

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-2019-00022-EHA
Issue Date: March 28, 2019
Expiration Date: April 29, 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Town of Southampton
Attn: Jay Schneiderman
116 Hampton Road
Southampton, New York 11968

ACTIVITY: Hydraulically pump material via submerged pipeline from a stockpile area east of North Sea Harbor Inlet to an area west of the inlet, at the North Sea Beach Colony, for the purpose of beach nourishment.

WATERWAY: Little Peconic Bay

LOCATION: Stockpile location: just east of North Sea Harbor Inlet. Beach Placement location: between North Sea Road and the eastern boundary of the North Sea Beach Colony development, North Sea Beach Colony, Town of Southampton, 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.

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2019-00022-EHA

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. 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 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.

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 and the applicant 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 a permit decision.

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

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2019-00022-EHA

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:

- 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) 790-8523 and ask for Naomi Handell.

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

WORK DESCRIPTION

The applicant, Town of Southampton, has requested Department of the Army authorization for the placement of stockpiled dredge material in Little Peconic Bay for the purpose of beach nourishment, between North Sea Road and the eastern boundary of the development, North Sea Beach Colony, Town of Southampton, Suffolk County, New York. The stockpiled dredge material is located along the Peconic Bay Shoreline, just east of North Sea Harbor Inlet.

The work would involve:

From a dredged material stockpile area east of North Sea Harbor Inlet, hydraulically pump, via 12-inch diameter submerged pipeline, approximately 15,000 cubic yards of sandy gravel and place the material along a variable width area ranging from 68-foot wide to 109-foot wide by approximately 1,330-foot long between North Sea Road and the eastern project boundary as shown on Sheet 1 of 14. All material would be placed waterward of the Spring High Water Line, over an approximately 117,971 square foot area as shown on Sheet 5 of 14.

The applicant has stated they have avoided, minimized and mitigated for proposed impacts by proposing a no-work window of January 1 to September 30, to avoid impacts to Essential Fish Habitat and managed species and impacts to piping plovers and red knots.

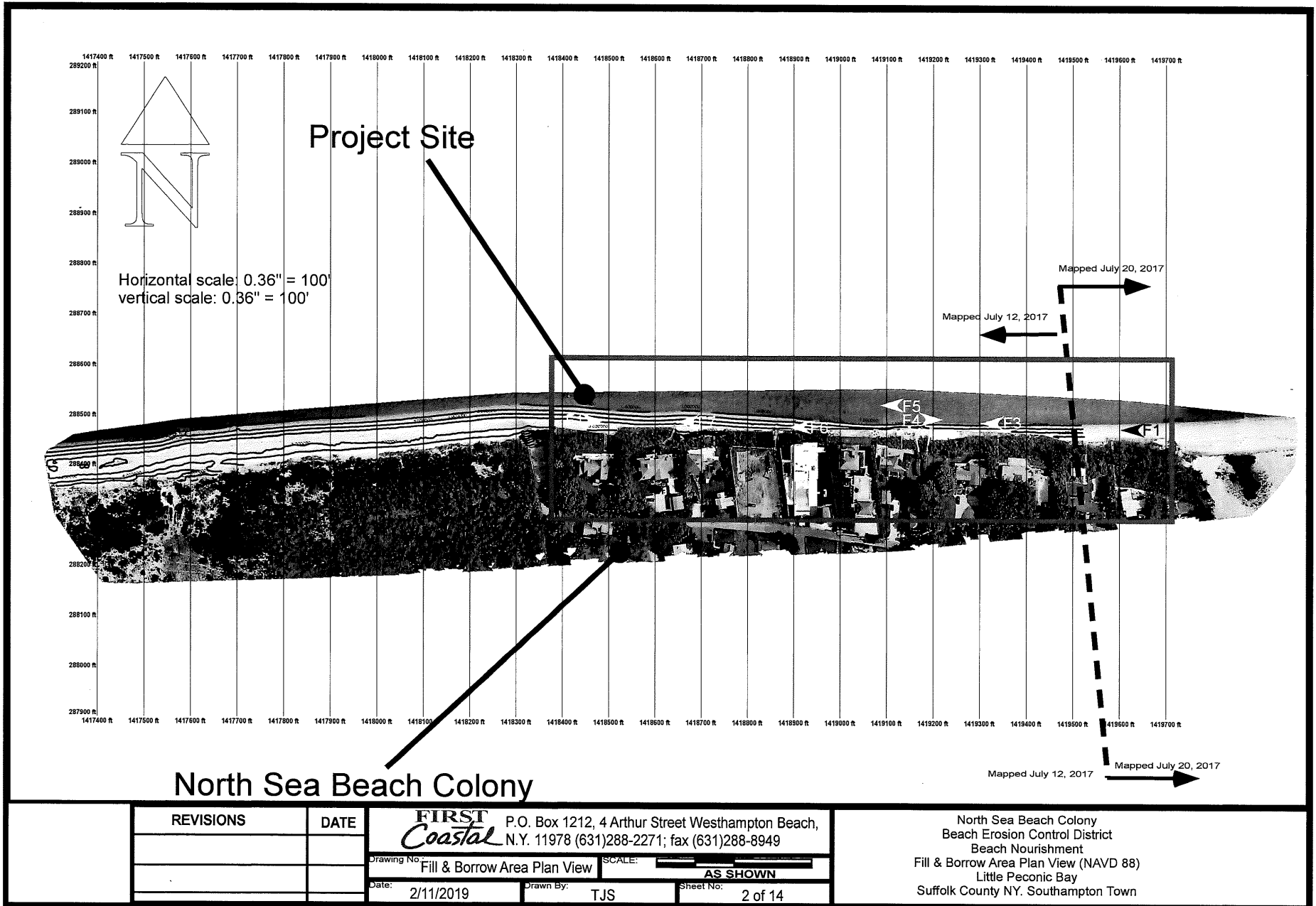
The stated purpose of this project is to reduce erosion and restore the littoral transport of sand within the area.

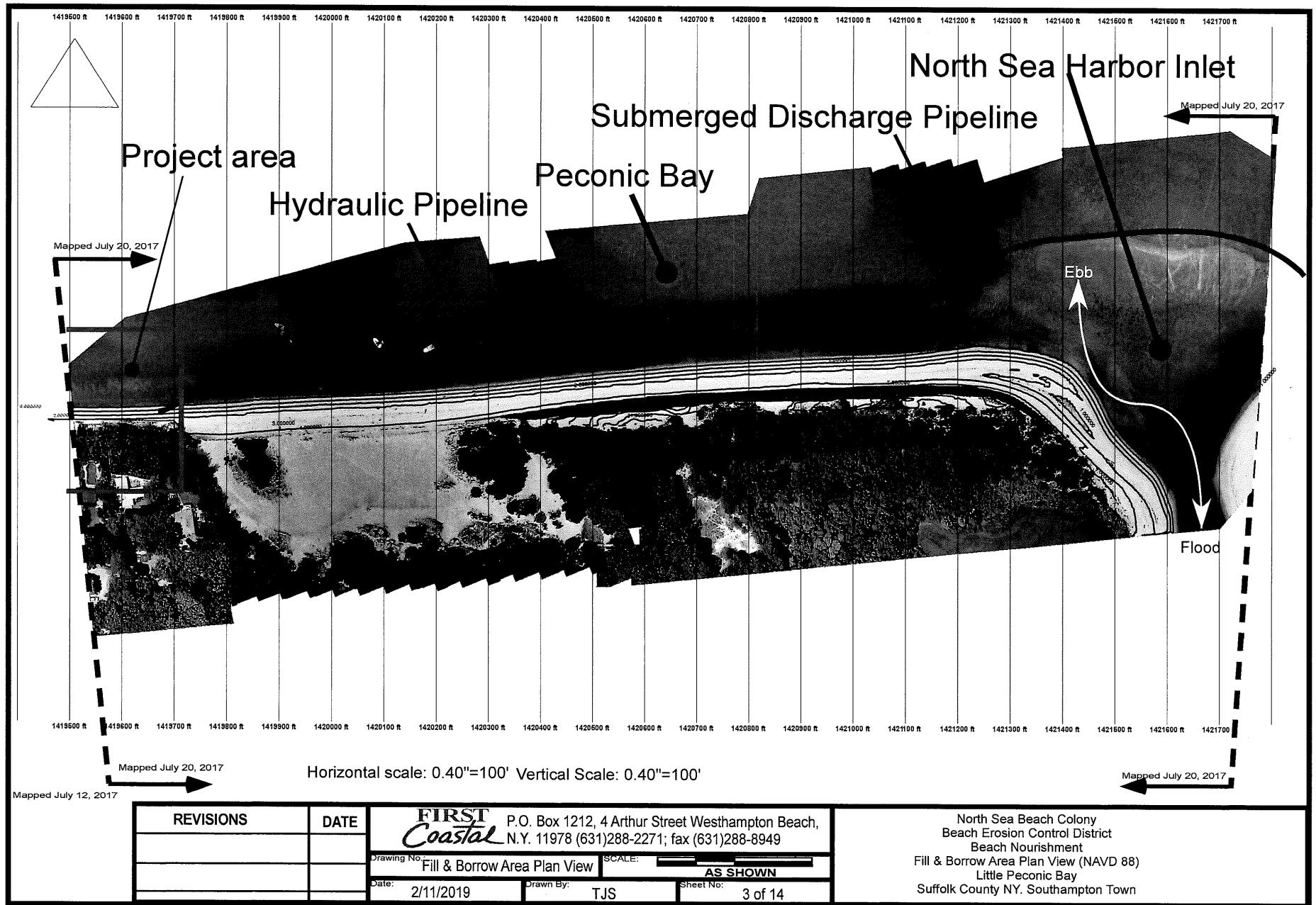


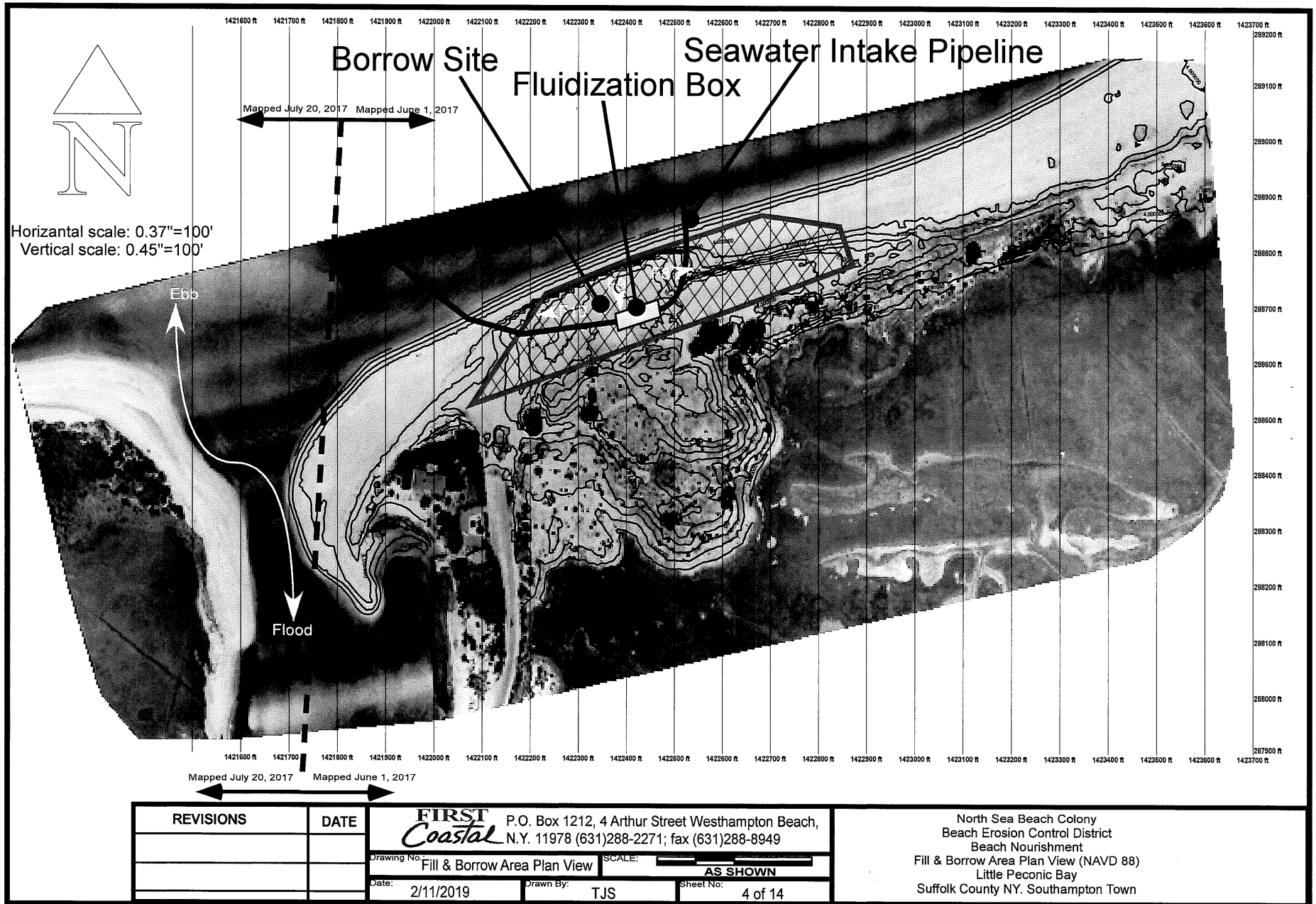
Google Earth

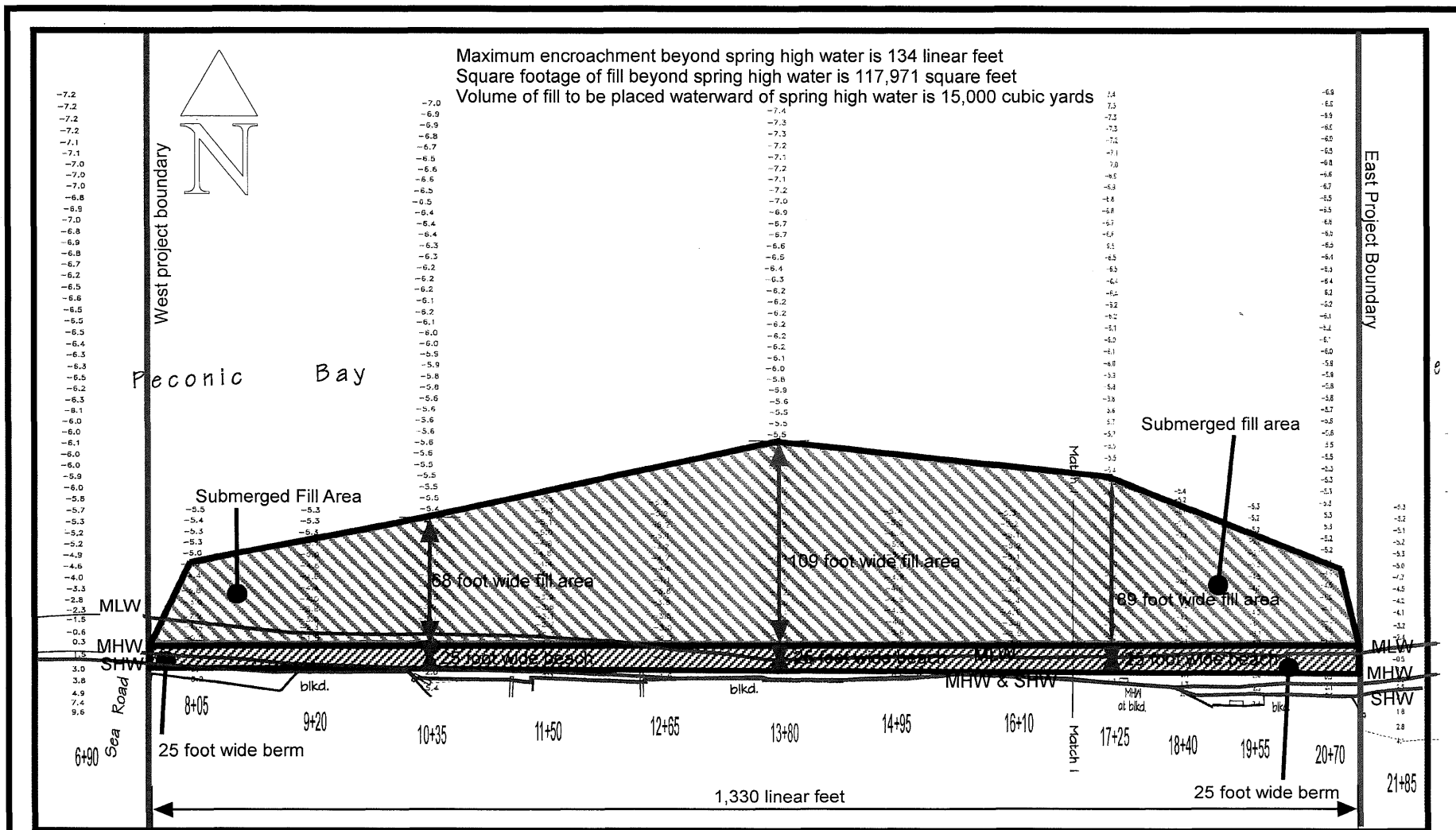
© 2018 Google

	REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949 Drawing No.: <u>Vicinity Map</u> SCALE: <u>AS SHOWN</u> Date: <u>2/11/2019</u> Drawn By: <u>TJS</u> Sheet No: <u>1 of 14</u>	North Sea Beach Colony Beach Erosion Control District Beach Nourishment Vicinity Map Taken from Google Earth Little Peconic Bay Suffolk County NY, Southampton Town





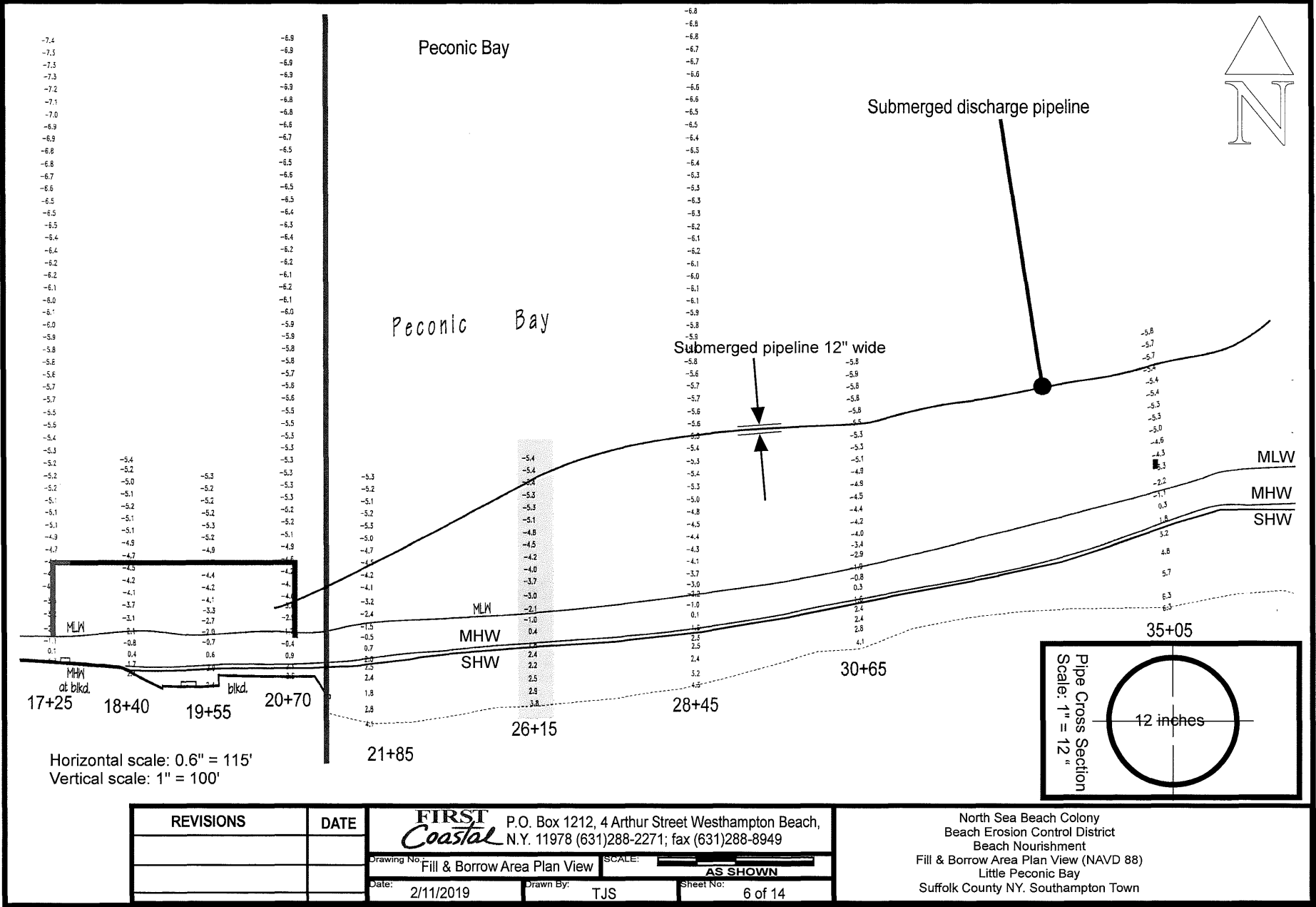


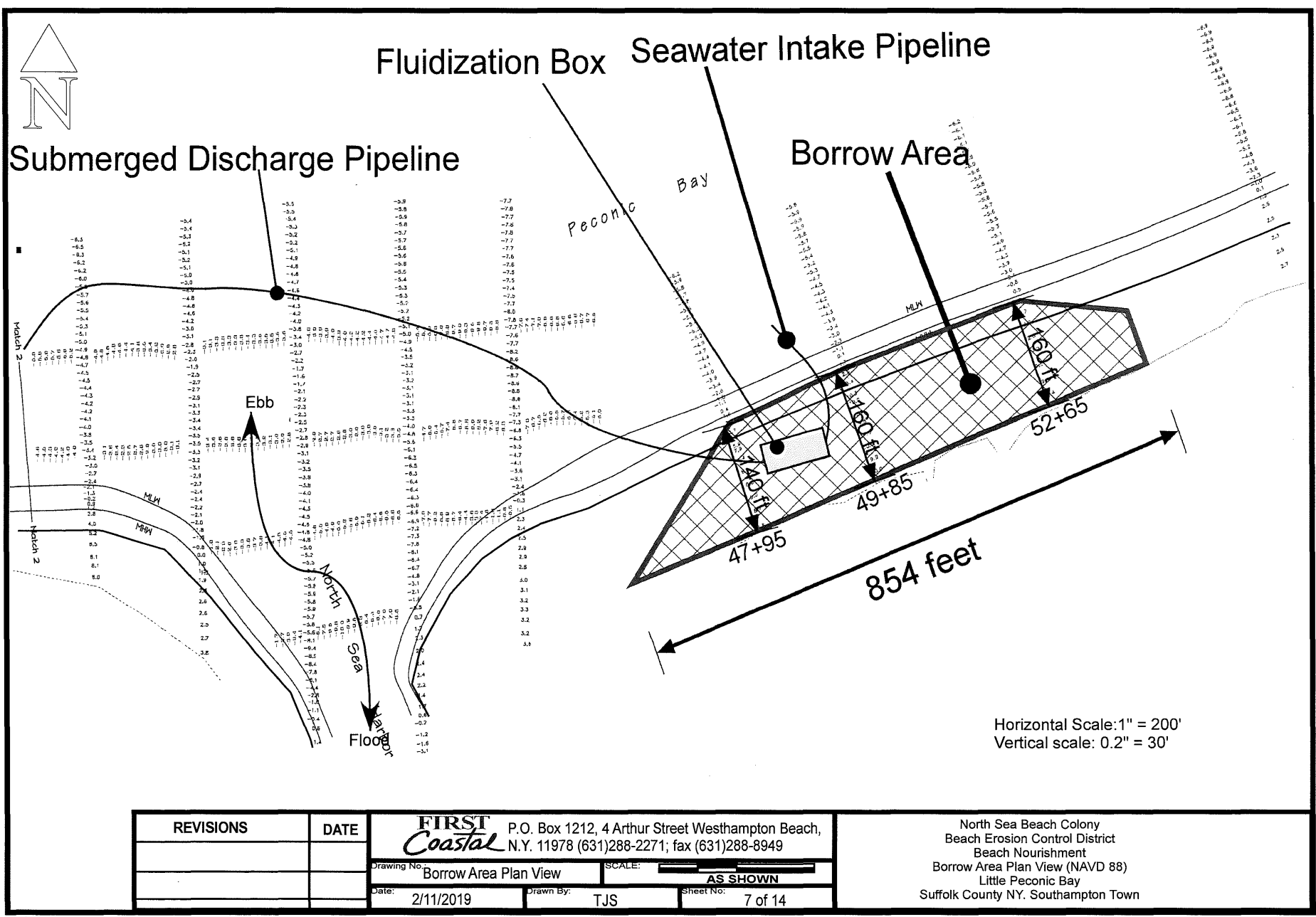


Horizontal scale: 0.75" = 100'
 Vertical scale : 0.38" = 50'

REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
		Drawing No. Fill Area Plan View 1	SCALE: AS SHOWN
		Date: 2/11/2019	Drawn By: TJS
			Sheet No: 5 of 14

North Sea Beach Colony
 Beach Erosion Control District
 Beach Nourishment
 Fill Area Plan View (NAVD 88)
 Little Peconic Bay
 Suffolk County NY. Southampton Town

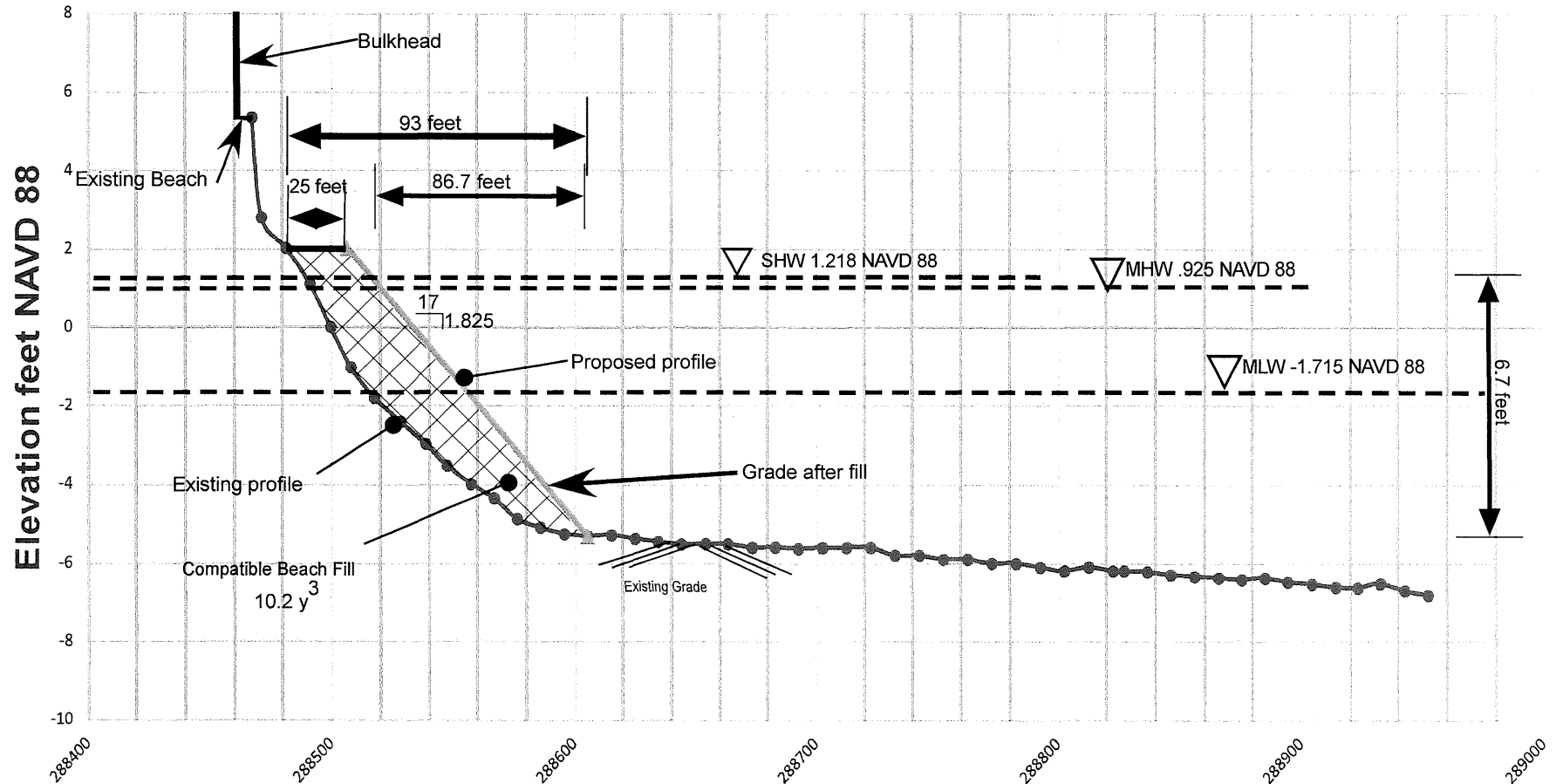




REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
		Drawing No.	Borrow Area Plan View
		Scale:	AS SHOWN
		Date:	2/11/2019
		Drawn By:	TJS
		Sheet No.:	7 of 14

North Sea Beach Colony
 Beach Erosion Control District
 Beach Nourishment
 Borrow Area Plan View (NAVD 88)
 Little Peconic Bay
 Suffolk County NY, Southampton Town

NSBC Cross Section 10+35

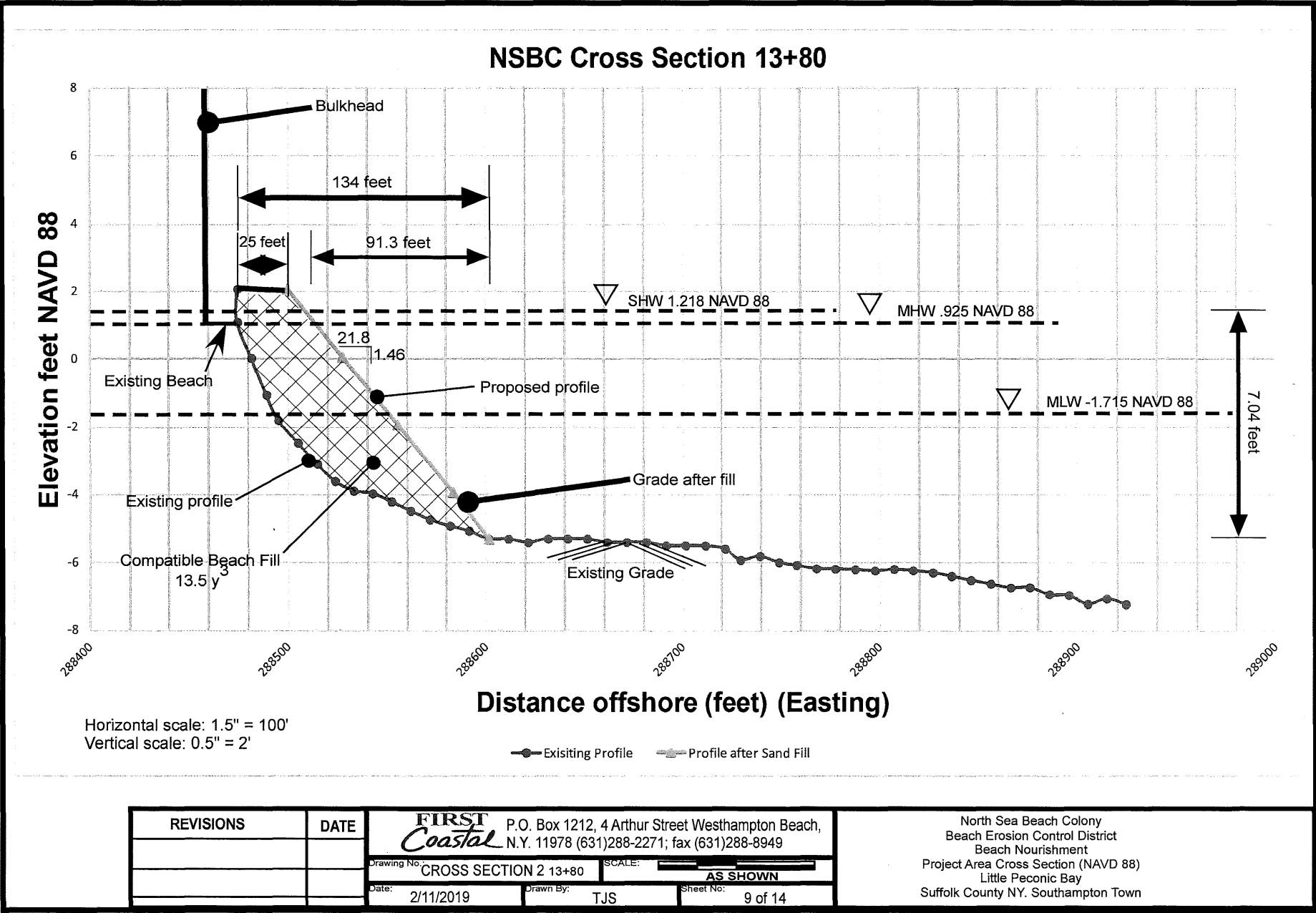


Horizontal scale: 1.5" = 100'
Vertical scale: 0.5" = 2'

Existing Profile Profile after Sand Fill

REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
		Drawing No. CROSS SECTION 1 10+35	SCALE: AS SHOWN
		Date: 2/11/2019	Drawn By: TJS
			Sheet No: 8 of 14

North Sea Beach Colony
Beach Erosion Control District
Beach Nourishment
Project Area Cross Section (NAVD 88)
Little Peconic Bay
Suffolk County NY, Southampton Town

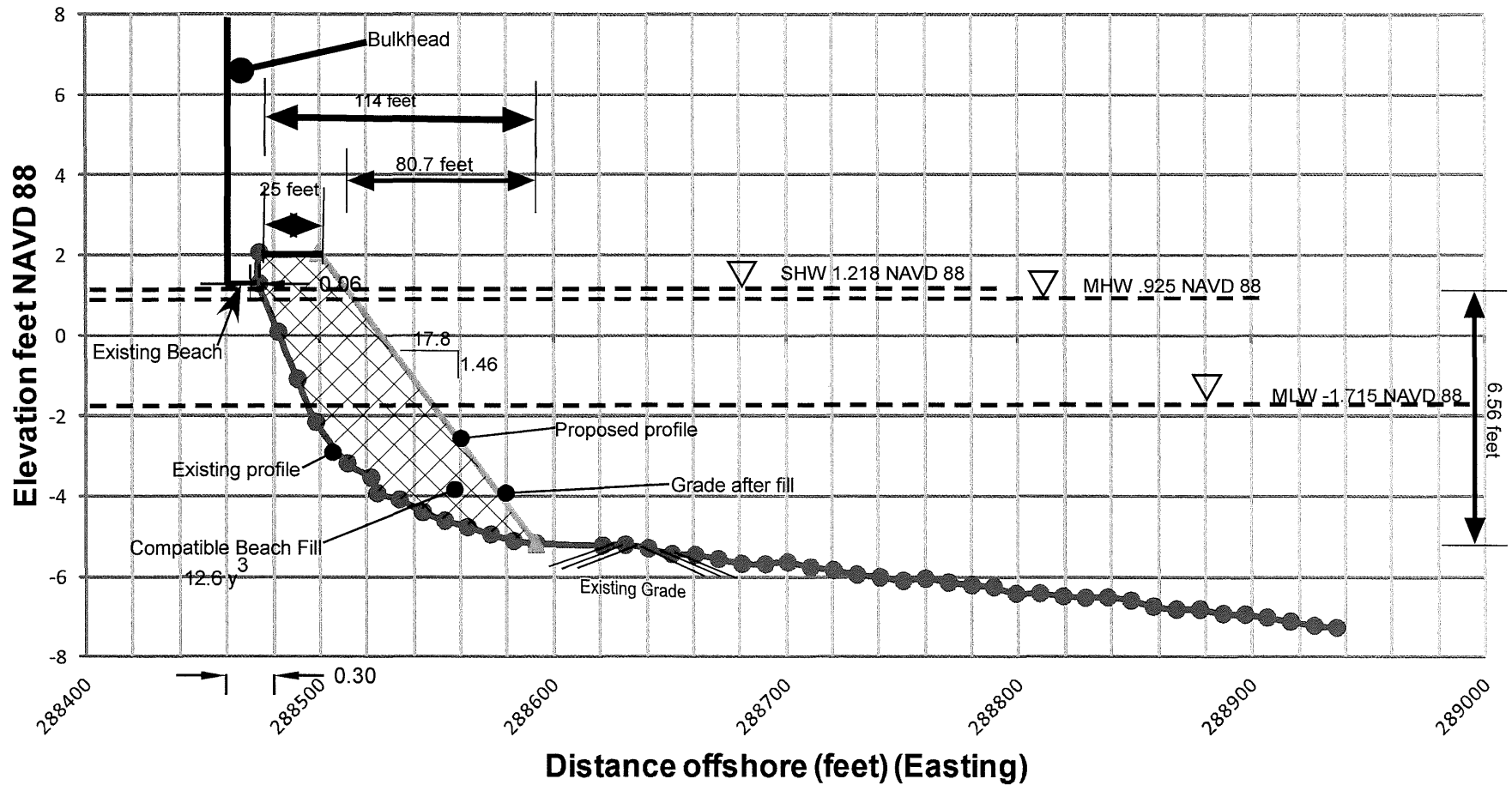


REVISIONS	DATE

FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
Drawing No. CROSS SECTION 2 13+80	SCALE: AS SHOWN
Date: 2/11/2019	Drawn By: TJS
Sheet No: 9 of 14	

North Sea Beach Colony Beach Erosion Control District Beach Nourishment Project Area Cross Section (NAVD 88) Little Peconic Bay Suffolk County NY, Southampton Town
--

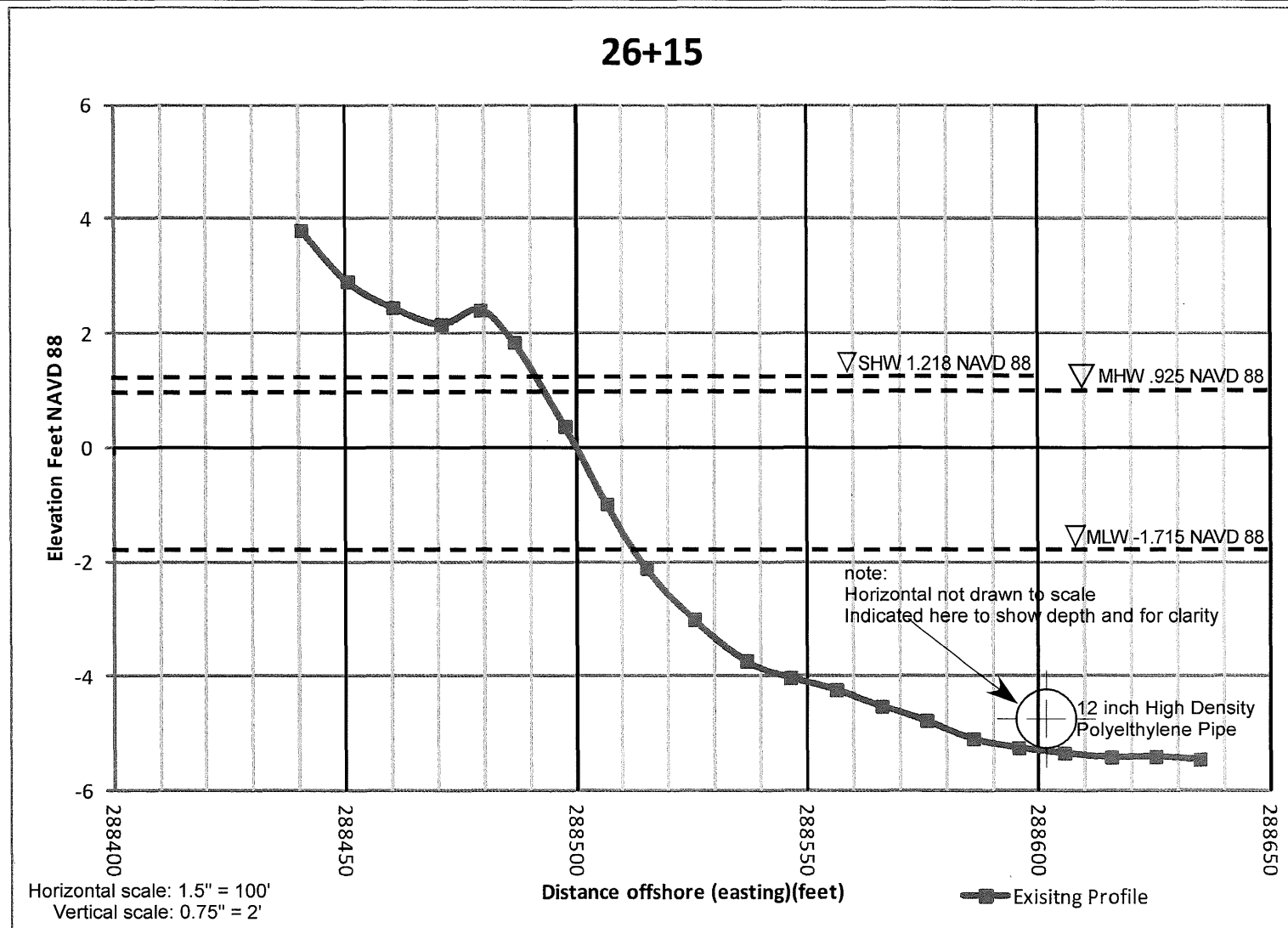
NSBC Cross Section 17+25



REVISIONS	DATE

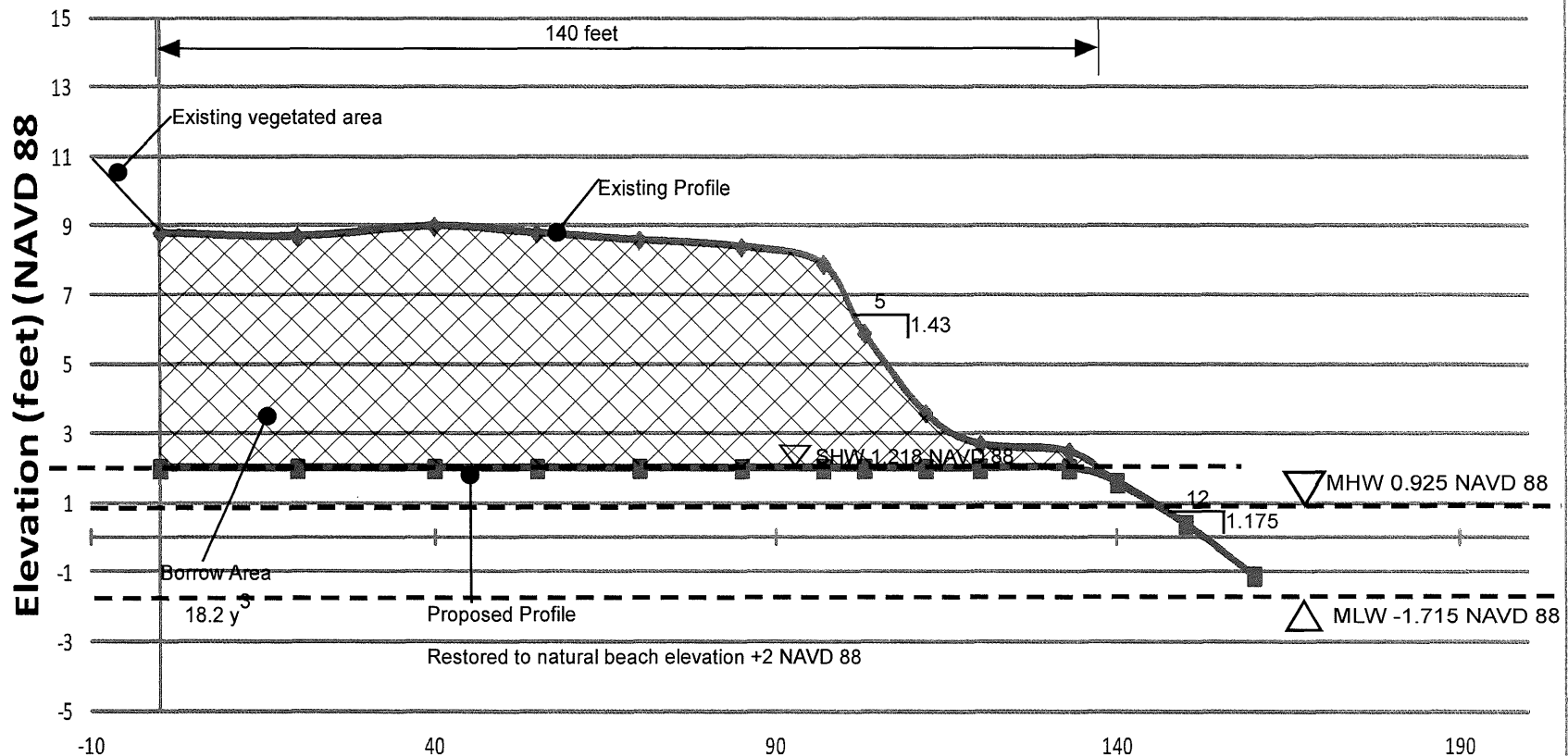
FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
Drawing No.:	CROSS SECTION 3 17+25
Date:	2/11/2019
Drawn By:	TJS
Scale:	AS SHOWN
Sheet No.:	10 of 14

North Sea Beach Colony
 Beach Erosion Control District
 Beach Nourishment
 Project Area Cross Section (NAVD 88)
 Little Peconic Bay
 Suffolk County NY, Southampton Town



REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949		North Sea Beach Colony Beach Erosion Control District Beach Nourishment Submerged pipeline Cross Sections Little Peconic Bay Suffolk County NY. Southampton Town	
		Drawing No.	SCALE: AS SHOWN		
		Date:	2/11/2019	Drawn By:	TJS
				Sheet No:	11 of 14

Borrow Area Profile (47+95)



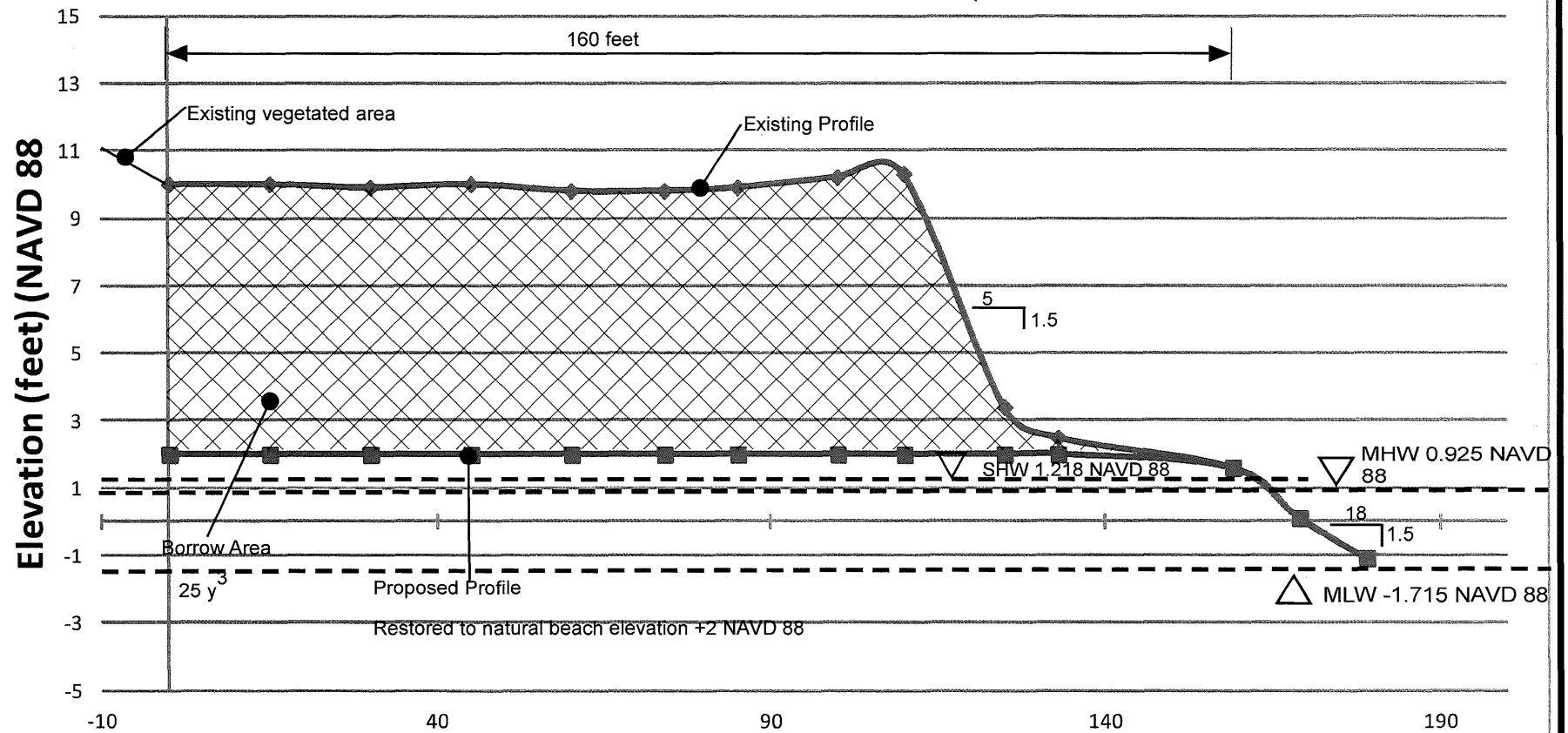
Horizontal scale: 2" = 50'
Vertical scale: 0.40" = 2'

existing grade grade after excavation

REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949 Drawing No.: CROSS SECTION 4 47+95 SCALE: AS SHOWN	
		Date: 2/11/2019	Drawn By: TJS
			Sheet No: 12 of 14

North Sea Beach Colony
Beach Erosion Control District
Beach Nourishment
Borrow Area Cross Section (NAVD 88)
Little Peconic Bay
Suffolk County NY, Southampton Town

Borrow Area Profile (49+85)



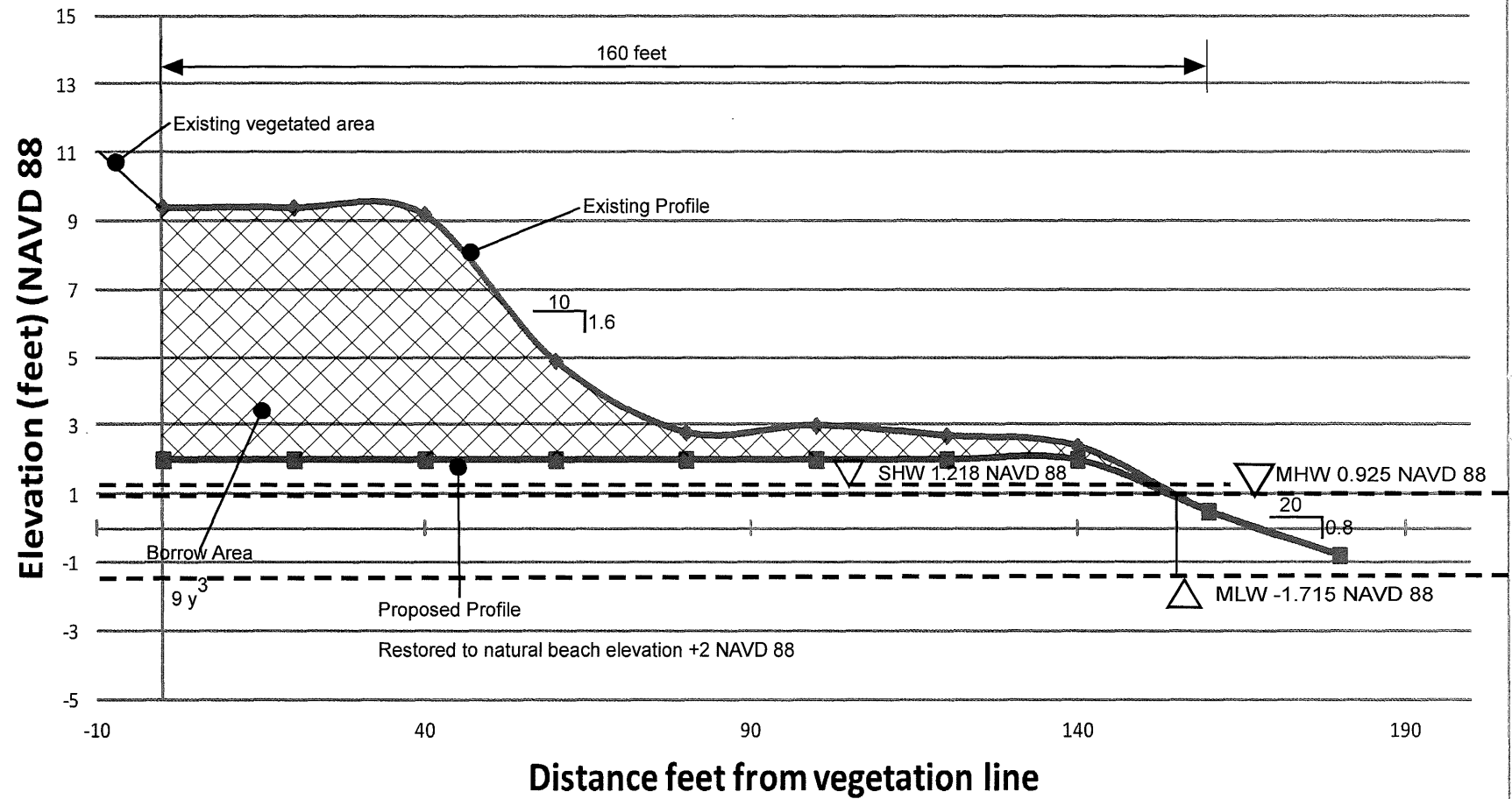
Horizontal scale: 2" = 50'
Vertical scale: 0.45" = 2'

Existing Grade Grade after Removal of Sand

REVISIONS	DATE	FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949	
		Drawing No. CROSS SECTION 5 49+85	SCALE: AS SHOWN
		Date: 2/11/2019	Drawn By: TJS Sheet No: 13 of 14

North Sea Beach Colony
Beach Erosion Control District
Beach Nourishment
Borrow Area Cross Section (NAVD 88)
Little Peconic Bay
Suffolk County NY, Southampton Town

Borrow Area Profile (52+65)



Horizontal scale: 2" = 50'
Vertical scale: 0.45" = 2'

existing grade new grade

REVISIONS	DATE

FIRST Coastal P.O. Box 1212, 4 Arthur Street Westhampton Beach, N.Y. 11978 (631)288-2271; fax (631)288-8949

Drawing No. CROSS SECTION 6 SCALE: AS SHOWN

Date: 2/11/2019 Drawn By: TJS Sheet No: 14 of 14

North Sea Beach Colony
Beach Erosion Control District
Beach Nourishment
Borrow Area Cross Section (NAVD 88)
Little Peconic Bay
Suffolk County NY, Southampton Town