



# 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: 2005-01216-L1  
Issue Date: October 17, 2006  
Expiration Date: November 16, 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:** Southampton Trustees  
116 Hampton Road  
Southampton, NY 11968

**ACTIVITY:** Dredge with 10 years maintenance and Upland Disposal

**WATERWAY:** Tiana Bay, Shinnecock Bay

**LOCATION:** Hampton Bays, Town of Southampton, 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 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 work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NOAA/FS 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 Permit
- Town of Southampton Permit

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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) 790-8514 and ask for Sophie Ettinger.

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, Southampton Trustees, has requested Department of the Army authorization to dredge with ten years maintenance and upland placement of dredged material in Romana Lagoon adjacent to Tiana Bay, Shinnecock Bay, Hampton Bays, Town of Southampton, Suffolk County, New York.

The work would involve dredging, by barge-mounted crane, of approximately 1,500 cubic yards of material from Romana Lagoon to a depth of 4 feet below mean low water. All dredging would occur a minimum of 13 feet waterward from all bulkheads and on the southeasterly end of Romana Lagoon the dredging would terminate at one-half the length of the brush jetty.

The dredged material would be placed on Patricia Gorman's upland lot where it would be used as fill suitably retained so as to not re-enter the waterway.

Dredging is anticipated to occur once every two years during the ten-year maintenance period with removal of approximately 1,500 cubic yards of material.

The stated purpose of this project is to maintain navigable water depths for the vessels that use the subject waterway and to increase tidal flushing.

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34

35

36

Division Pond  
House Pond  
SEARS-BELLOWS  
POND COUNTY  
PARK  
Bellows Pond

NEW TOWN  
SQUIRETOWN  
SHINNEC  
INDIAN  
RESERVAT

FLANDERS

1942  
5

1946  
5

CANOE

HAMPTON  
BAYS

PLACE

(Montauk Branch)

TIANA

5  
SPRINGVILLE

PONQUOGUE

WEST-TIANA

TIANA BAY

RAMPASTURE

Smith Creek

Pine Neck Pt

West Point

East Point

S H I N N E C O C K

B A Y

LANES ISLAND

Ponquogue Pt

WARNER IS.

TOWN PARK

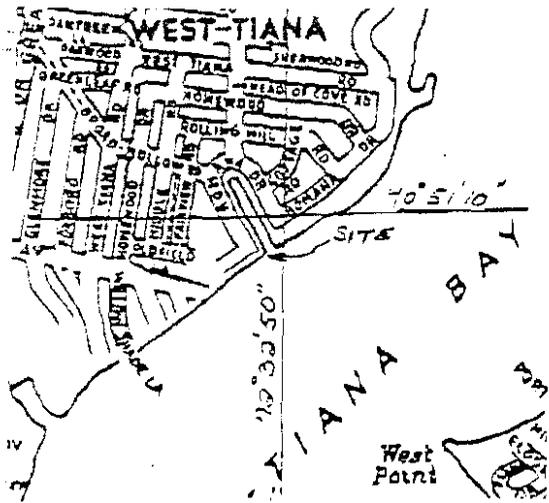
SHINNECOCK COUNTY PARK WEST

TIANA

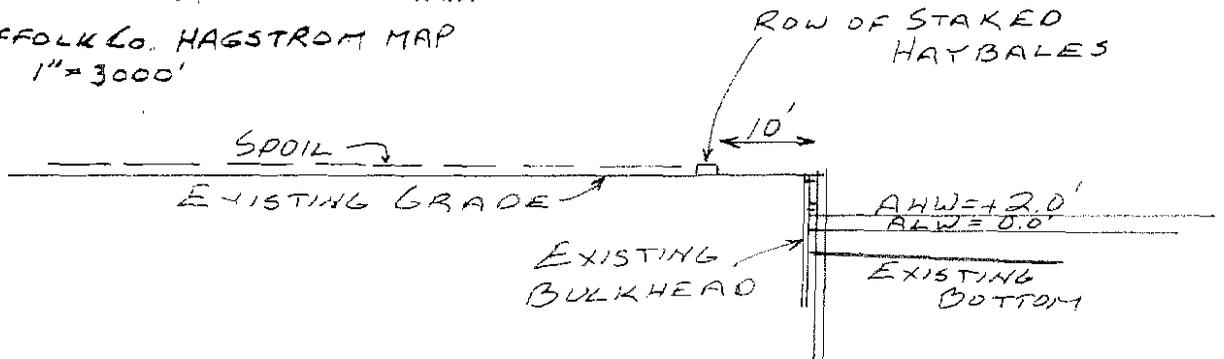
BEACH

SHINNECOCK INL  
COUNTY PARK E

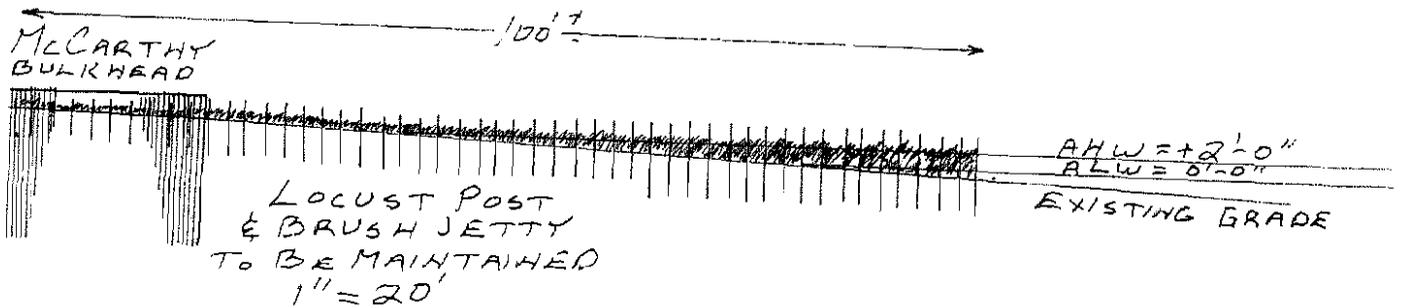
114



SUFFOLK CO. HAGSTROM MAP  
27 1" = 3000'



PROFILE OF SPOIL SITE 1" = 20'



NOTES:  
 DATUM: ALW  
 PURPOSE: RESTORE NAVIGATION &  
 CIRCULATION  
 ADJACENT OWNERS AS NOTED  
 APPROX 1500 CY OF SANDY SPOIL WILL  
 BE REMOVED BY BARGE-MOUNTED EQUIPMENT  
 & PLACED ON BULKHEADED LOT OF  
 GORMAN  
 WORK SITE: MURPHY'S COVE  
 (AKA ROMANA LAGOON)

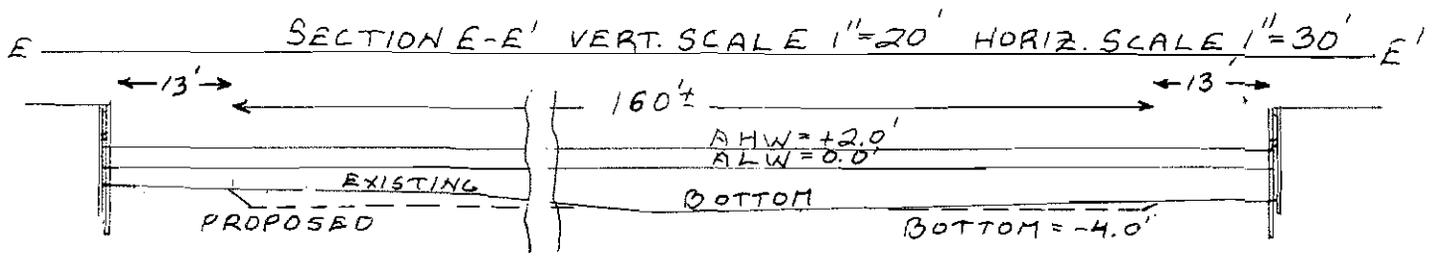
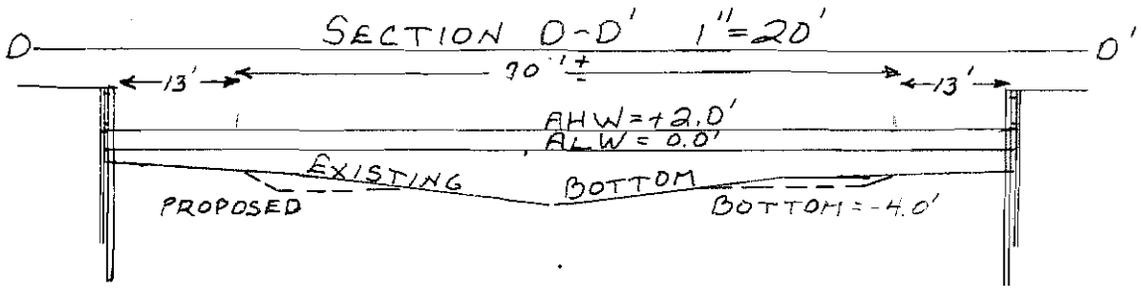
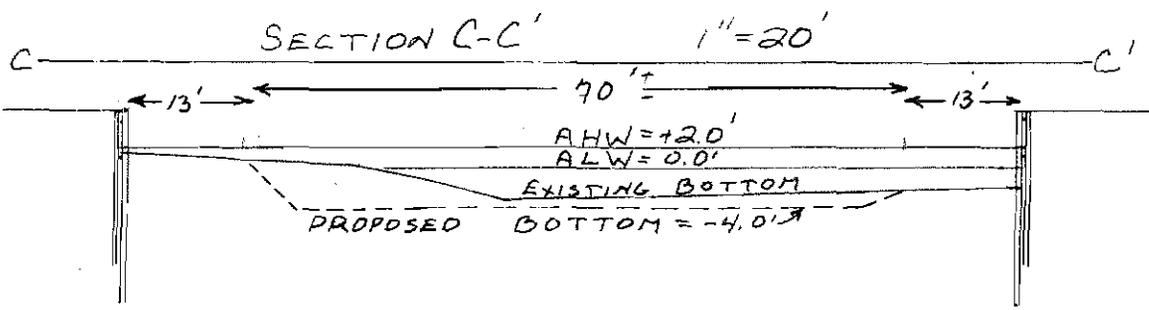
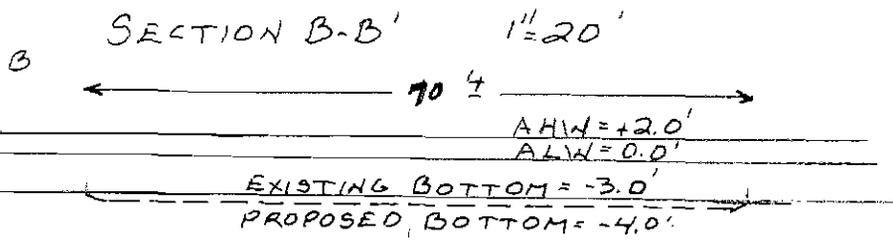
EN-CONSULTANTS INC.  
 1319 NORTH SEA RD.  
 SOUTHAMPTON, N.Y. 11968  
 631-283-6360

PROPOSED DREDGING BY  
 SOUTHAMPTON TRUSTEES  
 ON MURPHY'S COVE, AKA ROMANA  
 LAGOON, HAMPTON BAYS,  
 SUFFOLK CO., N.Y.

SHEET

2/28/05  
 1/28/05





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SHEET 2/28/05  
5/1/06  
6/28/06

4/4