

# 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-2014-01327-EYR  
Issue Date: November 14, 2014  
Expiration Date: November 28, 2014

## 14-DAY PUBLIC NOTICE COMMENT PERIOD

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: Town of Southampton  
116 Hampton Road  
Southampton, NY 11968

ACTIVITY: One-time dredging of approximately 100,000 cubic yards of beach compatible sand from an offshore Atlantic Ocean borrow area, transport the material and place in an upland stockpile to rebuild upland eroded dune/levee to restore the 3,500 liner foot dune/levee to prevent future erodes and possible loss of the dune and barrier island' cross section.

WATERWAY: Atlantic Ocean

LOCATION: 1.5 miles west of Ponquogue Bridge, Hampton Bays, Town of Southampton, Suffolk County, NY.

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. Comments provided will become a part of the public record for this action.

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 occurs. 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, One Commerce Plaza, 99 Washington Avenue, 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://per2.nwp.usace.army.mil/survey.html>.

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



Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The permit applicant, Town of Southampton, has requested Department of the Army authorization for the one-time, expedited, dredging of approximately 100,000 cubic yards of sand from an offshore Atlantic Ocean borrow area during December 2014 and into early January 2015, and transport the dredged sand to a stockpile to replace a severely damaged 3,500—linear-foot segment of upland (landward of High Water Line) dune / levee. Need for the one-time work is to stop the increasing ocean waters wash-overs during storms into the back bay which threaten eventual breaching of the barrier island at this location.

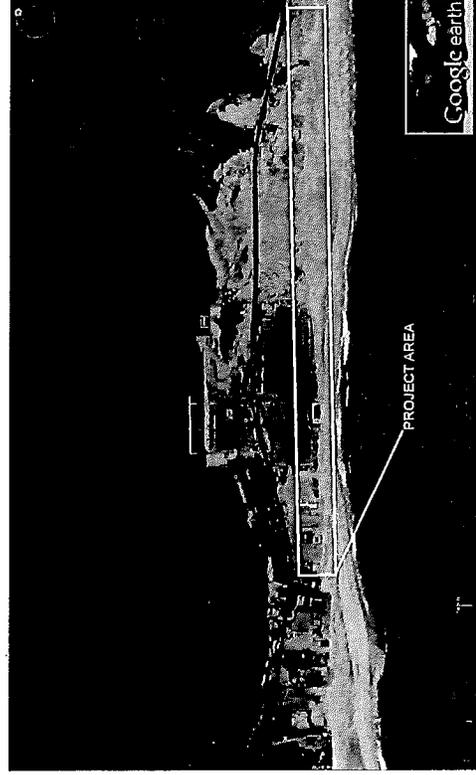
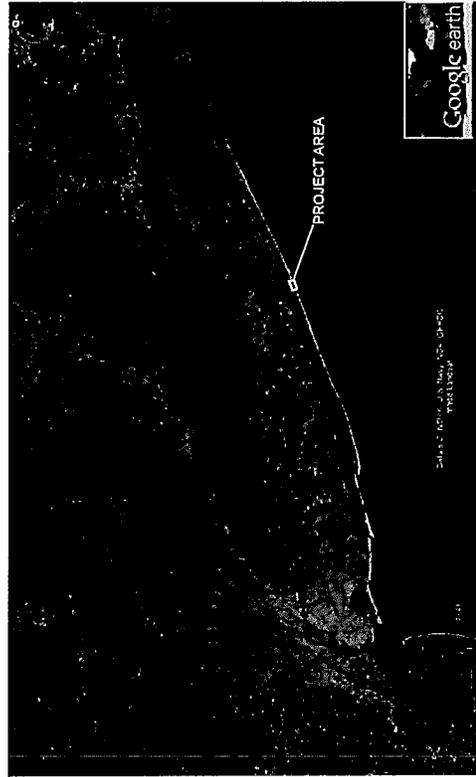
The Atlantic Ocean offshore borrow area is Area 6C east of Shinnecock Inlet, recently used for sand to repair the West of Shinnecock Inlet shoreline after Hurricane Sandy. To obtain the 100,000 cubic yards a 4-foot deep cut would be made by self-propelled hopper dredge over an approximate 20 acre area with shallow 1-on-10 side slopes in the dredging area.

The project purpose is to construct an emergency dune/levee to protect against erosion, overwash, and incipient breach.

USACE FILE: NAN-2014-01327-EYR

# TIANA BEACH EMERGENCY LEVEE TOWN OF SOUTHAMPTON HAMPTON BAYS, NY

DRAWING INDEX	
1	COVER SHEET
2	SITE PLAN
3	CROSS SECTIONS
4	BORROW AREA MAP

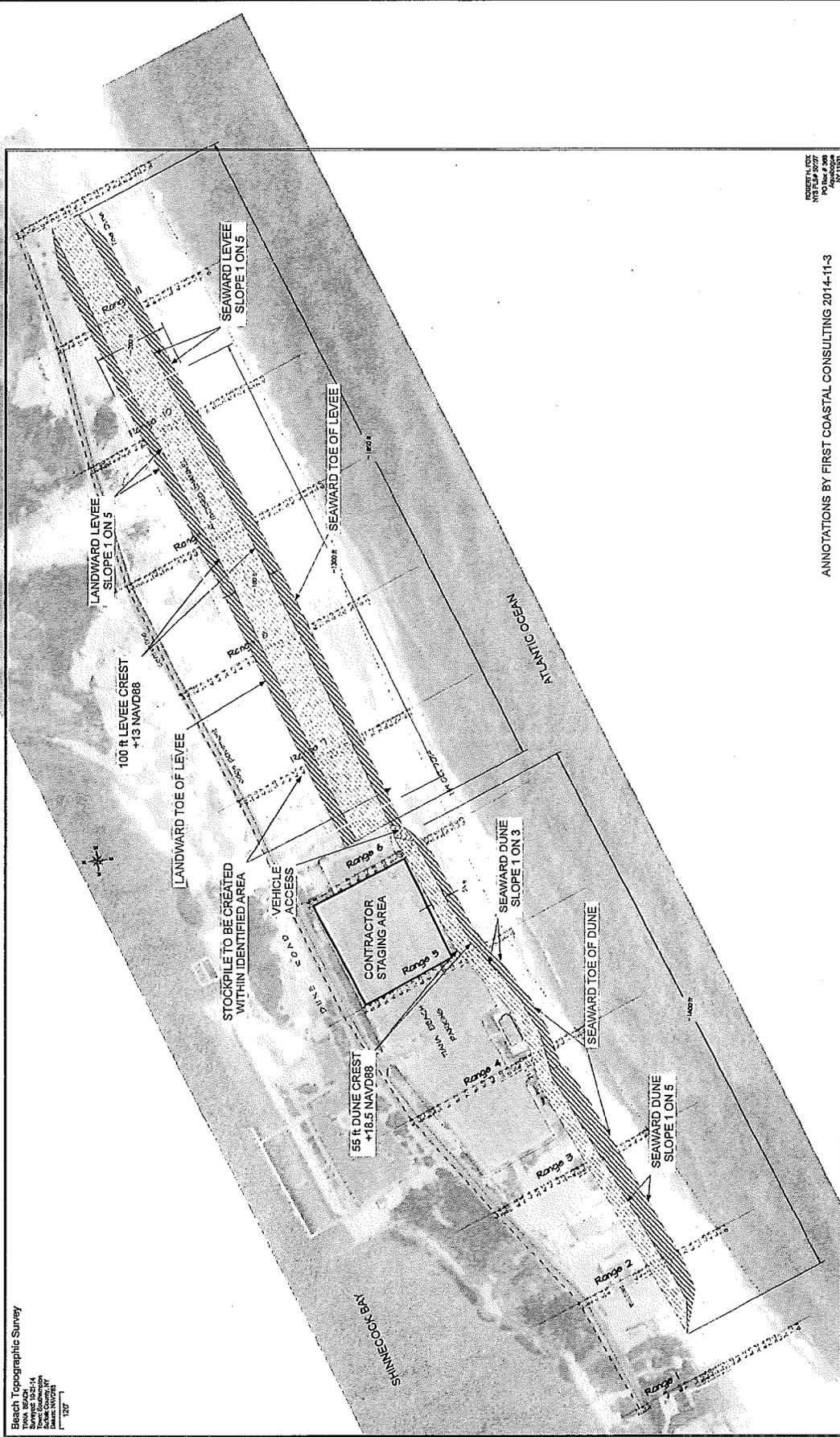


REVISIONS	DATE

**FIRST Coastal**  
 P.O. Box 1212, 4 Arthur Street  
 Westhampton Beach, N.Y. 11978  
 (631) 228-2271, fax (631) 228-8949  
 Drawing Title: COVER SHEET     Scale:     Date: 10/30/2014     Project No: BSS     Sheet No: 1 of 4

TIANA BEACH EMERGENCY LEVEE  
 TOWN OF SOUTHAMPTON TIANA BEACH  
 HAMPTON BAYS, NY

USACE FILE: NAN-2014-01327-EYR



Beach Topographic Survey  
 TIANA BEACH  
 Project: Emergency Levee  
 Date: 10/30/2014  
 1207

ROBERT F. FOX  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 11041

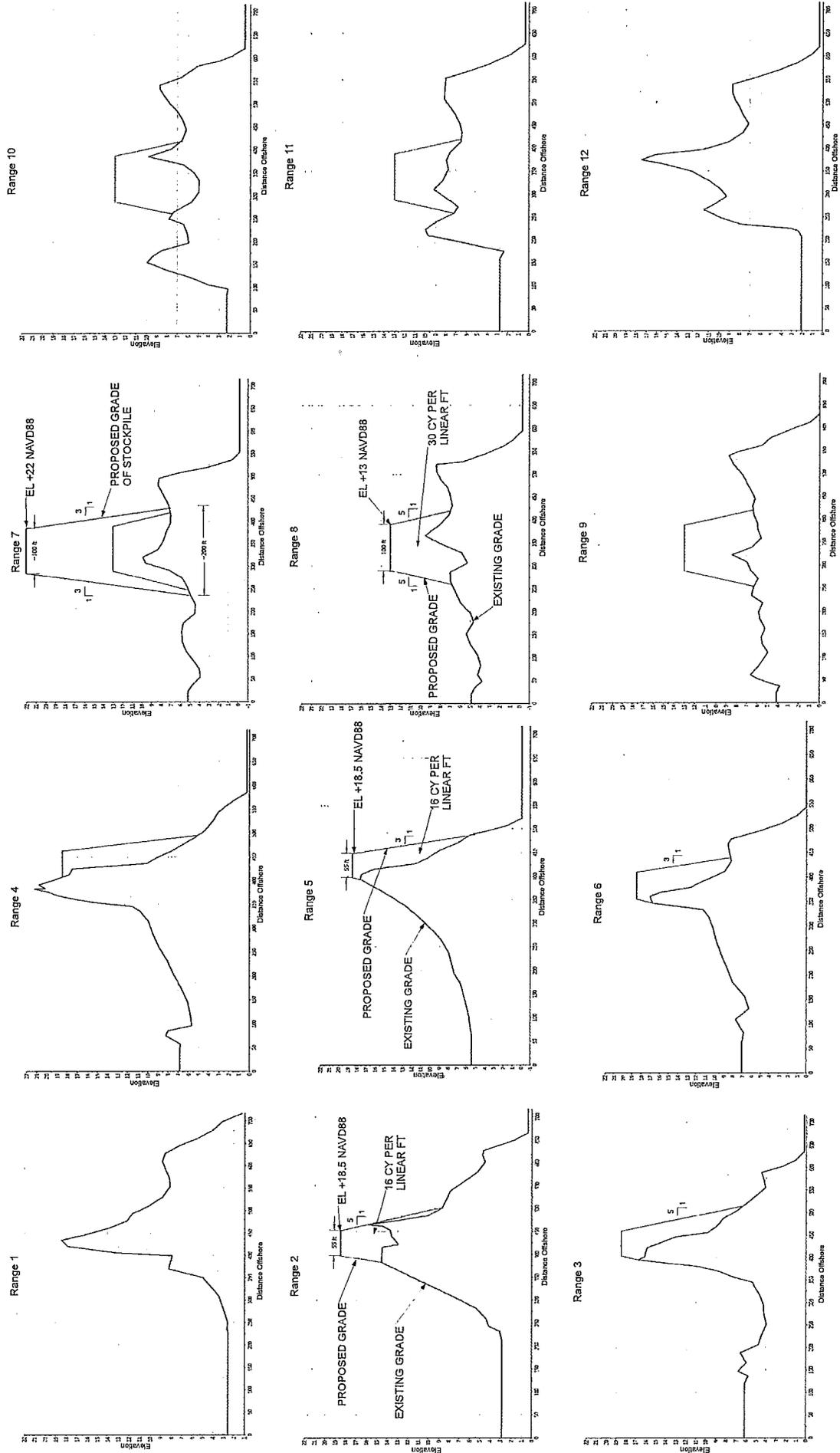
ANNOTATIONS BY FIRST COASTAL CONSULTING 2014-11-3

REVISIONS	DATE

**FIRST Coastal**  
 P.O. Box 1212, 4 Arthur Street  
 Westhampton Beach, N.Y. 11978  
 (631) 288-2271; fax (631) 288-9949  
 SCALE: AS SHOWN  
 DATE: 10/30/2014  
 DRAWN BY: BSS  
 SHEET NO.: 2 OF 4

TIANA BEACH EMERGENCY LEVEE  
 TOWN OF SOUTHAMPTON TIANA BEACH  
 HAMPTON BAYS, NY

# USACE FILE: NAN-2014-01327-EYR

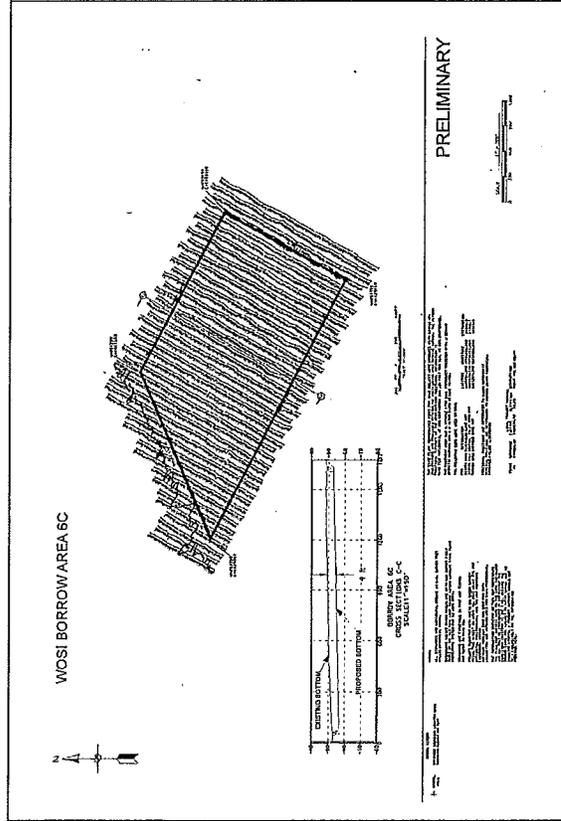
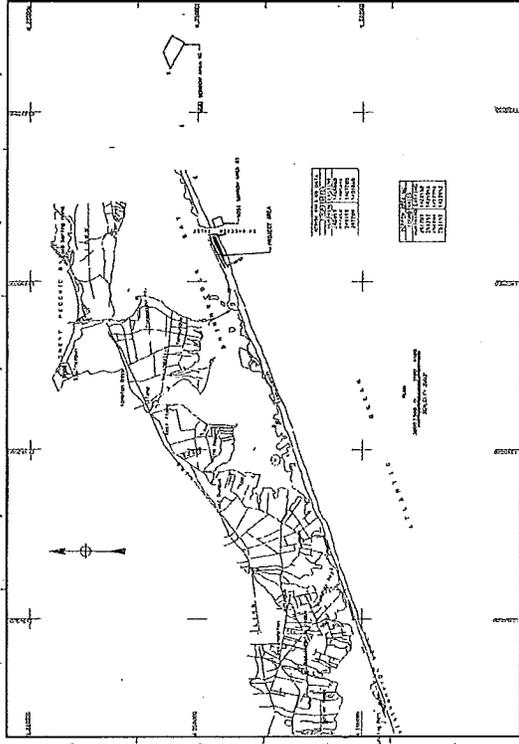


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**FIRST Coastal**  
 P.O. Box 1212, 4 Arthur Street  
 Westhampton Beach, N.Y. 11978  
 (631)288-2271; fax (631)288-8949  
 SCALE: **AS SHOWN**  
 DATE: 10/30/2014  
 DRAWN BY: BSS  
 SHEET: 3 of 4

TIANA BEACH EMERGENCY LEVEE  
 TOWN OF SOUTHAMPTON TIANA BEACH  
 HAMPTON BAYS, NY

Profiles based on field data surveyed by Sea Level Mapping on 2014-10-21



REVISIONS	DATE

**FIRST Coastal**  
 P.O. Box 1212, 4 Arthur Street  
 Westhampton Beach, N.Y. 11978  
 (631) 288-2271; fax (631) 288-8949  
 Drawing No.: BORROW AREA SCALE:  NYS  
 Date: 10/30/2014 Designer: BSS

Sheet: 4 of 4  
 Project: TIANA BEACH EMERGENCY LEVEE  
 TOWN OF SOUTHAMPTON TIANA BEACH  
 HAMPTON BAYS, NY