



**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 No. SAG HARBOR
Published: 8 MAY 2013

Expires: 7 JUNE 2013

BREAKWATER REHABILITATION SAG HARBOR, NEW YORK FEDERAL NAVIGATION PROJECT

TO WHOM IT MAY CONCERN:

Pursuant to Section 10 of the Rivers and Harbors Act of 1899, Title 33 of the Code of Federal Regulations, Part 322.3 (c), and Part 330, Appendix A, Part B, # 3, (maintenance which authorizes the repair, rehabilitation, or replacement of any previously authorized, currently serviceable, authorized structure or fill), notice is hereby given that the U.S. Army Engineer District, New York proposes to perform repairs to the breakwater located in Sag Harbor, New York.

FEDERAL PROJECT AUTHORIZATION:

The Sag Harbor - Federal Navigation Project is authorized by the Rivers and Harbors Act of 1902, in accordance with House Document No. 77, 56th Congress, 1st Session, and later amended by the Rivers and Harbors Act of 1935.

FEDERAL PROJECT DESCRIPTION:

The existing project provides for an entrance channel, a turning basin, two anchorage basins and a 3,180 foot long breakwater extending northerly from Conklin Point (Figure 1). The channel, turning basins and anchorage areas were deauthorized at the request of the locals in 1991.

DESCRIPTION OF PLANNED FEDERAL ACTION:

The proposed action by the U. S. Army Engineer District, New York is the rehabilitation of a short section of the breakwater, which was severely damaged by Hurricane Sandy. The last repair to the breakwater was completed in 2003. The breakwater repairs are scheduled to commence in the fall of 2013. The repairs to the breakwater will consist of locating, recovering and resetting 13 armor stones that were dislodged from the breakwater during Hurricane Sandy. (Figure 2).

ENVIRONMENTAL ASSESSMENT:

An Environmental Impact Assessment (EA) has been prepared by the New York District in April 1974 and was subsequently updated in 2000. It was determined that repair of the breakwater would have no significant adverse environmental impacts on water quality, marine resources, wildlife, endangered species, recreation, aesthetics and flood protection of the area.

ALTERNATIVES TO THE PROPOSED ACTION:

The no repair alternative would result in the continued deterioration of the structure with eventual failure of the structure resulting. The continued deterioration and eventual failure of the breakwater will result in the following: loss of protection to ships and boats entering the inlet from southwest waves, and continued erosion of the shoreline and backshore area east of the breakwater which will result in increased shoaling of the inlet and eventually a loss of accessibility for those activities which depend upon the inlet for water transportation.

MISCELLANEOUS INFORMATION:

Any person may request, **in writing**, that a public hearing be held to consider the proposed rehabilitation of the breakwater. Requests for a public hearing must state the specific reasons for holding a hearing.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C.1531) and based upon a review of the latest published version of the threatened and endangered species listing a preliminary determination is that the activity under consideration will not affect those species listed (piping plover), or proposed for listing (roseate tern) nor their critical habitat. The contractor will be limited to certain areas near the breakwater within Sag Harbor and is expected to perform the work from water.

There are no known sites within the surrounding area that are eligible for or included in the National Register of Historic Places. Presently unknown archaeological, scientific, prehistorical or historical data may be lost by work accomplished under the required jetty rehabilitation.

A Water Quality Certificate has been requested from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

The proposed work is being coordinated with the following Federal, State and Local Agencies:

U. S. Environmental Protection Agency

U. S. Department of Commerce, National Marine Fisheries Service

U. S. Department of the Interior, Fish and Wildlife Service

U. S. Coast Guard, Third Coast Guard District

New York State Department of Environmental Conservation

New York State Department of State

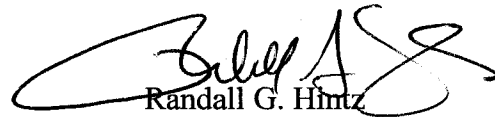
Since this activity is located within the coastal zone of New York which has a Federally approved coastal zone management program, the Corps of Engineers has submitted to the State a determination that the jetty repair will be conducted in a manner that is in compliance with the rules of the State coastal resources management program and policies. Reference is made to Section 307

of the Coastal Zone Management Act of 1972 as amended (16 U.S.C. 1456). The U.S. Army Corps of Engineers has requested the State's concurrence with, objection to or waiver of that determination.

Any criticisms or protests regarding the proposed work should be PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE prior to the expiration date; otherwise it will be presumed that there are no objections.

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 please do not hesitate to contact Mr. Joe Olha of this office at (917) 790-8404.

A handwritten signature in black ink, appearing to read "Randall G. Hintz", is written over the printed name.

Randall G. Hintz
Chief, Operations Support Branch

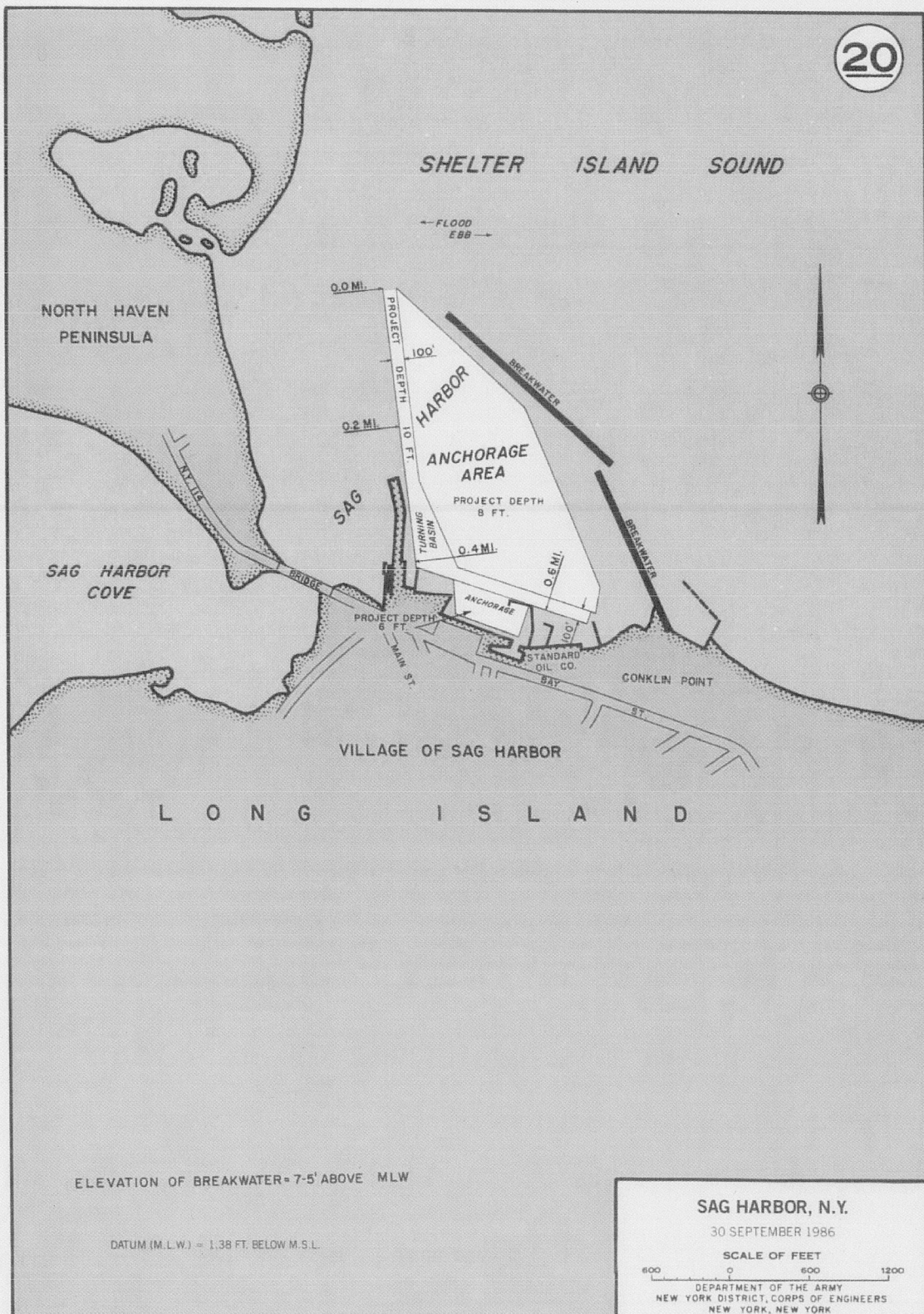


Figure 1. Project Map

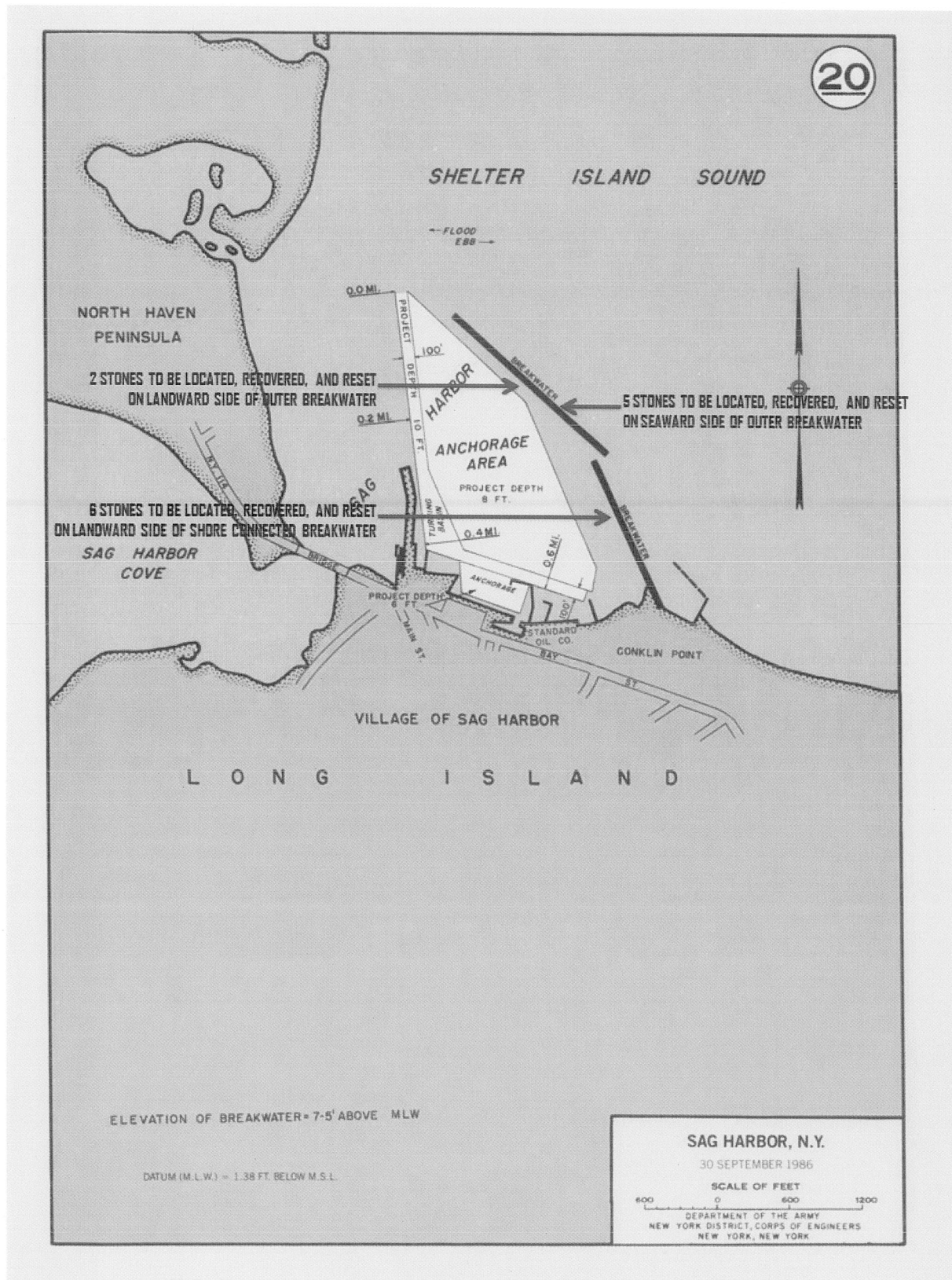


Figure 2. General locations of 13 armor stones that were dislodged from the breakwater.