



# 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: 2005-00694-L2  
Issue Date: Jan 26, 2006  
Expiration Date: Feb 27, 2006

## 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Wunneweta Pond Association  
750 Little Peconic Bay Road  
Cutchogue, NY 11935

**ACTIVITY:** Dredge with beach nourishment

**WATERWAY:** Wunneweta Pond, Little Peconic Bay

**LOCATION:** Town of Southold, 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.

**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

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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 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). A complete description of the project is given in the attached Work Description. 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.

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 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.

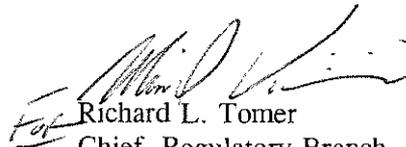
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation
- Town of Southold Board of Trustees

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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) 790-8519 and ask for Russell C. Smith.

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

  
Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

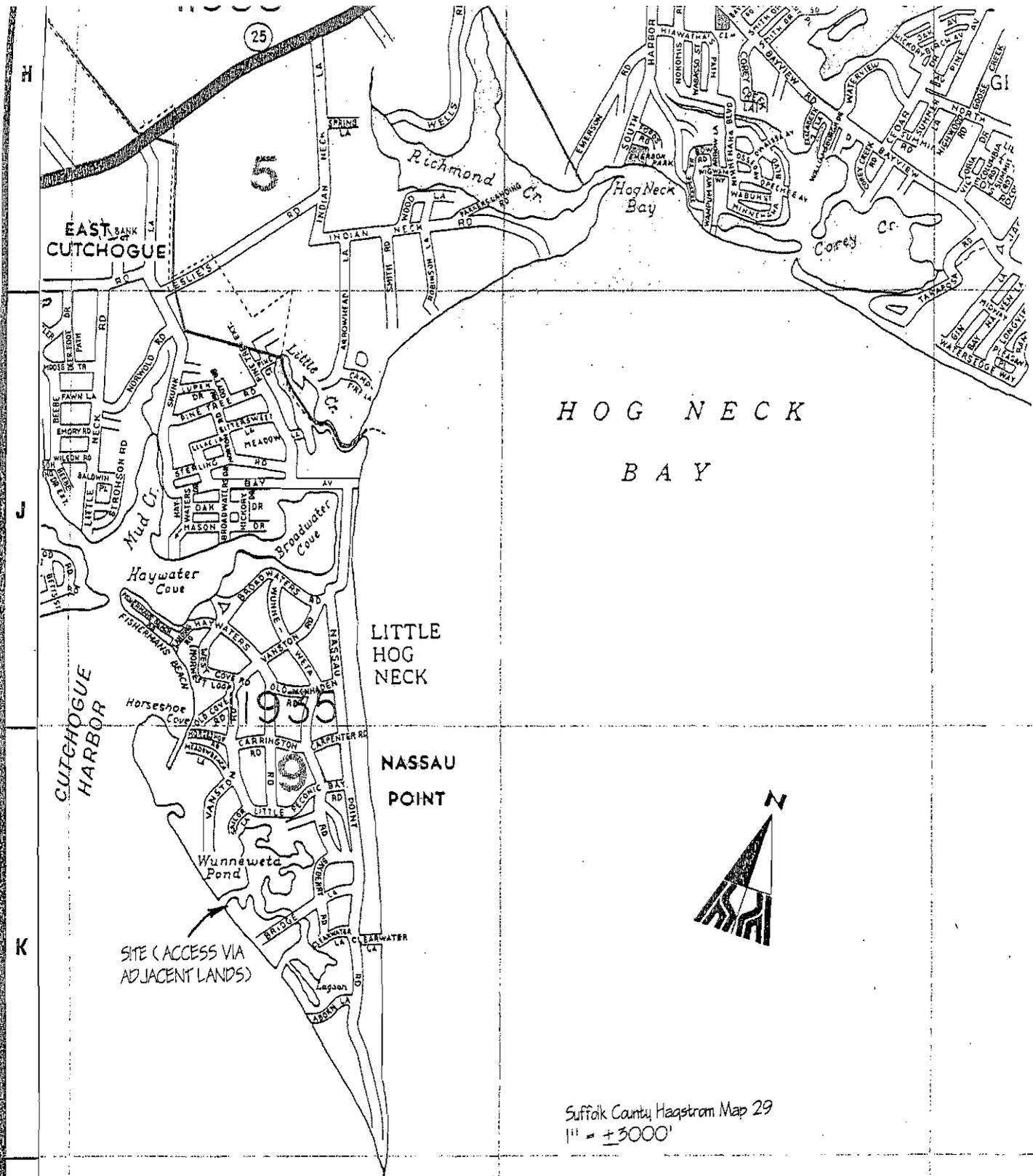
**WORK DESCRIPTION**

The applicant, Wunneweta Pond Association, has requested Department of the Army authorization to perform maintenance dredging within the inlet of Wunneweta Pond, Little Peconic Bay, Town of Southold, Suffolk County, New York.

The work would involve dredging, with ten (10) years maintenance, of approximately 275 cubic yards of material from a 20 foot wide by 140 foot long area to a depth of 4 feet below the plane of mean low water. Approximately 5,395 square feet of the proposed beach nourishment area is located below Spring High Water and will be filled with approximately 75 cubic yards of dredged material. The applicant anticipates up to ten (10) additional dredgings (one event per year) will be necessary to maintain the inlet. Additional dredgings would not exceed 275 cubic yards of material per event.

The stated purpose of this project is to maintain safe navigation through an active inlet, and to provide beach to the northwest of the channel with nourishment material.

FOR ADJOINING AREA SEE MAP NO. 25



LITTLE HOG NECK

NASSAU POINT



Suffolk County Hagstrom Map 29  
 1" = 3000'

# LITTLE PECONIC

#2005-00694-L2  
 WUNNEWETA POND ASSOCIATION

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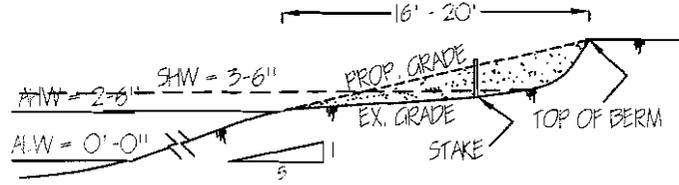
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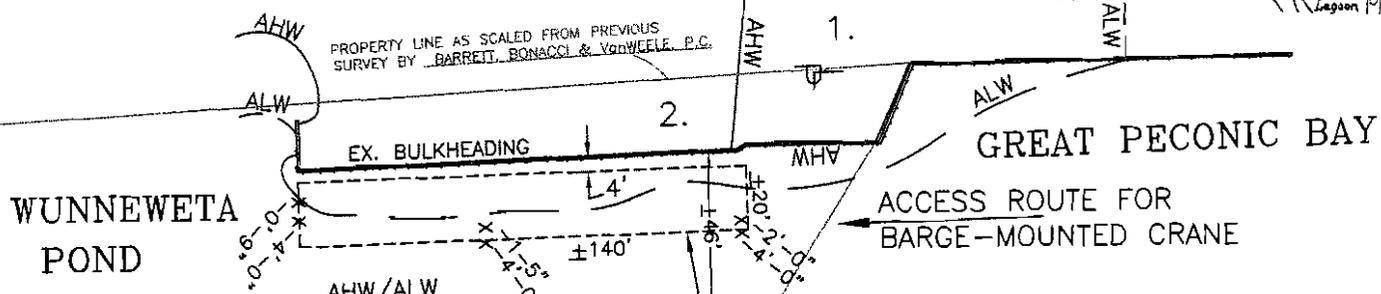
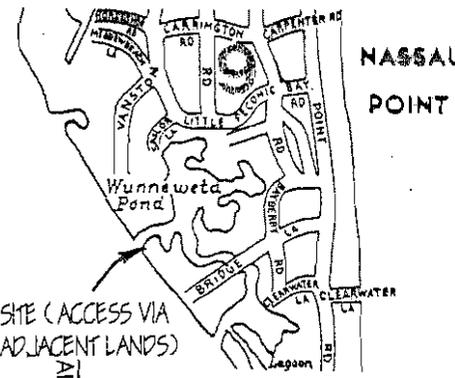
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SECTION THRU PROPOSED SPOIL AREA

SCALE: 1" = 10' AREA FOR SPREADING OF APPROX. 275 CY SPOIL



CUTCH HARBOUR



WUNNEWETA POND

GREAT PECONIC BAY

1" = 60'

APPROX. LOC. OF TOE OF BERM/SHW

APPROX. LOC. OF TOP OF BERM

UPLAND

LANDWARD LIMIT OF TIDAL WETLANDS AS SCALED FROM PREVIOUS SURVEY BY BARRETT, BONACCI & VANWEELE, P.C. AND DELINEATED BY J.M.O. ENVIRONMENTAL CONSULTING SERVICES

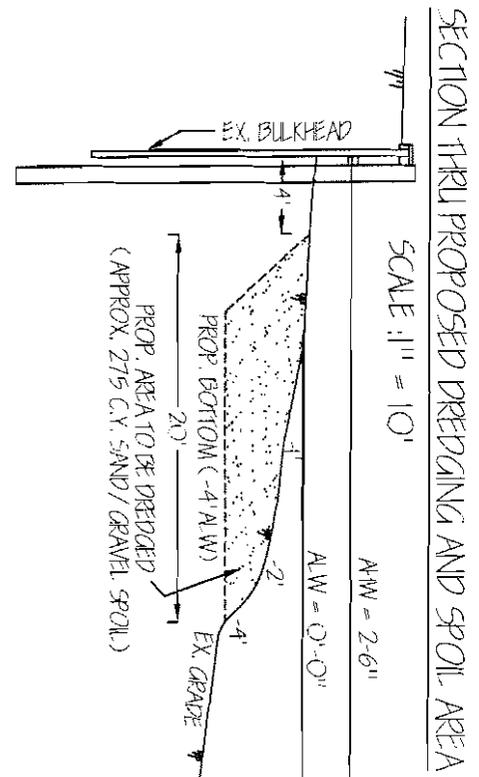
Notes:

1. Purpose: To maintain navigable water depths in inlet channel
2. Datum: ALW
3. Water depths recorded during low tide at 10:20AM, 10-31-03
4. Approximately 275 cubic yards sand/gravel spoil to be: a) dredged via barge-mounted clamshell bucket crane (to access site from Peconic Bay); b) deposited on northwest side of inlet channel; and c) spread via pailoader and/or track loader (to access site from adjacent property to northwest) between top of berm and high water (16' - 20' swath) on adjacent property to northwest; ≤ 75 cu spoil to be placed seaward of SHW
5. Spoil area: approximately 18 s.f. cross-sectional area x ± 415' l.f. of shoreline / 27 = ± 275 cu.
6. Project location: Wunneweta Pond inlet channel, Cutchoque, SCFM No. 1000-118-1-11
7. Adjacent Upland Owners:  
1) Cardinale 2) Pla

PROPOSED SPOIL SITE (APPROX. 275 CY SPOIL TO BE SPREAD LANDWARD OF AHW TO TOP OF BERM, ALONG ± 415' OF SHORELINE)

LIMIT OF APPROX. 20 x 140' AREA TO BE DREDGED TO -4' ALW (APPROX. 275 CY)

ROW OF STAKES ALONG SPOIL SITE



SECTION THRU PROPOSED DREDGING AND SPOIL AREA

EN CONSULTANTS, INC.  
1319 NORTH SEA ROAD  
SOUTHAMPTON, NY 11968  
631-283-6360

PROPOSED MAINTENANCE DREDGING FOR WUNNEWETA POND ASSOCIATION ON CHANNEL TO WUNNEWETA POND, CUTCHOQUE, SUFFOLK CO., NEW YORK  
SHEET 1 OF 1 | 2/30/03, 3/23/05, 11/7/05

MACHINERY ACCESS ROUTE FOR SPOIL RECOVERY AND SPREADING ADJ. BLKHD.