

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-2019-00920-EVI
Issue Date: September 13, 2019
Expiration Date: October 13, 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: Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, NY 11980

WATERWAY: Ketchams Creek, a tributary of Great South Bay

LOCATION: Dredge Location: Ketchams Creek, Bayview Canal

Dredge Material Placement Location: Tanner Park, an existing upland diked disposal area located in Copiague, Town of Babylon, Suffolk County, New York

ACTIVITY: Dredge with ten year maintenance with placement at upland diked area.

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.

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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.

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 any potential impacts to listed species in the project area or their critical habitat. Our preliminary determination for Red Knot or their critical habitat is that the activity for which authorization is sought herein is not likely to adversely affect. For species such as Atlantic Sturgeon, Loggerhead Sea Turtle, Green Sea Turtle, Kemps Sea Turtle and their critical habitat, "a may not affect, but is not likely to adversely affect" determination was concurred by the Greater Atlantic Fisheries Office Protected Resources Division on August 26th 2019.

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 life stages 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

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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) 790-8379 and ask for Robert Vietri.

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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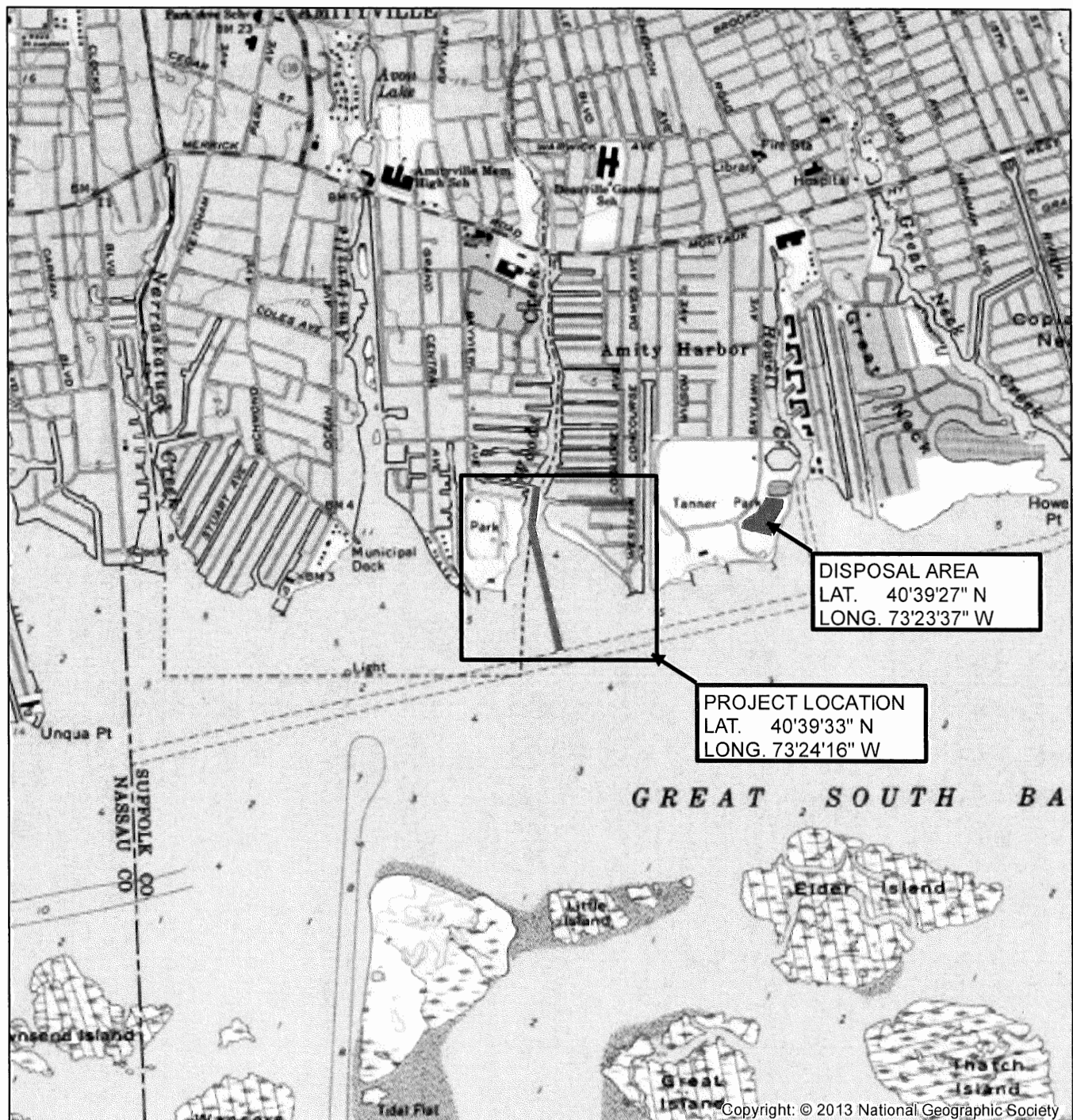
WORK DESCRIPTION

The applicant, Suffolk County Department of Public Works, has requested Department of the Army (DA) authorization to conduct dredging, with ten-year maintenance with placement of all resultant dredged material at Tanner Park. The project is located at Ketchams Creek, a tributary of Great South Bay in the Town of Babylon, Suffolk County, New York.

Dredge with ten-year maintenance, by hydraulic dredge, approximately 14,400-cubic yards (CY) of material from an approximately 100-foot-wide by approximately 2250-foot-long area, and an approximately 25-foot-wide by approximately 225-foot-long area totaling approximately 234,000-square feet (approximately 5.4 acres), to a maximum depth of 6-feet-below the plane of Mean Low Water (MLW). The approximate slope of the channel would be 1 to 3. The dredging activity is proposed to be conducted by a hydraulic dredge and would be delivered to the designated upland diked area via pipeline located at Tanner Park, Town of Babylon, Suffolk County, New York. Approximately 14,400 CY of the estimated total dredge volume would be placed above the Plane of Spring High Water (SHW). The upland diked area is constructed using mechanical equipment to build dike walls around the perimeter of the area. The walls are of various heights necessary to retain the pumped material and water and will be made of dredged material from the disposal area. A spillway will be placed at the opposite end of where the dredge pipeline enters the surplus material area. The purpose of the spillway is to allow settling time for surplus dredge material and allows water to exit the area and return to the waterway. The duration of the dredging activity would be approximately two (2) weeks.

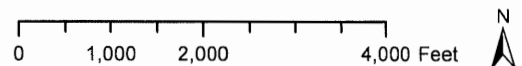
The applicant plans to conduct three (3) additional dredging events within the ten-year maintenance period with up to a total of approximately 10,000 CY of material per event and have stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation of Ketchams Creek and Bayview Canal. Any potential impacts would be temporary and would be offset by implementing best management practices associated with the proposed use of a hydraulic dredge. The use of a hydraulic dredge would provide the cleanest and least obtrusive method for sediment removal and transport, minimizing to the greatest extent possible any potential adverse effects to the aquatic environment.

The stated purpose of this project is to provide safe navigation for recreational marine vessels.



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SOURCE: AMITYVILLE USGS QUADRANGLE o40072h5



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HUNTINGTON STATION, NEW YORK

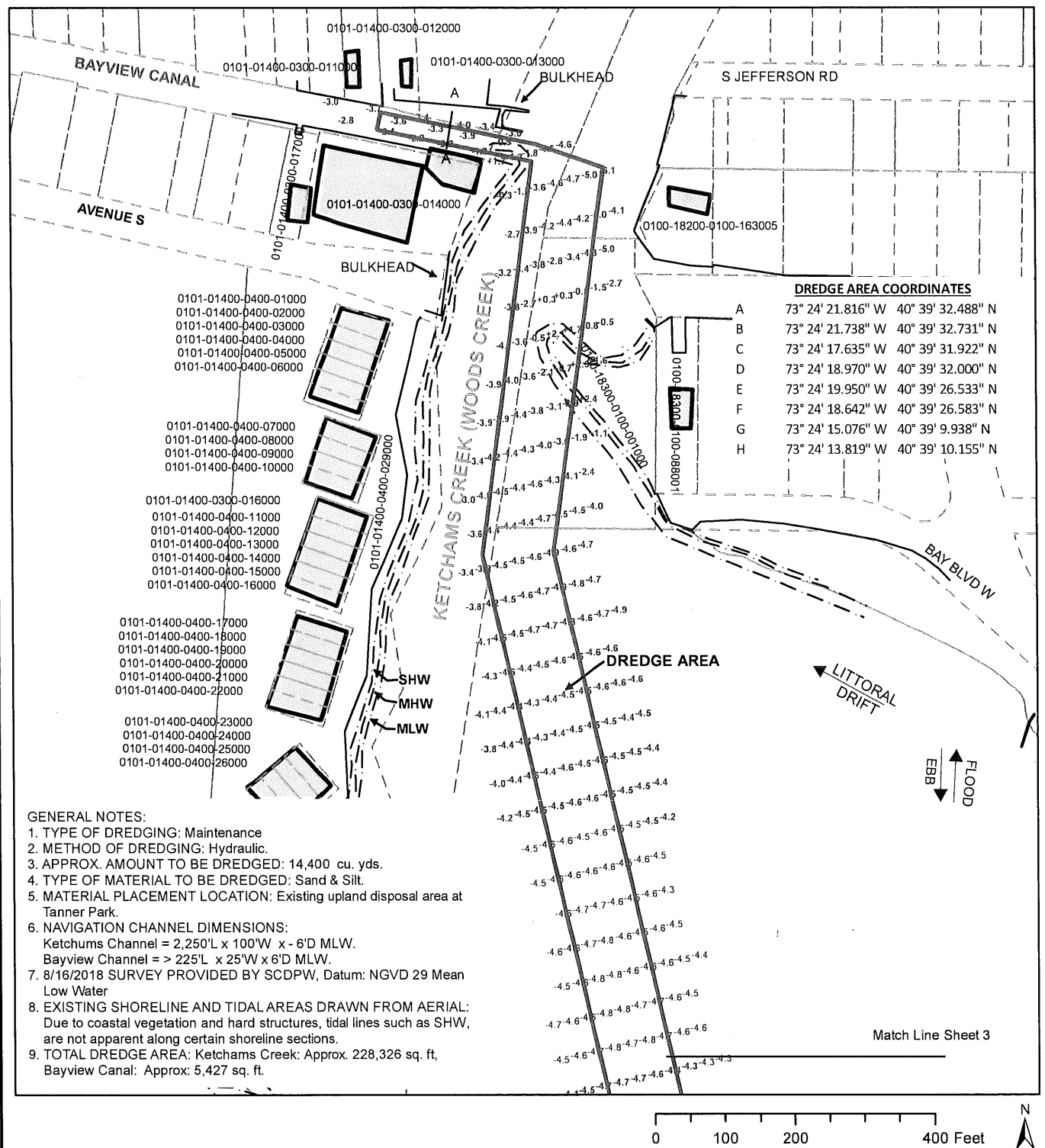
APPLICATION BY COUNTY OF SUFFOLK
ACTING COMMISSIONER
DARNELL TYSON, P.E.
DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING AT: KETCHAMS CREEK (WOODS CREEK)

TOWN OF BABYLON
SUFFOLK COUNTY, NEW YORK

DATE: JULY 2019

SHEET 1 OF 6



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HUNTINGTON STATION, NEW YORK

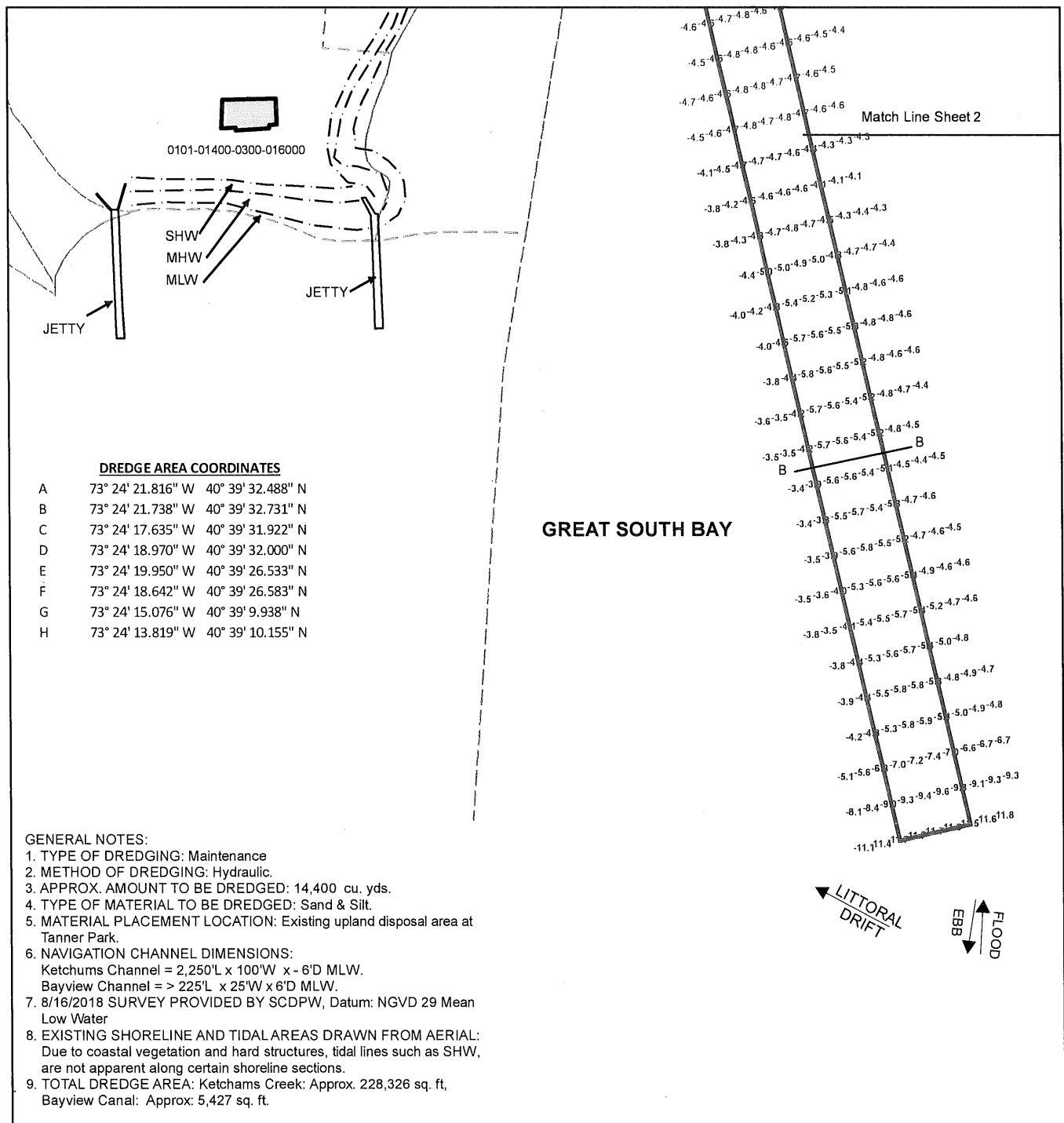
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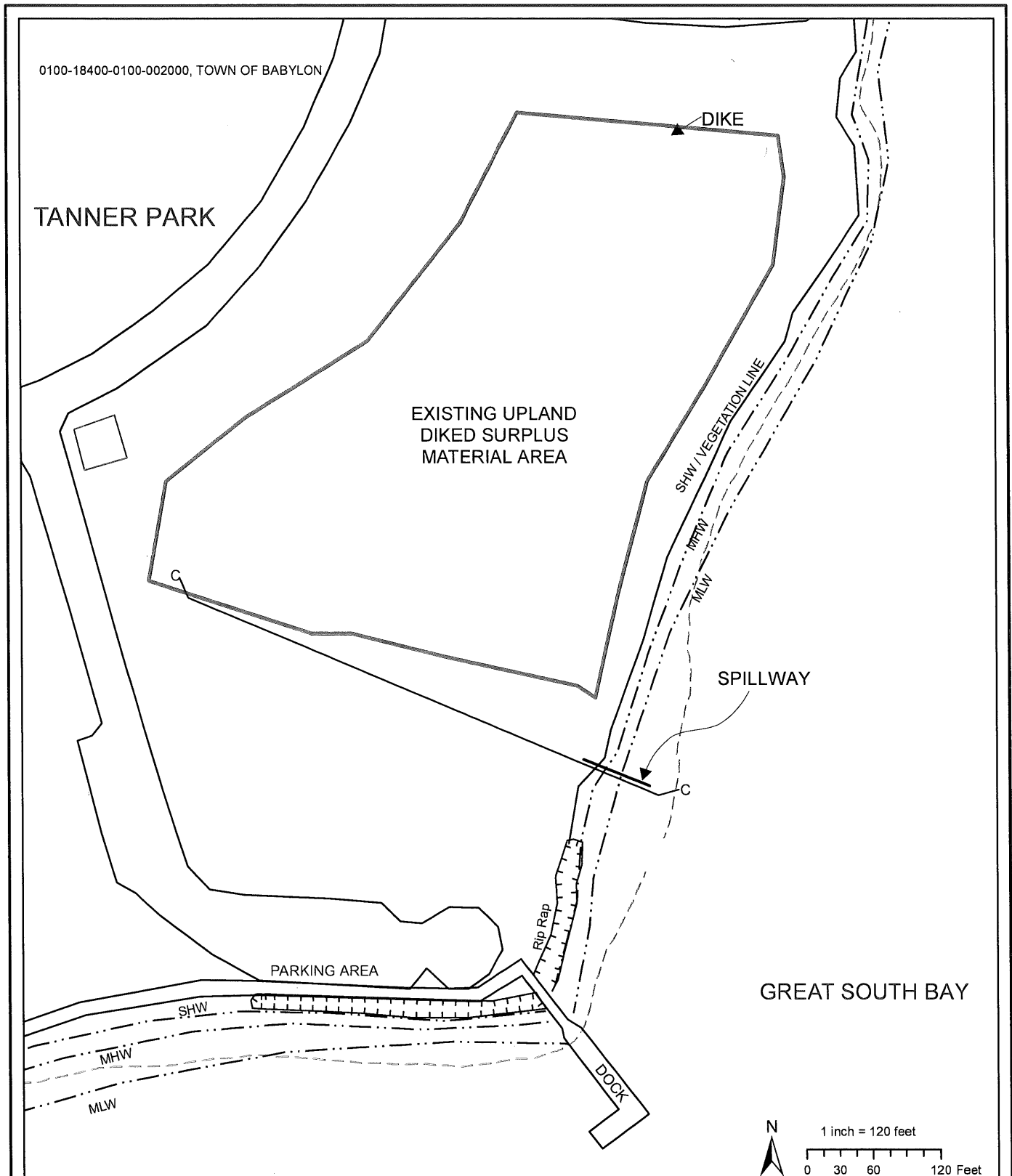
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DATE: JULY 2019

SHEET 3 OF 6



GEI CONSULTANTS, INC., P. C.
HUNTINGTON STATION, NEW YORK

APPLICATION BY COUNTY OF SUFFOLK
ACTING COMMISSIONER
DARNELL TYSON, P.E.
DEPARTMENT OF PUBLIC WORKS

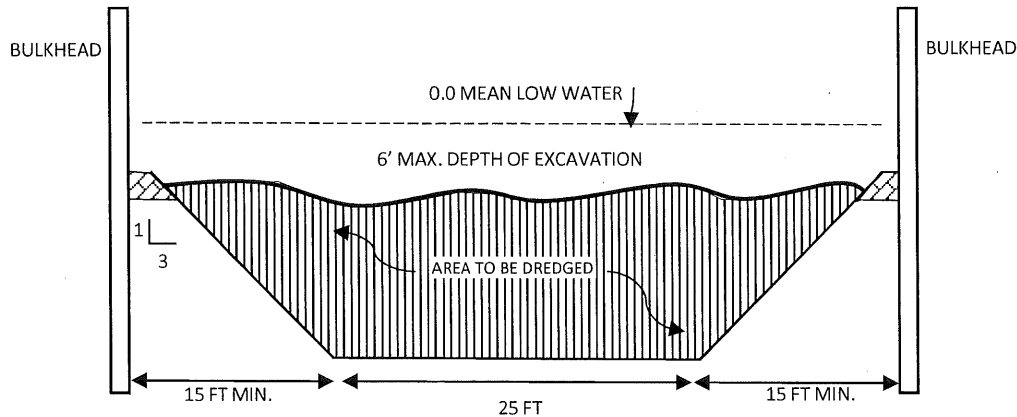
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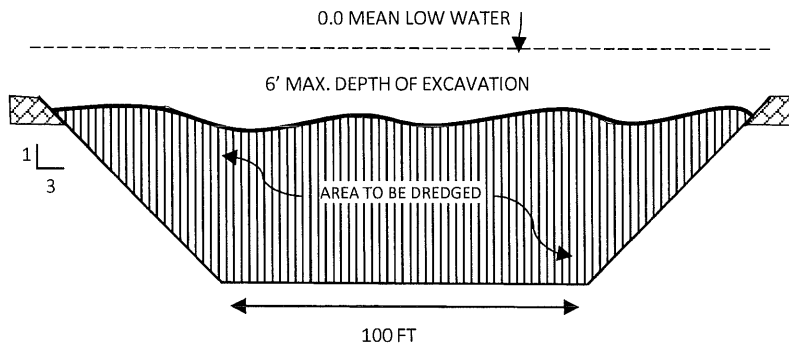
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TYPICAL CHANNEL SECTION A-A

N.T.S.



TYPICAL CHANNEL SECTION BULKHEAD B-B

N.T.S.



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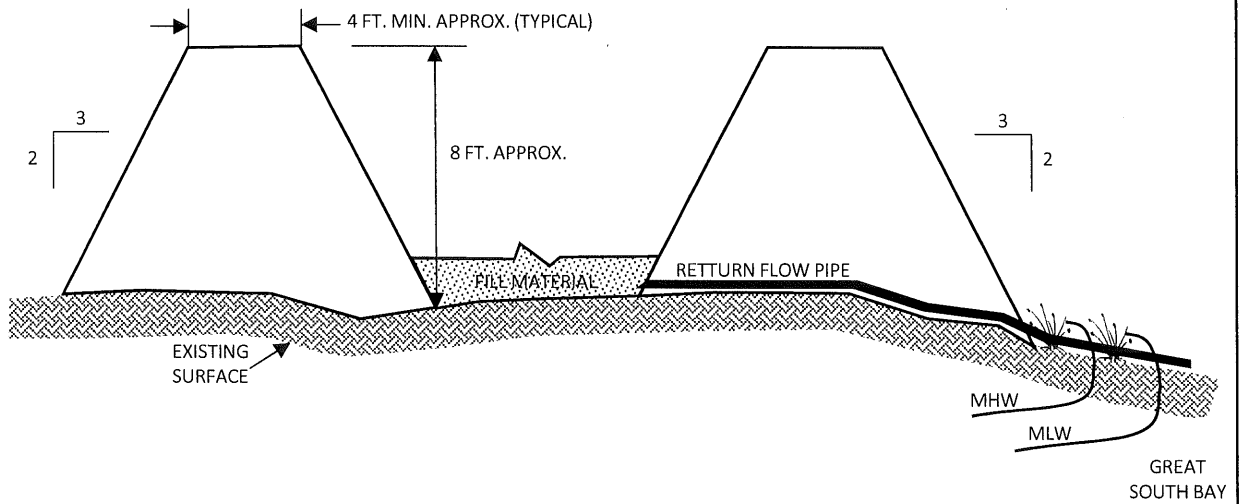
APPLICATION BY COUNTY OF SUFFOLK
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SHEET 5 OF 6



TYPICAL UPLAND DIKE SECTION C-C



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MAINTENANCE DREDGING AT:

APPLICATION BY COUNTY OF SUFFOLK
ACTING COMMISSIONER
DARNELL TYSON, P.E.
DEPARTMENT OF PUBLIC WORKS

KETCHUMS CREEK (WOODS CREEK)

TOWN OF BABYLON
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SHEET 6 OF 6