

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-2018-00535-EBR
Issue Date: June 20, 2019
Expiration Date: July 22, 2019

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):

APPLICANT: Westhampton Bath & Tennis Club
231 Dune Road
Westhampton Beach, NY 11978

WATERWAY: Moneybogue Bay

LOCATION: 228 Dune Road, Village of Westhampton Beach, Town of Southampton, Suffolk County, New York

ACTIVITY: Dredge with ten years maintenance with upland placement.

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

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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 adversely 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 (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 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.

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:

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- New York State Department of Environmental Conservation

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) 790-8516 and ask for William Bruno.

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>.


For and in behalf of
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

The applicant, Westhampton Bath & Tennis Club, has requested Department of the Army authorization to conduct dredging with ten-years maintenance with upland placement. The project is located at Moneybogue Bay at 228 Dune Road, Village of Westhampton Beach, Town of Southampton, Suffolk County, New York.

The work would include:

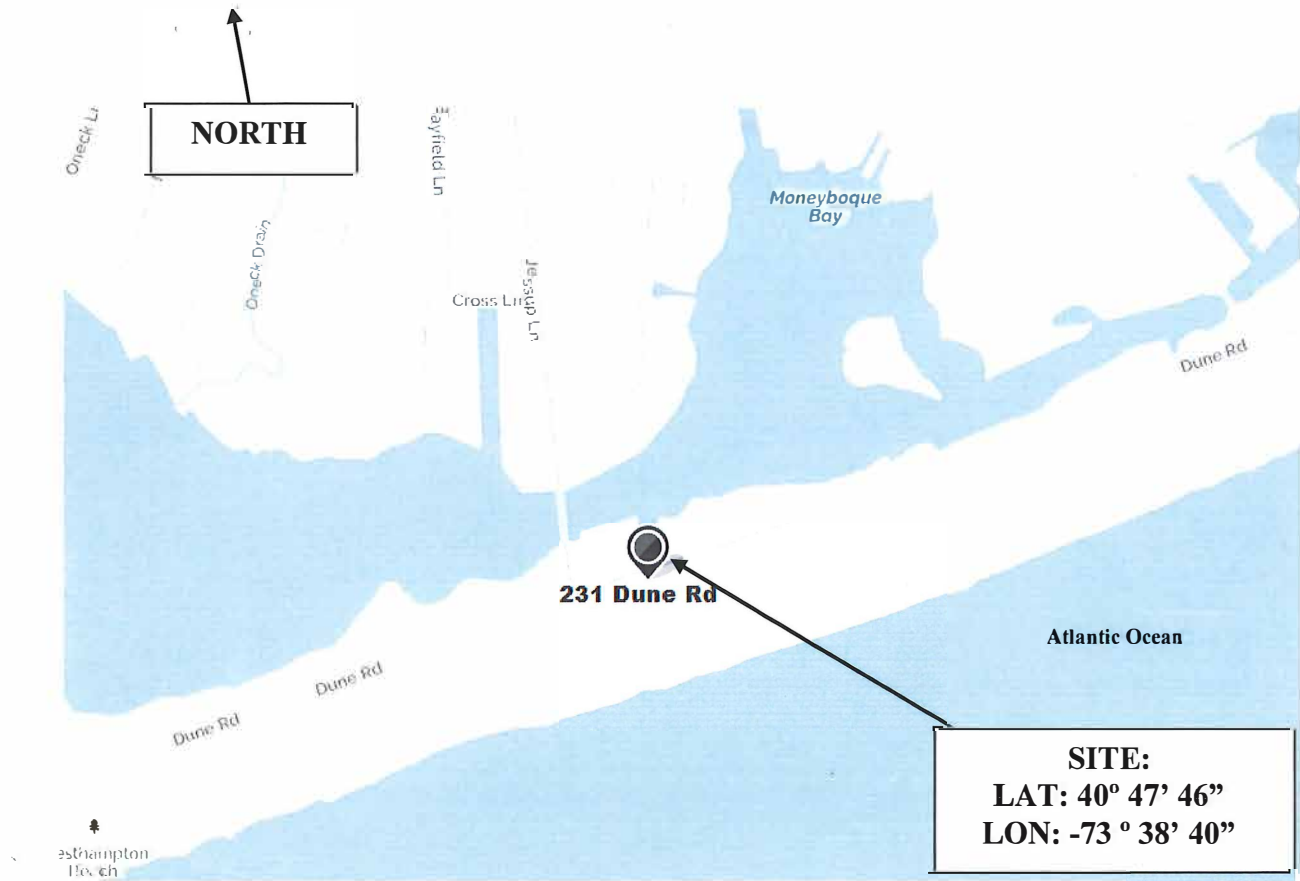
Dredge with ten-years maintenance, by mechanical dredge, a total of approximately 460-cubic yards (CY) of material from two areas in Moneybogue Bay within the footprint of an existing marina. Approximately 185 CY will be dredged from a 50-foot-wide by 50-foot-long area, approximately 2,500 square feet, located toward the westernmost side and seaward of the existing north-facing bulkhead and beneath an existing "L"-shaped pier, to a maximum depth of 4-feet below the plane of Mean Low Water (MLW). Approximately 275 CY will be dredged from a 20-foot-wide by 235-foot-long area, approximately 4,700 square feet, located seaward and along the east side of the existing easternmost "T"-shaped pier and along the existing east-facing section of bulkhead, to a maximum depth of 4-feet below the plane of Mean Low Water (MLW).

The resultant approximately 460 CY of dredged material will be delivered to two upland temporary storage sites located landward of the dredging areas to dewater for 7-10 days, with no return flow and then transported via dump truck to an upland disposal site located landward of an existing dune.

Up to two (2) additional dredging events are authorized during the 10-year life of this permit for similar volumes and with the same dredging and placement areas.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable by conducting the minimum dredging necessary for safe mooring and navigation and conducting the proposed dredging within the confines of a turbidity curtain.

The stated purpose of this project is to provide the applicant safe navigation and mooring.



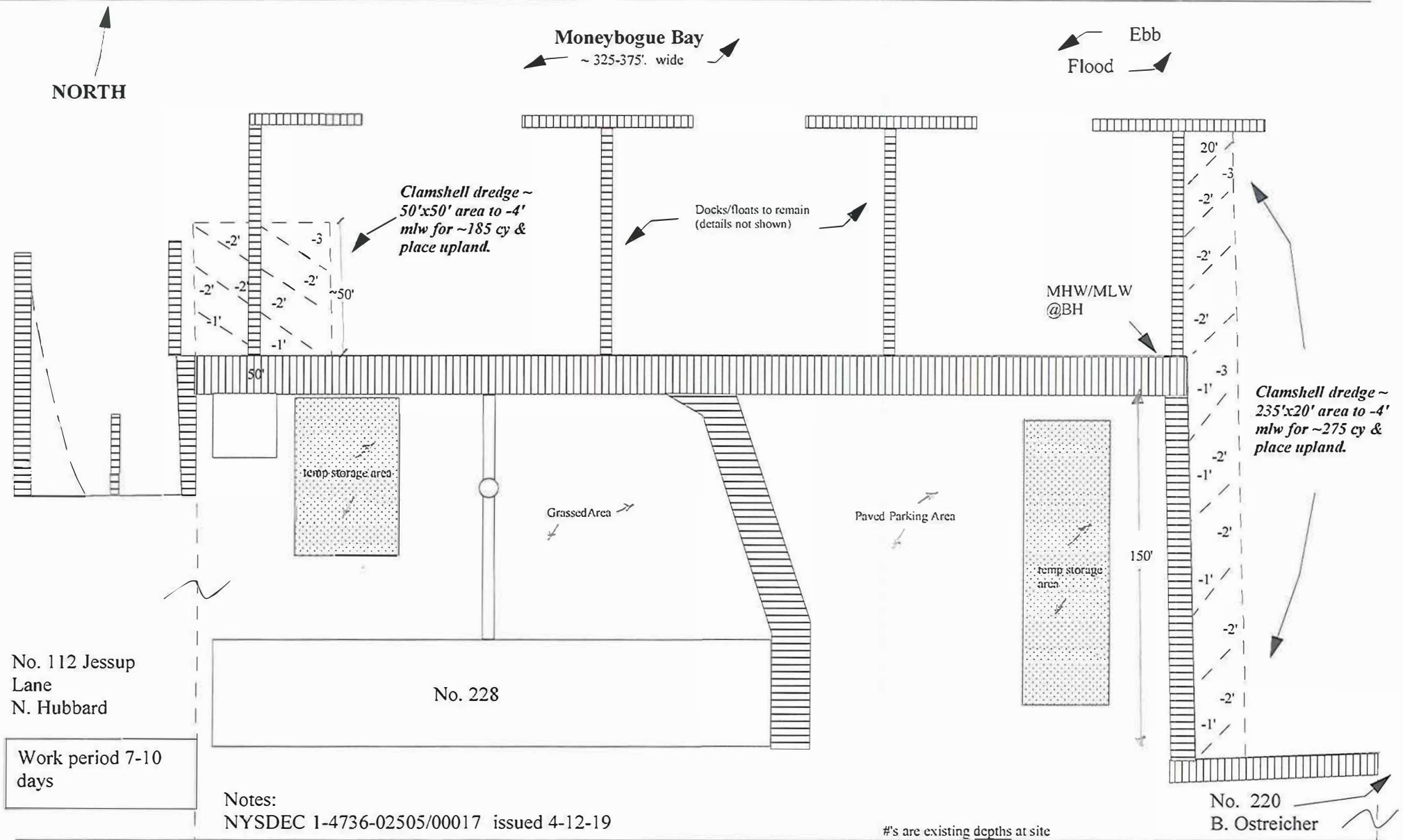
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PROPOSED MAINTENANCE DREDGING

Scale: 1 inch = 500ft

Westhampton Bath & Tennis Club
228 Dune Rd
Westhampton Beach, NY

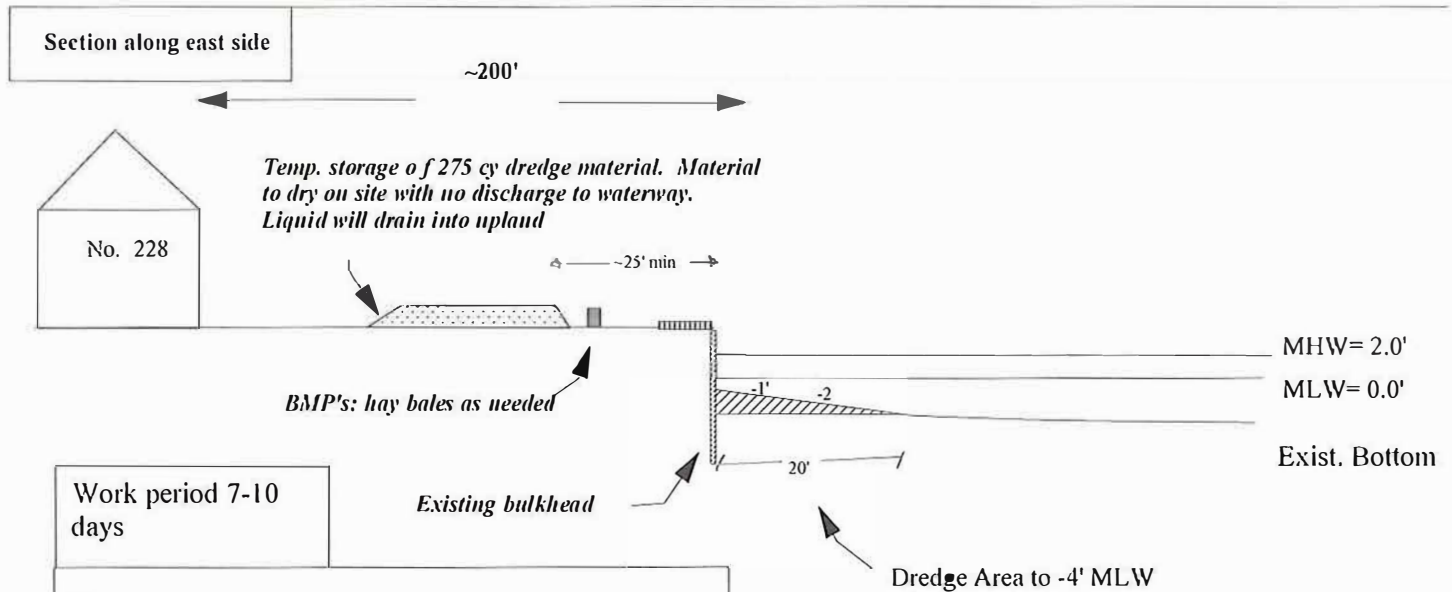
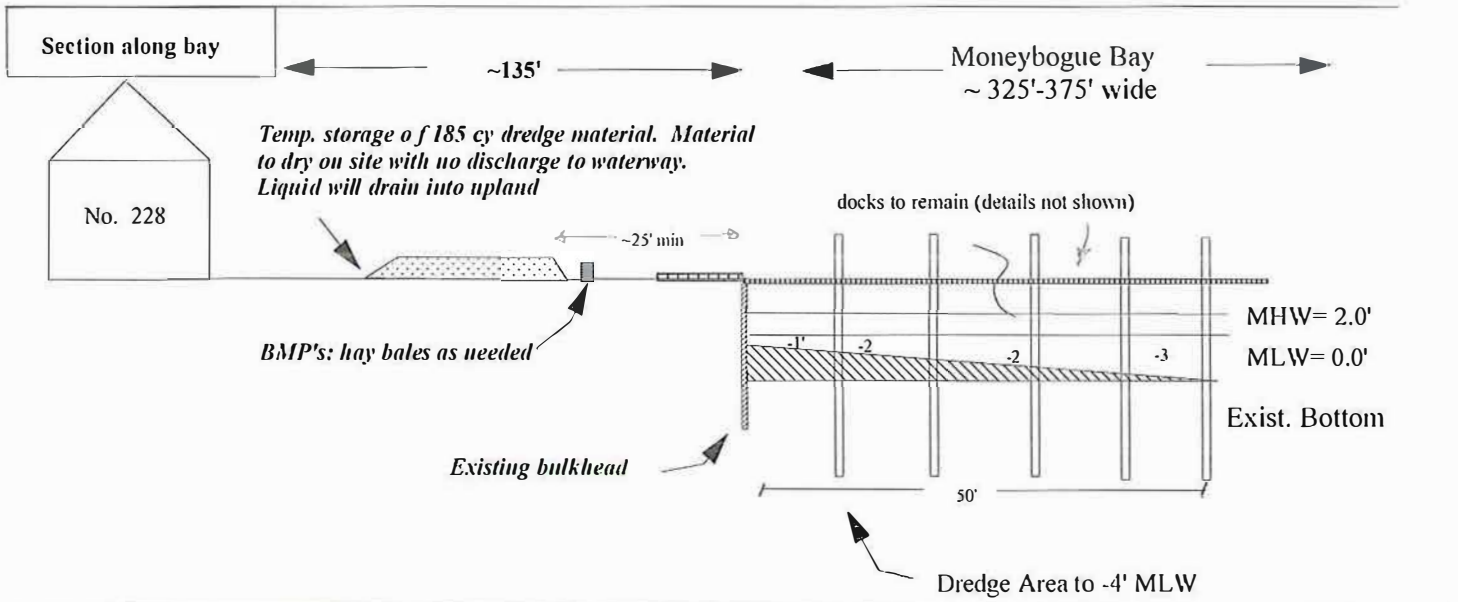
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SITE PLAN FOR MAINTENANCE DREDGING- PAGE 1 OF 2



Dune Rd.			
Applicant: Westhampton Bath & Tennis 228 Dune Rd Westhampton Beach, NY 11978 SCTM: Dist: 905 Sec 019 Blk 7 Lot 13.001	Proposed maintenance dredging in Moneybogue Bay, New York Datum: Mean Low Water	Appl. By: Ocean Consulting 262 Weidner Ave. Oceanside, NY 11572 (516) 764-8534	Scale: 1" = 50' Date: 6-APR-18, 10-MAY-19

PROFILE THROUGH MAINTENANCE DREDGING



Work period 7-10 days

Notes:

* NYSDEC 1-4736-02505/00017 issued 4-12-19

Dredge material mostly sand
Not detailed for construction. Contractor to determine all materials specifications and other dimensions in the field prior to construction.

Applicant: Westhampton Bath & Tennis
228 Dune Rd
Westhampton Beach, NY 11978

SCTM: Dist: 905 Sec 019 Blk 7 Lot 13.001

Purpose: Maintain mooring depths

Scale: One Inch = Twenty Feet

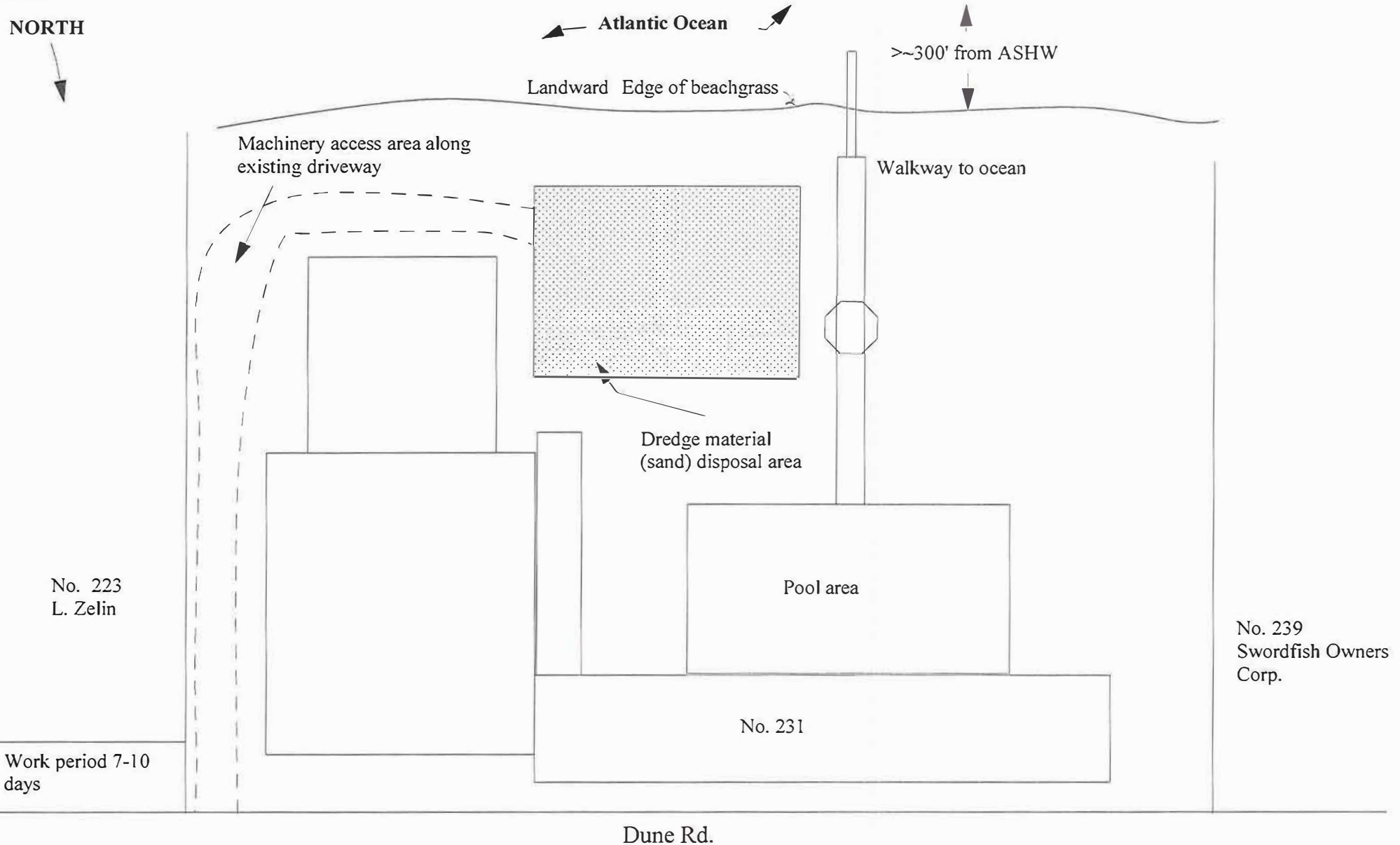
Proposed maintenance dredging in Moneybogue Bay, New York

At: Westhampton, NY

Appl. By: Ocean Consulting
262 Weidner Ave.
Oceanside, NY 11572
(516) 764-8534

Date: 6-APR-18, 10-MAY-19

SITE PLAN FOR MAINTENANCE DREDGING- PAGE 2 OF 2



Applicant: Westhampton Bath & Tennis 228 Dune Rd Westhampton Beach, NY 11978 SCTM: Dist: 905 Sec 019 Blk 2 Lot 12	Proposed maintenance dredging in Moneybogue Bay, New York Datum: Mean Low Water	Appl. By: Ocean Consulting 262 Weidner Ave. Oceanside, NY 11572 (516) 764-8534	Scale: 1" = 50' Date: 6-APR-18, 10-MAY-19
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