



SUPPLEMENTAL 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-2019-00836-ERO**

Issue Date: **June 29, 2020**

Expiration Date: **July 29, 2020**

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: Town of Brookhaven
One Independence Hill
Farmingville, New York 11738

ACTIVITY: Dredging with 10-year Maintenance of Pines Marina with Upland Disposal

WATERWAY: Great South Bay

LOCATION: Pines Marina, 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 EMAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RE
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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 email 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 no effect to piping plover and red knot or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer has consulted with National Oceanic and Atmospheric Administration (NOAA) and received a concurrence on the determination that the proposed work would not likely adversely affect Atlantic sturgeon, green sea turtles, Kemp's ridley sea turtles, loggerhead sea turtles, and leatherback sea turtles, 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 NOAA 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, the New York District has made the preliminary determination that the site-specific minor adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of minor disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision on this permit application.

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 occurs. For activities within the coastal zone of New York, the applicant's certification and accompanying information is available from the New York State Department of State Division of Coastal Resources, Coastal Management Program, 99 Washington Avenue – Suite 1010, Albany, New York 12231-0001, 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.

*****PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE*****

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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 Christopher Minck, of this office, at 917-790-8547.

If you wish to provide electronic comments on this public notice, please submit your comments with the Application File Number to Christopher.W.Minck@usace.army.mil.

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 Regulatory Program, visit our website at <https://www.nan.usace.army.mil/Missions/Regulatory/>.



for: Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Town of Brookhaven, has requested Department of the Army (DA) authorization to dredge, with 10-years maintenance, Pines Marina in Great South Bay in the Town of Brookhaven, Suffolk County, New York.

The work would involve:

Dredge, via clamshell bucket, five (5) distinct areas within Pines Marina, to the depth of -6-feet. All locations are of various widths and lengths, totaling approximately 26,000 square feet in area. It is anticipated that up to five (5) dredge events, of approximately 931 cubic yards of sediment per event, would occur over the course of a 10-year period. All dredged material would be dewatered and placed at an upland state-approved site. Return flow to the waterway is not proposed.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable by designing the proposed project with the minimum amount of disturbance necessary to perform the work within the confines of a turbidity curtain.

The purpose of this project is to provide safe navigational depths within Pines Marina.



LOCATION MAP
N.T.S.

TOWN OF BROOKHAVEN
DEPARTMENT OF
PARKS AND RECREATION



PERMIT PLANS FOR THE
PINES MARINA DREDGING

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS
3	DREDGING PLAN
4	DREDGING SECTIONS – 1
5	DREDGING SECTIONS – 2

ABBREVIATIONS

#	POUNDS	GAL.	GALVANIZED
Ø	DIAMETER	IN.	INCHES
A.O.B.E.	AS ORDERED BY ENGINEER	M.H.W.	MEAN HIGH WATER
ACQ	ALKALINE COPPER QUARTENARY	M.L.W.	MEAN LOW WATER
ASPH.	ASPHALT	MAX.	MAXIMUM
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS	MIN.	MINIMUM
BC	BOTTOM OF CURB	N.I.C.	NOT IN CONTRACT
BW	BOTTOM OF WALL	N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
C.L.F.	CHAIN LINK FENCE	N.T.S.	NOT TO SCALE
CCA	CHROMATED COPPER ARSENATE	O.C.	ON CENTER
CF	CUBIC FOOT	O.H.	OVERHEAD
CONIFER.	CONIFEROUS	PROP.	PROPOSED
DIAM./DIA.	DIAMETER	PVC	POLYVINYL CHLORIDE
EA.	EACH	SQ	SQUARE
EL.	ELEVATION	TC	TOP OF CURB
EXIST.	EXISTING	TYP.	TYPICAL
FT.	FEET	W/	WITH
		W/ OUT	WITHOUT

GENERAL NOTES

1. ATTENTION CONTRACTOR; ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE TIME FOR COMPLETION STATED IN THE CONTRACT. FAILURE TO MEET THIS DEADLINE MAY RESULT IN A PENALTY AS DEFINED IN THE CONTRACT AGREEMENT.
2. ANY DEBRIS OR EXCESS MATERIAL FROM CONSTRUCTION OF THIS PROJECT SHALL BE COMPLETELY REMOVED FROM THE ADJACENT AREA (UPLAND) AND REMOVED TO AN APPROVED UPLAND AREA FOR DISPOSAL. NO DEBRIS IS PERMITTED IN TIDAL WETLANDS AND OR PROTECTED BUFFER AREAS.
3. THERE SHALL BE NO DISTURBANCE TO VEGETATED TIDAL WETLANDS OR PROTECTED BUFFER AREAS AS A RESULT OF THE PERMITTED ACTIVITY.
4. THE STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE CONFINED TO THE UPLAND AREA LANDWARD OF THE BULKHEAD OR ON A BARGE.
5. ALL DISTURBED AREAS WHERE SOIL WILL BE TEMPORARILY EXPOSED OR STOCKPILED FOR LONGER THAN ONE (1) WEEK SHALL BE CONTAINED BY A CONTINUOUS LINE OF STAKED HAY BALES/SILT CURTAIN (OR OTHER NYSDEC APPROVED METHOD) PLACED ON THE SEAWARD SIDE BETWEEN THE FILL AND WETLAND OR PROTECTED BUFFER AREA. TARPS ARE AUTHORIZED TO SUPPLEMENT THESE APPROVED METHODS.

MAY 2020

PREPARED AND
RECOMMENDED BY: **LKMA** L. K. McLEAN ASSOCIATES, P.C.
437 SOUTH COUNTRY RD. BROOKHAVEN, NY 11719

PREPARED BY: _____ DATE: _____
PRINCIPAL
RAYMOND G. DIBIASE, PE – NYSPE Lic. No. 56985

THE EDUCATION LAW OF THE STATE OF NEW YORK PROHIBITS ANY PERSON FROM ALTERING ANYTHING ON THE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT'S UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, WHERE SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER MUST SIGN, SEAL, DATE AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWING AND/OR IN THE SPECIFICATION (NYS ED. LAW SECTION 7209-2).

LEGEND					
DESCRIPTION		EXISTING	PROPOSED		
CONCRETE PAVEMENT					
ASPHALT PAVEMENT					
IPE FENCE					
CHAIN LINK FENCE					
GUIDE RAIL					
ELEVATION IN PLAN		(27.52)	+ 27.52		
PROPERTY LINE					
CONTOUR LINES					
DECK					
EDGE OF PAVEMENT					
CURB					
BULKHEAD					
BUILDING FOUNDATION		DIRT DRIVEWAY OR ROAD		UNDERGROUND ELECTRIC AND MANHOLE	
SIGN; TRAFFIC, RR, ETC.				UNDERGROUND WATER	
UTILITY POLE/GUY WIRE					
TREE					
EDGE OF WOODS					



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5

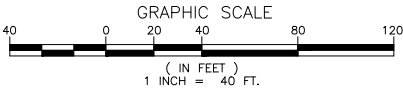


PHOTO 6

LEGEND



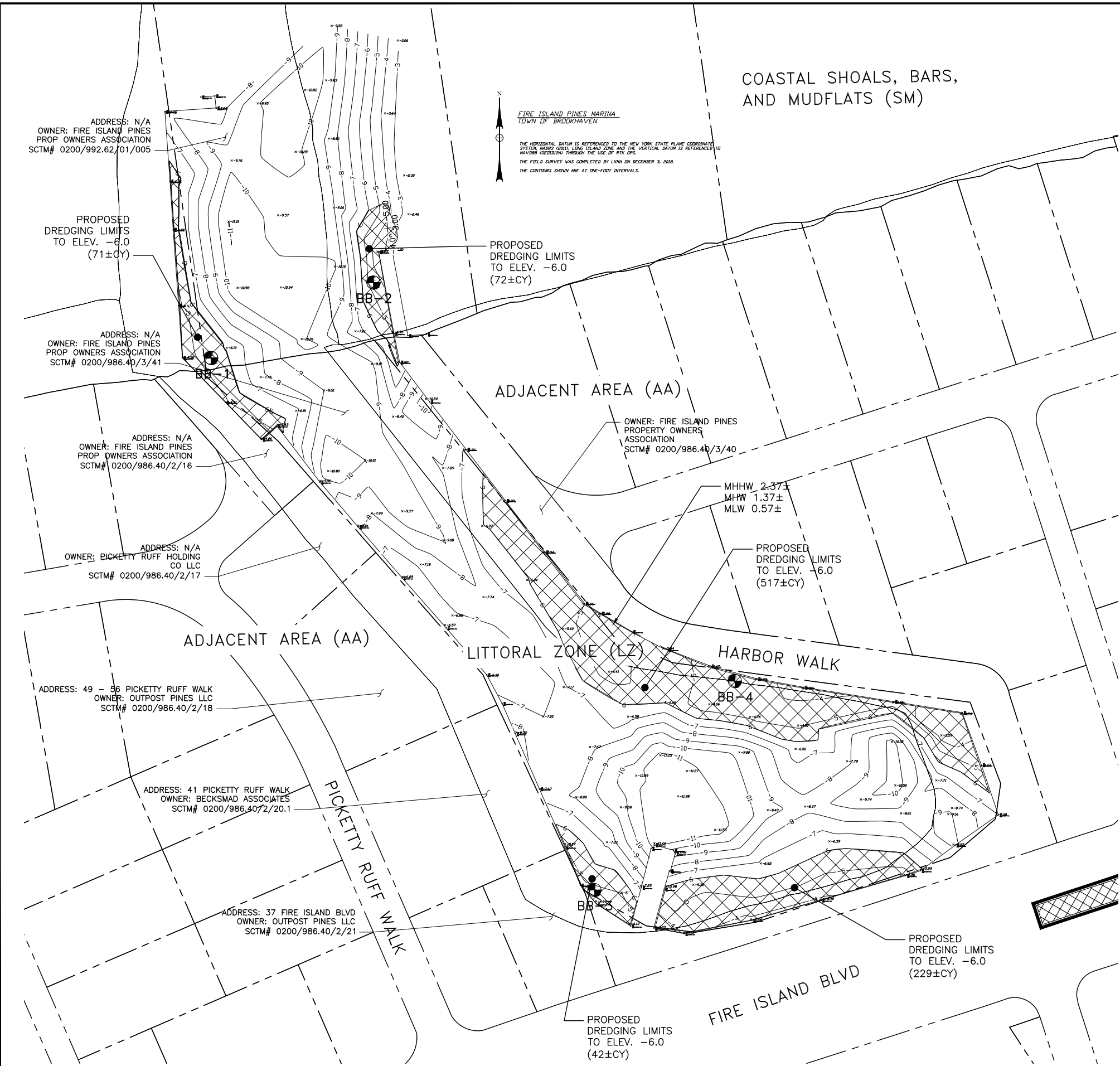
PHOTOGRAPH
LOCATION WITH
DIRECTION TAKEN
AND NUMBER



PERMIT PLAN

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK			
PINES MARINA DREDGING			
EXISTING CONDITIONS			
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11719			
Designed By: KJM	Scale: AS NOTED	2 OF 5	
Drawn By: KJM	Date: MAY 2020		
Approved By: CFD/RGD	File No. 18081.000		

May 12, 2020 - 02:51pm
S:\Shared With Me\Projects\18081.000 (Fire Island Pines Marina)\Civil Dwg\Contract Drawings\Dredging Plan.dwg



- NOTE:**
- HORIZONTAL DATUM IS REFERENCED TO NAD83 (2011) AND THE VERTICAL DATUM IS REFERENCED TO NAVD88 (GEOID12A) THROUGH THE USE OF RTK GPS.
 - ALL DEBRIS AND DRY SPOIL FROM THE SITE SHALL BE REMOVED AND LEGALLY DISPOSED OF AT AN APPROVED NYSDEC UPLAND DISPOSAL AREA.
 - A CLAM SHELL BUCKET SHALL BE USED ON EITHER A BARGE MOUNTED CRANE AND/OR LAND MOUNTED CRANE TO PERFORM THE DREDGING/EXCAVATION OPERATION.
 - TOTAL AREA OF DREDGING IS EQUAL TO 26,000 S.F.
 - PROPOSED CONTOURS REPRESENT THE MAXIMUM AMOUNT OF MATERIAL TO BE DREDGED. LIMITS OF DREDGING MAY BE REDUCED A.O.B.E.

LEGEND

LIMITS OF PROPOSED DREDGING TO ELEV. -6.0 (931±CY)

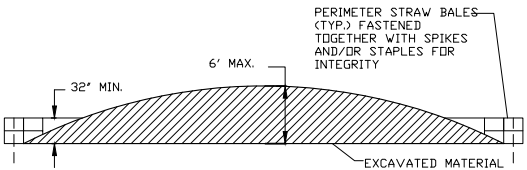
-6- PROPOSED CONTOUR

-5.50- EXISTING CONTOUR

SAMPLING LOCATION

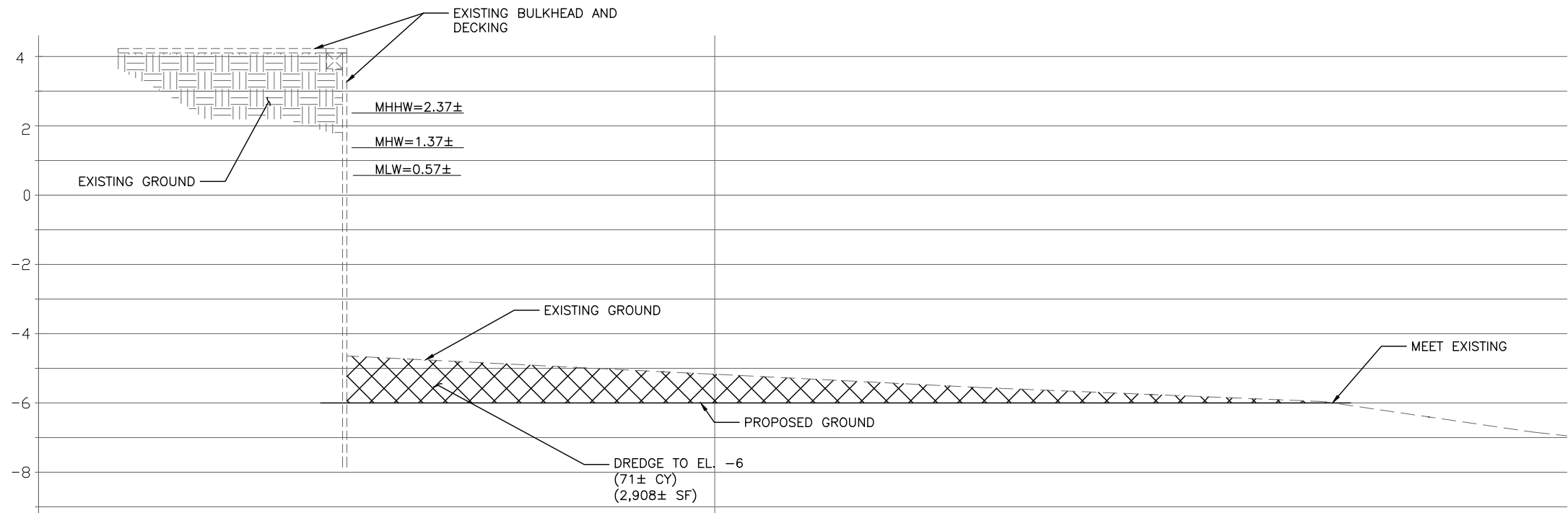
BB-1

APPX. SUFFOLK COUNTY TAX MAP LINES

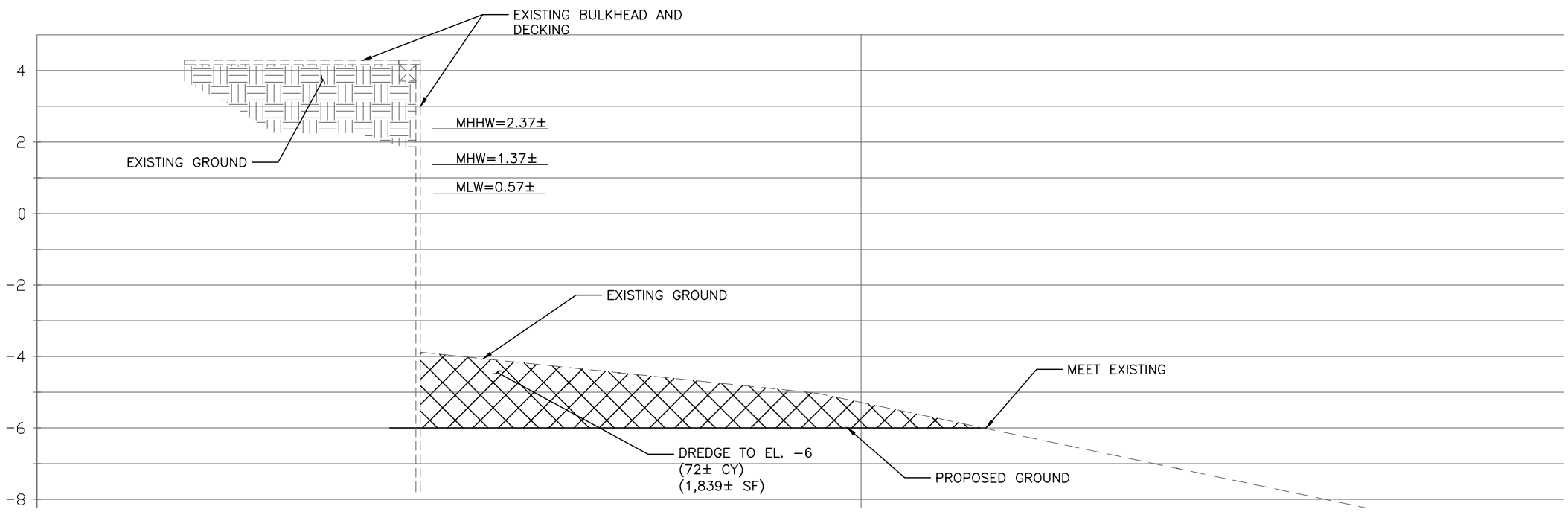


PERMIT PLAN

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK			
PINES MARINA DREDGING			
DREDGING PLAN			
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11719			
Designed By: KJM	Scale: AS NOTED	3 OF 5	
Drawn By: KJM	Date: MAY 2020		
Approved By: CFD/RGD	File No. 18081.000		



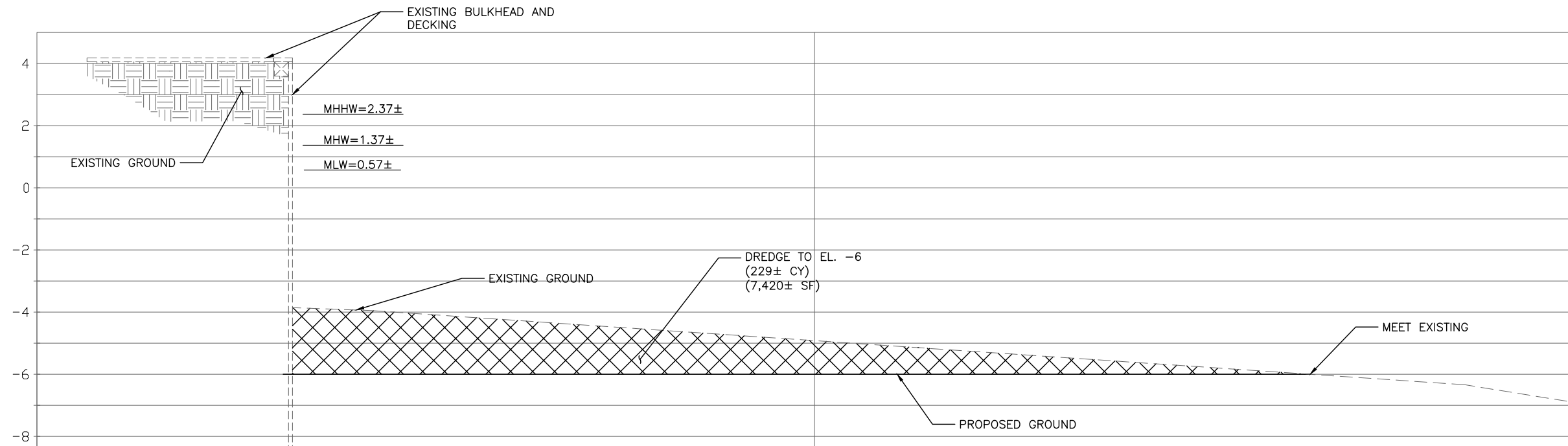
DREDGING SECTION (BB-1)
SCALE 1"=2'



DREDGING SECTION (BB-2)
SCALE 1"=2'

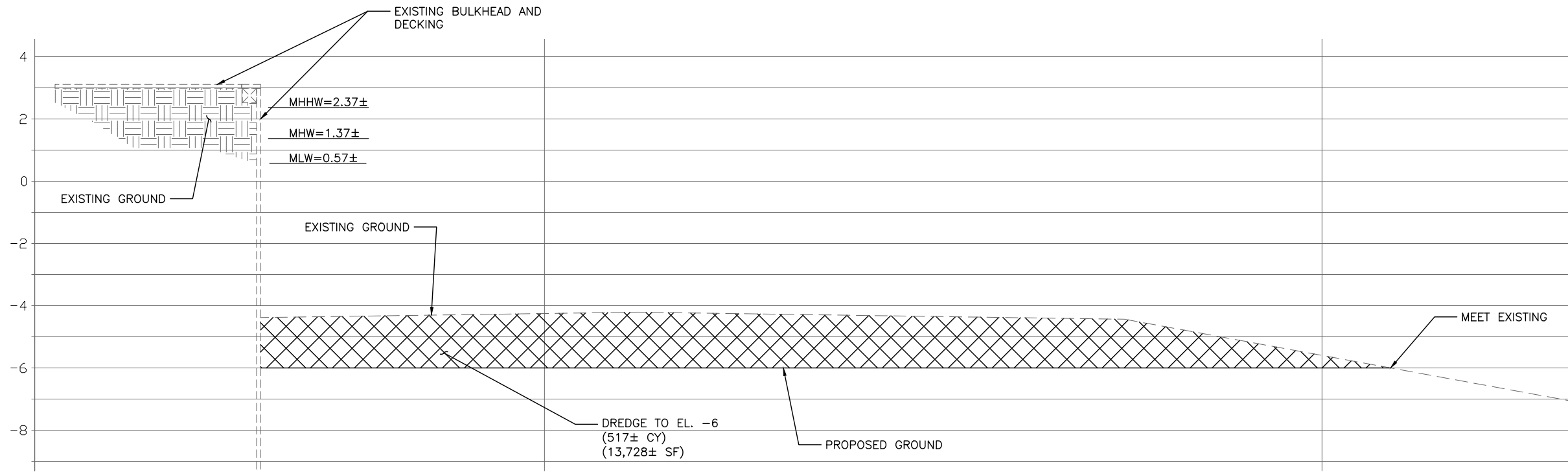
PERMIT PLAN

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK			
PINES MARINA DREDGING			
DREDGING SECTIONS - 1			
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11719			
Designed By: KJM	Scale: AS NOTED	4 OF 5	
Drawn By: KJM	Date: MAY 2020		
Approved By: CFD/RGD	File No. 18081.000		



DREDGING SECTION (BB-3)

SCALE 1"=2'



DREDGING SECTION (BB-4)

SCALE 1"=2'

PERMIT PLAN

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK			
PINES MARINA DREDGING			
DREDGING SECTIONS - 2			
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11719			
Designed By: KJM	Scale: AS NOTED	5 OF 5	
Drawn By: KJM	Date: MAY 2020		
Approved By: CFD/RGD	File No. 18081.000		