US Army Corps
of Engineers®

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. LIIW 09
Published: August 3, 2009 Expires: September 3, 2009

LONG ISLAND INTRACOASTAL WATERWAY, NEW YORK
FEDERAL NAVIGATION PROJECT
MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, U.S. Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the Long Island Intracoastal Waterway federal navigation project with subsequent placement of the dredged material along the nearby ocean side shoreline or stockpile area.

ACTIVITY: Maintenance dredging of the Long Island Intracoastal Waterway, New York Federal Navigation Project.

WATERWAY: Long Island Intracoastal Waterway

LOCATION: Suffolk County, New York.

The Long Island Intracoastal Waterway, New York Federal navigation project was authorized by the Rivers and Harbors Act of 26 August 1937, House Document No. 181, 1st session.

The existing navigation project provides for a navigation channel 6 feet deep, 100 feet wide from the Federally improved channel in the Great South Bay, opposite Patchogue, to the south end of the Shinnecock Canal. The total length of the project is approximately 33.6 miles (Map 1). The current dredging cycle will involve dredging of the Long Island Intracoastal Waterway, in the Moriches Bay section of the channel (Map 2).

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. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

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

Any person who has an interest that may be affected by this project may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps will obtain a water quality certificate (WQC) from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps will submit a determination that the proposed project is consistent with the State CZM program to the maximum extent practicable. This activity is subject to review by the New York State Department of State for its consistency with the enforceable policies of the New York State Coastal Management Program. The New York District of the U.S. Army Corps of Engineers has determined that the proposed activities are consistent to the maximum extent practicable within the applicable policies of the New York State Coastal Management Program. A copy of this determination will be provided to the New York State Department of State, Division of Coastal Resources. Additional information regarding the Corps of Engineers' consistency determination may be obtained by contacting the New York State Department of State, Division of Coastal Resources, 41 State Street, Albany New York 12231, Attention: Consistency Review.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, Third District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, please contact this office at (917) 790-8636 and ask for Mr. Edward Wrocenski. Comments or questions may be FAXED to (212) 264-1463 ATTN: Mr. Edward Wrocenski or e-mailed to Edward.Wrocenski @usace.army.mil.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers, New York District (the Corps) proposes to perform maintenance dredging of the Long Island Intracoastal Waterway Federal Navigation Project, in the Moriches Bay section of the channel, with placement of dredged material either along the nearby ocean shoreline or at a nearby upland stockpile. This section of the channel was last dredged in 2002 with approximately 53,000 cubic yards (CY) of material dredged from the channel. The proposed maintenance dredging effort will remove approximately 70,000 CY of material from the Long Island Intracoastal Waterway. Dredging will be to the authorized depth of 6 feet with an allowable overdepth of 2 additional feet.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe and economical use of the Long Island Intracoastal Waterway by boating interests.

Maintenance dredging of the Long Island Intracoastal Waterway Federal navigation project will be accomplished by pipeline dredge or similar plant. The entire channel will generally not require maintenance dredging; only areas where shoaling has reduced the depth of the channel will require dredging.

Based on previous environmental windows for this project, dredging will occur outside the window of April 1 to September 30 to protect spawning finfish and shellfish and placement will occur outside the window of April 1 to August 31 for the shore bird breeding season.

ENVIRONMENTAL IMPACT STATEMENT:

The New York District prepared an Environmental Impact Statement (EIS) in June 1987 in support of a Reformulation Study. It was determined that maintenance dredging of the Federal navigation channel would have no significant adverse environmental impacts on water quality, marine resources, wildlife, endangered species, recreation, aesthetics and flood protection of the area.

An update of the EA and a 404 (b) evaluation as required by the Clean Water Act 40 CFR 230 will be prepared prior to the implementation of the proposed work.

PLACEMENT SITE

The dredged material from this project is to be placed along a nearby shoreline or upland stockpile. The dredged material will be transported by pipeline or similar dredge and deposited at the designated site, as shown on the attached map (Map 2).

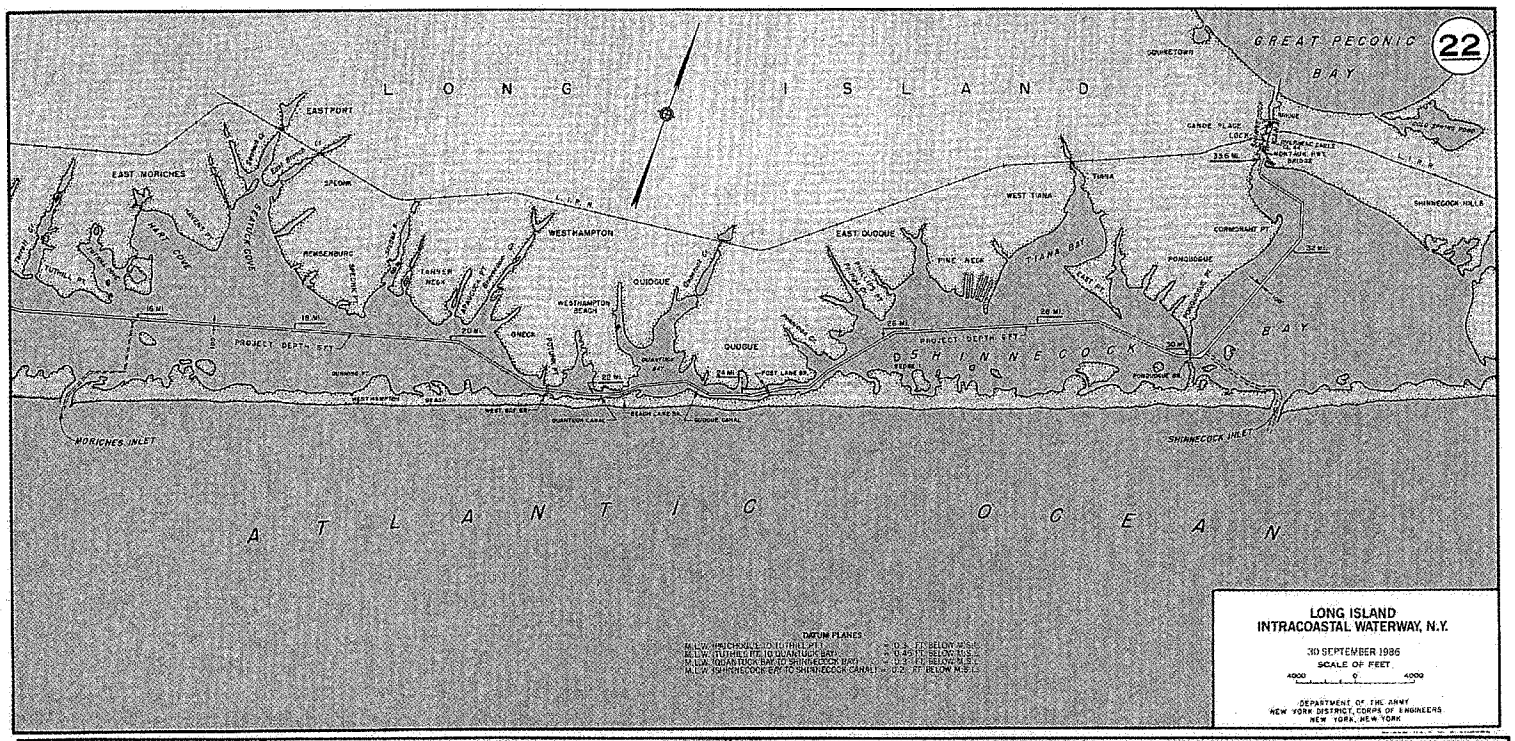
MATERIAL DESCRIPTION

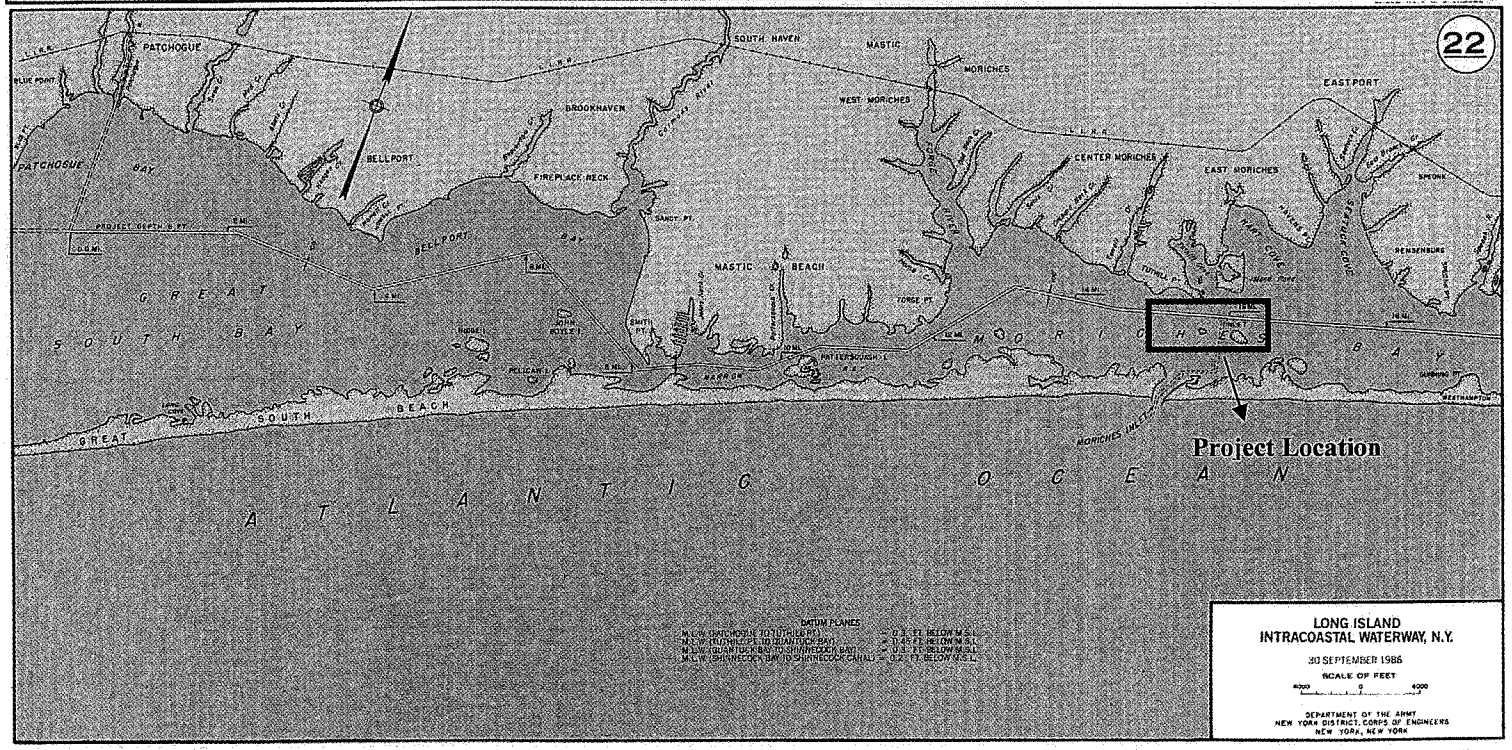
Results of the performed grain size characteristics of the proposed dredged material indicate that it is predominately sand (greater than 90% sand).

It is proposed that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

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

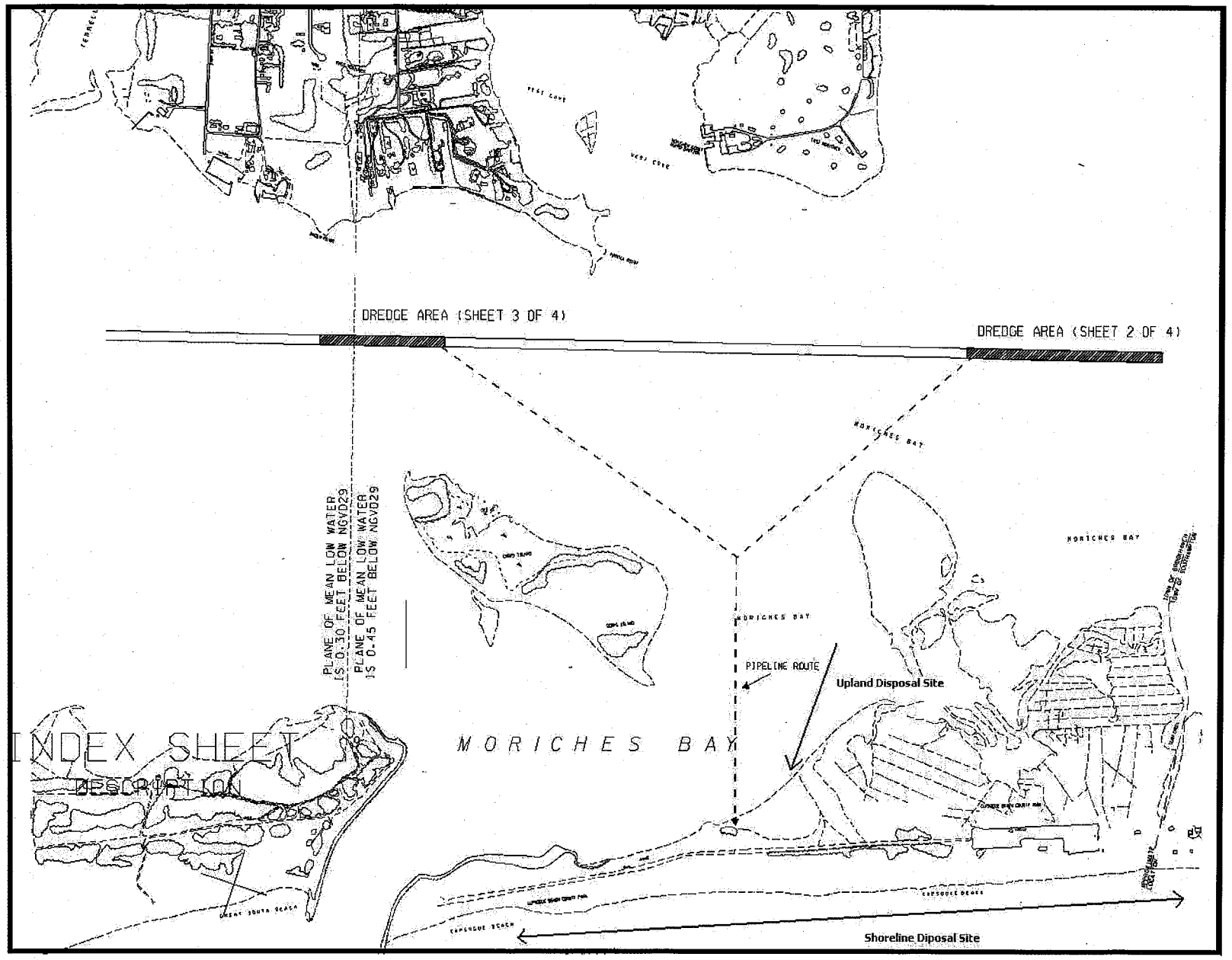
Randall G. Hintz,
Chief, Operations Support Branch





SHEET NO. 1 IN 2 SHEETS

Map 1


DREDGE AREA (SHEET 3 OF 4)
DREDGE AREA (SHEET 2 OF 4)
PLANE OF MEAN LOW WATER IS 0.30 FEET BELOW NGVD29
PLANE OF MEAN LOW WATER IS 0.45 FEET BELOW NGVD29
MORICHES BAY
PIPELINE ROUTE
Upland Disposal Site
Shoreline Diposal Site
INDEX SHEET
DESCRIPTION

Map 2