PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2013-00021-EBO
Issue Date: July 10, 2013
Expiration Date: August 10, 2013

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, N.Y. 11980

ACTIVITY: Dredge with ten years maintenance and beach nourishment

WATERWAY: East Creek tributary to Great Peconic Bay

LOCATION: Hamlet of Jamesport, Town of Riverhead, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit 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 benefit 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 those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain 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 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267) , requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8516 and ask for Leslie Bowles-Early.

In order for us to better serve you, please complete our Customer Service Survey located at: http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

For and in behalf of
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

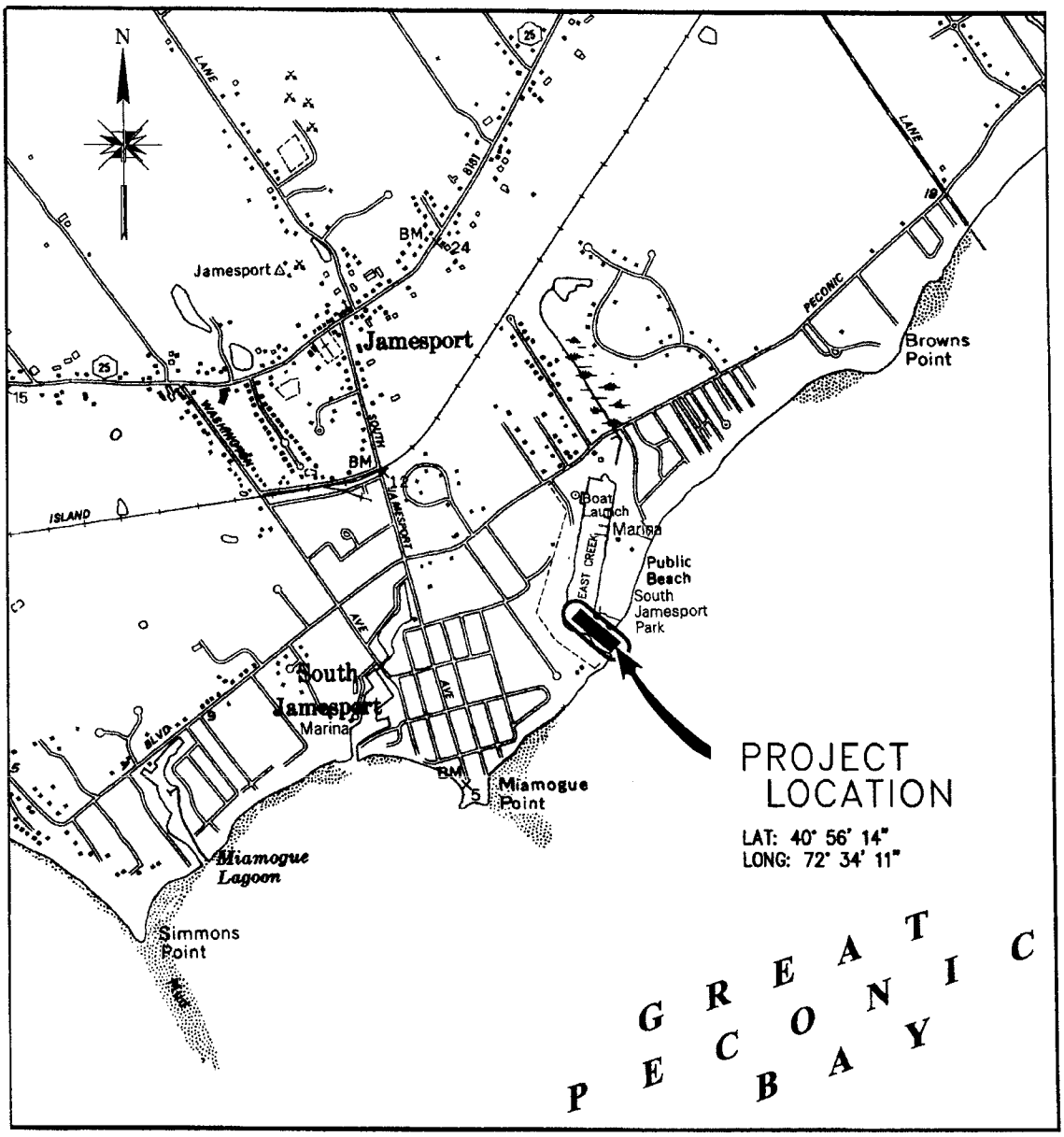
WORK DESCRIPTION

The permit applicant, Suffolk County Department of Public Works, has requested Department of the Army authorization to perform 10- year maintenance dredging of East Creek; with subsequent discharge/placement of the sand dredged material above and below the Spring High Tide Line on the shoreline for beach nourishment purposes. The surplus dredge material will be placed on the adjacent beaches located northeast and southwest of the Creek. The regulated project work area is located in the navigation channel of East Creek in the Hamlet of Jamesport, Town of Riverhead, Suffolk County, New York.

The regulated work would involve ten year maintenance dredging with beach placement of dredged material from the navigation channel of East Creek. The work would involve dredging, via hydraulic cutterhead dredge, for each maintenance dredging event during the ten years. Initially, up to approximately 8,000 cubic yards of material would be dredged from 1,100-foot long by 150-foot wide navigation channel to a depth of 8 feet below the plane of Mean Low Water (MLW). The surplus dredge material which is comprised greater than 90% sand and gravel will be placed on the adjacent beaches located northeast and southwest of the East Creek. Approximately 4,000 cubic yards of sand dredged material would be placed below the Spring High Water (SHW) line on approximately 54,000 square feet of beach. It is anticipated that there will be annual maintenance dredging events producing up to approximately 5,000 cubic yards of material per event. No work will take place between January 15 and September 30 of each calendar year.

The permit applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable. Most of the impacts associated with the 10-year maintenance dredging project are temporary and would be offset by implementing best management practices associated with the proposed use of hydraulic dredge and adjusting cutting rotation speed and swing speed to minimize impacts. The use of a hydraulic dredge would provide the cleanest and least obtrusive method for sediment removal without damaging the sensitive environment.

The stated purpose of this regulated work is to maintain safe navigation through an active navigation channel.



PROJECT LOCATION MAP

SCALE: 1:24000

LOCATION MAP TAKING FROM
NYSDOT QUADRANGLE, MAP GG58

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

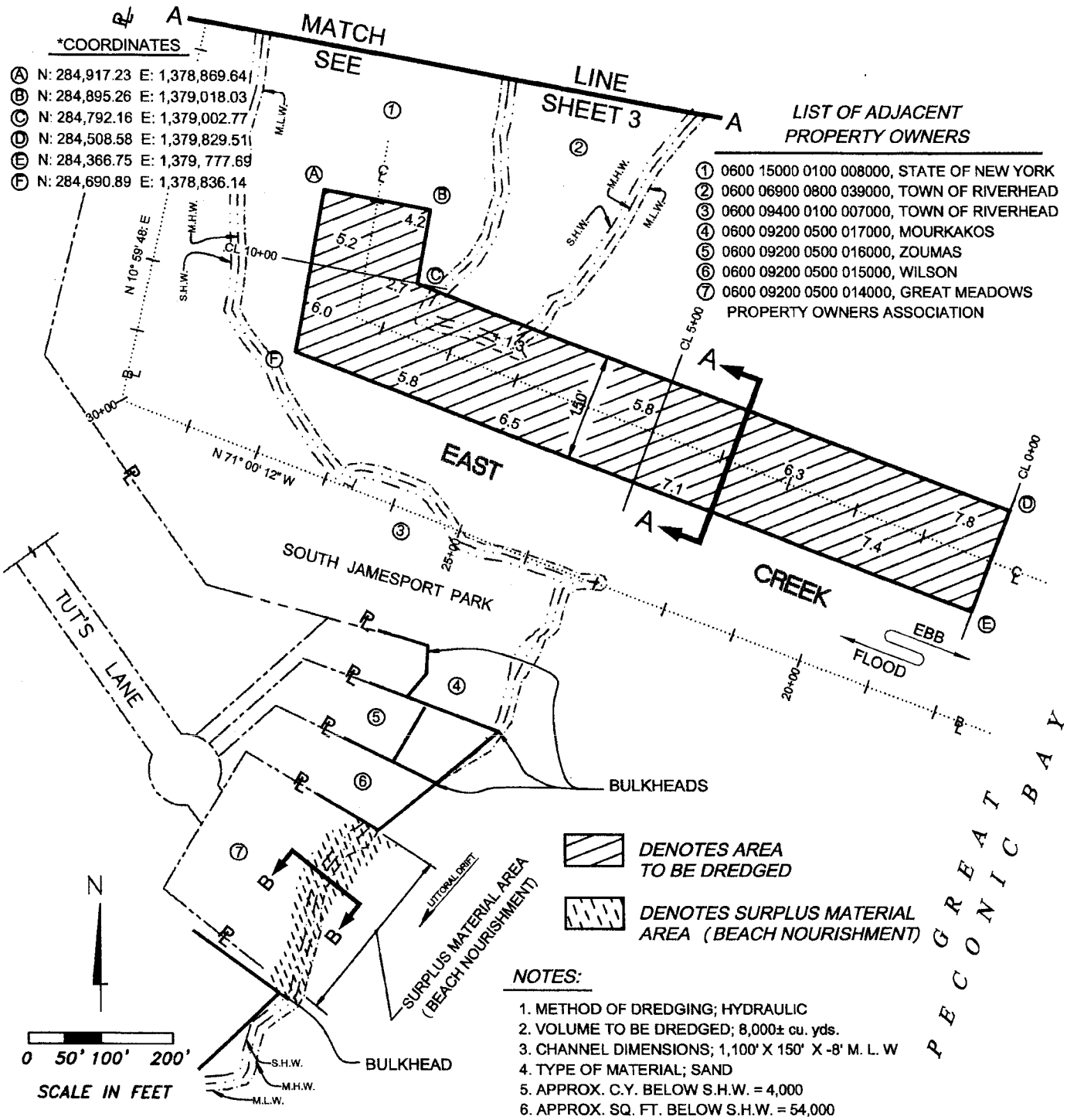
MAINTENANCE DREDGING AT

EAST CREEK

TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

DATE: *SEPTEMBER 1, 2012* SHEET *1* OF *6*

USACE APPLICATION #NAN-2013-00021-EBO



DATUM: 0.0 = 0.0 MEAN LOW WATER (M.L.W.)
NGVD 29

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING AT

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TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

DATE: SEPTEMBER 1, 2012 SHEET 2 OF 6

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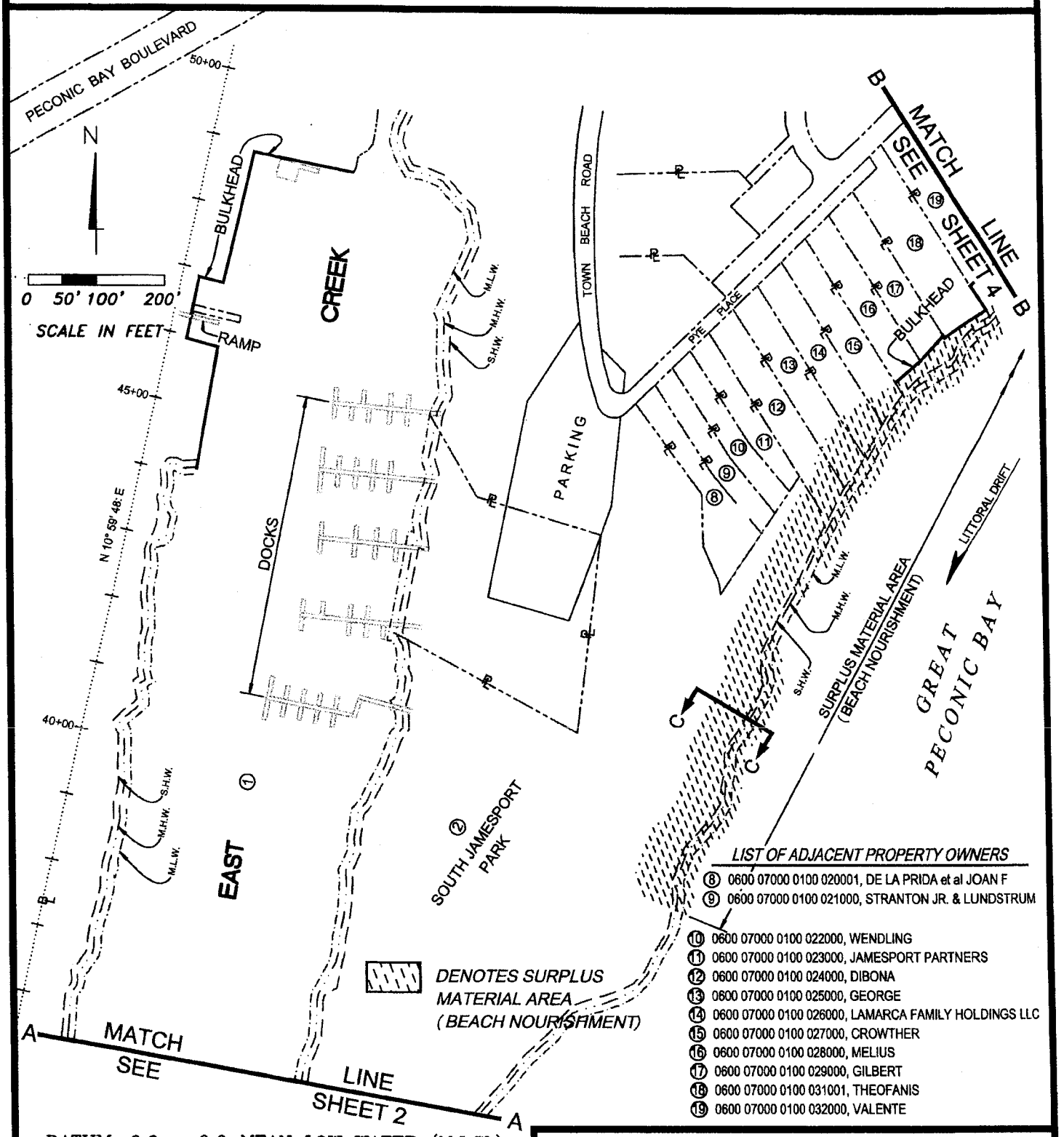

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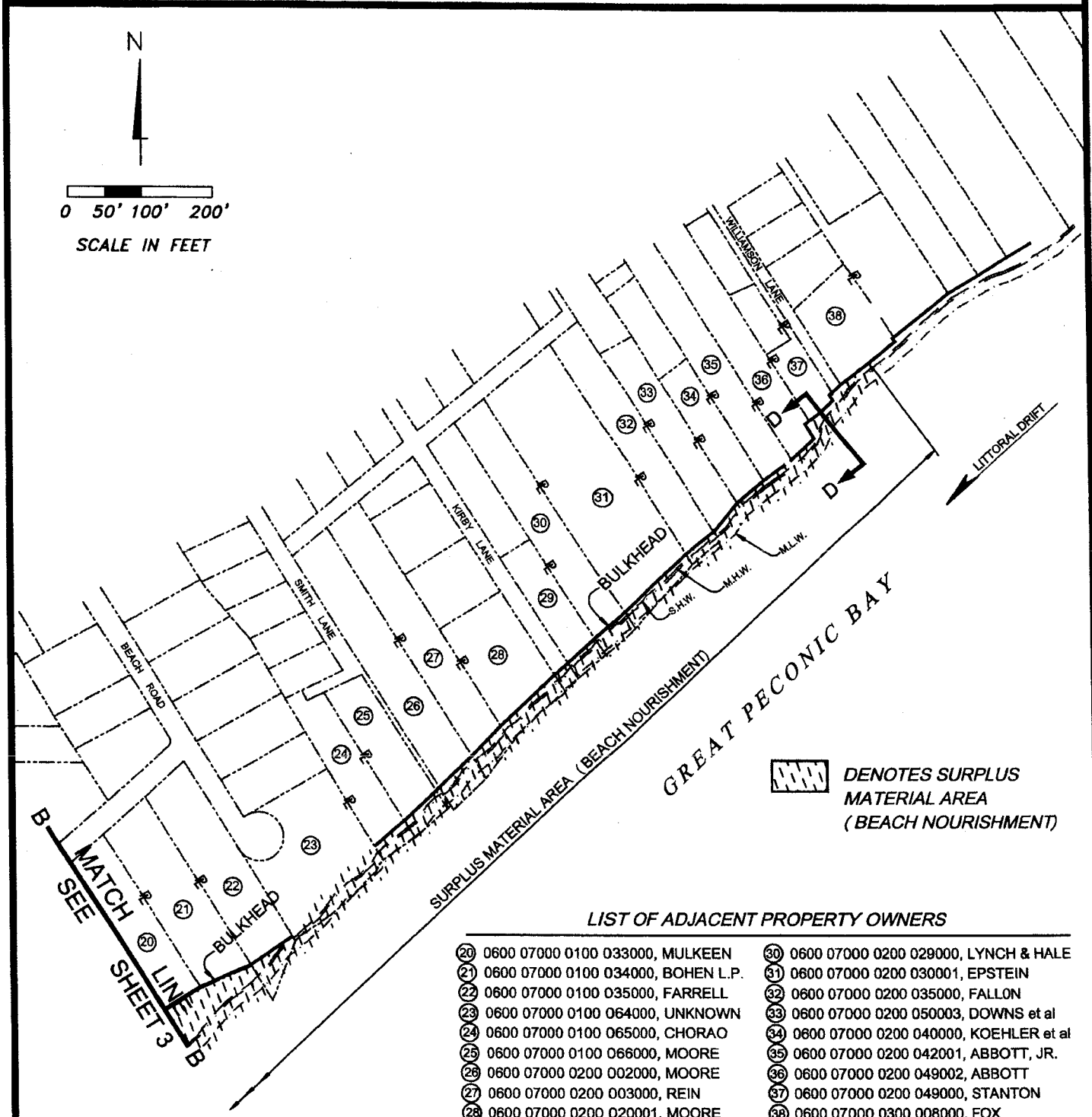

LIST OF ADJACENT PROPERTY OWNERS

20 0600 07000 0100 033000, MULKEEN
21 0600 07000 0100 034000, BOHEN L.P.
22 0600 07000 0100 035000, FARRELL
23 0600 07000 0100 064000, UNKNOWN
24 0600 07000 0100 065000, CHORAO
25 0600 07000 0100 066000, MOORE
26 0600 07000 0200 002000, MOORE
27 0600 07000 0200 003000, REIN
28 0600 07000 0200 020001, MOORE
29 0600 07000 0200 021000, MOORE
30 0600 07000 0200 029000, LYNCH & HALE
31 0600 07000 0200 030001, EPSTEIN
32 0600 07000 0200 035000, FALLON
33 0600 07000 0200 050003, DOWNS et al
34 0600 07000 0200 040000, KOEHLER et al
35 0600 07000 0200 042001, ABBOTT, JR.
36 0600 07000 0200 049002, ABBOTT
37 0600 07000 0200 049000, STANTON
38 0600 07000 0300 008000, FOX

DATUM: 0.0 = 0.0 MEAN LOW WATER (M.L.W.)
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GILBERT ANDERSON, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING AT

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TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

DATE: SEPTEMBER 1, 2012 SHEET 4 OF 6

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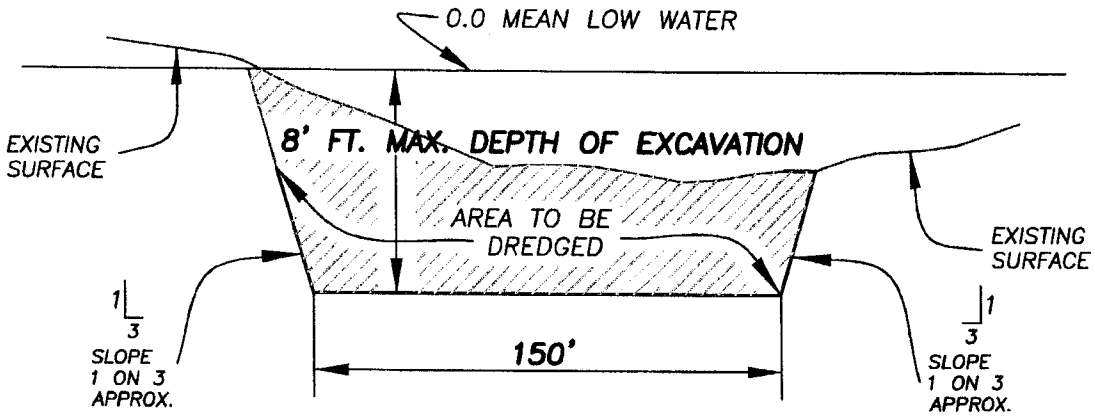
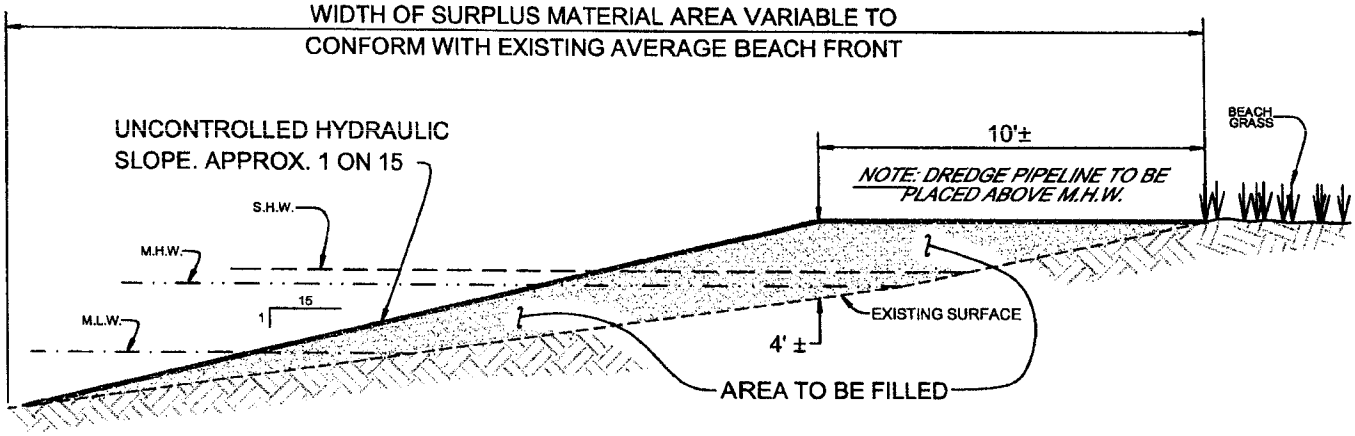


TYPICAL CHANNEL SECTION A–A

NOT TO SCALE



TYPICAL SECTION B–B SURPLUS MATERIAL AREA (BEACH NOURISHMENT) SOUTHWEST OF CHANNEL

NOT TO SCALE

APPLICATION BY COUNTY OF SUFFOLK
GILBERT ANDERSON, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING AT

EAST CREEK
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

DATE: *SEPTEMBER 1, 2012* SHEET *5* OF *6*

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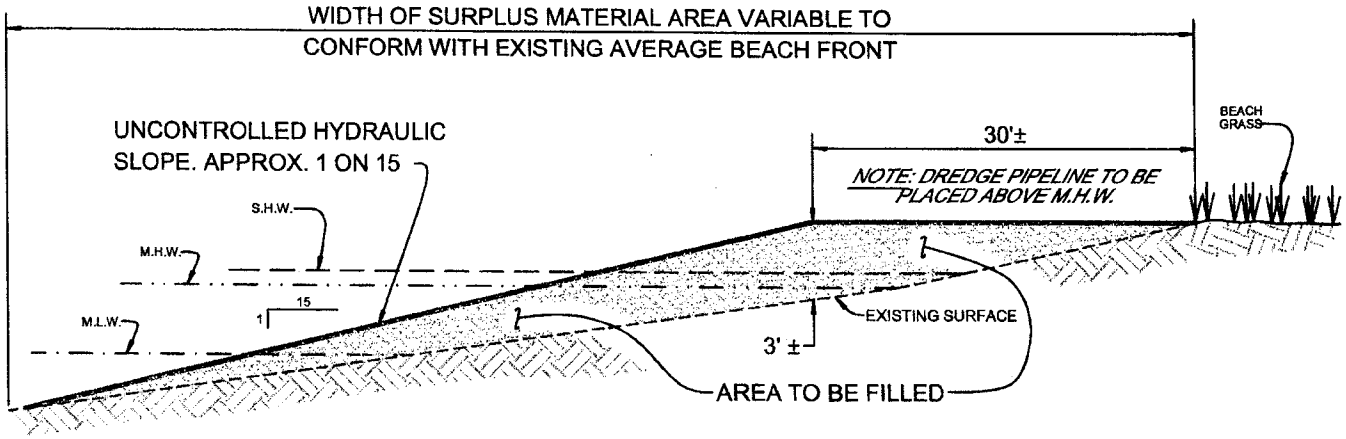
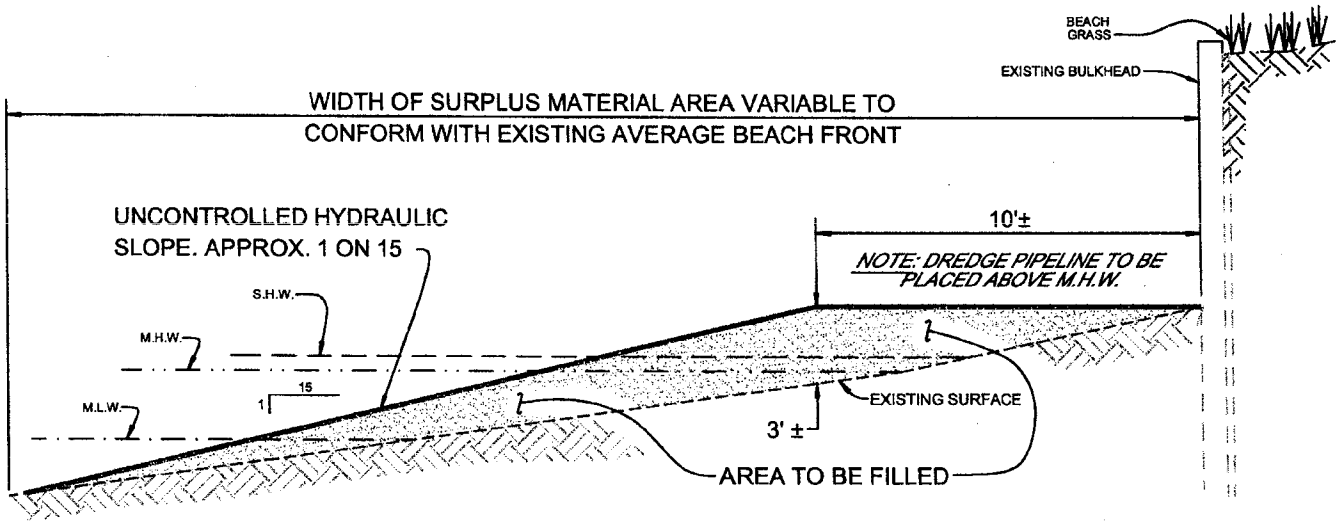


TYPICAL SECTION C–C
SURPLUS MATERIAL AREA
(BEACH NOURISHMENT)
NORTHEAST OF CHANNEL

NOT TO SCALE



TYPICAL SECTION D–D
SURPLUS MATERIAL AREA
(BEACH NOURISHMENT)
AT WILLIAMSON LANE

NOT TO SCALE

APPLICATION BY COUNTY OF SUFFOLK
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MAINTENANCE DREDGING AT

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DATE: *SEPTEMBER 1, 2012* SHEET *6* OF *6*

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