

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7

615 Erie Boulevard West, Syracuse, NY 13204-2400

P: (315) 426-7438 | F: (315) 426-7425

www.dec.ny.gov

June 21, 2019

Mathew Bilz
NYS OPRHP
6105 East Seneca Turnpike
Jamesville, NY 13078

Dear Mr. Bilz

Enclosed is your general permit for repair of damages resulting from Spring 2019 Lake Ontario high water levels. Please read it carefully and note its special conditions; you and any contractor you hire are responsible for compliance with its terms, conditions and requirements.

All authorized work should be completed by the permit expiration date of September 30, 2020. It is your obligation to obtain other approvals that may be required from any other Federal, State or local government.

Certain activities may require US Army Corps of Engineers (USACOE) approval under the Federal Endangered Species Act. Call the USACE at 716-879-4330, or email at LRB.Regulatory@usace.army.mil, before starting the following:

- a) Tree removal.
- b) Activities in federally-regulated wetlands in the Towns of Huron and Wolcott, in Wayne County.
- c) Activities in federally-regulated wetlands in Cayuga and Oswego County.
- d) Activities in the Towns of Sandy Creek and Richland, Oswego County.
- e) Activities in the Towns of Henderson and Ellisburg, Jefferson County.

If you have any questions about this permit or its special conditions, please contact Kevin Balduzzi at 315-426-7493 email at kevin.balduzzi@dec.ny.gov

Respectfully,



Kevin Balduzzi
Deputy Regional Permit Administrator

Ecc. Mike Uitvlugt, US ACOE; Tiffany Toukatly, R7 DEC BEH
Beth Geldard, R8 DEC Coastal; Tim Walsh, DEC Chief Western Flood Hub
Richard Riesdorph, Parks; Chris Cushings, Parks



Department of
Environmental
Conservation

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Division of Environmental Quality Control
609 East Seneca Turnpike
Jamaica, NY 11478
Tel: (516) 224-2300

June 21, 2019

Mr. Bill
NYE
609 East Seneca Turnpike
Jamaica, NY 11478

Dear Mr. Bill:

Enclosed is your general permit for the discharge of stormwater runoff from your property. This permit is issued under the authority of the State Pollution Discharge Elimination Act (SPDE) and the National Pollutant Discharge Elimination Act (NPDES). You are responsible for complying with its terms, conditions and requirements.

All discharge work should be completed by the permit expiration date of September 30, 2020. It is your obligation to obtain other approvals that may be required from any other Federal, State or local government.

For more information, please contact the New York State Department of Environmental Conservation, Division of Environmental Quality Control, at (516) 224-2300. If you have any questions, please contact the Division of Environmental Quality Control at (516) 224-2300.

As a condition of this permit, you must install and maintain a stormwater management system that meets the requirements of the permit. The permit requires that you install a stormwater management system that meets the requirements of the permit. The permit requires that you install a stormwater management system that meets the requirements of the permit.

If you have any questions, please contact the Division of Environmental Quality Control at (516) 224-2300. If you have any questions, please contact the Division of Environmental Quality Control at (516) 224-2300.

Sincerely,

John J. Gargano

Chief Executive Officer


Division of Environmental Quality Control

New York State Department of Environmental Conservation

609 East Seneca Turnpike, Jamaica, NY 11478

NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Application for General Permit GP-0-19-003 Authorization
Pursuant to Environmental Conservation Law Article 70

*Complete all fields marked with an asterisk

DEC Permit No. 7-3552-00145/00030	 NEW YORK <small>STATE OF OPPORTUNITY</small>	Department of Environmental Conservation	Effective Date: 06/21/2019
			Expiration Date: 09/30/2020
*Name of Permittee/Applicant: NYS Office of Parks, Recreation and Historic Preservation		Email: Mathew.Bilz@parks.ny.gov	
*Contact: Mathew Bilz			
*Mailing Address: 6105 East Seneca Turnpike	* Phone: (315)492-1756		
*City: Jamesville	* State: New York	Zip: 13078	
*Address of Project Location: 3387 County Rte. 15			
*Town of, Pulaski	County: Oswego		
Name of Agent/Contractor: <small>NYS-OPRHP</small>		Phone: (315)492-1756	Email: Richard.Riesdorph@parks.ny.gov
Mailing Address: 6105 East Seneca Turnpike, Jamesville, NY 13078			

*** Authorization Type**

- | | |
|--|---|
| <input type="checkbox"/> 6 NYCRR 608: Article 15, Title 5: Protection of Water | <input type="checkbox"/> 6 NYCRR 663: Article 24 Freshwater Wetlands |
| <input type="checkbox"/> 6 NYCRR 608: Water Quality Certification | <input checked="" type="checkbox"/> 6 NYCRR 505: Art. 34 Coastal Erosion Management |

***Project Description (Include any activities at this site associated with any of the above permit type(s) previously reviewed by NYSDEC or USACE):**

See Attached

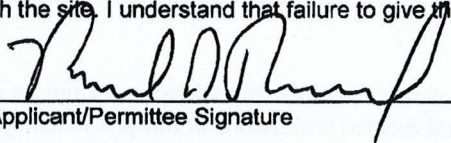
***Type of Project:**

- Repair and in-kind replacement of erosion protection structures that were functional as of April 1, 2017. The repair or replacement of these structures must not extend waterward of the pre-existing footprint except where minor deviations are determined to be necessary by the Department for the stability of the structure. Increase in structure height may be approved if appropriate. Replacement structures must be adequately sized and designed.
- New stone necessary for the stabilization of existing vertical erosion protection structures along CEHA bluffs or non-CEHA areas, that were functional as of April 1, 2017. Stone must be sized appropriately for the location. Minor deviations in the original structure's configuration, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. **Not applicable along beach or dune CEHA shorelines.**
- New sloped rock revetment structures along CEHA bluffs or non-CEHA areas, that are necessary for the emergency stabilization of existing and functional dwellings. Structures must be no greater than 100 feet in length and 10 feet in height, and must be sloped no steeper than 1.5H to 1V and not extend waterward of the shoreline profile as it existed on April 1, 2017. Stone must be sized appropriately and placed as close to the toe of the bluff as possible. **Not applicable along beach or dune CEHA shorelines.**

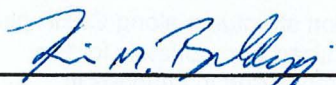
- Emergency repair of functional concrete or steel vertical breakwalls along CEHA bluffs or non-CEHA areas, by installation of sheet piling immediately adjacent to the existing lakeward vertical face. **Not applicable along beach or dune CEHA shorelines.**
- Repair or in-kind reconstruction of existing public roads, bridges, utilities and other public infrastructure.
- Stabilization of existing functional storm-damaged dwellings, decks and walkways with temporary bracing and pilings.
- Repair or in-kind reconstruction of elevated walk ways or stairways necessary for water access. The stairs and landings shall be a maximum of 4 feet in width and constructed a minimum of 18 inches above grade over the dune/bluff face.
- Minor grading back of the top of scarped bluffs landward to a stable slope. Project must include an approved vegetation plan. Toe stone for stabilization may be allowed ins specific circumstances.
- Removal of debris by use of motorized equipment.
- Temporary installation of sand bags or other Department approved temporary flood protection devices located above MHW.
- Removal of channel blockages of streams tributary to Lake Ontario blocked by shoreline sediment to dimensions and contours that existed on April 1, 2017. Application must include a disposal plan.
- Repair or in-kind reconstruction of docks, catwalks and floats that were functional on April 1, 2017.
- Temporary installation of large sand bags (cubic yard or larger) for erosion protection or flood protection above MHW.

Certification:

I hereby apply for authorization under General Permit GP-0-19-003 to conduct activities resulting from damage caused by high water levels in late April and early May 2019. I have read this permit and will construct and operate this project in strict compliance with the approved plans and terms and conditions of this permit as well as the Environmental Conservation Law and applicable regulations. I understand that any false or inaccurate statements made in the application for this permit are punishable as a Class A misdemeanor. As a condition of this permit, I accept full legal responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agree to indemnify and save harmless the state from suits, actions, damages, and costs of every name and description resulting from this project. I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

* 
Applicant/Permittee Signature

6-21-2019
Date

AUTHORIZED NYSDEC SIGNATURE and DATE  6/21/19		PRINT NAME and TITLE Kevin M. Balduzzi Deputy Regional Permit Administrator	
Attachments		cc:	
<input checked="" type="checkbox"/> General Permit	<input checked="" type="checkbox"/> Special Conditions	<input checked="" type="checkbox"/> Regional DEP	<input checked="" type="checkbox"/> COE
<input checked="" type="checkbox"/> General Conditions	<input checked="" type="checkbox"/> Project Drawings	<input checked="" type="checkbox"/> Regional Habitat	<input checked="" type="checkbox"/> CEHA
		<input type="checkbox"/> ECO	

Special Conditions:

Disturbance to the dune by construction machinery must be kept to a minimum. All disturbed areas must be restored to original grades and conditions and vegetation must be replanted.



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

Sandy Island Beach State Park High Water Emergency

Project Description

This project is designed to address an eroding dune at Sandy Island Beach State Park. Once again, the high water levels and waves on Lake Ontario have created significant erosion problems, threatening an existing road (South Sandy Pond Inlet Rd.) to the east of the dune. Due to abnormally high water levels, an OGS Emergency Contract has been issued at Sandy Island Beach State Park (EE121 Sandy Island Emergency).

The proposed repair that Parks is advocating for is the placement of large stone rip-rap placed between the existing large stone placed along the lake shoreline in 2017 and the top of the now exposed sand bags, also installed in 2017 (see Photo 1). We are proposing to install the large rock on a 1:2 slope to fill this gap and help dissipate the wave energy and be a more resilient solution to the recurring erosion problem along the dune (See CHA Design Details).

The design from 2017 included a heavy stone breakwater installed at the Ordinary High Water Mark (OHW), with large trap bags filled to hold the dune. Sand was trucked in and placed over the trap bags to restore the original dune grades. Since installation, all placed sand has eroded away, leaving the trap bags exposed. There is concern for the longevity of these bags left to the elements; debris washing up on shore and ice scour during winter months. Therefore, leaving the site "as is" is deemed unacceptable. Restoring the dune "in kind" with sand is also seen as unacceptable. Replenishing the dune with sand after high waters will not address the problem as it will continue to wash out the embankment. This approach is unsustainable and at too high a cost. A more permanent revetment is needed to protect the dune and road behind.

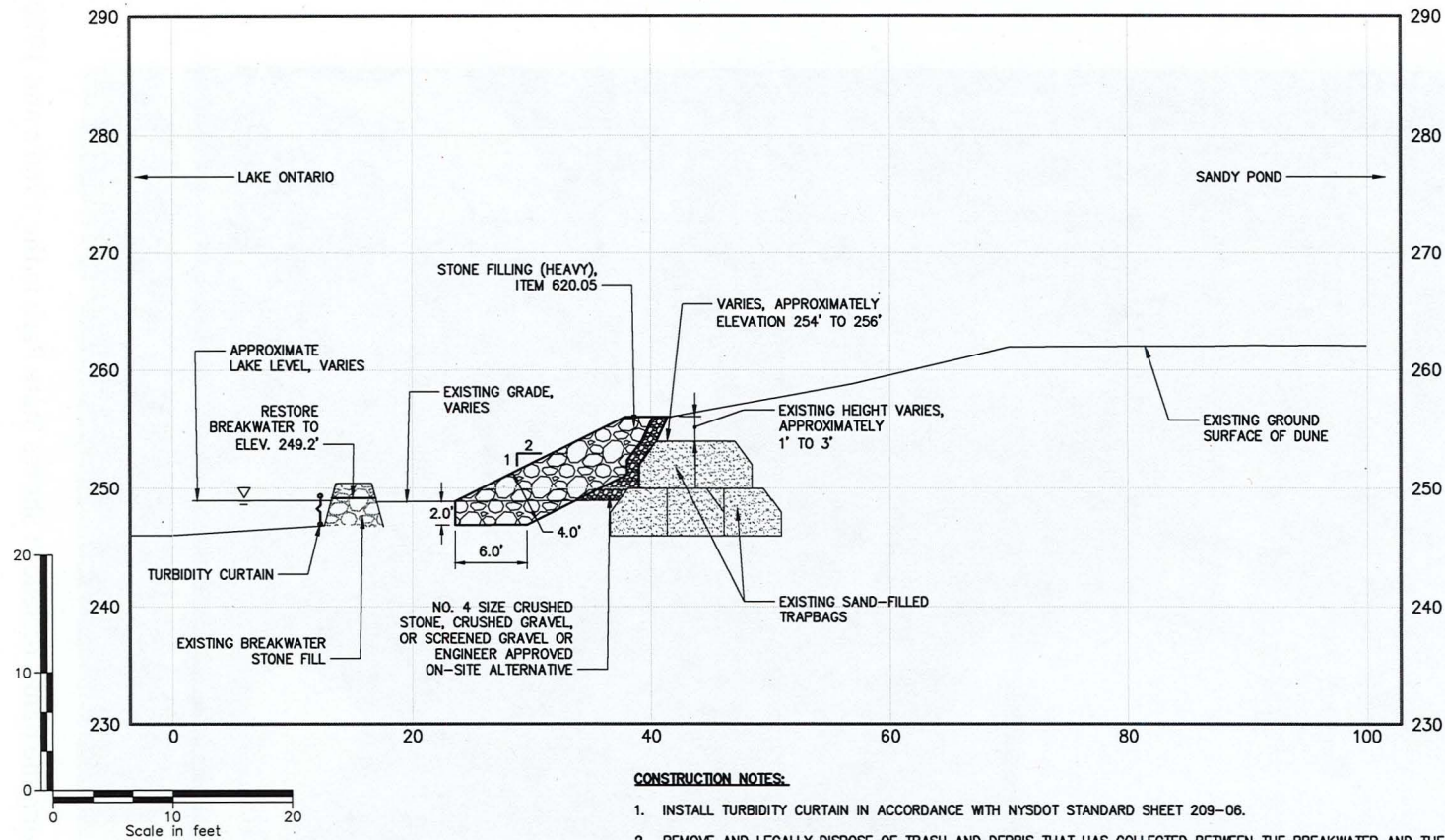
The existing large stone rip-rap (2017) was also installed above the OHW level so it was, and is, out of the jurisdiction of the Army Corp ("No permit needed" – Phone conversation with Mikhail Boutsko, June 19, 2019). Parks' proposed solution would allow all of the new repair work to occur above the OHW level. Final design drawings have been received from CHA, and Parks now awaits OGS to authorize mobilizing equipment and manpower to the site, however this is the proposed solution that Parks will be encouraging. Parks has used this method of shoreline protection along the banks of Selkirk Shores State Park in the 1960's and 1970's and it has proven to be a long-term solution which has not been damaged by the more recent high lake water levels. (see Photo 2)

This Great Lakes Dune is listed as a Significant Natural Community (NHP Database, accessed June 20, 2019). These systems are threatened by development (e.g. residential, recreational, shoreline hardening), however, South Sandy Pond Inlet Rd. already exists and there must be measures to protect this built infrastructure. Softer alternatives discussed were considered (and attempted in previous years), but a more permanent solution is required.



Photo 1. Existing Conditions: Sand placed during the 2017 construction to protect this natural dune structure has been affected by more recent high water levels, and has exposed trap bags. If these trap bags fail, the entire dune will be in jeopardy.

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CONSTRUCTION NOTES:

1. INSTALL TURBIDITY CURTAIN IN ACCORDANCE WITH NYS DOT STANDARD SHEET 209-06.
2. REMOVE AND LEGALLY DISPOSE OF TRASH AND DEBRIS THAT HAS COLLECTED BETWEEN THE BREAKWATER AND THE TRAPBAGS.
3. RESTORE BREAKWATER TO A ELEVATION 249.2 FT.
4. PROTECT TRAPBAGS BY INSTALLING A LAYER OF NO. 4 SIZE CRUSHED STONE, CRUSHED GRAVEL, OR SCREENED GRAVEL OR ENGINEER APPROVED ON-SITE ALTERNATIVE AS SHOWN ON THE DETAIL.
5. INSTALL NYS DOT ITEM 620.05 HEAVY STONE FILL TO A MINIMUM ELEVATION 256.00 FT. HEAVY STONE FILL TO BE INSTALLED IN A MINIMUM OF 2 LAYERS.
6. CLEAN SAND FILL TO BE PLACED TO MATCH THE CONTOURS ON DUNE, AS DIRECTED BY THE ON-SITE ENGINEER.
7. DUNE RESTORATION AND PLANTINGS TO BE PERFORMED BY OTHERS.

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 111 Winners Circle, PO Box 5269
 Albany, NY 12209-0269
 518.453.6000 • www.chaincorporation.com

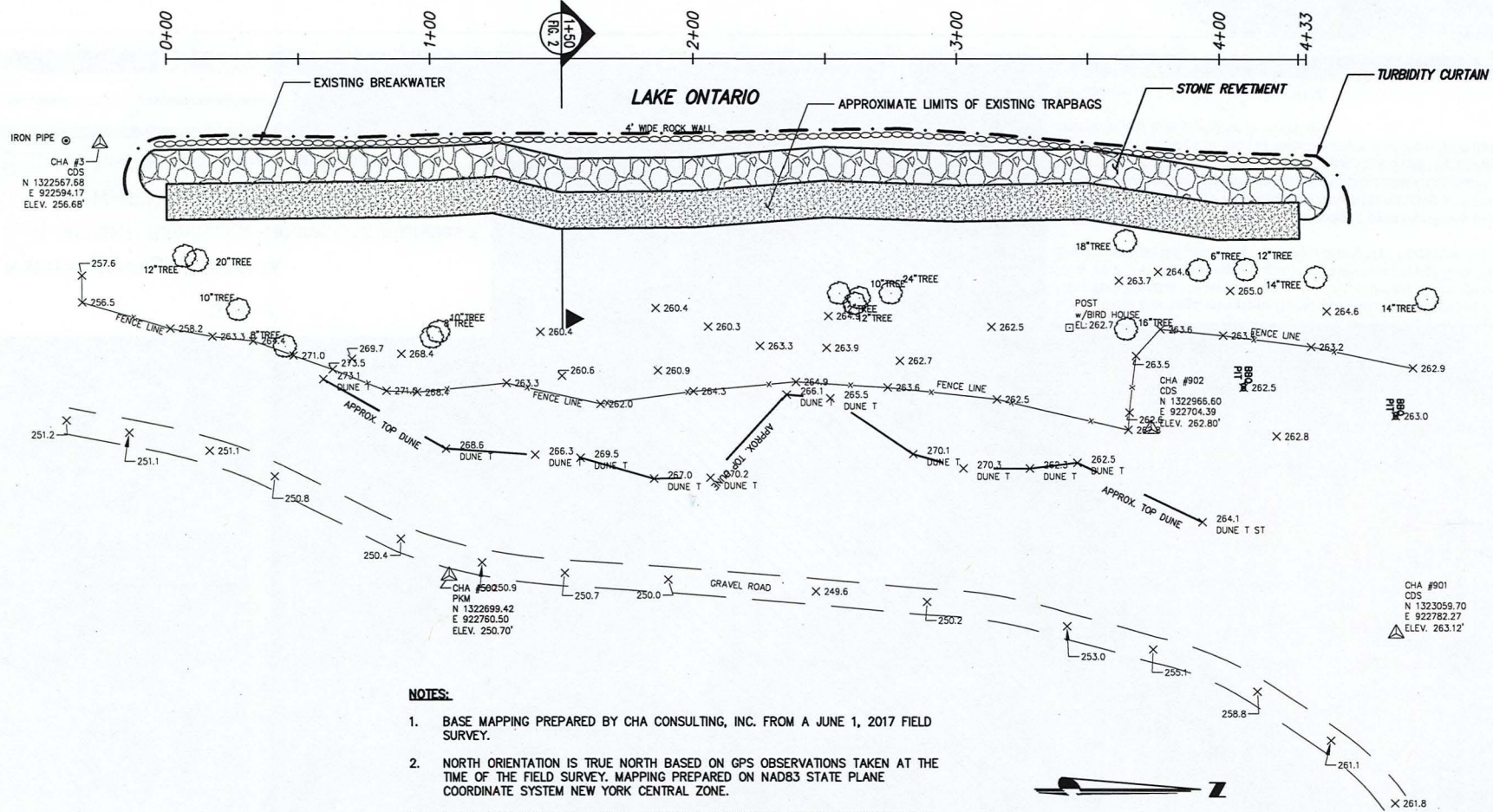
TYPICAL SECTION - DESIGN DETAIL
 SANDY ISLAND BEACH STATE PARK
 LAKESHORE STABILIZATION MODIFICATIONS
 PULASKI, NEW YORK

PROJECT NO. 36273
DATE: 06/2019
FIGURE 2



Photo 2. Shoreline protection along the banks of Selkirk Shores State Park in the 1960's and 1970's

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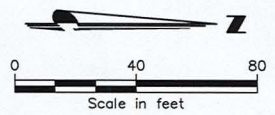


NOTES:

1. BASE MAPPING PREPARED BY CHA CONSULTING, INC. FROM A JUNE 1, 2017 FIELD SURVEY.
2. NORTH ORIENTATION IS TRUE NORTH BASED ON GPS OBSERVATIONS TAKEN AT THE TIME OF THE FIELD SURVEY. MAPPING PREPARED ON NAD83 STATE PLANE COORDINATE SYSTEM NEW YORK CENTRAL ZONE.
3. ELEVATIONS SHOWN ON NAVD88 VERTICAL DATUM BASED ON GPS OBSERVATIONS. ACTUAL GROUND SURFACE ELEVATIONS MAY DIFFER FROM THOSE SHOWN.
4. AS-BUILT TRAPBAG LOCATIONS BASED ON LIMITED JUNE 2019 FIELD MEASUREMENTS AND ARE APPROXIMATE ONLY.
5. CONTRACTOR TO VERIFY ALL LOCATIONS AND ELEVATIONS.

LEGEND:

EDGE OF GRAVEL	— — — — —
TOP DUNE	— — — — —
FENCE	— x — x — x — x —






<p style="font-size: small;">Drawing Copyright © 2019</p> <p style="font-size: x-small;">111 Winners Circle, PO Box 5269 Albany, NY 12209-0269 518.453.4000 • www.chacompanies.com</p>	<p>PLAN VIEW</p> <p>SANDY ISLAND BEACH STATE PARK LAKESHORE STABILIZATION MODIFICATIONS PULASKI, NEW YORK</p>	<p>PROJECT NO. 36273</p> <p>DATE: 06/2019</p> <p>FIGURE 1</p>
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Legend

Natural Heritage Elements

-  NY NHP Significant Natural Communities *
-  NY NHP Known Rare Animal Species
-  NY NHP Known Rare Plant Species



NY Natural Heritage Program Database Records Citation:

New York Natural Heritage Program. 2018. Element Occurrence Dataset. New York Natural Heritage Program, State University of New York College of Environmental Science and Forestry, Albany NY. Accessed 9/2018.

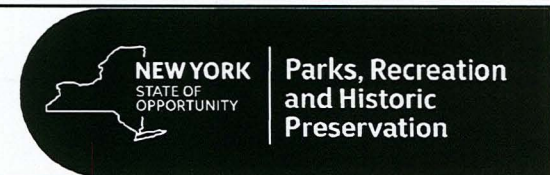
* Significant natural communities as defined by NYNHP are those of statewide importance and include all the known rare communities and the best examples of common community types in the state. Community classification based on "Ecological Communities of New York State" by Edinger et al. 2014. Coverage is mapped to the full extent discernable from field data and orthoimagery interpretation by NYNHP.

Database accessed September 2018.

Source: Esri, DigitalGlobe, GeoAeroGRID, IGN, and the GIS User Community

Sandy Island Beach State Park NYNHP Database Review

Map produced by NYS OPRHP GIS Bureau, June 20, 2019.



NYS OPRHP
State Environmental Quality Review (SEQR) Checklist and Classification Form

Region: Central **Park or Site:** Sandy Island Beach SP

Project Title/Action: High Water Emergency

Project Review Information:

Are any State or Federal Permits Required? Yes No

(list permits) NYSDEC: GP-0-19-003

Have CRIS and DHP Intra-Agency Protocol (HP-PCD-002) Been Checked?

No Historic and/or Archeological Resources

Project is an Exempt activity within Appendix A; *Applicable section: VII.3.g.* _____

Resources identified; consultation with DHP completed

Has DEC's Environmental Resource Mapper (ERM) Been Checked?

N/A (e.g. project located inside a building)

No resources identified in ERM; no consultation required

Resources identified in ERM

NHP GIS Database Checked (see *Step by Step NHP Training* document)

Project documents sent to Environmental Analyst for consultation

Consultation complete; date: 6/20/2019 _____

Other information relevant to environmental review and documentation (include NHP consultation summary, if applicable): *See Project Description. In addition, the New York Natural Heritage Program database (NHP) indicates Sand Dune Willow and Great Lakes Sand Cherry in the vicinity of the project. Construction equipment, including an excavator, will access the project site from park roads, down the existing access route located northwest of the park buildings through the dunes and along the "beach front". Equipment operators will be made aware not to disturb any vegetated areas to assure protection of the rare plant species and other sensitive dunes areas. Rare fish species are known to occur near the project area. A turbidity curtain will be installed around the project site to protect water quality. The NHP database indicates rare birds in the area, including the federally endangered piping plover. Trained OPRHP staff will verify that no piping plovers are in the area and will check prior to the project and during the project. Snow fencing will be used to stabilize the dune as needed. Due to the project location and scope, there are no expected adverse impacts to rare bird species. The upland project area was restored with native plantings after the 2017 installation. This dune area will continue to be restored following OPRHP's policy on Native Plants in State Parks and Historic Sites. NS. SEQR is not required or has been complied with as follows:*

1. Project is included in an OPRHP Master Plan/FEIS and no further supplemental environmental review is required:

Master Plan Date and Title:

OR

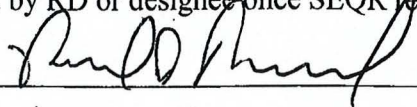
2. Project is a Type II action not subject to SEQR.

Applicable section(s) in Part 617.5(c): (42) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part

OR

3. Project is an Unlisted OR Type I action and will be transferred to Environmental Analyst.

To be signed by RD or designee once SEQR review has been completed:

Signature 

Title: Rep. Ec. Mgr

Date: 6-21-2019