



# 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-2008-01227-ESP  
Issue Date: December 3, 2008  
Expiration Date: January 5, 2009

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:** New York State Department of Environmental Conservation – Region I  
Stony Brook University  
50 Circle Road  
Stony Brook, N.Y. 11790-3409

**ACTIVITY:** Construct boat launch/floating dock system; replace in-kind and in-place, and add a ramp, floats and pumpout facility to an existing in-water observation deck; remove, replace and cut to grade existing bulkheading, and establish vegetated tidal wetlands.

**WATERWAY:** Mattituck Creek, Long Island Sound

**LOCATION:** Mattituck, 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 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, 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:

- Town of Southold 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.

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2008 - 01227- ESP

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

RM/



Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

### WORK DESCRIPTION

The applicant, the New York State Department of Environmental Conservation, has requested Department of the Army authorization to construct a boat launch/floating dock system; replace in-kind and in-place, and add a ramp, floats and pumpout facility to an existing in-water observation deck; remove, replace and cut to grade existing bulkheading, and establish vegetated tidal wetlands in Mattituck Creek, Long Island Sound at Mattituck, Town of Southold, Suffolk County, New York.

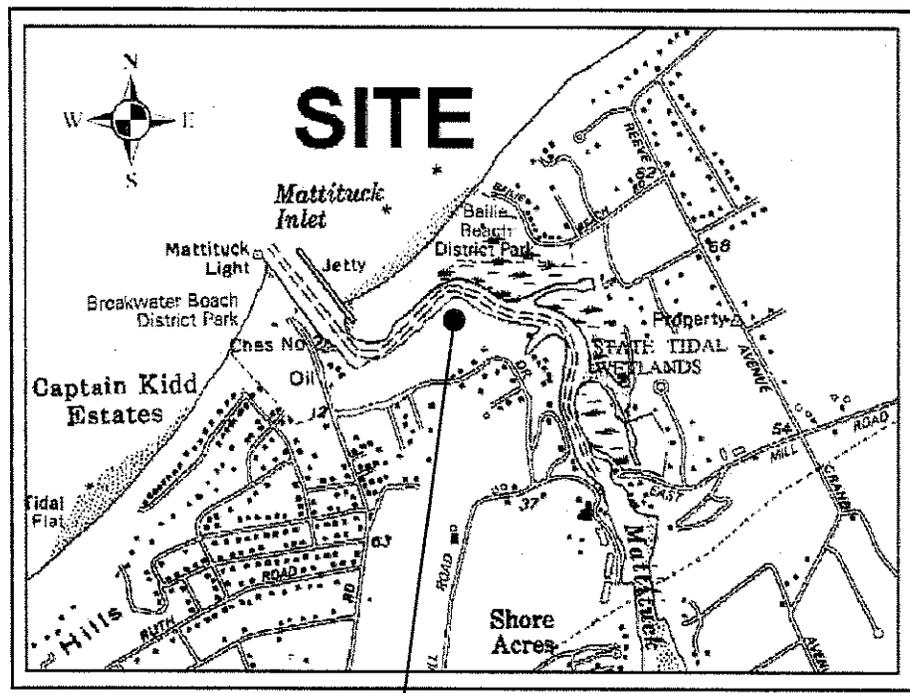
The work would involve the following:

Replace an existing 12-foot wide by 50-foot long boat ramp by discharging approximately 50 cubic yards of concrete and 37.6 cubic yards of crushed stone below the plane of spring high water (SHW) to construct a two lane 40-foot wide by 90-foot long concrete boat ramp with a 6-foot wide by 80-foot long floating dock system through the center of the boat ramp and 40 linear feet of fiberglass pile wall, to be cut flush with the concrete ramp surface, at the waterward terminus of the boat ramp (See Drawings 4, 5 and 7 of 12). Attach, parallel to the pile-supported observation deck, that would be replaced as noted below, a 4-foot wide by 35-foot long inclined ramp leading to a 6-foot wide by 20-foot long float with 18-inch freeboard and utility raceway for a pumpout sewer line, and a 6-foot wide by 20-foot long float with a pumpout station to be attached to the float/freeboard in a "T" configuration. Attach perpendicular to the float/freeboard, a 6-foot wide by 32-foot long float for canoes and kayaks. Install nine piles to secure the floats (See Drawing 8 of 12).

Replace, in-place, an existing 8.5-foot wide by 50.5-foot long pile-supported observation deck (See Drawing 8 of 12). Remove approximately 46-linear feet of bulkhead without replacement (See Drawing 2A of 12) and cut, to grade, approximately 113 linear feet of dilapidated timber barge to create a low sill bulkhead (See Drawing 2B of 12). Replace, in-place, approximately 290 linear feet of existing bulkhead with vinyl bulkhead and remove approximately 16 linear feet of bulkhead without replacement (See Drawing 6 of 12). Cut approximately 390 linear feet of existing bulkhead to elevation 3.8-feet, grade the shoreline from behind the newly cut bulkhead and establish approximately 585 linear feet (16,325 square feet or 0.37 acres) of vegetated tidal wetland (See Drawings 9, 11 and 12 of 12) for planting details) landward of the bulkhead at or above the plane of the existing SHW line (note: the existing SHW line would move further landward to elevation of approximately 6-feet once the cutting of the bulkhead and grading is complete ( See Drawing 9 of 12).

The stated purpose of this project is to convert a former private marina into a public boat launching and fishing access site.

MATTITUCK CREEK BOAT LAUNCH  
TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK



PROJECT LOCATION

EXISTING BARGE



DRAWING INDEX:

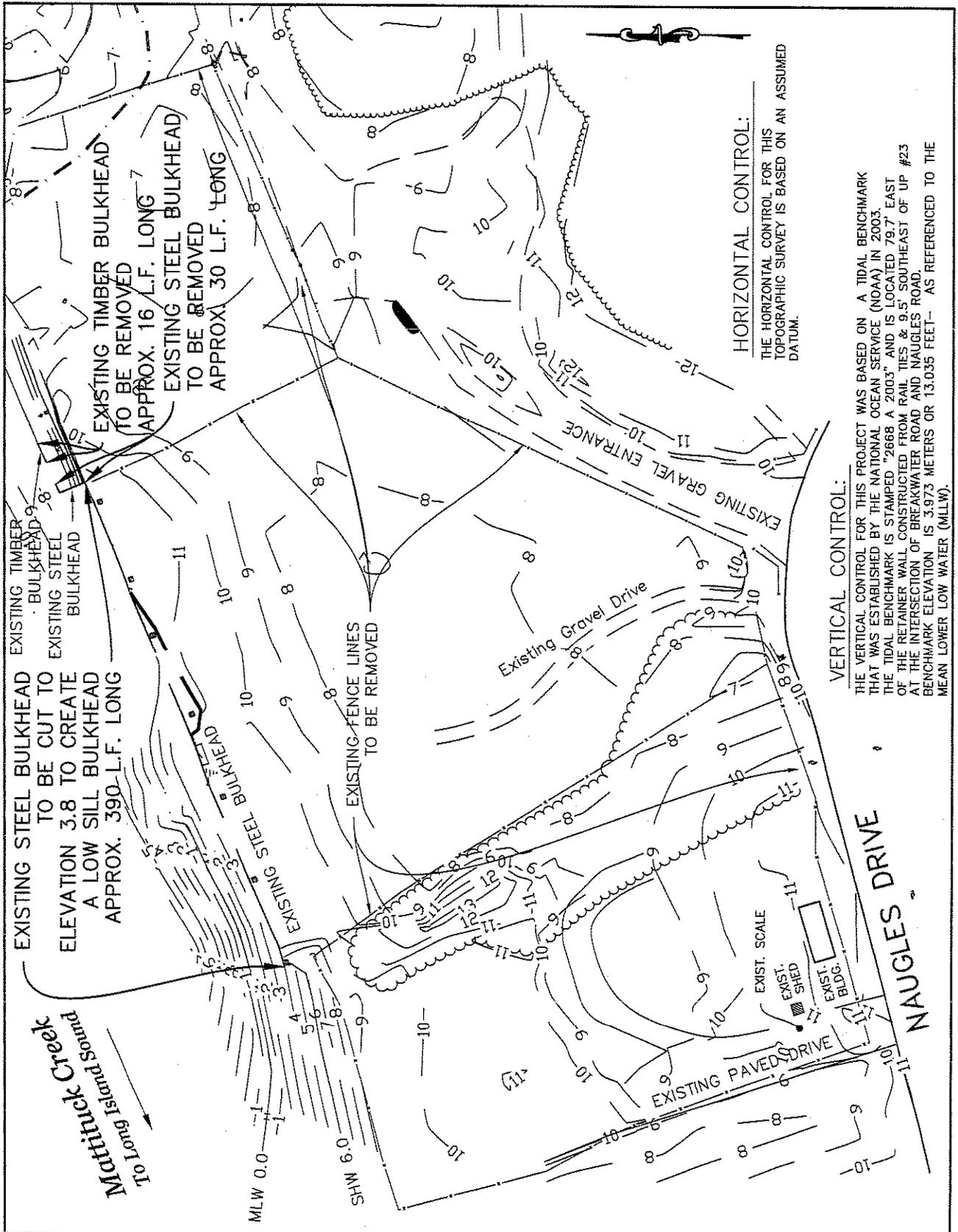
- |                             |                                  |
|-----------------------------|----------------------------------|
| 1. PROJECT LOCATION         | 7. PROPOSED PILING               |
| 2A.&2B. EXISTING SITE PLANS | 8. PROPOSED GANGWAY & DOCKS      |
| 3. PROPOSED OVERALL PLAN    | 9. PROPOSED LOW SILL BULKHEAD    |
| 4. PROPOSED RAMP LOCATION   | 10. PROPOSED LOW SILL SECTIONS   |
| 5. PROPOSED RAMP DETAILS    | 11. PROPOSED LOW SILL PLANTINGS  |
| 6. EXISTING PILING          | 12. PROPOSED LOW SILL PLANT LIST |

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS NO. DESCRIPTION	PROJECT DESCRIPTION	PROJECT NO. 08-2127
		1 SITE PLAN UPDATED TO REFLECT LATEST DESIGN REVISIONS. DATED: SEPT. '08 BY: D.B.	MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROJECT LOCATION	DATE 07/08 SCALE NTS DRAWING NO. 1

NAN-2008-01227-ESP

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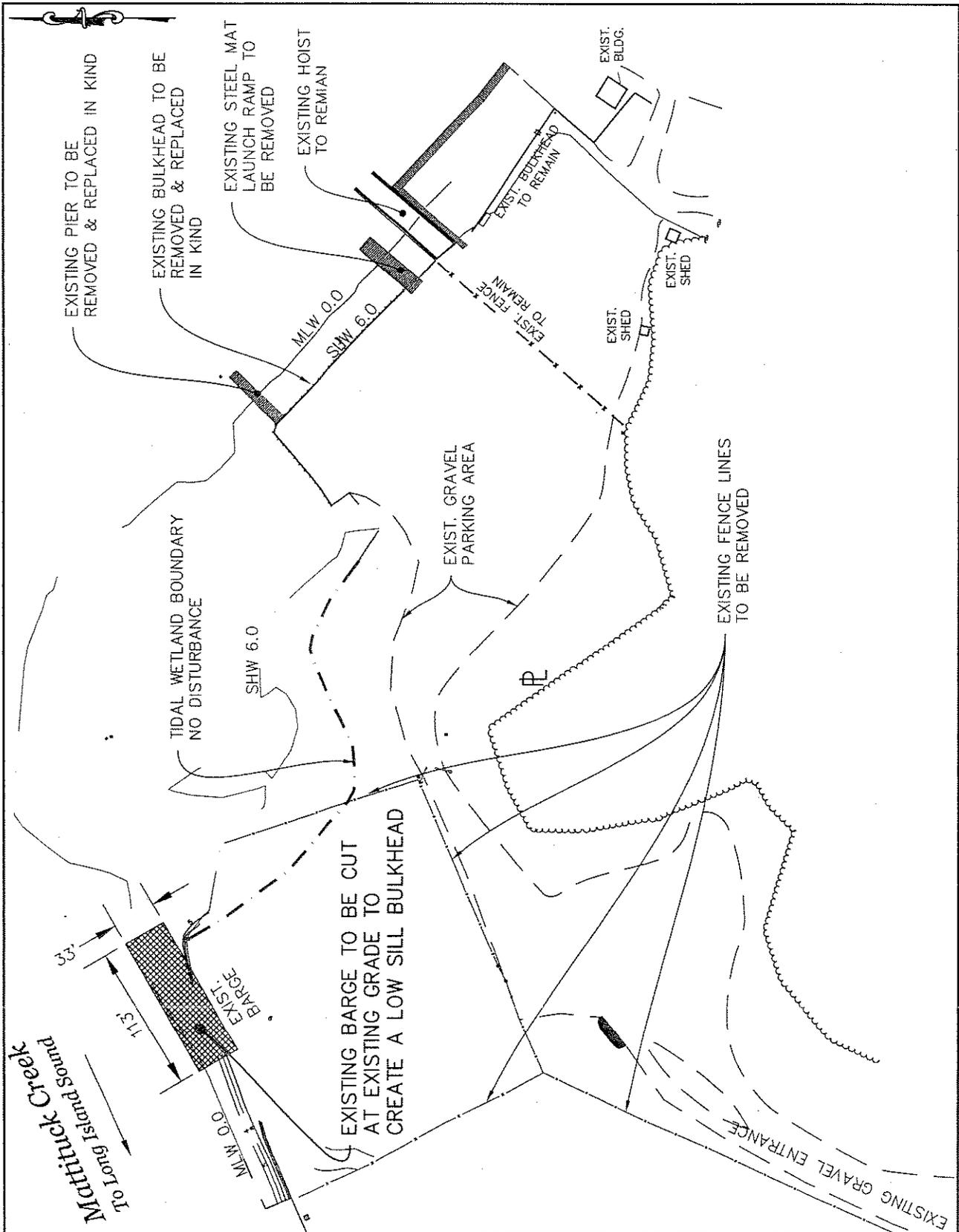
NAN-2008-01227-ESP



STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		<b>REVISIONS</b>		<b>PROJECT DESCRIPTION</b>		PROJECT NO. 03-2127
		NO. DESCRIPTION DATE BY	MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS EXISTING SITE PLAN		DATE 07/08	
		1 OWH WATER LABEL CHANGED TO SHW	9/08 DB			SCALE 1"=100' DRAWING NO. 2A

NAN-2008-01227-ESP

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STATE OF NEW YORK  
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF OPERATIONS  
 BUREAU OF DESIGN & CONSTRUCTION

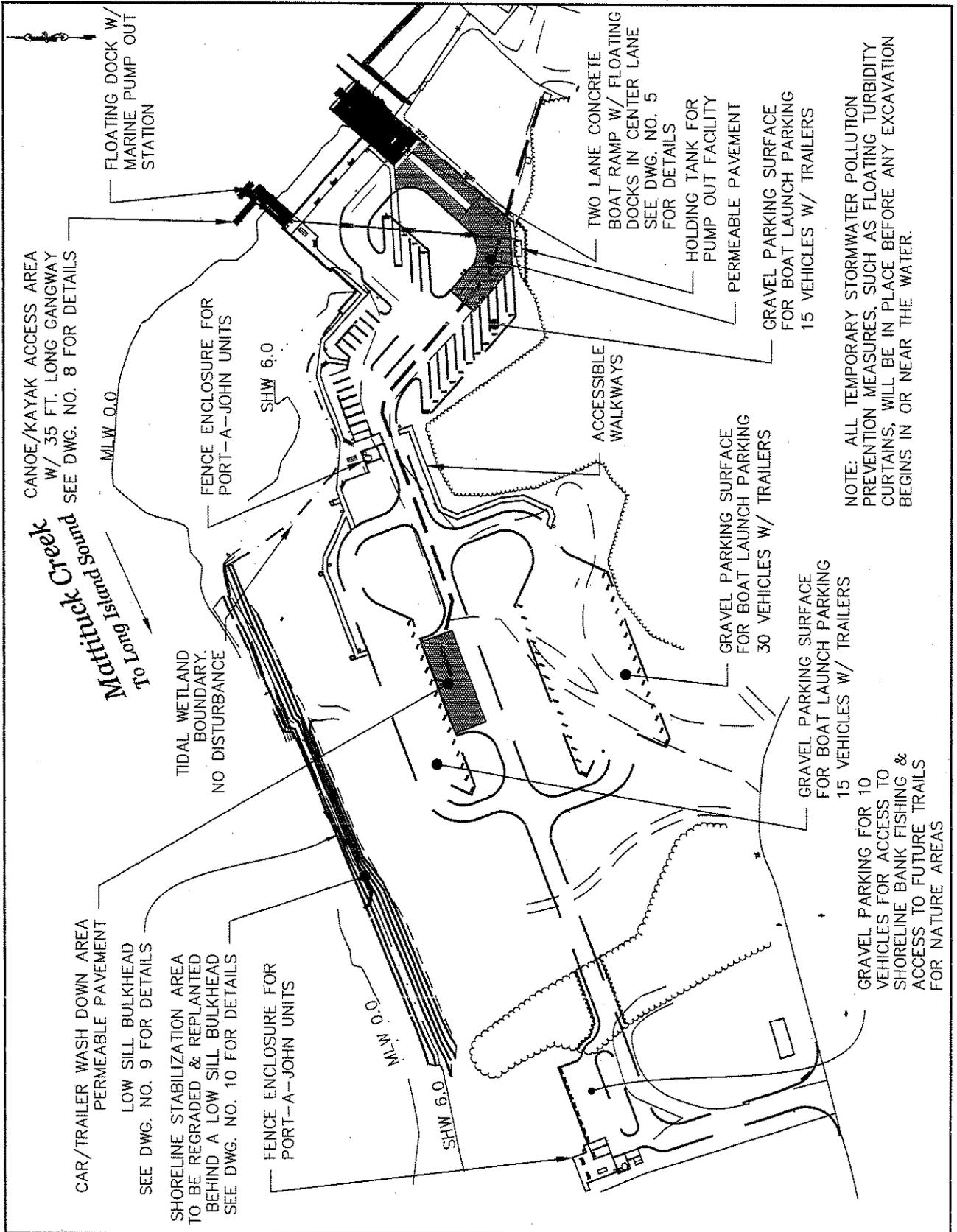
REVISIONS		
NO.	DESCRIPTION	DATE BY
1	BARGE DIMENSIONS REVISED	NOV '08 DB

PROJECT DESCRIPTION  
 MATTITUCK CREEK BOAT LAUNCH  
 PERMIT DRAWINGS  
 EXISTING SITE PLAN

PROJECT NO.  
 03-2127  
 DATE  
 07/08  
 SCALE  
 1"=100'  
 DRAWING NO.  
 2B

NAN-2008-01227-ESP

11A11-2008-01227-ESP

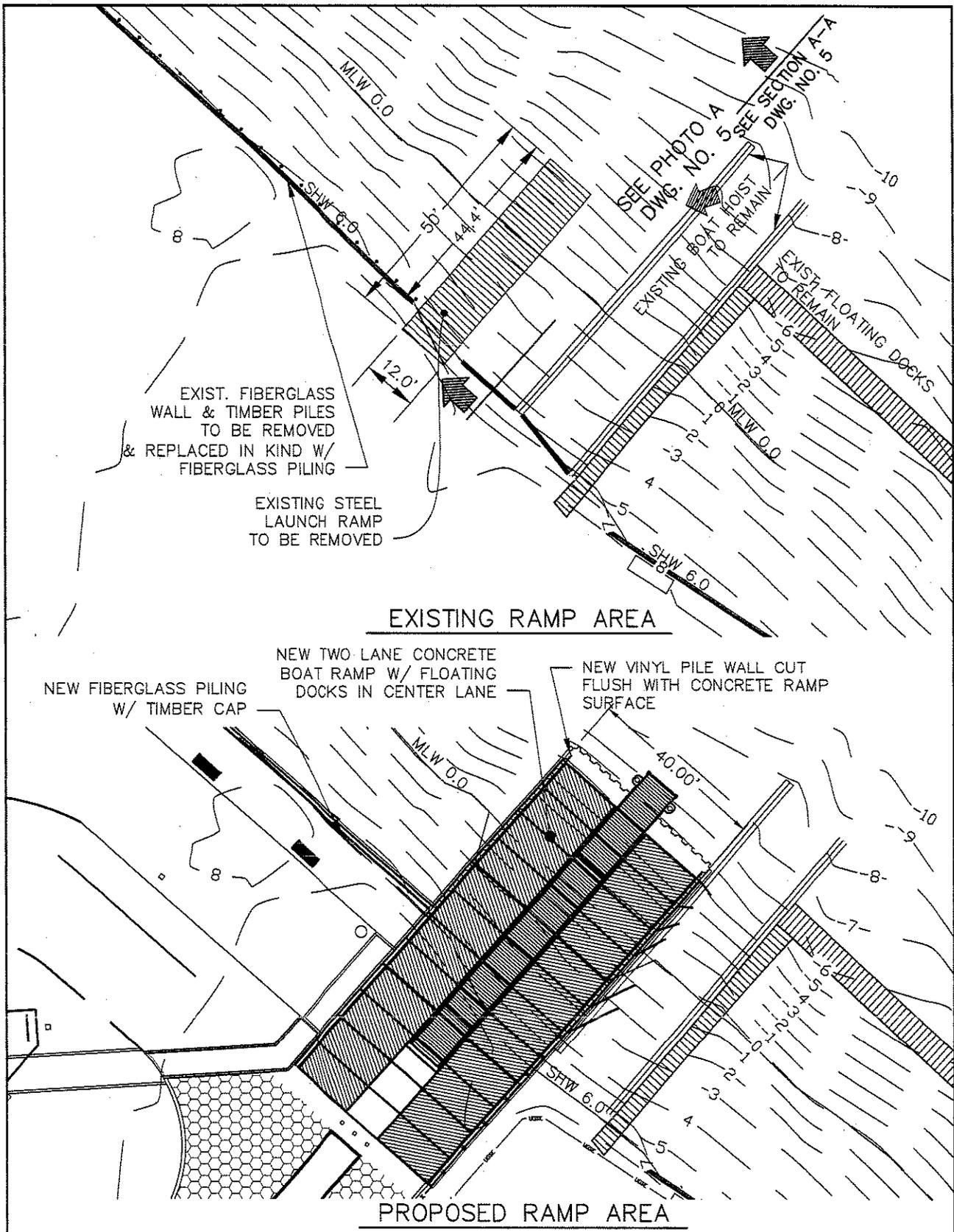


NOTE: ALL TEMPORARY STORMWATER POLLUTION PREVENTION MEASURES, SUCH AS FLOATING TURBIDITY CURTAINS, WILL BE IN PLACE BEFORE ANY EXCAVATION BEGINS IN OR NEAR THE WATER.

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		<b>REVISIONS</b>		<b>PROJECT DESCRIPTION</b> MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROPOSED OVERALL PLAN	PROJECT NO. 03-2127 DATE 07/08 SCALE 1"=150' DRAWING NO. 3
		NO. 1	DESCRIPTION PARKING SURFACES REVISED SEPT., '08 BY DBB		

11A11-2008-01227-ESP

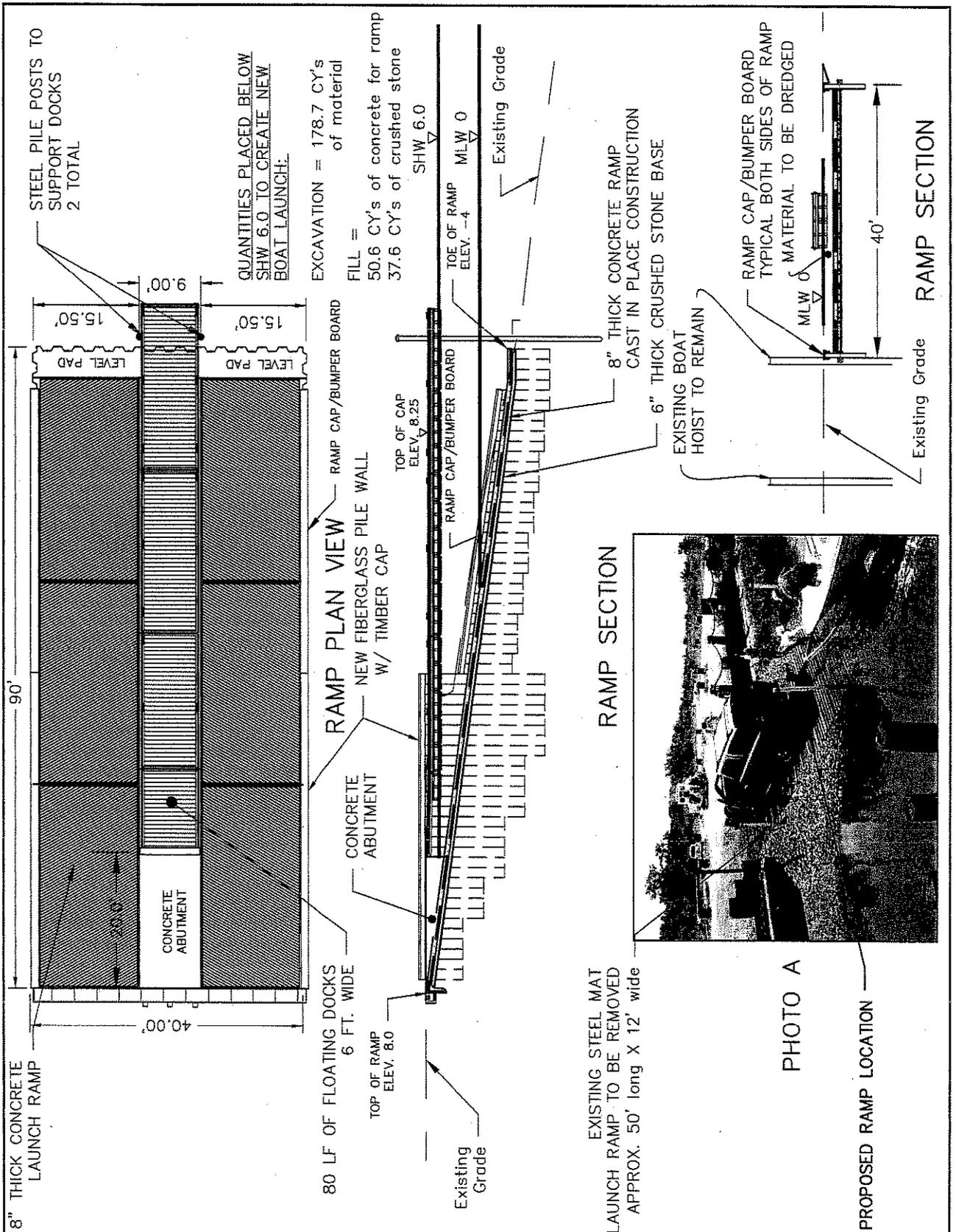
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STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS		PROJECT DESCRIPTION	PROJECT NO. 03-2127 DATE 07/08 SCALE 1" = 30' DRAWING NO. 4	
		NO.	DESCRIPTION			DATE BY
		1	EXISTING STEEL MAT RAMP DIMENSIONS REVISED			9'08DB
				MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS		
				PROPOSED RAMP LOCATION		

UAN-2008-01227-ESP

MAN-2008-01227-ESP



STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS			PROJECT DESCRIPTION		PROJECT NO. 03-2127
		NO.	DESCRIPTION	DATE BY	MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROPOSED RAMP DETAILS		DATE 07/08
SCALE 1" = 20'							DRAWING NO. 5

MAN-2008-01227-ESP

NAN-2008-01227-ESP

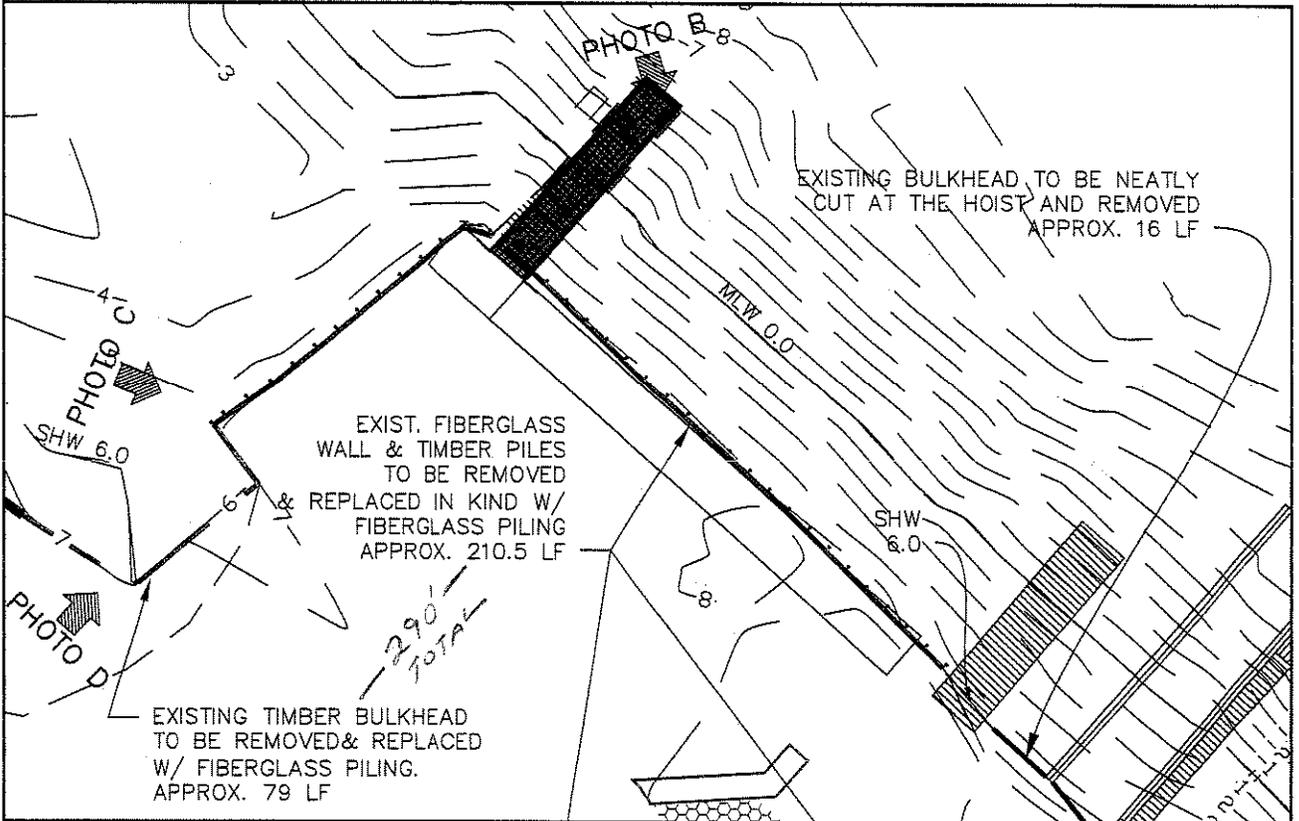


PHOTO C

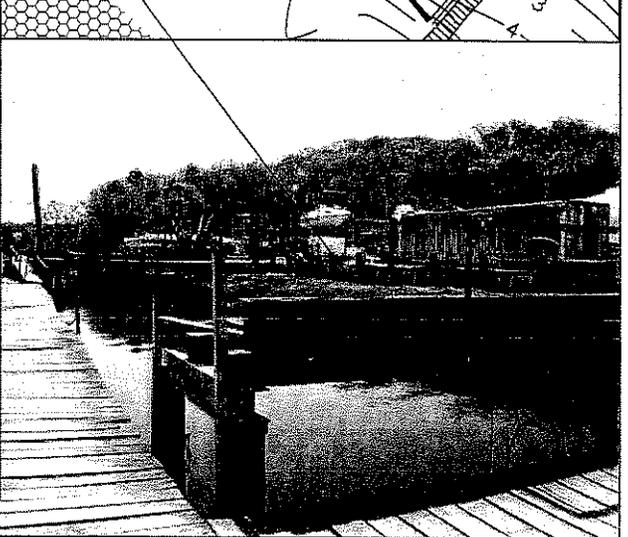


PHOTO B  
EXISTING TIMBER BULKHEAD  
TO BE REMOVED & REPLACED  
W/ FIBERGLASS PILING.  
APPROX. 79 LF

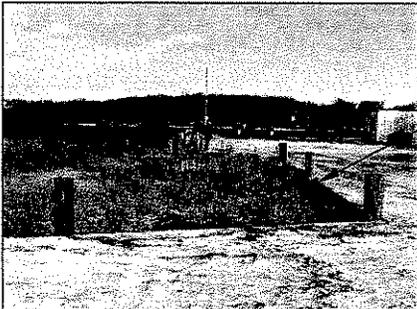
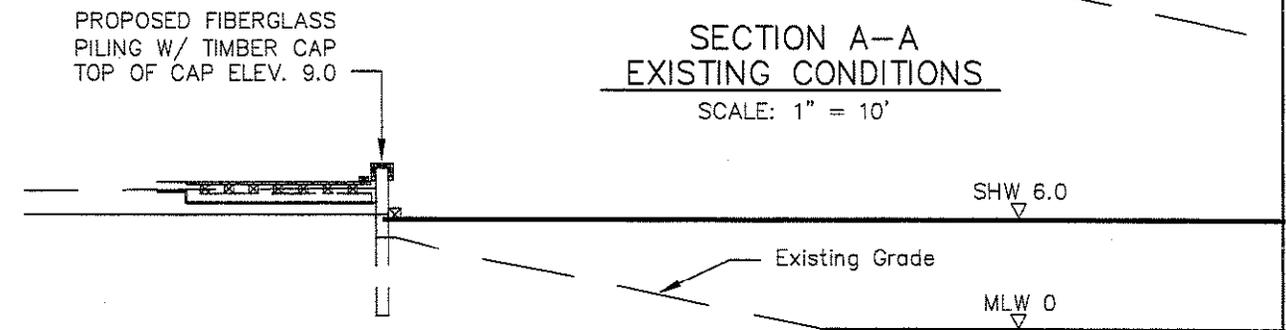
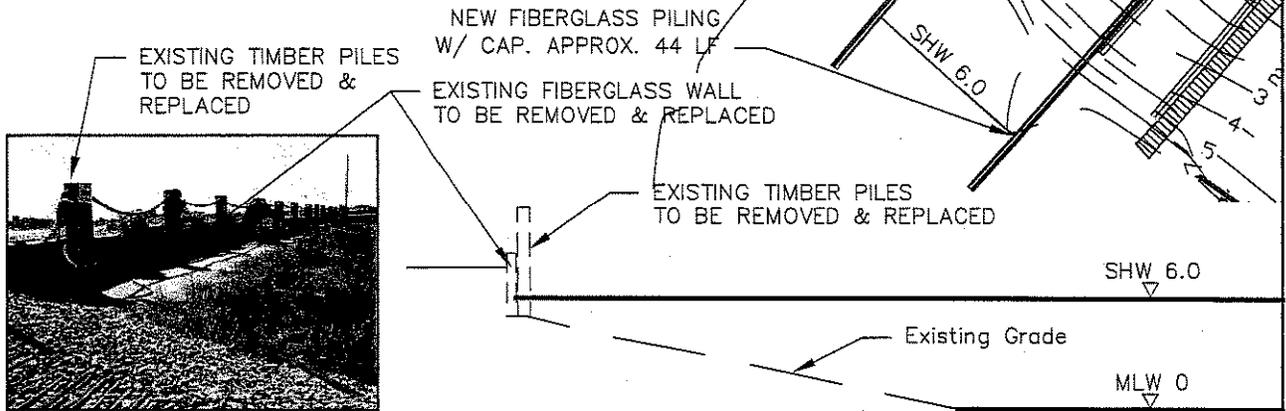
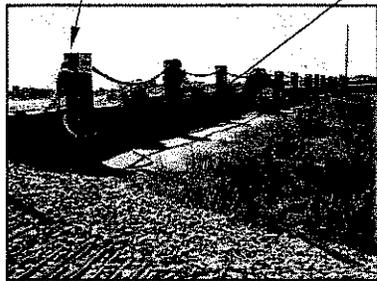
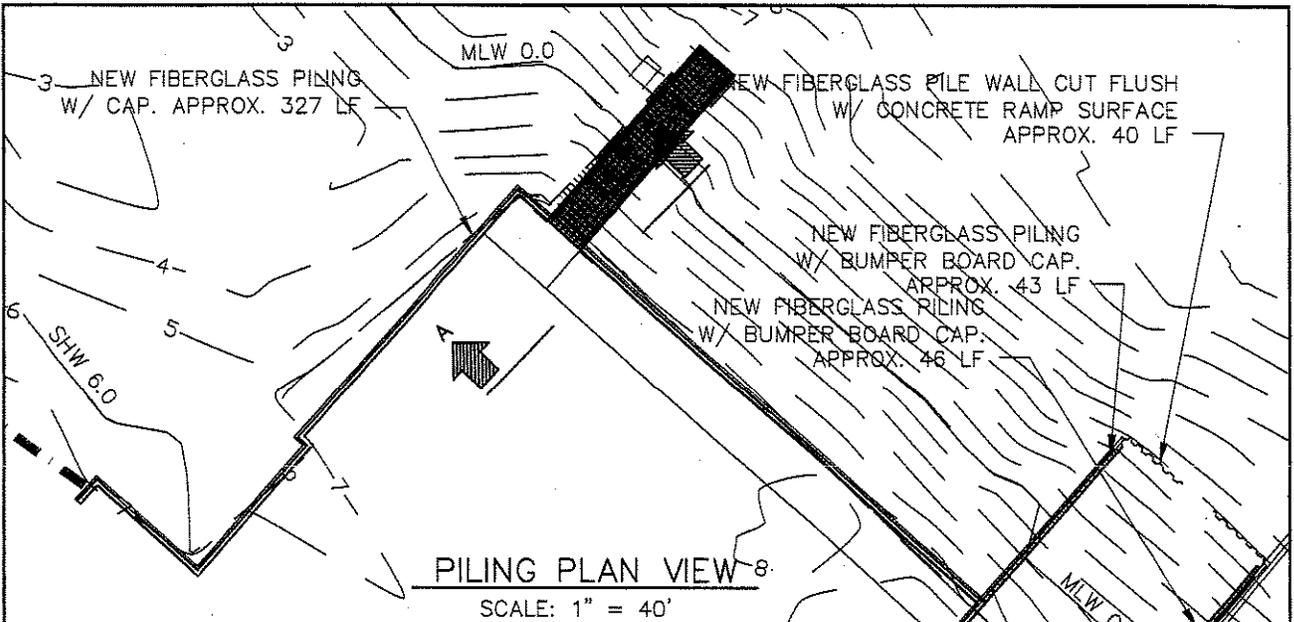


PHOTO D

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		<b>REVISIONS</b>		<b>PROJECT DESCRIPTION</b> MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS EXISTING PILING	PROJECT NO. 03-2127
		NO. 1	DESCRIPTION SHW & MLW LABELED		DATE BY 9'08BDE
				SCALE 1"=40'	DRAWING NO. 6

NAN-2008-01227-ESP

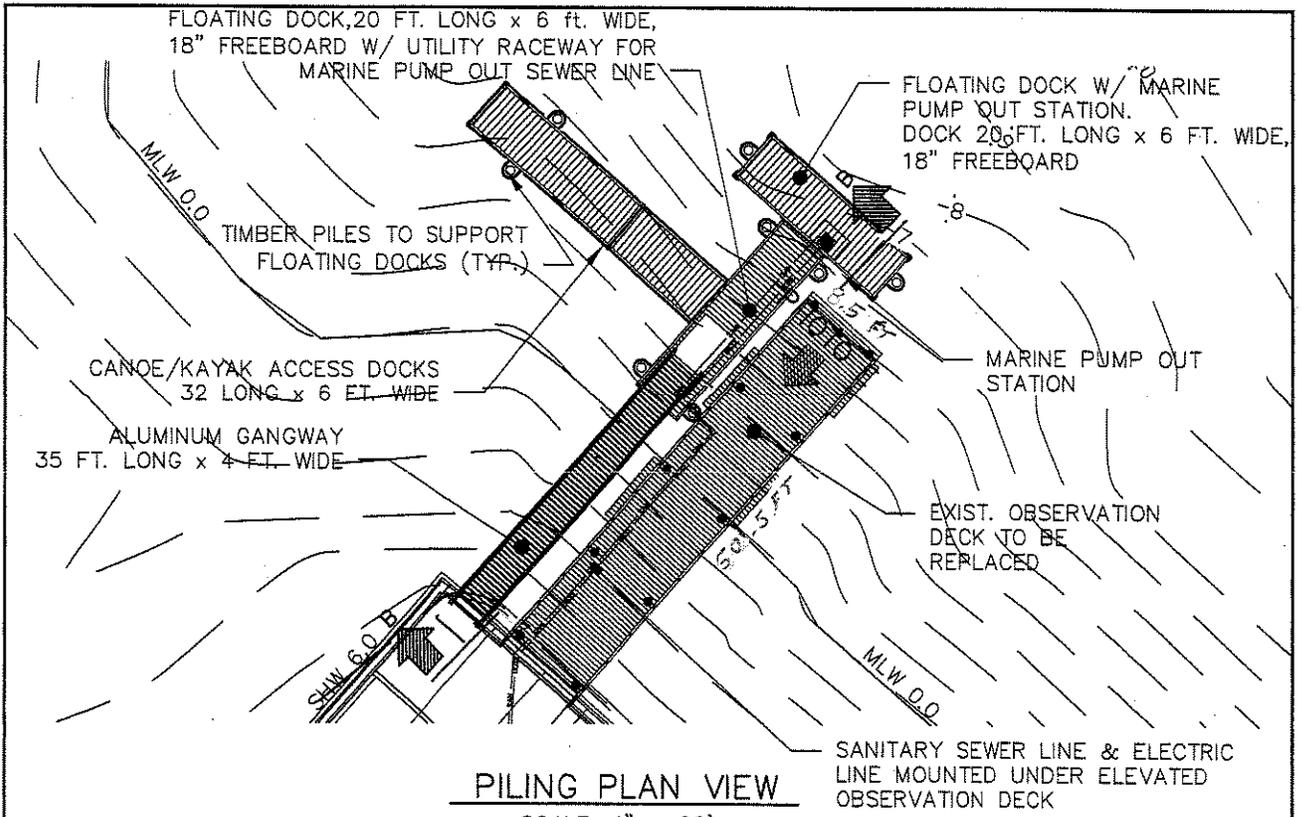
NAN-2008-01227-ESP



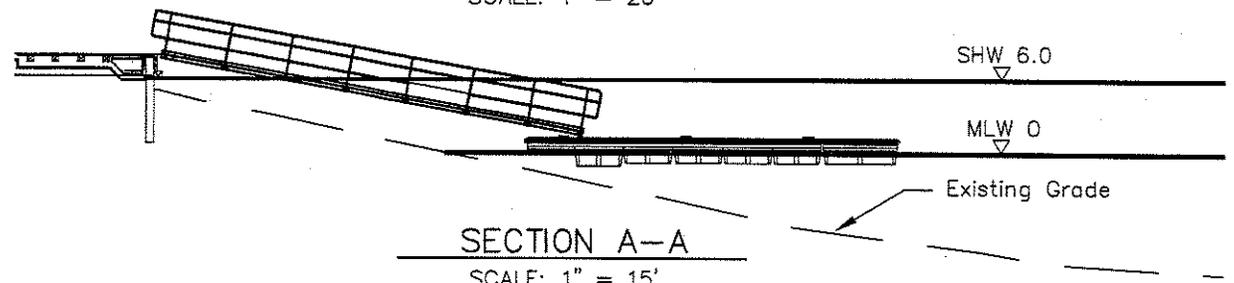
STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS		PROJECT DESCRIPTION		PROJECT NO. 03-2127		
		NO.	DESCRIPTION	DATE	BY	MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROPOSED PILING		DATE 07/08
								SCALE AS NOTED
								DRAWING NO. 7

NAN-2008-01227-ESP

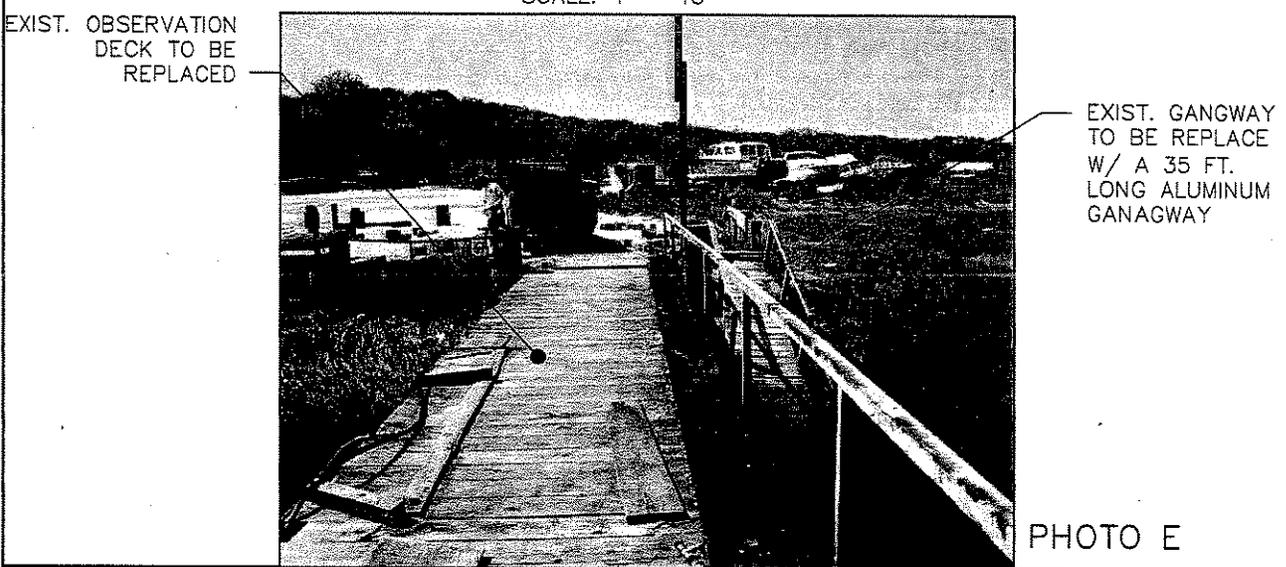
NAN-2008-01227-ESP



**PILING PLAN VIEW**  
 SCALE: 1" = 20'



**SECTION A-A**  
 SCALE: 1" = 15'

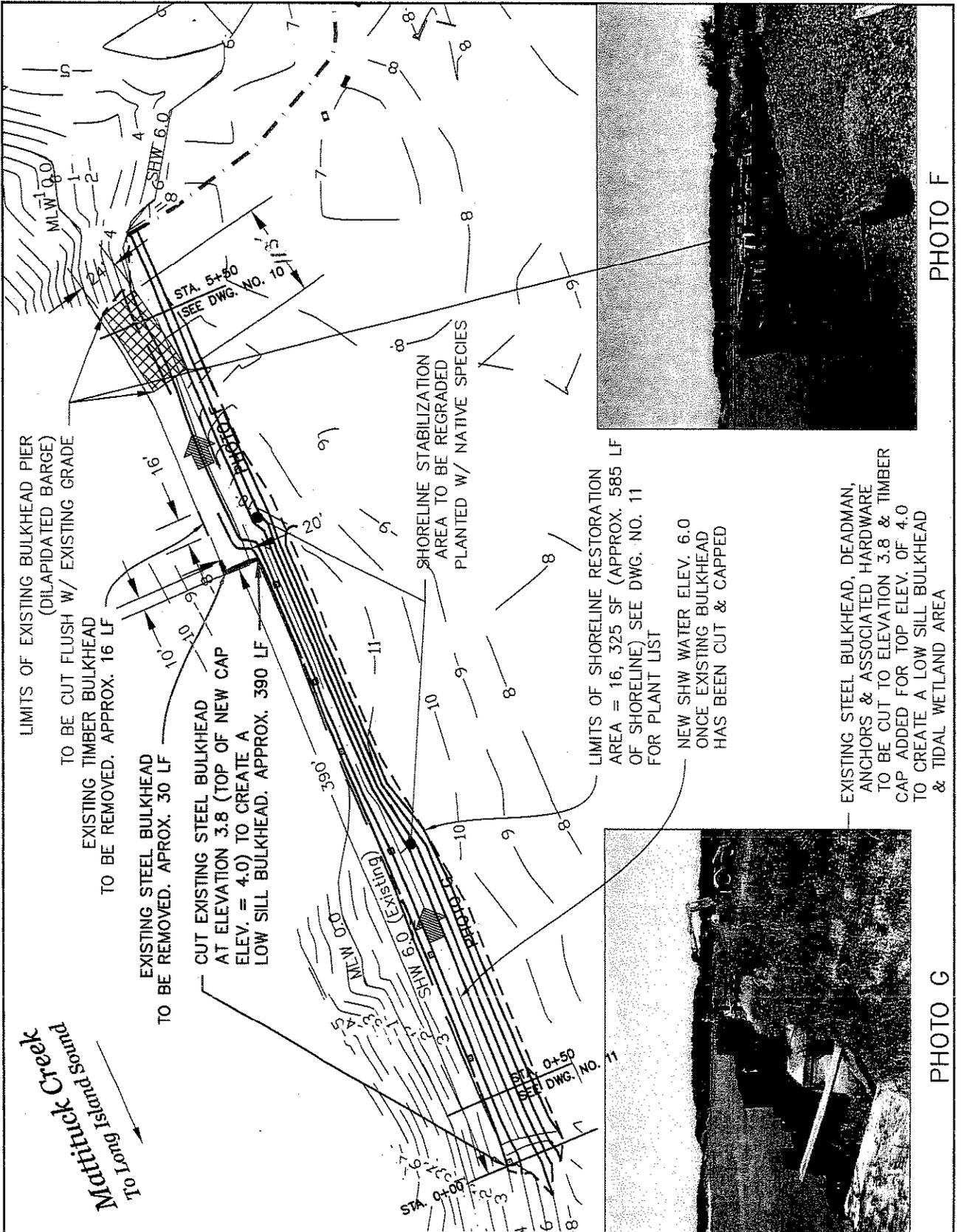


**PHOTO E**

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		<b>REVISIONS</b>		<b>PROJECT DESCRIPTION</b> MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROPOSED GANGWAY & DOCKS	PROJECT NO. 03-2127	
		NO.	DESCRIPTION		DATE BY	DATE 07/08
		DATE AS NOTED	DRAWING NO.		8	
		8				

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STATE OF NEW YORK  
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF OPERATIONS  
 BUREAU OF DESIGN & CONSTRUCTION



REVISIONS		
NO.	DESCRIPTION	DATE BY

PROJECT DESCRIPTION  
 MATTITUCK CREEK BOAT LAUNCH  
 PERMIT DRAWINGS  
 PROPOSED LOW SILL BULKHEAD

PROJECT NO. 03-2127
DATE 01/08
SCALE 1"=80'
DRAWING NO. 9

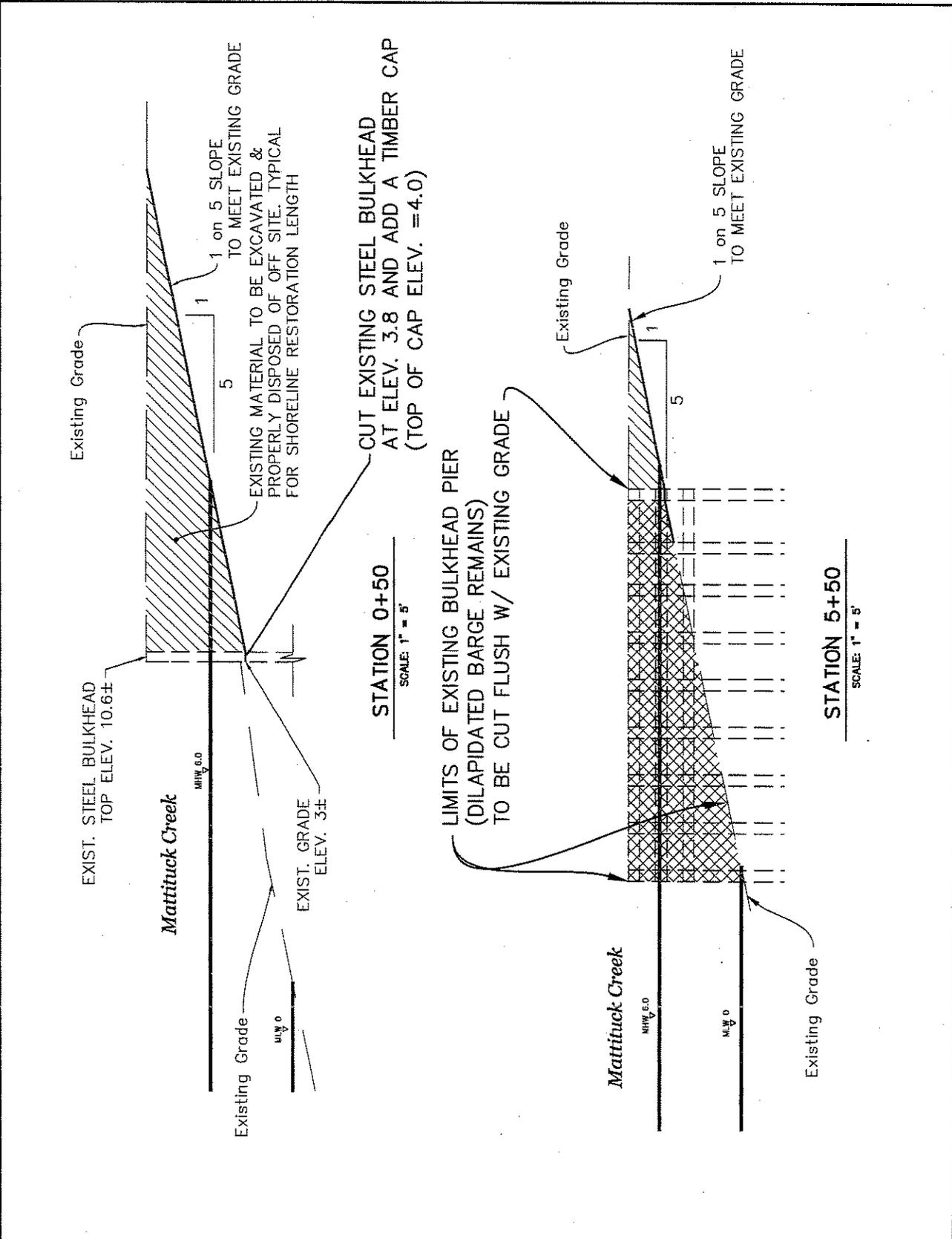
Mattituck Creek  
 To Long Island Sound

PHOTO F

PHOTO G

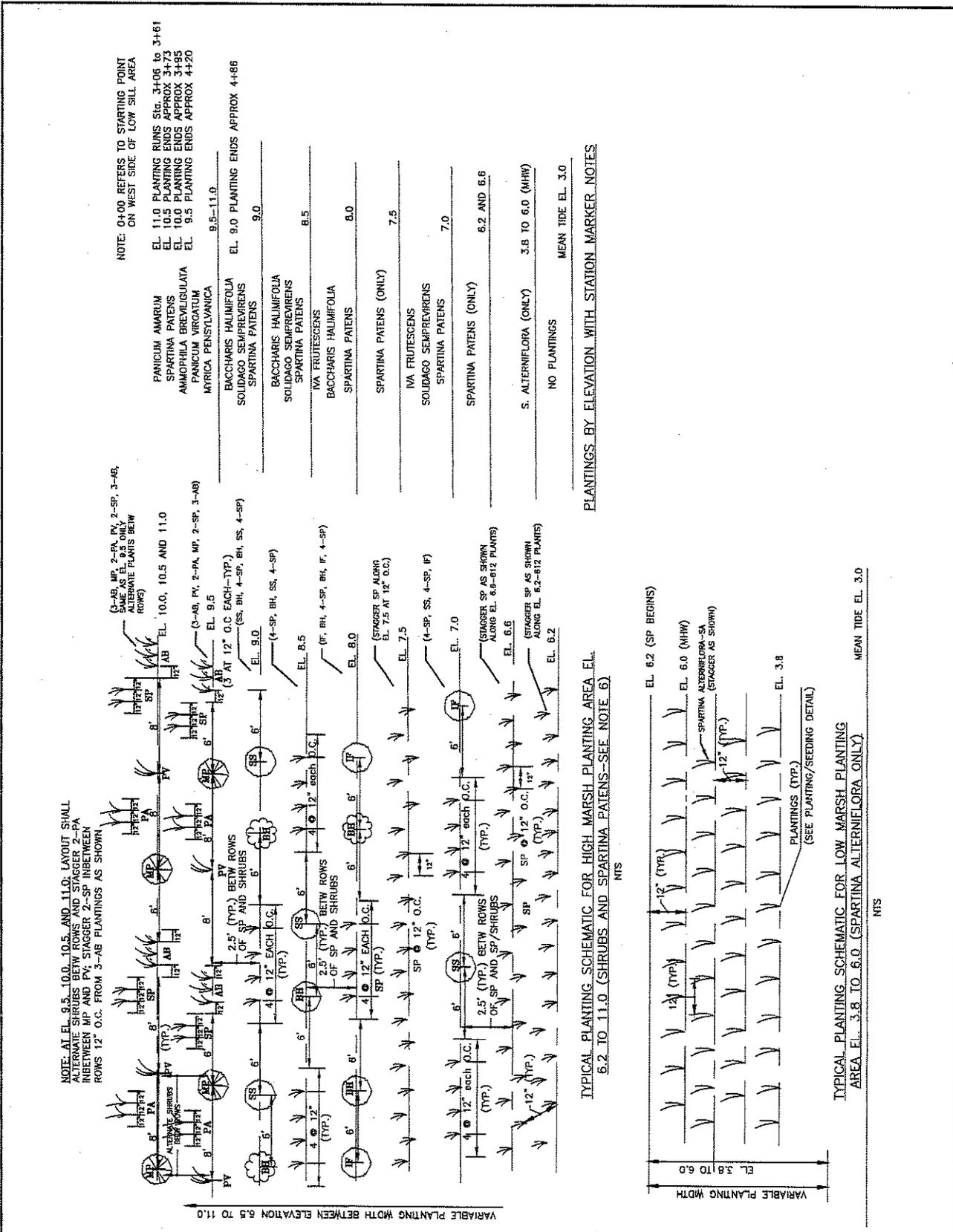
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STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS		PROJECT DESCRIPTION  MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS  PROPOSED LOW SILL SECTIONS	PROJECT NO. 03-2127
		NO. 1	DESCRIPTION PROPOSED SHORELINE SLOPE REVISED		DATE BY 9'08DE
				SCALE 1" = 80'	DRAWING NO. 10

NAN-2008-01227-ESP



STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF OPERATIONS  
BUREAU OF DESIGN & CONSTRUCTION

REVISIONS		
NO.	DESCRIPTION	DATE BY

PROJECT DESCRIPTION  
MATTITUCK CREEK BOAT LAUNCH  
PERMIT DRAWINGS  
PROPOSED LOW SILL PLANTINGS

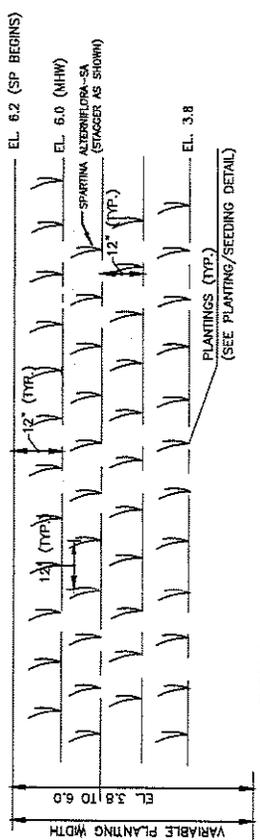
PROJECT NO. 03-2127
DATE 09/08
SCALE 1"=80'
DRAWING NO. 11

NOTE: 04.00 REFERS TO STARTING POINT ON WEST SIDE OF LOW SILL AREA

EL. 11.0 PLANTING ENDS APPROX 3+81  
EL. 10.5 PLANTING ENDS APPROX 3+73  
EL. 10.0 PLANTING ENDS APPROX 3+65  
EL. 9.5 PLANTING ENDS APPROX 4+20

- PANICUM AMARUM
- SPARTINA PATENS
- AMPHIPHILA BREVILIGULATA
- PANICUM VIRGATUM
- MYRICA PENNSYLVANICA
- BACCHARIS HALIMIFOLIA
- SOLIDAGO SEMPREVIRENS
- SPARTINA PATENS
- BACCHARIS HALIMIFOLIA
- SOLIDAGO SEMPREVIRENS
- SPARTINA PATENS
- IVA FRUTESCENS
- BACCHARIS HALIMIFOLIA
- SPARTINA PATENS
- SPARTINA PATENS (ONLY)
- IVA FRUTESCENS
- SOLIDAGO SEMPREVIRENS
- SPARTINA PATENS
- SPARTINA PATENS (ONLY)
- S. ALTERNIFLORA (ONLY)
- NO PLANTINGS
- MEAN TIDE EL. 3.0

PLANTINGS BY ELEVATION WITH STATION MARKER NOTES



TYPICAL PLANTING SCHEMATIC FOR LOW MARSH PLANTING AREA EL. 3.8 TO 6.0 (SPARTINA ALTERNIFLORA ONLY)

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Planting Area Scientific Name	Common Name	Planting Density (FOC)	Size/ Container #	Estimated Quantity each	Spread (feet)	Planting Elevation
<b>Low Marsh (XX acres /~XXXXX square yards)</b>						
<i>Spartina alterniflora</i> -SA	smooth cordgrass	1	2" plug	6500	NA	3.8 to 6.0
<b>High Marsh (XX acres /~XXXXX square yards)</b>						
<i>Spartina patens</i> -SP	saltmeadow cordgrass	1	2" plug	2313	NA	6.2 to 9.0
<i>Iva frutescens</i> -IF	high-tide bush	6	18"-24" / #1	49	4 to 6	7.0 to 8.0
<i>Solidago sempervirens</i> -SS	seaside goldenrod	6	18"-24" / #1	71	3-4	7.0, 8.5, 9.0
<i>Baccharis halimifolia</i> -BH	groundsel tree	6	18"-24" / #1	76	6 to 12	8.0 to 9.0
<b>Upland</b>						
<i>Myrica pennsylvanica</i> -MP	northern bayberry	6	18"-24" / #1	50	5 to 10	9.5 to 11.0
<i>Ammophila breviligulata</i> -AB	american beachgrass	1	18"-24" / #1	150	4-6	9.5 to 11.0
<i>Panicum virgatum</i> -PV	switchgrass	8	18"-24" / #1	35	10+	9.5 to 11.0
<i>Panicum amarum</i> -PA	coastal panicgrass	1	2" plug	100	6+	9.5 to 11.0

**\* NOTES:**

-Upland also includes *Spartina patens* (SP)  
 -ALL *Spartina alterniflora* (SA) plugs shall be grown from seed collected from local/regional sources

(FOC)= FEET ON CENTER

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF OPERATIONS BUREAU OF DESIGN & CONSTRUCTION		REVISIONS NO. DESCRIPTION DATE BY		PROJECT DESCRIPTION MATTITUCK CREEK BOAT LAUNCH PERMIT DRAWINGS PROPOSED LOW SILL PLANT LIST	PROJECT NO. 03-2127 DATE 09/08 SCALE 1"=80' DRAWING NO. 12
		(Empty table for revisions)	(Empty table for revisions)		

NAN-2008-01227-ESP