



# 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-2018-01058-ERO**  
Issue Date: February 26, 2020  
Expiration Date: March 27, 2020

---

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  
6 Newton Road  
Hampton Bays, NY 11946

**ACTIVITY:** 10-year maintenance dredging with upland placement of dredged material

**WATERWAY:** Weesuck Creek

**LOCATION:** 33 Bay Avenue, East Quogue, 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 in 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. All written comments, including names and addresses, 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 construction work, fully described in the enclosed Work Description, could cause minimum disruption of habitat for various life stages of some EFH-designated species as a result of a minor short-term temporary increase in turbidity during construction. However, consultation with NOAA/Habitat Conservation Division (HCD) regarding EFH impacts and conservation recommendations has been conducted. NOAA/HCD has concluded that the proposed work may adversely affect EFH. A recommendation of "No dredging from January 1 to May 31 of each year to minimize adverse effects to winter flounder early life stages and their EFH" has been issued for this project.

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, pre-historical, 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 USC 1456(c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management (CZM) program, the

**\*\*\*PLEASE USE THE 18-CHARACTER PUBLIC NOTICE NUMBER ON ALL  
CORRESPONDENCE WITH THIS OFFICE\*\*\***

applicant is responsible for ensuring that the proposed activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program.

The applicant received a determination from the New York State Department of State in a letter dated January 11, 2019, that the proposed project meets the Department's general consistency concurrence criteria.

The applicant received permit # 1-4736-06746/00009, dated September 9, 2019, from the New York State Department of Environmental Conservation, which included Water Quality Certificate # 1-4736-06746/00010.

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) 790-8521 and ask for Ms. Seika E. Robinson.

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 dredging, with ten years maintenance in Weesuck Creek at 33 Bay Avenue, East Quogue, Southampton, New York.

The work would involve an initial dredging event of approximately 1,300 cubic yards of sand material from an area approximately 105 feet wide by 155 feet long (0.37 acres). Dredging by clamshell dredge to a depth of -4-feet below the plane of Mean Low Water, with no overdepth dredging, is proposed. Up to 2 additional dredging events requiring removal of up to approximately 500 cubic yards, per event, are proposed. The dredged material would be placed at an immediately upland location, above the plane of Spring High Water, at the Bay Avenue location for de-watering, with return flow to the waterway, and transport to an on-site, upland location.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable by limiting dredging to the area required for safe navigation and mooring of vessels.

The purpose of the proposed work is to maintain adequate water depths for safe mooring and vessel access at a municipal docking facility.

# USACE FILE: NAN-2018-01058-ERO

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

CLIENT: TOWN OF SOUTHAMPTON

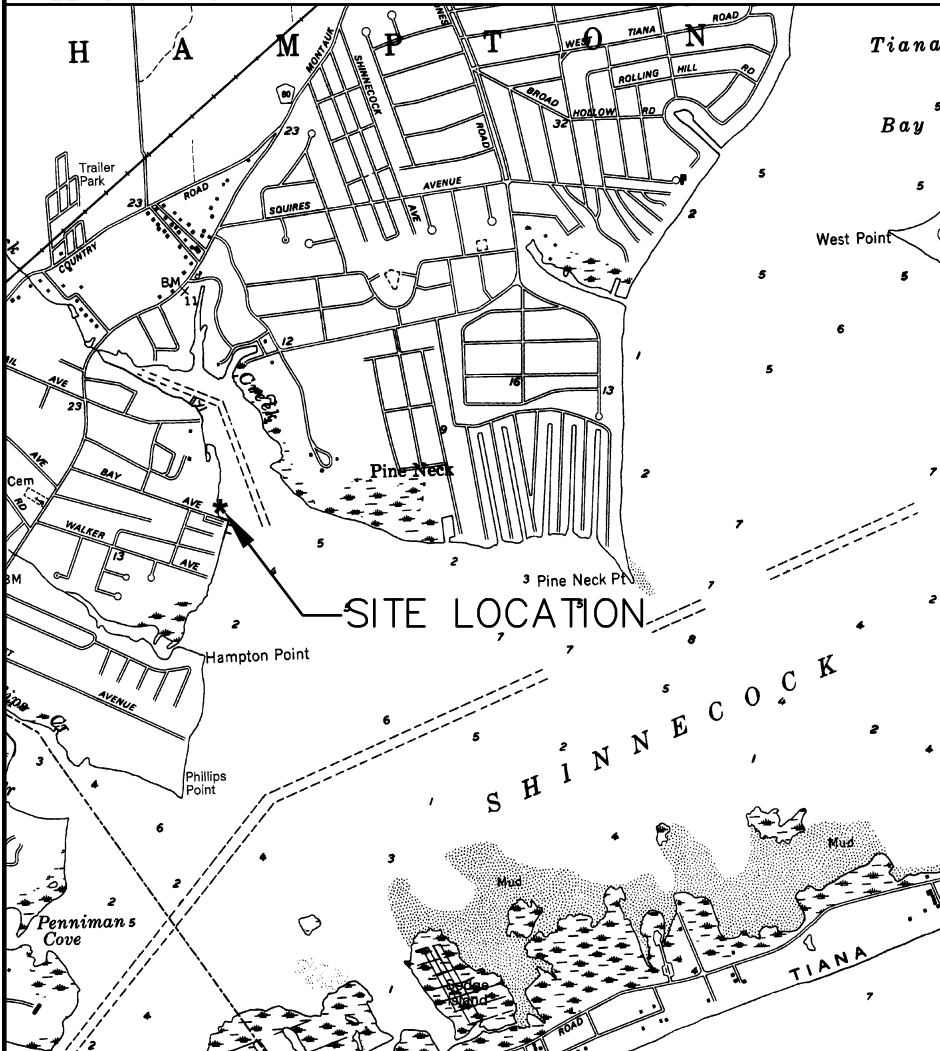
DATE: 5-30-18

PROJECT: BAY AVE FACILITY

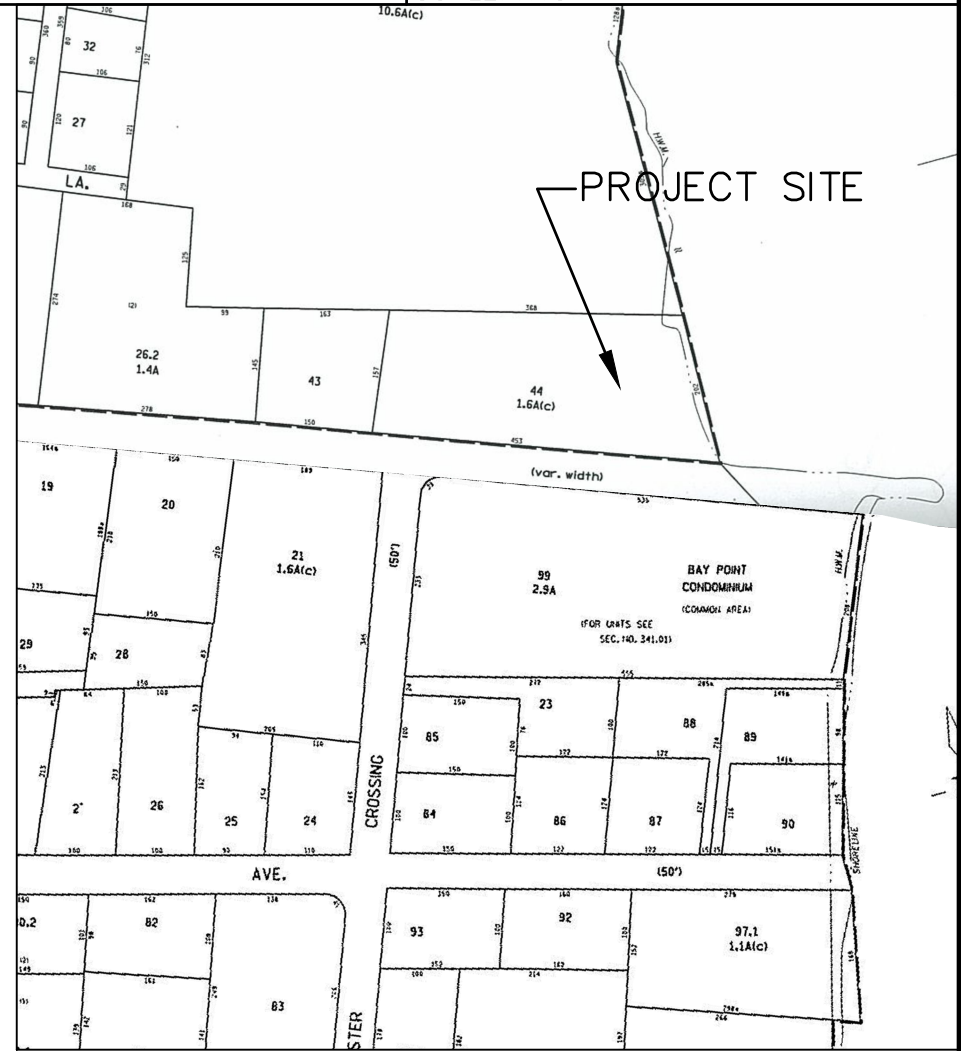
CA NO.: 18008.100

TITLE: G401 VICINITY MAP

SCALE: NTS



LOCATION MAP



SUFFOLK COUNTY TAX MAP NUMBER  
900-342-02-44

# USACE FILE: NAN-2018-01058-ERO



CLIENT: TOWN OF SOUTHAMPTON

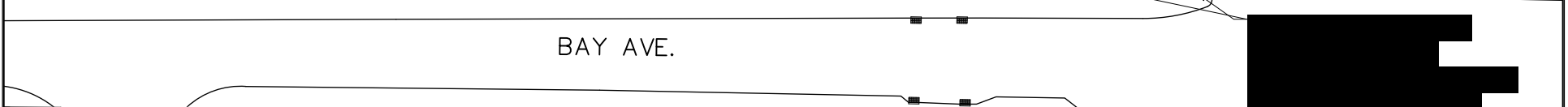
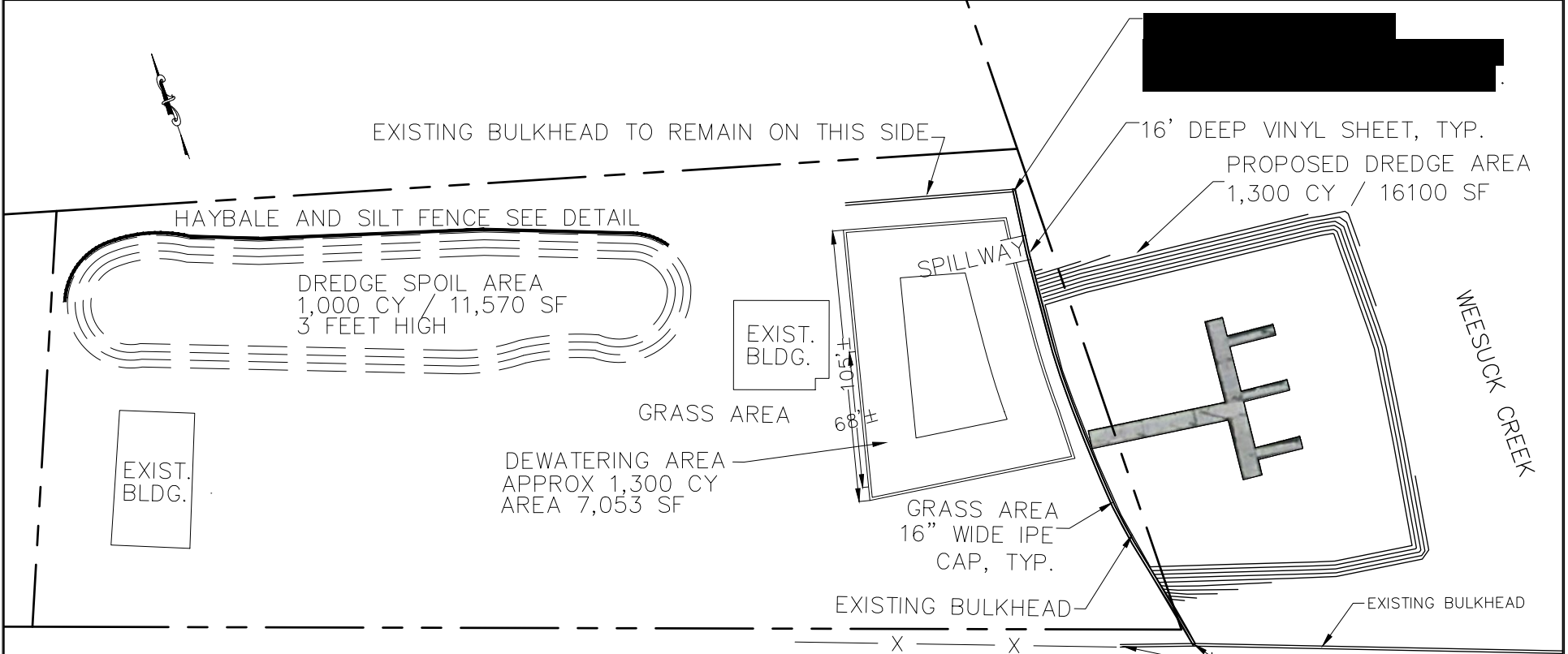
DATE: 5-30-18

PROJECT: BAY AVE FACILITY - [REDACTED] DREDGING

CA NO.: 18008.100

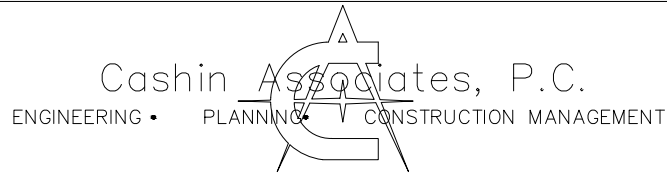
TITLE: SITE PLAN - C201

SCALE: 1"=60'

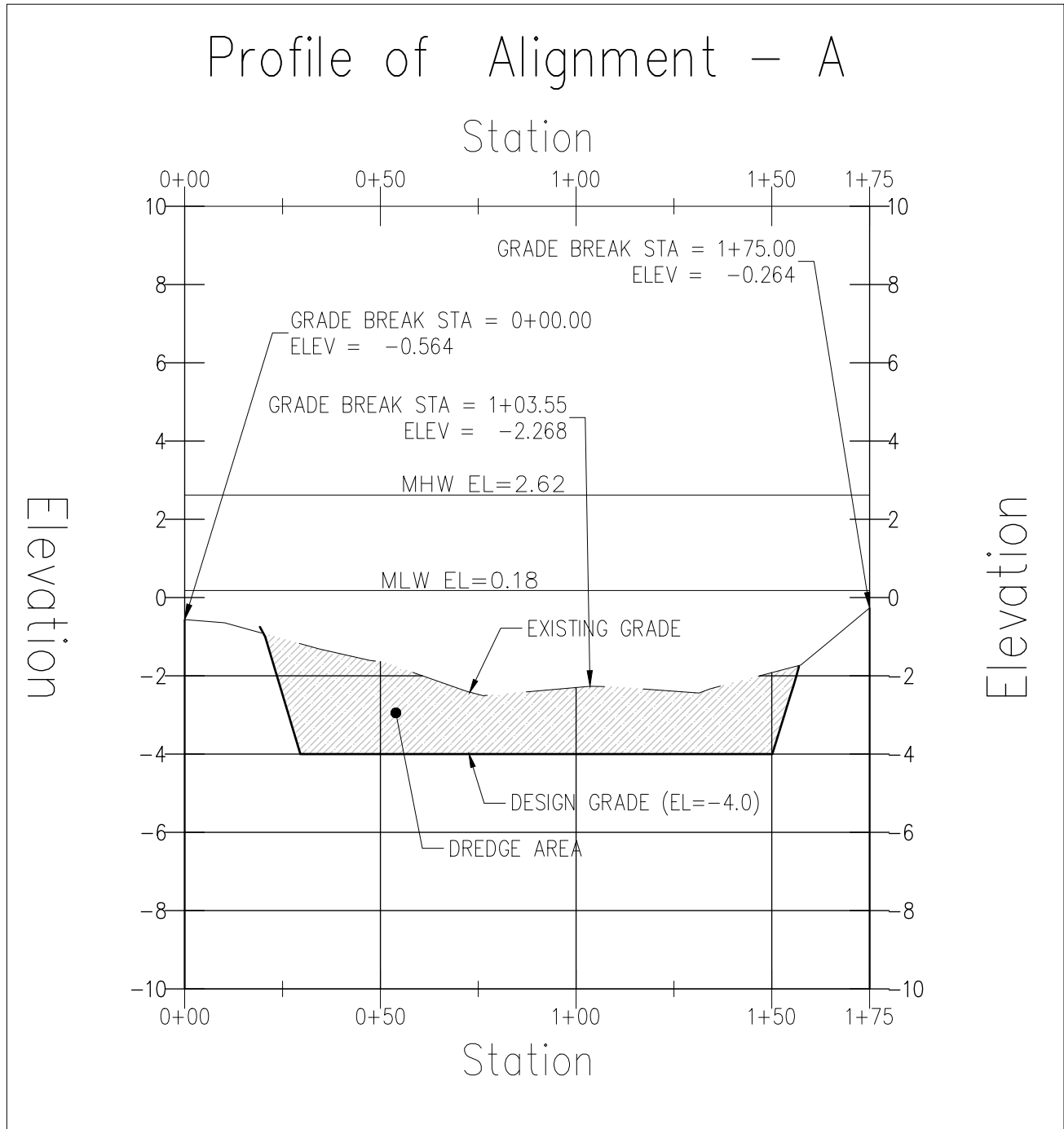


**NOTES**

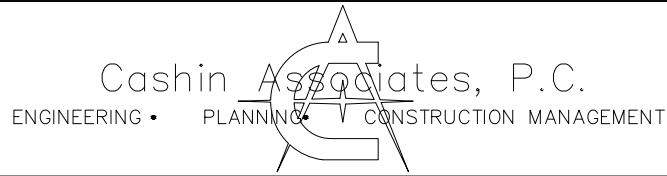
- APPROXIMATELY 300 CY OF THE 1300 CY DREDGE MATERIAL BEING DEWATERED WILL BE USED FOR BACKFILL [REDACTED]. THE REMAINDER OF MATERIAL NOT USED AS FILL MATERIAL FOR BULKHEAD RECONSTRUCTION WILL BE PLACED IN THE STOCKPILE AREA.



CLIENT: TOWN OF SOUTHAMPTON	DATE: 5-30-18
PROJECT: BAY AVE FACILITY - [REDACTED] DREDGING	CA NO.: 18008.100
TITLE: PLAN AND PROFILE - C302	SCALE: AS NOTED

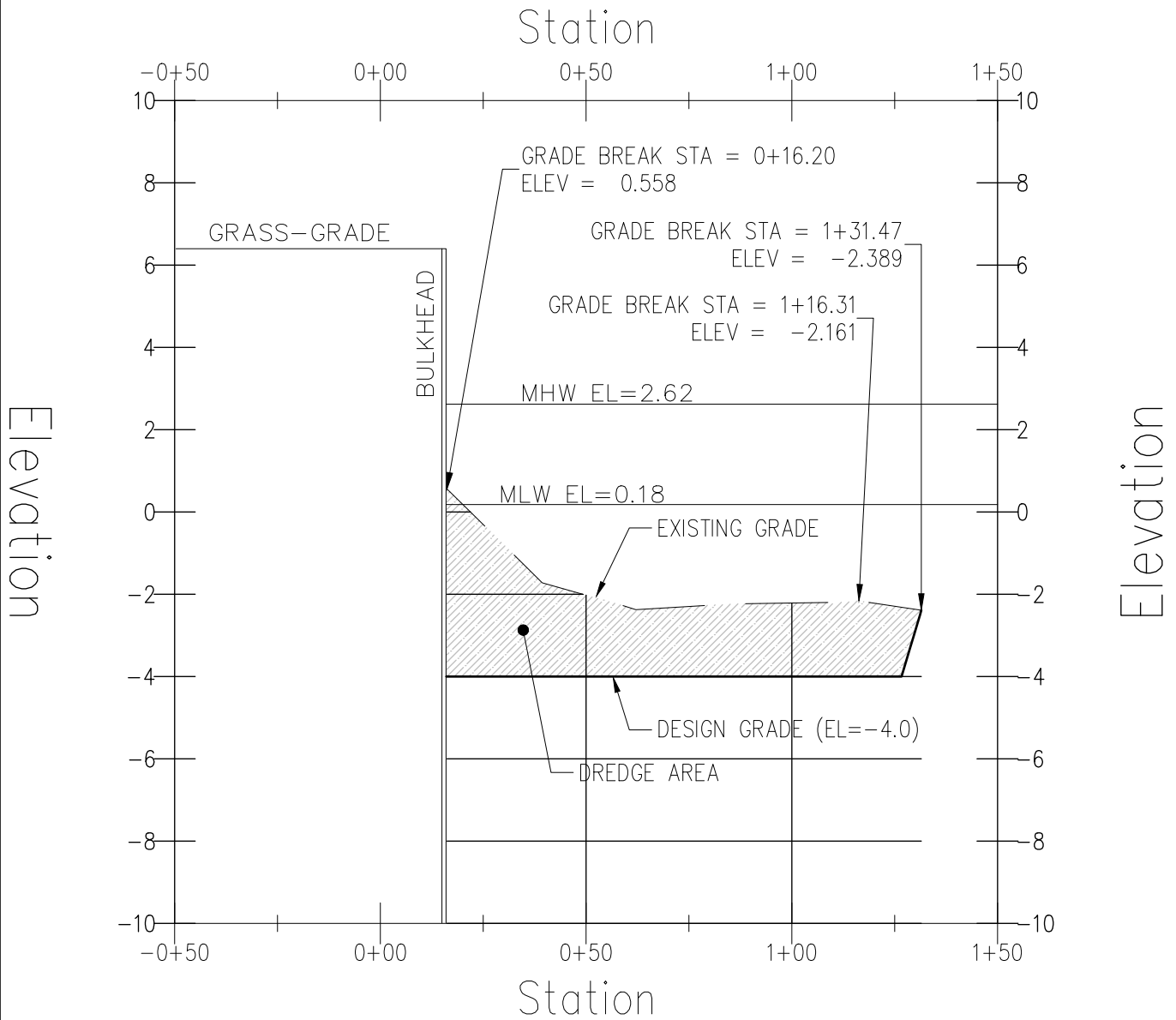


SCALE:  
 HORIZ. 1"=40'  
 VERT. 1"=4'



CLIENT: TOWN OF SOUTHAMPTON	DATE: 5-30-18
PROJECT: BAY AVE FACILITY - [REDACTED] DREDGING	CA NO.: 18008.100
TITLE: PLAN AND PROFILE - C303	SCALE: AS NOTED

# Profile of Alignment - B

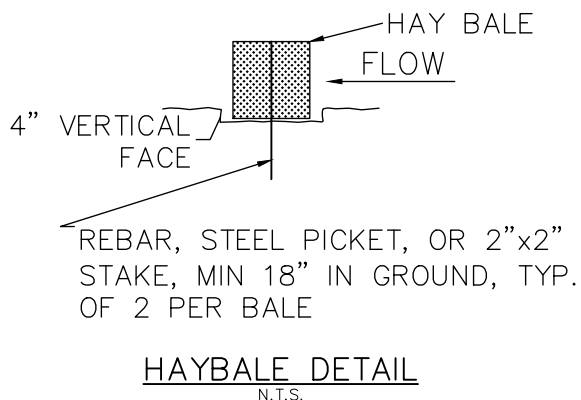
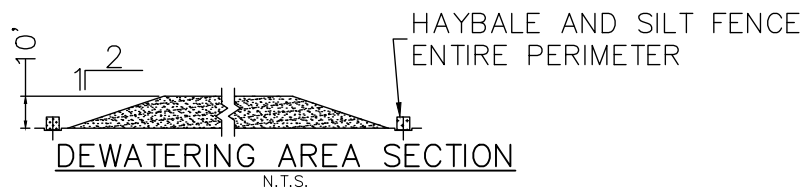
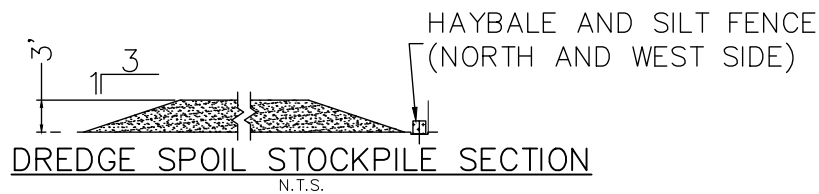


SCALE:  
 HORIZ. 1"=40'  
 VERT. 1"=4'



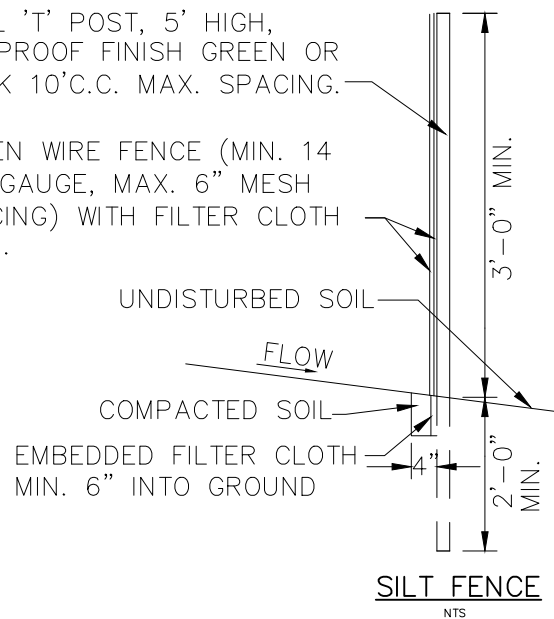


CLIENT: TOWN OF SOUTHAMPTON	DATE: 5-30-18
PROJECT: BAY AVE FACILITY - [REDACTED] DREDGING	CA NO.: 18008.100
TITLE: DETAILS - C901	SCALE: AS NOTED



FENCE POST—14 GAUGE  
STEEL 'T' POST, 5' HIGH,  
RUSTPROOF FINISH GREEN OR  
BLACK 10'C.C. MAX. SPACING.

WOVEN WIRE FENCE (MIN. 14  
1/2 GAUGE, MAX. 6" MESH  
SPACING) WITH FILTER CLOTH  
OVER.



**CONSTRUCTION NOTES:**

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTIONS.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6" AND FOLDED.
4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

**INSTALLATION NOTES:**

1. CONTRACTOR SHALL PLACE SILT FENCE AT SOUTHERN LIMIT OF EXCAVATION TO PREVENT SILTS FROM ENTERING CREEK.
2. CONTRACTOR SHALL PLACE SILT FENCE AS NECESSARY TO PREVENT ANY EROSION OR SEDIMENTATION FROM WASHING ONTO ADJACENT PARCELS TO NORTH AND WEST OF SUBJECT PROPERTY.

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

CLIENT: TOWN OF SOUTHAMPTON

DATE: 5-30-18

PROJECT: BAY AVE FACILITY - [REDACTED] DREDGING

CA NO.: 18008.100

TITLE: DETAILS - C902

SCALE: AS NOTED

