



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: 2004-01287-L1

Issue Date: **NOV - 9 2005**

Expiration Date: **DEC - 9 2005**

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 USC 403).

APPLICANT: Board of Trustees of the Freeholders and Commonalty of the Town of Southampton
116 Hampton Road
Southampton, New York 11968-4934

ACTIVITY: Dredge with ten-year maintenance and npland disposal

WATERWAY: Mecox Bay and Atlantic Ocean

LOCATION: Town of Southampton, Suffolk Connty, 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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.

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PUBLIC NOTICE NO. 2004-01287-L1**

Our preliminary determination is that the activity for which authorization is sought herein may affect piping plover (Charadrius melodus) and least tern (Sterna antillarum) 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 of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) 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 disruption of habitat for various life stages of some EFH-designated species depending upon when the proposed work is undertaken. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is 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.

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 Permit
- Town of Southampton Board of Trustees Permit

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) 790-8518 and ask for Rosita Rama.

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


Richard E. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Board of Trustees of the Freeholders and Commonalty of the Town of Southampton, has requested Department of the Army (DA) authorization to dredge a channel with ten years maintenance and upland disposal, in Mecox Bay adjacent to the Atlantic Ocean, Town of Southampton, Suffolk County, New York.

The work would involve dredging a total of 30,000 cubic yards (CY) of material from an area with dimensions of 2,408 linear feet long by 200 feet wide to a depth of 6-feet below the plane of mean low water. Dredging would be accomplished by either a hydraulic excavator or a clamshell bucket.

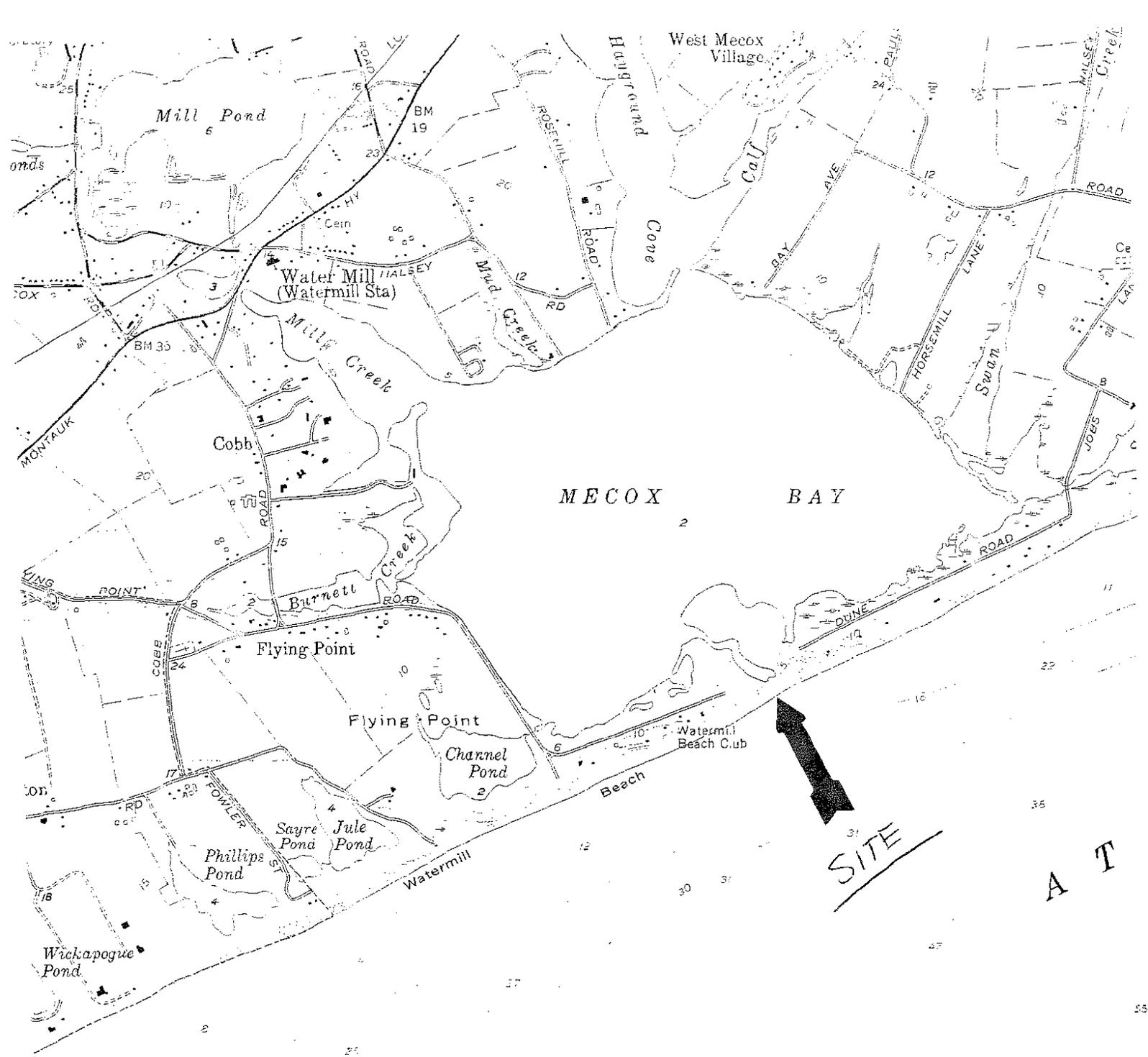
Dredging is anticipated to occur each year if a ten year maintenance dredging permit is issued.

The dredged material would be deposited on the adjacent beach and dune system, east and west of the inlet, above the spring high tide line. The material would then be stabilized by creating a dune and cultivating American Beachgrass (Ammophila breviligulata) at a density of three (3) culms per 18-inches on center. Dewatering would take place at the site. Return flow to the waterway is not anticipated.

There are no vegetated tidal wetlands in the dredging and dredged material deposition areas.

The proposed area was previously authorized under DA Permit No. 1997-13170 on June 27, 1997, which was modified on May 28, 2002.

The stated purpose of this project is to regulate proper salinity and tidal flushing between Mecox Bay and the Atlantic Ocean, for shellfish and finfish, and general water quality, and restore the protective qualities of the beach and dune system.



EET 722

723

724

20'

725

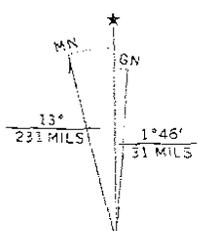
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and published by the Geological Survey
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 rial photographs by Kelsh plotter
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 used on New York coordinate system,

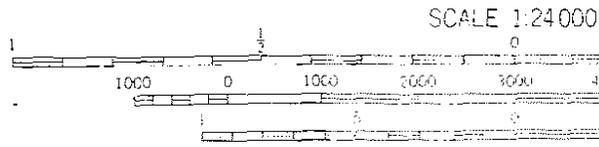
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 size

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UTM GRID AND 1956 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

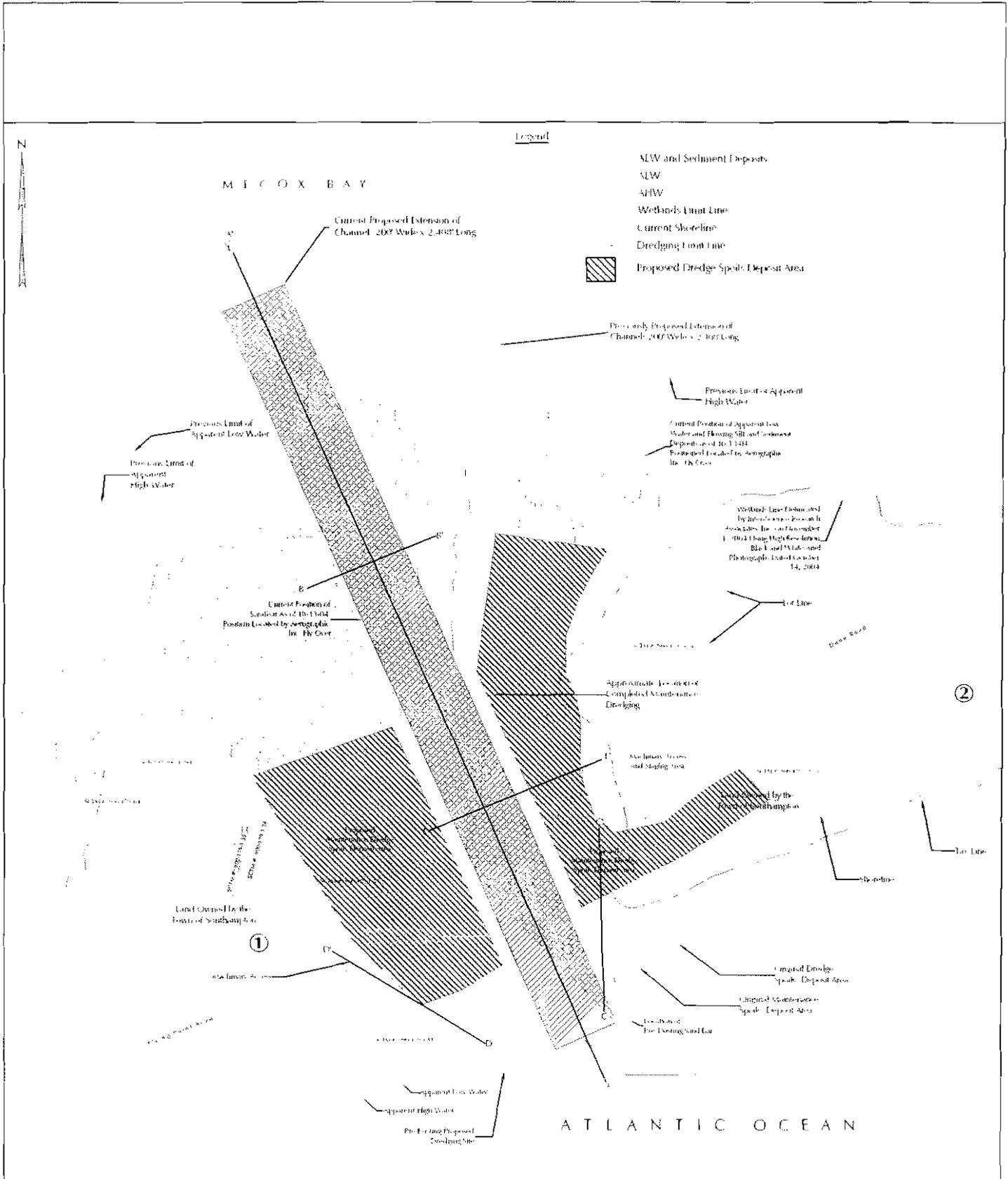
1065



CONTOUR INTERVAL 10
 DASHED LINES REPRESENT 5 FOOT
 DATUM IS MEAN SEA LEVEL
 DEPTH CURVES AND SOUNDINGS IN FEET—D
 SHORELINE SHOWN REPRESENTS THE APPROXIMATE
 THE MEAN RANGE OF TIDE IS APPROXIMATELY 2
 AND 2 FEET ALONG THE ATLANTIC

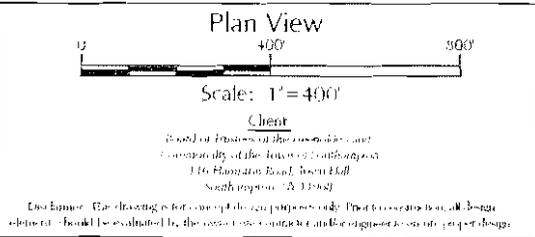
THIS MAP COMPLIES WITH NATIONAL MAP
 FOR SALE BY U.S. GEOLOGICAL SURVEY
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SY

2004-01287-L1



Purpose: Dredging Plan / Proposed Conditions

Adjacent Property Owners:
 900-179-1-13: Alexander Lollins and Smart Baker
 900-179-1-39: Town of Southampton
 900-179-1-34: Marcia and Richard Cadecky
 900-179-1-25: Joint Ownership
 900-179-1-2: Ethel Hurvitz
 900-179-1-1: Burnetts Cove Association, Inc.
 900-179-2-2.1: Jay and Prudence Mortimer
 900-179-2-15: Town of Southampton
 900-179-2-13.1: Avra and Munro Bank

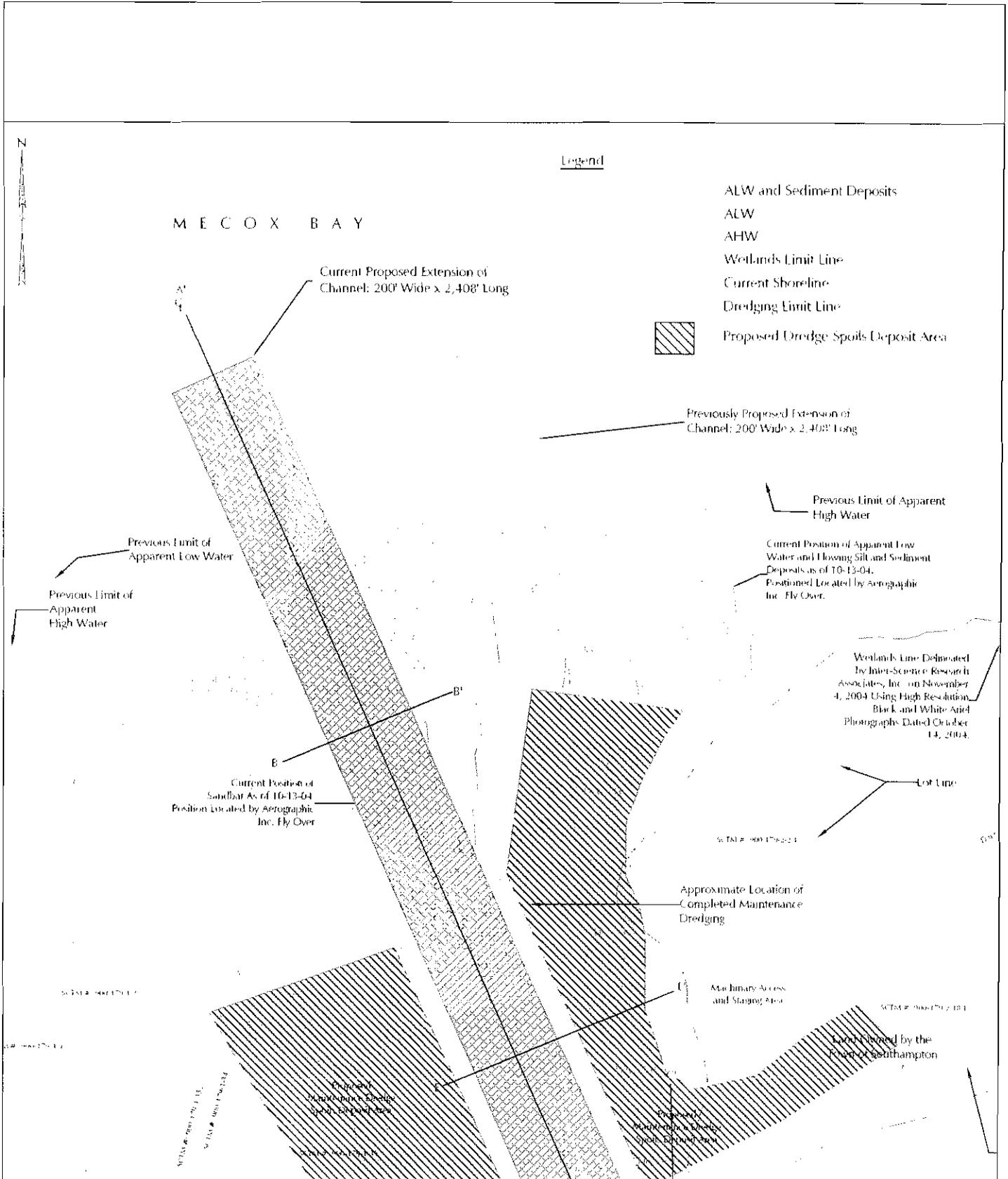


Name of Project:
Dredge Project

Location of Project:

In: Mecox Bay
 County: Suffolk County
 Applicant: Inter-Science-Research Associates, Inc.
 PO Box 1261 Southampton, NY 11969

File: Southampton Town/Mecox Bay/ALW of Sed.dwg
 Sheet: 2 of 5
 Date: April 12, 2005



Purpose: Dredging Plan / Proposed Conditions

Adjacent Property Owners:
 900-179-1-13: Alexander Collins and Stuart Baker
 900-179-1-19: Town of Southampton
 900-179-1-34: Marcia and Richard Godoski
 900-179-1-35: Joint Ownership
 900-179-1-2: Ethel Hurvitz
 900-179-1-1: Burnetts Cove Association, Inc.
 900-179-2-2-1: Jay and Prudence Montmer
 900-179-2-15: Town of Southampton
 900-179-2-18-1: Avra and Mauro Bank

Detail View #1

0 500' 600'

Scale: 1" = 300'

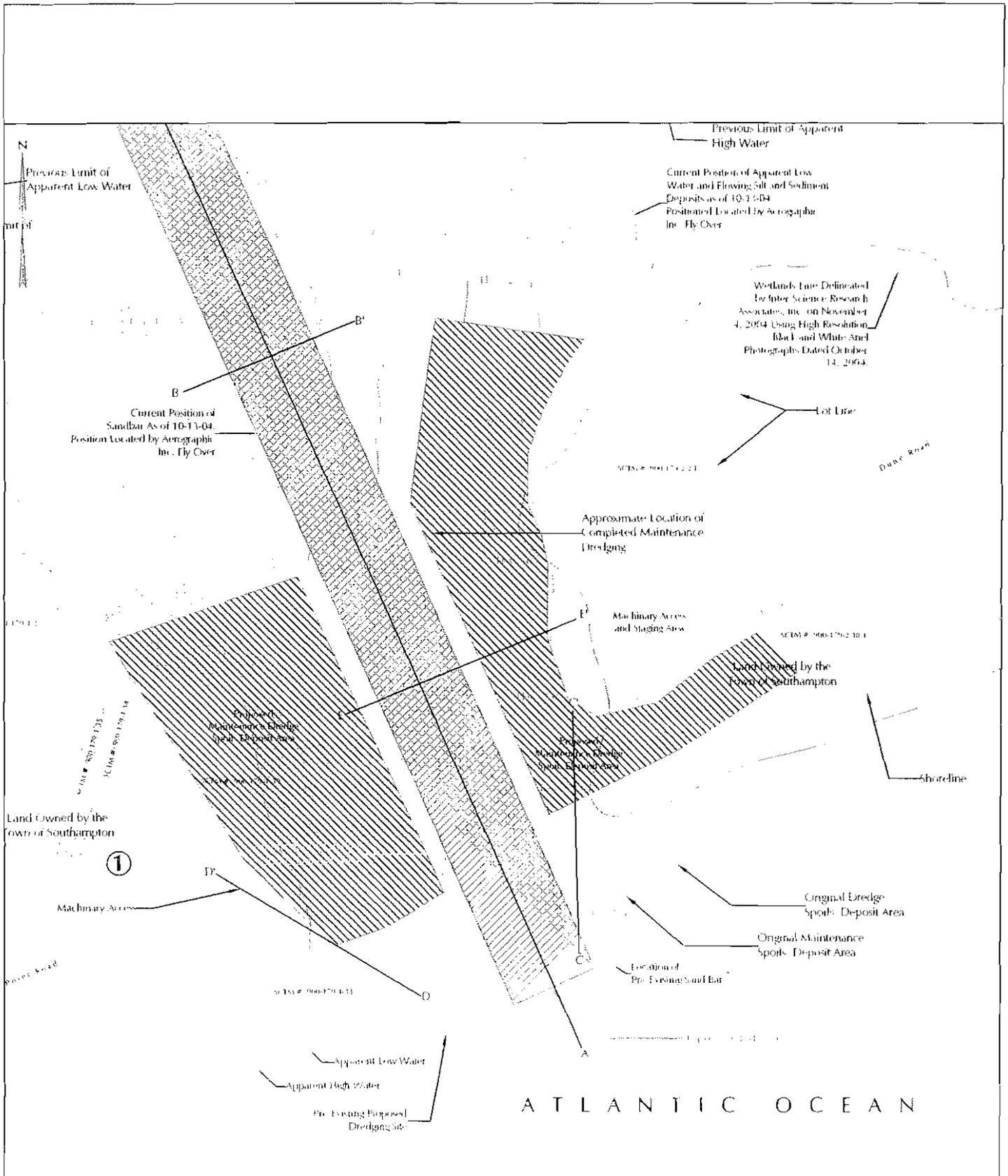
Client
 Town of Southampton
 Department of Planning and Development
 110 Municipal Center, Room 500
 Southampton, NY 11968

This drawing is for informational purposes only. For a contract, all design elements should be evaluated by the owner site contractor or engineer's contract documents.

Name of Project:
Dredge Project

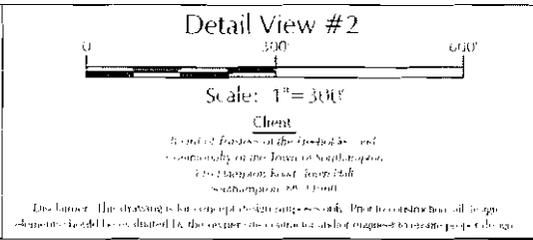
Location of Project:
 In: Mecox Bay
 County: Suffolk County
 Applicant: Inter-Science Research Associates, Inc.
 P.O. Box 1201 Southampton, NY 11969

File: Southampton Town/Mecox Bay/AFCOF Set.dwg
 Sheet 3 of 5
 Date: April 12, 2005



Purpose: Dredging Plan / Proposed Conditions

Adjacent Property Owners:
 900-179-1-13: Alexander Follore and Stuart Baker
 900-179-1-39: Town of Southampton
 900-179-1-14: Kiarra and Richard Godesky
 900-179-1-35: Joint Ownership
 900-179-1-2: Ethel Hurvitz
 900-179-1-1: Burnett's Cove Association, Inc.
 900-179-2-1: Jay and Prudence Mortimer
 900-179-2-15: Town of Southampton
 900-179-2-18, 1: Avra and Atlanta Bank



Name of Project:
 Dredge Project

Location of Project:
 In: Mecox Bay
 County: Suffolk County
 Applicant: Inter-Science Research Associates, Inc.,
 PO Box 1201, Southampton, NY 11969

File: Southampton Town-Mecox Bay/AC OE Set.dwg
 Sheet 4 of 5
 Date: April 12, 2005

