



**Governor's Office of
Storm Recovery**

ANDREW M. CUOMO
Governor

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
DETERMINATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION)**

POINT LOOKOUT SHORELINE STABILIZATION AND REVETMENT PROJECT

DATE: October 17, 2019

NAME OF ACTION: Point Lookout Shoreline Stabilization and Revetment Project

LOCATION: Point Lookout Beach District Park, hamlet of Point Lookout, Town of Hempstead, Nassau County, New York

SEQRA CLASSIFICATION: Type I (*ENB Required*); Unlisted

REVIEW TYPE: Coordinated; Uncoordinated

DETERMINATION OF SIGNIFICANCE: Negative Declaration; Positive Declaration

The Governor's Office of Storm Recovery (GOSR), an office of New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation (HTFC), has established Lead Agency status pursuant to the State Environmental Quality Review Act (SEQRA) (ECL Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113 and 6 NYCRR Part 617) for the environmental review of the proposed Point Lookout Shoreline Stabilization and Revetment Project (Proposed Project). In accordance with SEQRA and its implementing regulations found at 6 NYCRR Part 617, GOSR has established itself as SEQRA lead agency and has classified the Proposed Project as a Type I Action. A Full Environmental Assessment Form (EAF) Part 1 regarding the Proposed Project has been circulated for review and comment to interested and involved agencies. GOSR has evaluated the criteria found under 6 NYCRR 617.7(c), completed Parts 2 and 3 of the EAF, and determined that the Proposed Project would not result in significant environmental impacts. This memo is incorporated by reference into Part 3 of the EAF and serves as the rationale for GOSR's determination of significance.

The Proposed Project:

The Town of Hempstead is requesting HUD CDBG-DR funding for the Proposed Project. A site investigation was completed in October 2016 by the Town's engineering consultants, COWI, that documented and classified the existing revetment and jetty system which makes up the Proposed Project area. The Proposed Project area was divided into the following three zones, based on the existing condition of the shoreline:

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Zone A – existing revetment in fair condition; this area has a length of approximately 550 feet and extends (from south to north) from the southern limit of Mineola Avenue to the shoreline adjacent to the intersection of Beech Street and Mineola Avenue.

Zone B – existing revetment in serious condition; the area has a length of approximately 1,800 feet and extends (from south to north) from the shoreline adjacent to the intersection of Beech Street and Mineola Avenue to the northern limit of the existing revetment/ the southern groin.

Zone C – an existing break in the revetment consisting of a sandy coastline with two (2) existing groins (identified as the northern and southern jetties), which is located on the northeastern corner of Point Lookout and extends (from south to north) from the northern limit of the existing revetment/ the southern groin to the shoreline adjacent to the eastern limit of Bayside Drive.

The Proposed Project will include the de-construction of the two existing groins (jetties), re-use of stone to continue the revetment between the area where the two groins existed (Zone C), and the construction of a perched revetment to strengthen the existing revetment (Zones A and B). The Proposed Project will take place wholly within the Town-owned parcels that are designated as Point Lookout Beach District Park, hamlet of Point Lookout, Town of Hempstead, New York

In Zones A and B, a perched revetment will be constructed with additional lee side granular fill overtopping protection. This design is intended to protect the existing shoreline landward of the existing revetment without any modifications made to the submerged part of it. All material is proposed to be placed landward of the existing mean high water spring (MHWS) contour. Therefore, all construction activities for these Zones will be confined to the area above the MHWS. In Zone C, the two existing groins will be removed and the revetment will be completed to provide continuous protection and prevent shoreline erosion due to wave and current action. Additional lee side erosion and scour protection was designed due to large volumes of overtopping expected during storm events. Geotextile filter fabric will be utilized as a filter and a separation layer between existing soil and the revetment underlayer in Zone C. The separation layer will prevent filtering of fine soil into the underlayer while allowing for sufficient water flow through it in order to reduce hydrodynamic loads. Groin removal in conjunction with the revetment reconstruction, repair and replacement will enable the reuse of the jetty stone on-site.

Materials will be delivered to the area by trucks. Excavation (derelict or substandard materials from revetment reconstruction and repair) and grading within Zone C will be performed during low tide using a land based excavator. Excavated materials (sand and stone) will be stockpiled locally and reused in the reconstruction. Geotextile will be delivered to the area in rolls and then manually placed on top of the post-excavation grade. It will be held down by underlayer stones during the construction period. Smaller stones (underlayer and granular fill) will be placed using a front bucket loader or a bobcat. The excavator with a hydraulic rock placing arm will then be used to individually place large armor stones. Best management practices will be implemented to prevent any equipment, material, or debris from entering the waterway. The contractor will prepare and submit a spill response plan, which will document measures and activities to be performed should any oil or fluid spillage occur during the construction.

Purpose and Need:

The existing revetment along Jones Inlet functions as a barrier for the Point Lookout community that absorbs wave energy, reflects waves, and reduces wave run-up and flooding during storm events. Portions of the landward dune were destroyed by Superstorm Sandy, rendering the area landward of the revetment vulnerable to scour. Until the revetment is repaired, houses along Mineola Avenue adjacent to the Point Lookout Beach District Park will be vulnerable to damage from waves and surge generated by coastal storms.

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The sandy shoreline that is formed from the north end of Jones Inlet west around the tip of Point Lookout along Reynolds Channel is subject to an ongoing process of coastal erosion along Jones Inlet. This has resulted in shoreline retreat, which has reduced the distance between the water and structures on Bayside Drive and increased the vulnerability of residences and businesses to coastal erosion and flooding. If nothing is done to halt the process of erosion, the foundations of residences and businesses could be undermined, leading to susceptibility of flooding, structural collapse and threatening the life safety of the occupants. The process of erosion occurring at the northeast end of Point Lookout also causes loss of open space in the Point Lookout Beach District Park. Eventually, if left unprotected, erosion along Jones Inlet in the area of the Park will encroach upon additional residences on Mineola Drive making those residents more susceptible to flooding. Further, cresting of this existing revetment will worsen with predicted sea level rise and the erosion and instability of this facility will present a greater safety risk for the community. The Proposed Project would result in the protection of this Town-owned Point Lookout Beach District Park and enhance the safety of the Point Lookout community during future storms.

Existing Conditions:

Point Lookout Beach District Park is located along the eastern end of Long Beach Barrier Island in the Town of Hempstead, Nassau County, New York. The U.S. Army Corps of Engineers (USACE) has an ongoing Project to rehabilitate Lido Beach and shoreline structures south of the Project (Jones Inlet to East Rockaway Inlet). An upland and underwater field inspection, consisting of a beach inspection, groins inspection, and a revetment inspection, was conducted on October 26 and October 27, 2016 to recognize the destructive processes at work and to ensure the new section of revetment aligns with the existing system. The beach inspection revealed no buried rock within the depth of 2 feet except for rock lying on the surface, and an increase in soil density was observed at a depth of 1 foot. Two groins which are perpendicular to the shoreline and jut into Jones Inlet were inspected during the groins inspection (North Groin and South Groin), and were given a structural condition assessment rating of “Satisfactory”. Groins consist of solid quarry rock ranging in size from 2 to 5 feet. The North Groin is approximately 78 feet long and the South Groin is approximately 160 feet long. The revetment inspection was conducted using survey stations spaced at 100 foot intervals from north to south along the Project Area and surveying a cross-section at each station. The revetment survey revealed that the majority of the northern section of the revetment was assigned a structural condition assessment of “Serious”, indicating unevenly spaced and irregular sized concrete rubble that will not prevent erosion, as well as currently present erosion areas. Remaining intermittent revetment sections were categorized as “Fair”, indicating quarry stone and irregularly sized concrete rubble which may cause instability. Varying crest elevations were also noted.

Funding:

The total Proposed Project cost is estimated at \$3,906,700.00. GOSR proposes to allocate funding pursuant to the HUD CDBG-DR program as authorized by the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013). The NYS HTFC, which administers the CDBG-DR program funds on behalf of GOSR, intends to approve funding for the Proposed Project as described in this notice.

Environmental Considerations:

The SEQRA EAF Parts 1 and 2 assessed multiple resource topics, and no potential impacts were identified. The SEQRA analysis finds that the Proposed Project will not result in a significant adverse environmental impact. Additional explanation is provided for those sections of the SEQRA EAF Part 2 where details may be helpful in understanding the environmental considerations. The applicable SEQRA EAF Part 2 section number is followed by the additional explanation below.

Section 1 – Impact on Land

Physical alteration of the land will take place in association with the construction and implementation of the shoreline stabilization structures. The process of erosion occurring at the northeast end of Point Lookout also causes loss of open space in the Point Lookout Beach District Park. Eventually, if left unprotected,

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erosion along Jones Inlet in the area of the Park will encroach upon additional residences on Mineola Drive making those residents more susceptible to flooding. The Proposed Project would result in the protection of this Town-owned Point Lookout Beach District Park. The Proposed Project will be implemented in accordance with all applicable federal, state and local laws, regulations, and permit requirements and conditions.

Section 3 – Impacts on Surface Water

The Proposed Project will involve construction in NYSDEC and USFWS NWI mapped wetlands, watercourses, and waterbodies. The proposed improvements that would potentially impact surface water will have beneficial impacts that will reduce flood risk to the community. The Proposed Project will halt the continual erosion of the shoreline and will protect the existing park and adjacent residences from flooding during storm events. Reduced flood risk will also increase the overall attractiveness of the park as a recreational asset in the community.

It is anticipated that the following permits will be required prior to commencement of the Proposed Project:

- NYSDEC Article 15– Protection of Waters: Excavation and Fill in Navigable Waters
- NYSDEC Article 25 – Tidal Wetlands Permit
- NYSDEC Section 401 Water Quality Certification
- NYSDEC SPDES General Permit for Construction Activity (if disturbing greater than 1 acre)
- USACE Section 10 of the Rivers and Harbors Act
- USACE Section 404 of the Clean Water Act Permit
- Town of Hempstead Floodplain Development Permit
- Town of Hempstead Structures in Waterways Permit

All necessary permits shall be obtained before beginning work. The Proposed Project will be implemented in accordance with all applicable federal, state and local laws, regulations, and permit requirements and conditions in order to ensure the preservation of water quality. Best Management Practices (BMPs) will be employed to ensure that the Proposed Project does not negatively impact surface water.

Section 5 – Impact on Flooding

The Proposed Project is located within a Special Flood Hazard Area (100-year floodplain). An 8-step decision making process was completed pursuant to 24 CFR 55.20. The Floodplain Management (Executive Order 11988) and Wetlands Protection (Executive Order 11990) Determination for the Proposed Project will be included in the Environmental Review Record. The Proposed Project is presented as the best option to achieve the project’s purpose and need. A Town of Hempstead Floodplain Development Permit will be required prior to commencement of Proposed Project activities. The Proposed Project will be completed in accordance with all applicable federal, state and local permit requirements and conditions.

Section 7 – Impact on Plants and Animals

The Proposed Project will not introduce nuisance or non-indigenous species or vegetation. According to a records request response from the NYSDEC, there are records of the short-eared owl (NY State endangered), least tern (NY State threatened), and piping plover (NY State endangered) at or in the vicinity of the Proposed Project area. The U.S. Fish and Wildlife Service (USFWS) lists the northern long-eared bat (threatened), piping plover (threatened), red knot (threatened), roseate tern (endangered), sandplain gerardia (endangered) and seabeach amaranth (threatened) as the only threatened, endangered, proposed, or candidate species that may occur within the boundary of the Proposed Project. The Town of Hempstead Department of Conservation & Waterways has a very robust piping plover monitoring and protection program with annual surveys to ensure appropriate measures are in place, if necessary. As noted in the completed long Environmental Assessment Form the other identified species are not expected to be present at this location. It is recognized

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that no tree removal is proposed as part of this action. The Proposed Project will involve construction along the shoreline of an existing park. Proposed Project activities will involve beach restoration landward of the shoreline, which will minimize shoreline retreat and stabilize and improve the beach ecosystem. GOSR has determined that the Proposed Project “may affect, but will not likely adversely affect” species under the jurisdiction of the USFWS. All conditions or measures required by the NYSDEC and USFWS to mitigate potential impacts to endangered or threatened species will be followed.

Erosion and sediment controls will be implemented, including the use of turbidity curtain to prevent the flow of sediment from construction activity or stormwater runoff from leaving the Proposed Project area and entering adjacent waterways. The Proposed Project does not involve any activities that would introduce stressors to listed species or their designated critical habitats under the jurisdiction of National Oceanic and Atmospheric Administration’s (NOAA) National Marine Fisheries Service (NMFS) pursuant to the ESA. Therefore, GOSR has determined that the Proposed Project would have “no effect” on species under the jurisdiction of the NMFS.

Section 15 – Impact on Noise, Odor, and Light

The Proposed Project will generate short term noises as a result of construction activity, but is not a noise-sensitive use. The Proposed Project activities are not expected to generate excessive noise during the short-term construction work and will adhere to local noise control standards. The Proposed Project activities will be completed in accordance with all applicable federal, state and local laws, regulations, and permit requirements and conditions. Therefore, the Proposed Project is not expected to generate any significant adverse noise impacts.

Standard Requirements:

Any change to the Proposed Project as described will require re-evaluation by GOSR’s Certifying Officer for compliance with SEQRA and other law, regulations and policies.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

Additional Mitigation Measures:

To the extent required and/or practicable and applicable, any approval of the Proposed Project is subject to the following mitigation measures being adhered to by the grant recipient to minimize environmental impacts and create a more sustainable project:

- Construction and demolition – to the maximum extent possible, utilize local and recycled materials in construction process and recycle materials generated onsite.
- Clean diesel – implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including:
 - Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and
 - Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.
- Stormwater – utilize low impact development (LID) principles such as minimizing effective imperviousness to create site drainage, and the planting of native and non-invasive vegetation on the

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project site for stormwater management purposes. Other LID practices can include bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements;

- Cost-efficient, environmentally friendly landscaping – EPA’s GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping;
- Energy efficiency – energy-efficient technologies should be incorporated, when possible; and
- Water conservation and efficiency – promote water conservation and efficiency through use of water efficient products (toilets, faucets, showerheads) and practices. Consider use of products with the WaterSense label where appropriate.

In addition to the factors considered above, the GOSR considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Project would:

- (i) Not result in “a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;” (§617.7(c)(1)(i))
- (ii) Not result in “the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;” (§617.7(c)(1)(iii))
- (iii) Not result in “the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;” (§617.7(c)(1)(iii))
- (iv) Not result in “the creation of a material conflict with a community’s current plans or goals as officially approved or adopted;” (§617.7(c)(1)(iv))
- (v) Not result in “the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;” (§617.7(c)(1)(v))
- (vi) Not result in “a major change in the use of either the quantity or type of energy;” (§617.7(c)(1)(vi))
- (vii) Not result in “the creation of a hazard to human health;” (§617.7(c)(1)(vii))
- (viii) Not result in “a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;” (§617.7(c)(1)(viii))
- (ix) Not result in “the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;” (§617.7(c)(1)(ix))
- (x) Not result in “the creation of a material demand for other actions that would result in one of the above consequences;” (§617.7(c)(1)(x))

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(xi) Not result in “changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

(xi) Not involve “two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.” (§617.7(c)(1)(xii))

Therefore, GOSR, acting as Lead Agency, and having prepared a Full Environmental Assessment Form, has determined that the Proposed Project will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.



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Date: October 17, 2019

Attachments:

Environmental Assessment Form (Parts 1, 2 and 3)
Lead Agency Letter Sent
Negative Declaration Distribution List
Lead Agency Letter Responses