

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: NAN-2008-00251-EHA
Issue Date: November 3, 2008
Expiration Date: December 3, 2008

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 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Suffolk County Department of Public Works
c/o William Hillman, P.E.
335 Yaphank Avenue
Yaphank, New York 11980

ACTIVITY: Dredge with ten years maintenance and upland placement

WATERWAY: West Canal, a tributary to the Great South Bay

LOCATION: Town of Babylon, 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 particularity, the reasons why a

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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 (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 as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance and a no-work seasonal window will be in place to avoid impacts. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations 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. The state has concurred with the applicant's certification. 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, One Commerce Plaza, 99 Washington Avenue, 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

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) 790-8523 and ask for Naomi Handell.

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


For Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Suffolk County Department of Public Works, has requested Department of the Army authorization to dredge with ten years maintenance in West Canal, a tributary to the Great South Bay, Town of Babylon, Suffolk County, New York. The dredged material would be placed at an upland area in Tanner Park, with return flow to the Great South Bay.

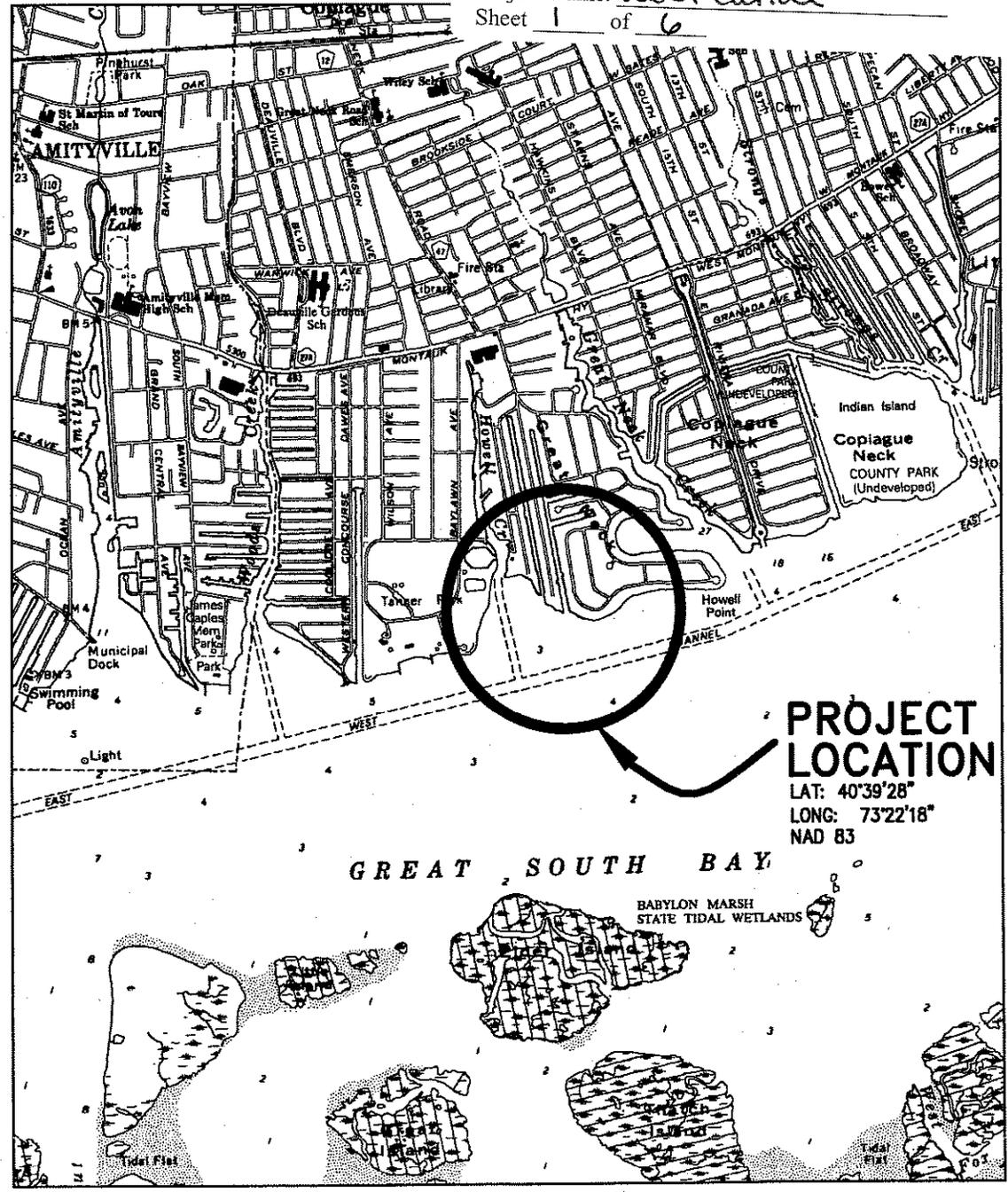
The work would involve dredging by SCDPW, via hydraulic cutterhead dredge, approximately 3,000 cubic yards of sandy material from an 500 foot long navigation channel with a variable width (up to 75 feet) to a depth of 6 feet below the plane of mean low water (see sheet 3 and 5 of 6).

The resultant dredge material, composed of 9.1% gravel, 43.9% sand, and 47% silt, would be placed in an existing diked upland surplus material area with return flow back into the waterway through a spillway (see sheet 4, 4a and 6 of 6).

Subsequent maintenance dredging is anticipated to be undertaken two additional times, if a 10-year permit is issued, with an approximate removal of 3,000 cubic yards of material per dredging event. Dredged material placement would be at the same site.

The stated purpose of this project is to maintain safe, navigable water depths for the vessels that use the waterway.

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 Project Name: West Canal
 Sheet 1 of 6



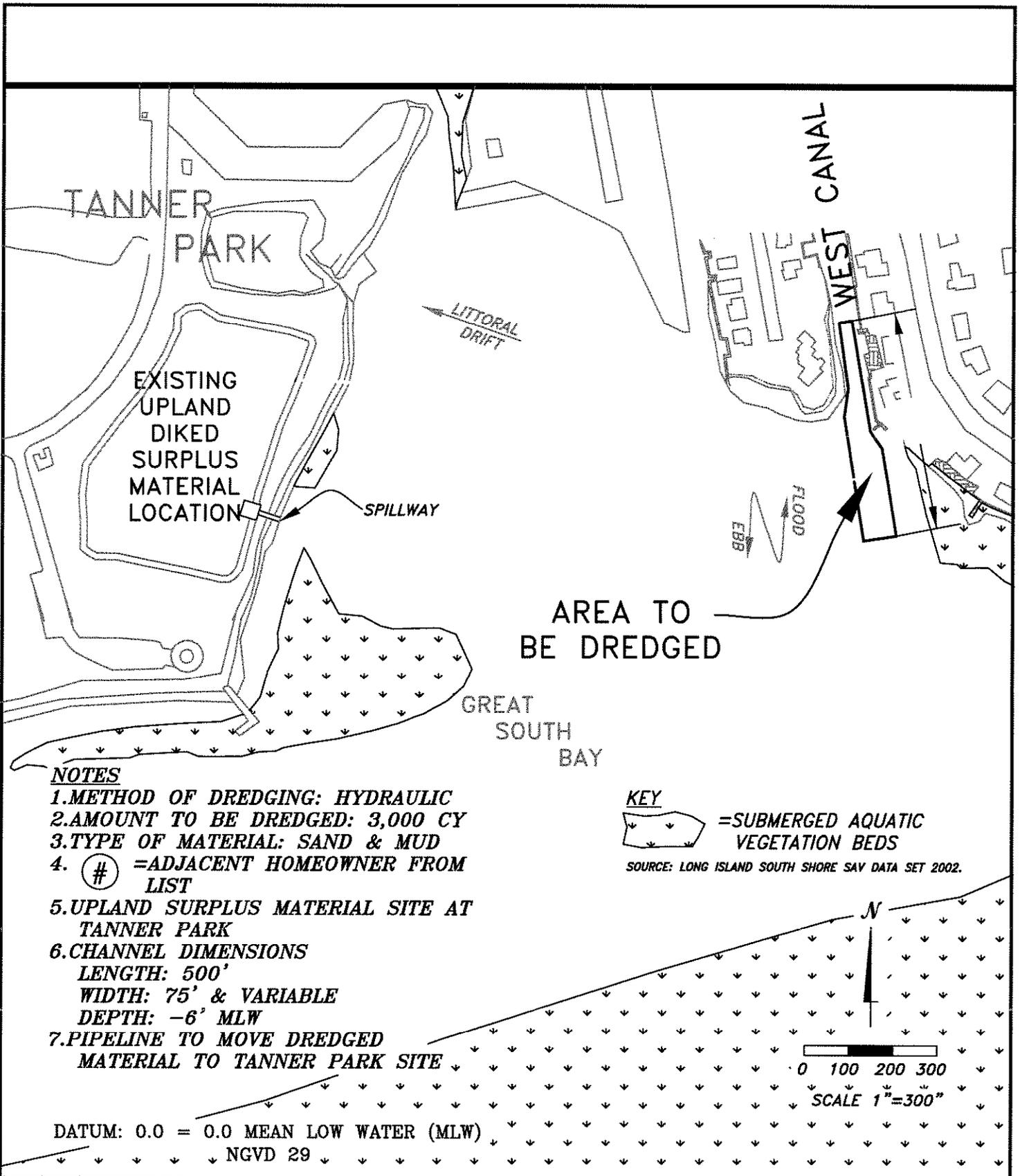
PROJECT LOCATION
 LAT: 40°39'28"
 LONG: 73°22'18"
 NAD 83

SCALE 1:36,000
 PROJECT LOCATION MAP

LOCATION MAP TAKING FROM
 NYSDOT QUADRANGLE, MAPS 1151, 1152 & JJ51

APPLICATION BY COUNTY OF SUFFOLK
 GILBERT ANDERSON, P.E.,
 COMMISSIONER
 DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING	
WEST CANAL	
TOWN OF BABYLON SUFFOLK COUNTY, NEW YORK	
DATE: DECEMBER 1, 2007	SHEET 1 OF 6

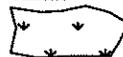


NOTES

- 1. METHOD OF DREDGING: HYDRAULIC
- 2. AMOUNT TO BE DREDGED: 3,000 CY
- 3. TYPE OF MATERIAL: SAND & MUD
- 4. (#) = ADJACENT HOMEOWNER FROM LIST
- 5. UPLAND SURPLUS MATERIAL SITE AT TANNER PARK
- 6. CHANNEL DIMENSIONS
 LENGTH: 500'
 WIDTH: 75' & VARIABLE
 DEPTH: -6' MLW
- 7. PIPELINE TO MOVE DREDGED MATERIAL TO TANNER PARK SITE

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
 NGVD 29

KEY



= SUBMERGED AQUATIC VEGETATION BEDS

SOURCE: LONG ISLAND SOUTH SHORE SAV DATA SET 2002.

OVERALL MAP

APPLICATION BY COUNTY OF SUFFOLK
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 COMMISSIONER
 DEPARTMENT OF PUBLIC WORKS

NAN-2008-251-ETIA

MAINTENANCE DREDGING

WEST CANAL

TOWN OF BABYLON
 SUFFOLK COUNTY, NEW YORK

DATE: DECEMBER 1, 2008
 REVISED: FEB. 26, 2008 & AUG. 11, 2008

SHEET 2 OF 6

Corps #: NAN-2008-2SI-EHA

Project Name: West Canal

Sheet 4 of 6

TANNER
PARK

N

0 25 50 100

SCALE 1"=100"

DIKE

EXISTING
UPLAND
DIKED
SURPLUS
MATERIAL
LOCATION

MLW
MHW

SHWL

SPILLWAY

GREAT
SOUTH
BAY

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

MAINTENANCE DREDGING

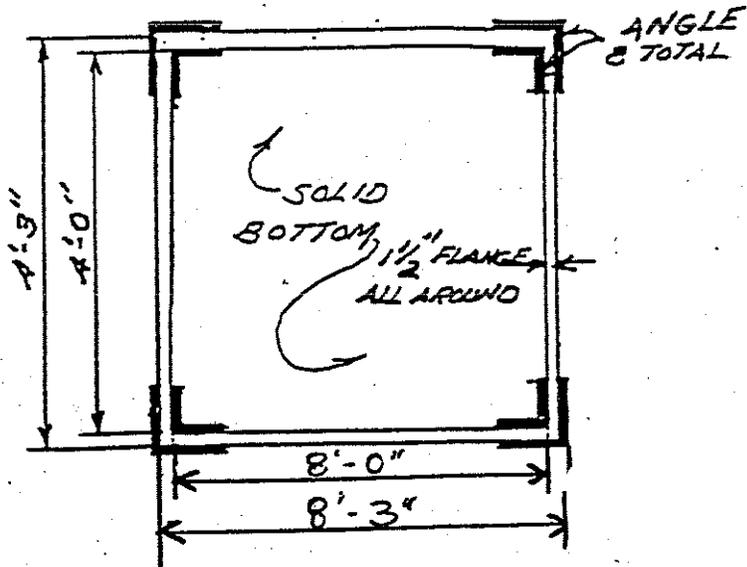
WEST CANAL

TOWN OF BABYLON
SUFFOLK COUNTY, NEW YORK

DATE: DECEMBER 1, 2007

SHEET 4 OF 6

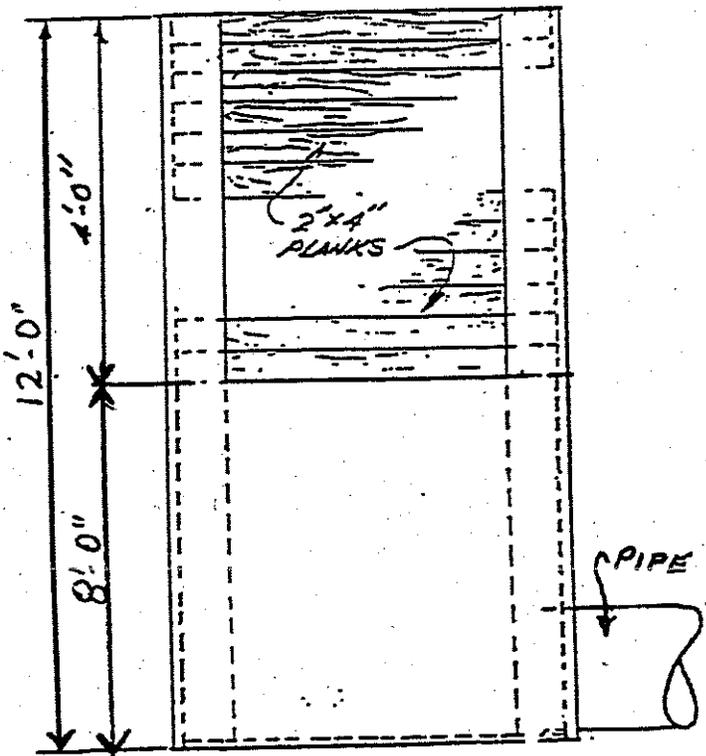
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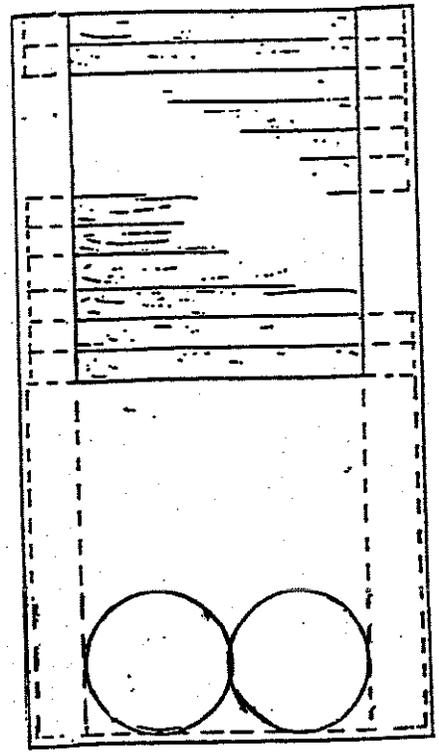
NOTE: CONTRACTOR MAY MODIFY SPILLWAY. SUBJECT TO APPROVAL.

PLAN VIEW

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 Project Name: West Canal
 Sheet 4a of 6



FRONT VIEW

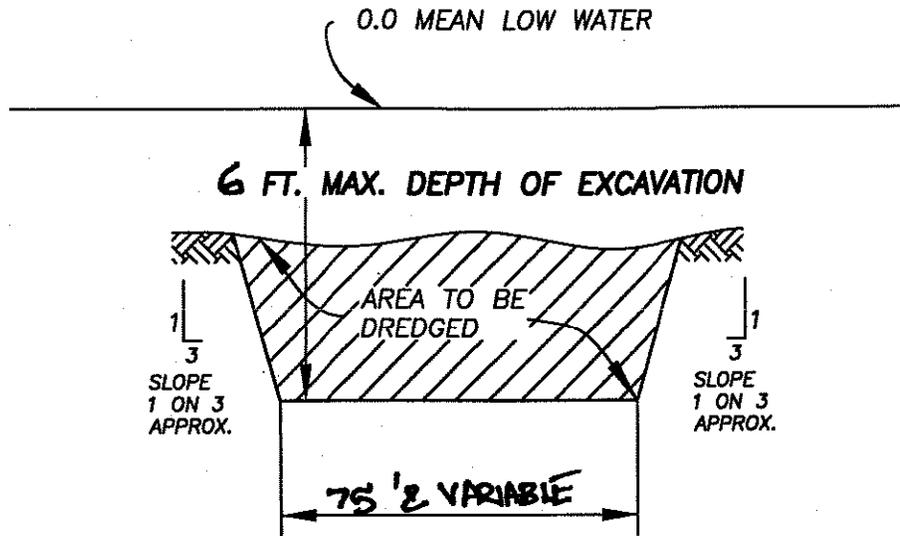


SIDE VIEW

SPILLWAY
 N.T.S.

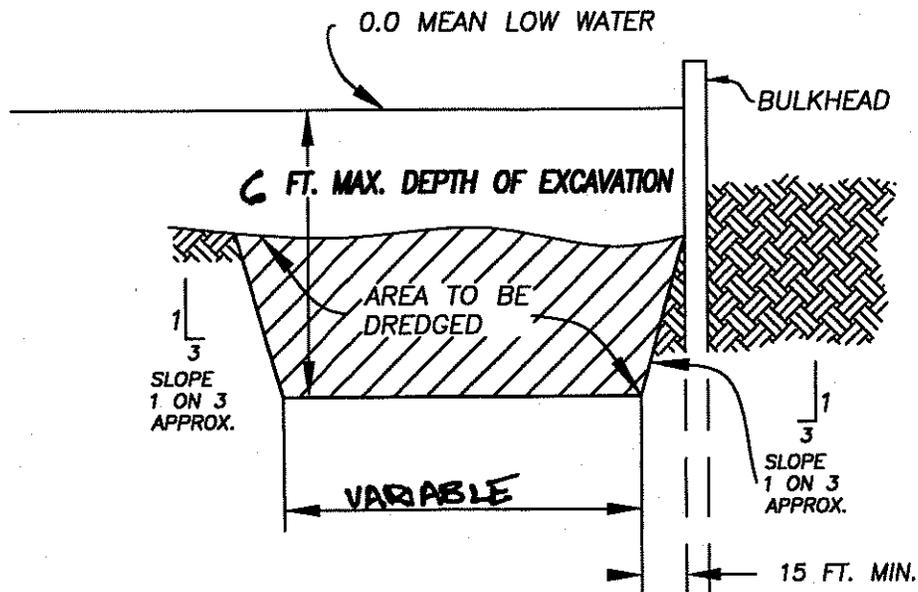
1 OF 1

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TYPICAL CHANNEL SECTION A-A

SCALE: VERTICAL 1/4" = 1'
HORIZONTAL 1/40" = 1'



**TYPICAL CHANNEL SECTION B-B
BULKHEAD AREA**

SCALE: VERTICAL 1/4" = 1'
HORIZONTAL 1/40" = 1'

ESTIMATED TOTAL VOLUME DREDGED IN CUBIC YARDS: 3,000 CY

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
NGVD 29

MAINTENANCE DREDGING

WEST CANAL

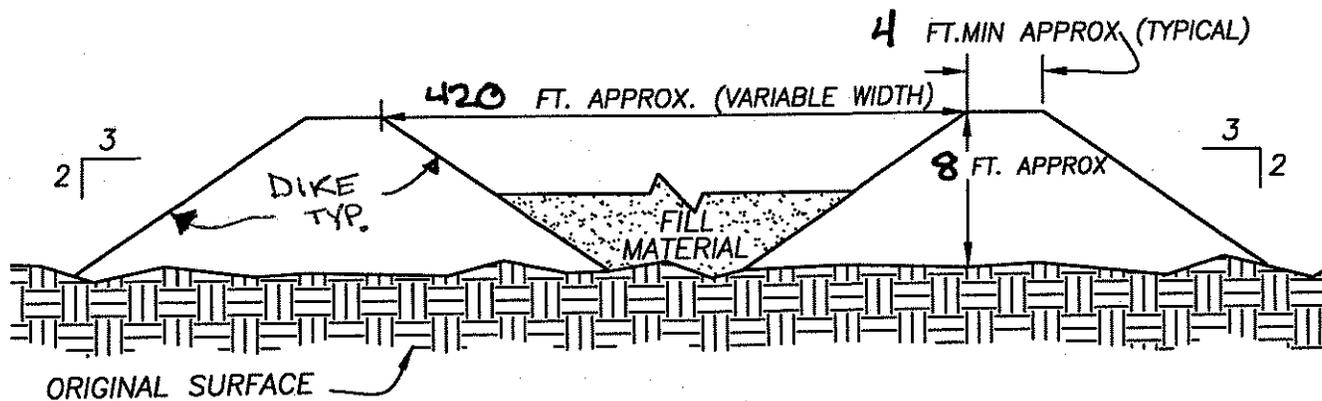
TOWN OF BABYLON
SUFFOLK COUNTY, NEW YORK

DATE: DECEMBER 1, 2007

SHEET 5 OF 6

APPLICATION BY COUNTY OF SUFFOLK
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TYPICAL UPLAND DIKE SECTION C-C

SCALE: VERTICAL 1/10' = 1'
 HORIZONTAL 1/10" = 1'

TANNER PARK

New York District
 Corps #: NAN-2008-251-EHA
 Project Name: West Canal
 Sheet 6 of 6

ESTIMATED TOTAL VOLUME DREDGED IN CUBIC YARDS: 3,000 CY

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)
 NGVD 29

MAINTENANCE DREDGING

WEST CANAL

TOWN OF BABYLON
 SUFFOLK COUNTY, NEW YORK

DATE: **DECEMBER 1, 2007**

SHEET **6** OF **6**

APPLICATION BY COUNTY OF SUFFOLK
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