



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-2017-00207-WPI

Issue Date: **SEP 17 2019**

Expiration Date: **OCT 17 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: The Crest Group
Attn: Michael Bonawandt
25 East Broadway
Port Jefferson, New York 11777

ACTIVITY: Dredging with ten-years maintenance and return flow to the waterway.

WATERWAY: Port Jefferson Harbor, tributary of Long Island Sound

LOCATION: Village of Port Jefferson, Town of Brookhaven, 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

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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 disturbance to the benthic environment and 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 and because a no work window would reduce impacts to EFH and managed species. 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 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

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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 Katherine.Pijanowski@usace.army.mil or (917) 790-8520 and ask for Katherine Pijanowski.

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>.


Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, The Crest Group, has requested Department of the Army authorization for dredging with ten-years maintenance and return flow in Port Jefferson Harbor, Town of Brookhaven, Suffolk County, New York.

The work would involve:

Ten-year maintenance dredging of a 36,150 square foot area to a water depth of 6-feet below the plane of mean lower low water (MLLW), with no overdepth dredging is proposed (see Sheet 5 of 6). The initial maintenance dredging event would remove approximately 5,000 cubic yards of material. Up to two additional dredging events are expected to occur over the ten-year period each removing approximately 3,000 cubic yards of material. The dredging would be performed by clamshell. The proposed dredged material consists of approximately 90% sand and gravel and approximately 10% silt and clay. For each dredging event, the dredged material would dewatered in a parking lot adjacent to the dredging area with return flow to the waterway and placed at a state approved upland location (see Sheet 2 of 6).

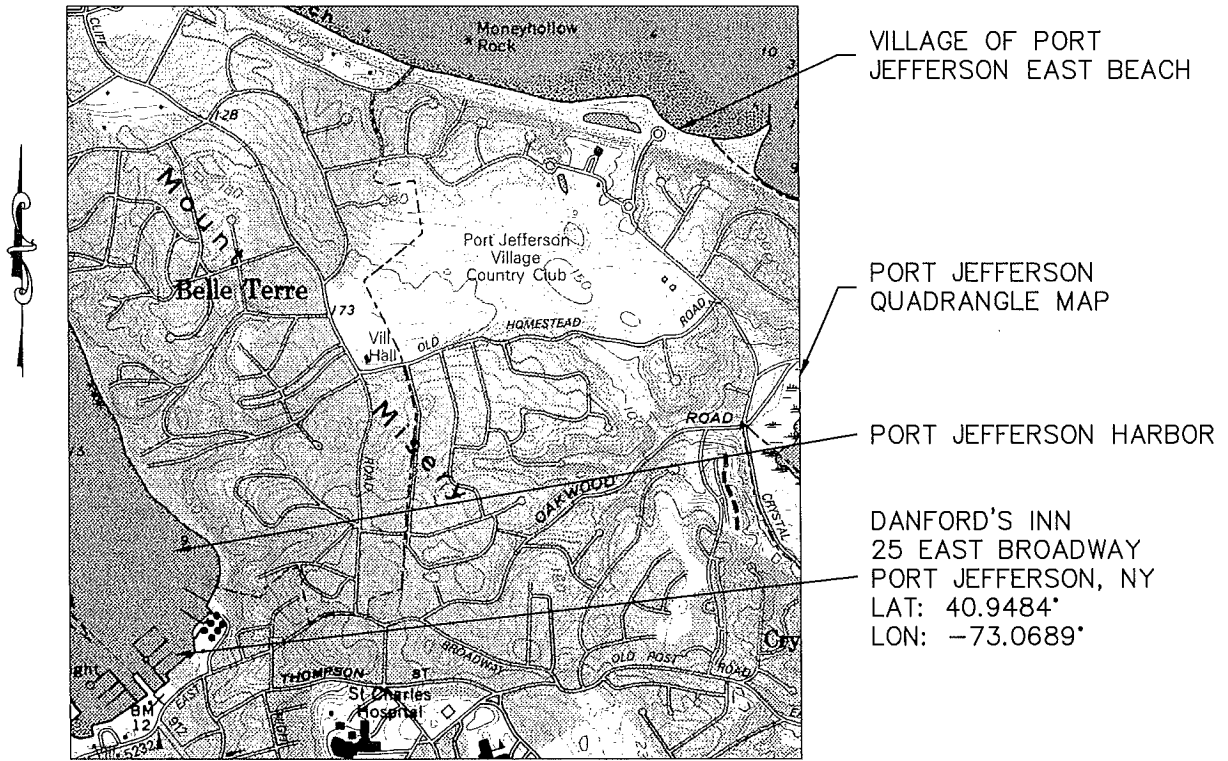
The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredging area to the minimum area required for safe and reasonable navigation and the use of a no work window to avoid adverse impacts to EFH and managed species.

The stated purpose of this project is to remove shoaling in the marina and allow safe access to all marina slips and the pumpout station.



CLIENT: THE CREST GROUP	DATE: 3-2-18
PROJECT: DREDGING DAFORDS MARINA	CA NO.: 17030.100
TITLE: VICINITY MAP	SCALE: AS NOTED
DRAWING NUMBER: C401	SHEET: 1 OF 6

PORT JEFFERSON HARBOR, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK



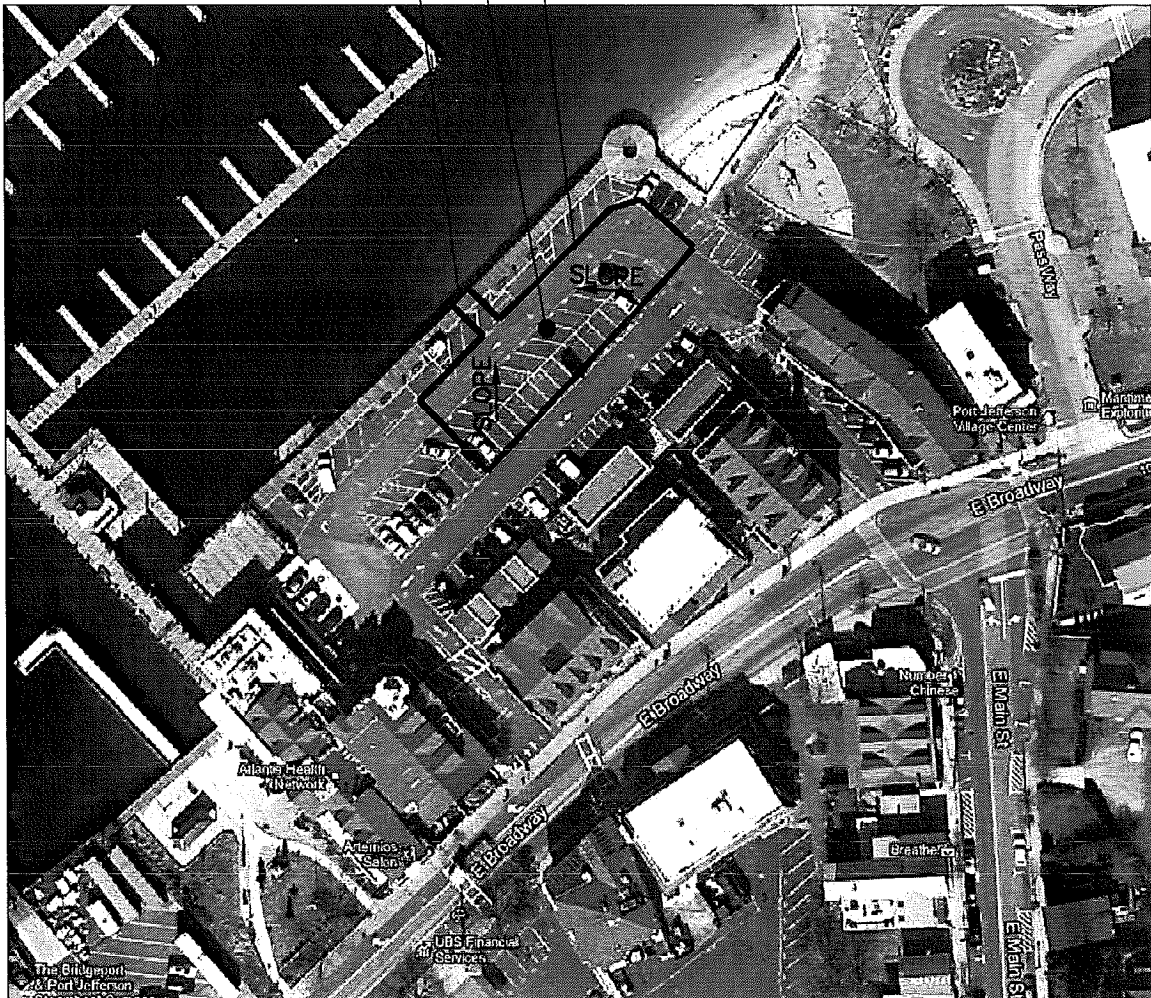
LOCATION MAP
 USGS QUAD (PORT JEFFERSON) MAP (GG54)
 SCALE: 1 : 24,000


Cashin Associates, P.C.
ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT

CLIENT: THE CREST GROUP	DATE: 3-2-18
PROJECT: DREDGING DAFORDS MARINA	CA NO.: 17030.100
TITLE: DEWATERING PLAN	SCALE: AS NOTED
DRAWING NUMBER: C501	SHEET: 2 OF 6

PORT JEFFERSON HARBOR, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK

— SPILLWAY
— DEWATERING AREA
— HAYBALE PERIMETER



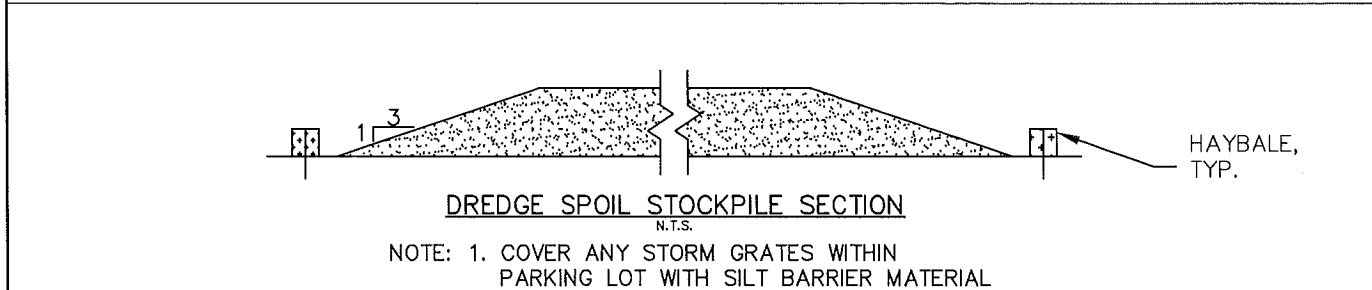
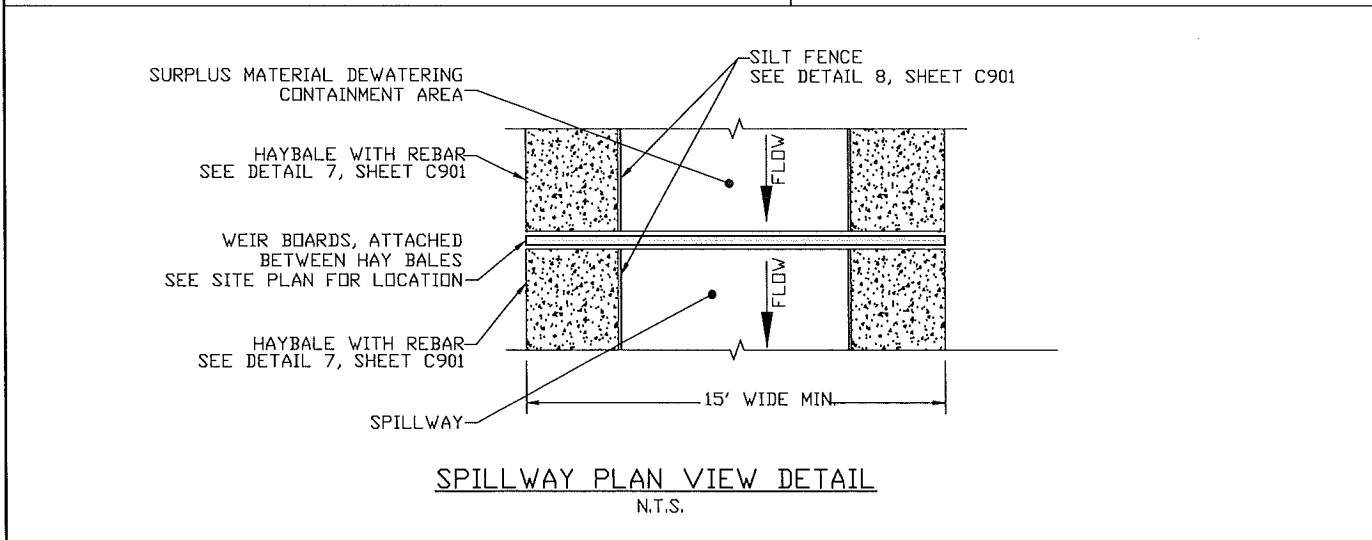
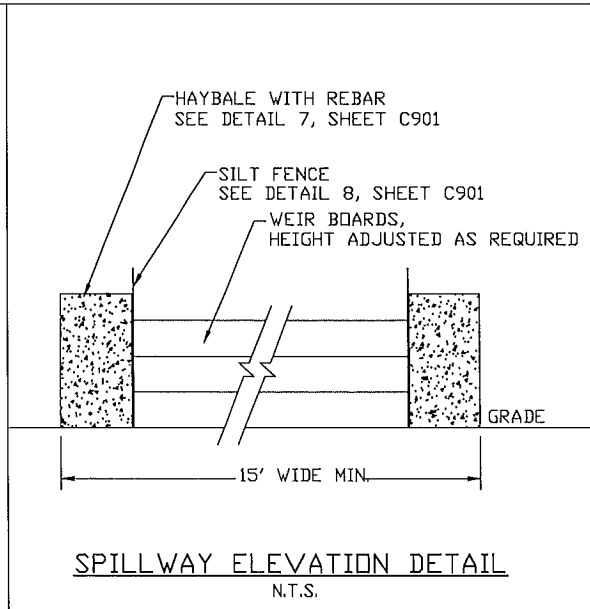
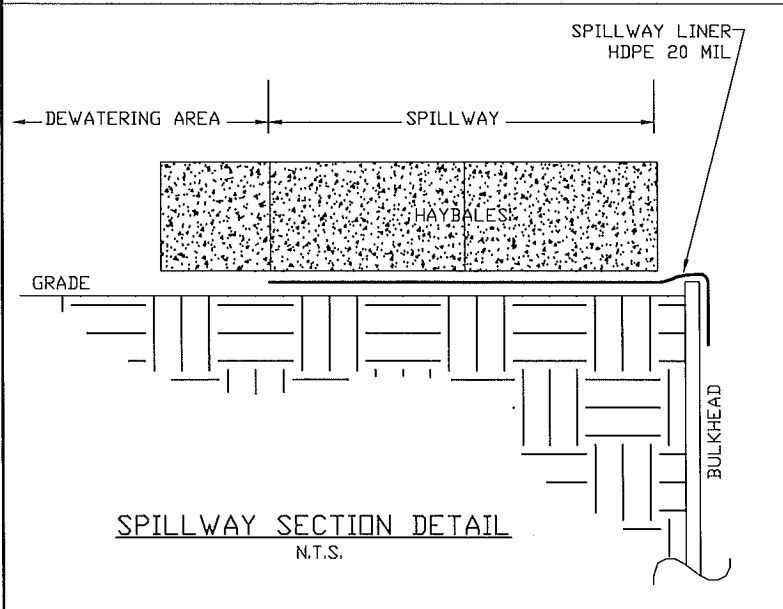
DREDGE MATERIAL DEWATERING LOCATION

SCALE: 1" = 100'



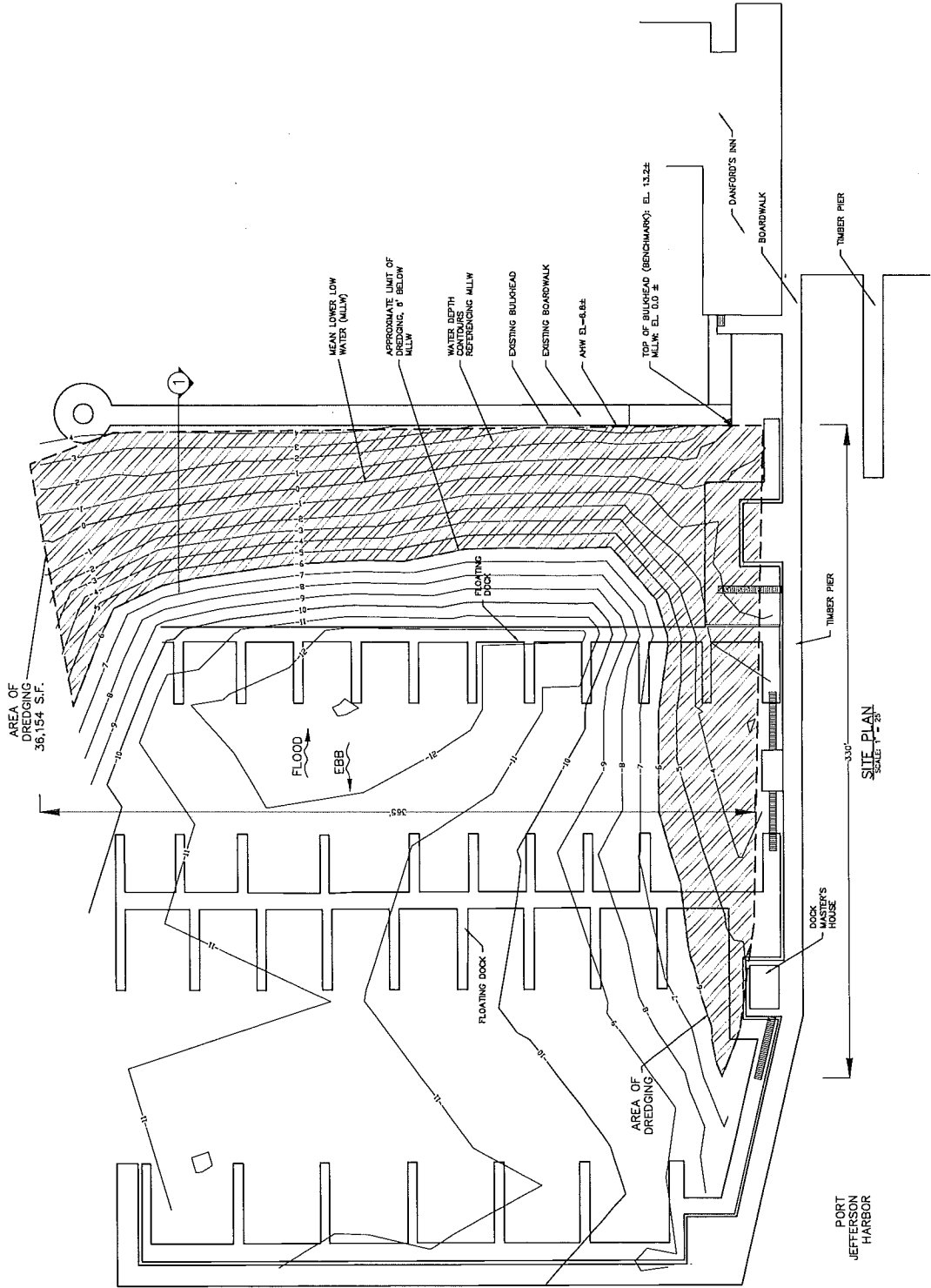
CLIENT: THE CREST GROUP	DATE: 3-2-18
PROJECT: DREDGING DAFORDS MARINA	CA NO.: 17030.100
TITLE: DEWATERING DETAILS	SCALE: AS NOTED
DRAWING NUMBER: C502	SHEET: 3 OF 6

PORT JEFFERSON HARBOR, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK



REVISED 12-18-18

PORT
JEFFERSON
HARBOR

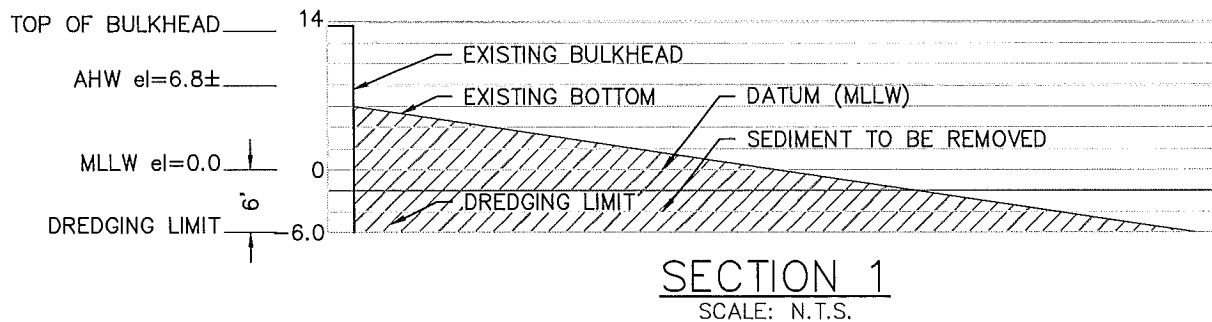


- SURVEY NOTES:**
1. SOUNDINGS BY CASHIN ASSOCIATES, P.C.
 2. ELEVATIONS BASED ON LOCAL ASSUMED DATUM, MLLW EL. = 0.0
 3. AVERAGE HARBOR WIDTH = 4,050'

<p>Cashin Associates, P.C. ENGINEERING • PLANNING • CONSTRUCTION MANAGEMENT 1200 Veterans Memorial Highway • Hialeah, Florida 33157 • 305.579.2000 601 Bickell Key Drive • Miami, Florida 33131</p>		<p>DATE: 1-25-17 REVISION: 1-25-17 REVISION: 1-25-17 REVISION: 1-25-17</p>	<p>DATE: JAN. 2016 DESIGNED BY: K.E.L. DRAWN BY: R.L.W. CHECKED BY: J.A.C. SCALE: 1" = 25'</p>	<p>PROJECT NUMBER: C301 DRAWING NUMBER: DREDGING PLAN</p>	<p>PROJECT: THE CREST GROUP 25 EAST BROOKWAY, FORT JEFFERSON, NY DANFORDS MARINA DREDGING PORT JEFFERSON HARBOR TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK</p>	<p>STATE OF NEW YORK Professional Engineer No. 13100 Expiration Date 12/31/2018 Cashin Associates, P.C. 1200 Veterans Memorial Highway Hialeah, Florida 33157 305.579.2000</p>
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CLIENT: THE CREST GROUP	DATE: 3-2-18
PROJECT: DREDGING DAFORDS MARINA	CA NO.: 17030.100
TITLE: PROFILE PLAN	SCALE: AS NOTED
DRAWING NUMBER: C302	SHEET: 5 OF 6
PORT JEFFERSON HARBOR, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK	



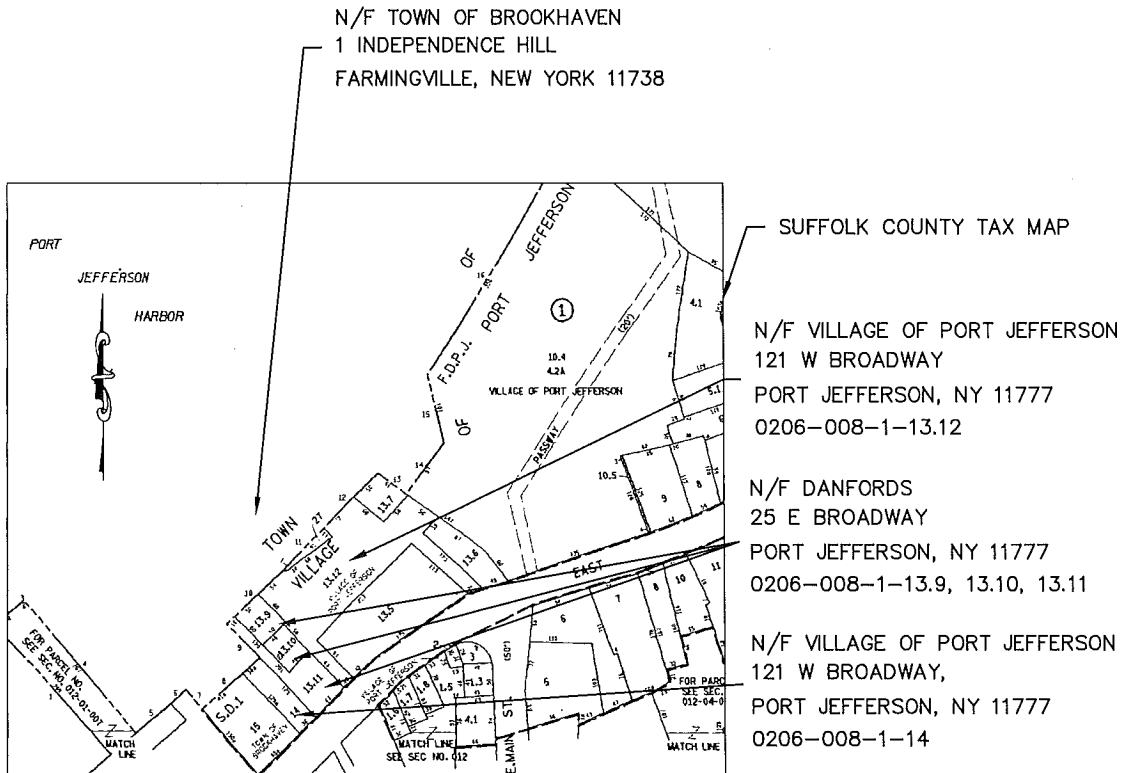
DREDGING NOTES:

1. DREDGING SHALL BE BY MEANS OF A CLAMSHELL DREDGE
2. APPROXIMATE ANNUAL DREDGING VOLUME = 3,000 CY.
3. CURRENT DREDGING VOLUME TO EL. -6.0' = 5,340 CY.
(2007 DREDGING TO EL. -6.0)
4. THE DREDGED MATERIAL WILL BE STOCKPILED FOR DEWATERING IN THE VILLAGE OF PORT JEFFERSON PARKING LOT JUST EAST OF DANFORDS INN (SEE DEWATERING LOCATION AERIAL). ONCE DEWATERED DANFORDS WILL TRANSPORT TO APPROPRIATE DISPOSAL SITE.



CLIENT: THE CREST GROUP	DATE: 3-2-18
PROJECT: DREDGING DAFORDS MARINA	CA NO.: 17030.100
TITLE: TAX MAP PLAN	SCALE: AS NOTED
DRAWING NUMBER: C303	SHEET: 6 OF 6

PORT JEFFERSON HARBOR, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK



SUFFOLK COUNTY
REAL PROPERTY TAX MAP

SCALE: 1" = 400'

ADJACENT OWNERS

TOWN OF BROOKHAVEN
1 INDEPENDENCE HILL
FARMINGVILLE, NEW YORK 11738

VILLAGE OF PORT JEFFERSON
121 W BROADWAY
PORT JEFFERSON, NY 11777
0206-008-1-13.12

DANFORDS
25 E BROADWAY
PORT JEFFERSON, NY 11777
0206-008-1-13.9, 13.10, 13.11

VILLAGE OF PORT JEFFERSON
121 W BROADWAY,
PORT JEFFERSON, NY 11777
0206-008-1-14