



**US Army Corps  
of Engineers®**

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

# Public Notice

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In replying refer to:  
Public Notice No. BROWNS CREEK FY04/05  
Published: April 16, 2004 Expires: May 16, 2004

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## **BROWNS CREEK, NEW YORK FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING**

### **TO WHOM IT MAY CONCERN:**

Pursuant to Sections 313 (33 U.S.C. 1323, 86 Stat. 816) and 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), U.S. Army Corps of Engineers, New York District proposes to perform maintenance dredging of the Browns Creek Federal Navigation Project, New York and to dispose of the material at a nearby upland disposal area shown herein. Approximately 40,000 cubic yards of material is proposed for removal and disposal subject to availability of funds.

**WATERWAY:** Browns Creek

**LOCATION:** South shore of Long Island, Town of Islip, Suffolk County, New York.

The Browns Creek Federal Navigation Project is authorized by the Rivers and Harbors Act of 19 September 1890.

The existing Federal navigation project provides for a channel, 6 feet deep at mean low water, 100 feet wide from 6 foot contour in Great South Bay to a point 250 feet upstream from the inshore end of jetties and thence 4 feet deep, 100 feet wide to the head of navigation. Length – about 1.0 mile, (Attachment 1).

Two stone jetties at the entrance, east jetty 480 feet long and the west jetty 700 feet long

The Creek was last dredged in 1995 to a depth of 6 feet plus 1 foot allowable overdepth in the section south of Browns River Rd; and to 4 feet plus 2 foot allowable overdepth north of Browns River Rd. The plan for the present maintenance operation is to dredge to 6 feet plus 2 allowable overdepth and 4 feet plus 2 allowable in these sections of the Creek.

This activity is being evaluated to determine if the proposed dredging with placement of dredged material on the adjacent upland which is a part of Suffolk County Parks and/or Town of Islip Parks land will not unreasonably degrade or endanger human health, welfare, economic potential,

recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; 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 which may be affected by the placement of this dredged material 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 which 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 prior to the beginning of the proposed action.

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 must 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 U.S. Army Corps of Engineers New York District 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 has been 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 Coast Guard District
- New York State Department of Environmental Conservation
- New York State Department of State
- Town of Islip

If you have any questions concerning this notice, you may contact this office at (212) 264-5621 and ask for Mr. Joe Olha. Comments or questions may be FAXED to (212) 264-4260 ATTN: Mr. Joe Olha.

#### **DESCRIPTION OF PLANNED ACTION:**

The U.S. Army Corps of Engineers, New York District (the Corps) proposes to perform maintenance dredging of Browns Creek, Federal navigation channel. The channel was last dredged in 1995 with the removal of approximately 20,297 cubic yards (CY) of sediment, which was placed at an upland site east of the Creek. The proposed maintenance dredging would involve the removal of approximately 40,000 CY of material, which would be placed at the same upland site east of the Creek. The 6 feet deep channel will be dredged to a depth of 6 feet plus 2 feet allowable overdepth and the section of 4 feet deep will be dredged to 4 feet plus 2 feet allowable overdepth subject to availability of funds.

The purpose of the proposed work is to alleviate the effects of shoaling and maintain the authorized project dimensions, thereby assuring safe and economical use of the Browns Creek by commercial and recreational boating interests.

Maintenance dredging of the Browns Creek channel will be accomplished by hydraulic 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.

No work will occur from Feb 1 to September 30 due to environmental restrictions to protect spawning shellfish (June 1 – September 30) and winter flounder (February 1 – May 31).

#### **ENVIRONMENTAL IMPACT STATEMENT:**

An Environmental Impact Statement was prepared in 1975 for maintenance dredging in Browns Creek Federal Navigation Channel. It has been determined that maintenance dredging in Browns Creek with disposal at the upland disposal site will have no significant adverse environmental impact on water quality, marine resources, fish, 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:**

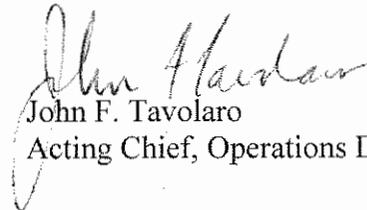
The dredged material from this project is proposed to be placed at the nearby upland disposal site east of Browns Creek, Suffolk County, New York (See Attachment 1). The dredged material will be transported by pipeline dredge and deposited at the designated site.

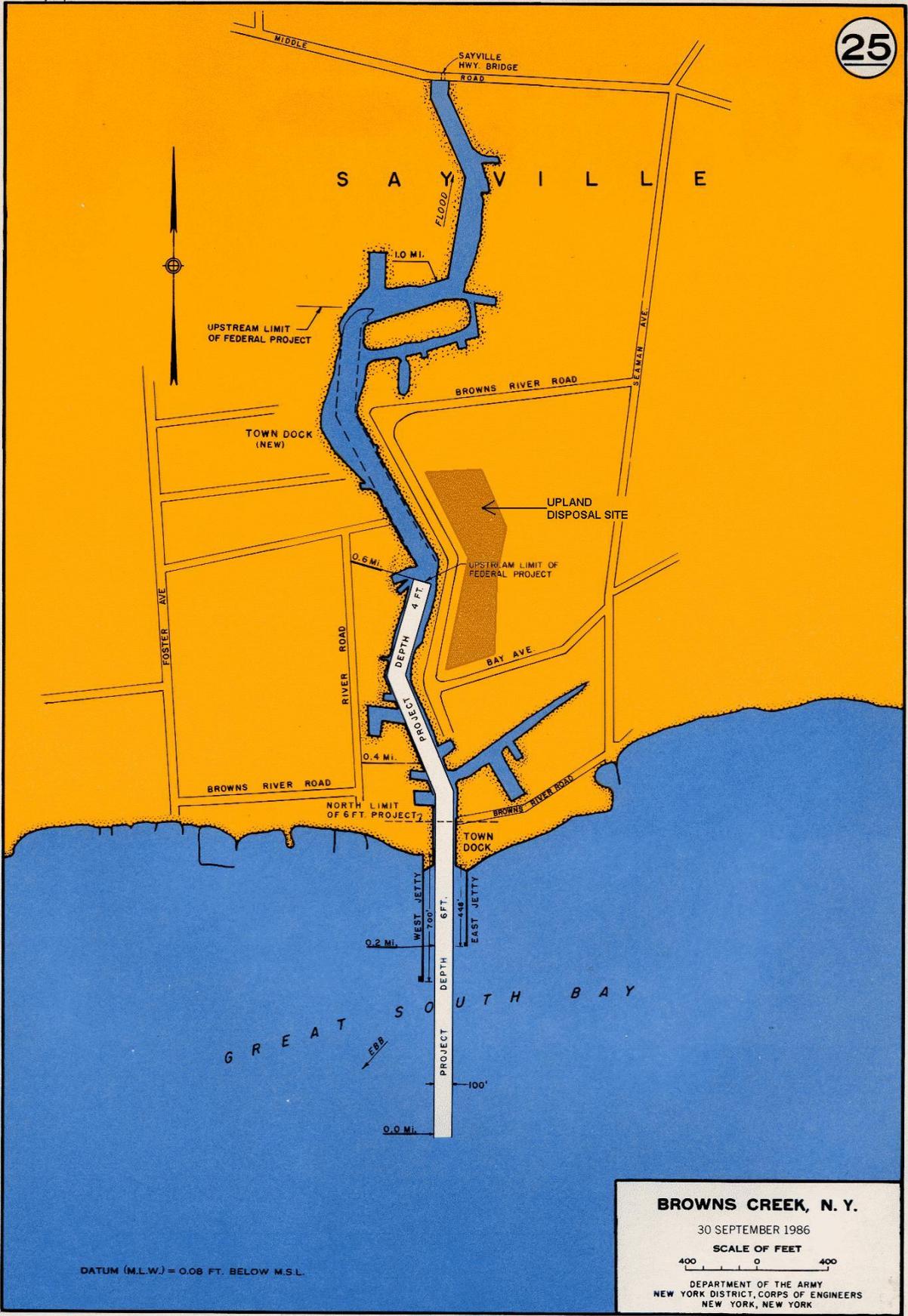
**MATERIAL DESCRIPTION:**

During the last dredging cycle, results of grain size analyses performed on samples collected within the project area indicate that the material is composed of 29% Sand 45% Silt and 26% Clay.

It is requested 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 New York District Corps of Engineers programs, please visit our web site at <http://www.nan.usace.army.mil>.

  
John F. Tavoraro  
Acting Chief, Operations Division



DATUM (M.L.W.) = 0.08 FT. BELOW M.S.L.

**BROWNS CREEK, N. Y.**  
30 SEPTEMBER 1986  
SCALE OF FEET  
400 0 400  
DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
NEW YORK, NEW YORK