



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 reply to:

Public Notice Number: NAN-2017-01522-ESW

Issue Date: December 6, 2017

Expiration Date: January 6, 2018

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: Suffolk County Department of Public Works
H Lee Dennison Building
Hauppauge, New York 11788

ACTIVITY: HDD construction of a new wastewater outfall

WATERWAY: Beneath Great South Bay

LOCATION: Bergen Point Wastewater Treatment Plant to Jones Beach Island, West Babylon, Town of Babylon, 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.

Comments submitted in response to this notice will be fully considered during the public interest

review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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. On July 9, 2015, the U.S. Fish and Wildlife Service concurred with the determination that there will be no effect to Federally listed red knot, roseate tern, and northern long-eared bat. The Service also concurred with the determination that the proposed project will not likely adversely affect the piping plover, sandplain gerardia, and seabeach amaranth.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) 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 as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations 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 will be no effect to cultural or historic resources in the vicinity of the project area. On December 6, 2013, the New York State Historic Preservation Office concluded that the proposed project would have no effect upon cultural resources in or eligible for inclusion in the National Register of Historic Places.

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. The applicant obtained a water quality certificate from the New York State Department of Environmental Conservation on November 8, 2016, in accordance with Section 401 of the Clean Water Act.

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 obtained New York State Department of State general concurrence, dated January 27, 2017, that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program.

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

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any questions concerning this application, you may contact this office at (917) 790-8618 and ask for Amanda Regan.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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

Stefan A. Ryba
For and in behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

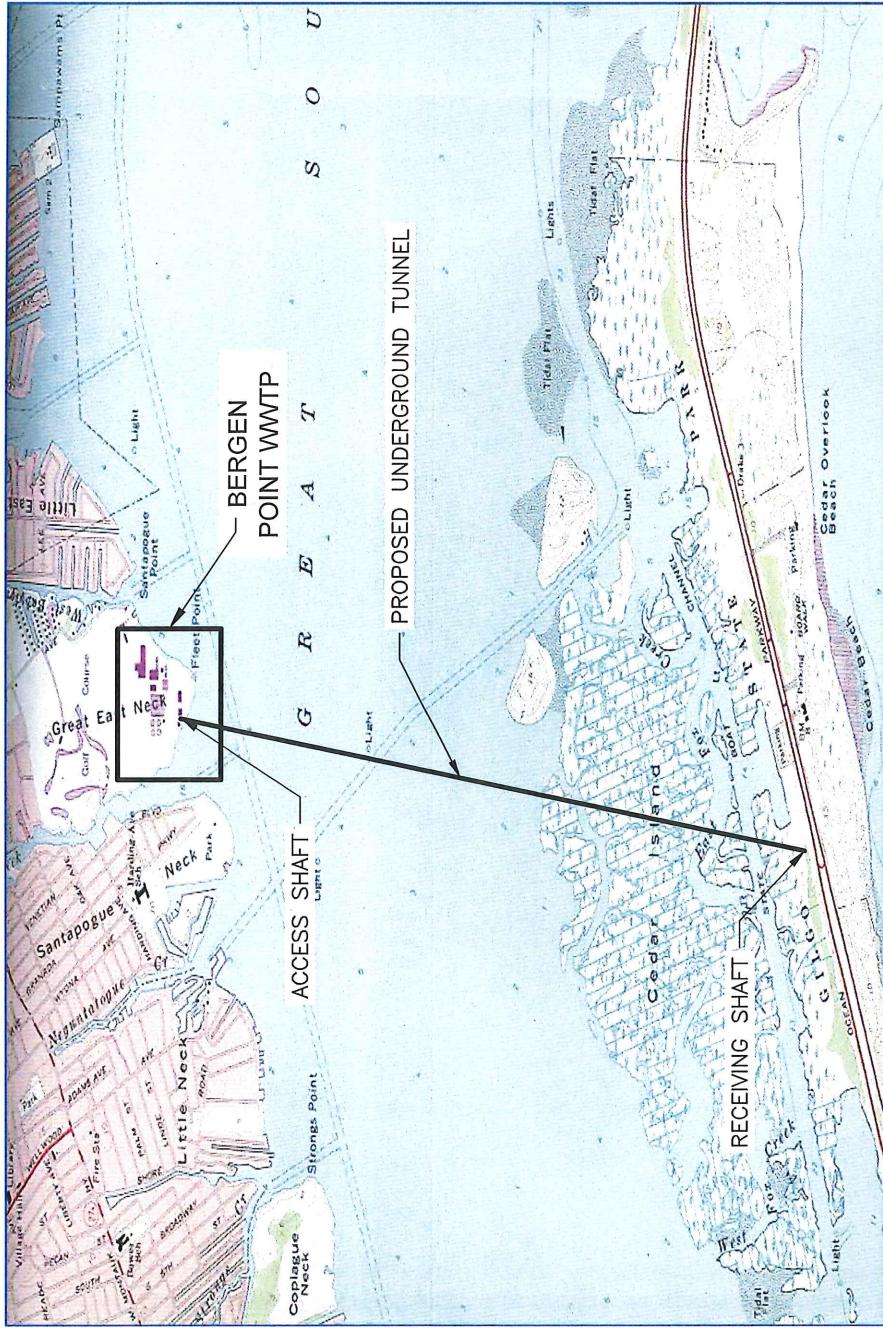
WORK DESCRIPTION

The applicant, Suffolk County, has requested Department of the Army authorization for replacement of a wastewater outfall beneath Great South Bay, Town of Babylon, Suffolk County, New York.

The regulated work would involve the replacement of 14,200 linear feet of a deteriorating wastewater transport outfall with a 6-foot-diameter pre-stressed concrete outfall pipe approximately 75 feet west of the existing outfall. Horizontal directional drilling, beginning upland at Bergen Point Wastewater Treatment Plant, will be conducted with a tunnel boring machine to install the new pipe that will terminate on Jones Beach Island. The new replacement outfall pipe will be located approximately 80 to 100 feet beneath the floor of Great South Bay. Approximately 100-linear-feet of temporary bypass piping would be trenched and constructed to allow for the connection to the new outfall to the existing discharge pipe on Jones Beach Island. The regulated work also consists of temporary disturbance of 2.5 acres of mudflat and tidal wetlands for construction access and installation of a 30-foot-diameter underground access shaft with a 50-linear-foot pipe to connect to and discharge at the existing outfall pipe on Jones Beach Island. The access shaft, bypass trench, and surrounding area would be regraded and restored with native vegetation. The remaining structure in the wetlands would be a four-inch-diameter relief valve encased in a nine-square-foot fiberglass enclosure.

The applicant has stated that they have avoided, minimized and mitigated for impacts proposed to the maximum extent possible by conducting the work using a tunnel boring machine beneath the waterway and limiting the permanent footprint in the wetlands to the fiberglass enclosure for the relief valve. The remaining wetland impacts are temporary and would be restored to existing grade and replanted with native vegetation.

The stated purpose of this project is to replace a failing outfall in order to continue providing wastewater utility to Suffolk County residents.



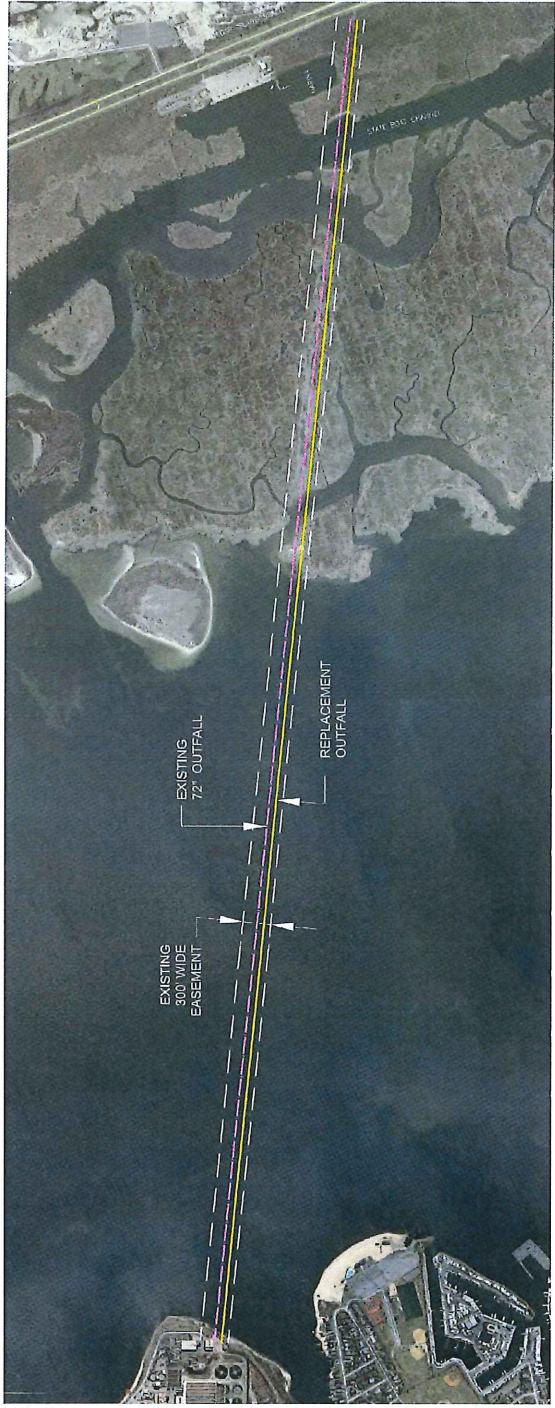
SOURCE: BAY SHORE WEST, USGS QUADRANGLE 1979.

FILE #: NAN-
DATUM: NGVD 1929
APPLICANT:
SUFFOLK COUNTY DEPARTMENT
OF PUBLIC WORKS
ADJACENT PROPERTY OWNERS:
1. COUNTY OF SUFFOLK
2. STATE OF NEW YORK
3. TOWN OF BABYLON

VICINITY MAP

BERGEN POINT WWTP:
OUTFALL REPLACEMENT BY
TUNNELING
IN: ADJACENT TO AND BENEATH
GREAT SOUTH BAY
COUNTY: SUFFOLK
STATE: NEW YORK
SHEET 1 OF 28 DATE: AUG 2016

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PLAN VIEW

1" = 2000'
1000 0 2000

FILE #: NAN-	BERGEN POINT WWTP: OUTFALL REPLACEMENT BY TUNNELING
DATUM: NGVD 1929	IN: ADJACENT TO AND BENEATH GREAT SOUTH BAY
APPLICANT: SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS	COUNTY: SUFFOLK
ADJACENT PROPERTY OWNERS: 1. COUNTY OF SUFFOLK 2. STATE OF NEW YORK 3. TOWN OF BABYLON	STATE: NEW YORK
	SHEET 2 OF 29 DATE: AUG 2016

