



U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Public Notice

Applicant: Wayne County
Soil & Water
Conservation District

Published: March 14, 2022
Expires: April 13, 2022

Application No: 2020-00295
Section: NY

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District
(Attn:) Keith C. Sendziak
1776 Niagara Street
Buffalo, NY 14207

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

APPLICANT: Wayne County Soil & Water Conservation District

WATERWAY & LOCATION: Lake Ontario & Blind Sodus Bay, Town of Wolcott, Wayne County and Town of Sterling, Cayuga County, New York

LATITUDE & LONGITUDE: Latitude North: 43.3424
Longitude West: -76.7317

EXISTING CONDITIONS: In 2017 and 2019, Lake Ontario experienced high water levels that resulted in severe flooding and erosion throughout the region. These high water events resulted in the extensive loss of the Blind Sodus Bay barrier bar. The loss of the barrier bar left infrastructure and private properties along the shoreline of the Bay more vulnerable to high water damages, and contributed to significant ecological changes within Blind Sodus Bay. The Bay is no longer a protected embayment, but now an open water system that receives significantly more sediment deposition from the Lake than when the barrier bar was intact, which has led to degraded water quality. In addition, the damage resulted in a substantial loss of vegetation and wildlife habitat.

Description of delineation of waters of the US, if applicable: A water resource delineation was not submitted. The project is located within Lake Ontario and Blind Sodus Bay.

PROPOSED WORK: Approximately 32,642 cubic yards (CY) of fill will be placed, and approximately 4,175 CY of substrate will be dredged from, below the ordinary high water elevation of Lake Ontario/Blind Sodus Bay (247.3 feet International Great Lakes Datum 1985) to construct barrier bar enhancements and breakwaters, and associated habitat features. Specifically, the eastern end of the former barrier bar will be restored along its former alignment. The existing, intact section of the barrier bar will be preserved and enhanced with additional fill. Three barrier bar breakwaters (BBBs) will be constructed between the restored barrier bar and the western shoreline. In addition, the navigational channel will be relocated to its historic location in the center of the barrier bar to maintain access between Blind Sodus Bay and Lake Ontario. Various natural and nature-based features such as turtle nesting and basking habitat, woody habitat enhancements, and native vegetation plantings will be incorporated into the BBB and barrier bar design. See attached figures for additional detail.

PROJECT PURPOSE

Basic: habitat restoration and bank stabilization

Overall: restore the degraded Blind Sodus Bay barrier bar to improve water quality, wildlife habitat, and protect existing development along the shoreline of Blind Sodus Bay from wave-related erosion.

Water Dependency Determination (*describe only if project affecting Special Aquatic Site*): The proposed project will not affect Special Aquatic Sites.

AVOIDANCE AND MINIMIZATION INFORMATION: Dredged material will be reutilized within the littoral drift. All heavy machinery work will occur from anchored barges to minimize impacts to Lake Ontario and Blind Sodus Bay. Habitat improvements will be included as part of the project.

PROPOSED MITIGATION: No mitigation has been proposed.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should reference the Application Number and be directed to the attention of Keith Sendziak, who can be contacted at the above address, by calling (716) 879-4339, or by e-mail at: keith.c.sendziak@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

New York Department of State
Division of Coastal Resources
Coastal Management Program
One Commerce Plaza
99 Washington Avenue

Albany, NY 12231
Attn: Consistency Review
Telephone (518) 486-3200

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

The project permit area is located within an archaeologically sensitive area as identified by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). However, due to the scope of the work proposed, the NYSOPRHP has determined that the project will result in **No Effect** to historic resources listed in, or eligible for listing in the National Register of Historic Places.

Available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species. There are no species listed as protected pursuant to the Endangered Species Act located within Wayne and Cayuga Counties, New York, and therefore the Corps is not consulting beyond this Public Notice with the U.S. Fish and Wildlife Service. This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Steven V Metivier
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for **30** days from the date of issuance.



Legend

Survey Limits

Figure 1

Project No. 2135.002

Blind Sodus Bay REDI Project

Topographic Project Location Map

Cayuga & Wayne County January 2021 New York

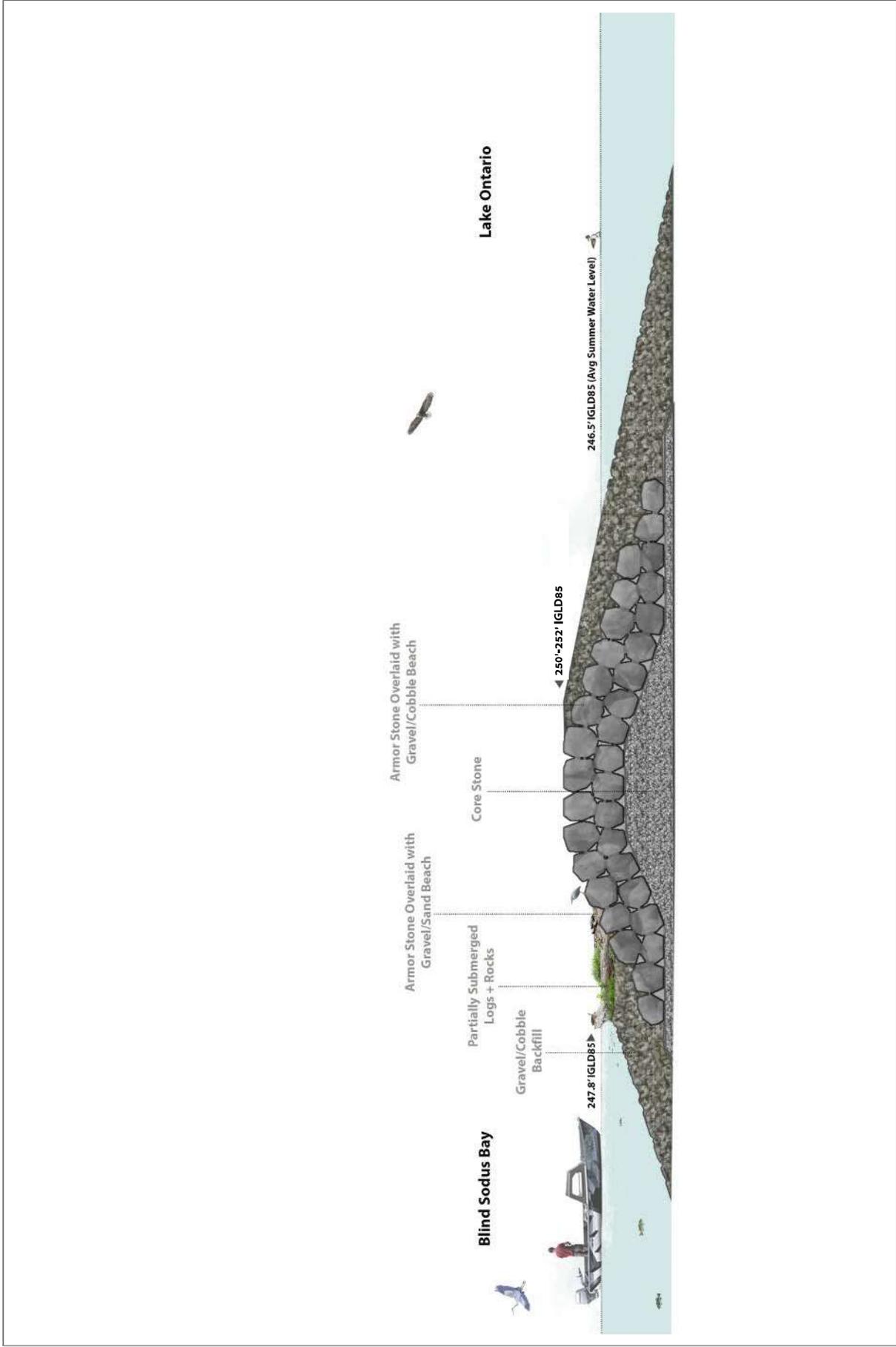
Sources: Basemap- USA Topographic Maps, 2013; Survey Limits- B&L, 2020





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Figure 2
Proposed Barrier Rock Reef Layout
Basis of Design Supplemental Information
Blind Sodus Bay REDI Project



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