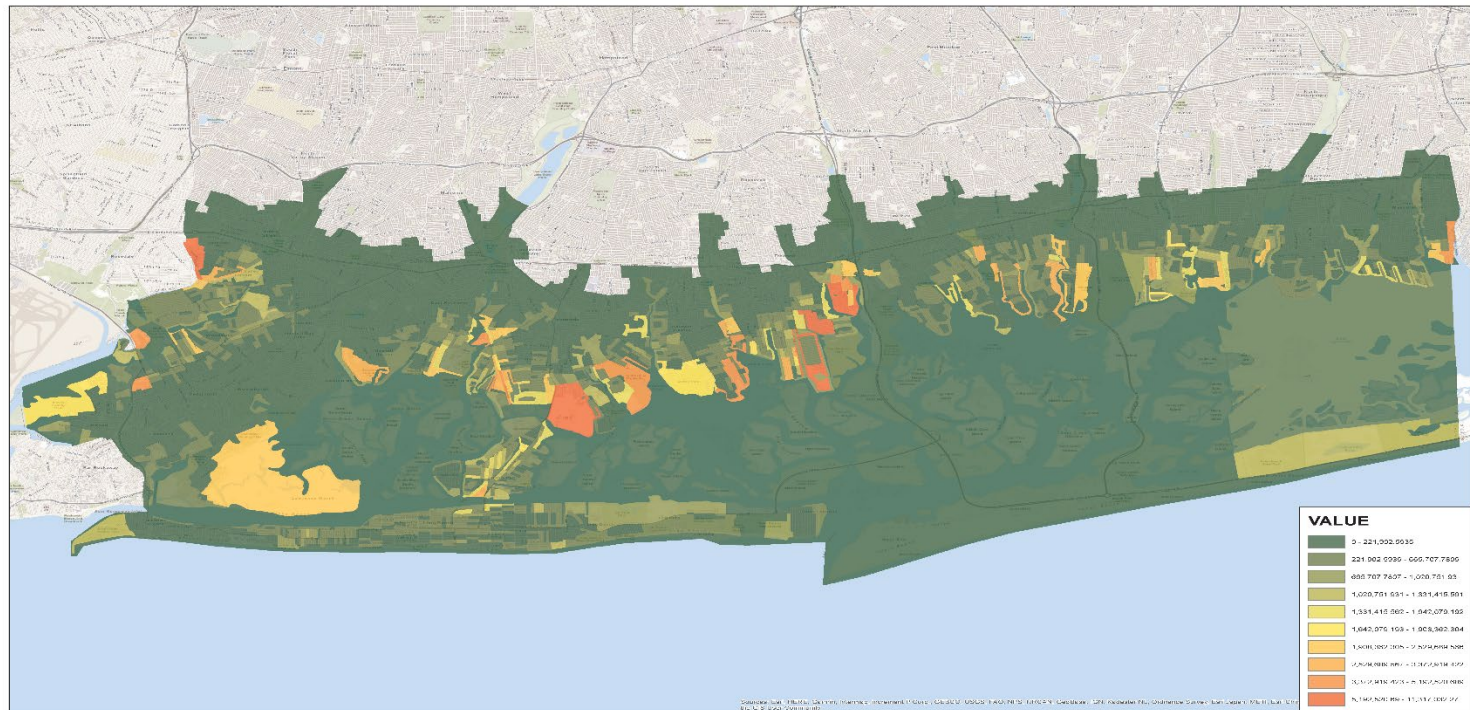
- Per the FM, the sewage, water, electricity, academics, trash, medical, safety and other considerations (SWEAT-MSO) assessment process provided immediate feedback concerning the status of the basic services necessary to sustain population.
- The SWEAT-MSO assessment represents a complete evaluation of both assets susceptible to direct exposure from storm damage, but also the indirect damages that would follow by identifying the assets within and support to a community.



REFORMULATION

Identification of Highly Vulnerable Areas: Utilized AAD outputs from HEC-FDA to generate heat map highlighting ADD distribution in Nassau County.

Nassau County Average Annual Damages (AAD)



Structural Measures Considered:

1. Floodwalls (Permanent, Deployable, Crown Walls, Bulkheads)
2. Inlet Storm Surge Barriers/Interior Bay Closures
3. Levees
4. Seawalls
5. Revetments

Structural Measures Screened (System of Accounts & P&G Criteria):

- Inlet Storm Surge Barriers/Interior Bay Closures
 - Seawalls
 - Revetments
- } **Screened Out**
-
- Floodwalls
 - Levees
- } **Carried Forward**



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NNBF Measures Considered & Screened:

- **NNBF are intended to be complementary measures to attenuate surge and waves by increasing both elevation and roughness, per lessons learned from NJBB ERDC modeling efforts.**
 - **NNBF will be evaluated in greater detail during feasibility-level design and plan optimization.**
-
1. Living Shorelines
 2. Reefs
 3. Beach Restoration
 4. Wetland Restoration
 5. SAV Restoration
 6. Green Stormwater Management



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Non-Structural Measures: Non-structural measures fall into four broad groups:

1. Managed Coastal Retreat including Acquisition/Relocation
2. Building Retrofit (flood proofing, elevations)
3. Land Use Management (zoning changes, undeveloped land preservation)
4. Early Flood Warnings (evacuation planning, emergency response systems)



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REFORMULATION – WHERE TO FURTHER EVALUATE MEASURES?

- Critical Infrastructure – Per the NACCS, the SWEAT-MSO assessment process (Army Field Manual 3-34.170) was utilized to rank the value and density of critical infrastructure.
 - SWEAT-MSO assessment represents a complete evaluation of both assets susceptible to direct exposure from storm damage (NED), but also the indirect damages that would follow by identifying the assets within and that provide support to a community (RED & OSE).
- AAD outputs from HEC-FDA were mapped to identify highly vulnerable areas with a high AAD potential.
- Four higher priority areas (encompassing approximately 29% of the land area in Nassau County) were identified with a combination of high AAD and critical infrastructure.
- Remaining measures were applied in ways to minimize environmental impact (EQ)
 - Example: Levees were only applied in areas with upland open space and access to minimize in-water impacts, while floodwalls were applied to areas with more limited open space.
 - Preliminary mitigation costs have been calculated based on a unit cost per acreage of direct impact.

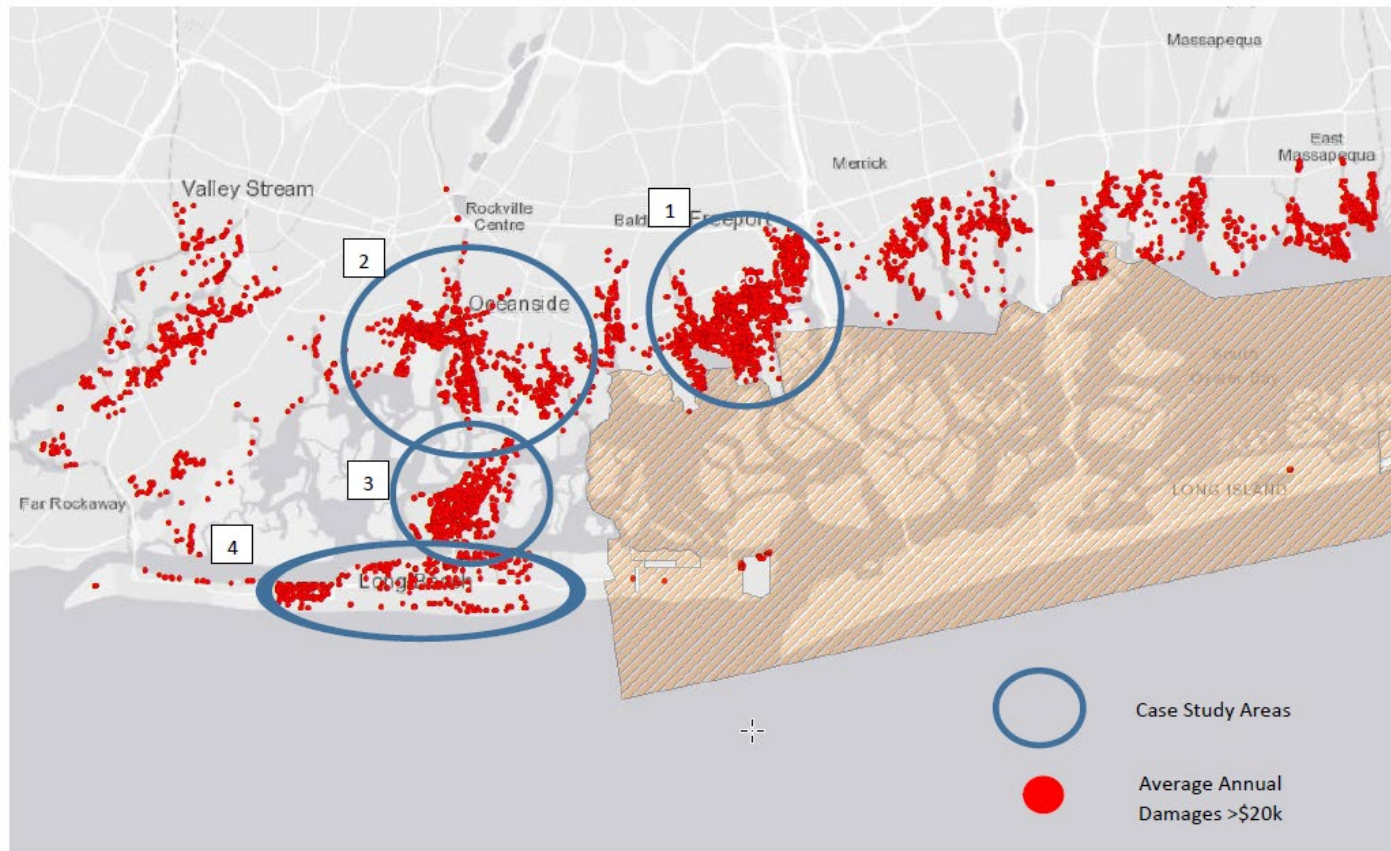


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REFORMULATION

22



1 – Freeport Village 2- East Rockaway to Oceanside 3 – Island Park Village 4 – Long Beach

*All areas were chosen due to the high volume of Average Annual Damages and high volume of Critical Infrastructure. Case Study 2 encompasses East Rockaway Village and communities within the Town of Hempstead due to the amount of Critical Infrastructure within both. Case Study 4 only includes the City of Long Beach.

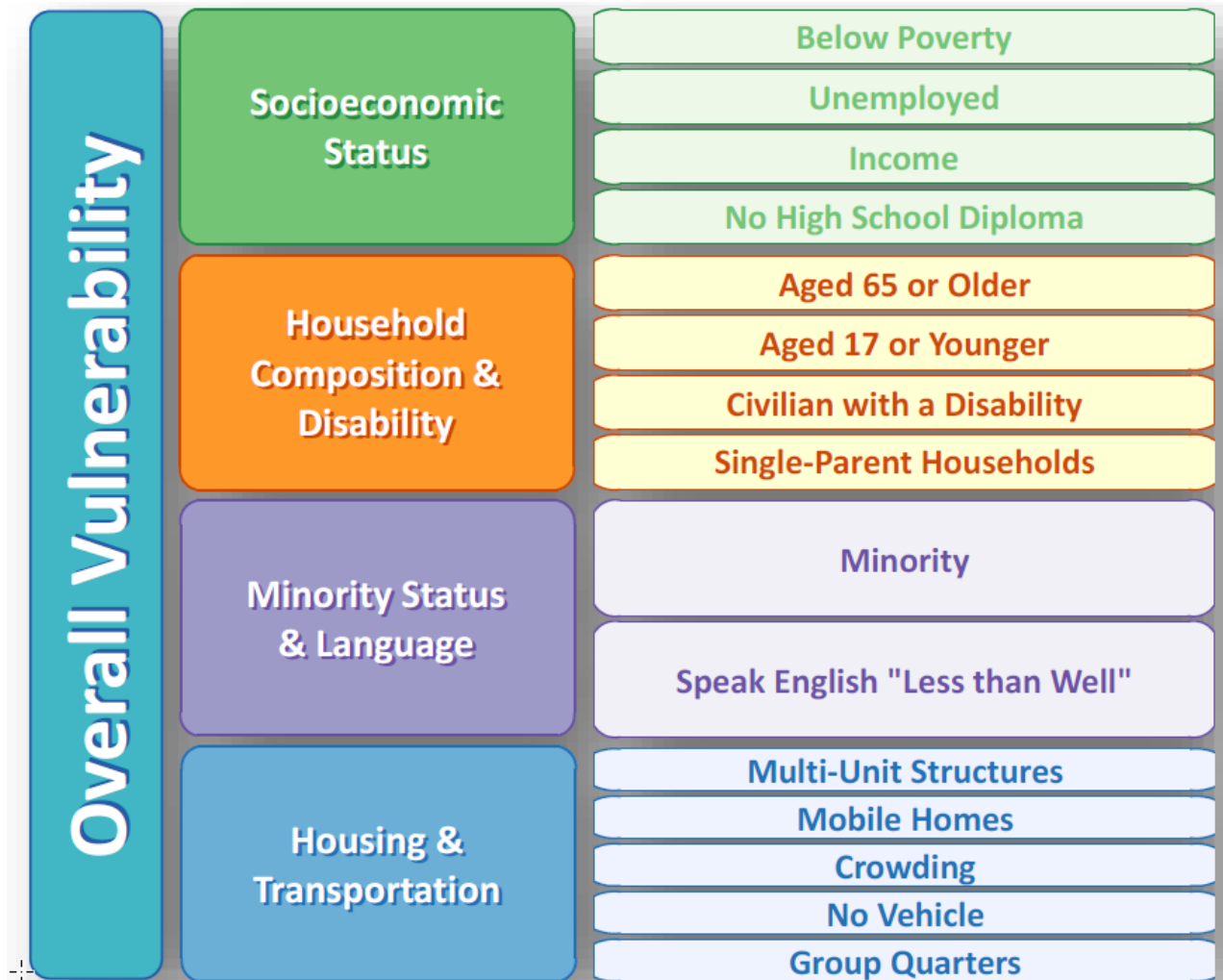


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REFORMULATION – WHERE TO FURTHER EVALUATE MEASURES?

23

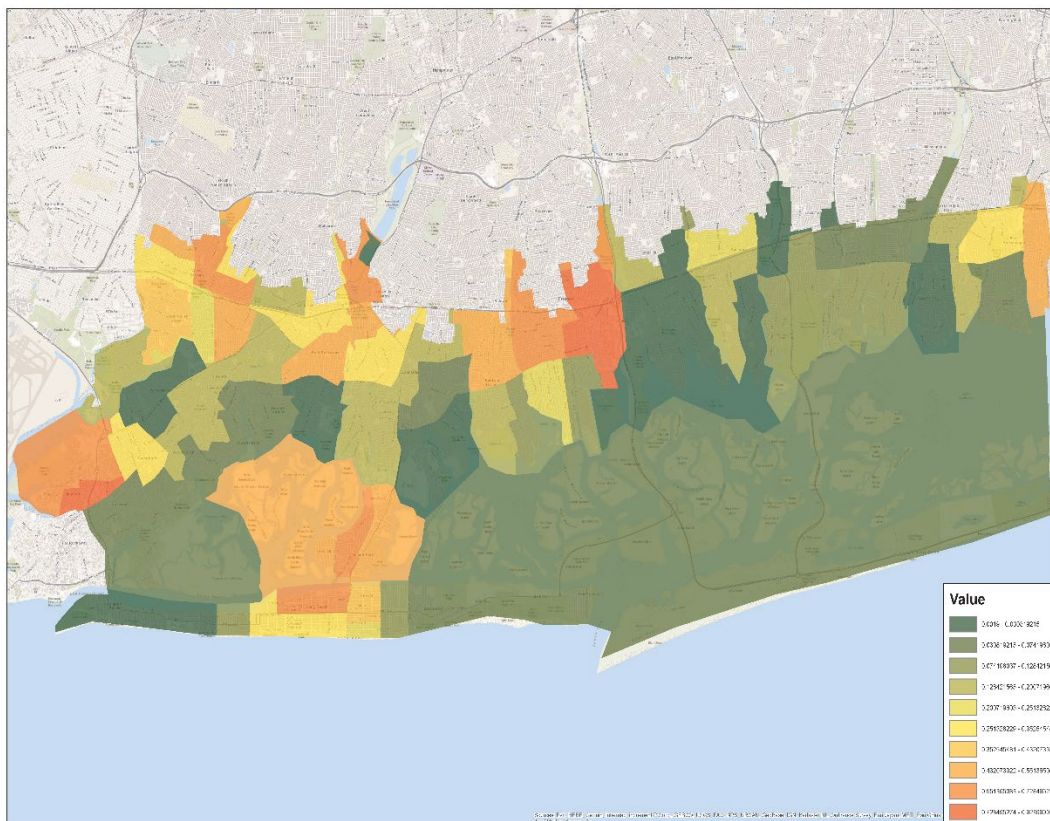


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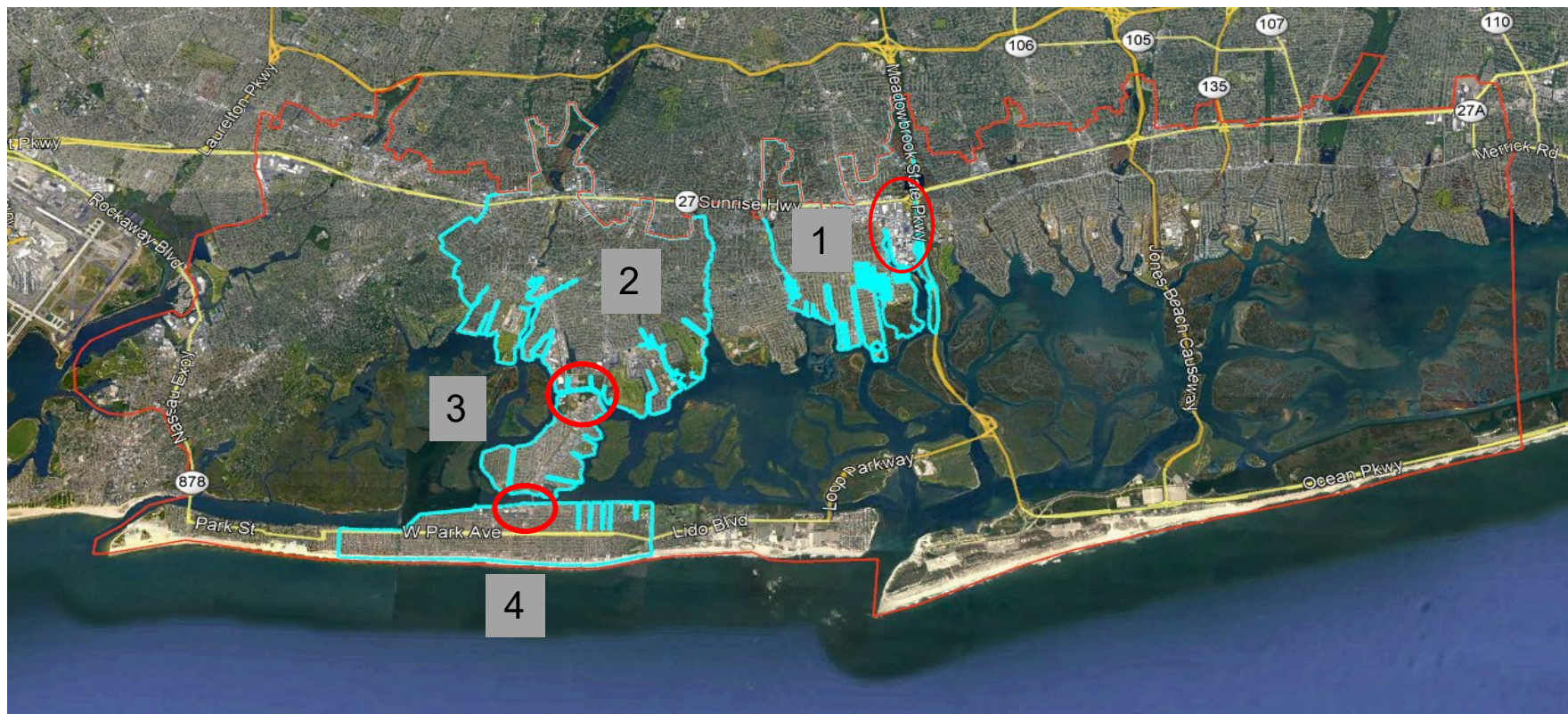
REFORMULATION – WHERE TO FURTHER EVALUATE MEASURES?

CDC- Social Vulnerability Index (SOVI)



- ❑ Centers for Disease Control and Prevention (CDC) Social Vulnerability Index (SOVI) uses U.S. census data to determine social vulnerability of every census tract
- ❑ Each tract was ranked on 15 social factors grouped into four themes which include:
 - ❑ Socioeconomic status
 - ❑ Household composition / disability
 - ❑ Race / ethnicity / language / minority status
 - ❑ Housing/transportation

NCBB STRUCTURAL MEASURES



SUMMARY

- Cycle 1 Screening
- Four (4) Case Study Areas
- Four (4) Selected Types of Floodwalls & Levees
- Includes Locations for Road Closure, Sluice Gates & Navigational Gates
- Case Study Area Perimeter Plans (20%, 5% and 1% Recurrence)
- Critical Infrastructure Plans (1% Recurrence)

CASE STUDY AREAS

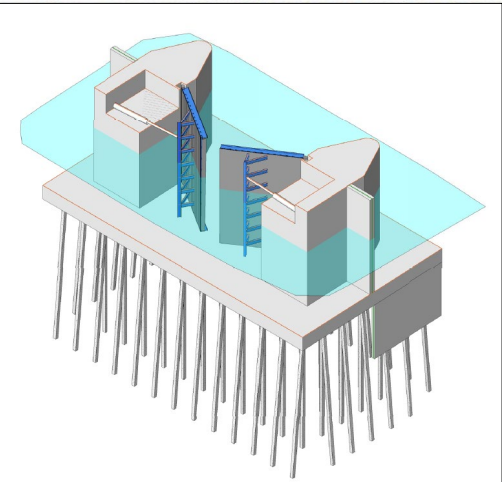
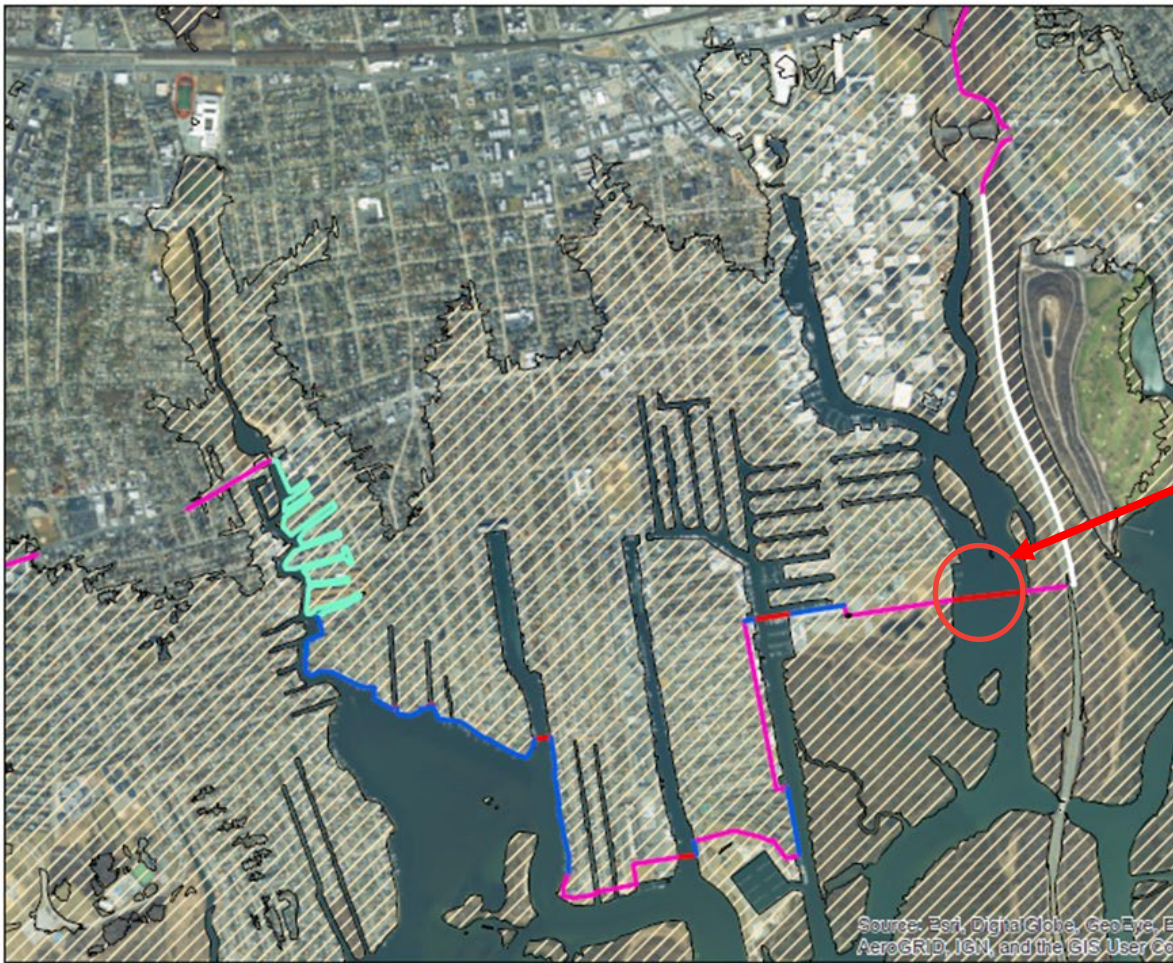
- 1) Freeport Village, NY
- 2) East Rockaway to Oceanside, NY
- 3) Island Park, NY
- 4) Long Beach City, NY

○ Critical Infrastructure Plans



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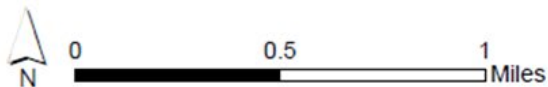




Miter Gate



**Freeport Village
Long Island, NY
Nassau County Back Bay
100 YR PLAN
1% Recurrence**



Legend

- ROAD-RAIL CLOSURE GATE - 100YR
- TYPE A WALL - 100YR
- TYPE B WALL - 100YR
- TYPE C WALL - 100YR
- TYPE D WALL - 100YR
- SLUICE-MITER GATE - 100YR
- NCBB_WL100_Floodplain

Notes

1. 36,600LF of Floodwall Construction to Elevation @ El. +16.0 NAVD88
2. (8) Miter Gates & (1) Sluice Gate @ El. +16.0 NAVD88. Lengths of Gate Spans Vary
3. (1) Road Closure Gate @ El. +16.0 NAVD88
4. 100 YR Floodplain Elevation @ +9.7 NAVD88



NCBB CRITICAL INFRASTRUCTURE MEASURES

EF Barrett Power Station

Bay Park
Reclamation Facility



Planned

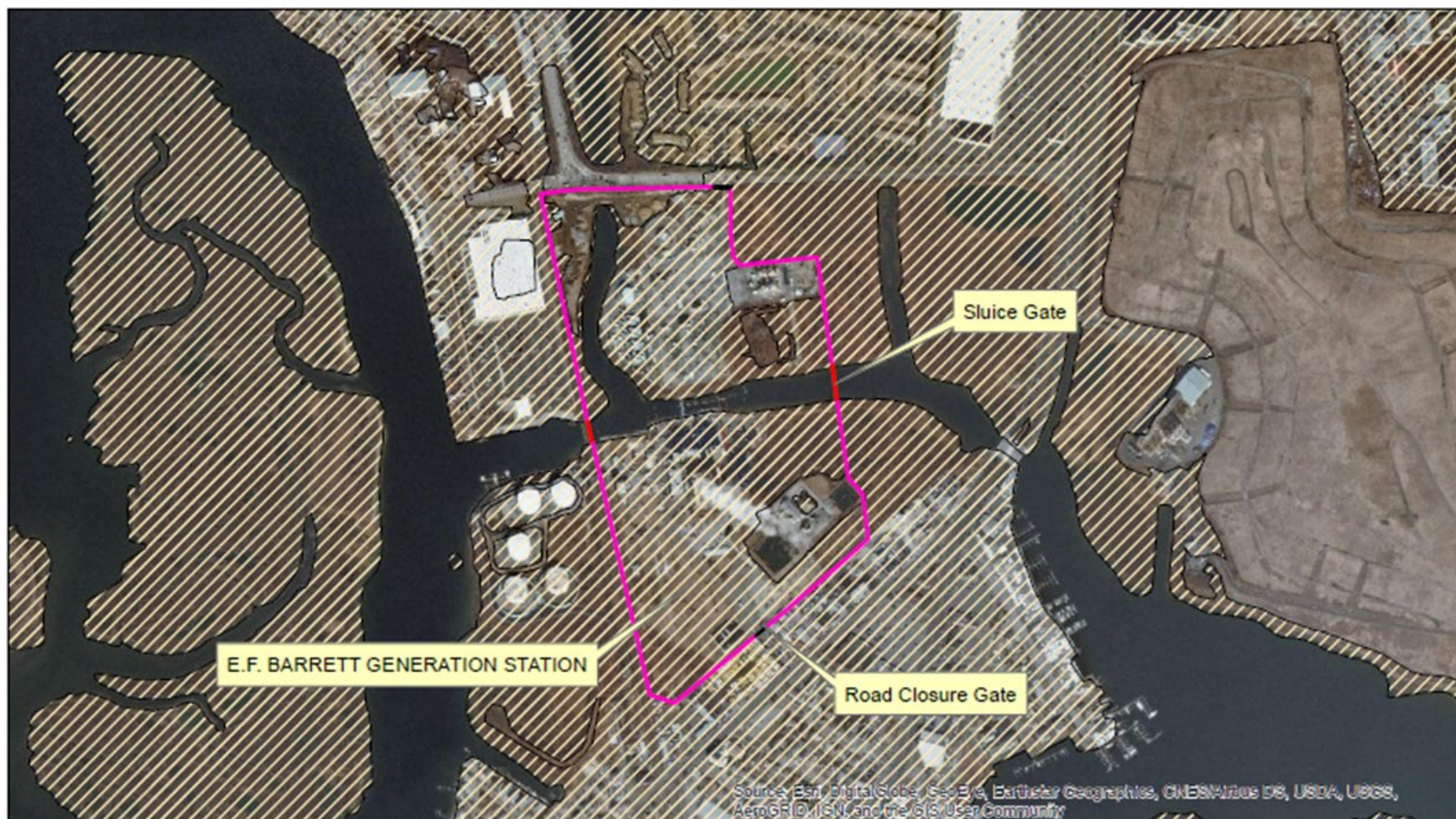


Existing



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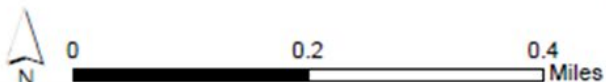
**Island Park & Vicinity
Long Island, NY
Nassau County Back Bay
100 YR PLAN
CRITICAL INFRASTRUCTURE**

Legend

- SLUICE-MITER GATE - 100YR CI
- ROAD-RAIL CLOSURE GATE - 100YR CI
- TYPE B WALL - 100YR CI
- TYPE C WALL - 100YR CI
- NCBB_WL100_Floodplain

Notes

1. 6,950LF of Floodwall Construction to El. +16.0 NAVD88
2. (2) Sluice Gates @ El. +16.0 NAVD88
3. (2) Road Closure Gates @ El. +16.0 NAVD88
4. 100 YR Floodplain Elevation @ +10.3 NAVD88



NASSAU COUNTY BACK BAY – STRUCTURAL MEASURE RENDERINGS FREEPORT WATERFRONT PARK – FREEPORT, NY



NASSAU COUNTY BACK BAY – STRUCTURAL PLAN RENDERINGS

EL. +9.0 NAVD88 Steel Combination Wall

QUICK NOTES

- Designed for 5 Year Storm Event or 20% Recurrence Chance
- TYPE D Wall Design
- Pro – Minimal Viewshed Impact
- Con – Lower Level of Protection
- Minor Access Construction Required



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NASSAU COUNTY BACK BAY – STRUCTURAL PLAN RENDERINGS

El. +13.0 NAVD88 Concrete T-Wall

QUICK NOTES

- Designed for 20 Year Storm Event or 5% Recurrence Chance
- TYPE C Wall Design
- Pro – Higher Level of Protection
- Con – Noticeable Reduction of Viewshed
- Moderate Access Construction Required



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NASSAU COUNTY BACK BAY – STRUCTURAL PLAN RENDERINGS El. +16 NAVD88 Concrete T-Wall

QUICK NOTES

- Designed for 100 Year Storm Event or 1% Recurrence Chance
- TYPE C Wall Design
- Pro – Highest Level of Protection
- Con – Significant Viewshed Impact
- Moderate to Significant Access Construction Required



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NCBB STRUCTURAL MEASURE - OTHER ACCESS OPTIONS



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NCBB NON-STRUCTURAL MEASURES

1. Elevation of residential structures to predicted 2080, 100-year base flood elevation (BFE) unless the required elevation is greater than a maximum of 12 ft above ground level.*
2. Acquisition/relocation of residential structures that would require elevation over 12 ft above ground level. Property owners would receive fair market value for the property acquired and relocation benefits.
3. Dry flood proofing of non-residential and public structures.**

**Raising structures greater than 12 ft above ground level introduces damage risk from winds during tropical events as a new condition. This height generally serves as a differentiator for insurance rates for wind/hail coverage as well and is therefore used as the upper limit for elevating structures.*

***Dry flood proofing is analyzed at the protection level associated with 3 ft. of vertical protection. A structural analysis is required to determine if a higher vertical protection level can be applied and be able to withstand the additional forces from the increase in water height.*



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NCBB NON-STRUCTURAL MEASURES

Focus Area 1-Freeport NY
Focus Area 2-East Rockaway NY
Focus Area 3-Long Beach NY
Focus Area 4-Island Park NY
Focus Area 5-NCBB Study Wide

Three scales of risk management applied to each

- Scale 1 - structures at risk during the 1% AEP
- Scale 2 - structures at risk during the 5% AEP
- Scale 3 - structures at risk during the 20% AEP

NCBB NON-STRUCTURAL MEASURES

Focus Area 1-Freeport Nonstructural Analysis								
% AEP		Total "at risk" Structures	% of Total Structures	Plan	Occupancy Type	Total "at risk" Structures	% of Total Structures	
All Structures	All	8,247	100%	Freeport	RES	6,585	79.8%	Total
					NON-RES	1,662	20.2%	Total
1%	100-year	3,771	46%	NS Plan 1	RES	3,006	36.4%	ELEV
					NON-RES	765	9.3%	Dry FP
2%	50-year	3,344	41%	A	RES	2,607	31.6%	ELEV
					NON-RES	737	8.9%	Dry FP
5%	20-year	1,911	23%	NS Plan 2	RES	1,373	16.6%	ELEV
					NON-RES	538	6.5%	Dry FP
10%	10-year	716	9%	B	RES	303	3.7%	ELEV
					NON-RES	413	5.0%	Dry FP
20%	5-year	428	5%	NS Plan 3	RES	83	1.0%	ELEV
					NON-RES	345	4.2%	Dry FP

- A representative structure was used for residential and non-residential structures.
 - The representative residential structure has an average square footage of 1867.6 SQFT.
 - The representative non-residential structure has an average linear footage of 185.5 LF.

REFORMULATION – FOCUSED ARRAY OF ALTERNATIVES

37

1. Non-Structural (NS) Countywide Plan
 - Residential Elevation
 - Non-residential dry floodproofing
2. Structural Highly Vulnerable Area (HVA) Plan – Comprehensive floodwalls at each HVA
3. Critical Infrastructure (CI) Plan – Structural (localized floodwalls) and NS measures to manage risk to CI
4. NS HVA Plan
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
5. Structural HVA & CI Plan
 - Comprehensive floodwalls at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI
6. Structural HVA & NS Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
7. Structural HVA, NS & CI Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI

Note: Each alternative in the focused array will potentially include NNBF measures as complementary features to be evaluated further during plan optimization.



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- The final array of alternatives was compared and evaluated as follows:

1. P&G Screening Criteria

- **Completeness** - Completeness is the extent to which a given alternative plan provides and accounts for all necessary investments or other actions to ensure the realization of the planned effects. This may require relating the plan to other types of public or private plans if the other plans are crucial to realization of the contributions to the objective.
- **Effectiveness** - Effectiveness is the extent to which an alternative plan alleviates the specified problems and achieves the specified opportunities.
- **Efficiency** - Efficiency is the extent to which an alternative plan is the most cost-effective means of alleviating the specified problems and realizing the specified opportunities, consistent with protecting the Nation's environment.
- **Acceptability** - Acceptability is the workability and viability of the alternative plan with respect to acceptance by State and local entities and the public and compatibility with existing laws, regulations, and public policies.

2. System of Accounts

- **NED** - Contributions to NED are increases in the net value of the national output of goods and services, expressed in monetary units.
- **EQ** – The EQ account displays non-monetary effects on significant natural and cultural resources.
- **RED** - The RED account registers changes in the distribution of regional economic activity that result from each alternative plan. Two measures of the effects of the plan on regional economies are used in the account: regional income and regional employment.
- **OSE** - The OSE account is a means of displaying and integrating into water resource planning information on alternative plan effects from perspectives that are not reflected in the other three accounts. The categories of effects in the OSE account include the following: Urban and community impacts; life, health, and safety factors; displacement; long-term productivity; and energy requirements and energy conservation.

TSP FIGURE



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TSP ECONOMIC DATA



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Philadelphia District

Nassau County Back Bays CSRM Agency Coordination Meeting 17 November 2020

Participants:

John Dawson (FEMA)	Chris Schubert (USGS)
Mike Moriarty (FEMA)	Jeremy Campbell (USGS)
Mike Tuohy (FEMA)	Jennifer Street (USGS)
Mark Eberle (NPS)	Scott Sanderson (USACE NAP)
Karen Greene (NMFS)	Beth Brandreth (USACE NAP)
Edith Carson-Supino (NMFS)	Nikki Minnichbach (USACE NAP)
Lt. Sheehy (USCG)	Rachel Ward (USACE NAP)
Brin Schneider (Nassau County)	Angie Sowers (USACE NAB)
Mary Studdert (Nassau County)	Rena Weichenberg (USACE NAD)
Steve Papa (USFWS)	
Kim Spiller (USFWS)	

Agenda/Meeting Purpose:

1. Prep for OFD Concurrence Point #2 – Alternatives Analysis
2. Final Review of Permitting Timetable before populating on the Dashboard

Presentation:

Angela Sowers (U.S. Army Corps of Engineers [USACE] Baltimore District [NAB]) took roll call and provided introductions.

Scott Sanderson (USACE Philadelphia District [NAP]), the Project Manager for the Feasibility Study gave a presentation. USACE is approaching the Tentatively Selected Plan (TSP) Milestone and choosing a plan, before going to the various reviews. The presentation provided is similar to the TSP presentation because it shows the process to get to the TSP.

Plan formulation considered the purpose and need for the coastal storm risk management (CSRM) study, the problems and opportunities to mitigate those problems. The primary objective is to manage coastal storm risk in highly vulnerable/high risk areas. Previously, analysis was conducted on large robust solutions such as storm surge barriers. The presentation will go over why those were screened out.

The current focused array of alternatives includes 7 alternatives with varying scales from a 5-year level of protection to a 100-year level of protection, to determine where the optimal protection level occurs. It is an initial attempt to see where the alternatives provide positive benefits to the nation while avoiding or minimizing impacts to the environment. Each plan will be evaluated to determine if/how complementary natural and nature-based features (NNBFs) can be included. We are currently working with the USACE Engineer Research and Design Center (ERDC) to incorporate those measures into the various plans. Analyses conducted for the New Jersey Back Bay CSRM study showed the smaller scale measures were more cost effective and had a greater likelihood to be incorporated into the plans rather

than a large scale application such as a natural levee. The larger scale NNBFs do not reduce water levels like as effectively as hardened structures/structural solutions.

Economic analyses are being run right now and the TSP will be determined by December 3.

Originally, solutions were being considered in neighboring counties. The study area was narrowed to the east/west limits of Nassau County, because of the constraints and results of the initial analyses.

The original array of alternatives included storm surge barriers, an all-inclusive perimeter plan, and an all-inclusive non-structural measures plan.

Storm surge barriers were excluded because of:

1. Unmitigated flooding effects due to fetch-driven water levels that developed east of the north-south barriers. There were no reductions in water surface elevations in 1A (no north-south barrier); the other alternatives which included a north-south barrier induced flooding to the east.
2. Each alternative included at least one storm surge barrier or bay closure within the footprint of a CBRA system unit.
3. Impacts to operations of Coast Guard lifesaving stations.

With the scoping to re-focus on Nassau County only, an emphasis was placed on critical infrastructure and highly vulnerable areas. USACE leaned on NACCS which used Army field model (SWEAT-MSO = Sewer, Water, Electricity, Academics, Trash, Medical, Safety, and Other), which considers which areas are more at risk to direct exposure and which ones would help a community to rebound. USACE also identified highly vulnerable areas using the HEC-FDA (Hydrologic Engineering Center – Flood Damage Reduction Analysis) model to look at Average Annual Damages in study area.

Based on this information and these analyses, USACE developed four higher priority areas and looked at possible measures in those areas. Seawalls and revetments are not applicable here because seawalls are intended to address high energy environments and revetments support seawalls, to reduce erosion.

We have not eliminated incorporation of NNBF measures, only the large standalone measures. NNBF are being considered as complementary features for the various plans.

Non-structural has focused on floodproofing and elevation, as well as acquisition. Elevation is not an option for structures that require a raising of more than 12 feet. Therefore, acquisition and planned evacuation are being considered for structures needing an elevation of more than 12 feet. Evacuation routes will be evaluated to provide a complete plan in order to minimize potential for life loss and injury for those that cannot evacuate before a storm arrives.

Floodwall types and alignments vary with the level of protection (5-, 20-, 100-year plans). In the example shown, the five-year plan has the highest linear feet, and provides for the smallest viewshed impact. The linear feet of protection is less for the 100-year plan, but viewshed impacts are higher. Impacts of the 100-year plan are also related to access and building from land or water. The 100-year plan includes gates across feeder canals to reduce linear feet of floodwalls.

Scott showed examples of plans and renderings at Freeport Waterfront Park for 5-year, 20-year, and 100-year level of protection, as well as various options for entrances to park.

The team continues to look at County-wide plans, as well as plans for the 4 highly vulnerable areas. Three levels of protection are being evaluated (5, 20, and 100 year).

Slide 37 reviewed the focused array of alternatives. All plans includes NNBF as complementary measures during plan optimization.

FOCUSED ARRAY OF ALTERNATIVES

1. Non-Structural (NS) Countywide Plan
 - Residential Elevation
 - Non-residential dry floodproofing
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6. Structural HVA & NS Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
7. Structural HVA, NS & CI Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI

Note: Each alternative in the focused array will potentially include NNBF measures as complementary features to be evaluated further during plan optimization.

Slide 38, USACE needs to follow the process of screening criteria, which is an iterative process through reviews. The systems of accounts (USACE Principles and Guidelines) need to be considered in plan development: National Economic Development (NED) (are damages reduced greater than the cost incurred?), environmental quality (EQ), regional economic development (RED), and Other Socioeconomic Effect (OSE).

Question/Comments:

Mike Moriarty – Are there any economic efficiencies to implement under NCBB in coordination with Fire Island Management Plan (FIMP)? For example, what about a contractor doing elevations as part of FIMP. Would there be a benefit to include if they were then to move into NCBB area – from perspective of mobilization, etc.

Scott – We can't double count benefits so need to account for benefits or impacts to adjacent projects. We are required to have an implementation plan, but at this time we haven't factored those types of

considerations in – costs and/or benefits. We will also do a cost-scheduled risk analysis to ID factors that could drive your costs up or down. Efforts going on for FIMP could be factored in at that point and considered for optimization

Jennifer Street - Aside from impacts to adjacent studies, as regards to FIMP, how much effort is there to design the study to be consistent with the TSP for FIMP? NCBB is looking at a lot of hardened shoreline measures, but FIMP avoided those. Would it make sense to mimic those non-structural solutions in the west since backbays is one system?

Scott – The focus is to provide greatest benefit /maximize net benefits to NCBB study area. But we need to be compatible and aware of FIMP. We will consider the consistency with FIMP.

Chris Schubert - How is SLR accounted for in the changing AEPs of flood elevations during the project's lifetime?

Scott – We are following USACE regulations to look at high, medium, and low sea level rise (SLR) curves. We are currently formulating on the medium SLR curve. When we get to optimization of TSP, we will look at all 3 levels. One thing to note is that the economic period for the study is 2030-2080, but SLR analysis will evaluate 2030 – 2130.

Chris Schubert - Could you also share your talking points on the One Federal Decision Milestone and Permitting Timetable in the report-out?

Angie – Yes. We have set a date to have the Permitting Timetable on the OFD Dashboard by November 30. The current version incorporates input received thus far from the agencies. Please take a final look at it to make sure that it aligns with your agency's milestones. Once it is published on the dashboard, cooperating agencies have 30 days to provide their milestones on the dashboard. Also, we are working towards completing Concurrence Point #2 by December 11. In order to do this, we will provide a formal request to cooperating agencies (FEMA, FWS, NMFS, and EPA) by December 1 to provide for the 10-day response period. The NOI was published in the Federal Register on September 10, 2020, which starts the two year clock .for compliance with OFD.

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: Nassau County Back Bay CSRM Study Agency Coordination - request for Concurrence Point #2
Date: Tuesday, December 1, 2020 10:32:00 AM
Attachments: [Final_NCBB_PermittingTimetable.docx](#)
[NCBB_AlternativesArray_OFDConcurrencePt2.pdf](#)

Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study on November 17, 2020. At this time, USACE is formally seeking concurrence from the cooperating agencies for the second of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). USACE is requesting written concurrence within 10 business days from cooperating agencies with authorization responsibility that the alternatives analysis being conducted is appropriate. The alternatives array is attached to this email. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #2. The cooperating agencies are FWS, NOAA/NMFS, FEMA and EPA. We have agreed to complete this action by December 11, 2020.

Additionally, the Permitting Timetable was published on the OFD Dashboard on November 30. Some of the dates were slightly tweaked in the final version to account for the time needed to publish the DEIS in the Federal Register. The final timetable is attached. The dashboard can be accessed here:

<https://www.permits.performance.gov/permitting-project/nassau-county-back-bays-coastal-storm-risk-management-feasibility-study>

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

Nassau County Back Bays Coastal Storm Risk Management Study
One Federal Decision (E.O. 13807) Concurrence Point #2: Alternatives Analysis

NCBB FOCUSED ARRAY OF ALTERNATIVES

For the alternatives listed, three levels of protection are being evaluated: 5, 20, and 100 year.

1. Non-Structural (NS) Countywide Plan
 - Residential Elevation
 - Non-residential dry floodproofing
2. Structural Highly Vulnerable Area (HVA) Plan – Comprehensive floodwalls at each HVA
3. Critical Infrastructure (CI) Plan – Structural (localized floodwalls) and NS measures to manage risk to CI
4. NS HVA Plan
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
5. Structural HVA & CI Plan
 - Comprehensive floodwalls at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI
6. Structural HVA & NS Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
7. Structural HVA, NS & CI Plan
 - Comprehensive floodwalls at each HVA
 - Residential Elevation at each HVA
 - Non-residential dry floodproofing at each HVA
 - Structural (localized floodwalls) and NS measures to manage risk to CI

Note: Each alternative in the focused array will potentially include NNBF measures as complementary features to be evaluated further during plan optimization.

From: [Dawson, John](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Tuohy, Patrick](#); [Moriarty, Michael](#)
Subject: [Non-DoD Source] RE: Nassau County Back Bay CSRM Study Agency Coordination - request for Concurrence Point #2
Date: Friday, December 4, 2020 2:08:31 PM

Good afternoon Angela,

FEMA has no objection or comment to Concurrence Point #2.

On a separate note, I think some confusion may have seeped in at some point; on the Dashboard, FEMA is not listed as a Cooperating Agency, but your email indicates that we are. Typically on studies such as this we would be a participating agency instead. We are interested in continuing that level of involvement, but do not anticipate needing to take a formal or active role in the study from a NEPA perspective.

Regards,

JOHN DAWSON
Regional Unified Federal Review Coordinator | Region II | FEMA
Office: (212) 720-9539 | Mobile (202) 286-1627 (preferred)
john.dawson@fema.dhs.gov

Federal Emergency Management Agency
fema.gov

-----Original Message-----

From: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Sent: Tuesday, December 1, 2020 10:33 AM
To: Zambrana, Emmanuel BOSN4 <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <thpo@estoo.net>; Gracey, Brian E LT <Brian.E.Gracey@uscg.mil>; Brian Schneider <bschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@srmt-nsn.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Delaware Nation of Oklahoma <ethompson@delawarenation-nsn.gov>; Jennifer Street <Jennifer.Street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Bergevin, Jesse <jbergevin@oneida-nation.org>; John Bonafide <John.Bonafide@parks.ny.gov>; Dawson, John <John.Dawson@fema.dhs.gov>; McKee, John <john.mckee@fema.dhs.gov>; Kaetlyn Jackson <kaetlyn_jackson@nps.gov>; Karen Green <karen.greene@noaa.gov>; Buck, Joshua W LCDR <Joshua.W.Buck@uscg.mil>; Sheehy, Jennifer L LT <Jennifer.L.Sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Bilecki <michael_bilecki@nps.gov>; Moriarty, Michael <Michael.Moriarty@fema.dhs.gov>; Mike Poetzsch <poetzsch.Michael@epa.gov>; Minnichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Minnichbach@usace.army.mil>; Nathan Allison <nathan.allison@mohican-nsn.gov>; Tuohy, Patrick <patrick.tuohy@fema.dhs.gov>; Paul Lepsch <paul.lepsch@sni.org>; Peter Johnsen <peter.b.johnsen@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith <shavonnesmith@shinnecock.org>; Shawn Fisher <scfisher@usgs.gov>; Spiller, Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve_papa@fws.gov>; Weichenberg, Rena CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>
Subject: Nassau County Back Bay CSRM Study Agency Coordination - request for Concurrence Point #2

Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management

(CSRM) Feasibility Study on November 17, 2020. At this time, USACE is formally seeking concurrence from the cooperating agencies for the second of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). USACE is requesting written concurrence within 10 business days from cooperating agencies with authorization responsibility that the alternatives analysis being conducted is appropriate. The alternatives array is attached to this email. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #2. The cooperating agencies are FWS, NOAA/NMFS, FEMA and EPA. We have agreed to complete this action by December 11, 2020.

Additionally, the Permitting Timetable was published on the OFD Dashboard on November 30. Some of the dates were slightly tweaked in the final version to account for the time needed to publish the DEIS in the Federal Register. The final timetable is attached. The dashboard can be accessed here:

Blocked<https://www.permits.performance.gov/permitting-project/nassau-county-back-bays-coastal-storm-risk-management-feasibility-study>

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

From: [Tuohy, Patrick](#)
To: [Vohden, Robert A CIV USARMY CENAD \(USA\)](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Moriarty, Michael](#); [Dawson, John](#); [McKee, John](#)
Subject: [Non-DoD Source] RE: Nassau County Back Bays IPR
Date: Monday, December 7, 2020 8:51:25 PM
Attachments: [image001.png](#)

Hi Robert, Scott, Angie,

Just want to make sure, is this meeting USACE only now? It still appears on our calendar.

Our Environmental team as cooperating agency had no comments on concurrence checkpoint #2. However, on review of the TSP .pptx there are some potential issues with how TSP may be able to integrate and be implementable with completed/ongoing Sandy funded portfolio (FEMA, USACE, FTA, EPA etc) and existing conditions in Long Beach and South Shore.

Let me know who and what venue may be best to discuss.

Thanks,

Patrick Tuohy
Federal Disaster Recovery Officer
FEMA Region II
patrick.tuohy@fema.dhs.gov
Cell: 917-753-3196



-----Original Appointment-----

From: Vohden, Robert A CIV USARMY CENAD (USA) <Robert.A.Vohden@usace.army.mil>
Sent: Monday, December 7, 2020 4:54 PM
To: Vietri, Joseph R CIV USARMY CENAD (USA); Forcina, Joseph CIV USARMY CENAD (USA); Stern, Roselle H CIV USARMY CENAD (USA); Gavigan, Kim M CIV USARMY CEHQ (USA); Sabalis, Paul A CIV USARMY CENAD (USA); Cresitello, Donald E CIV USARMY CENAD (US); Sanderson, Scott A CIV USARMY CENAP (USA); Gruber, Henry W HQ; Kim, Young S CIV USARMY CENAD (USA); NAD-Civil-Integration-Division-Calendar; Fowler, Cynthia J CIV USARMY CENAD (USA); Ricciardi, Christopher CIV USARMY CENAD (USA); Blum, Peter R CIV CPMS (USA); Leary, Adrian CIV USARMY CENAP (USA); Bogle, Brian CIV CPMS (USA); Lachney, Fay V CIV USARMY CEHQ (USA); Strahan, Jeffery P CIV USARMY CEHQ (USA); Weichenberg, Rena CIV USARMY CENAD (USA); Murphy, N Scott CIV USARMY CEHQ (USA); Haskins, Michael W CIV USARMY CEHQ (USA); Winkelman, John H III CIV USARMY CEERD-CHL (USA); White, Kathleen; Haug, Rachel L CIV (USA); McAndrew, Maureen A CIV USARMY CENAD (USA); Nieves, George CIV USARMY CENAD (USA); Huntley, Alan R CIV USARMY CENAD (USA);

Gates, Deborah N CIV USARMY CENAD (US)

Cc: Sims, Douglas C CIV USARMY USACE (USA); Prettyman-Beck, Yvonne J CIV USARMY USACE (USA); Kiefel, Lisa D CIV (USA); Todesco, Daniela CIV USARMY CEHQ (USA); Altschul, Naomi Fraenkel CIV USARMY CENAD (USA); Lamoglia, Ralph CIV USARMY CENAD (USA); Stamper, Douglas H II CIV USARMY CENAD (USA); Gonzalez, Carlos E CIV USARMY CENAD (USA); Bolton, Patricia Haas CIV USARMY CENAD (USA); Kimble, Suzanne S CIV USARMY CENAD (USA); Griggs, Robert J CIV USARMY CENAP (USA); Hampson, Robert W CIV USARMY CENAP (USA); Benigno, John Jr CIV USARMY CENAP (USA); Bomba, Christopher T II CIV USARMY CENAP (USA); Eason, Melinda CIV USARMY CENAP (USA); Harris, William E (Skip) CIV USARMY CENAP (US); Adkins, Bryan R CIV USARMY CELRH (USA); Minnichbach, Nicole C CIV USARMY CENAP (USA); Paiva, Marcos A CIV USARMY CENAE (USA); Sowers, Angela M CIV USARMY CENAB (USA); Whalon, Valerie M CIV (USA); Oakley, Preston G CIV USARMY CENAP (USA); Kastner, Michael J CIV (USA); Majusiak, Eric T CIV CENAP CENAD (USA); Dixon, Janay C CIV USARMY CEHQ (USA); McCrea, Judy P CIV USARMY CEHQ (USA); Williams, Lydia H CIV USARMY CENAD (USA); Judy P McCrea; Tommaso, Danielle M CIV USARMY CENAN (USA); ryan.hodgetts@dec.ny.gov; Schneider, Brian (NASSAU); Cackler, Olivia CIV USARMY CENAN (USA); Couch, Stephen A CIV USARMY CENAN (USA); Jones, Clifford S III CIV USARMY CENAN (USA); Tumminello, Paul CIV USARMY CENAN (USA); Wepler, Peter M CIV USARMY CENAN (USA); Jessie Murray - NOAA Federal; Karen Green; Steve Papa; Spiller, Kimberly J; Mike Poetzsch; Tuohy, Patrick; Moriarty, Michael; Dawson, John; McKee, John; Edith Carson-Supino; Morris, Jeffrey S CIV USARMY CESAS (USA); Ward, Rachel J CIV USARMY CENAP (US); Bethurem, Nancye L CIV USARMY CENAD (USA)

Subject: Nassau County Back Bays IPR

When: Monday, December 14, 2020 9:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: <https://usace1.webex.com/meet/scott.a.sanderson>

**** UPDATED**** 07-DEC-20 - This meeting originally scheduled as a TSP Milestone Meeting will now be an IPR for the NAP PDT to present the TSP in greater detail to the Vertical Team. The TSP Milestone Meeting will be rescheduled; Webex info.

Sowers, Angela M CIV USARMY CENAB (USA)

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>
Sent: Thursday, December 10, 2020 1:43 PM
To: Sowers, Angela M CIV USARMY CENAB (USA)
Cc: Brandreth, Mary E CIV USARMY CENAP (USA); Edith Carson-Supino; John Dawson; John McKee; Mike Poetzsch; Patrick Tuohy; Sanderson, Scott A CIV USARMY CENAP (USA); Spiller, Kimberly J; Steve Papa; Weichenberg, Rena CIV USARMY CENAD (USA); Dale Youngkin - NOAA Federal; Helen Chabot - NOAA Federal; Katherine Renshaw - NOAA Federal
Subject: [Non-DoD Source] Re: Nassau County Back Bay CSRM Study Agency Coordination - request for Concurrence Point #2

Hello Angie,

We have reviewed the Nassau County Back Bay Study Focused Array of Alternatives. We concur that sufficient information has been presented for the environmental review to proceed to the next stage of the National Environmental Policy Act process. We look forward to continued coordination with you as this project moves forward.

Thank you.

Karen Greene
Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division
NOAA Fisheries, Greater Atlantic Region
cell: (978) 559-9871



All HESD staff are currently teleworking. Please send all correspondence to us electronically as we are unable to receive mail regularly. Thank you.

On Tue, Dec 1, 2020 at 10:35 AM Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil> wrote:
Agency Partners:

This message is a follow up to the Agency Coordination meeting conducted by the U.S. Army Corps of Engineers, Philadelphia District (USACE) for the Nassau County Back Bays (NCBB) Coastal Storm Risk Management (CSRM) Feasibility Study on November 17, 2020. At this time, USACE is formally seeking concurrence from the cooperating agencies for the second of three "concurrence points" in accordance with Executive Order (E.O.) 13807 (One Federal Decision [OFD]). USACE is requesting written concurrence within 10 business days from cooperating agencies with authorization responsibility that the alternatives analysis being conducted is appropriate. The alternatives array is attached to this email. A "non-response" within 10 business days of this request would be considered a concurrence by your agency for concurrence point #2. The cooperating agencies are FWS, NOAA/NMFS, FEMA and EPA. We have agreed to complete this action by December 11, 2020.

Additionally, the Permitting Timetable was published on the OFD Dashboard on November 30. Some of the dates were slightly tweaked in the final version to account for the time needed to publish the DEIS in the Federal Register. The final timetable is attached. The dashboard can be accessed here:

<https://www.permits.performance.gov/permitting-project/nassau-county-back-bays-coastal-storm-risk-management->



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, New York 13045



December 15, 2020

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District - Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza, 10-E-04
Baltimore, MD 21201

Dear Dr. Sowers:

This is in response to your November 17, 2020, request for U.S. Fish and Wildlife Service (Service) concurrence on whether the alternative analysis for the U.S. Army Corps of Engineers' (Corps) Nassau County Back Bay Coastal Storm Risk Management Feasibility Study (Study) and Draft Environmental Impact Statement (DEIS) is appropriate. This request is made in accordance with Section IX of the *Memorandum of Understanding Implementing One Federal Decision Under Executive Order (EO) 13807* dated April 9, 2018, and constitutes concurrence point #2 in the Corps' planning process for this Study.

AUTHORITY

The Service is commenting as part of our statutory responsibilities pursuant to the National Environmental Policy Act (NEPA) and in our role as a Cooperating Agency. However, these comments do not preclude additional comments on forthcoming environmental documents that may be prepared pursuant to the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et. seq.), the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. Section 703-712), the Clean Water Act (86 Stat. 816, 33 U.S.C. 1344 et seq.), the Emergency Wetlands Resources Act (P.L. 99-645; 100 Stat. 3582), the National Wildlife Refuge System Improvement Act, as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd - ee), EO 11988, Floodplain Management (May 24, 1977; 42 FR 26951), and EO 11990, Protection of Wetlands (May 24, 1977; 42 FR 26961). As you know, the Service will be preparing and submitting the Secretary of the Interior's report on the potential impacts of the selected alternative(s) on fish and wildlife resources, and measures to avoid, minimize, and compensate for these impacts under separate correspondence pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 et seq.).

HISTORY OF COORDINATION

In correspondences dated October 1, 2020, and August 10, 2020, the Service provided input on strategies and guidance relative to undertaking this Study in a manner which leverages the protective aspects provided by natural habitats and provides ecological uplift in comments on the Notice of Intent to Prepare an Environmental Impact Statement and the Purpose and Need Statement, respectively. We continue to recommend that those strategies be explored and applied to this Study as alternatives to consider in the DEIS and which would meet the goals of the Purpose and Need Statement. As part of our on-going coordination, we also provided information on endangered and threatened species in an electronic correspondence dated November 11, 2020.

SELECTED ALTERNATIVES DESCRIPTIONS

There are seven alternatives being considered in the Corps' focused array of alternatives as provided to the Cooperating Agencies in electronic correspondence dated December 14, 2020. All alternatives are being evaluated at 5, 20, and 100 years of protection, and the selected alternative will include complementary natural and nature-based features (NNBF) to be evaluated during plan optimization for coastal storm risk management and ecosystem services. The alternatives include both non-structural (NS) measures, such as managed coastal retreat, building retrofit, land use management, and early flood warnings systems, as well as structural measures, namely floodwalls and levees. Most alternatives focus on highly vulnerable areas (HVA) and/or critical infrastructure (CI) in residential and commercial development areas on the mainland and Long Beach Island.

The NS County-wide Plan includes residential elevation and non-residential dry flood-proofing at a Nassau County-wide level. The NS HVA Plan includes residential elevation and non-residential dry flood-proofing at each HVA, while the Structural HVA Plan includes comprehensive floodwalls at each HVA. The CI Plan includes both structural measures, such as localized floodwalls, and non-structural measures to manage risk to CI. The remaining three plans combine elements of the other plans. The Structural HVA and NS Plan combines the comprehensive floodwalls of the Structural HVA Plan with the residential elevation and non-residential dry flood-proofing of the NS HVA Plan. The Structural HVA and CI Plan includes comprehensive floodwalls at HVA as well as structural and NS measures to manage risk to CI. Finally, the Structural HVA, NS, and CI Plan combines all measures at HVA and measures to manage risk to CI.

SERVICE COMMENTS

The alternatives which were initially provided to the Cooperating Agencies on December 1, 2020 excluded measures to protect and restore natural resources or improve ecosystem services through, for example, wetland restoration and remediation of environmental degradation, or conservation efforts for at-risk or listed species. However, the Corps did indicate that it may consider natural and nature-based features as complementary features in the 'plan optimization' phase of feasibility planning. Based on electronic correspondence from the Corps on November 19, plan optimization would occur after the Agency Decision in June 2021. According to the Permitting Timetable, this is well after the issuance of the DEIS (February 2021) and submission

of our Draft and Final FWCA reports (Jan and February 2021). In a staff conference call on December 14, 2020, the Corps agreed that clarification was needed in regard to linkages between the proposed structural and non-structural alternatives and NNBF features. The Corps subsequently revised the list of alternatives to address this. We support this change and provide our concurrence with this phase of the One Federal Decision Process.

At this time, we also take the opportunity to reiterate our recommendations from our August 10 and October 1 correspondences. First, the Study should evaluate alternatives that incorporate NNBFs as a primary or integrated alternative for coastal storm risk management and which provide an overall ecological uplift, by incorporating the principles of the National Oceanic and Atmospheric Administration/Corps Infrastructure Systems and Rebuilding Principles (2013) which include (emphasis added):

- **Work together** in a collaborative manner across multiple scales of governance (i.e., local, State, Tribal, and Federal) and with relevant entities outside the government **to develop long-term strategies that** promote public safety, **protect and restore natural resources and functions of the coast, and enhance coastal resilience;**
- **Improve coastal resilience by pursuing a systems approach that incorporates natural, social, and built systems as a whole;** and
- Promote increased recognition and awareness of risks and consequences among decision makers, stakeholders, and the public.

We also refer to the Corps' North Atlantic Coast Comprehensive Study (USACE 2015), which speaks to opportunities for incorporating natural resource protection and augmentation into a coastal storm risk management plan: "In addition to providing engineering functions related to managing risks from coastal storms, integrated solutions can provide a range of additional ecosystem services. A true systems approach to coastal storm risk management and resilience requires consideration of the full range of functions, services, and benefits produced by coastal projects and blended solutions. These include benefits related to commercial and recreational fisheries, tourism, clean water, habitat for threatened and endangered species, and support for cultural practices."

Thank you for the opportunity to work with you on clarifying the alternative analysis and reinforcing our previous recommendations on alternative development and selection. If you have any questions or require further assistance, please contact Steve Papa or Kim Spiller of the Long Island Field Office at 631-286-0485.

Sincerely,

David A. Stilwell
Field Supervisor

References Cited

National Oceanic and Atmospheric Administration and U.S. Army Corps of Engineers. 2013. Infrastructure Systems Rebuilding Principles. 4 pp. Available at <http://coastalmanagement.noaa.gov/resources/docs/infsysrebuildingprinciples.pdf>. Accessed on August 5, 2020.

U.S. Army Corps of Engineers. 2015. North Atlantic Coast Comprehensive Study. 2015. U.S. Army Corps of Engineers North Atlantic Division. 140 pp.

PERMITTING TIMETABLE

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Arvind Goswami](#); [Beth Bachor](#); [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [Brian.E.Gracey@uscg.mil](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: Nassau County Back Bays CSRM draft Permitting Timetable
Date: Tuesday, October 13, 2020 11:05:00 AM
Attachments: [NCBB NOI FederalRegister 2020-20031.pdf](#)
[Draft NCBB Permitting Milestone Schedule Oct2020.docx](#)

All,

In accordance with One Federal Decision, please review the draft Permitting Timetable attached for the Nassau County Back Bays Coastal Storm Risk Management Study. Please provide any revisions by Friday, October 23. Feel free to reach out to me with questions or to discuss anything. I have also attached the NOI published in the Federal Register on September 10 in case it was missed.

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

DRAFT – 13 October 2020

Nassau County Back Bays CSRM Feasibility Study and DEIS: One Federal Decision Milestone and Permitting Timetable

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
Responsible Agency or Entity	Environmental Review or Authorization	Milestone	Milestone Details (if applicable)	Target Completion	Status
CENAP	NEPA	Scoping Meetings	EIS Kick-Off/Scoping Meetings with Invited Resource Agencies and Public Stakeholders to identify CSRM Problems, Purpose and Need, Alternatives, Data Gaps, Ecological Resources, Preliminary Impacts, Critical Paths, Deliverables, etc.	May 2, 2017 May 3, 2017	Complete
CENAP	NEPA	Issue Interim Feasibility Report/ Environmental Scoping Document	Facilitate Scoping with Agencies, Public, and Stakeholders by providing preliminary analyses of purpose and need and array of alternatives	April 2019	Complete
CENAP	NEPA	Concurrence Point #1: Purpose and Need	CENAP will coordinate with the agencies to approve Purpose and Need via review of the Interim Report.	15 October 2020	In Progress
CENAP	NEPA	Publish NOI (OFD clock initiates)	CENAP reviews, approves, and submits NOI to USACE-HQ for posting in the Federal Register. (date is for submittal to HQ)	10 Sept 2020	Complete
CENAP	NEPA	Concurrence Point 2: Alternatives Analysis	Develop initial range of reasonable and practicable alternatives based on logistics costs, and existing technology; evaluate as to whether they	30 November 2020	

DRAFT – 13 October 2020

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
Responsible Agency or Entity	Environmental Review or Authorization	Milestone	Milestone Details (if applicable)	Target Completion	Status
			meet the purpose and need		
CENAP	E.O. 13807	Create OFD Dashboard	OFD Dashboard Populated with Permit Schedule Data	30 November 2020	
CENAP	NEPA	Tentatively Selected Plan Milestone (TSP)	USACE Vertical Team Concurrence on TSP	17 December 2020	
CENAP	NEPA	Concurrence Point 3: Preferred Alternative (TSP)	Cooperating Agencies Evaluate the proposed preferred alternative (TSP)	30 January 2020	
USFWS	NEPA/FWCA	Draft FWCA 2(b) Comments	USFWS to provide draft FWCA 2(b) comments to USACE based on TSP	30 January 2021	
CENAP	NEPA	NOA for DEIS	CENAP will electronically file the DEIS with USEPA-HQ to then publish NOA for DEIS in Federal Register	15 February 2021	
CENAP	Section 106 NHPA	Notice of Section 106 Consultation	CENAP initiates Section 106 Consultation with SHPO Executes PA with SHPO	15 February 2021	
CENAP	MSA	EFH Consultation with NMFS	CENAP initiates EFH Consultation	15 February 2021	
CENAP	FWCA	FWCA Coordination with USFWS and NMFS	CENAP initiates FWCA Coordination with NMFS	15 February 2021	
CENAP	ESA, NEPA	ESA Consultation with NMFS/USFWS	CENAP initiates ESA Consultation with NMFS/USFWS	15 February 2021	
CENAP	Section 401 WQC	Section 401 WQC Review with NYS DEC	CENAP initiates Section 401 WQC Review with NYSDEC	15 February 2021	

DRAFT – 13 October 2020

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
Responsible Agency or Entity	Environmental Review or Authorization	Milestone	Milestone Details (if applicable)	Target Completion	Status
CENAP	Section 307(c) CZMA	FedCon Review with NYS DOS	CENAP initiates FedCON Review with NYS DOS	15 February 2021	
CENAP	NEPA	Public Meeting(s) (if necessary)	CENAP will facilitate a public meeting(s) if warranted	March 2021	
USFWS	NEPA/FWCA	Final FWCA 2(b) Comments	USFWS to provide final FWCA 2(b) comments to USACE	30 March 2021	
CENAP	NEPA	Receive Public Comments on DEIS	CENAP to receive public, stakeholder, and general Federal, State, and local agency comments (30 days from publishing DEIS)	16 April 2021	
U.S. EPA	NEPA/Section 309 CAA Review	Receive EPA Section 309 CAA/NEPA Comments	CENAP to receive comments on DEIS from US EPA	16 April 2021	
NMFS	NEPA/FWCA	Receive NEPA/FWCA Comments from NMFS	CENAP to receive NEPA and FWCA comments on DEIS	16 April 2021	
USFWS	NEPA/FWCA	Receive NEPA/FWCA Comments from USFWS	CENAP to receive NEPA and FWCA comments on DEIS	16 April 2021	
HQUSACE	--	Agency Decision Milestone (ADM)	USACE Vertical Team Formally Endorses TSP	4 June 2021	
NMFS	MSA	EFH Consultation with NMFS	EFH Consultation concluded	12 July 2021	
USFWS; NMFS	NEPA/ESA	ESA Consultation with NMFS/USFWS	ESA concluded	12 July 2021	
USFWS; NMFS	NEPA/FWCA	FWCA Consultation with	FWCA concluded	12 July 2021	

DRAFT – 13 October 2020

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		NMFS/USFWS			
SHPO	Section 106 NHPA	Section 106 Completion	CENAP completes Section 106 process in accordance with PA	12 July 2021	
NYS DEC	401WQC	Notice of 401WQC Consistency to CENAP	NYS DEC renders decisions regarding 401WQC	12 July 2021	
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CENAP	NEPA	NOA for FEIS	CENAP will electronically file the FEIS with USEPA-HQ to then publish NOA for FEIS in Federal Register	28 October 2021	
HQUSACE	--	Chief of Engineers Report Signed	USACE submits Chiefs Report to Congress for Authorization – Completion of Feasibility Phase	26 November 2021	
HQUSACE	NEPA	Notice of Record of Decision (ROD)	<i>USACE makes Final Decision on NEPA/OFD Concluded for Reviews (3 months following Chiefs Report)</i>	28 February 2022	

From: [Karen Greene - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Edith Carson-Supino](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#); [Dale Youngkin - NOAA Federal](#)
Subject: Re: [Non-DoD Source] Re: Nassau County Back Bays CSRM draft Permitting Timetable
Date: Friday, October 23, 2020 2:52:09 PM
Attachments: [NCBB NOAA Permitting Timetable Milestone10192020 \(1\).docx](#)
[Draft NCBB Permitting Milestone Schedule nmfs comments10232020.docx](#)

Hi Angie,

Attached are our comments on the revised draft schedule. There were a few additional edits done in track changes. The most significant is the ESA Milestone 3. Since our guidance assumes a formal consultation, the date for that milestone would be in August 2021, not July.

I have also included our milestone language and dependencies which should be added to the permitting dashboard as well. Please let me know if you have questions about those or problems with the dashboard.

Thanks.

Karen

Karen Greene

Chief, Mid-Atlantic Branch

Habitat and Ecosystem Services Division

NOAA Fisheries, Greater Atlantic Region

cell: (978) 559-9871



On Thu, Oct 15, 2020 at 11:10 AM Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil> wrote:

Hi Karen,

This is a request for comments. Yes, the plan is to incorporate agency input and then provide a clean copy for formal concurrence.

Thanks,
Angie

-----Original Message-----

From: Karen Greene - NOAA Federal [mailto:karen.greene@noaa.gov]

Sent: Thursday, October 15, 2020 10:48 AM

To: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>

Cc: Brandreth, Mary E CIV USARMY CENAP (USA)

<Mary.E.Brandreth@usace.army.mil>; Edith Carson-Supino <edith.carson-supino@noaa.gov>;

Mike Poetzsch <poetzsch.Michael@epa.gov>; Peter Johnsen

<peter.b.johnsen@noaa.gov>; Sanderson, Scott A CIV USARMY CENAP (USA)

DRAFT Final – 30 November 2020

Nassau County Back Bays CSRM Feasibility Study and DEIS: One Federal Decision Milestone and Permitting Timetable

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
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CENAP	NEPA	Issue Interim Feasibility Report/ Environmental Scoping Document	Facilitate Scoping with Agencies, Public, and Stakeholders by providing preliminary analyses of purpose and need and array of alternatives	April 2019	Complete
CENAP	NEPA	Concurrence Point #1: Purpose and Need	CENAP will coordinate with the agencies to approve Purpose and Need.	15 October 2020	Complete
CENAP	NEPA	Publish NOI (OFD clock initiates)	CENAP reviews, approves, and submits NOI to USACE-HQ for posting in the Federal Register. (date is for submittal to HQ)	10 Sept 2020	Complete
CENAP	E.O. 13807	Create OFD Dashboard	OFD Dashboard Populated with Permit Schedule Data	30 November 2020	
CENAP	NEPA	Concurrence Point 2: Alternatives Analysis	Develop initial range of reasonable and practicable alternatives based on logistics	11 December 2020	

DRAFT Final – 30 November 2020

			costs, and existing technology; evaluate as to whether they meet the purpose and need		
CENAP	NEPA	Tentatively Selected Plan Milestone (TSP)	USACE Vertical Team Concurrence on TSP	14 December 2020	
USFWS	NEPA/FWCA	Draft FWCA 2(b) Comments	USFWS to provide draft FWCA 2(b) comments to USACE based on TSP	30 January 2021	
CENAP	NEPA	NOA for DEIS	CENAP will electronically file the DEIS (15 February) with USEPA-HQ to then publish NOA for DEIS in Federal Register (Publication in FR on 19 February)	15/19 February 2021	
CENAP	Section 106 NHPA	Notice of Section 106 Consultation	CENAP initiates Section 106 Consultation with SHPO Executes PA with SHPO	19 February 2021	
CENAP	EFH/MSA	EFH Consultation with NMFS	CENAP initiates EFH Consultation (NMFS EFH milestone 1 – submit draft EFH assessment)	19 February 2021	
CENAP	FWCA (USFWS and NOAA)	FWCA Coordination with USFWS and NOAA/NMFS	CENAP initiates FWCA Coordination with USFWS and NOAA/NMFS – (Requests Consultation Regarding Conservation of Fish and Wildlife Resources -NMFS FWCA milestone 1)	19 February 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	CENAP submits ESA Consultation Request with NOAA and USFWS (NOAA ESA milestone 1 – Request for ESA Consultation Received)	19 February 2021	
CENAP	Section 401 WQC	Section 401 WQC Review with NYS DEC	CENAP initiates Section 401 WQC Review with NYSDEC	19 February 2021	

DRAFT Final – 30 November 2020

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CENAP	NEPA	Receive Public Comments on DEIS	CENAP to receive public, stakeholder, and general Federal, State, and local agency comments (60 days from publishing DEIS)	20 April 2021	
U.S. EPA	NEPA/Section 309 CAA Review	Receive EPA Section 309 CAA/NEPA Comments	CENAP to receive comments on DEIS from US EPA	20 April 2021	
NOAA/NMFS	NEPA/FWCA	Receive NEPA/FWCA Comments from NOAA/NMFS	CENAP to receive NEPA and FWCA comments on DEIS (NMFS Fish and Wildlife Coordination Act Review concluded – NMFS FWCA milestone 2)	20 April 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	Consultation Package Deemed Complete (Submit respective Final BAs to NOAA and FWS – NOAA ESA milestone 2)	20 April 2021	
NMFS	EFH	EFH Consultation with NMFS	Submit Final EFH Assessment to NMFS (NMFS determines EFH assessment is complete and initiates consultation - NMFS EFH milestone 2)	20 April 2021	
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CENAP	NEPA	Concurrence Point 3: Preferred Alternative (TSP)	Cooperating Agencies Evaluate the proposed preferred alternative (TSP)	12 May 2021	

DRAFT Final – 30 November 2020

NMFS	EFH/MSA	EFH Consultation with NOAA/NMFS	NOAA Issues EFH Conservation Recommendations - EFH Consultation concluded (NMFS EFH milestone 3)**	21 June 2021	
HQUSACE	--	Agency Decision Milestone (ADM)	USACE Vertical Team Formally Endorses TSP	24 June 2021	
USFWS		FWCA Consultation with NMFS and USFWS	FWCA concluded	12 July 2021	
SHPO	Section 106 NHPA	Section 106 Completion	CENAP completes Section 106 process in accordance with PA	12 July 2021	
NYS DEC	401WQC	Notice of 401 WQC Consistency to CENAP	NYS DEC renders decisions regarding 401WQC	12 July 2021	
NYS DOS	NYCMP	Notice of CZM NYCMP Consistency to CENAP	NYS DOS renders decisions regarding NYCMP Consistency	12 July 2021	
USFWS; NMFS	NEPA/ESA	ESA Consultation with NOAA/USFWS	ESA concluded (Response letter provided- NOAA ESA milestone 3)	2 September 2021	
CENAP	NEPA	NOA for FEIS	CENAP will electronically file the FEIS with USEPA-HQ to then publish NOA for FEIS in Federal Register	29 October 2021	
HQUSACE	--	Chief of Engineers Report Signed	USACE submits Chiefs Report to Congress for Authorization – Completion of Feasibility Phase	26 November 2021	
HQUSACE	NEPA	Notice of Record of Decision (ROD)	USACE makes Final Decision on NEPA/OFD Concluded for Reviews (3 months following Chiefs Report)	25 February 2022	

**for EFH – 120 days lands on Saturday, June 19 so pushed to next business day – June 21

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: Nassau County Back Bays CSRM Study - Progress Update
Date: Monday, February 1, 2021 7:13:00 AM

Agency Partners:

On January 27, USACE and study sponsors (New York State Department of Environmental Conservation and Nassau County) participated in a webinar with various elected officials to discuss aspects of the study and current findings. USACE plans to host meetings with all stakeholders and a broad audience in the winter of 2021. To date, the Study Team has conducted extensive engineering, economic, hydrologic, hydraulic, and environmental analyses and has evaluated numerous alternatives.

Currently, the Study Team is focused on non-structural alternatives (to include elevating and floodproofing structures), floodwalls in vulnerable areas, and alternatives to protect critical infrastructure (such as power stations and wastewater treatment plants) to help communities recover faster and improve resilience.

With the signing of the E.O. by President Biden on January 21, 2021, E.O. 13807 on One Federal Decision (OFD) has been revoked. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/> As you are aware, Nassau County Back Bays was a OFD project with a published dashboard. We are still waiting additional guidance, but expect to maintain close coordination with our agency partners to work through the agreed upon permitting timetable.

With that said, we have previously communicated that the draft EIS will be publicly available on February 19, 2021. The USACE team and its non-federal sponsors are continuing to work to identify a Tentatively Selected Plan. This will delay the release of the draft EIS. At this time we are estimating the draft EIS to be available in late April/May. We are working to revise the schedule, and once we have a refined date, I will update the permitting timetable and provide it to you for review and awareness.

Thank you,
Angie

Angie Sowers, Ph.D.

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [Jessie Murray](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#); [Ward, Rachel J CIV USARMY CENAP \(US\) \(Rachel.J.Ward@usace.army.mil\)](#)
Subject: Nassau County Back Bays CSRM Agency Coordination Meeting
Start: Monday, June 14, 2021 10:30:00 AM
End: Monday, June 14, 2021 12:00:00 PM
Location: <https://usace1.webex.com/meet/angela.sowers>
Attachments: [NCBB PermittingTimetable June2021update.docx](#)

***Adding revised Permitting Timetable for review in preparation for Monday's meeting.

Thanks!

Hello,

Please join us for a study update and discussion of the path forward. We have worked with local stakeholders and our sponsors to refine the study's path forward. We are pleased to share that we have identified a Tentatively Selected Plan (TSP) and completed the TSP milestone meeting on May 27, 2021. We will present the TSP at this meeting and discuss the revised permitting timetable. We are working to complete the draft EIS for publication in the Federal Register on July 30.

Thank you,
Angie

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [Jessie Murray](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#); [Ward, Rachel J CIV USARMY CENAP \(US\)](#) (Rachel.J.Ward@usace.army.mil); meadhbh.ginnane@mohican-nsn.gov
Cc: [Delaware Nation, Oklahoma](#); [Renaud, Alexander D NAP](#)
Subject: RE: Nassau County Back Bays CSRM Agency Coordination Meeting
Date: Monday, June 14, 2021 1:12:00 PM
Attachments: [NCBB_AgencyCoord_14June2021.pdf](#)

All,

Please find attached the slide deck from today's meeting. We will follow-up with the meeting minutes in the next few days. Thank you again for your time.

Cooperating agencies (FWS, NOAA/NFMS, EPA, and FEMA), please reply to us with any comments on the permitting timetable or to confirm the revised timetable's acceptability to your agency by the end of the week if possible.

Thanks,

Angie

-----Original Appointment-----

From: Sowers, Angela M CIV USARMY CENAB (USA)

Sent: Thursday, June 3, 2021 2:33 PM

To: Sowers, Angela M CIV USARMY CENAB (USA); BOSN4 Emmanuel Zambrana; Brandreth, Mary E CIV USARMY CENAP (USA); Brett Barnes; Brian Gracey; Brian Schneider; Chris Schubert; Darren Bonaparte; Edith Carson-Supino; Erin Thompson-Paden; Jennifer Street; Jeremy Campbell; Jesse Bergevin; Jessie Murray; John Bonafide; John Dawson; John McKee; Kaetlyn Jackson; Karen Green; LCDR Josh Buck; LT Jennifer Sheehy; Mark Eberle; Michael Bilecki; Michael Moriarty; Mike Poetzsch; Minnichbach, Nicole C CIV USARMY CENAP (USA); Nathan Allison; Patrick Tuohy; Paul Lepsch; Peter Johnsen; Ryan Hodgetts; Sanderson, Scott A CIV USARMY CENAP (USA); Shavonne Smith; Shawn Fisher; Spiller, Kimberly J; Steve Papa; Weichenberg, Rena CIV USARMY CENAD (USA); Whalon, Valerie M CIV (USA); Ward, Rachel J CIV USARMY CENAP (US) (Rachel.J.Ward@usace.army.mil)

Cc: Erin Paden; Renaud, Alexander D NAP

Subject: Nassau County Back Bays CSRM Agency Coordination Meeting

When: Monday, June 14, 2021 10:30 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: <https://usace1.webex.com/meet/angela.sowers>

***Adding revised Permitting Timetable for review in preparation for Monday's meeting.

Thanks!

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May 27, 2021. We will present the TSP at this meeting and discuss the revised permitting timetable. We are working to complete the draft EIS for publication in the Federal Register on July 30.

Thank you,
Angie

Post-TSP Proposed Revisions (10 June 2021)

Nassau County Back Bays CSRM Feasibility Study and DEIS: One Federal Decision Milestone and Permitting Timetable

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CENAP	NEPA	Concurrence Point 2: Alternatives Analysis	Develop initial range of reasonable and practicable alternatives based on logistics	11 December 2020	Complete

Post-TSP Proposed Revisions (10 June 2021)

			costs, and existing technology; evaluate as to whether they meet the purpose and need		
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USFWS	NEPA/FWCA	Draft FWCA 2(b) Comments	USFWS to provide draft FWCA 2(b) comments to USACE based on TSP (provide FWS info by April 11)	1 July 2021	
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Post-TSP Proposed Revisions (10 June 2021)

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USFWS; NMFS	NEPA/ESA	ESA Consultation with NOAA/USFWS	ESA concluded (Response letter provided - NOAA ESA milestone 3)	10 February 2022	
CENAP	NEPA	NOA for FEIS	CENAP will electronically file the FEIS with USEPA-HQ to then publish NOA for FEIS in Federal Register^	March 2023	
HQUSACE	--	Chief of Engineers Report Signed	USACE submits Chiefs Report to Congress for Authorization – Completion of Feasibility Phase	May 2023	
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Post-TSP Proposed Revisions (10 June 2021)

**for EFH – 120 days lands on Saturday, November 27/Thanksgiving Day weekend so pushed to Tuesday, November 30

From: [Karen Greene - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Edith Carson-Supino](#); [Jessie Murray](#)
Subject: Re: [Non-DoD Source] Re: Nassau County Back Bays CSRM Agency Coordination Meeting
Date: Wednesday, June 16, 2021 3:56:45 PM

HQ has cleared the revised dates. Thanks for making the changes.

Karen

Karen Greene

*Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division
NOAA Fisheries, Greater Atlantic Region
cell: (978) 559-9871*

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential-fish-habitat-consultations-greater-atlantic-region>

All HESD staff are currently teleworking. Please send all correspondence to us electronically as we are unable to receive mail regularly. Thank you.

On Tue, Jun 15, 2021 at 2:40 PM Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil> wrote:

Karen,

We don't have any issues with the revisions you provided. I have attached a marked-up as well as clean document. I adjusted the Dec 20 date. That was related to FWS effort, but moved it up to align with the Nov 30 dates. If this looks good, please pass up your chain for approval.

Thanks,
Angie

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>
Sent: Monday, June 14, 2021 2:55 PM
To: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Cc: Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Jessie Murray <jessie.murray@noaa.gov>
Subject: [Non-DoD Source] Re: Nassau County Back Bays CSRM Agency Coordination Meeting

Hi Angie,

Attached is an edited time table with some recommended changes so that it follows our guidelines on setting time tables. If you agree with the changes, I'll still need to send this to our headquarters for review and clearance, but as it is now, I know it will not be cleared.

The issues are mostly minor. EFH and ESA milestones #2, should be 60 days from the EFH/ESA milestones #1, so 28 Sept 2021, not 13 Sept.

NMFS FWCA milestone 2 should be the same date as our EFH milestone 3. We will send our EFH and FWCA recs at the same time.

I am confused about the 20 December entry about the conclusion of the FWCA consultation. What action does this represent?

Thanks. If the changes are accepted, please send me back a revised time table and I move it up the chain for review.

Thanks.

Karen

Karen Greene

*Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division
NOAA Fisheries, Greater Atlantic Region
cell: (978) 559-9871*

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential-fish-habitat-consultations-greater-atlantic-region>

All HESD staff are currently teleworking. Please send all correspondence to us electronically as we are unable to receive mail regularly. Thank you.

On Thu, Jun 10, 2021 at 1:11 PM Sowers, Angela M CIV USARMY CENAB (USA)
<Angela.Sowers@usace.army.mil> wrote:

***Adding revised Permitting Timetable for review in preparation for Monday's meeting.

Thanks!

Hello,

Please join us for a study update and discussion of the path forward. We have worked with local stakeholders and our sponsors to refine the study's path forward. We are pleased to share that we have identified a Tentatively Selected Plan (TSP) and completed the TSP milestone meeting on May 27, 2021. We will present the TSP at this meeting and discuss the revised permitting timetable. We are working to complete the draft EIS for publication in the Federal Register on July 30.

Thank you,
Angie

Post-TSP Revised (16 June 2021)

Nassau County Back Bays CSRM Feasibility Study and DEIS: One Federal Decision Milestone and Permitting Timetable

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
Responsible Agency or Entity	Environmental Review or Authorization	Milestone	Milestone Details (if applicable)	Target Completion	Status
CENAP	NEPA	Scoping Meetings	EIS Kick-Off/Scoping Meetings with Invited Resource Agencies and Public Stakeholders to identify CSRM Problems, Purpose and Need, Alternatives, Data Gaps, Ecological Resources, Preliminary Impacts, Critical Paths, Deliverables, etc.	May 2, 2017 May 3, 2017	Complete
CENAP	NEPA	Issue Interim Feasibility Report/ Environmental Scoping Document	Facilitate Scoping with Agencies, Public, and Stakeholders by providing preliminary analyses of purpose and need and array of alternatives	April 2019	Complete
CENAP	NEPA	Concurrence Point #1: Purpose and Need	CENAP will coordinate with the agencies to approve Purpose and Need.	15 October 2020	Complete
CENAP	NEPA	Publish NOI (OFD clock initiates)	CENAP reviews, approves, and submits NOI to USACE-HQ for posting in the Federal Register. (date is for submittal to HQ)	10 Sept 2020	Complete
CENAP	E.O. 13807	Create OFD Dashboard	OFD Dashboard Populated with Permit Schedule Data	30 November 2020	Complete
CENAP	NEPA	Concurrence Point 2: Alternatives Analysis	Develop initial range of reasonable and practicable alternatives based on logistics costs, and existing technology; evaluate as to whether they meet the purpose and need	11 December 2020	Complete

Post-TSP Revised (16 June 2021)

CENAP	NEPA	Tentatively Selected Plan Milestone (TSP)	USACE Vertical Team Concurrence on TSP	27 May 2021	Complete
USFWS	NEPA/FWCA	Draft FWCA 2(b) Comments	USFWS to provide draft FWCA 2(b) comments to USACE based on TSP (provide FWS info by April 11)	15 July 2021	
CENAP	NEPA	NOA for DEIS	CENAP will electronically file the DEIS (26 July) with USEPA-HQ to then publish NOA for DEIS in Federal Register (Publication in FR on 30 July)	26/30 July 2021	
CENAP	Section 106 NHPA	Notice of Section 106 Consultation	CENAP initiates Section 106 Consultation with SHPO Executes PA with SHPO	30 July 2021	
CENAP	EFH/MSA	EFH Consultation with NMFS	CENAP initiates EFH Consultation (NMFS EFH milestone 1 – submit draft EFH assessment)	30 July 2021	
CENAP	FWCA (USFWS and NOAA)	FWCA Coordination with USFWS and NOAA/NMFS	CENAP initiates FWCA Coordination with USFWS and NOAA/NMFS – (Requests Consultation Regarding Conservation of Fish and Wildlife Resources -NMFS FWCA milestone 1)	30 July 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	CENAP submits ESA Consultation Request with NOAA and USFWS (NOAA ESA milestone 1 – Request for ESA Consultation Received)	30 July 2021	
CENAP	Section 401 WQC	Section 401 WQC Review with NYS DEC	CENAP initiates Section 401 WQC Review with NYSDEC	30 July 2021	
CENAP	Section 307(c) CZMA	FedCon Review with NYS DOS	CENAP initiates FedCON Review with NYS DOS	30 July 2021	
CENAP	NEPA	Public Meeting(s) (if necessary)	CENAP will facilitate a public meeting(s)	September 2021	

Post-TSP Revised (16 June 2021)

CENAP	NEPA	Receive Public Comments on DEIS	CENAP to receive public, stakeholder, and general Federal, State, and local agency comments (45 days from publishing DEIS)	13 Sep 2021	
U.S. EPA	NEPA/Section 309 CAA Review	Receive EPA Section 309 CAA/NEPA Comments	CENAP to receive comments on DEIS from US EPA	13 Sep 2021	
NOAA/NMFS and USFWS	NEPA	Receive NEPA Comments from NOAA/NMFS and USFWS	CENAP to receive NEPA comments on DEIS	13 Sep 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	Consultation Package Deemed Complete (Submit respective Final BAs to NOAA and FWS – NOAA ESA milestone 2)	28 Sep 2021	
NMFS	EFH	EFH Consultation with NMFS	Submit Final EFH Assessment to NMFS (NMFS determines EFH assessment is complete and initiates consultation - NFMS EFH milestone 2)	28 Sep 2021	
CENAP	NEPA	Concurrence Point 3: Preferred Alternative (TSP)	Cooperating Agencies Evaluate the proposed preferred alternative (TSP)	21 October 2021	
NOAA/NMFS	NEPA/FWCA	Receive FWCA Recommendations from NOAA/NMFS	CENAP to receive FWCA recommendations from NMFS (NFMS Fish and Wildlife Coordination Act Review concluded – NMFS FWCA milestone 2)	30 November 2021	
NMFS	EFH/MSA	EFH Consultation with NOAA/NMFS	NOAA Issues EFH Conservation Recommendations - EFH Consultation concluded (NMFS EFH milestone 3)**	30 November 2021	
USFWS		FWCA Consultation with USFWS	CENAP to receive final FWCA 2(b) letter (FWCA concluded)	30 November 2021	

Post-TSP Revised (16 June 2021)

HQUSACE	--	Agency Decision Milestone (ADM)	USACE Vertical Team Formally Endorses TSP	November 2021	
SHPO	Section 106 NHPA	Section 106 Completion	CENAP completes Section 106 process in accordance with PA	20 December 2021	
NYS DEC	401WQC	Notice of 401 WQC Consistency to CENAP	NYS DEC renders decisions regarding 401WQC	20 December 2021	
NYS DOS	NYCMP	Notice of CZM NYCMP Consistency to CENAP	NYS DOS renders decisions regarding NYCMP Consistency	20 December 2021	
USFWS; NMFS	NEPA/ESA	ESA Consultation with NOAA/USFWS	ESA concluded (Response letter provided- NOAA ESA milestone 3)	10 February 2022	
CENAP	NEPA	NOA for FEIS	CENAP will electronically file the FEIS with USEPA-HQ to then publish NOA for FEIS in Federal Register^	March 2023	
HQUSACE	--	Chief of Engineers Report Signed	USACE submits Chiefs Report to Congress for Authorization – Completion of Feasibility Phase	May 2023	
HQUSACE	NEPA	Notice of Record of Decision (ROD)	<i>USACE makes Final Decision on NEPA/OFD Concluded for Reviews (3 months following Chiefs Report)</i>	August 2023	

**for EFH – 120 days lands on Saturday, November 27/Thanksgiving Day weekend so pushed to Tuesday, November 30; USACE response to conservation recommendations due by 30 December 2021

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [Jessie Murray](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: Nassau County Back Bays CSRM Study - Update
Date: Tuesday, July 20, 2021 1:33:00 PM

Good Afternoon,

Our apologies for the schedule change, but the release of the NCBB draft feasibility report has been delayed at the request of the non-federal sponsor. The draft report will not be released on July 30. We are working with NYSDEC on the exact extent of the delay and should have specifics by the middle of next week. We will work with you to revise the Permitting Timetable once the schedule has been better defined.

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [BOSN4 Emmanuel Zambrana](#); [Brandreth, Mary E CIV USARMY CENAP \(USA\)](#); [Brett Barnes](#); [Brian Gracey](#); [Brian Schneider](#); [Chris Schubert](#); [Darren Bonaparte](#); [Edith Carson-Supino](#); [Erin Thompson-Paden](#); [Jennifer Street](#); [Jeremy Campbell](#); [Jesse Bergevin](#); [Jessie Murray](#); [John Bonafide](#); [John Dawson](#); [John McKee](#); [Kaetlyn Jackson](#); [Karen Green](#); [LCDR Josh Buck](#); [LT Jennifer Sheehy](#); [Mark Eberle](#); [Michael Bilecki](#); [Michael Moriarty](#); [Mike Poetzsch](#); [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#); [Nathan Allison](#); [Patrick Tuohy](#); [Paul Lepsch](#); [Peter Johnsen](#); [Ryan Hodgetts](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#); [Shavonne Smith](#); [Shawn Fisher](#); [Spiller, Kimberly J](#); [Steve Papa](#); [Weichenberg, Rena CIV USARMY CENAD \(USA\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: RE: Nassau County Back Bays CSRM Study - Update
Date: Tuesday, August 10, 2021 4:14:00 PM
Attachments: [NCBB PermittingTimetable_Aug2021.docx](#)

Good afternoon,

After discussion with our non-federal sponsors and vertical team, the schedule for the release of the NCBB CSRM draft Integrated Feasibility Report and EIS is slated for August 30. On August 30, USACE plans to make the draft documents available to the public through our website. The documents will also be submitted through eNEPA on that day for publication of the NOA in the Federal Register on September 3. The 45-day public review period will run through October 18. Please find attached an updated Permitting Timetable for your review. Please let us know at your earliest convenience if you see any issues with the revised permitting timetable. In general, the updates pushed dates back by 4-5 weeks and can be viewed using the track changes feature.

Thank you,
Angie

From: Sowers, Angela M CIV USARMY CENAB (USA)
Sent: Tuesday, July 20, 2021 1:33 PM
To: BOSN4 Emmanuel Zambrana <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <thpo@estoo.net>; Brian Gracey <Brian.E.Gracey@uscg.mil>; Brian Schneider <bschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@srmt-nsn.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Erin Thompson-Paden <ethompson@delawarenation-nsn.gov>; Jennifer Street <Jennifer.Street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Jesse Bergevin <jbergevin@oneida-nation.org>; Jessie Murray <jessie.murray@noaa.gov>; John Bonafide <John.Bonafide@parks.ny.gov>; John Dawson <john.dawson@fema.dhs.gov>; John McKee <john.mckee@fema.dhs.gov>; Kaetlyn Jackson <kaetlyn_jackson@nps.gov>; Karen Green <karen.greene@noaa.gov>; LCDR Josh Buck <Joshua.W.Buck@uscg.mil>; LT Jennifer Sheehy <Jennifer.L.Sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Bilecki <michael_bilecki@nps.gov>; Michael Moriarty <michael.moriarty@fema.dhs.gov>; Mike Poetzsch <poetzsch.Michael@epa.gov>; Minnichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Minnichbach@usace.army.mil>; Nathan Allison <nathan.allison@mohican-nsn.gov>; Patrick Tuohy <patrick.tuohy@fema.dhs.gov>; Paul Lepsch <paul.lepsch@sni.org>; Peter Johnsen <peter.b.johnsen@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith <shavonnesmith@shinnecock.org>; Shawn Fisher <scfisher@usgs.gov>; Spiller, Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve_papa@fws.gov>; Weichenberg, Rena CIV USARMY CENAD (USA) <Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>

Subject: Nassau County Back Bays CSRM Study - Update

Good Afternoon,

Our apologies for the schedule change, but the release of the NCBB draft feasibility report has been delayed at the request of the non-federal sponsor. The draft report will not be released on July 30. We are working with NYSDEC on the exact extent of the delay and should have specifics by the middle of next week. We will work with you to revise the Permitting Timetable once the schedule has been better defined.

Thank you,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

Post-TSP Revised v2 (10 August 2021)

Nassau County Back Bays CSRM Feasibility Study and DIFR-EIS: One Federal Decision Milestone and Permitting Timetable

Required Dashboard Items and Milestones in Bold <i>Initiation and Completion of EO 13807 clock in bold italic type.</i> Planned or In-progress sub items not required on the dashboard in Blue Font					
Responsible Agency or Entity	Environmental Review or Authorization	Milestone	Milestone Details (if applicable)	Target Completion	Status
CENAP	NEPA	Scoping Meetings	EIS Kick-Off/Scoping Meetings with Invited Resource Agencies and Public Stakeholders to identify CSRM Problems, Purpose and Need, Alternatives, Data Gaps, Ecological Resources, Preliminary Impacts, Critical Paths, Deliverables, etc.	May 2, 2017 May 3, 2017	Complete
CENAP	NEPA	Issue Interim Feasibility Report/ Environmental Scoping Document	Facilitate Scoping with Agencies, Public, and Stakeholders by providing preliminary analyses of purpose and need and array of alternatives	April 2019	Complete
CENAP	NEPA	Concurrence Point #1: Purpose and Need	CENAP will coordinate with the agencies to approve Purpose and Need.	15 October 2020	Complete
CENAP	NEPA	Publish NOI (OFD clock initiates)	CENAP reviews, approves, and submits NOI to USACE-HQ for posting in the Federal Register. (date is for submittal to HQ)	10 Sept 2020	Complete
CENAP	E.O. 13807	Create OFD Dashboard	OFD Dashboard Populated with Permit Schedule Data	30 November 2020	Complete
CENAP	NEPA	Concurrence Point 2: Alternatives Analysis	Develop initial range of reasonable and practicable alternatives based on logistics costs, and existing technology; evaluate as to whether they meet the purpose and need	11 December 2020	Complete

Post-TSP Revised v2 (10 August 2021)

CENAP	NEPA	Tentatively Selected Plan Milestone (TSP)	USACE Vertical Team Concurrence on TSP	27 May 2021	Complete
USFWS	NEPA/FWCA	Draft FWCA 2(b) Comments	USFWS to provide draft FWCA 2(b) comments to USACE based on TSP (provide FWS info by April 11)	August 2021	
CENAP	NEPA	NOA for DIFR-EIS	CENAP will electronically file the DIFR-EIS (30 Aug) with USEPA-HQ to then publish NOA for DIFR-EIS in Federal Register (Publication in FR on 3 Sep)	30 Aug/3 Sep 2021	
CENAP	Section 106 NHPA	Notice of Section 106 Consultation	CENAP initiates Section 106 Consultation with SHPO Executes PA with SHPO	3 Sep 2021	
CENAP	EFH/MSA	EFH Consultation with NMFS	CENAP initiates EFH Consultation (NMFS EFH milestone 1 – submit draft EFH assessment)	3 Sep 2021	
CENAP	FWCA (USFWS and NOAA)	FWCA Coordination with USFWS and NOAA/NMFS	CENAP initiates FWCA Coordination with USFWS and NOAA/NMFS – (Requests Consultation Regarding Conservation of Fish and Wildlife Resources -NMFS FWCA milestone 1)	3 Sep 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	CENAP submits ESA Consultation Request with NOAA and USFWS (NOAA ESA milestone 1 – Request for ESA Consultation Received)	3 Sep 2021	
CENAP	Section 401 WQC	Section 401 WQC Review with NYS DEC	CENAP initiates Section 401 WQC Review with NYSDEC	3 Sep 2021	
CENAP	Section 307(c) CZMA	FedCon Review with NYS DOS	CENAP initiates FedCON Review with NYS DOS	3 Sep 2021	
CENAP	NEPA	Public Meeting(s) (if necessary)	CENAP will facilitate a public meeting(s)	September /October 2021	

Post-TSP Revised v2 (10 August 2021)

CENAP	NEPA	Receive Public Comments on DIFR-EIS	CENAP to receive public, stakeholder, and general Federal, State, and local agency comments (45 days from publishing DIFR-EIS)	18 Oct 2021	
U.S. EPA	NEPA/Section 309 CAA Review	Receive EPA Section 309 CAA/NEPA Comments	CENAP to receive comments on DIFR-EIS from US EPA	18 Oct 2021	
NOAA/NMFS and USFWS	NEPA	Receive NEPA Comments from NOAA/NMFS and USFWS	CENAP to receive NEPA comments on DIFR-EIS	18 Oct 2021	
CENAP	ESA, NEPA	ESA Consultation with NOAA and USFWS	Consultation Package Deemed Complete (Submit respective Final BAs to NOAA and FWS – NOAA ESA milestone 2)	2 Nov 2021	
NMFS	EFH	EFH Consultation with NMFS	Submit Final EFH Assessment to NMFS (NMFS determines EFH assessment is complete and initiates consultation - NFMS EFH milestone 2)	2 Nov 2021	
CENAP	NEPA	Concurrence Point 3: Preferred Alternative (TSP)	Cooperating Agencies Evaluate the proposed preferred alternative (TSP)	21 October 2021	
NOAA/NMFS	NEPA/FWCA	Receive FWCA Recommendations from NOAA/NMFS	CENAP to receive FWCA recommendations from NMFS (NFMS Fish and Wildlife Coordination Act Review concluded – NMFS FWCA milestone 2)	3 January 2022	
NMFS	EFH/MSA	EFH Consultation with NOAA/NMFS	NOAA Issues EFH Conservation Recommendations - EFH Consultation concluded (NMFS EFH milestone 3)**	3 January 2022	
USFWS		FWCA Consultation with USFWS	CENAP to receive final FWCA 2(b) letter (FWCA concluded)	3 January 2022	

Post-TSP Revised v2 (10 August 2021)

HQUSACE	--	Agency Decision Milestone (ADM)	USACE Vertical Team Formally Endorses TSP	December 2022	
SHPO	Section 106 NHPA	Section 106 Completion	CENAP completes Section 106 process in accordance with PA	31 January 2022	
NYS DEC	401WQC	Notice of 401 WQC Consistency to CENAP	NYS DEC renders decisions regarding 401WQC	31 January 2022	
NYS DOS	NYCMP	Notice of CZM NYCMP Consistency to CENAP	NYS DOS renders decisions regarding NYCMP Consistency	31 January 2022	
USFWS; NMFS	NEPA/ESA	ESA Consultation with NOAA/USFWS	ESA concluded (Response letter provided- NOAA ESA milestone 3)	17 March 2022	
CENAP	NEPA	NOA for FEIS	CENAP will electronically file the FEIS with USEPA-HQ to then publish NOA for FEIS in Federal Register^	April 2023	
HQUSACE	--	Chief of Engineers Report Signed	USACE submits Chiefs Report to Congress for Authorization – Completion of Feasibility Phase	June 2023	
HQUSACE	NEPA	Notice of Record of Decision (ROD)	<i>USACE makes Final Decision on NEPA/OFD Concluded for Reviews (3 months following Chiefs Report)</i>	September 2023	

NOTES: for milestones 120 days from September 3, 2021, pushed to Monday, January 3 since 120 days falls on January 1

USACE response to conservation recommendations due by 2 February 2022

From: [Karen Greene - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Jessie Murray - NOAA Federal](#); [Edith Carson-Supino](#)
Subject: [Non-DoD Source] Re: Nassau County Back Bays CSRM Study - Update
Date: Thursday, August 19, 2021 6:42:39 PM

Hi Angie,

Our HQ cleared the dates on schedule, so feel free to post them to the dashboard. Sorry for the delay.

Karen

Karen Greene

*Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division
NOAA Fisheries, Greater Atlantic Region
cell: (978) 559-9871*

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential-fish-habitat-consultations-greater-atlantic-region>

All HESD staff are currently teleworking. Please send all correspondence to us electronically as we are unable to receive mail regularly. Thank you.

On Thu, Aug 12, 2021 at 11:38 AM Karen Greene - NOAA Federal

<karen.greene@noaa.gov> wrote:

Hi Angie,

The revised schedule looks fine. I am checking with our headquarters on whether or not it needs formal clearance from our NOAA Fisheries Deputy Administrator. I'll let you know as soon as I hear back, but assume everything is fine.

As a FYI, we are also expecting to get the NJ Back Bay study NEPA document this month. Last I heard it was to be tomorrow, but that could change. That study includes three storm gates and two cross bay barriers. The preliminary draft of the document I saw last month left a lot to be desired, so our review of that may affect how fast we can get this done. I expect we will meet our milestones, but we may not be as early as I had hoped.

Karen

Karen Greene

*Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division
NOAA Fisheries, Greater Atlantic Region
cell: (978) 559-9871*

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential->

[fish-habitat-consultations-greater-atlantic-region](#)

All HESD staff are currently teleworking. Please send all correspondence to us electronically as we are unable to receive mail regularly. Thank you.

On Tue, Aug 10, 2021 at 4:18 PM Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil> wrote:

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Thank you,

Angie

From: Sowers, Angela M CIV USARMY CENAB (USA)

Sent: Tuesday, July 20, 2021 1:33 PM

To: BOSN4 Emmanuel Zambrana <Emmanuel.Zambrana@uscg.mil>; Brandreth, Mary E CIV USARMY CENAP (USA) <Mary.E.Brandreth@usace.army.mil>; Brett Barnes <thpo@estoo.net>; Brian Gracey <Brian.E.Gracey@uscg.mil>; Brian Schneider <bschneider@nassaucountyny.gov>; Chris Schubert <schubert@usgs.gov>; Darren Bonaparte <darren.bonaparte@srmt-nsn.gov>; Edith Carson-Supino <edith.carson-supino@noaa.gov>; Erin Thompson-Paden <ethompson@delawarenation-nsn.gov>; Jennifer Street <Jennifer.Street@dos.ny.gov>; Jeremy Campbell <jeremy.campbell@dos.ny.gov>; Jesse Bergevin <jbergevin@oneida-nation.org>; Jessie Murray <jessie.murray@noaa.gov>; John Bonafide <John.Bonafide@parks.ny.gov>; John Dawson <john.dawson@fema.dhs.gov>; John McKee <john.mckee@fema.dhs.gov>; Kaetlyn Jackson <kaetlyn_jackson@nps.gov>; Karen Green <karen.greene@noaa.gov>; LCDR Josh Buck <Joshua.W.Buck@uscg.mil>; LT Jennifer Sheehy <Jennifer.L.Sheehy@uscg.mil>; Mark Eberle <mark_eberle@nps.gov>; Michael Bilecki <michael_bilecki@nps.gov>; Michael Moriarty <michael.moriarty@fema.dhs.gov>; Mike Poetzsch <poetzsch.Michael@epa.gov>; Minnichbach, Nicole C CIV USARMY CENAP (USA) <Nicole.C.Minnichbach@usace.army.mil>; Nathan Allison <nathan.allison@mohican-nsn.gov>; Patrick Tuohy <patrick.tuohy@fema.dhs.gov>; Paul Lepsch <paul.lepsch@sni.org>; Peter Johnsen <peter.b.johnsen@noaa.gov>; Ryan Hodgetts <Ryan.Hodgetts@dec.ny.gov>; Sanderson, Scott A CIV USARMY CENAP

(USA) <Scott.A.Sanderson@usace.army.mil>; Shavonne Smith
<shavonnesmith@shinnecock.org>; Shawn Fisher <scfisher@usgs.gov>; Spiller,
Kimberly J <kimberly_spiller@fws.gov>; Steve Papa <Steve_papa@fws.gov>;
Weichenberg, Rena CIV USARMY CENAD (USA)
<Rena.Weichenberg@usace.army.mil>; Whalon, Valerie M CIV (USA)
<Valerie.M.Whalon@usace.army.mil>
Subject: Nassau County Back Bays CSRM Study - Update

Good Afternoon,

Our apologies for the schedule change, but the release of the NCBB draft feasibility report has been delayed at the request of the non-federal sponsor. The draft report will not be released on July 30. We are working with NYSDEC on the exact extent of the delay and should have specifics by the middle of next week. We will work with you to revise the Permitting Timetable once the schedule has been better defined.

Thank you,

Angie

Angie Sowers, Ph.D.

U.S. Army Corps of Engineers

Baltimore District- Planning Division

Civil Project Development Branch

Integrated Water Resources Management Specialist

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AGENCY COORDINATION MEETING RECORDS

- **Meeting #1: OFD Concurrence Point #1 – July 21, 2021**
- **Meeting #2: OFD Concurrence Point #2 – November 17, 2020**
- **Meeting #3: TSP and Permitting Timetable Update – June 14, 2021**

MEETING #1: OFD CONCURRENCE POINT #1
JULY 21, 2021 – SEE OFD SECTION

MEETING #2: OFD CONCURRENCE POINT #2
NOVEMBER 17, 2021 – SEE OFD SECTION

MEETING #3: TSP AND PERMITTING TIMETABLE UPDATE

JUNE 14, 2021

Nassau County Back Bays, NY, Coastal Storm Risk Management Feasibility Study –

Agency Coordination Meeting #3

U.S. Army Corps of Engineers, Philadelphia
District

Non-Federal Sponsor: New York State
Department of Environmental Conservation
in Partnership with Nassau County, NY

14 June 2021



AGENDA

- Recap and 2021 Activities
- Bottom Line Up Front (BLUF)
 - ▶ Comparison of NED Benefits
 - ▶ Tentatively Selected Plan
- Study Background
- Plan Formulation
- Focused Array of Alternatives
- TSP Selection
- Plan Selection Risk Analysis
- Ongoing Analysis
- Schedule & Path Forward
- Questions & Discussion



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RECAP AND 2021 ACTIVITIES

- Last convened on 17 November 2020 to accomplish One Federal Decision Check Point #2 – Alternatives Analysis and Finalize Permitting Timetable for publication to Dashboard
- TSP Milestone Meeting originally scheduled for December 2020 was postponed to present the proposed TSP to local representatives
 - Meetings held with:
 - Elected Officials (Federal, State, Local) – January 2021
 - City of Long Beach – March and April 2021
 - USACE Headquarters – December 2020, January 2021, March 2021, April 2021, May 2021
- As a result of those meetings and additional analyses, the proposed TSP was revised to the current plan



BLUF - COMPARISON OF NED BENEFITS

- The current NED plan is the NS Countywide Plan

Alternative	Initial Const.	AAC	AAB	AANB	BCR	Residual
No Action Plan	N/A	N/A	N/A	N/A	N/A	N/A
NS Countywide Plan (NED Plan)	\$3,837,829,000	\$135,733,000	\$610,571,000	\$474,839,000	4.5	40%
Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan	\$4,785,719,000	\$180,345,000	\$649,545,000	\$469,200,000	3.6	36%
Localized Structural Critical Infrastructure & NS Plan	\$4,789,373,000	\$176,411,000	\$622,893,000	\$446,481,000	3.5	38%
Locally Preferred Plan	N/A	N/A	N/A	N/A	N/A	N/A



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BLUF - TENTATIVELY SELECTED PLAN

- Non-Structural Countywide Plan
 - Elevate: 14,183 Structures
 - Floodproof: 2,667 Structures

ESTIMATED COSTS FOR THE TSP	
Period of Analysis	2030 to 2080 (50 Years)
Price Level	October 2020 (FY21)
Discount Rate	2.5%
Base Year	2030
Initial Construction Costs	\$3,837,829,000
Interest During Construction	\$11,864,000
Annual OMRR&R	\$0
Average Annual Cost	\$135,733,000
Average Annual Benefits	\$610,751,000
Average Annual Net Benefits	\$474,839,000
BCR	4.5
Residual Risk	40%



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STUDY AUTHORITY

Public Law 71, Chapter 140 (15 June 1955) - *That in view of the severe damage to the coastal and tidal areas of the eastern and southern United States from the occurrence of hurricanes, particularly the hurricanes of August 31, 1954, and September 11, 1954, in the New England, New York, and New Jersey coastal and tidal areas... The Secretary of the Army... is hereby authorized and directed to cause an examination and survey to be made of the eastern and southern seaboard of the United States with respect to hurricanes, with particular reference to areas where severe damages have occurred.*

Bipartisan Budget Act of 2018 (Public Law 115-123)

Note: *North Atlantic Coast Comprehensive Study (NACCS) identified Nassau County Back Bays as one of nine high risk focus areas to manage risk associated with coastal flooding and sea level rise.*



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STUDY PURPOSE & NEED

- **PURPOSE** – to determine the feasibility of a project to reduce coastal storm risk in the back bays of Nassau County, New York, while contributing to the resilience of communities, critical infrastructure, and the natural environment.
- **NEED** – the study area is low-lying and experiences flooding from coastal storms and astronomically high tides; is considered at high risk to coastal storm flooding with an associated threat to life safety; is susceptible to relative sea level change in the future; includes a degraded back bay ecosystem supporting sensitive species and habitats.



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PLAN FORMULATION

Problems:

- **Inundation** - The NCBBS study area is vulnerable to coastal storm-related inundation damages, including economic disruption to residential structures and infrastructure & life and safety risks.
- **RSLC/Climate Change** - The study area risk from storm damages will likely increase with sea level rise for the future without project condition.
- **Erosion** - The study area experiences shoreline losses from wave attack, wind forces and other elements.
- **Degraded Ecosystems** - The study area's coastal ecosystems fail to provide their natural ecosystem services.

Opportunities:

- Reduce flood damage risk to structures, infrastructure and life safety.
- Apply solutions that are adaptable and sustainable with rising sea levels.
- Establish solutions designed to combat erosion.
- Integrate storm risk management and apply the qualitative NACCS resilience criteria designed to improve adaptive capacity.
- Improve ecosystem goods and services provided through quantitative review of measures and alternatives.



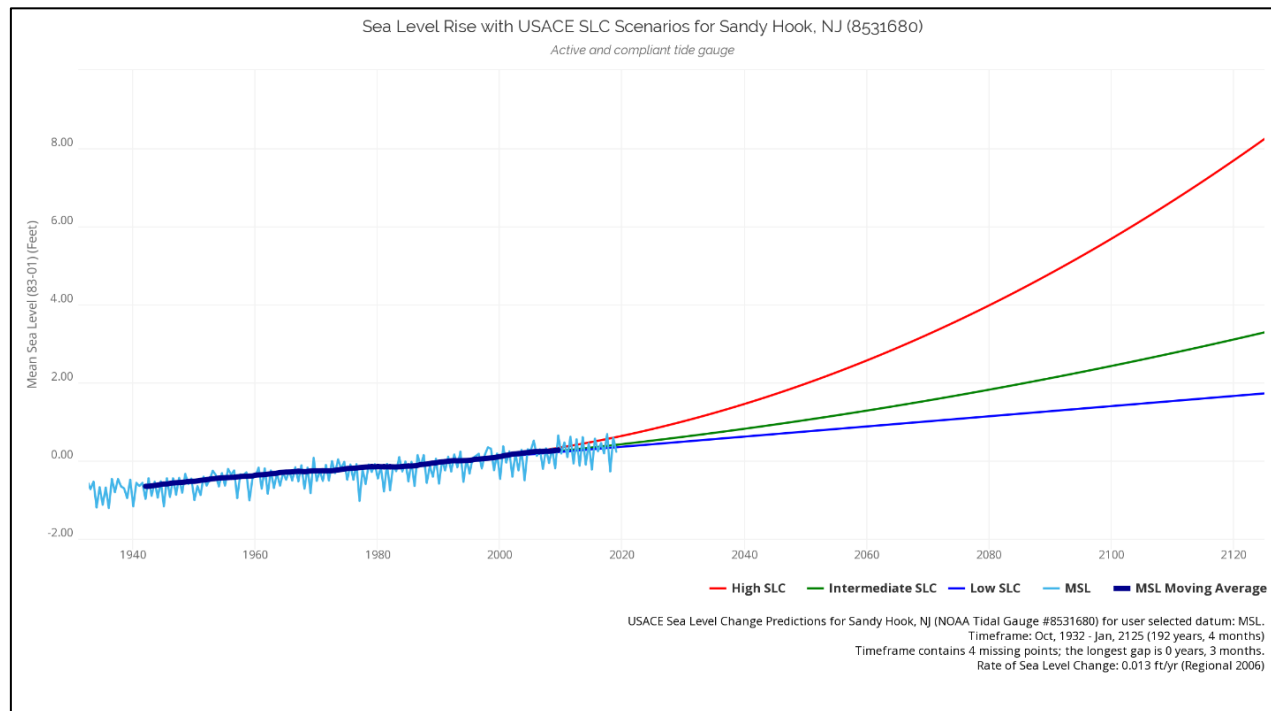
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PLAN FORMULATION – RSLC

INTERMEDIATE CURVE HAS BEEN UTILIZED FOR CURRENT FORMULATION

Year	USACE – Low (ft., MSL ¹)	USACE – Int. (ft., MSL ¹)	USACE – High (ft., MSL ¹)
1992	0.00	0.00	0.00
2000	0.10	0.11	0.13
2019	0.35	0.41	0.62
2025	0.42	0.52	0.83
2050	0.74	1.04	1.99
2075	1.06	1.68	3.62
2100	1.38	2.42	5.71
2125	1.70	3.28	8.26



PLAN FORMULATION

Overall Objective:

The objective of the NCBB CSRM Feasibility Study is to develop solutions to manage risk associated with coastal flooding affecting critical infrastructure and highly vulnerable risk areas.

Specific Planning Objectives:

- Manage potential life loss related to coastal flooding in the study area through 2080.
- Manage the risk of coastal storm damage to public infrastructure and important societal resources, as well as highly vulnerable portions of Nassau County through 2080.
- Contribute to the long-term sustainability and resilience of coastal communities in Nassau County through 2080.

Specific Planning Constraints:

- Avoid construction within Coastal Barrier Resources Act (CBRA) System Units
- Avoid impacts to life safety activities for the U.S. Coast Guard
- Avoid impacts to Federal navigation channels
- Avoid impacts to constructed and planned resilience projects
- Avoid impacts to Threatened and Endangered Species
- Minimize or avoid effects on cultural resources and historic structures, sites and features

Specific Planning Considerations:

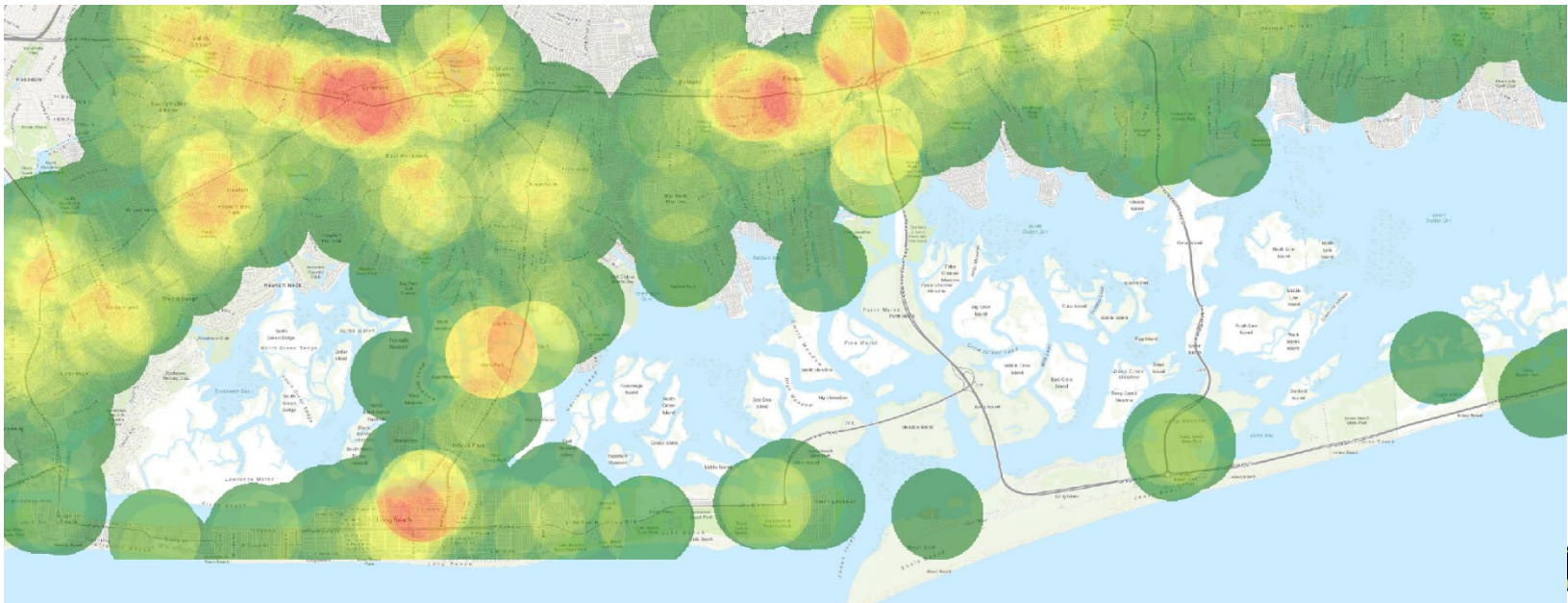
- Avoid induced coastal flooding in adjacent communities, and flooding from rainfall or overwhelming of existing interior drainage systems
- Avoid degradation to water quality



PLAN FORMULATION

Identification of Critical Infrastructure: Per the NACCS, critical infrastructure is defined as infrastructure that could be considered essential services, operations, or necessary to ensure civil order.

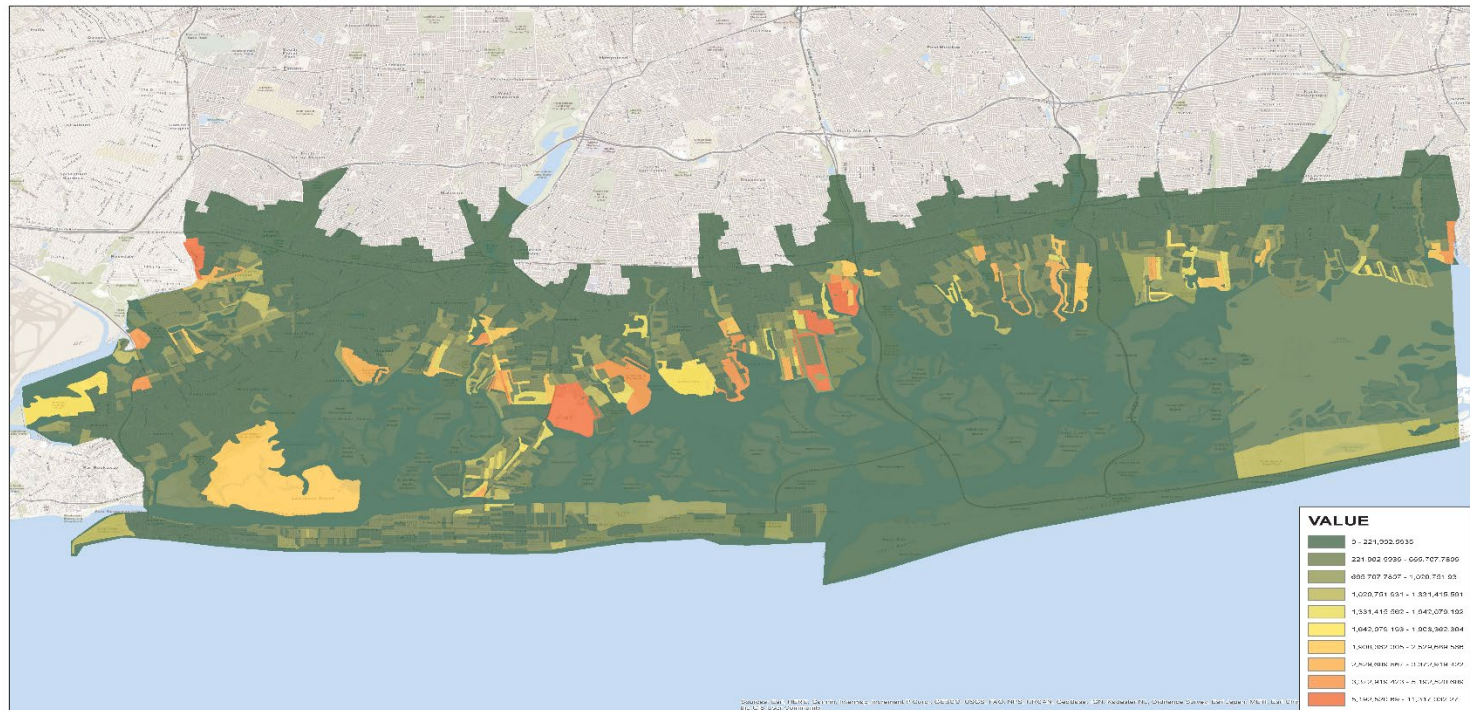
- The NACCS utilized the Department of the Army Field Manual (FM) 3-34.170 to rank infrastructure that supports populations and communities.
 - Per the FM, the sewage, water, electricity, academics, trash, medical, safety and other considerations (SWEAT-MSO) assessment process provided immediate feedback concerning the status of the basic services necessary to sustain population.
 - The SWEAT-MSO assessment represents a complete evaluation of both assets susceptible to direct exposure from storm damage, but also the indirect damages that would follow by identifying the assets within and support to a community.



PLAN FORMULATION

Identification of Highly Vulnerable Areas: Utilized AAD outputs from HEC-FDA to generate heat map highlighting ADD distribution in Nassau County.

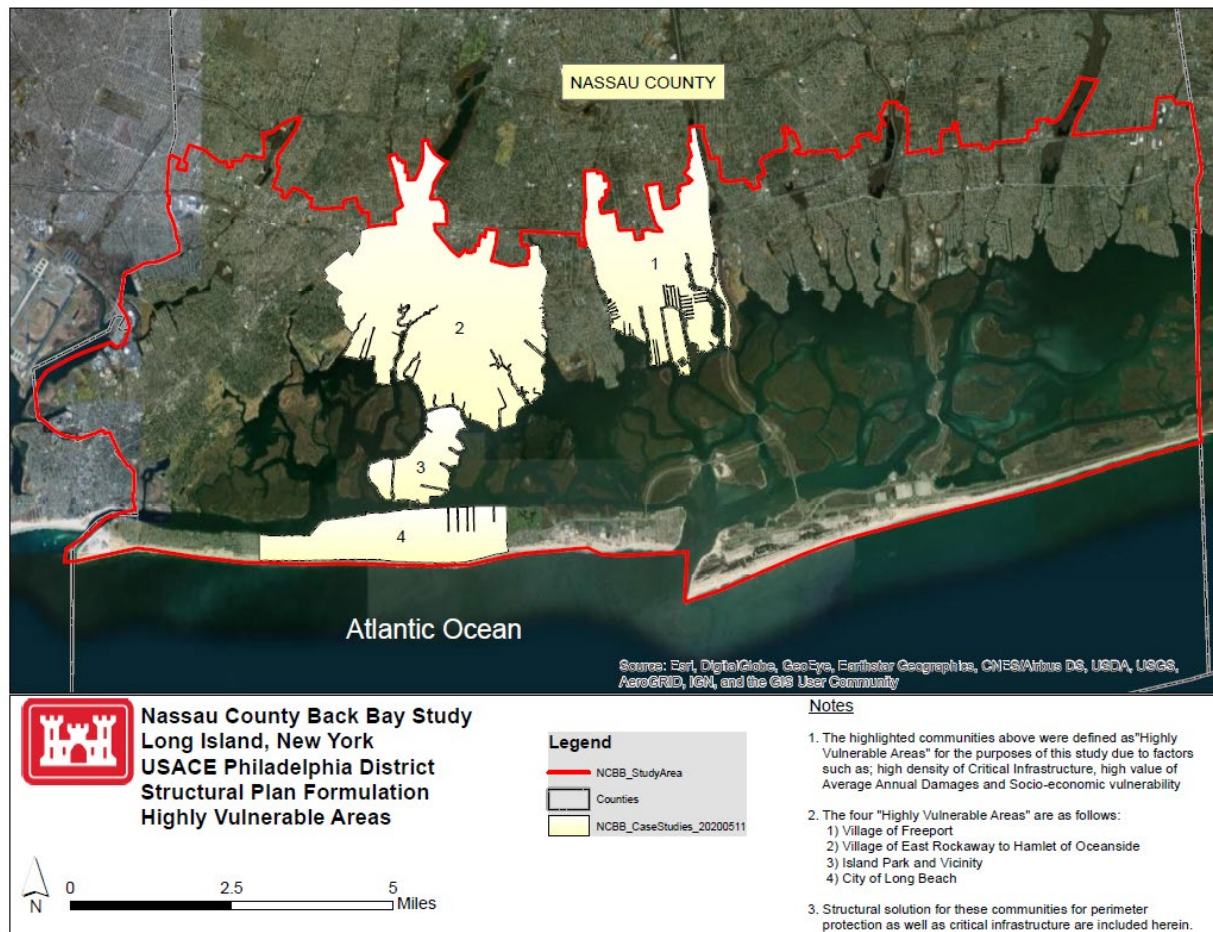
Nassau County Average Annual Damages (AAD)



PLAN FORMULATION

13

- Four highly vulnerable areas (encompassing approximately 29% of the land area in Nassau County) were identified with a combination of high AAD and critical infrastructure.



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Structural Measures Included in the Focused Array:

1. Floodwalls (Permanent, Deployable, Crown Walls, Bulkheads)
2. Inlet Storm Surge Barriers/Interior Bay Closures
3. Levees
4. Seawalls
5. Revetments
6. Beach Nourishment

Structural Measures Screened Out of the Focused Array:

- Inlet Storm Surge Barriers/Interior Bay Closures
- Seawalls
- Revetments
- Beach Nourishment

Structural Measures Carried Forward in the Focused Array:

- Floodwalls
- Levees



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Structural Measures Screened Out of the Focused Array:

- While seawalls, revetments and beach restoration initially met the planning objectives, they did not avoid all the planning constraints:
 - Each measure was formulated within the limits of a CBRA System Unit, as the USACE intended to evaluate these measures along the open ocean coast.
 - Seawalls and revetments will not be evaluated within the back-bay environment of Nassau County, as they are typically more effective at providing CSRM benefits in high wave energy and erosive environments analogous to the open ocean coastline.
 - Within the back-bay environment the USACE determined that floodwalls and levees provide a more efficient approach to CSRM as they do not have the potential real estate and environmental impacts associated with seawalls and revetment.
 - Beach nourishment is generally more applicable at existing beach locations (i.e. the open ocean coastline) to reduce risk related to storm surge flooding, waves, and erosion.

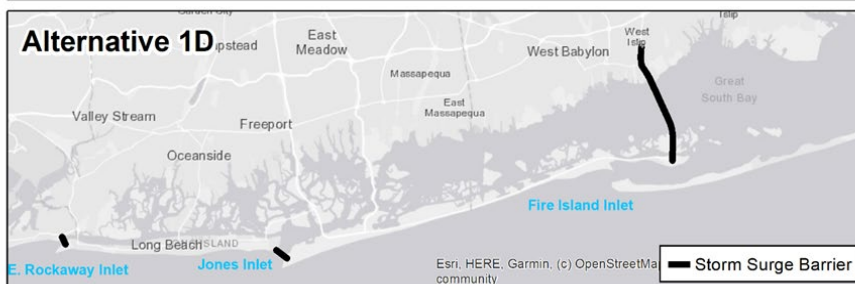


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ALTERNATIVES ANALYSIS – STRUCTURAL MEASURES

16



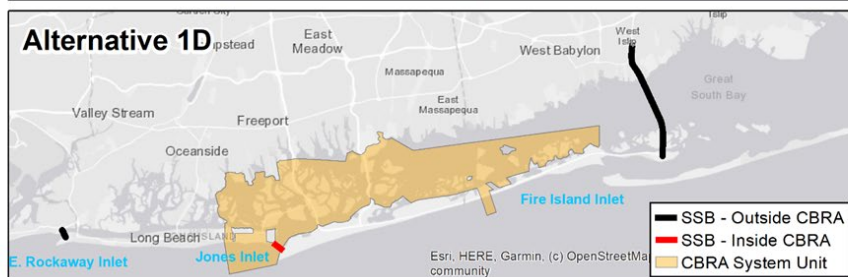
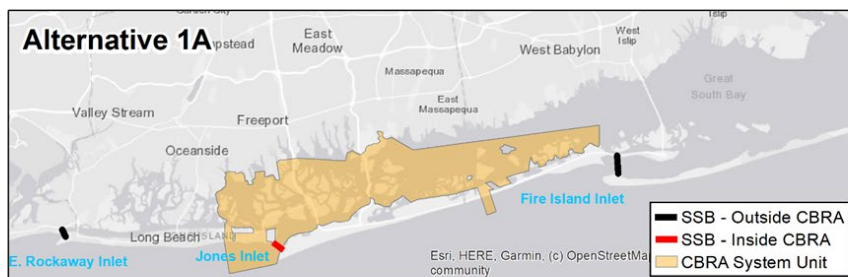
- Four inlet storm surge barrier/interior bay closure combinations were evaluated and modeled by the USACE ERDC:
- **Alternative 1A** - inlet closures alone are only able to reduce the 1% AEP water elevation by approximately one foot, from 10 feet NAVD88 to 9 feet NAVD88. into the study area limiting the effectiveness of Alternative 1A)
- **Alternatives 1B, 1C, and 1D** combinations of storm surge barriers/interior bay closures successfully reduce water elevations inside the storm surge barrier/interior bay closure system. However, outside the system, specifically east of the bay closures in Great South Bay, the 1% AEP water elevations increase by 2 to 4 feet over extensive areas (10 to 20 miles).



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ALTERNATIVES ANALYSIS – STRUCTURAL MEASURES



- Alternatives 1A through 1D have at least one storm surge barrier and/or interior bay closure located entirely within the footprint of a CBRA System Unit.
- Eliminating storm surge barrier and/or interior bay closures located in a CBRA System Unit will render these alternatives even less effective at reducing storm surge by severely limiting their ability to reduce storm surge from both of the principal processes responsible for NCBB back bay flooding.

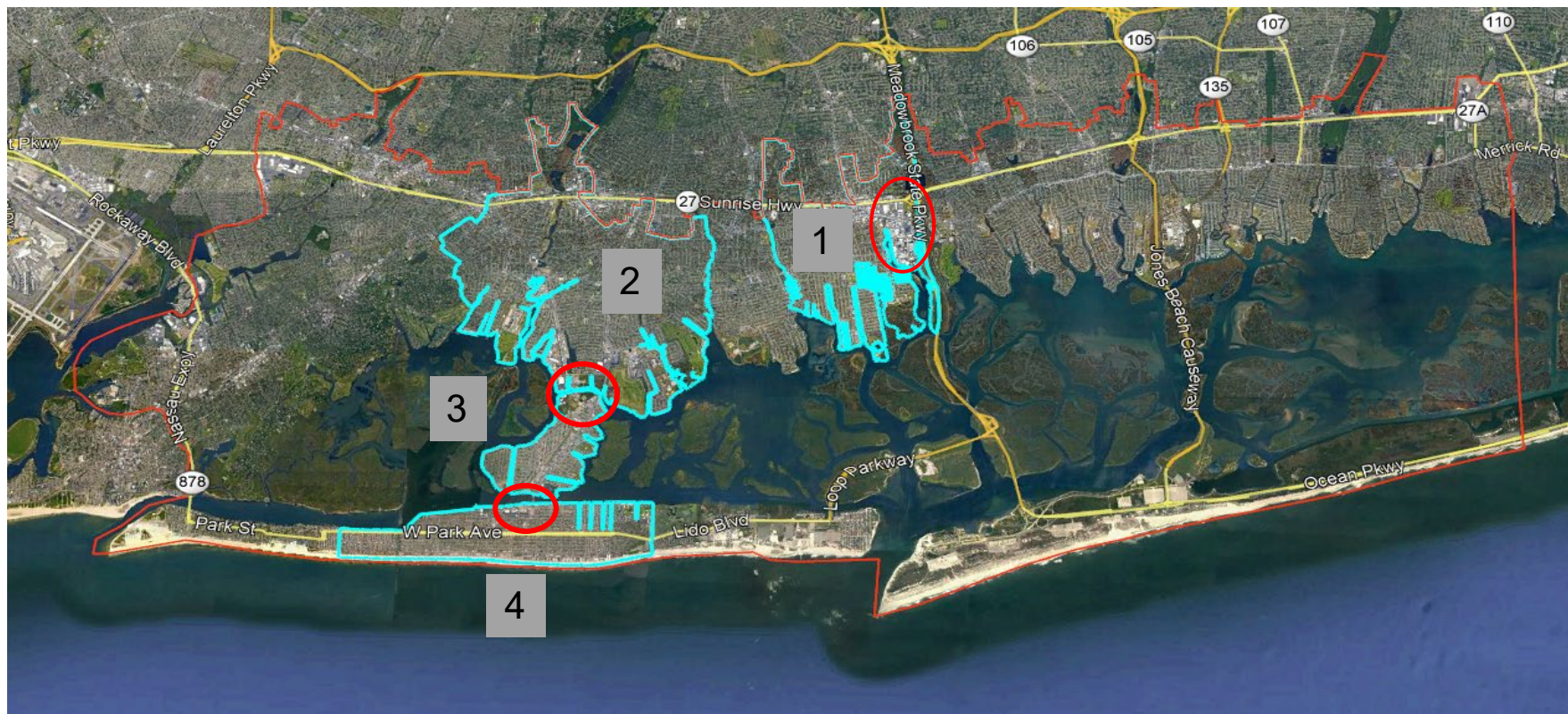


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ALTERNATIVES ANALYSIS – STRUCTURAL MEASURES

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SUMMARY

- Cycle 1 Screening
- Four (4) Case Study Areas
- Four (4) Selected Types of Floodwalls & Levees
- Includes Locations for Road Closure, Sluice Gates & Navigational Gates
- Case Study Area Perimeter Plans (20%, 5% and 1% AEP)
- Critical Infrastructure Plans (1% AEP)

HIGH VULNERABILITY AREAS

- 1) Village of Freeport, NY
- 2) East Rockaway to Oceanside, NY
- 3) Island Park, NY
- 4) City of Long Beach, NY

○ Critical Infrastructure Plans



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ALTERNATIVES ANALYSIS - STRUCTURAL MEASURES

EF Barrett Power Station

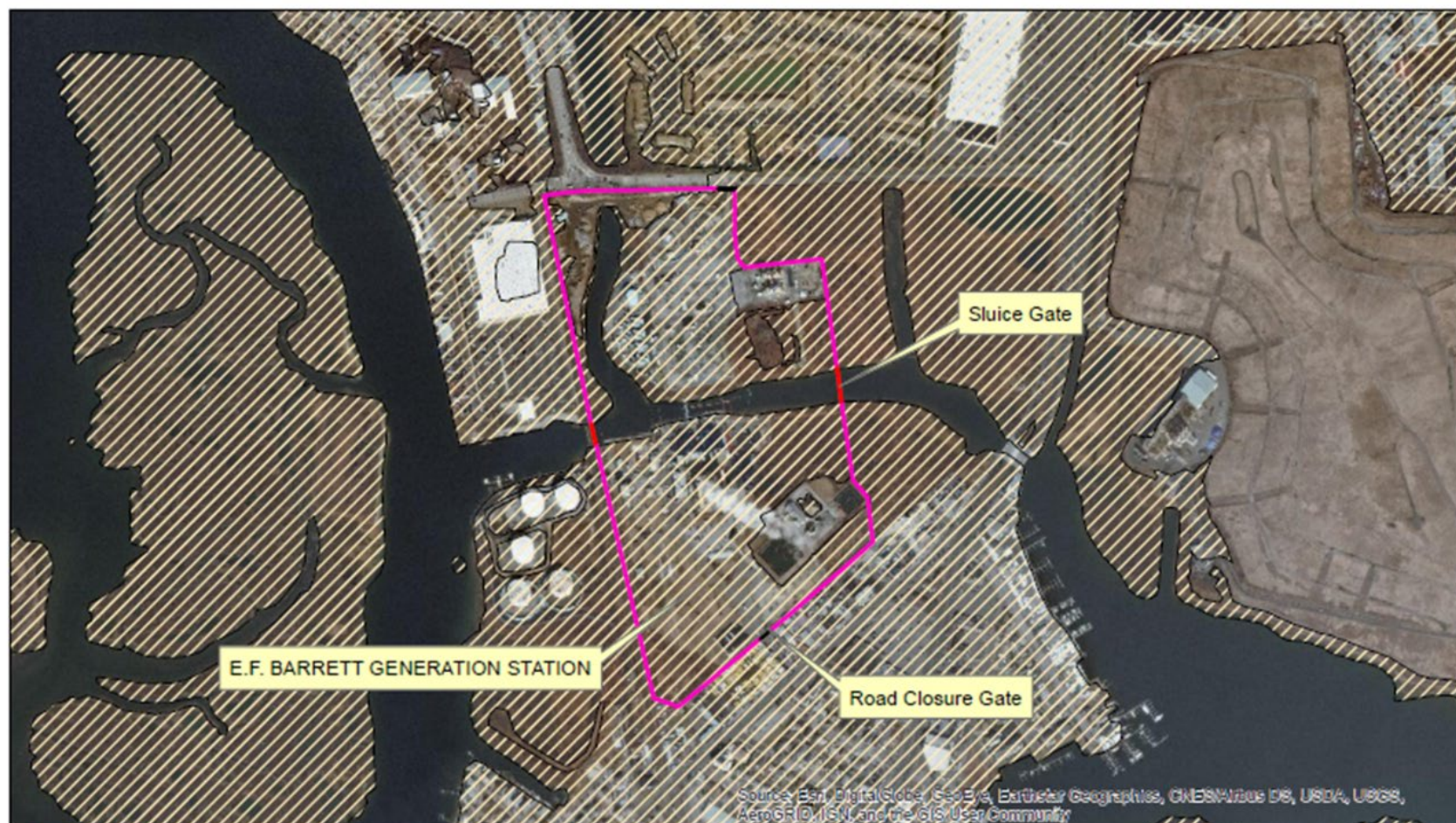


Bay Park
Reclamation Facility



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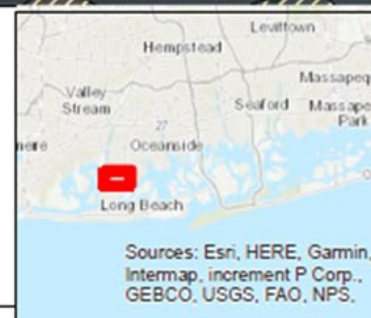
**Island Park & Vicinity
Long Island, NY
Nassau County Back Bay
100 YR PLAN 1% AEP
CRITICAL INFRASTRUCTURE**

Legend

- SLUICE-MITER GATE - 100YR CI
- ROAD-RAIL CLOSURE GATE - 100YR CI
- TYPE B WALL - 100YR CI
- TYPE C WALL - 100YR CI
- NCBB_WL100_Floodplain

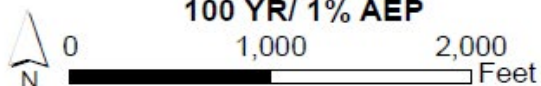
Notes

1. 6,950LF of Floodwall Construction to El. +16.0 NAVD88
2. (2) Sluice Gates @ El. +16.0 NAVD88
3. (2) Road Closure Gates @ El. +16.0 NAVD88
4. 100 YR Floodplain Elevation @ +10.3 NAVD88





**Village of Freeport
Long Island, NY
Nassau County Back Bay
Critical Infrastructure Plan
100 YR/ 1% AEP**



Legend

- TYPE B WALL - 100YR CI
- TYPE C WALL - 100YR CI
- SLUICE-MITER GATE - 100YR CI
- ROAD-RAIL CLOSURE - 100YR CI
- NCBB_WL100_Floodplain

Notes

1. 12,250LF of Floodwall Construction to Elevation @ El. +16.0 NAVD88
2. (2) Road Closure Gates @ El. +16.0 NAVD88
3. 100 YR Floodplain Elevation @ +9.7 NAVD88
4. Key Facilities Protected As Shown





**City of Long Beach
Long Island, NY
Nassau County Back Bay
Critical Infrastructure Plan
100 YR/ 1% AEP**

Legend

- TYPE C WALL - 100 YR CI
- ROAD-RAIL CLOSURE GATE - 100 YR CI
- NCBB_WL100_Floodplain

Notes

1. 10,280LF of Floodwall Construction to El. +16.0 NAVD88
2. (3) Road & (1) Railroad Closure Gates @ El. +16.0 NAVD88
3. 100 YR Floodplain Elevation @ +10.3 NAVD88
4. Key Facilities Protected As Shown.



0 750 1,500 Feet



Non-Structural Measures: Non-structural measures fall into four broad groups:

1. Managed Coastal Retreat including Acquisition/Relocation
2. Building Retrofit (flood proofing, elevations)
3. Coastal Storm Plans and Preparedness
4. National Flood Insurance Program Refinement

Note: While detailed analysis has only been performed on elevation and dry flood proofing, none of the non-structural measures have been screened out at this point because they will be further analyzed during feasibility-level design to ensure a complete non-structural alternative is formulated.



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ALTERNATIVES ANALYSIS – NNBF MEASURES

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- **NNBF** are intended to be complementary measures to attenuate surge and waves by increasing both elevation and roughness, per lessons learned from NJBB ERDC modeling efforts.
 - **NNBF** will be evaluated in greater detail during feasibility-level design and plan optimization.
1. Living Shorelines
 2. Reefs
 3. Wetland Restoration
 4. SAV Restoration



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NNBF – WETLAND RESTORATION AND CONSERVATION

- This analysis targets marsh restoration and conservation
 - Combat degradation of marsh features towards open water
 - Limit fetch driving much of Back Bay surge suggested by previous modeling
- Develop index for marsh complexes to evaluate those most at risk to be loss:
 - Unvegetated to Vegetated Wetland Ratio (UVVR)¹
 - Wetland Trends 1974 -2008²
 - SLAMM forecast for future wetlands³
 - Additional study factors such as:
 - Evacuation Routes
 - Social/environmental justice
 - Professional Judgement
- Generate basic indices for each data set (0 or 1) that are combined to evaluate at-risk marsh complexes; Will be refined as we go forward

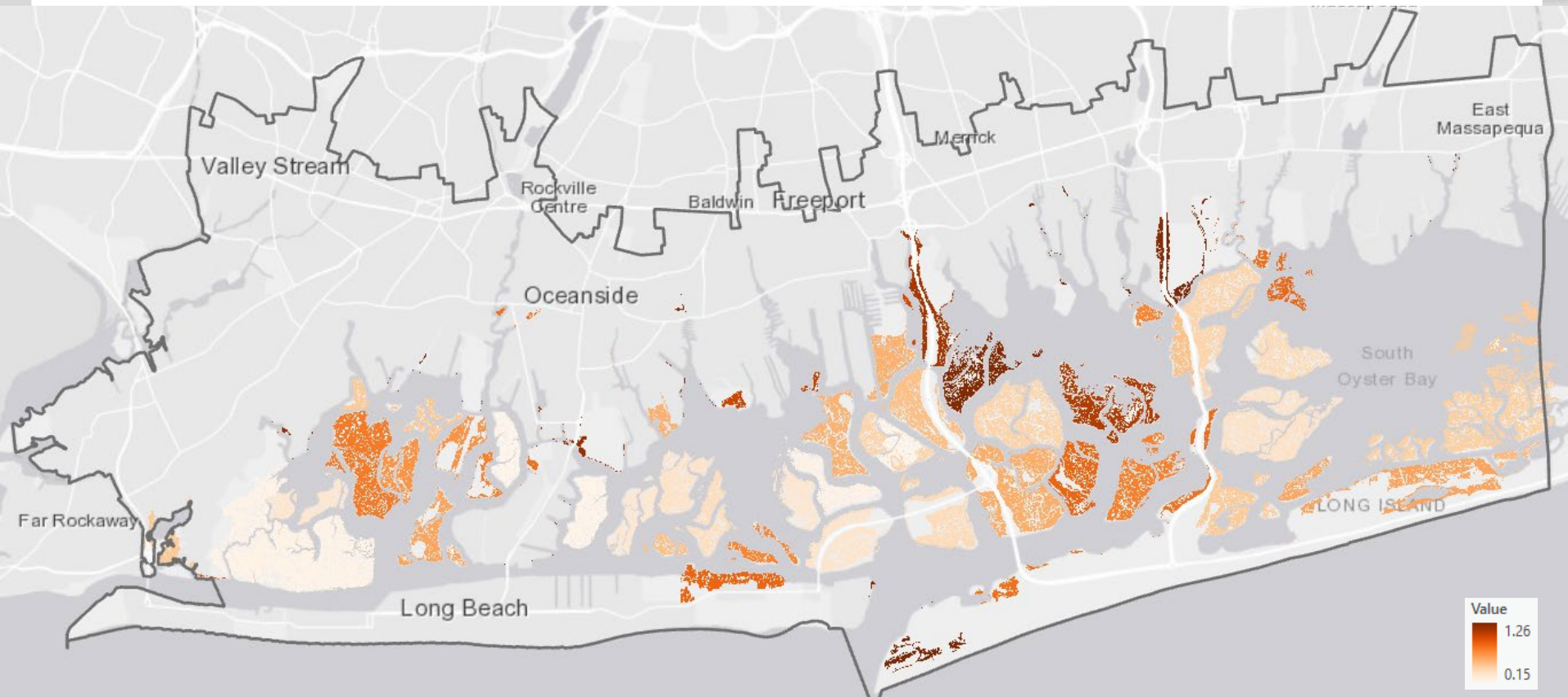
¹ Ganju, N.K., Defne, Z. and Fagherazzi, S., 2020. Are elevation and open-water conversion of salt marshes connected?. *Geophysical Research Letters*, 47(3), p.e2019GL086703.

² New England Interstate Water Pollution Control Commission, 2015.

³ New York State Energy Research and Development Authority, 2014.



1. **Develop an Index: UVVR (unstable) + Wetlands Trends Analysis (marsh lost) + SLAMM Diff (marsh projected to be lost)**
2. **Recalculated at Marsh Complex Scale**



0 – 1 for UVVR ratios above 0.15 (unstable), 1 for SLAMM Mrsh Loss GCM85 – Initi,
1 for Marsh Lost ('74 – '08)

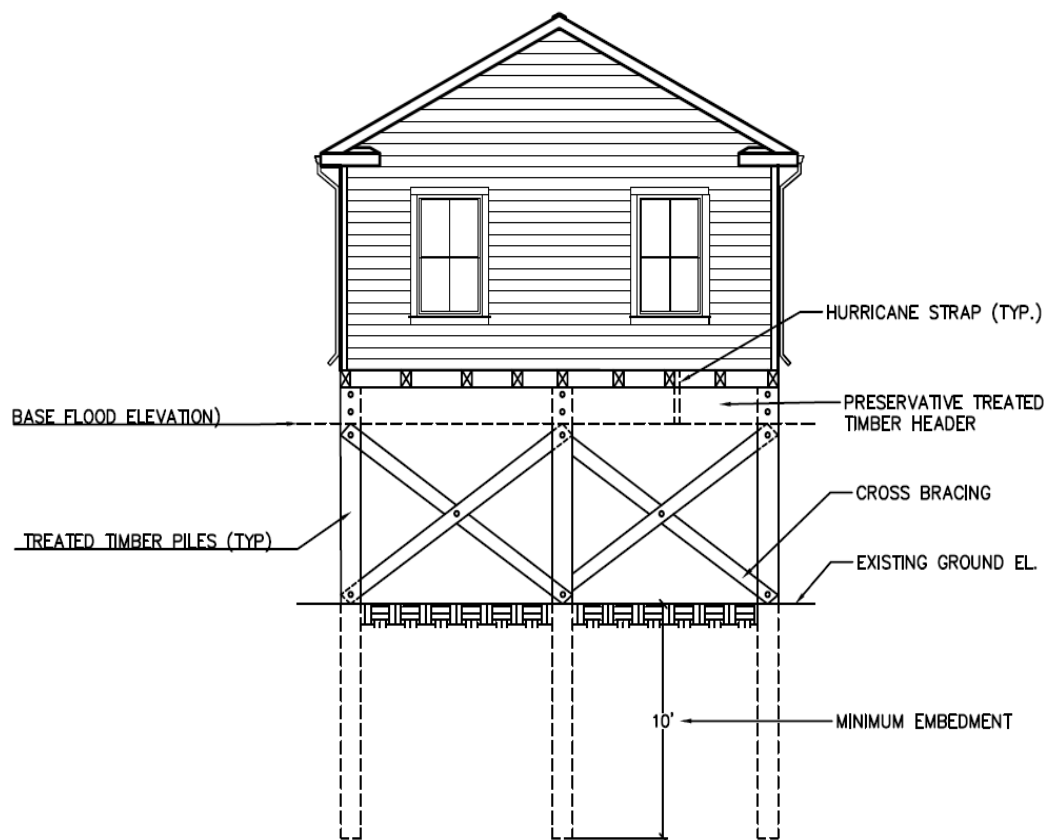


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ALTERNATIVES ANALYSIS - NON-STRUCTURAL MEASURES

1. **Elevation** of eligible residential structures will consist of elevating structures to the modeled 1% AEP (100-year return period) non-structural design water surface elevation, which includes intermediate sea level change projected to 2080.*
2. **Acquisition** or relocation of residential structures that would require elevation over 12 ft above ground level and properties in poor condition. Property owners would receive fair market value for the property acquired and relocation benefits.



**Elevating structures greater than 12 ft above ground level introduces damage risk from winds during tropical events as a new condition. This height generally serves as a differentiator for insurance rates for wind/hail coverage as well and is therefore used as the upper limit for elevating structures.*

**Elevation will not be below the local regulatory requirement.*

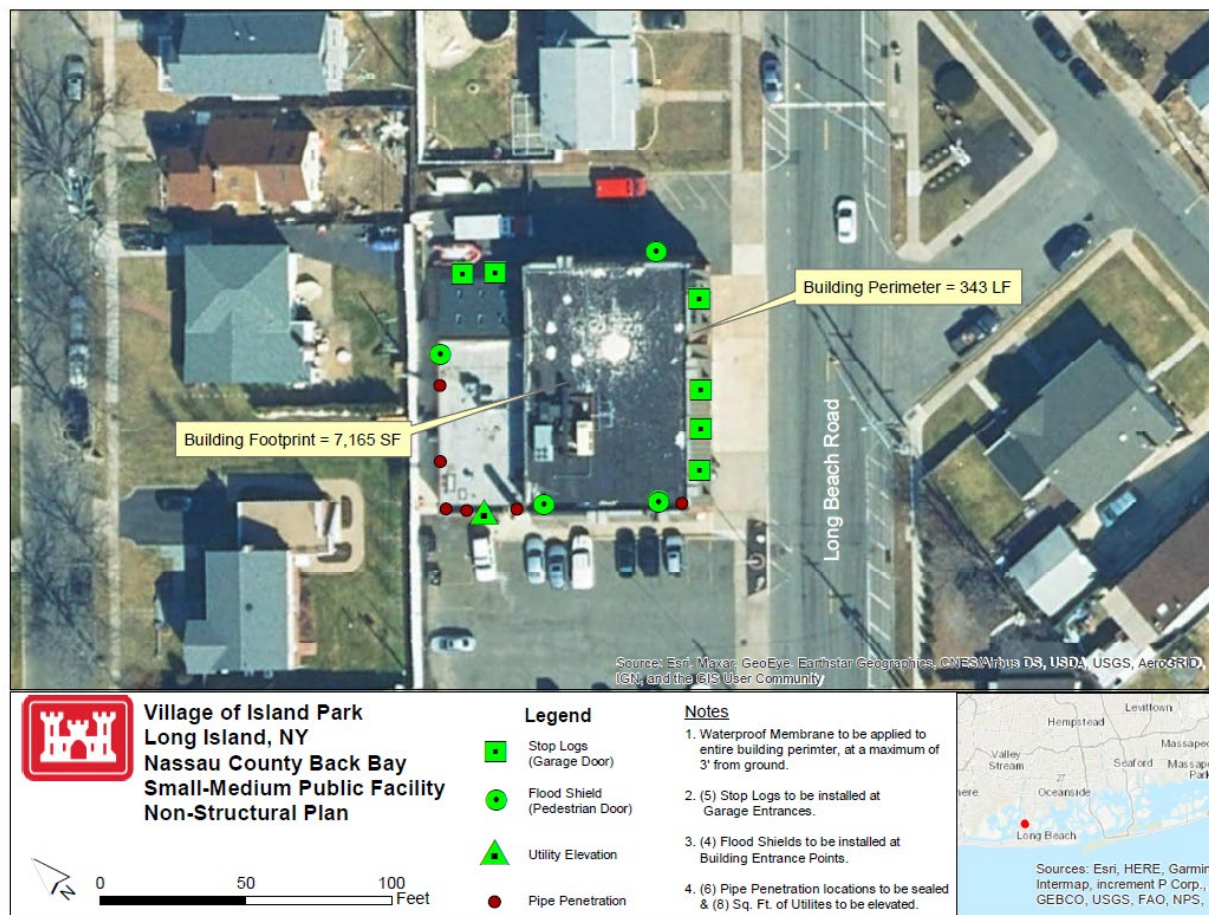


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ALTERNATIVES ANALYSIS - NON-STRUCTURAL MEASURES

Dry Floodproofing of non-residential and public structures (Example – Island Park Fire Department)



Dry flood proofing is analyzed to provide Coastal Storm Risk Management benefits associated with 3 ft. of vertical construction. A structural analysis is required to determine if a higher vertical construction level can be applied and be able to withstand the additional forces from the increase in water height.



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FOCUSED ARRAY OF ALTERNATIVES

29

1. No Action Plan
2. Non-Structural(NS) Countywide Plan
 - Residential Elevation throughout Nassau County
 - Non-residential dry floodproofing throughout Nassau County
3. Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan
 - Comprehensive Floodwall at the City of Long Beach & NS in the rest of Nassau County
4. Localized Structural Critical Infrastructure (CI) & NS Plan
 - Residential Elevation throughout Nassau County
 - Non-residential dry floodproofing throughout Nassau County
 - Long Beach Wastewater Treatment Plan, EF Barrett Power Plant, Equus Power Plant
5. Locally Preferred Plan – Not Applicable



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FOCUSED ARRAY OF ALTERNATIVES – NED BENEFIT COMPARISON

Alternative	Initial Const.	AAC	AAB	AANB	BCR	Residual
No Action Plan	N/A	N/A	N/A	N/A	N/A	N/A
NS Countywide Plan (NED Plan)	\$3,837,829,000	\$135,733,000	\$610,571,000	\$474,839,000	4.5	40%
Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan	\$4,785,719,000	\$180,345,000	\$649,545,000	\$469,200,000	3.6	36%
Localized Structural Critical Infrastructure & NS Plan	\$4,789,373,000	\$176,411,000	\$622,893,000	\$446,481,000	3.5	38%
Locally Preferred Plan	N/A	N/A	N/A	N/A	N/A	N/A



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FOCUSED ARRAY OF ALTERNATIVES – RED BENEFIT COMPARISON

31

- RED account registers changes in the distribution of regional economic activity that result from each alternative plan.
 - Regional income
 - Regional employment
- All plans in the focused array (except for the No Action Plan) benefited regional income and employment by providing consistent CSRM benefits to residential and industrial/commercial structures.
- The *Localized Structural Critical Infrastructure & NS Plan* has the highest potential for RED benefits:
 - Reduces disruption to local economy by reducing damages to CI
 - Increases community resilience by minimizing disruption of CI services during and after storms.

Figure 6: Primary RED Metrics

▪ Employment
▪ Labor Income Generated
▪ Direct Business Taxes
▪ Indirect Business Taxes
▪ “Value Added”
▪ Population Distribution
▪ Total Sales by Sector

Figure 7: Other Potential RED Metrics

▪ Additional Income Tax Revenues
▪ Additional Sales Tax Collections
▪ Business Revenues
▪ Personal Income, Per Capita Income
▪ Change in Surplus/Deficit of Local Budget
▪ Regional Competitiveness/Diversity

- **EXECUTIVE ORDER 12989 (Dated February 11, 1994)**
stipulates the importance of **Environmental Justice**, as defined by the USEPA: “the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.”
- The highly vulnerable areas identified are very consistent with the Socially Vulnerable Areas that the Center for Disease Control (CDC) identified in Nassau County.
 - CDC emphasizes the impacts of socioeconomic status, household composition/disability, race/ethnicity/language/minority status and housing/transportation on social vulnerability.
 - The PDT believes that the focused array of alternatives align with the intent of EO 12989.

Social Risk & Vulnerability - *Localized Structural Critical Infrastructure & NS Plan* has the highest potential for positive impact on Social Risk & Vulnerability.

- By reducing damage and disruption to CI, it provides a socially equitable solution that benefits a wide range of citizens with varying socioeconomic conditions.
- Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan provides similar risk management with increased potential for with project incremental life loss related to wall failure/overtopping.

Community Cohesion - *Localized Structural Critical Infrastructure & NS Plan* has the highest potential for positive impact on Community Cohesion because localized floodwalls will reduce damages to critical infrastructure and allow communities to be more resilient and recover quicker from storms.

Quality of Life – Each plan will improve quality of life by reducing damages to structure/content during low and higher frequency events.



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FOCUSED ARRAY OF ALTERNATIVES – EQ BENEFIT COMPARISON

34

- The NS Countywide Plan has little or no mitigation required, while the Localized Structural Critical Infrastructure & NS Plan and Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan will likely require mitigation related to the floodwall construction.
- PDT determined that each plan still has an equal EQ rating based on the potential for comprehensive and localized floodwalls to minimize damage and associated environmental impacts related to critical infrastructure damage.
 - Hurricane Sandy - Bay Park Sewage Treatment Plant (Nassau County)
 - Pumping system was flooded under 9 feet of water
 - Sewage backed up and overflowed into low-lying homes and streets
 - Plant shut down ~2 days (44 hours) ~100 million gallons of raw sewage poured into Hewlett Bay
 - Additional 2.2 billion gallons of partially treated sewage flowed into Rockaway Channel (from October 29th to December 21st)
 - Electrical system was destroyed
 - \$730 million to help rebuild the Bay Park Sewage Treatment Plant



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FOCUSED ARRAY OF ALTERNATIVES – SYSTEM OF ACCOUNTS SUMMARY

35

Alternative	RED	OSE	EQ	NED
No Action Plan	N/A	N/A	N/A	N/A
NS Countywide Plan (NED Plan)	Medium	Medium	Medium	\$474,839,000
Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan	Medium	Low	Medium	\$469,200,000
Localized Structural Critical Infrastructure & NS Plan	High	High	Medium	\$446,481,000
Locally Preferred Plan	N/A	N/A	N/A	N/A

Not included in current analysis:

- 1) Depreciated Replacement Value (DRV) adjustments for large unique assets (wastewater treatment plants, power plants) - may be currently undervalued
- 2) Secondary (indirect) NED damages from prolonged disruption of critical services and utilities
- 3) RED Quantitative Analysis (via RECONS Model)
- 4) Determination of whether nonstructural measures can even effectively mitigate CSRM for large-scale CI (affects NED Plan)

FOCUSED ARRAY OF ALTERNATIVES – ALTERNATIVE EVALUATION (PLANNING CRITERIA)

36

No Action Plan does not meet the planning criteria because it does not provide CSRM benefits and will allow for increasing coastal storm risk to the study area.

	Effectiveness	Efficiency	Acceptability	Completeness
NS Countywide Plan	Medium	High (BCR>1)	High	Medium
Comprehensive Structural Highly Vulnerable Area (HVA) & NS Plan	Medium	Medium (BCR>1)	Low	Low
Localized Structural Critical Infrastructure & NS Plan	High	Medium (BCR>1)	High	Medium
Locally Preferred Plan	N/A	N/A	N/A	N/A

TENTATIVELY SELECTED PLAN

- Non-Structural Countywide Plan
 - Elevate: 14,183 Structures
 - Floodproof: 2,667 Structures

ESTIMATED COSTS FOR THE TSP	
Period of Analysis	2030 to 2080 (50 Years)
Price Level	October 2020 (FY21)
Discount Rate	2.5%
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Average Annual Benefits	\$610,751,000
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BCR	4.5
Residual Risk	40%

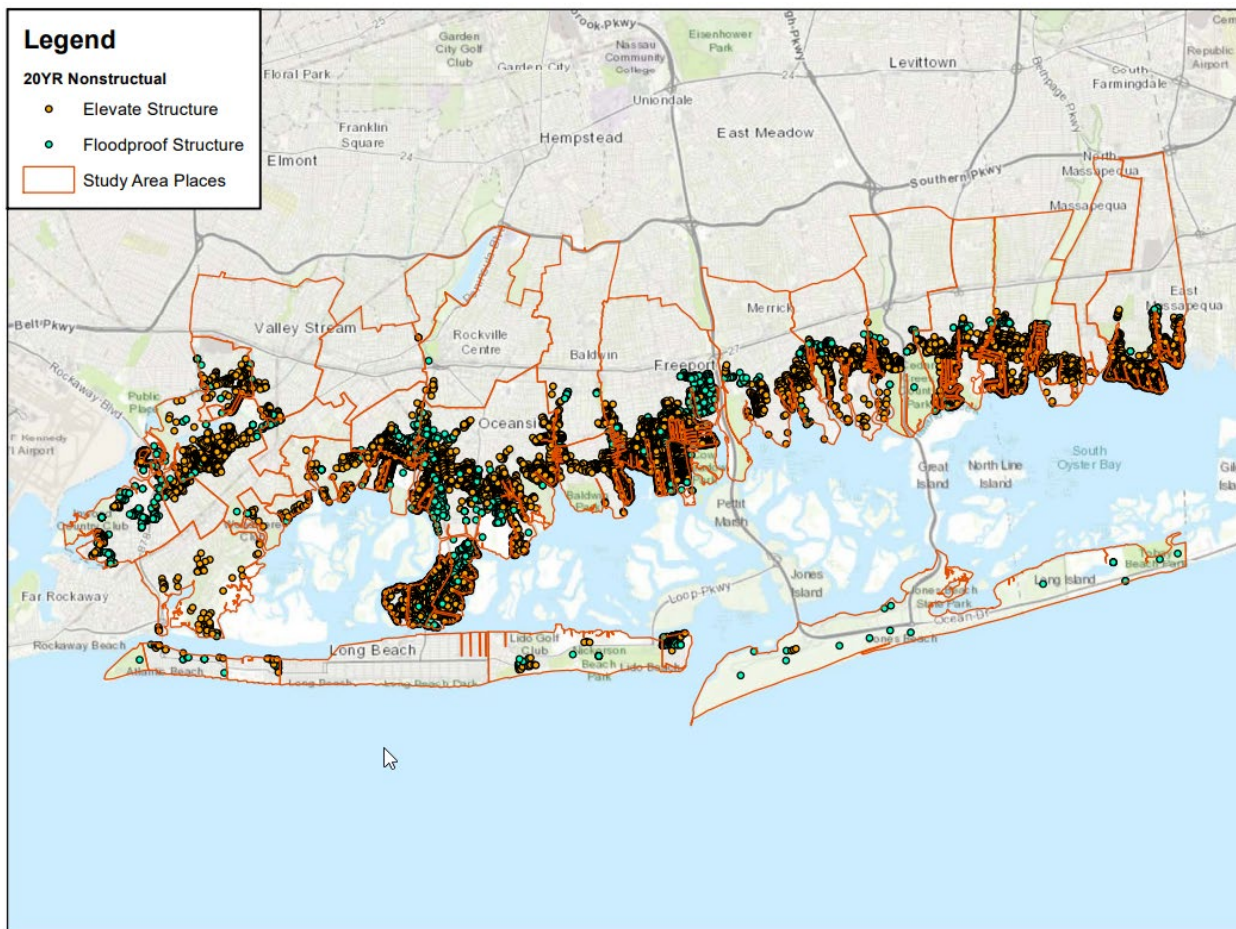


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TENTATIVELY SELECTED PLAN

Note: Figure to be updated for Long Beach NS by 5/27



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WHAT ARE THE RISKS IN THE PLAN SELECTION?

- Public Acceptability - It is uncertain at this time if stakeholders will accept the use of CSRM alternatives in their communities.
- Potential alternative plans were formulated with less level of detail leading to uncertainty in economics, design and costs.
- Final optimization between the draft and final report may impact design, costs and benefits,
- Changes in the TSP from the draft to the final report would potentially require a second release of a draft report depending on the magnitude of the changes.



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ONGOING ANALYSIS

- Secondary benefit calculations of structural (localized floodwalls) and non-structural measures to further reduce risk to critical infrastructure and increase post storm functionality of police stations, fire stations, hospitals, generating stations, treatment plants, etc.
- Additional evaluation of complementary NNBF measures to provide added CSRM, while potentially improving ecosystem services.
- Update Real Estate Appraisal
- Refine environmental/cultural impact analysis

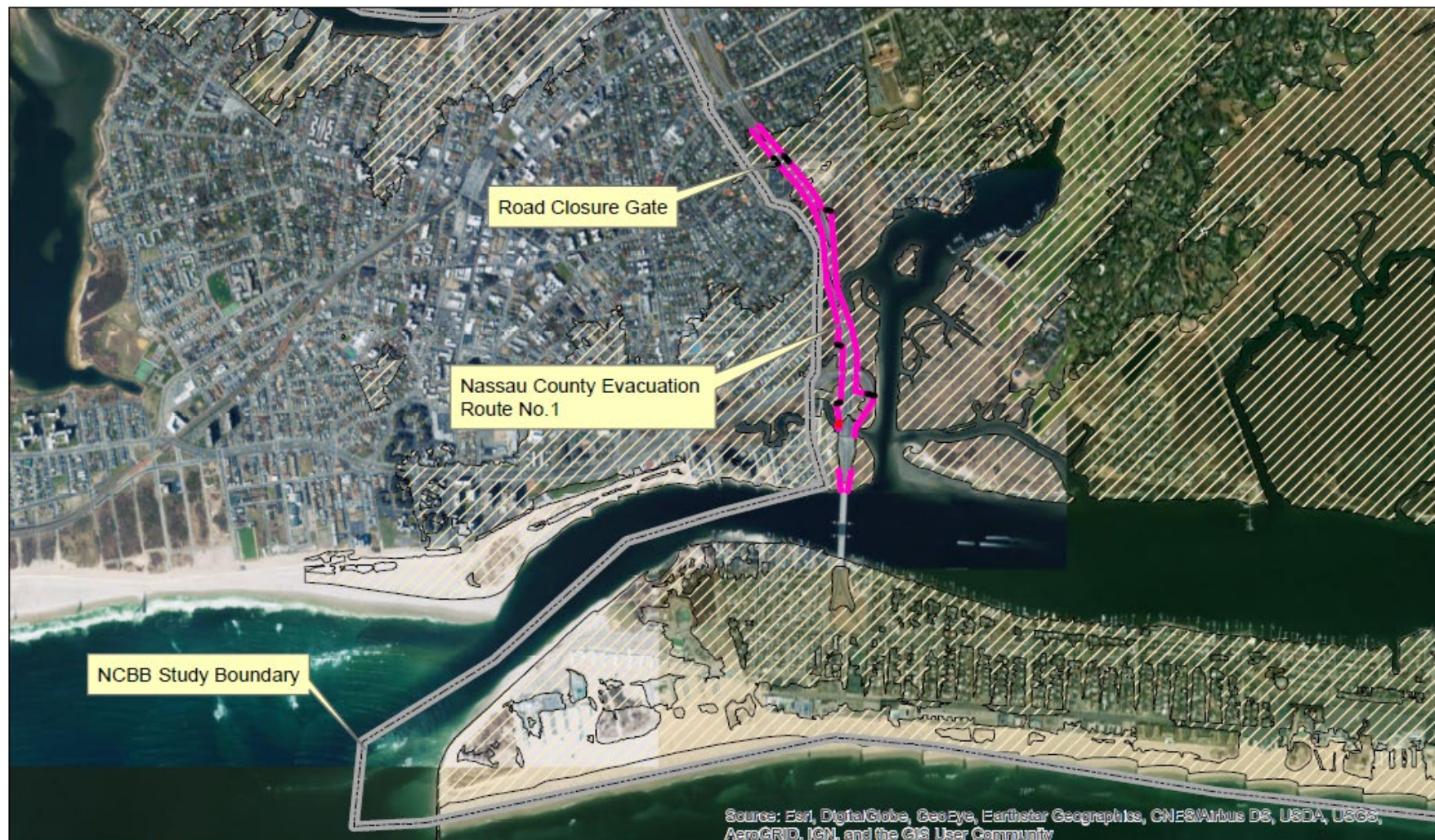


ADDITIONAL NCBB CI MEASURES TO CONSIDER

HIGH RISK EVACUATION ROUTES

- **Route 1**
 - Section 1
 - Section 2
 - Section 3
 - Section 4
- **Route 2**
 - Section 1
 - Section 2
 - Section 3
- **Route 3**
 - Section 1
 - Section 2
- **Route 4**
 - Section 1





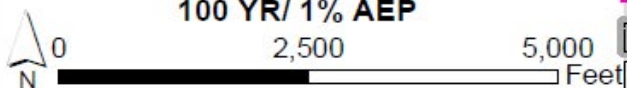
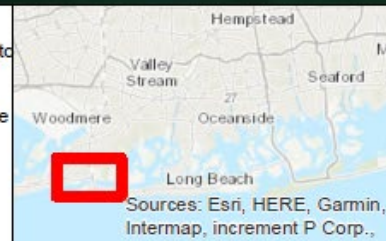
**Evacuation Route Protection
Far Rockaway, NY
Nassau County Back Bay
Critical Infrastructure Plan
100 YR/ 1% AEP**

Legend

- MITER-SLUICE GATE - 100YR CI PLAN
- ROAD-RAIL CLOSURE - 100YR CI PLAN
- TYPE C WALL - 100YR CI PLAN
- NCBB_StudyArea_02Aug2018
- NCBB_WL100_Floodplain

Notes

1. 8,200LF of Floodwall Construction to Elevation @ El. +16.0 NAVD88
2. (9) Road Closure Gates & (1) Sluice Gate @ El. +16.0 NAVD88
3. 100 YR Floodplain Elevation @ +8.6 NAVD88
4. Key Route Protected As Shown





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



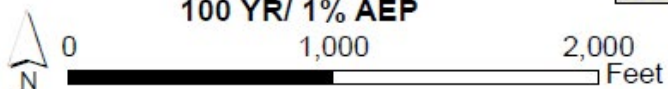
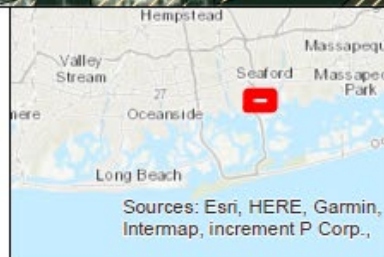
**Wastewater Treatment Plant
Hamlet of Wantagh, NY
Nassau County Back Bay
Critical Infrastructure Plan
100 YR/ 1% AEP**

Legend

- TYPE C WALL - 100YR PLAN CI
- ROAD-RAIL CLOSURE - 100YR PLAN CI
- NCBB_WL100_Floodplain

Notes

1. 9,100LF of Floodwall Construction to Elevation @ El. +16.0 NAVD88
2. (2) Road Closure Gates @ El. +16.0 NAVD88
3. 100 YR Floodplain Elevation @ +8.6 NAVD88
4. Key Facilities Protected As Shown



SCHEDULE

Public Review of Draft FR/EIS and Initiation of Consultations	30 July 2021
Public Meetings	7 – 11 September 2021
Comments due/End of Public Review	13 September 2021
OFD Concurrence Point #3 Meeting – Preferred Alternative	October 2021
Agency Decision Milestone Meeting	November 2021
Initiate Final Feasibility Report Policy Review	November 2022
Chief of Engineers Report	May 2023





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Philadelphia District

Nassau County Back Bay Coastal Storm Risk Management Study 14 June 2021

Meeting Attendees:

John Bonafide (NY SHPO)	Michael Poetzsch (EPA)
Sierra Boucher	Alexander Renaud (USACE, NAP)
Mary Brandreth (USACE, NAP)	Scott Sanderson (USACE, NAP)
Jeremy Campbell (NYSDOS)	Chris Schubert (USGS)
Edith Carson-Supino (NMFS)	Angie Sowers (USACE, NAB)
John Dawson (FEMA)	Kim Spiller (USFWS)
Mark Eberle (NPS)	Jennifer Street (NYSDOS)
Ryan Hodgetts (NYSDEC)	Patrick Tuohy (FEMA)
Nicole Minnichbach (USACE, NAP)	NER Training (NPS)
Mike Moriarty (FEMA)	Rena Weichenberg (USACE, NAD)
Jessie Murray (NMFS)	Valerie Whalon (USACE, NAP)
Steve Papa (USFWS)	

-----Notes-----

Angie Sowers kicked off the meeting and thanked the agency representatives for attending the update of the Nassau County Back Bay (NCBB) Coastal Storm Risk Management (CSRM) Study.

Scott Sanderson, the Project Manager, provided an overview of the presentation. Scott explained that the plans were not only assessed based on the cost and benefits or National Economic Development (NED) account, but also the other three accounts which include Other Social Effects (OSE), Environmental Quality (EQ), and Regional Economic Development (RED), based on recent USACE guidance. However, Tentatively Selected Plan (TSP) was the countywide non-structural plan because it was the NED.

The purpose and need include creating resilient community which is why USACE is trying to create a more complete plan that doesn't just look at the standard cost vs benefits (i.e., the NED plan). USACE has looked at a more complete alternative that to develop sustainable solutions and resilient communities.

The study focused on four areas, which are the low-lying areas of NCBB study area that experience high frequency flooding and are at risk coastal storm events and erosion, as well as a high density of critical

infrastructure that support populations and communities. These areas account for approximately 30% of the study area. Steve Papa asked if this is 30% of landmass in Nassau County at large or 30% in the study area? These areas account for 30% of the study area. Scott also described the study area.

Plans that have been excluded include storm surge barriers and bay closures because they either weren't effective or they reduced flooding in the west, but created flooding to the east. Large-scale flood walls in the four vulnerable areas was also screened out because the low cost to benefit.

USACE is still looking at localized floodwalls that could provide protection to critical infrastructure. These are not in the TSP but are still being considered and assessed for secondary benefits and considered possible options. Providing protection to Critical Infrastructure provides RED, OSE, and EQ benefits.

Natural and Nature Based Features (NNBF) are also being considered as complementary measures and might help to reduce the east to west back bay surge and flooding.

The TSP is the countywide non-structural plan. The non-structural plan has little or no mitigation with it. The critical infrastructure structural measures have some mitigation.

Steve Papa asked: Is the house elevation portion of the plan is a voluntary program? Has the USACE surveyed these communities to see who is interested in participating?

Scott indicated that the analysis assumed 100% participation. It is a voluntary program. If the participation rate drops, the costs will drop. Costs are shared, with 65% Federal and the non-federal sponsor responsible for 35%. There will likely be a sub-agreement with some of the non-federal share passed to the County, municipalities, and eventually the homeowners.

The Draft Report will include a consideration of the impacts non-structural and critical infrastructure plans, just in case the net benefits change once the secondary benefits are assessed and the plan changes.

There had been a delay when USACE assessed additional information to determine the TSP. Angie had updated the One Federal Decision (OFD), but those changes never were published. She sent the agencies an updated schedule based on the previous durations and will be updating the OFD dashboard with those dates. The agencies are asked to provide feedback on the permitting timetable.

Mark Eberle asked: If homeowners want to be bought out instead of elevated, will that be an option?

Scott indicated that from a cost/benefit standpoint, elevation seems more cost effective than buyout. If the NFS finds out buyout is preferable to buyout then that would become LPP. That is a possibility.

Meeting concluded. USACE stated that the slidedeck and meeting minutes will be shared in the near-future. The agencies are asked to provide any additional input to the Permitting Timetable.

COMPLIANCE CORRESPONDENCE

- **Endangered Species Act**
- **Magnuson-Stevens Fishery Management and Conservation Act: Essential Fish Habitat**
- **National Historic Preservation Act**

ENDANGERED SPECIES ACT

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Steve Papa](#)
Cc: [Spiller, Kimberly J](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: NCBB ESA - species confirmation
Date: Thursday, November 12, 2020 4:13:00 PM
Attachments: [USFWS Species in the NCBB Study Area 11102020.docx](#)

Hi Steve,

We have pulled together the list of ESA species to include in the Nassau County Back Bays biological assessment. Could you please confirm the list of species identified in the action area is correct, and provide any additional information or concerns that your agency may have that will assist USACE with the preparation of the biological assessment within 30 days (December 14)?

We appreciate your assistances with this.

Thanks,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

Threatened and Endangered Species under USFWS Jurisdiction that Potentially Occur in the NCBB Study Area

Species	Status
Northern Long-Eared Bat (<i>Myotis septentrionalis</i>)	FT, ST
Piping plover (<i>Charadrius melodus</i>)	FT*, SE
Eastern Black Rail (<i>Laterallus jamaicensis spp. Jamaicensis</i>)	PFT, SE
Roseate Tern (<i>Sterna dougallii</i>)	FE, SE
Red Knot (<i>Calidris canutus</i>)	FT, ST
Sandplain gerardia (<i>Agalinis acuta</i>)	FT, SE
Seabeach amaranth (<i>Amaranthus pumilus</i>)	FT, ST

Notes: FE=Federally Endangered, FT=Federally Threatened, PFT=Proposed Federally Threatened, SE=State Endangered, ST=State Threatened.

From: [Spiller, Kimberly J](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Papa, Steve](#); [Whalon, Valerie M CIV \(USA\)](#); [Sanderson, Scott A CIV USARMY CENAP \(USA\)](#)
Subject: [Non-DoD Source] Re: [EXTERNAL] NCB B ESA - species confirmation
Date: Wednesday, November 18, 2020 2:13:34 PM

Hi Angie,

Quick correction - I also should have included that the four sea turtles species should be included on the ESA list as well. Kemp's Ridley Sea Turtle, Leatherback Sea Turtle, and Loggerhead Sea Turtle are listed as federally endangered and Green Sea Turtle (North Atlantic population) is listed as federally threatened, as well as all being state-listed as indicated in the previous email. I apologize for any confusion.

Thanks,

Kim Spiller (she/her)
Fish and Wildlife Biologist
Long Island Field Office
U.S. Fish and Wildlife Service
340 Smith Rd
Shirley, NY 11967
(631) 286-0485 x2116
kimberly_spiller@fws.gov

From: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Sent: Wednesday, November 18, 2020 1:14 PM
To: Spiller, Kimberly J <kimberly_spiller@fws.gov>
Cc: Papa, Steve <steve_papa@fws.gov>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>; Sanderson, Scott A CIV USARMY CENAP (USA) <Scott.A.Sanderson@usace.army.mil>
Subject: RE: [EXTERNAL] NCB B ESA - species confirmation

Kim,

Thank you for your thorough and quick response. We appreciate it.

Kim/Steve,

Within the FWCA scope, we have a task for FWS to assist with identification of NNBF. Would you like to review the scope of work we are developing for assistance from our Engineering Research and Development Center (ERDC) for NNBF measures?

Thanks,
Angie

-----Original Message-----

From: Spiller, Kimberly J [mailto:kimberly_spiller@fws.gov]
Sent: Wednesday, November 18, 2020 12:17 PM
To: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Cc: Papa, Steve <steve_papa@fws.gov>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>; Papa, Steve <steve_papa@fws.gov>
Subject: [Non-DoD Source] Re: [EXTERNAL] NCB B ESA - species confirmation

Hi Angie,

In regards to the ESA species list, Eastern Black Rail is now listed as a threatened species effective 11/9/20. Also, although currently extirpated from the state, the Northeastern Beach Tiger Beetle is listed as federally threatened

and state threatened.

There are additional state-listed species that, while not listed under the ESA, may deserve consideration in the biological assessment or NEPA document as they occur in the study area:

Eastern Mud Turtle (SE)
Kemp's Ridley Sea Turtle (SE)
Leatherback Sea Turtle (SE)
Peregrine Falcon (SE)
Black Tern (SE)
Short-eared Owl (SE)
Green Sea Turtle (ST)
Loggerhead Sea Turtle (ST)
Pied-billed Grebe (ST)
Bald Eagle (ST)
Northern Harrier (ST)
Common Tern (ST)
Least Tern (ST)

Additionally, the following species are included under the Birds of Conservation Concern 2008 list and represent high conservation priorities that have the potential to become candidates for listing under the ESA (list modified to only include species that occur in the study area and any change in their status):

Red-throated Loon
Pied-billed Grebe (on ST list)
Horned Grebe
Greater Shearwater
American Bittern
Snowy Egret
Bald Eagle (on ST list)
Peregrine Falcon (on SE list)
Eastern Black Rail (on FT, SE lists)
American Oystercatcher
Solitary Sandpiper
Lesser Yellowlegs
Whimbrel
Marbled Godwit
Red Knot (on FT, ST lists)
Semipalmated Sandpiper
Purple Sandpiper
Short-billed Dowitcher
Least Tern (on ST list)
Gull-billed Tern
Black Skimmer
Red-headed Woodpecker
Wood Thrush
Blue-winged Warbler
Prairie Warbler
Worm-eating Warbler
Kentucky Warbler
Nelson's Sparrow
Saltmarsh Sparrow
Seaside Sparrow
Rusty Blackbird

Thanks,

Kim Spiller (she/her)
Fish and Wildlife Biologist
Long Island Field Office
U.S. Fish and Wildlife Service
340 Smith Rd
Shirley, NY 11967
(631) 286-0485 x2116
kimberly_spiller@fws.gov

From: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Sent: Thursday, November 12, 2020 4:13 PM
To: Papa, Steve <steve_papa@fws.gov>
Cc: Spiller, Kimberly J <kimberly_spiller@fws.gov>; Whalon, Valerie M CIV (USA) <Valerie.M.Whalon@usace.army.mil>
Subject: [EXTERNAL] NCBB ESA - species confirmation

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Steve,

We have pulled together the list of ESA species to include in the Nassau County Back Bays biological assessment. Could you please confirm the list of species identified in the action area is correct, and provide any additional information or concerns that your agency may have that will assist USACE with the preparation of the biological assessment within 30 days (December 14)?

We appreciate your assistances with this.

Thanks,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Edith Carson-Supino](#)
Cc: [Whalon, Valerie M CIV \(USA\)](#)
Subject: NCBB ESA - species confirmation
Date: Thursday, November 12, 2020 4:12:00 PM
Attachments: [NMFS Species in the NCBB Study Area 11102020.docx](#)

Hi Edith,

We have pulled together the list of ESA species to include in the Nassau County Back Bays biological assessment. Could you please confirm the list of species identified in the action area is correct, and provide any additional information or concerns that your agency may have that will assist USACE with the preparation of the biological assessment within 30 days (December 14)?

We appreciate your assistances with this.

Thanks,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

Threatened and Endangered Species under NMFS Jurisdiction that Potentially Occur in the NCBB Study Area

Species	Status
Fin Whale (<i>Balaenoptera physalus</i>)	FE, SE
North Atlantic Right Whale (<i>Eubalaena glacialis</i>)	FE, SE
Atlantic Loggerhead (<i>Caretta caretta</i>)	FT, ST
Kemp's Ridley (<i>Lepidochelys kempii</i>)	FE, SE
Atlantic Green Sea Turtle (<i>Chelonia mydas</i>)	FT, ST
Leatherback Sea Turtle (<i>Dermochelys coriacea</i>)	FT, SE
Atlantic Sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>)	FT, FE, SE
Shortnose Sturgeon (<i>Acipenser brevirostrum</i>)	FE, SE

Notes: FE=Federally Endangered, FT=Federally Threatened, PFT=Proposed Federally Threatened, SE=State Endangered, ST=State Threatened.

From: [Edith Carson-Supino - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Whalon, Valerie M CIV \(USA\)](#); [Jessie Murray - NOAA Federal](#); [Karen Greene - NOAA Federal](#)
Subject: [Non-DoD Source] Re: NCBBS ESA - species confirmation
Date: Tuesday, November 17, 2020 5:34:00 PM

Hi Angela,

Here are our comments regarding ESA-listed species presence in the Nassau County Back Bays action area.

Endangered Species Act

Atlantic Large Whales

Federally endangered North Atlantic right and fin whales occur year-round off the New York coast in the Atlantic Ocean. Right whales are most likely to occur offshore between November and April. Right whales feed on copepods and could be foraging if suitable forage is present; right whales are also likely to be migrating along the Atlantic coast. Fin whale sightings off the eastern United States are centered along the 100m isobath, but fin whales are well spread out over shallower and deeper water, including submarine canyons along the shelf break (Kenney and Winn 1987; Hain et al. 1992). Fin whales feed on small schooling fish, squid, and crustaceans, including krill. Whales will only be present in the Atlantic Ocean south of Long Island. They will not be present in the adjacent tributaries and bays.

Sea Turtles

Four species of Endangered Species Act (ESA) listed threatened or endangered sea turtles under our jurisdiction could be seasonally present south of Long Island and in its adjacent tributaries and bays: the threatened Northwest Atlantic Ocean distinct population segment (DPS) of loggerhead, North Atlantic DPS of green, and the endangered Kemp's ridley and leatherback sea turtles. Sea turtles typically occur along the coast from May to November, with the highest concentration of sea turtles present from June through October.

Shortnose Sturgeon

Shortnose sturgeon are not expected to be present south of Long Island or in the adjacent tributaries and bays.

Atlantic Sturgeon

Adult and subadult Atlantic sturgeon could be present in any of the waters of the action area and its adjacent tributaries and bays. The New York Bight, Chesapeake Bay, Carolina, and South Atlantic DPS of Atlantic sturgeon are endangered; the Gulf of Maine DPS is threatened. Adult and subadult Atlantic sturgeon originating from any of these DPSs could occur in the proposed project

area. As young remain in their natal river/estuary until approximately age 2, and early life stages are not tolerant of saline waters, no spawning or early life stages of Atlantic sturgeon will occur within the waters south of Long Island and its adjacent tributaries and bays.

As project details develop, we recommend you consider the following effects of the project on sturgeon, sea turtles, and whales:

- For any impacts to habitat or conditions that temporarily render affected water bodies unsuitable for the above-mentioned species, consider the use of timing restrictions for in-water work.
- For activities that increase levels of suspended sediment, consider the use of silt management and/or soil erosion best practices (i.e., silt curtains and/or cofferdams).
- Consider the related effects to water quality if outfalls are being installed (i.e., will the standards still be met, will the effluent volume change, and will there be any effects to the species).
- For activities that may affect underwater noise levels, consider the use of cushion blocks and other noise attenuating tools to avoid reaching noise levels that will cause injury or behavioral disturbance to sea turtles and sturgeon - see the table below for more information regarding noise criteria for injury/behavioral disturbance in sea turtles and sturgeon. For cetacean physiological (injury) effects, please refer to NOAA Fisheries' [2018 Marine Mammal Acoustic Technical Guidance document](#) and user spreadsheet for assessing whether or not a project creates underwater noise that exceeds the permanent threshold shift (PTS) or temporary threshold shift (TTS) limits for listed cetaceans.

Behavioral and Physiological (Injury) Thresholds for ESA-Listed Species in NMFS' Greater Atlantic Region

Species	Thresholds	Units
Sturgeon Behavioral	150	dB re 1 μ PA RMS
Sturgeon Physiological	206	dB re 1 μ PA Peak
Sturgeon Physiological (>2g)	187	dB re 1 μ Pa2s cSEL
Sea turtle behavioral	175	dB re 1 μ PA RMS
Sea Turtle Temporary Threshold Shift (TTS, SEL weighted)	189	dB re 1 μ Pa2s SEL
Sea Turtle Temporary Threshold Shift (TTS, Peak SPL)	226	dB re 1 μ PA Peak
Sea Turtle Permanent Threshold Shift (PTS, SEL weighted)	204	dB re 1 μ Pa2s SEL
Sea Turtle Permanent Threshold Shift (PTS, Peak SPL)	232	dB re 1 μ PA Peak

Depending on the amount and duration of work that takes place in the water, listed species of sturgeon, sea turtles, and possibly whales may occur within the vicinity of your proposed project. The USACE will be responsible for determining whether the proposed action may affect listed species. If they determine that the proposed action may affect a listed species, they should submit their determination of effects, along with justification and a request for concurrence to the attention of the Section 7 Coordinator, nmfs.gar.esa.section7@noaa.gov. Please be aware that we have recently provided on our website guidance and tools to assist action agencies with their description of the action and analysis of effects to support their determination. See - <https://www.fisheries.noaa.gov/new-england-mid->

[atlantic/consultations/section-7-consultations-greater-atlantic-region](#). You're always welcome to send me a draft Biological Assessment in Word for review before you submit the final document.

After receiving a complete, accurate comprehensive request for consultation, in accordance to the guidance and instructions on our website, we would then be able to conduct a consultation under section 7 of the ESA. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. If you have any questions regarding these comments, please contact me (978-282-8490; Edith.Carson-Supino@noaa.gov).

Thanks!

Edith

Edith Carson-Supino, M.Sc.

Section 7 Fish Biologist

NOAA Fisheries

U.S. Department of Commerce

Greater Atlantic Regional Fisheries Office

Phone: 978-282-8490

edith.carson-supino@noaa.gov

(she/her/hers)

For ESA Section 7 guidance please see:

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultations-greater-atlantic-region>



On Thu, Nov 12, 2020 at 4:15 PM Sowers, Angela M CIV USARMY CENAB (USA)

<Angela.Sowers@usace.army.mil> wrote:

Hi Edith,

We have pulled together the list of ESA species to include in the Nassau County Back Bays biological assessment. Could you please confirm the list of species identified in the action area is correct, and provide any additional information or concerns that your agency may have that will assist USACE with the preparation of the biological assessment within 30 days (December 14)?

We appreciate your assistances with this.

Thanks,
Angie

**MAGNUSON-STEVENSON FISHERY MANAGEMENT AND
CONSERVATION ACT: ESSENTIAL FISH HABITAT**

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Karen Green](#)
Cc: [Ward, Rachel J CIV USARMY CENAP \(US\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: NCBB EFH - species confirmation
Date: Thursday, November 12, 2020 4:10:00 PM
Attachments: [EFH Designated in the NCBB Study Area 11102020.docx](#)

Hi Karen,

We have pulled together the list of EFH species to include in the Nassau County Back Bays EFH Assessment. Could you please confirm the list of species identified in the action area is correct, and provide any additional information or concerns that your agency may have that will assist USACE with the preparation of the EFH assessment within 30 days (December 14)?

We appreciate your assistances with this.

Thanks,
Angie

Angie Sowers, Ph.D.
U.S. Army Corps of Engineers
Baltimore District- Planning Division
Civil Project Development Branch
Integrated Water Resources Management Specialist
2 Hopkins Plaza
10-E-04
Baltimore, MD 21201
angela.sowers@usace.army.mil
(410) 962-7440

Species with Designated Essential Fish Habitat within the NCBB Study Area

Species	Lifestages Present
Black Sea Bass	Juvenile, Adult
Longfin Inshore Squid	Eggs, Juvenile
Atlantic Mackerel	Eggs, Larvae, Juvenile, Adult
Bluefish	Juvenile, Adult
Atlantic Butterfish	Juvenile
Spiny Dogfish	Sub- Female, Adult Male
Atlantic Surfclam	Juvenile, Adult
Scup	Juvenile, Adult
Summer Flounder (SAV Is HAPC for juveniles)	Juvenile, Adult
Bluefin Tuna	Juvenile
Sandbar Shark	Juvenile, Adult
Skipjack Tuna	Adult
White Shark	Neonate
Smoothhound Shark Complex (Atlantic Stock)	All
Sand Tiger Shark	Neonate, Juvenile
Winter Flounder	Eggs, Larvae, Juvenile, Adult
Little Skate	Juvenile, Adult
Ocean Pout	Eggs, Adult
Atlantic Herring	Juvenile, Adult
Atlantic Cod	Eggs, Larvae, Adult
Pollock	Juvenile
Red Hake	Adult
White Hake	Juvenile
Yellowtail Flounder	Eggs, Adult

Species	Lifestages Present
Monkfish	Eggs, Larvae, Adult
Windowpane Flounder	Eggs, Larvae, Juvenile, Adult
Winter Skate	Juvenile, Adult

Source: EFH Mapper (NMFS 2020)

juvenile and adult white sharks

- * all common thresher sharks
- * neonate dusky sharks, and
- * juvenile and adult ocean quahogs

From: [Jessie Murray - NOAA Federal](#)
To: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
Cc: [Karen Greene - NOAA Federal](#); [Ward, Rachel J CIV USARMY CENAP \(US\)](#); [Whalon, Valerie M CIV \(USA\)](#)
Subject: [Non-DoD Source] NCBF EFH - species confirmation
Date: Tuesday, December 1, 2020 11:20:59 AM

Good Morning Angie -

Karen forwarded over the species list to me for review. Additional life stages/species to include in the Nassau County Back Bays EFH Assessment:

- * juvenile and adult white sharks
- * all common thresher sharks
- * neonate dusky sharks, and
- * juvenile and adult ocean quahogs

Thanks and please let me know if you have any additional questions or comments.

Jessie

--

Jessie Murray

Marine Habitat Resource Specialist

Habitat and Ecosystems Services Division (Habitat Conservation)

Greater Atlantic Regional Fisheries Office

James J. Howard Marine Sciences Laboratory, Highlands, NJ

NOAA Fisheries | U.S. Department of Commerce

Office: (732) 872-3116

www.fisheries.noaa.gov <Blocked<http://www.fisheries.noaa.gov>>

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****NOTE:** All NOAA Staff are teleworking until further notice. I will be checking my voicemail, but the best way to reach me is by email .

NATIONAL HISTORIC PRESERVATION ACT

From: [Sowers, Angela M CIV USARMY CENAB \(USA\)](#)
To: [Jesse Bergevin](#)
Cc: [Minnichbach, Nicole C CIV USARMY CENAP \(USA\)](#)
Subject: RE: Nassau County Back Bays CSRM Study - Agency Coordination Meeting - Update
Date: Tuesday, May 11, 2021 10:21:00 AM
Attachments: [image001.png](#)

Hi Jesse,

Thank you for your response. Would you like me to remove you from future communications?

Thanks,
Angie

From: Jesse Bergevin <jbergevin@oneida-nation.org>
Sent: Tuesday, May 11, 2021 10:04 AM
To: Sowers, Angela M CIV USARMY CENAB (USA) <Angela.Sowers@usace.army.mil>
Subject: [Non-DoD Source] RE: Nassau County Back Bays CSRM Study - Agency Coordination Meeting - Update

Angie,

Thank you for the invitation and doodle poll. This project appears to fall outside of the Oneida aboriginal territory and is, therefore, beyond our purview.

Please let me know if there are any questions.

Best Regards,

JESSE BERGEVIN

Historical Resources Specialist

ONEIDA INDIAN NATION

P: 315.829.8463
2037 Dream Catcher Plaza
Oneida, NY 13421



From: Sowers, Angela M CIV USARMY CENAB (USA) [<mailto:Angela.Sowers@usace.army.mil>]
Sent: Monday, May 03, 2021 5:12 PM
To: BOSN4 Emmanuel Zambrana; Brandreth, Mary E CIV USARMY CENAP (USA); Eastern Shawnee Tribe of Oklahoma (THPO); Brian Gracey; Brian Schneider; Chris Schubert; Darren Bonaparte; Edith Carson-Supino; Delaware Nation of Oklahoma; Jennifer Street; Jeremy Campbell; Jesse Bergevin; John Bonafide; John Dawson; John McKee; Kaetlyn Jackson; Karen Green; LCDR Josh Buck; LT Jennifer Sheehy; Mark Eberle; Michael Bilecki; Michael Moriarty; Mike Poetzsch; Minnichbach, Nicole C CIV USARMY CENAP (USA); Nathan Allison; Patrick Tuohy; Paul Lepsch; Peter Johnsen; Ryan Hodgetts; Sanderson, Scott A CIV USARMY CENAP (USA); Shavonne Smith; Shawn Fisher; Spiller, Kimberly J; Steve Papa;

Weichenberg, Rena CIV USARMY CENAD (USA); Whalon, Valerie M CIV (USA)

Subject: Nassau County Back Bays CSRM Study - Agency Coordination Meeting - Update

Hi all,

We have been working with local stakeholders and our sponsors to refine the study's path forward and are pleased to share that we have a tentatively selected plan milestone meeting set for May 27, 2021. We'd like to convene to provide a study update at this time. Please complete the doodle poll to provide input for your availability.

https://doodle.com/poll/5k5dyth8hue9zhni?utm_source=poll&utm_medium=link

Thanks,

Angie

Angie Sowers, Ph.D.

U.S. Army Corps of Engineers

Baltimore District- Planning Division

Civil Project Development Branch

Integrated Water Resources Management Specialist

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10-E-04

Baltimore, MD 21201

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