



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-2015-01706-EYR**
Issue Date: **January 27, 2016**
Expiration Date: **February 26, 2016**

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):

APPLICANT: Sennefelder Properties, Inc.
476 East Lake Drive
Montauk, NY 11954

ACTIVITY: Maintenance dredging of existing Gone Fishing Marina basin with upland placement of the dredged material.

WATERWAY: Lake Montauk, Block Island Sound

LOCATION: 476 East Lake Drive, Hamlet of Montauk, Town of East Hampton, 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.

*****PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE*****

CENAN-OP-RE
Public Notice NAN-2015-01706-EYR

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

Any 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 construction work, fully described in the enclosed Work Description, could cause minimum disruption of habitat for various life stages of some EFH-designated species as a result of a minor short-term temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific minor adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of minor disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision on this permit application.

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.

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.

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No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York, the applicant's certification and accompanying information is available from the New York State Department of State Division of Coastal Resources, Coastal Management Program, 99 Washington Avenue – Suite 1010, Albany, New York 12231-0001, 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) 790-8715 and ask for Mr. Robert Youhas.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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

for 
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The permit applicant, Sennefelder Properties, Inc. (Sennefelder), has requested Department of the Army authorization for 10-year maintenance dredging of the Gone Fishing Marina basin at 476 East Lake Drive in the Hamlet of Montauk, Town of East Hampton, Suffolk County, New York. All dredged material is proposed to be mechanically dredged with a standard clamshell bucket dredge and loaded into floating barges for transport to the Block Island Sound shoreline for beach placement upland of the Plane of Mean High Water north-northeast of West Lake Drive. No barge overflow is proposed.

Specifically, removal of approximately 2,800 cubic yards of dredged material from a 51,400-square foot area within the Gone Fishing Marina basin to a depth of 6-feet below the plane of Mean Low Water (MLW) is proposed. The permit applicant has estimated that two dredging events will be required during the 10-year life of the permit in order to maintain safe navigational depths at the marina.

The stated purpose of this project to restore and maintain adequate and safe navigational depths for marine vessels mooring and transiting at the marina.

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VIEW OF DREDGE SPOIL DISPOSAL AREA

NOT TO SCALE



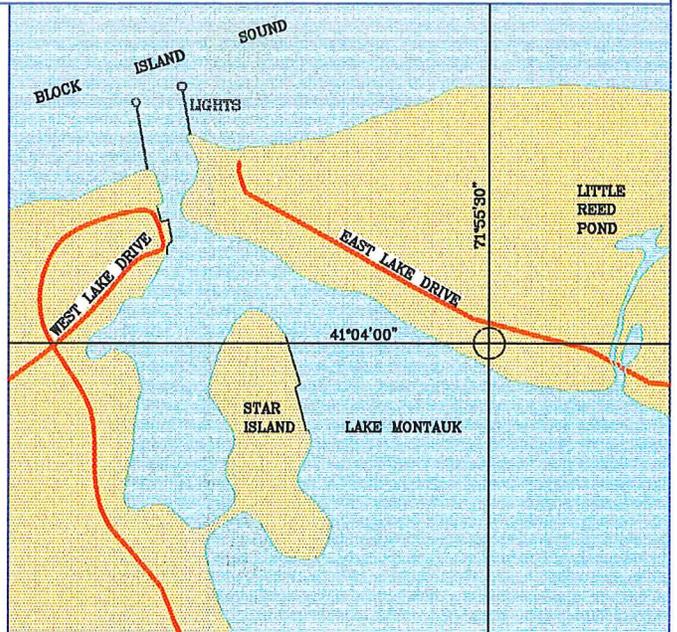
IN: LAKE MONTAUK
AT: MONTAUK
TOWN OF EAST HAMPTON
SUFFOLK COUNTY, NEW YORK
DATE: DECEMBER 3, 2001
PREPARED BY: INTER-SCIENCE
RESEARCH ASSOCIATES, INC.
APPLICATION No.
APPLICANT: THOMAS SENNEFELDER

1 OF 4

File Name: g:/graphics/sennefelder/disposalview2.dwg

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Dredging Notes: 2,800 cubic yards are to be removed for maintenance dredging to 6' below ALW. Dredging is to be accomplished by the use of a clamshell bucket on a friction crane with spoils stored on a barge for dewatering and eventual removal off-site. Areas to be dredged were designated by the project sponsor. Soundings shown are taken from survey performed on February 17, 1998.



VICINITY MAP

Source: U.S.G.S. Sag Harbor Quadrangle
Scale: 1:24,000

File Name: g:/graphics/sennefelder/crosssection.dwg



CROSS SECTION A-A'

VERTICAL SCALE: 1"=20'
HORIZONTAL SCALE: 1"=100'

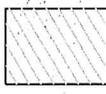
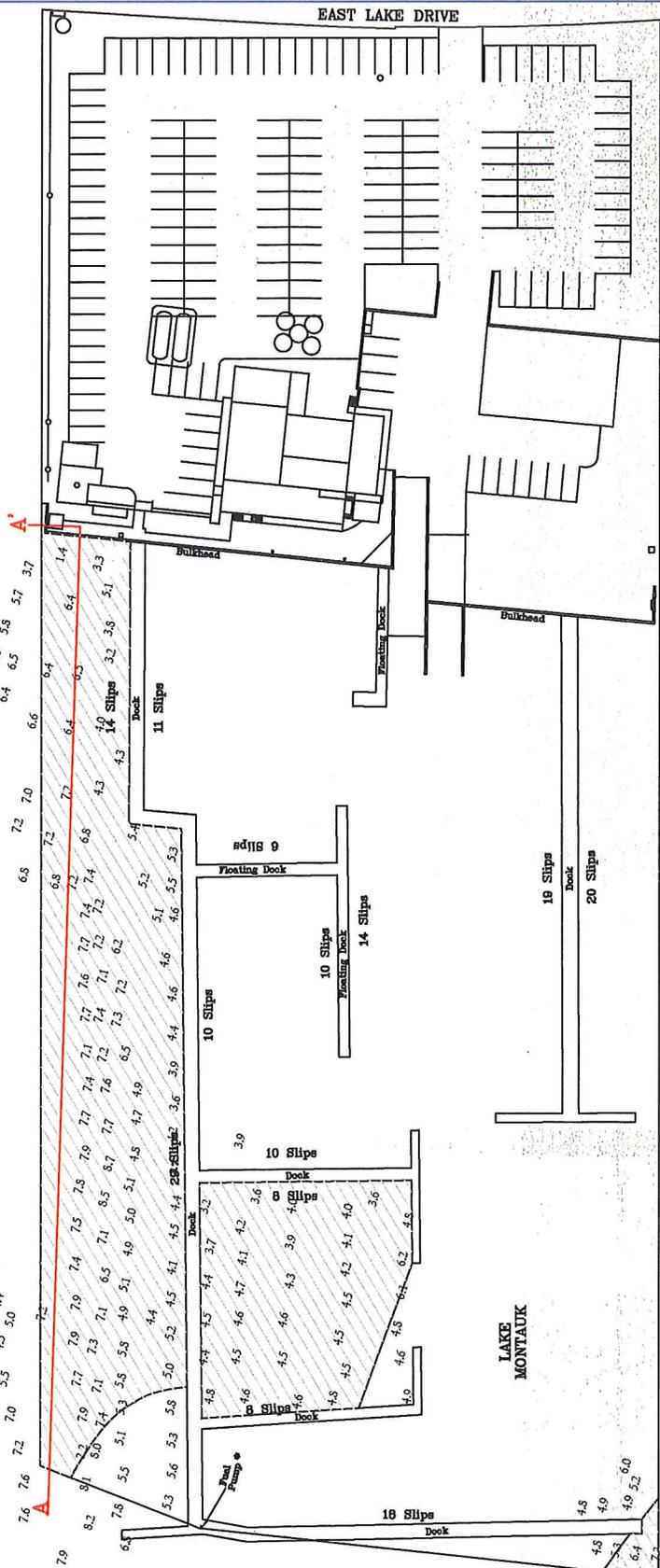
EXISTING BOTTOM TO BE
DREDGED 6' BELOW ALW

DREDGING CROSS SECTION

IN: LAKE MONTAUK
AT: MONTAUK
TOWN OF EAST HAMPTON
SUFFOLK COUNTY, NEW YORK
DATE: DECEMBER 3, 2001
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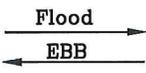
N/F
TOWN OF EAST HAMPTON



Area to be Dredged

Maintenance Dredging of Existing Marina Basin to Uniform Depth of 6' Below ALW. Estimated Spoil Volume 2,800 C.Y.

File Name: g:/graphics/sennefelder/planview.dwg



Scale: 1" = 100'

PLAN VIEW

IN: LAKE MONTAUK
 AT: MONTAUK
 TOWN OF EAST HAMPTON
 SUFFOLK COUNTY, NEW YORK
 DATE: DECEMBER 3, 2001
 PREPARED BY: INTER-SCIENCE
 RESEARCH ASSOCIATES, INC.
 APPLICATION No.
 APPLICANT: THOMAS SENNEFELDER

NAN-2015-01706-E4R

DETAIL VIEW

**DREDGE SPOIL DISPOSAL SITE
FOR
GONE FISHING MARINA**

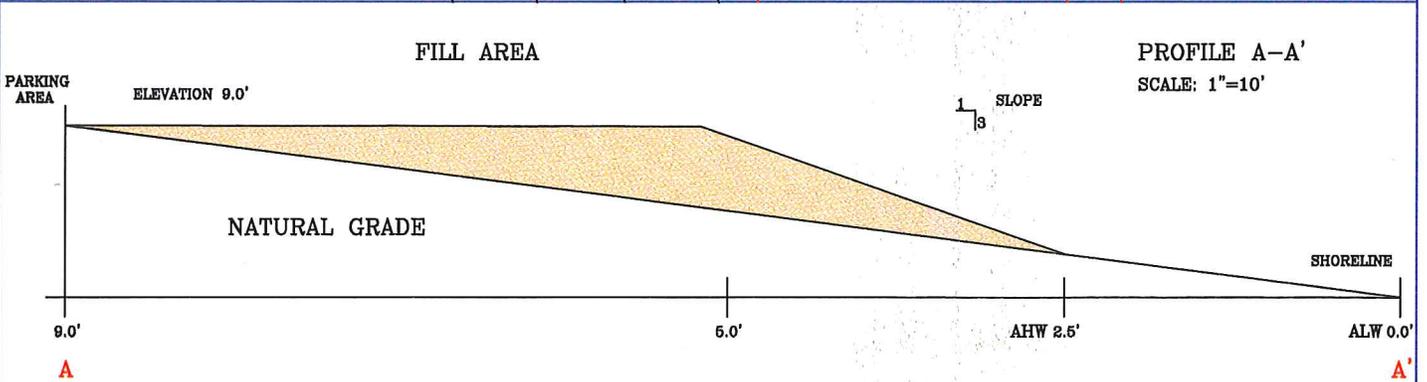
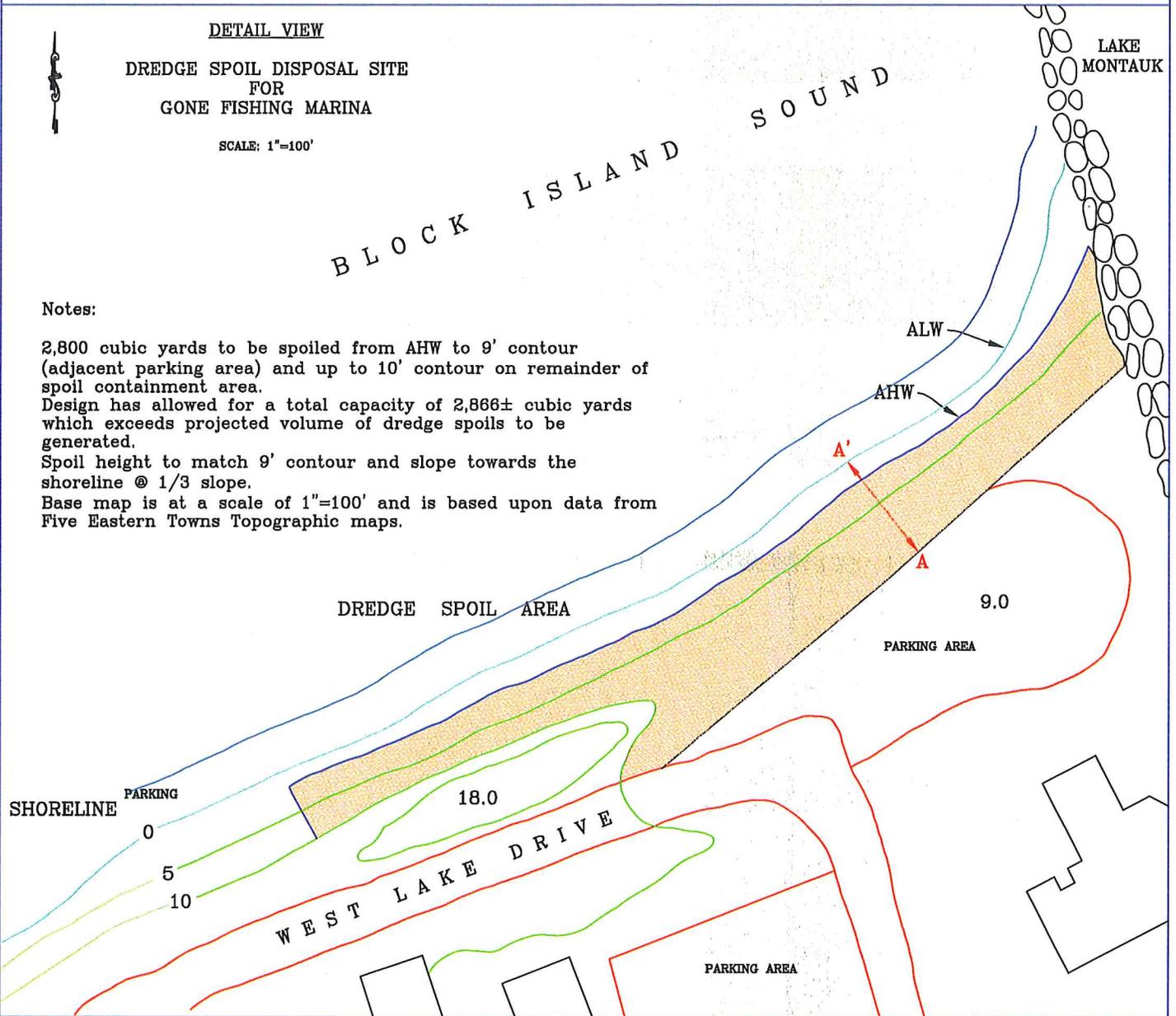
SCALE: 1"=100'

BLOCK ISLAND SOUND

LAKE MONTAUK

Notes:

2,800 cubic yards to be spoiled from AHW to 9' contour (adjacent parking area) and up to 10' contour on remainder of spoil containment area.
Design has allowed for a total capacity of 2,866± cubic yards which exceeds projected volume of dredge spoils to be generated.
Spoil height to match 9' contour and slope towards the shoreline @ 1/3 slope.
Base map is at a scale of 1"=100' and is based upon data from Five Eastern Towns Topographic maps.



Spoils to be off-loaded from barge by clamshell bucket on a friction crane.
Spoils to be graded to profile specifications.

AHW: +2.5'
ALW: 0+0'