



**US Army Corps
of Engineers®**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice: BROWNS CREEK FY23

Published: 30-Dec-2022

Expires: 29-Jan-2023

BROWNS CREEK, SUFFOLK COUNTY, NEW YORK FEDERAL NAVIGATION PROJECT MAINTENANCE DREDGING

TO WHOM IT MAY CONCERN:

The New York District, U.S. Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging of the Browns Creek, Suffolk County, New York, Federal Navigation Project with subsequent placement of the dredged material at the adjacent upland Confined Disposal Facilities (CDF). The project location is shown on Figure 1.

ACTIVITY: Maintenance dredging of Browns Creek, Suffolk County, New York Federal Navigation Project with placement of dredged material at the adjacent upland Confined Disposal Facilities (CDF)

WATERWAY: Browns Creek

LOCATION: Suffolk County, New York

The Browns Creek Federal Navigation Project is authorized by the Rivers and Harbors Act of 19 September 1890.

The existing Federal navigation project provides for a channel, 6 feet deep at mean lower low water, 100 feet wide from Great South Bay to a point 250 feet upstream from the inshore end of jetties and thence 4 feet deep, 100 feet wide to the head of navigation. Length – about 1.0 mile.

Two stone jetties at the entrance, east jetty 448 feet long and the west jetty 700 feet long.

This activity is being evaluated to determine that the proposed dredging with placement of dredged material will not unreasonably degrade or endanger human health, welfare, economic potential, recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

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. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

DUE TO CURRENT LOCAL CONDITIONS, AND TO ENSURE ALL COMMENTS REGARDING THIS ACTIVITY ARE RECEIVED, ALL COMMENTS SHOULD BE EMAILED TO EDWARD.WROCENSKI@USACE.ARMY.MIL BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person who has an interest which may be affected by the dredging and/or placement of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the way the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps 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 commencement of any work.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps must submit a determination that the proposed project is consistent with the State CZM program to the maximum extent practicable. This activity is subject to review by the New York State Department of State for its consistency with the enforceable policies of the New York State Coastal Management Program. The New York District of the U.S. Army Corps of Engineers has determined that the proposed activities are consistent to the maximum extent practicable within the applicable policies of the New York State CZM program. A copy of this determination will be provided to the New York State Department of State, Office of Coastal, Local Government and Community Sustainability. Additional information regarding the Corps of Engineers' consistency determination may be obtained by contacting the New York State Department of State, Office of Coastal, Local Government and Community Sustainability, Attn: Consistency Review Unit, One Commerce Plaza, 99 Washington Avenue – Suite 1010, Albany, New York 12231.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, First District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, you may contact Mr. Edward Wrocenski by phone at (917) 790-8636 or email at Edward.Wrocenski@usace.army.mil.

DESCRIPTION OF PLANNED ACTION:

The U.S. Army Corps of Engineers, New York District (the Corps) proposes to perform maintenance dredging of Browns Creek, Federal navigation Channel. The channel was last dredged in 2005 with the removal of approximately 19,975 cubic yards (CY) of sediment, which was placed at an existing upland Confined Disposal Facilities (CDF) to the east of Browns Creek.

The proposed maintenance dredging would involve the removal of approximately 52,000 CY of material. The 6 feet deep channel will be dredged to a depth of 6 feet plus 2 feet allowable overdepth and the 4 feet deep channel will be dredged to a depth of 4 feet plus 2 feet allowable overdepth, subject to availability of funds (See Figure 2)

The upland CDF previous used in the 2005 dredge cycle is available for the proposed maintenance dredging and a second upland CDF east of the creek may also be available for placement of dredged material (see Figure 2). Depending on the available capacity, the dredged material is proposed to be placed at one or both of the two CDFs adjacent to the creek.

The purpose of the proposed work is to alleviate the effects of shoaling, thereby assuring safe navigation and facilitating economical use of the Browns Creek by commercial and recreational boating interests while providing beneficial use of the dredged material.

This public notice serves to announce the government's intent and identifies the proposed location for placement of approximately 52,000 CY of material into one or both of the upland CDF east of the Creek (see Figure 2). The dredging and placement for this project is anticipated to occur in the fall/winter of 2023.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement was prepared in 1975 for maintenance dredging in Browns Creek Federal Navigation Channel. An EA updating the EIS was prepared by the New York District for a similar maintenance dredging project in 2004. The 2004 EA determined that maintenance dredging in Browns Creek with placement at the upland disposal site will have no significant adverse environmental impact on water quality, marine resources, wildlife, recreation, aesthetics and flood protection. This proposed maintenance activity is consistent with the action described in the previous EA.

An update of the EA and a 404 (b) evaluation as required by the Clean Water Act 40 CFR 230 will be prepared prior to the implementation of the proposed work.

PLACEMENT SITE:

The dredged material from Browns Creek is proposed to be placed at an adjacent upland CDF located east of Brown Creek (see Figure 2). Depending on the available capacity, the dredged material is proposed to be placed at one or both of the two CDFs adjacent to the creek.

The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the placement site is located. All necessary permits required for the dredged material placement will be provided to the Government.

MATERIAL DESCRIPTION:

Grain size analyses performed on samples were taken from the shoals in the channel in 2022. Samples were taken to the authorized depths 4 feet and 6 feet, plus two feet allowable over-depth. Results indicate that the proposed dredge material in the dredging area are characterized as:

32.1% sand/gravel, 53.5% silt, and 14.4% clay.

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

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

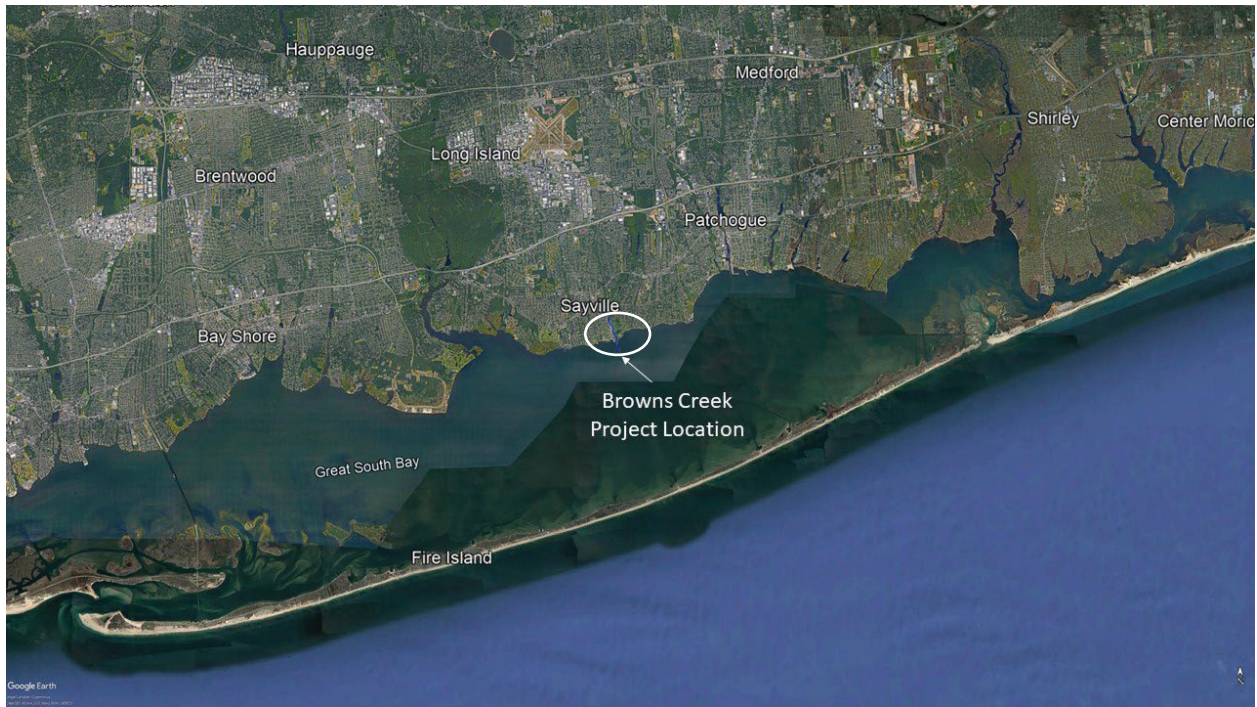
If you have any questions concerning this notice, please contact Mr. Edward Wrocenski, Acting Chief, Operation Support Branch, at (917) 790-8636 or email at Edward.Wrocenski@usace.army.mil.

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Edward Wrocenski
Acting Chief, Operations Support Branch



**Figure 1: Location Map
Browns Creek, Suffolk County, New York**



**Figure 2: Proposed Dredging Area and CDF Locations
Browns Creek, Suffolk County, New York**