

DRAFT
FINDING OF NO SIGNIFICANT IMPACT

**Supplemental Environmental Assessment
for the
Lake Montauk Harbor Navigation Improvements Project
East Hampton, New York**

The U.S. Army Corps of Engineers, New York District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The final Supplemental Environmental Assessment (SEA) dated **DATE OF IFR/EA**, for the **Lake Montauk Harbor Navigation Improvements Project** addresses **navigation** opportunities and feasibility in the **Lake Montauk Harbor, East Hampton, New York**. This SEA updates the previous Final FR/EA dated October 2020.

The Final SEA, incorporated herein by reference, evaluated various alternatives that would **improve navigation** in the study area. The recommended plan is the **National Economic Development (NED) Plan** and includes:

Deepening the existing navigation channel from -12' MLLW to -17' MLLW, and deepening of the existing deposition basin from -12'MLLW to -17'MLLW and widening it to 100' wide, and placement of approximately 110,000 cubic yards of sandy dredged material on the downdrift eroded beach between the upland and nearshore, and placement of approximately 15,000 cubic yards of hard material at the Mattituck Artificial Reef site.

In addition to a "no action" plan, **one** alternative was evaluated. The alternative included **the proposed action. This alternative includes the removal of sand (approximately 110,000 cubic yards) and hard material (approximately 15,000 cubic yards) from the channel using a cutterhead dredge and excavator on a modular barge pulled by tugboat. Placement of sandy material will largely be between the upland areas and -6' MLLW, with approximately 5,000 cubic yards of dredged material placed seaward of -6' MLLW due to space constraints. Hard material will be removed from the channel and transported approximately 35 nautical miles northwest via barge to be beneficially reused at the NYSDEC Mattituck Artificial Reef Site.**

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the recommended plan are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Less than significant effects	Less than significant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic resources/wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Less than significant effects	Less than significant effects as a result of mitigation*	Resource unaffected by action
Invasive species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fish and wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species/critical habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydrology	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Navigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribal trust resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. Best management practices (BMPs) as detailed in the SEA will be implemented, if appropriate, to minimize impacts. **Seasonal restrictions to avoid adverse effects to Essential Fish Habitat, as regulated under the Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat Amendment, have been accepted and will be implemented between 1 January and 15 October of any calendar year of construction to ensure protection of regulated habitat. All best management practices are described in Section 6 of the SEA.**

No compensatory mitigation is required as part of the recommended plan.

Public review of the draft SEA and FONSI was completed on **DATE DRAFT EA AND FONSI REVIEW PERIOD ENDED**. All comments submitted during the public review period were responded to in the Final SEA and FONSI. A 30-day state and agency review of the Final SEA was completed on **DATE SAR PERIOD ENDED**. **PICK OPTION BASED ON RESULTS OF STATE AND AGENCY REVIEW.**

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the recommended plan may affect but is not likely to adversely affect the following federally listed species or their designated critical habitat: **Atlantic sturgeon, Green sea turtle, Kemp's ridley sea turtle, Loggerhead sea turtle, Leatherback sea turtle, North Atlantic right whale, Fin whale, Piping plover, Roseate tern, Sandplain gerardia, Seabeach amaranth, Northern Long-eared bat, Red Knot, Monarch butterfly, and Tricolored bat.** The National Marine Fisheries Service (NMFS) concurred with the Corps'

determination on **17 March 2025**. The U.S. Fish and Wildlife Service (USFWS) concurred with the Corps' determination on **7 May 2025**.

Pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that historic properties would not be adversely affected by the recommended plan. The **NYSHPO** concurred with the determination on **10 January 2025**.

Pursuant to the Clean Water Act of 1972, as amended, the discharge of dredged or fill material associated with the recommended plan has been found to be compliant with section 404(b)(1) Guidelines (40 CFR 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found in **Appendix E** of the SEA.

A water quality certification pursuant to section 401 of the Clean Water Act was obtained from the **New York State Department of Environmental Conservation (NYSDEC)**. All conditions of the water quality certification shall be implemented in order to minimize adverse impacts to water quality.

A determination of consistency with the **New York** Coastal Zone Management program pursuant to the Coastal Zone Management Act of 1972 was obtained from the **New York State Department of State (NYSDOS)** on 7 October 2020. All conditions of the consistency determination shall be implemented in order to minimize adverse impacts to the coastal zone. Based on supplemental information, NYSDOS completed an administrative update to the consistency review.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the recommended plan would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

NAME

RANK, Corps of Engineers
District Commander