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

REGULATORY DIVISION

June 10, 2026

SUBJECT: Request for Permit Modification of Department of the Army Permit Number NAN-2021-01105-M2 Issued to Town of Babylon

Town of Babylon
c/o Brian Zitani
200 East Sunrise Highway
Lindenhurst, NY 11757

Dear Mr. Zitani:

In accordance with the provisions of Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) the Town of Babylon was issued Department of the Army Permit Number NAN-2021-01105 by the District Engineer on December 7, 2021 (copy enclosed). This permit authorized the placement of approximately 42,000 Cubic Yards (CY) of dredged material as beach nourishment along approximately 0.19 miles of Overlook Beach over approximately 271,000 Square Feet (6.3 acres). Approximately 29,000 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 190,000 Square Feet (4.4 acres), and the remaining approximately 13,000 CY of the dredged material to be placed landward of Spring High Water over approximately 81,000 Square Feet (1.9 acres). The project is located in the Atlantic Ocean, at Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York.

The Town of Babylon was issued Department of the Army Permit Number NAN-2021-01105-M1 by the District Engineer on August 22, 2024 (copy enclosed). The permit authorized the following work, located in the Atlantic Ocean, at Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York.

The placement of approximately 70,000 cubic yards over approximately 261,010 square feet (6.07 acres). Approximately 67,900 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 213,710 Square Feet (4.97 acres), and the remaining approximately 2,100 CY of the dredged material to be placed landward of Spring High Water over approximately 47,300 Square Feet (1.10 acres). The extension of the permit expiration date from December 7, 2024, to June 7, 2026.

On January 9, 2026, the Town of Babylon was issued Department of the Army Permit Number NAN-2021-01105-M2 by the District Engineer (copy enclosed). The permit authorized an extension of the expiration date from June 7, 2026, to June 7, 2027.

The New York District has reviewed the email dated April 23, 2026, in which the applicant requested to increase the amount of dredged material placed on Overlook Beach. The request was to place approximately 100,000 cubic yards of dredged material over 261,010 square feet (6.07 acres) on the beach. Approximately 60,000 cubic yards would be placed over an area of 213,710 square feet below the plane of Spring High Water, and the remaining approximately 40,000 cubic yards to be placed landward of Spring High Water.

June 10, 2026

REGULATORY DIVISION

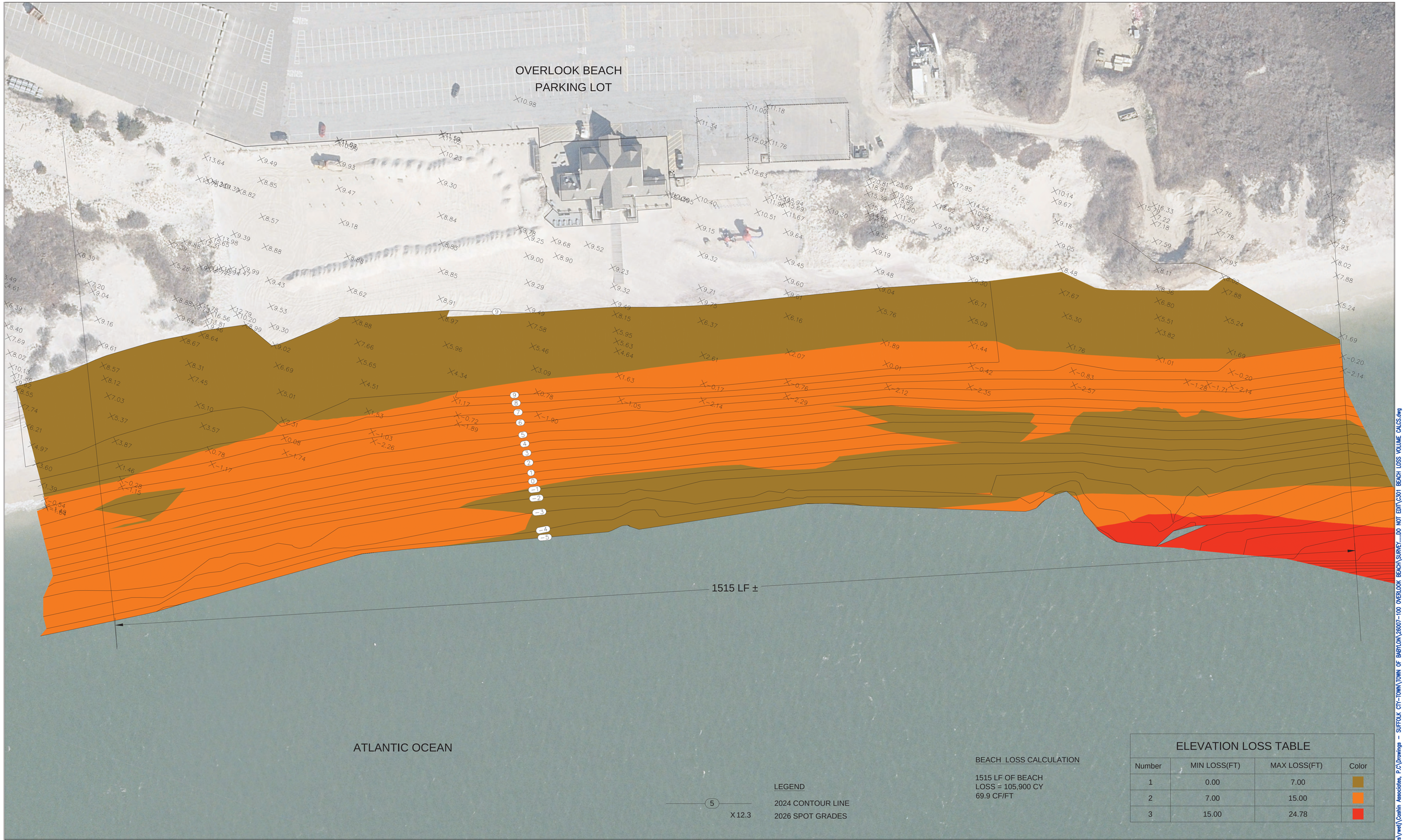
SUBJECT: Request for Permit Modification of Department of the Army Permit Number NAN-2021-01105

Based upon our evaluation of the submitted materials, we hereby approve your request to increase the amount of material placed on Overlook Beach. The modification of this permit shall be known as Department of the Army Permit Number **NAN-2021-01105-M3**. All other permit conditions to which the authorized work was made subject shall remain in effect. This letter shall be added to all copies of the permit, including those at the work site.

In order for us to better serve you, please complete our Customer Service Survey located at https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/. If any questions should arise concerning this matter, please contact Matthew Look, of my staff, at matthew.look@usace.army.mil

Sincerely,

FOR AND IN BEHALF OF
Alexander L. Young
Colonel, U.S. Army
District Engineer



LEGEND

5 — 2024 CONTOUR LINE

X 12.3 — 2026 SPOT GRADES

BEACH LOSS CALCULATION

1515 LF OF BEACH
LOSS = 105,900 CY
69.9 CF/FT

ELEVATION LOSS TABLE

Number	MIN LOSS(FT)	MAX LOSS(FT)	Color
1	0.00	7.00	
2	7.00	15.00	
3	15.00	24.78	

Cashin Associates, P.C.
ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT
1200 Veterans Memorial Highway • Hauppauge, New York 11788 • 631.348.7600

NO.	DATE	DESCRIPTION

TOWN OF BABYLON
LINDENHURST, NY 11757

OVERLOOK BEACH
OAK BEACH, NY 11702

SEAWALL DESIGN

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER AN ITEM ON THIS DRAWING IN ANY WAY. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DATE	MARCH 2026
DESIGNED BY	G.G.
DRAWN BY	R.J.W
CHECKED BY	XX
SCALE	1"=20'

PRELIMINARY
ESTIMATE OF SAND LOSS
2024
VS
MARCH 2026

26007.100

DRAWING NUMBER

C301

SHEET 1 OF 1

PRINT: 03/24/26-9:03am C:\Users\jwest\Cashin Associates, P.C\Drawings - SUFFOLK CTY-TOWN\TOWN OF BABYLON\26007-100 OVERLOOK BEACH\SURVEY.....DO NOT EDIT\C301 BEACH LOSS VOLUME CALCS.dwg

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

REGULATORY DIVISION

January 9, 2026

SUBJECT: Request for Permit Modification of Department of the Army Permit Number NAN-2021-01105-M1 Issued to Town of Babylon

Town of Babylon
c/o Brian Zitani
200 East Sunrise Highway
Lindenhurst, NY 11757

Dear Mr. Zitani:

In accordance with the provisions of Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) the Town of Babylon was issued Department of the Army Permit Number NAN-2021-01105 by the District Engineer on December 7, 2021 (copy enclosed). This permit authorized the placement of approximately 42,000 Cubic Yards (CY) of dredged material as beach nourishment along approximately 0.19 miles of Overlook Beach over approximately 271,000 Square Feet (6.3 acres). Approximately 29,000 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 190,000 Square Feet (4.4 acres), and the remaining approximately 13,000 CY of the dredged material to be placed landward of Spring High Water over approximately 81,000 Square Feet (1.9 acres). The project is located in the Atlantic Ocean, at Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York.

The Town of Babylon was issued Department of the Army Permit modification Number NAN-2021-01105-M1 by the District Engineer on August 22, 2024 (copy enclosed). The permit authorized the following work, located in the Atlantic Ocean, at Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York.

The placement of approximately 70,000 cubic yards over approximately 261,010 square feet (6.07 acres). Approximately 67,900 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 213,710 Square Feet (4.97 acres), and the remaining approximately 2,100 CY of the dredged material to be placed landward of Spring High Water over approximately 47,300 Square Feet (1.10 acres). The extension of the permit expiration date from December 7, 2024 to June 7, 2026.

The New York District has reviewed the email dated January 8, 2026, in which the applicant requested to extend the duration of the permit by one additional year.

Based upon our evaluation of the submitted materials, we hereby approve your request to modify the subject permit expiration date from **June 7, 2027**. The modification of this permit shall be known as Department of the Army Permit Number **NAN-2021-01105-M2**. All other permit conditions to which the authorized work was made subject shall remain in effect. This letter shall be added to all copies of the permit, including those at the work site.

In order for us to better serve you, please complete our Customer Service Survey located at https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/. If any questions should arise concerning this matter, please contact Matthew Look, of my staff, at matthew.look@usace.army.mil

Sincerely,

FOR AND IN BEHALF OF
Alexander L. Young
Colonel, U.S. Army
District Engineer

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

REGULATORY BRANCH August 22, 2024

SUBJECT: Request for Permit Modification of Department of the Army Permit Number NAN-2021-01105 Issued to Town of Babylon

Town of Babylon
c/o Brian Zitani
200 East Sunrise Highway
Lindenhurst, NY 11757

Dear Mr. Zitani:

In accordance with the provisions of Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) the Town of Babylon was issued Department of the Army Permit Number NAN-2021-1105 by the District Engineer on December 7, 2021 (copy enclosed). This permit authorized the placement of approximately 42,000 Cubic Yards (CY) of dredged material as beach nourishment along approximately 0.19 miles of Overlook Beach over approximately 271,000 Square Feet (6.3 acres). Approximately 29,000 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 190,000 Square Feet (4.4 acres), and the remaining approximately 13,000 CY of the dredged material to be placed landward of Spring High Water over approximately 81,000 Square Feet (1.9 acres). The project is located in the Atlantic Ocean, at Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York.

The New York District has reviewed the letter dated February 22, 2024 requesting to increase the amount of dredged material placed on Overlook Beach and extend the permit expiration date for the subject Department of the Army (DA) Permit NAN-2021-01105. The request was to place approximately 70,000 cubic yards over approximately 261,010 square feet (6.07 acres). Approximately 67,900 CY of the dredged material to be placed below the Plane of Spring High Water over approximately 213,710 Square Feet (4.97 acres), and the remaining approximately 2,100 CY of the dredged material to be placed landward of Spring High Water over approximately 47,300 Square Feet (1.10 acres). The permittee requested to extend the permit expiration date from December 7, 2024 to **June 7, 2026**. This extension will allow time to complete the authorized work.

Based upon our evaluation of the submitted materials, we hereby approve your request to increase the amount of material placed on Overlook Beach, and modify the subject permit expiration date. The modification of this permit shall be known as Department of the Army Permit Number **NAN-2021-01105-M1**. All other permit conditions to which the authorized work was made subject shall remain in effect. This letter shall be added to all copies of the permit, including those at the work site.

In order for us to better serve you, please complete our Customer Service Survey located at https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/. If any questions should arise concerning this matter, please contact Lindsey Neuwirth, of my staff, at (917) 790-8518.

Sincerely,

Rosita Miranda

Digitally signed by Rosita Miranda
Date: 2024.08.22 09:09:17 -04'00'

FOR AND IN BEHALF OF
Alexander L. Young
Colonel, U.S. Army
District Engineer

USACE File Number: NAN-2021-01105-M1

GRAPHIC SCALE	PREPARED BY	APPLICANT		
1 INCH = 40 FEET	THE TOWN OF BABYLON DEPARTMENT OF ENVIRONMENTAL CONTROL THOMAS VETRI, COMMISSIONER DRAWN BY: BZ FEBRUARY 21, 2024	TOWN OF BABYLON 200 EAST SUNRISE HIGHWAY LINDENHURST, NEW YORK 11757 RICH SCHAFFER, SUPERVISOR	OVERLOOK BEACH OVERALL PLAN TOWN OF BABYLON BEACH RESTORATION SITE PLAN	OP-1

USACE File Number: NAN-2021-01105-M1

Town of Babylon

Richard Schaffer
Supervisor

OVERLOOK BEACH

TOWN OF BABYLON
BEACH RESTORATION
CROSS SECTIONS

N
W E
S

NO SCALE

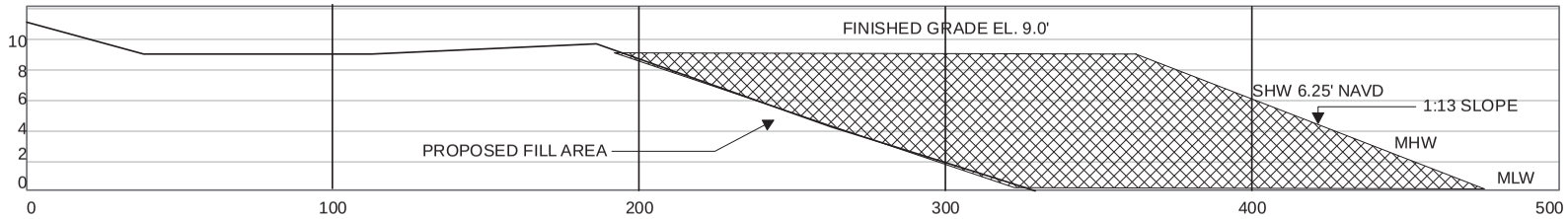
SURVEY DATA INFORMATION:
HORIZONTAL: NEW YORK STATE PLANE COORDINATE SYSTEM
VERTICAL: NAVD 88 DATUM
DATE: JANUARY 11, 2024

DRAWN BY: BZ
SHEET: 2 OF 3

Created by
Department of
Planning & Development
Ann Marie Jones, Commissioner

May 29, 2024

STATION 12+00.00



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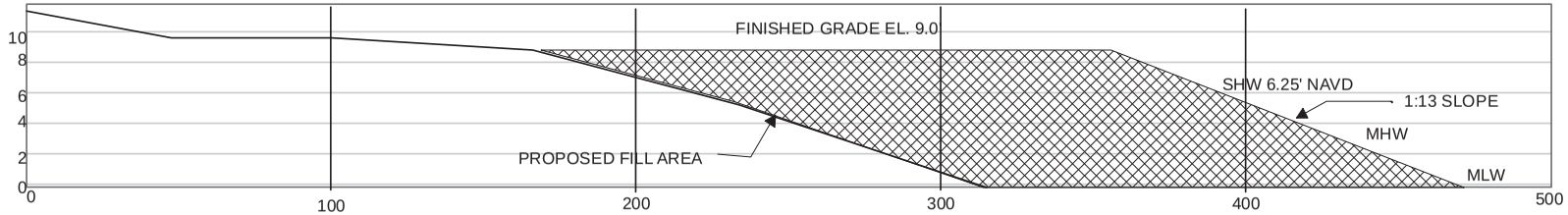

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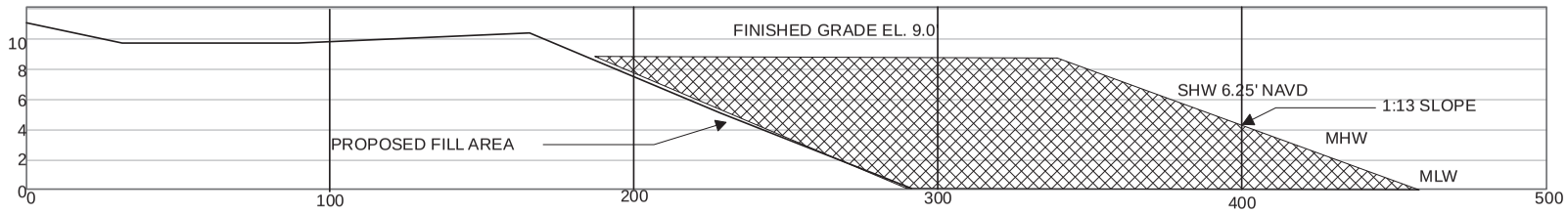

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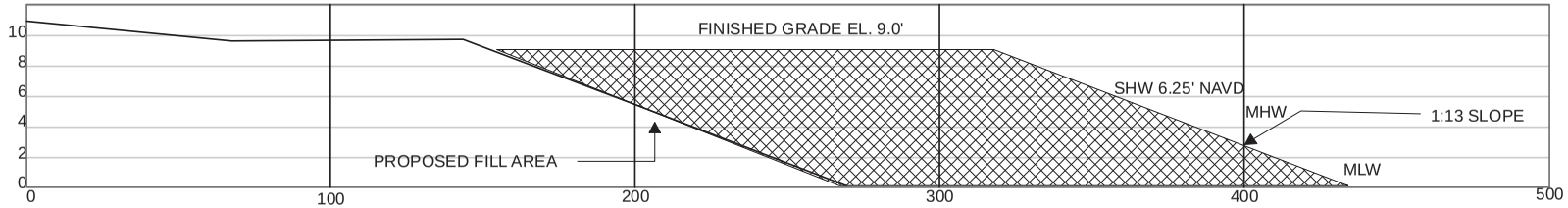


APPROXIMATELY 22,000 CUBIC YARDS OF FILL WILL BE PLACED ABOVE MEAN LOW WATER.
APPROXIMATELY 48,000 CUBIC YARDS OF FILL WILL BE PLACED BELOW MEAN LOW WATER.
APPROXIMATELY 67,900 CUBIC YARDS OF FILL WILL BE PLACED BELOW SPRING HIGH WATER.

The information on this map was derived from digital databases on the Town of Babylon's GIS. The data represented on this map has been compiled by the best methods available.
The Town of Babylon assumes no legal responsibilities for the information or accuracy contained on this map. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

USACE File Number: NAN-2021-01105-M1

Town of Babylon

Richard Schaffer
Supervisor

OVERLOOK BEACH

TOWN OF BABYLON
BEACH RESTORATION
CROSS SECTIONS

N
W E
S

NO SCALE

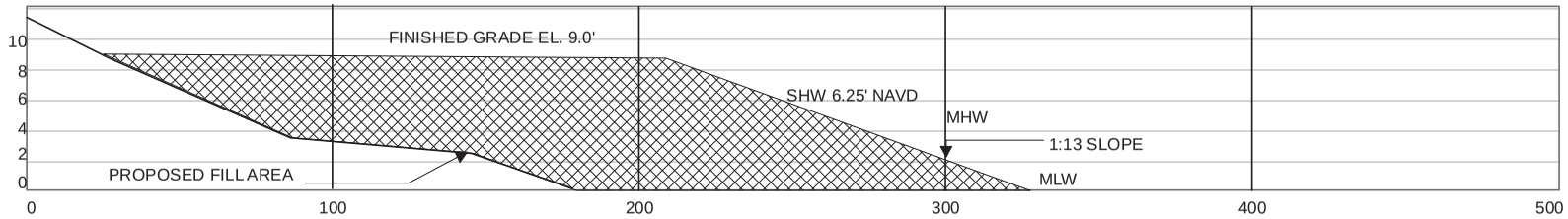
SURVEY DATA INFORMATION:
HORIZONTAL: NEW YORK STATE PLANE COORDINATE SYSTEM
VERTICAL: NAVD 88 DATUM
DATE: January 11, 2024

DRAWN BY: BZ
SHEET: 3 OF 3

Created by
Department of
Planning & Development
Ann Marie Jones, Commissioner

May 29, 2024

STATION 16+00.00



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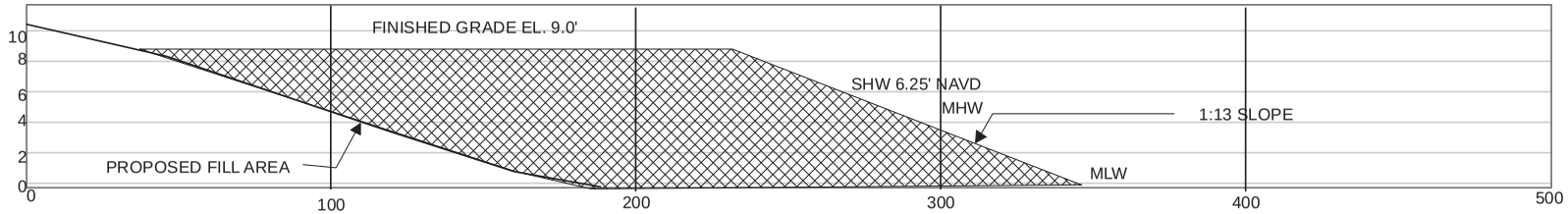

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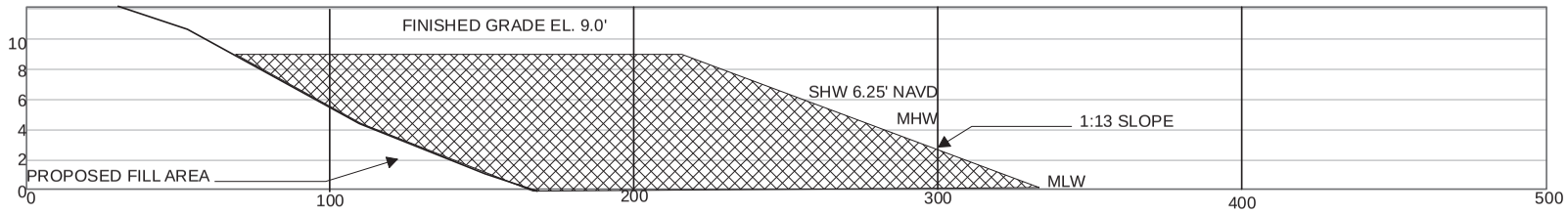

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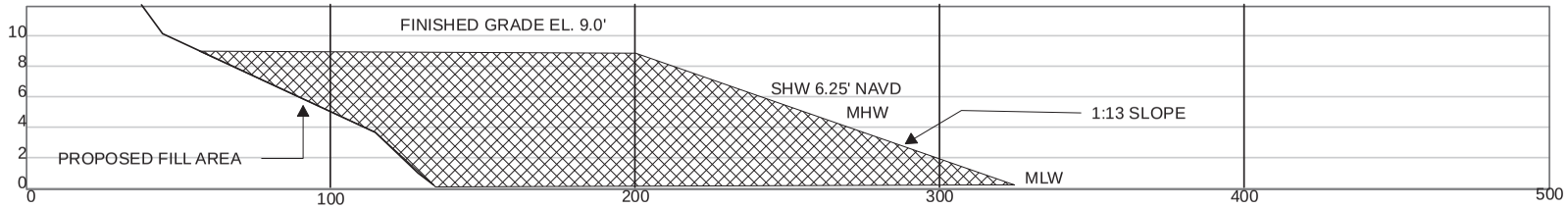

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DEPARTMENT OF THE ARMY PERMIT

Permittee: Town of Babylon
c/o Brian Zitani
200 East Sunrise Highway
Lindenhurst, NY 11757
(631)-422-7640

Permit Number: NAN-2021-01105

Permit Date: December 7, 2021

Issuing Office: US Army Corps of Engineers, New York District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer. You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

The regulated work consists of the placement of approximately 42,000 Cubic Yards (CY) of dredged material as beach nourishment along approximately 0.19 miles of Overlook Beach over approximately 271,000 Square Feet (6.3 acres). Approximately 29,000 CY of the dredged material will be placed below the Plane of Spring High Water over approximately 190,000 Square Feet (4.4 acres), and the remaining approximately 13,000 CY of the dredged material will be placed landward of Spring High Water over approximately 81,000 Square Feet (1.9 acres).

All work shall be performed in accordance with the attached dated permit drawings; Special Conditions (A) through (H) listed below, and the New York State Department of Environmental Conservation Section 401 Water Quality Certificate Number 1-4720-03981/00013 which are all hereby made part of this permit.

Project Location:

IN: Atlantic Ocean

AT: Overlook Beach at 200 Ocean Parkway, Village of Babylon, Town of Babylon, Suffolk County, New York

Permit Conditions:

General Conditions:

1. Time limit for completing the regulated work authorized herein ends on December 7, 2024**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least two (2) months before the above date is reached.**

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. The permittee shall allow representatives from this office to inspect the authorized activities at any time deemed necessary; and shall promptly provide any required written reports, to ensure that authorized activities are being or have been accomplished in accordance with the terms and conditions of this permit.

Special Conditions:

A. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

B. The permittee shall utilize Best Management Practices (BMPs) to minimize turbidity during all in-water work activities as well as prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

C. The permittee shall use Best Management Practices to ensure turbidity is minimized in the water and minimize the release of suspended sediments during beach nourishment activities, including placing the material on the beach above the spring high tide line and moving the material to the intertidal zone during low tide, where practicable.

D. The permittee shall ensure that the dredged material deposited on the shoreline is consistent with the existing, naturally-occurring grain size present at the placement area.

E. The permittee shall ensure that the authorized beach placement area is finished to the same slope as the surrounding beach. The area shall be graded at a gentle uniform slope with no piles, ridges or holes left in the final graded beach placement materials.

F. To protect ESA-listed species at the beach placement areas, the permittee shall not place dredged material on any beach from April 1 to September 1 of any calendar year.

G. For dredging and/or placement of material occurring between September 1 and November 30 of any calendar year. Not more than seven (7) days prior to the commencement of dredging or beach placement activities, the permittee shall conduct and provide a Red Knot survey by a qualified biologist. In the event that Red Knot are observed within this period, prior to the start of work, or while work is being performed, the permittee shall maintain a 300 meter buffer surrounding the location of the Red Knot and notify the U.S. Army Corps of Engineers, Regulatory Branch, Eastern Section, at 917-790-8511 and the U.S. Fish & Wildlife Service (USFWS), Long Island Field Office (Region 5) at (631) 286- 0485 for further consultation and instructions. The surveys shall be conducted in the following manner: Inclement Weather: The permittee shall not conduct surveys in weather with strong winds (>24 mph), heavy fog (<200m visibility), or steady rain.

SURVEY PROTOCOL AND DATA COLLECTION: The permittee shall begin each survey of each area by indicating the start time. The permittee shall count and identify Red Knot (and other species) in the survey area. This includes birds that enter or leave the survey area during the survey. For shorebirds to be considered "using" the survey area, the birds need to be on the ground within the defined survey area for at least part of the time it takes to do the survey. Shorebirds that fly over the survey area but do not land in it should NOT be counted. The permittee shall record numbers as the survey is continued. The permittee shall complete surveys within the optimal 3-hour survey window around peak high tide. Once the area has been thoroughly searched and all birds seen have been recorded, the count is considered complete. At that point, the permittee shall note the end time on the datasheet.

H. The permittee shall not place dredged material between April 15 and September 30 of any calendar year in order to minimize impacts to horseshoe crab spawning Essential Fish Habitat.

<u>Further Information</u>:

1. **Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:**

   (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

   (X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

   ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. **Limits of this authorization:**

a. **This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.**

b. **This permit does not grant any property rights or exclusive privileges.**

c. **This permit does not authorize any injury to the property or rights of others.**

d. **This permit does not authorize interference with any existing or proposed Federal project.**

3. **Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:**

   a. **Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.**

   b. **Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.**

   c. **Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.**

   d. **Design or construction deficiencies associated with the permitted work.**

   e. **Damage claims associated with any future modification, suspension, or revocation of this permit.**

4. **Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.**

5. **Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:**

   a. **You fail to comply with the terms and conditions of this permit.**

   b. **The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).**

   c. **Significant new information surfaces which this office did not consider in reaching the original public interest decision.**

   Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with

such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.**

December 7, 2021

PERMITTEE: Town of Babylon
PERMIT NUMBER: NAN-2021-01105

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE) **(DATE)** 12/2/21

Town of Babylon

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Christopher S. Gallery

December 7, 2021

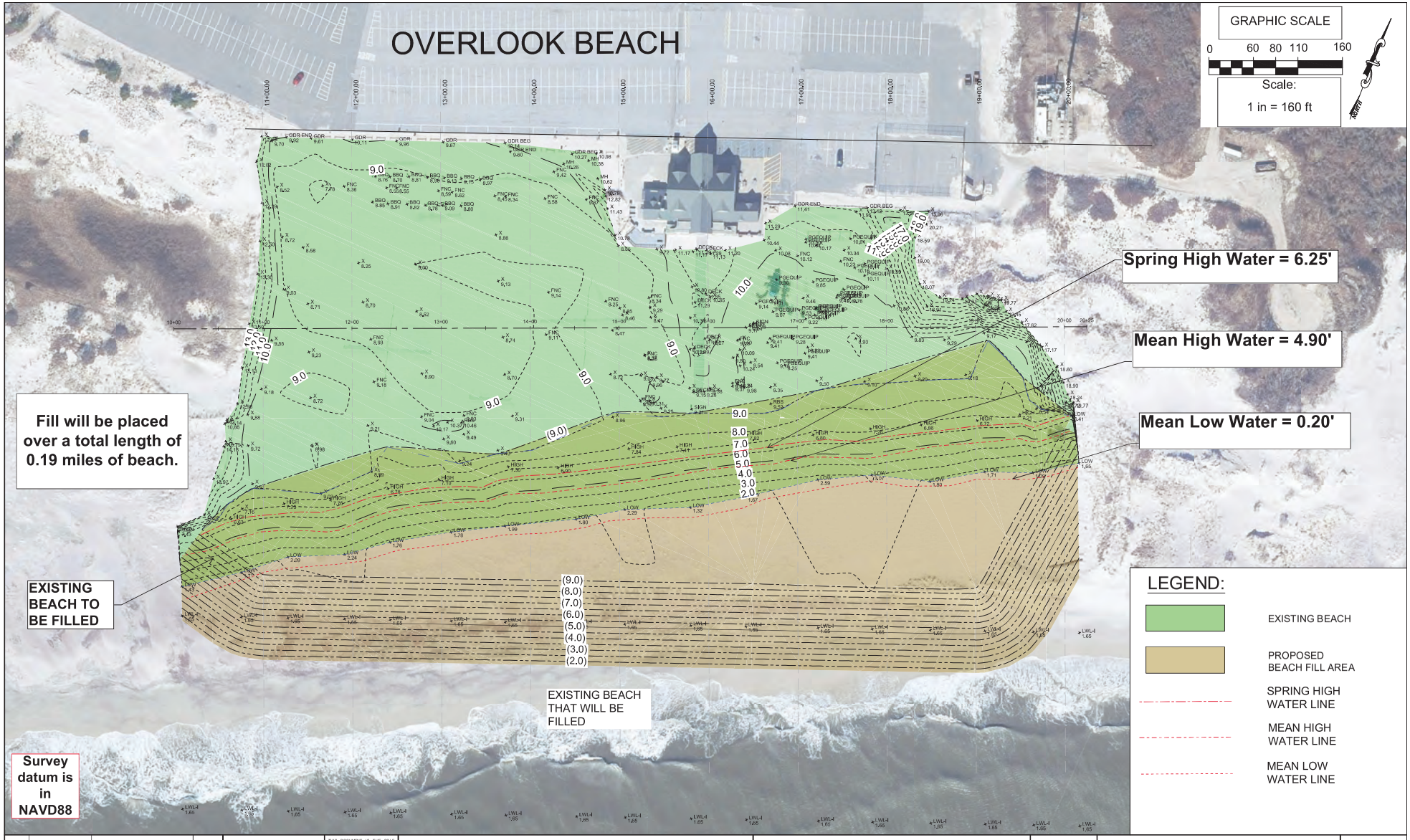
(COMMANDER AND DISTRICT ENGINEER) **(DATE)**

FOR AND IN BEHALF OF
Matthew W. Luzzatto
Colonel, U.S. Army
Commander and District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below. A copy of the permit signed by the transferee should be sent to this office.

(TRANSFEREE) **(DATE)**

USACE FILE: NAN-2021-01105-EMC



No.	DATE	REVISION	BY:
-	-	-	-

SEAL:

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CONSULTANT:
NELSON & POPE
ENGINEERS | ARCHITECTS | SURVEYORS
572 WALT WHITMAN ROAD, MELVILLE, N.Y. 11747-2188
PHONE: 631.427.5665 • FAX: 631.427.5620 • NELSONPOPE.COM

CLIENT:
TOWN OF BABYLON
200 EAST SUNRISE HIGHWAY
LINDENHURST, NEW YORK 11757

DWN. BY:	GC
CHK'D BY:	JD
DATE:	January 2019
JOB No.:	18296
CADD:	BMP DWG
SCALE:	AS SHOWN

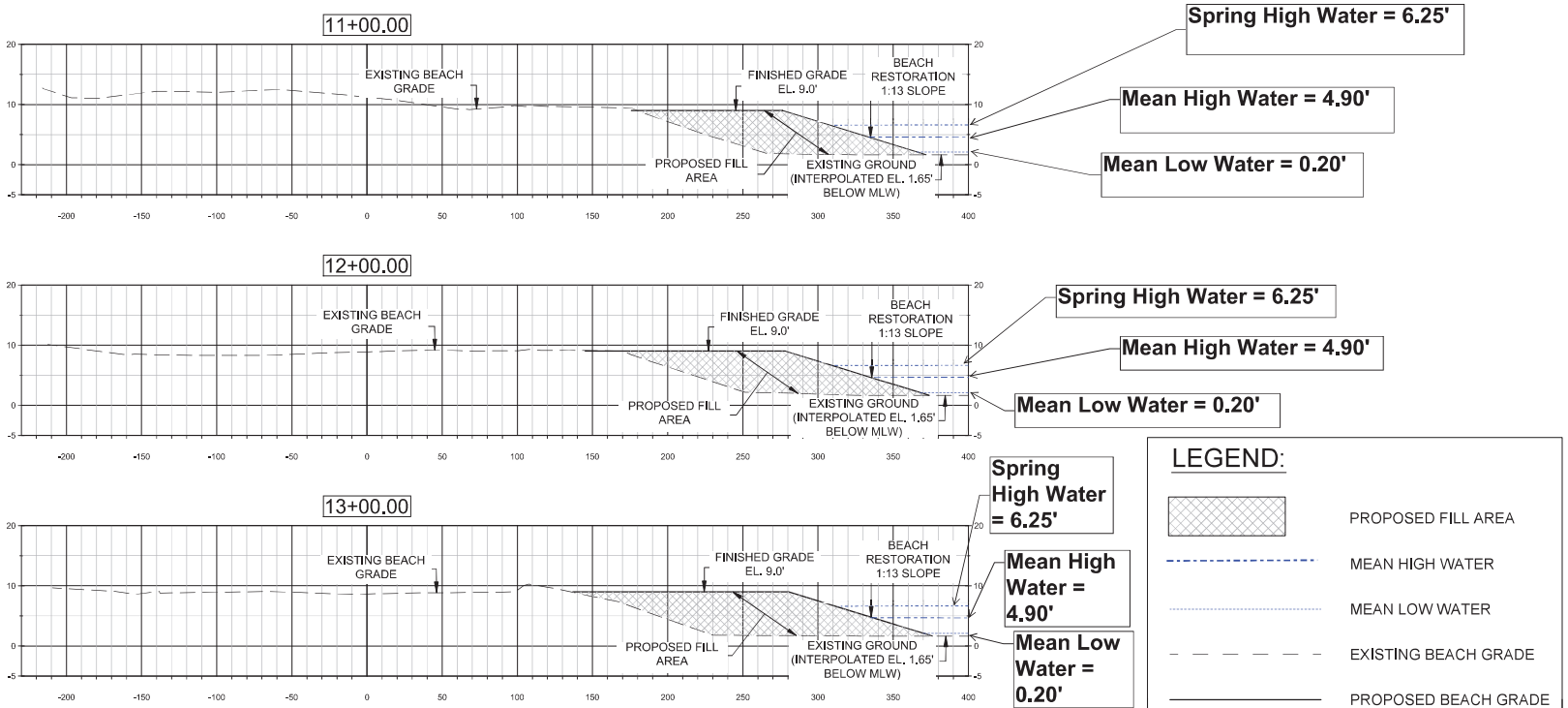
DRAWING TITLE:
OVERLOOK BEACH
OVERALL PLAN
TOWN OF BABYLON
BEACH RESTORATION SITE PLAN

DRAWING NUMBER: OP - 1

SHEET: 1 OF 4

December 7, 2021

APPROXIMATELY 13,000 CUBIC YARDS WILL BE PLACED ABOVE SPRING HIGH WATER.
APPROXIMATELY 29,000 CUBIC YARDS WILL BE PLACED BELOW SPRING HIGH WATER.
AREA ABOVE SPRING HIGH WATER IS APPROXIMATELY 81,000 SQUARE FEET.
AREA BELOW SPRING HIGH WATER IS APPROXIMATELY 190,000 SQUARE FEET.



SCALE:
1 INCH = 125 FEET

No.	DATE	REVISION	BY:
-	-	-	-

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DWN. BY:	GC
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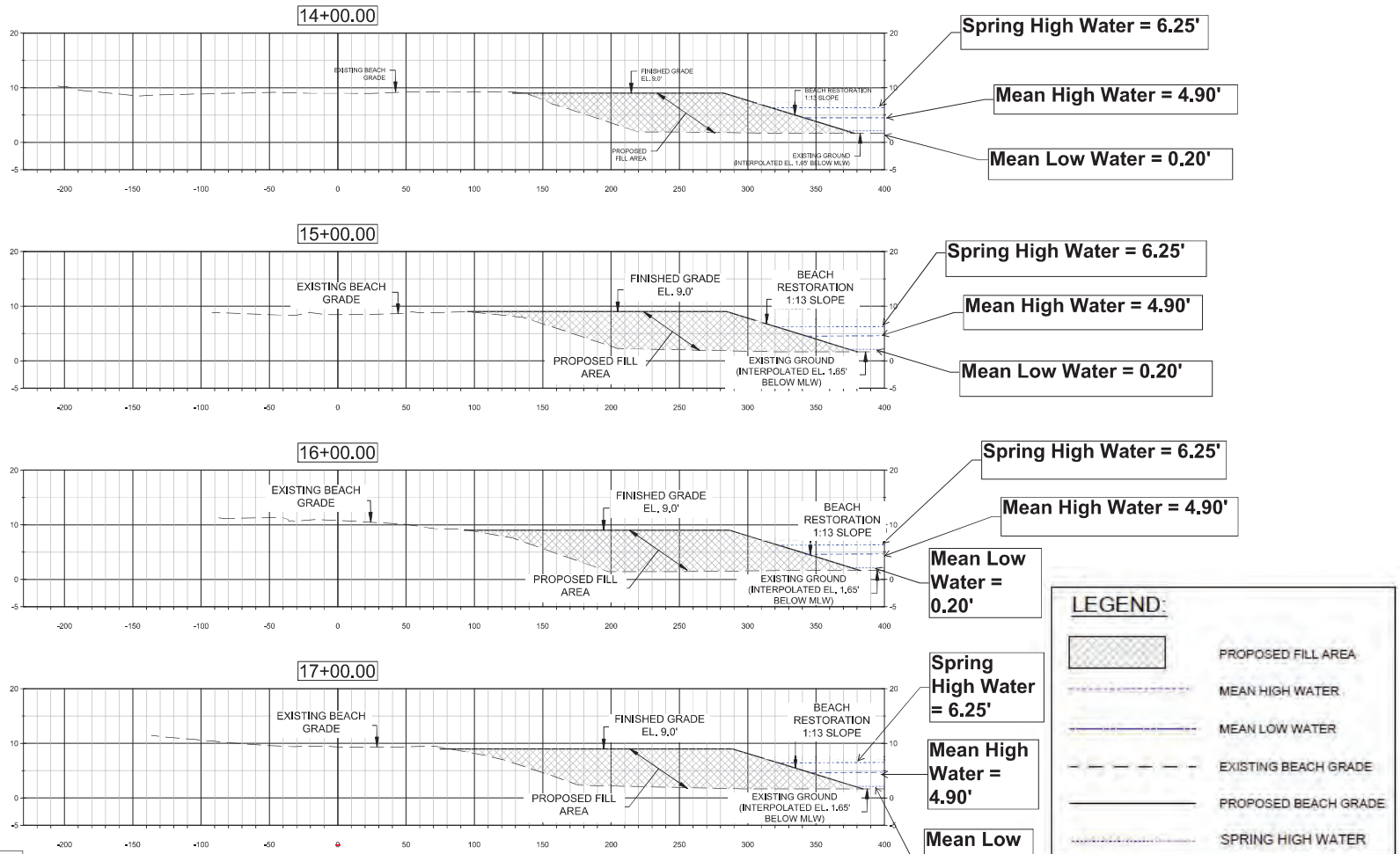
DATE:	January 2019
JOB No.	18296
CADD:	BMP.DWG
SCALE:	AS SHOWN

DRAWING TITLE:
OVERLOOK BEACH
CROSS SECTIONS - 1
TOWN OF BABYLON
BEACH RESTORATION SITE PLAN

DRAWING NUMBER:
CS - 1

SHEET: 2 OF 4

December 7, 2021



No.	DATE	REVISION	BY:
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CLIENT:

TOWN OF BABYLON
200 EAST SUNRISE HIGHWAY
LINDENHURST, NEW YORK 11757

DWN. BY:	GC
CHK'D BY:	-
DATE:	January 2019
JOB No.	18296
CADD:	BMP-DWG
SCALE:	AS SHOWN

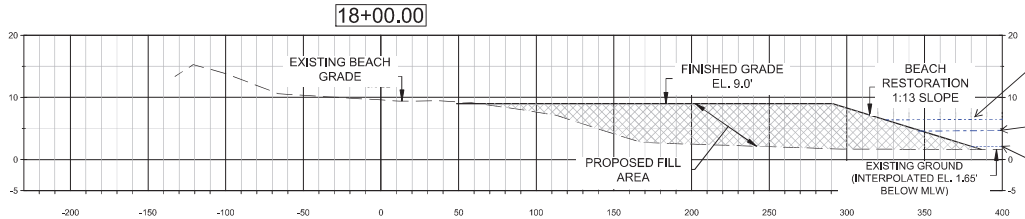
DRAWING TITLE:

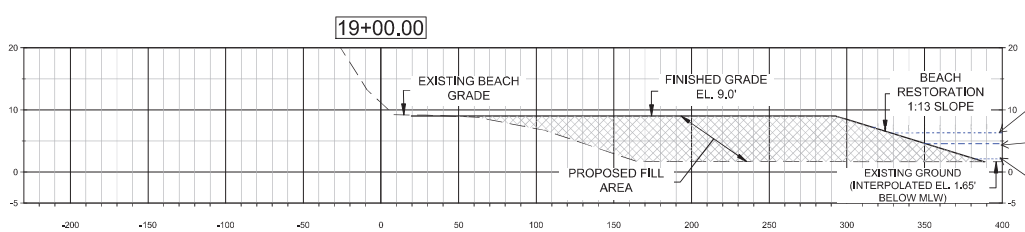
OVERLOOK BEACH
CROSS SECTIONS - 2
TOWN OF BABYLON
BEACH RESTORATION SITE PLAN

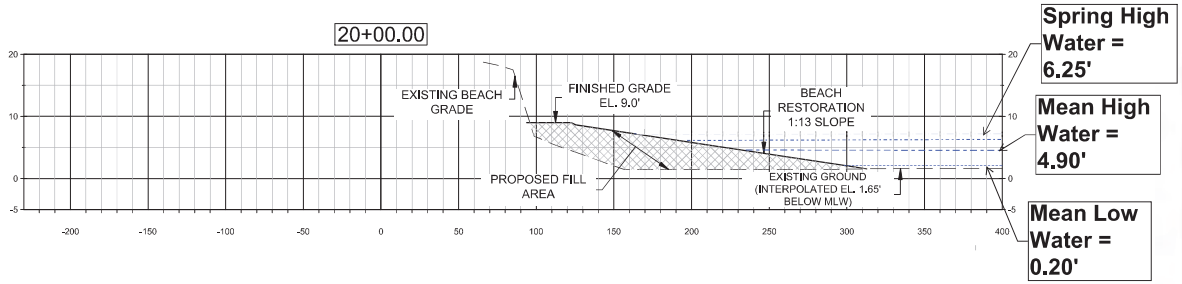
DRAWING NUMBER:
CS - 2

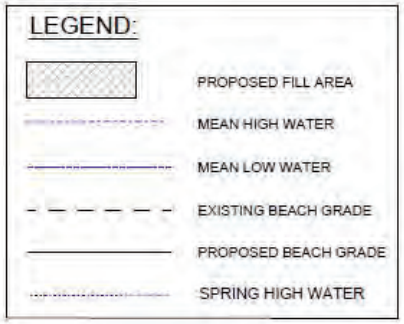
SHEET: 3 OF 4

December 7, 2021









SCALE:
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DWN. BY:	GC
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DATE:	January 2019
JOB No.	18296
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DRAWING TITLE:
OVERLOOK BEACH
CROSS SECTIONS - 3
TOWN OF BABYLON
BEACH RESTORATION SITE PLAN

DRAWING NUMBER:
CS - 3

SHEET: 4 OF 4

December 7, 2021

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
TOWN OF BABYLON
200 E SUNRISE HWY
LINDENHURST, NY 11757-2512
(631) 957-3161

Facility:
OVERLOOK BEACH
200 OCEAN PARKWAY|SCTM 100-236-2-1
BABYLON, NY 11703

Facility Location: in BABYLON in SUFFOLK COUNTY
Facility Principal Reference Point: NYTM-E: 640.869 NYTM-N: 4499.244
Latitude: 40°37'55.3" Longitude: 73°20'03.4"
Authorized Activity: Hydraulically maintenance dredge the federal navigation channel, and deposition basin of Fire Island Inlet and pump the resulting 50,000 cubic yards of material to Overlook Beach for recreation and erosion control. Fill will be placed to achieve a beach with a top elevation of +9.0' NAVD88 fronted by a 1:13 slope to closure.

The Placement Area is depicted on the attached 4 sheet set of drawings titled 'Overlook Beach Overall Plan"(OP-1) & "Overlook Beach Cross Sections" (CS-1,CS-2, &CS-3) prepared by Nelson and Pope dated January 2019 stamped "NYSDEC Approved 7-30-2021.

The Borrow Area is depicted on the attached 2 sheet set of drawings titled "Town of Babylon Overlook Beach Erosion Control and Navigation Project" prepared by the Town of Babylon dated March 2019 stamped "NYSDEC Approved7-30-2021.

Permit Authorizations

Tidal Wetlands - Under Article 25
Permit ID 1-4720-03981/00011
New Permit Effective Date: 7/30/2021 Expiration Date: 5/27/2031
Excavation & Fill in Navigable Waters - Under Article 15, Title 5
Permit ID 1-4720-03981/00012
New Permit Effective Date: 7/30/2021 Expiration Date: 5/27/2031
Water Quality Certification - Under Section 401 - Clean Water Act
Permit ID 1-4720-03981/00013
New Permit Effective Date: 7/31/2021 Expiration Date: 5/27/2031

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: SUSAN ACKERMAN, Regional Permit Administrator
Address: NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY 11790 -3409

Authorized Signature: _____ Date 7/30/2021

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: TIDAL WETLANDS; EXCAVATION & FILL IN NAVIGABLE WATERS; WATER QUALITY CERTIFICATION

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the permittee or their representative(s) and are identified in speical condition 2. .

2. **Conformance With Plans List** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans include the following:

Four sheet set of drawings titled 'Overlook Beach Overall Plan"(OP-1) & "Overlook Beach Cross Sections" (CS-1,CS-2, &CS-3) prepared by Nelson and Pope dated January 2019 stamped "NYSDEC Approved 7/30/2021

Two sheet set of drawings titled "Town of Babylon Overlook Beach Erosion Control and Navigation Project" prepared by the Town of Babylon dated March 2019 stamped "NYSDEC Approved 7/30/2021.

3. Notice of Commencement and Completion At least 48 hours prior to commencement of each dredge event for the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. With the exception of the initial dredge event, the notification must also include including an updated site plan specifying the disposal site.

Within 30 days of completion of each dredge and deposition cycle of the project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work and a statement of the amount of material dredged and amount of material deposited at the approved disposal site. Notice and materials shall be submitted via email to:

Marine Habitat Protection: DEC.sm.R1MHP-BEH@dec.ny.gov
Coastal Erosion Management: Coastals@dec.ny.gov and eric.star@dec.ny.gov
Wildlife: Wildlife.r1@dec.ny.gov and Michelle.gibbons@dec.ny.gov

4. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather

5. Activity Restriction Windows For In-Water Work

Dredging and other in-water work authorized by this permit is prohibited between the dates listed below for the respective species in areas as shown on Attachment "A" - Activity Restriction Windows". Reference to areas inside or outside of the Sore Thumb peninsula in Fire Island Inlet is illustrated by Attachment "B" "Line of Demarcation". Areas west of the line are outside, areas east of the line are inside.

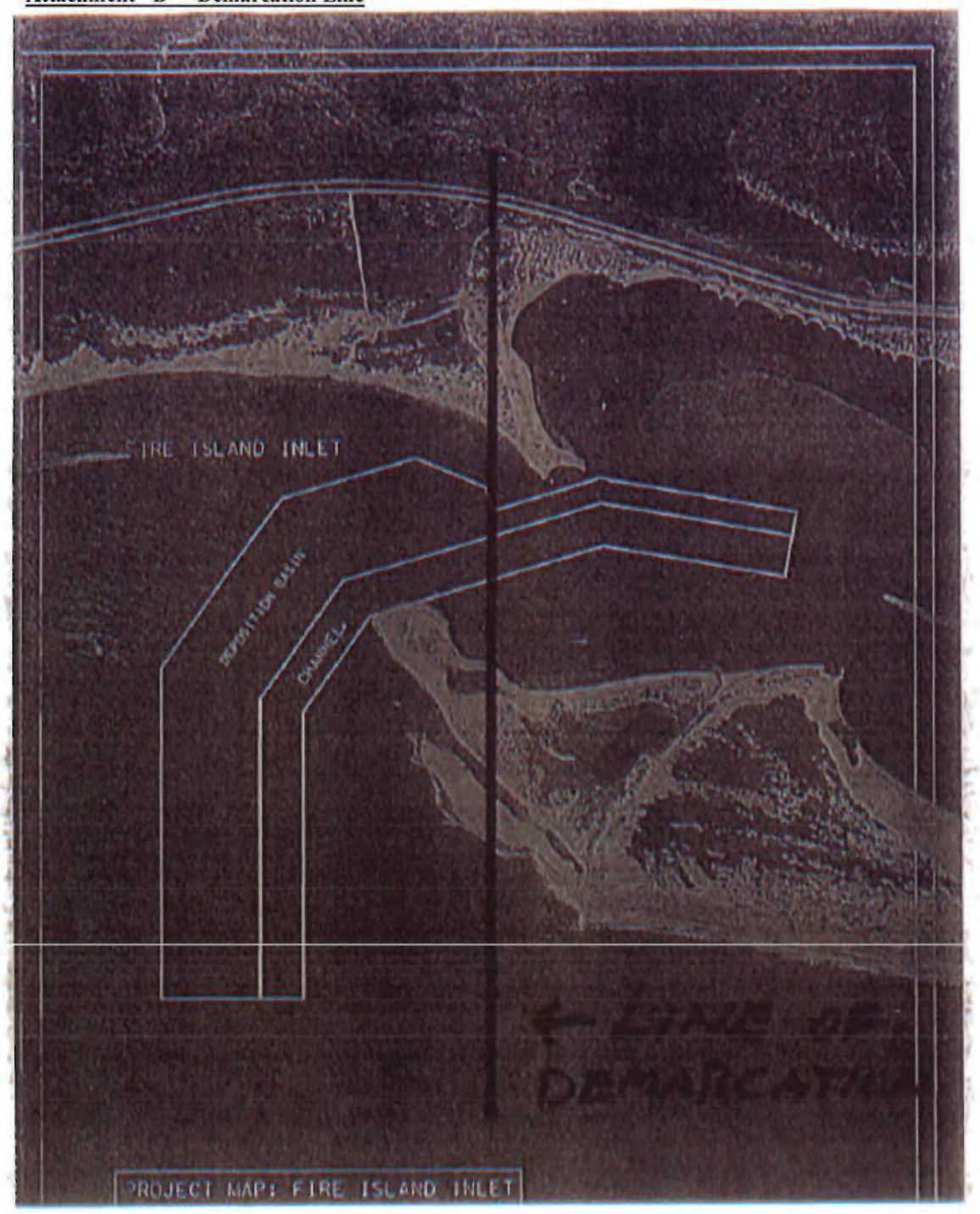
Activity Window Restrictions:

Piping Plover & Least Terns: April 1 to August 31 inclusive
Finfish & Shellfish: June 1 to September Inclusive
Horseshow Crab: April15 to July 15 Inclusive
Winter Flounder: January 1 to May 31 Inclusive
Atlantic Sturgeon: April 15 to June 30, September 15 to November 15 Inclusive

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Facility DEC ID 1-4720-03981
Attachment "A"- Activity Window Restrictions

	January	February	March	April	May	June	July	August	September	October	November	Decemi
sand placement on Overlook Beach				All sand placement on Overlook Beach is closed due to Piping Plover and Least Terns 4/1 to 8/31								
Dredging the navigation channel and associated deposition basins inside the sore thumb	Dredging the navigation channel inside the sore thumb is closed due to Winter Flounder from January 1 to May 31											
				Dredging the navigation channel inside the sore thumb is closed due to Horseshoe Crab April 15 to July 15								
						Dredging the navigation channel inside the sore thumb is closed due to Finfish and Shellfish June 1 to September 30						
Dredging the Navigation and associated deposition basins Channel OUTSIDE sore thumb				Dredging the Navigation Channel OUTSIDE sore thumb closed due to Sturgeon April 15 to June 30					Dredging the Navigation Channel OUTSIDE sore thumb closed Sturgeon Sept 15 to November 15			
						Dredging the navigation channel OUTSIDE the sore thumb is closed due to Finfish and Shellfish June 1 to September 30						
Dredging the EBB SHOAL IN DEPTHS <10 meters				Dredging the EBB SHOAL IN DEPTHS <10 meters closed due to Sturgeon April 15 to June 30					Dredging the EBB SHOAL IN DEPTHS <10 meters closed Sturgeon Sept 15 to November 15			
						Dredging the EBB SHOAL IN DEPTHS <10 meters is closed due to Finfish and Shellfish June 1 to September 30						

Attachment "B" - Demarcation Line



6. **Activity Restriction Windows For Beach Work** On-beach work/disturbance , including but not limited to, the deposition of dredged material, the grading/movement of material to shape the beach berm, mobilization and demobilization activities, and the operation of construction equipment and vehicles, is prohibited between the dates April 1 and August 31 inclusive of each year as listed in Attachment "A" Activity Window Restrictions" in order to protect the reproductive activities of beach nesting shorebirds listed as endangered or threatened. Should an unavoidable need arise to conduct authorized on-beach activities during the April through August restriction period, the permittee shall notify the Department (michelle.gibbons@dec.ny.gov; kevin.kispert@dec.ny.gov) at least 15 days before the work is scheduled to start and provide for DEC approval a written plan outlining how the work will be conducted to avoid negative impacts to the species.

7. **Leave a Uniform Bottom Elevation** All dredging shall be conducted so as to leave a uniform bottom elevation free of mounds or holes.

8. **Grade Channel Side Slopes** All side slopes of the dredge channel will have a maximum of 1:3 slope.

9. **Properly Locate & Position Dredged Material Discharge Pipe** The dredged material discharge pipe shall be located and positioned to prevent the scouring or damage of dunes and to prevent the direct placement of material seaward of the line of spring high water. A diffuser shall be attached to the end of the discharge pipe.

10. **No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities except as specifically authorized for Coastal Protective Feature (CPF) 1 as shown on the approved plans.

11. **Dredging Once Per Year** Dredging shall be undertaken no more than once in any calendar year unless specifically authorized by the department.

12. **Dredged Materials on the Beach** All material deposited on the beach shall be of compatible (equal to or larger) grain size to the naturally occurring beach. If at any time during the dredging operation the composition of the dredged material changes and becomes unsuitable for beach placement, dredging operations shall cease immediately and the office of Regional Habitat - TW shall be contacted with a proposed plan to correct the problem and/or for alternative placement. No further activity will commence without the department's approval.

13. **Dredged Depth Survey** Within 90 days of completion of the dredging operation, an as-dredged depth survey of the dredged area shall be submitted via email to:
Marine Habitat Protection:DEC.sm.R1MHP-BEH@dec.ny.gov

14. As-Built Survey for Beaches Post Construction Topographic Surveys of Overlook Beach shall be submitted to the Department (Coastals@dec.ny.gov) no more than 90 days after project completion.

15. Storage Tanks & Fueling Fuel or other chemical storage tanks shall be contained and located at all times in an area greater than 100 feet landward of apparent high water to avoid the inadvertent leakage of deleterious substances into surface waters. or located in existing, improved locations such as paved parking lots or streets with appropriate containment to prevent contamination of the beach and surface waters. No refueling is authorized on the beach. If the above requirement cannot be met by the permittee, then the storage areas must be designed to completely contain any and all potential leakage. Such a containment system must be approved by Department staff prior to equipment, machinery or tank storage within 100 feet of apparent high water. Any spill of petroleum exceeding 5 gallons in quantity must be immediately reported to the NYS Oil Spill Hotline at 1-800-457-7362.

16. No Equipment Staging In Dune Areas There shall be no staging of equipment, vehicles or supplies in dune areas.

17. No Construction Debris Any debris, garbage, trash, or excess material from construction of this project, including debris and woody material from the grubbing and clearing of Coastal Protective Features (CPFs) 1 and 2, shall be completely removed from the beach and taken to an appropriate approved upland area for disposal. No debris is permitted on the dunes, beach, or in the water.

18. No Disturbance To Vegetated Dune Areas There shall be no disturbance to vegetated dune areas except as specifically authorized for Coastal Protective Feature (CPF) 1 as shown on the approved plans.

19. Restore Any Areas Disturbed By Construction Any areas of beach or dune disturbed during the construction of the activities authorized herein, such as the installation, relocation and removal of dredged material discharge pipes and booster pumps, and the operation of staging areas must be restored to pre-project conditions upon completion of work.

20. Grade Completed Beach Smooth Upon completion of the project, the permittee shall grade the beach nourishment area as necessary to remove wheel ruts, tire tracks, or any mounds, ridges or holes in excess of 6 inches above or below the finished beach surface. The grade of the finished beach must be suitable to support the nesting of piping plovers and least terns.

21. No Interference With Navigation There shall be no unreasonable interference with navigation by the work herein authorized.

22. **State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

23. **State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

24. **State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

25. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. **Water Quality Certification** The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 1 Headquarters
SUNY @ Stony Brook|50 Circle Rd
Stony Brook, NY11790 -3409

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Tidal Wetlands, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

a. materially false or inaccurate statements in the permit application or supporting papers;

b. failure by the permittee to comply with any terms or conditions of the permit;

c. exceeding the scope of the project as described in the permit application;

d. newly discovered material information or a material change in environmental conditions.

relevant technology or applicable law or regulations since the issuance of the existing permit;

e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification
The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

NOTICE OF COMMENCEMENT OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE
Marine Habitat Protection
NYSDEC
50 Circle Road SUNY@ Stony Brook
Stony Brook, NY 11790-3409

OR FAX TO: 631-444-0272
E-Mail: dec.sm.R1MHP_BEH@dec.ny.gov

PERMIT NUMBER:_____ EXPIRATION DATE:_____

PERMITTEE NAME & PROJECT ADDRESS: _____

_____

CONTRACTOR NAME & ADDRESS:_____

_____TELEPHONE: _____

Dear Sir:
Pursuant to **special conditions** of the referenced permit, you are hereby notified that the authorized activity shall commence on _____ _____. We certify that we have read the referenced permit and approved plans and fully understand the authorized project and all permit conditions. We have inspected the project site and can complete the project as described in the permit and as depicted on the approved plans. We can do so in full compliance with all plan notes and permit conditions. The permit, permit sign, and approved plans will be available at the site for inspection in accordance with general Condition No. 1. **(Both signatures required)**

PERMITEE: _____ DATE _____

CONTRACTOR:_____ DATE _____

*THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS **AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT** AND /OR ANY ASSOCIATED REGULATED ACTIVITIES. FAILURE TO RETURN THIS NOTICE, POST THE PERMIT SIGN, OR HAVE THE PERMIT AND APPROVED PLANS AVAILABLE AT THE WORK SITE FOR THE DURATION OF THE PROJECT MAY SUBJECT THE PERMITTEE AND/OR CONTRACTOR TO APPLICABLE SANCTIONS AND PENALTIES FOR NON-COMPLIANCE WITH PERMIT CONDITIONS.*

Cut along this line X X X X X X X

NOTICE OF COMPLETION OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE
Marine Habitat Protection
NYSDEC
50 Circle Road SUNY@ Stony Brook
Stony Brook, NY 11790-3409

OR FAX TO: 631-444-0272
E-Mail: dec.sm.R1MHP_BEH@dec.ny.gov

PERMIT NUMBER: _____ EXPIRATION DATE: _____

PERMITTEE NAME & PROJECT ADDRESS: _____

_____

CONTRACTOR NAME & ADDRESS: _____

_____TELEPHONE:_____

Pursuant to **special conditions** of the referenced permit, you are hereby notified that the authorized activity was completed on _____. We have fully complied with the terms and conditions of the permit and approved plans. **(Both signatures required)**

PERMITEE: _____ DATE:_____

CONTRACTOR:_____ DATE:_____

*THIS NOTICE, WITH PHOTOGRAPHS OF THE COMPLETED WORK AND/OR A COMPLETED SURVEY, AS APPROPRIATE, **MUST BE SENT TO THE ABOVE ADDRESS WITHIN 30 DAYS OF COMPLETION OF THE PROJECT.***