



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-2008-00354-ESP
Issue Date: **July 18, 2008**
Expiration Date: **August 18, 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: Stony Brook Southampton
 239 Montauk Highway
 Southampton, N.Y. 11968

ACTIVITY: One-Time Maintenance dredging with upland disposal and return flow at the dewatering sites.

WATERWAY: Old Fort Pond, Shinnecock Bay

LOCATION: Shinnecock Hills, 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.

JUL 18 2008

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.

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). 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 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 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) 790-8522 and ask for Craig Spitz.

JUL 18 2008

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

A handwritten signature in black ink, appearing to read 'R. Tomer', followed by a horizontal line extending to the right.

Richard L. Tomer
Chief, Regulatory Branch

Enclosures

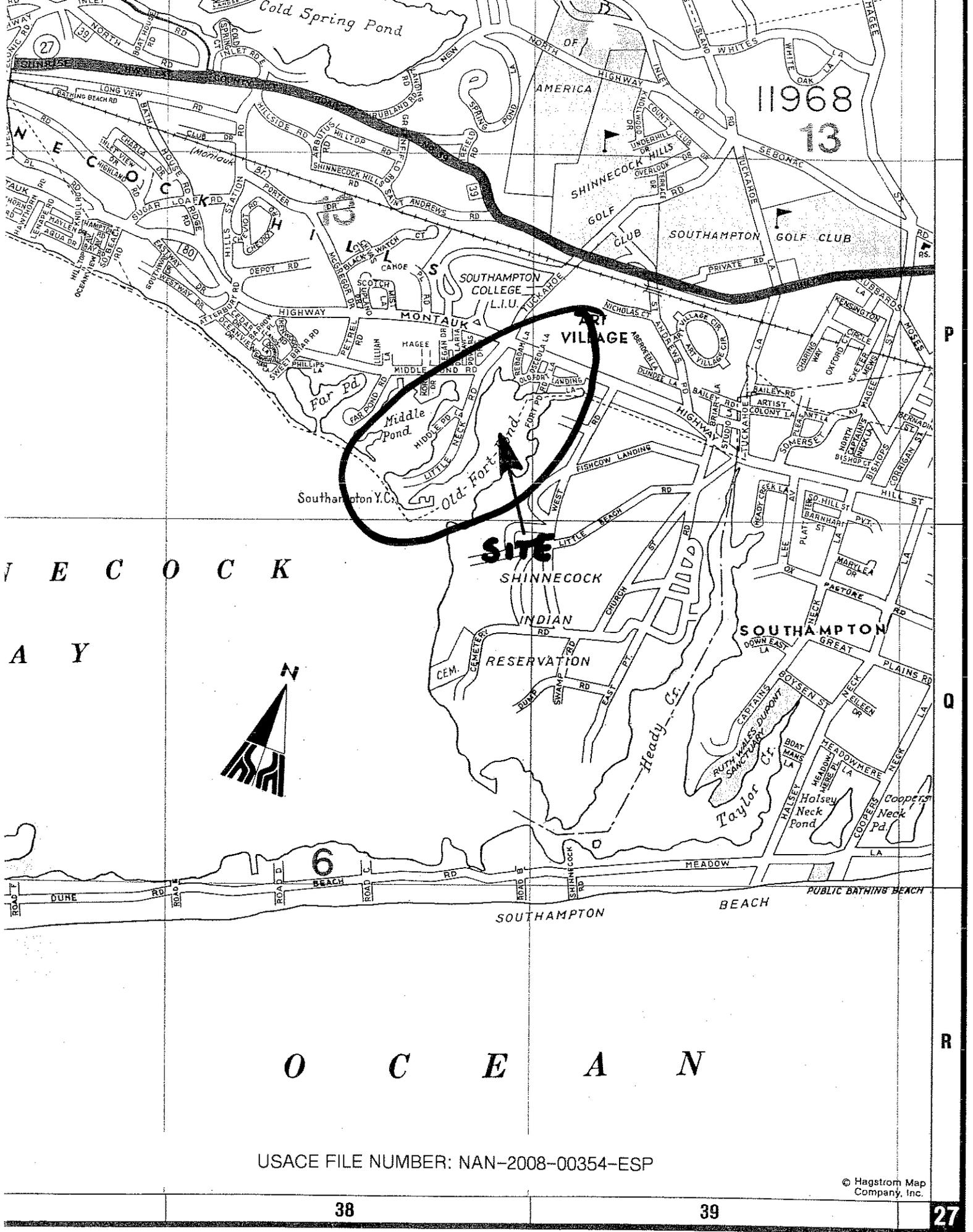
WORK DESCRIPTION

The applicant, Stony Brook Southampton, has requested Department of the Army authorization to maintenance dredge a channel in Old Fort Pond, Shinnecock Bay at Shinnecock Hills, Town of Southampton, Suffolk County, New York with upland disposal and return flow.

The work would involve the dredging, via 8-inch diameter hydraulic dredge and one time only, approximately 20,000 cubic yards of material to a maximum depth of 8.5 feet below mean low water. The north part of the dredging would occur within an irregularly-shaped area measuring approximately 10,000 square feet (0.23 acres) and the remainder of the dredging would occur within a channel measuring approximately 73-feet wide by 2,300-feet long (167,900 square feet or 3.8 acres). The dredged material would be placed into geotubed dike weirs for dewatering at a Town boat ramp and dock as shown on Drawing 5 of 7, the Marine Sciences Field Station as shown in Drawing 6 of 7 and a Town-filled dock immediately south of the field station as shown in Drawing 7 of 7 with return flow back into Old Fort Pond prior to being transported to a State-approved upland location. The work would occur in Old Fort Pond, Shinnecock Bay at Shinnecock Hills, Town of Southampton, Suffolk County, New York.

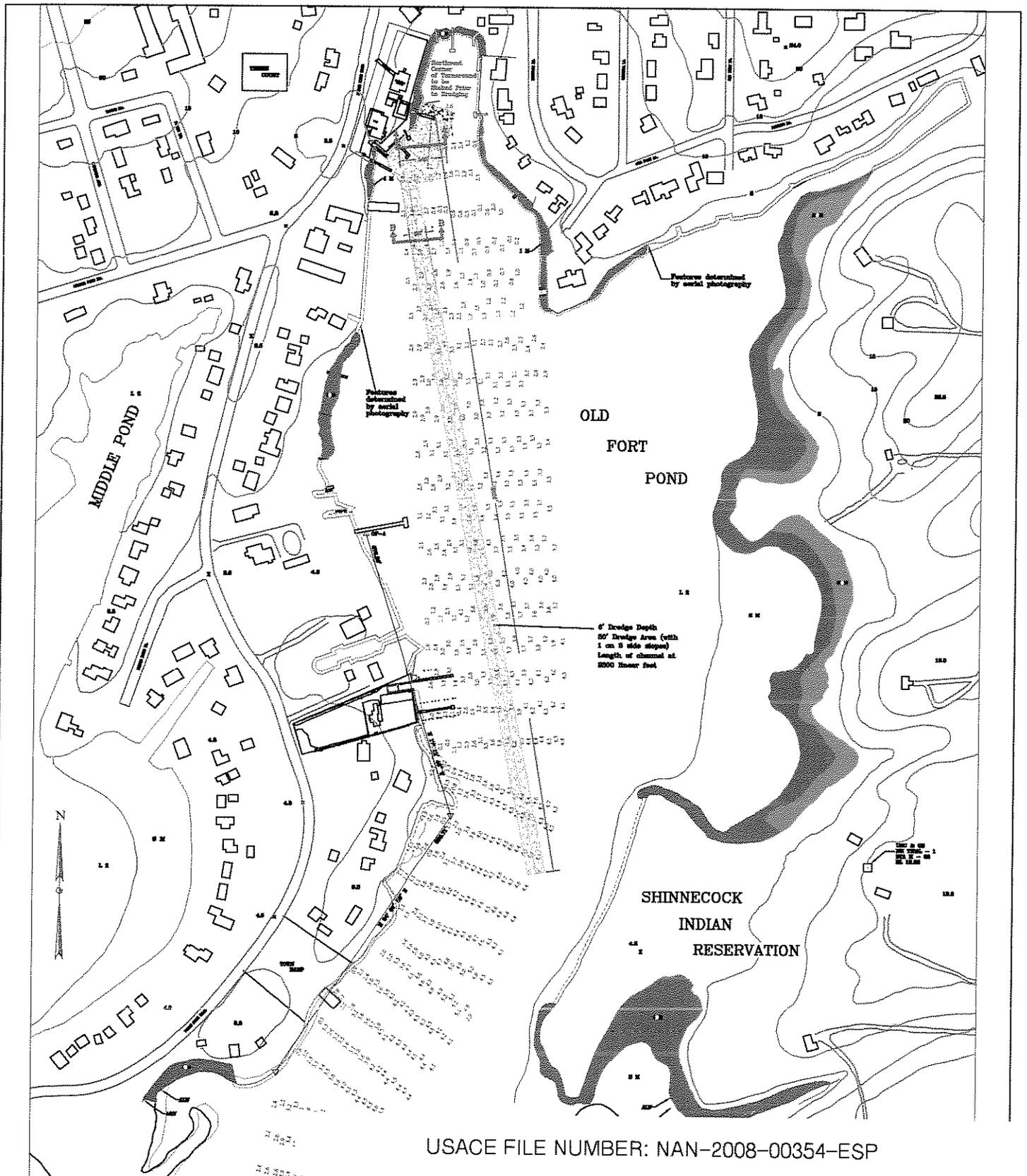
The stated purpose of this project is to create a channel for use by University students and local residents.

PLEASE INCLUDE THE 18 - CHARACTER APPLICATION FILE NUMBER ABOVE ON ALL SUBMITTALS.



USACE FILE NUMBER: NAN-2008-00354-ESP

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Purpose: Authorization to Dredge

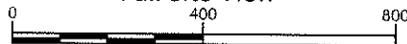
Datum: N. G. V. D.

Adjacent Property Owners:

1. Nancy Williamson (Trustee)
2. Nicola and Rose Marie Caputo
3. John J. Brennan
4. On the Bay Owners Corp.
5. Beti Agacun and Mona Khorozian

File: SH Stonybrook Dredging/ACOE Set.dwg

Full Site View



Scale: 1"=400'

Client:

Stony Brook University Southampton
239 Montauk Highway
Southampton, NY 11968

Disclaimer: This drawing is for concept design purposes only. Prior to construction, all design elements should be evaluated by the owner site contractor and/or engineer to ensure proper design.

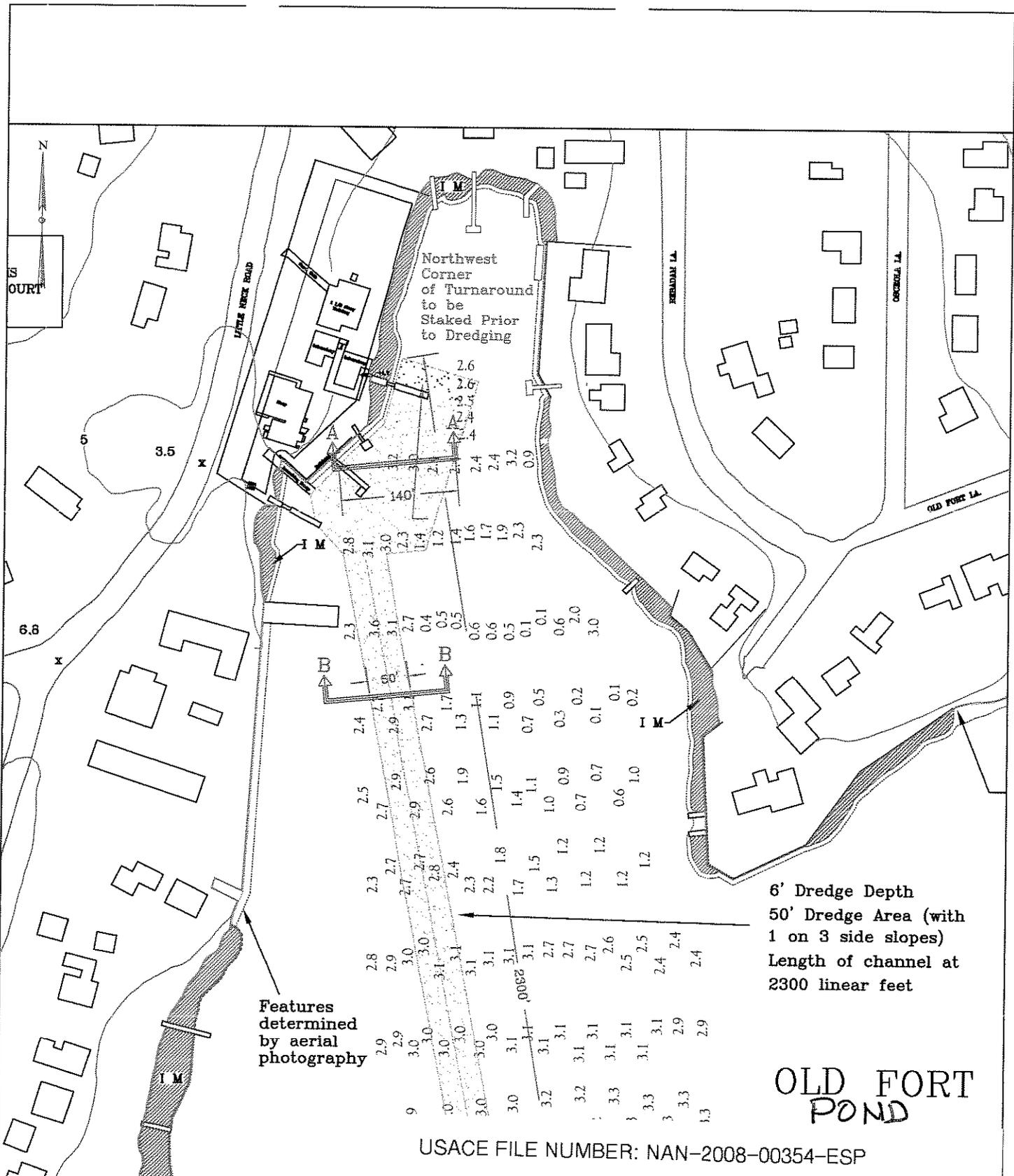
Name of Project:
Proposed Dredging

Location of Project:

In: Old Fort Pond, Town of Southampton
County: Suffolk County
Applicant: Inter-Science Research Associates Inc.
PO Box 1201, 36 Nugent Street
Southampton, NY 11969

Sheet 1 of 7

Date: 06-19-2008



6' Dredge Depth
 50' Dredge Area (with
 1 on 3 side slopes)
 Length of channel at
 2300 linear feet

Features
 determined
 by aerial
 photography

**OLD FORT
 POND**

USACE FILE NUMBER: NAN-2008-00354-ESP

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Detail View

0 160 320

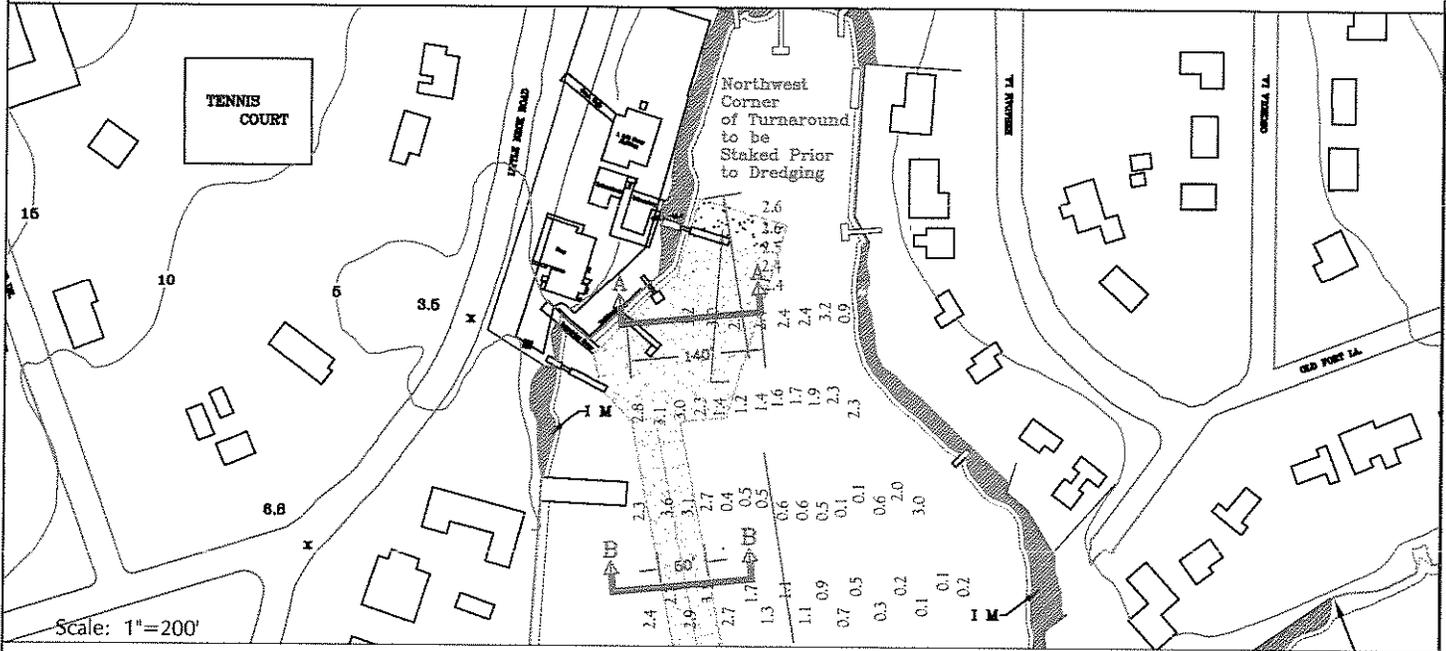
Scale: 1"=160'

Client:
 Stony Brook University Southampton
 239 Montauk Highway
 Southampton, NY 11968

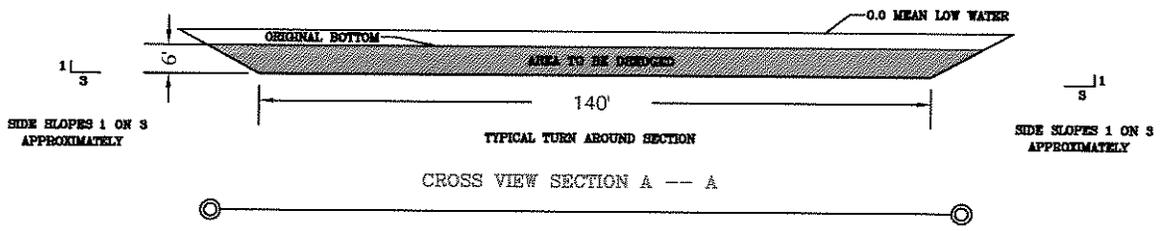
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 Proposed Dredging
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 Applicant: Inter-Science Research Associates Inc.
 PO Box 1201, 36 Nugent Street
 Southampton, NY 11969

Sheet 2 of 7 Date: 06-19-2008

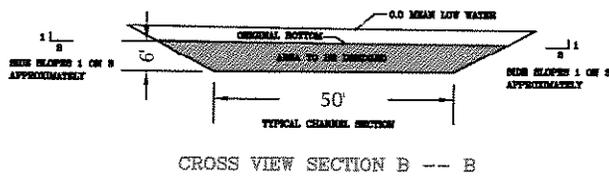


CHANNEL TO BE DREDGED TO 6' DEPTH



CHANNEL TO BE DREDGED TO 6' DEPTH

Total width of dredging area 73'



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Purpose: Authorization to Dredge

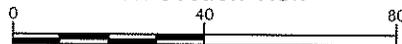
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File: SH Stonybrook Dredging/ACOE Set.dwg

Cross Section View



Scale: 1"=40'

Client:

Stony Brook University Southampton
239 Montauk Highway
Southampton, NY 11968

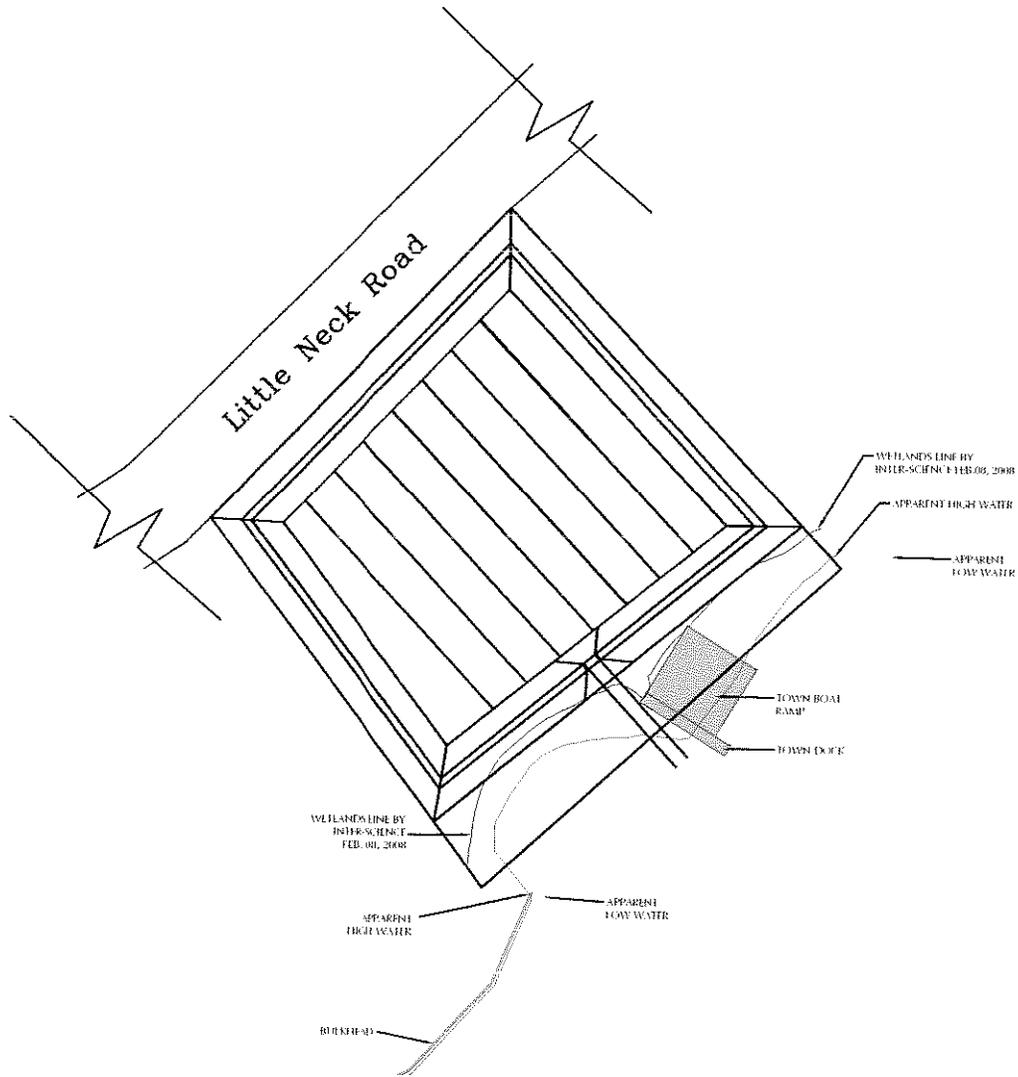
Name of Project:
Proposed Dredging

Location of Project:

In: Old Fort Pond, Town of Southampton
County: Suffolk County
Applicant: Inter-Science Research Associates Inc.
PO Box 1201, 36 Nugent Street
Southampton, NY 11969

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Town Boat Ramp
and Dock
55,848 SF/1.3 Acres
Alternate Spoil
Site #1
SCTM 900-272-2-41



USACE FILE NUMBER: NAN-2008-00354-ESP

SITE 1

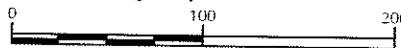
Purpose: Authorization to Dredge
Datum: N. C. V. D.

Adjacent Property Owners:

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3. John J. Brennan
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File: SH1 Stonybrook Dredging/ACOE Set.dwg

Dredge Spoil Site 1



Scale: 1"=100'

Client:

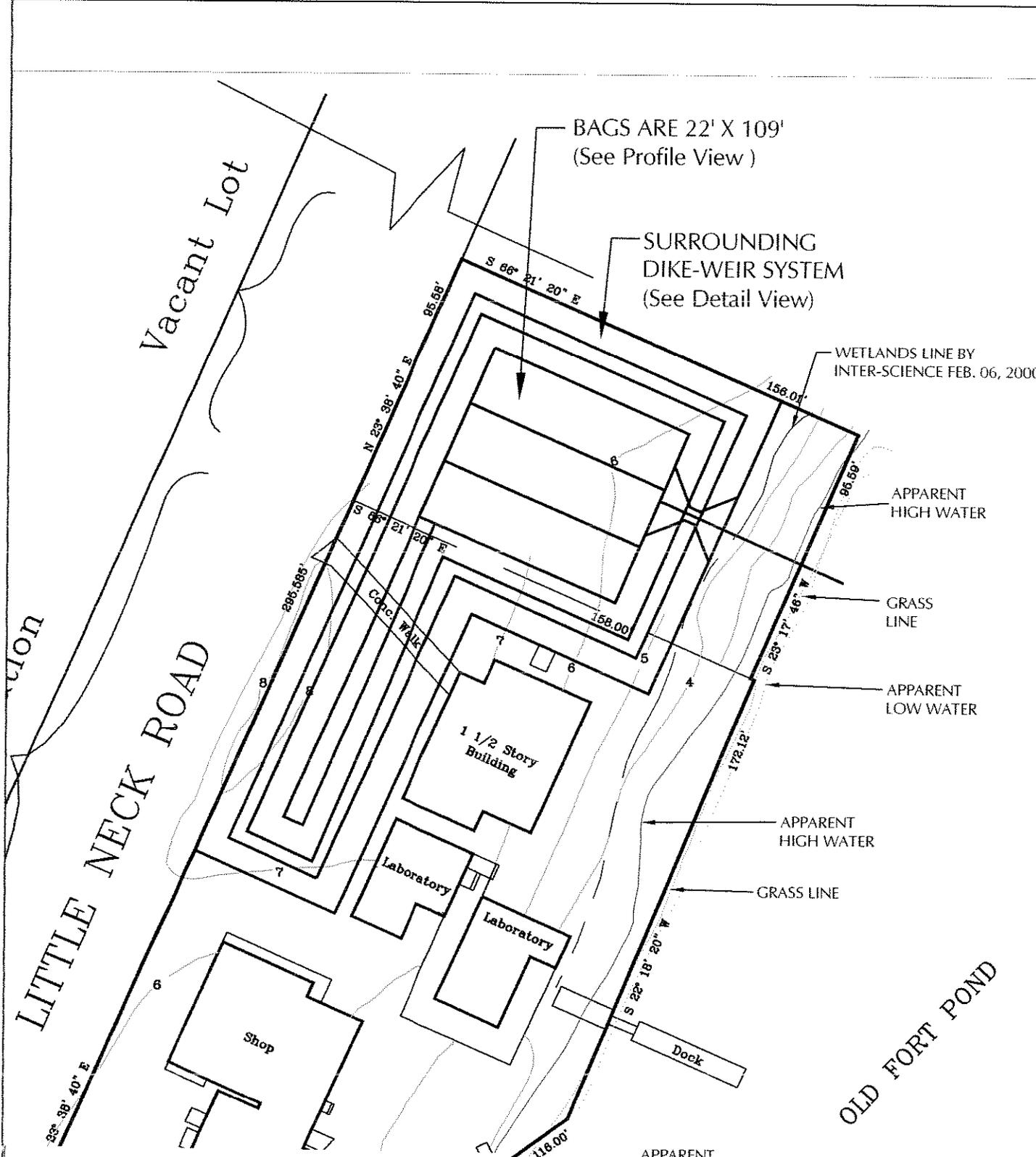
Stony Brook University Southampton
239 Montauk Highway
Southampton, NY 11968

Disclaimer: This drawing is for concept design purposes only. Prior to construction, all design elements should be evaluated by the owner, site contractor and/or engineer to ensure proper design.

Name of Project:
Proposed Dredging

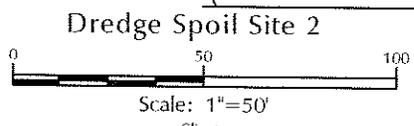
Location of Project:

In: Old Fort Pond, Town of Southampton
County: Suffolk County
Applicant: Inter-Science Research Associates Inc.
PO Box 1201, 36 Nugent Street
Southampton, NY 11969



USACE FILE NUMBER: NAN-2008-00354-ESP

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 File: SH Stonybrook Dredging/ACOE Set.dwg



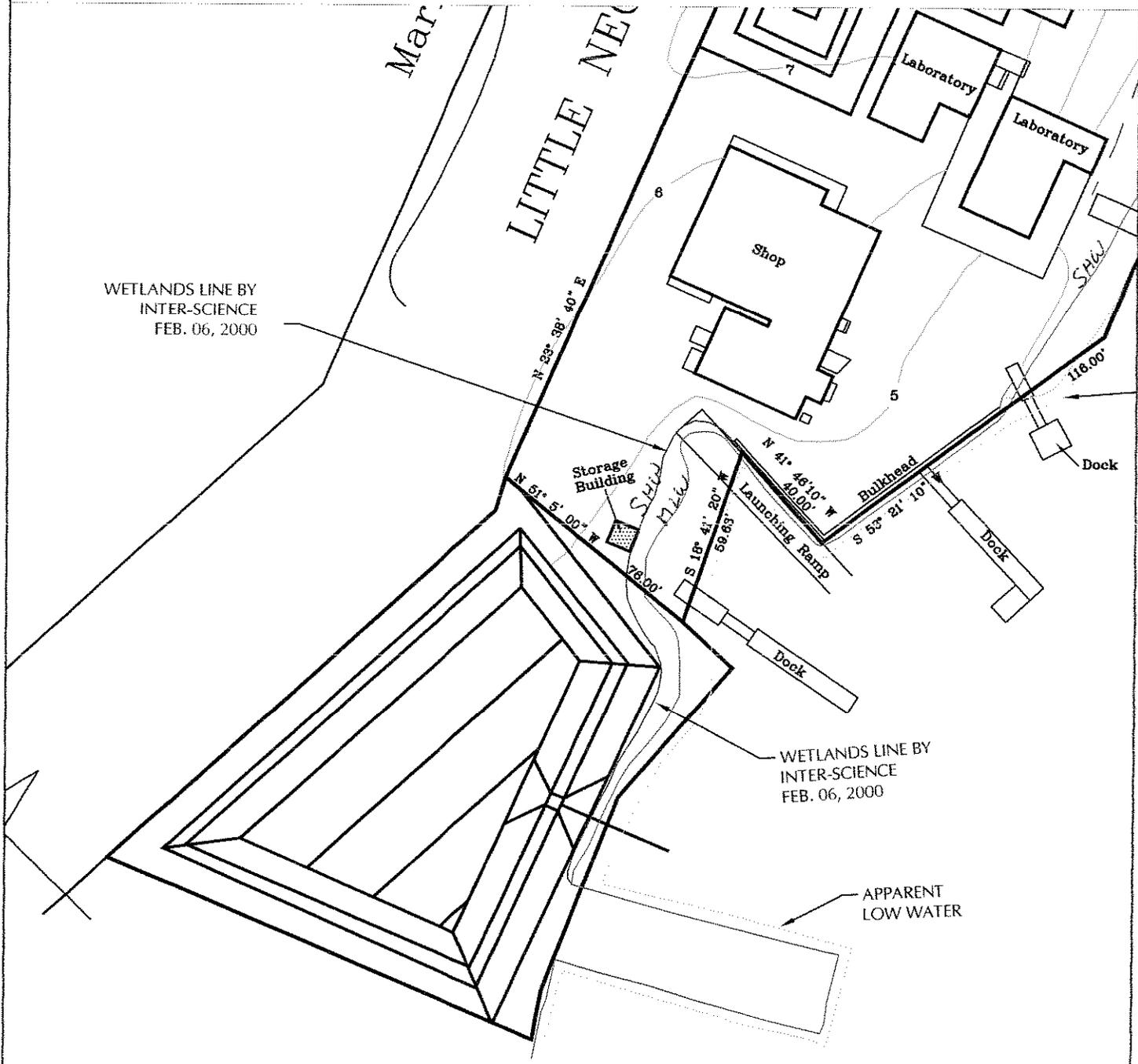
Dredge Spoil Site 2

Client:
 Stony Brook University Southampton
 239 Montauk Highway
 Southampton, NY 11968

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SITE 2

Name of Project:
 Proposed Dredging
 Location of Project:
 In: Old Fort Pond, Town of Southampton
 County: Suffolk County
 Applicant: Inter-Science Research Associates Inc.
 PO Box 1201, 36 Nugent Street
 Southampton, NY 11969



USACE FILE NUMBER: NAN-2008-00354-ESP

SITE 3

Purpose: Authorization to Dredge
Datum: N. G. V. D.

Adjacent Property Owners:

1. Nancy Williamson (Trustee)
2. Nicola and Rose Marie Caputo
3. John J. Brennan
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5. Beti Agacun and Mona Khorozian

File: SH Stonybrook Dredging/ACOE Set.dwg

Dredge Spoil Site 3



Scale: 1"=50'

Client:
Stony Brook University Southampton
239 Montauk Highway
Southampton, NY 11968

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