

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-2018-01549-EHA Issue Date: June 4, 2020

Expiration Date: July 6, 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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Town of Brookhaven Department of Parks, Recreation and Sports Attn: Ed Morris 286 Hawkins Road Centereach, New York 11720

- ACTIVITY: Dredging with ten-years maintenance and sand beach placement.
- WATERWAY: Mount Sinai Harbor Inlet
- LOCATION: 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.

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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.

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 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 (917) 790-8523 and ask for Naomi Handell.

In order for us to better serve you, please complete our Customer Service Survey located at <u>http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx</u>.

For more information on New York District Corps of Engineers programs, visit our website at <u>http://www.nan.usace.army.mil</u>.

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FOR AND IN BEHALF OF Stephan A. Ryba Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

The applicant, Town of Brookhaven, Department of Parks, Recreation and Sports, has requested Department of the Army authorization for dredging with ten-years maintenance and sand beach placement in Mount Sinai Harbor Inlet, Town of Brookhaven, Suffolk County, New York.

The work would involve:

Dredging with ten-years maintenance, via hydraulic dredge and land based excavator with return flow to the waterway, of approximately 60,000 cubic yard of 22.5% gravel and 76.5% sand from an approximately 370-foot to 490-foot wide by approximately 1,490-foot long area, to a depth of 15-feet below the plane of mean low water (dredging to a 14-foot depth plus a 1-foot overcut). Approximately 15,025 cubic yards of dredged material would be placed waterward of the Spring High Water Line [total 116,225 square feet] and 44,975 cubic yards of dredged material would be placed material would be placed landward of the Spring High Water Line [total 425,200 square feet].

Place the dredged material in the following locations:

Area 1: Place approximately 24,000 cubic yards of dredged material west of the west jetty, over an approximately 174,000 square foot area along the Long Island Sound shoreline, with placement of approximately 14,700 cubic yards of dredged material over an 111,000 square foot area waterward of the Spring High Water Line. Approximately 9,300 cubic yards of dredged material would be placed over an approximately 63,000 square foot area landward of the Spring High Water Line

Area 2: Place approximately 35,500 cubic yards of dredged material east of the east jetty, over an approximately 360,000 square foot area along the Long Island Sound shoreline, all material would be placed landward of the Spring High Water Line.

Area 3: Place approximately 500 cubic yards of dredged material southeast of the east jetty, over an approximately 7,425 square foot area along the Mount Sinai Harbor shoreline, with placement of approximately 325 cubic yards of material placed over a 5,225 square foot area waterward of the Spring High Water Line. Approximately 175 cubic yards of dredged material would be placed over an approximately 2,200 square foot area landward of the Spring High Water Line.

One future dredging event is proposed over the requested 10-year period. The volume of material to be dredged would be 30,000 cubic yards, with the same dredging methods and placement locations.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by: placing the dredged material in eroded areas for the purpose of beach nourishment.

The stated purpose of this project is safe navigation and beach nourishment.

DREDGE PLAN

FOR MOUNT SINAL INLET DREDGING

AT MOUNT SINAI

SUFFOLK COUNTY, NEW YORK

SHEET INDEX:

	1 OF 12 2 OF 12 3 OF 12 4 OF 12 5 OF 12 6 OF 12	WPP-101 WPP-102 WPP-103 WPP-104 WPP-106 WPP-107	COVER SHEET DREDGE ACTIVITY PLA DREDGING PLAN 1 DREDGING PLAN 2 LEGEND SECTION A-A	N			APPLICANT TOWN OF BROOKHAVEN PARKS AND RECREATION C/O ED MORRIS 286 HAWKINS ROAD CENTEREACH, NY 11720 PHONE # 631-451-6101 WETLAND PERMIT PLANS		10N 20
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	8 OF 12	WPP-109	SECTION C-C	3. 12-5-19	12-5-19	REVISED PER DEC AND TO	AND TOWN COMMENTS		CCV
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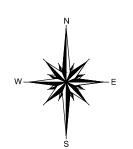
TOPGGRAPHIC INFORMATION FROM SURVEY BY NELSON AND POPE DATED 1-20-17, BATHYMETRIC INFORMATION FROM SURVEY BY ALPINE OCEAN SEISMIC SURVEY, INC. DATED 12-29-16, ADDITIONAL TOPOGRAPHIC INFORMATION FROM FIELD MEASUREMENTS TAKEN 8-22-19.

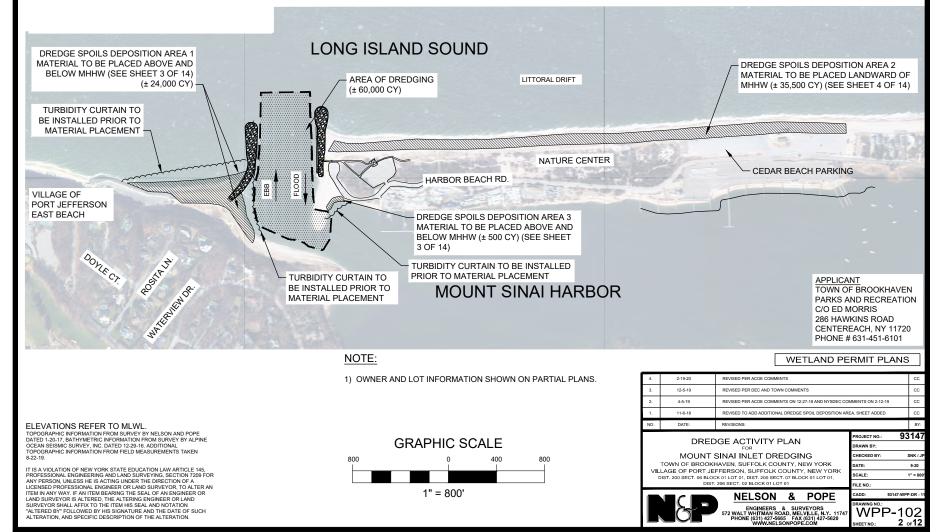
IT IS A VIOLATION OF NEW YORK STATE EDUCATION LUW ARTICLE 145, PROFESSIONAL ENGINEERING AND LAND SURVEYING, SECTION 7209 FOR ANY PERSON, LINLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN TIEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERNG ENGINEER OR LAND SURVEYOR SHAL AFFIX OT HE TIEM HIS SEAL AND NOTATION "ALTERED BY FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION. AND SPECIFIC DESCRIPTION OF THE ALTERATION.

CONSTRUCTION NOTES:

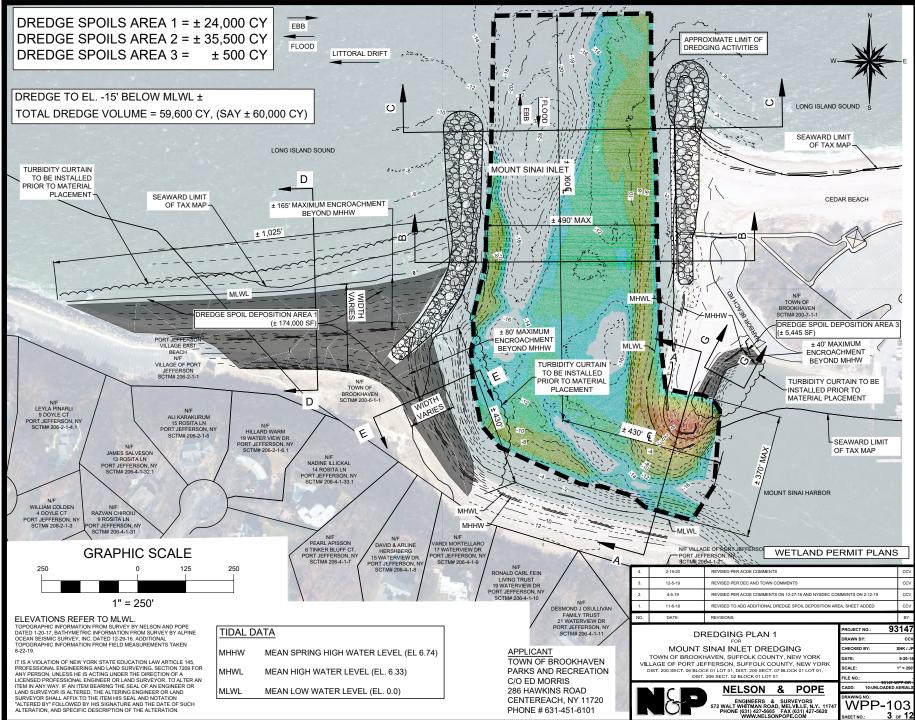
- WORK WILL BE PERFORMED BOTH BY LAND AND BARGE UTILIZING HYDRAULIC DREDGING, ON AND OFF-ROAD TRUCKING, EXCAVATORS, BULL DOZERS AND FRONT END LOADERS.
- 2) NO PLACEMENT OF DREDGE SPOILS BELOW MHHW TO TAKE PLACE UNTIL TURBIDITY CURTAIN IS INSTALLED.
- STORAGE OF MATERIALS, VEHICLES AND EQUIPMENT SHALL NOT BE IN AREAS BELOW THE MHHW.
- 4) WORK BARGE TO BE MOORED WITHIN MOUNT SINAI HARBOR AT THE END OF EACH DAY.

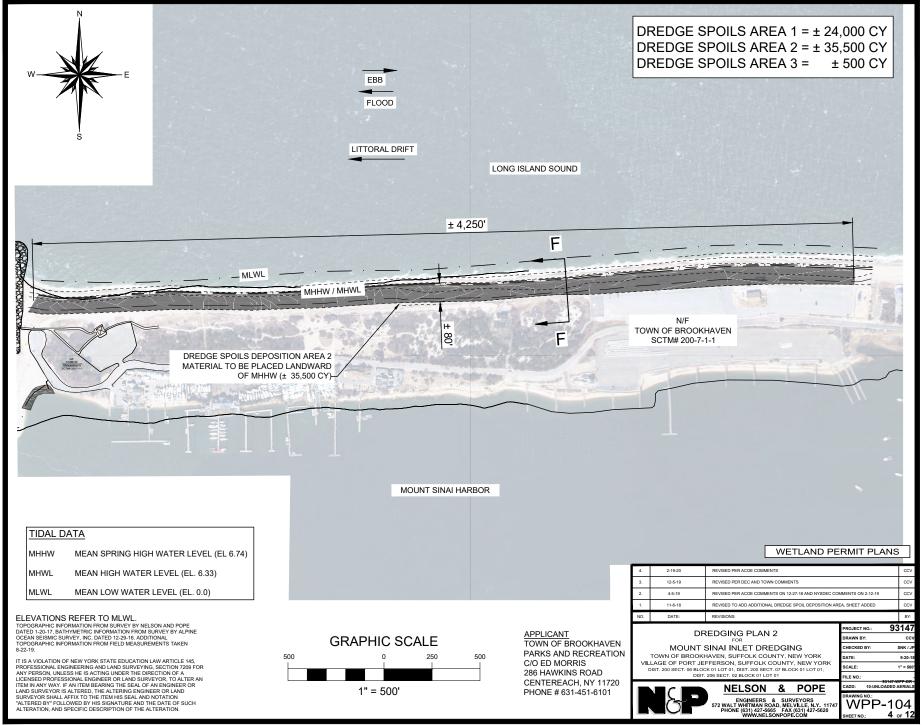
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MEAN LOW WATER LEVEL (EL. 0.0)					





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DREDGE DEPTH TABLE				
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DREDGE TO EL. ± -15' BELOW MLWL TOTAL DREDGE VOLUME = 59,600 CY, (SAY ± 60,000 CY)

DREDGE AREA LANDWARD OF MHHW = ± 7,400 SF

DREDGE AREA SEAWARD OF MHHW = ± 400,000 SF

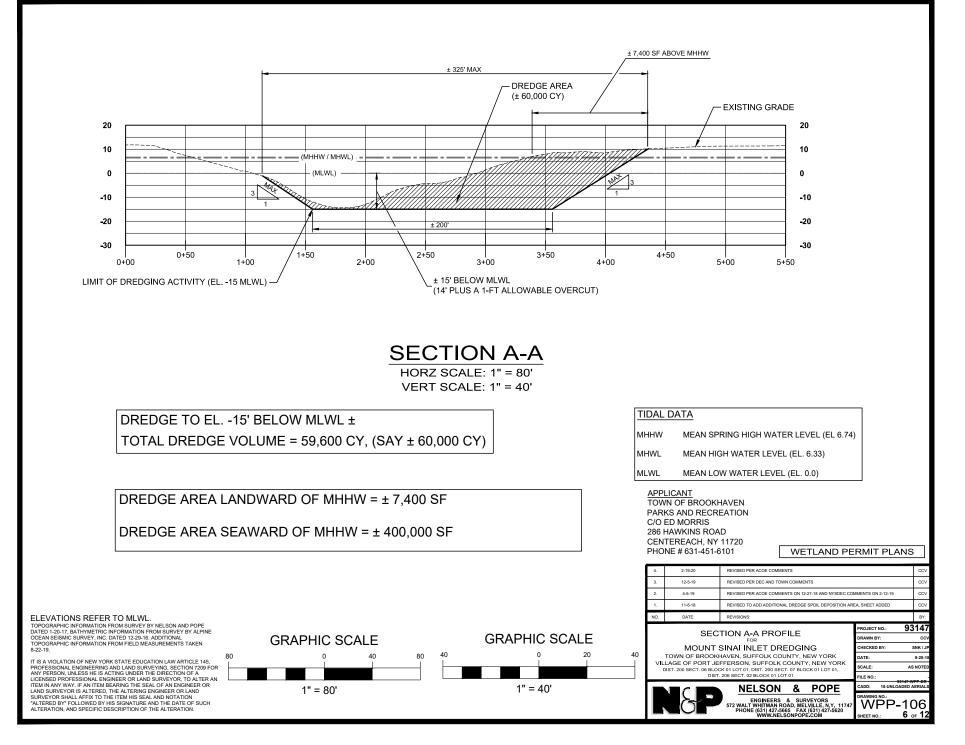
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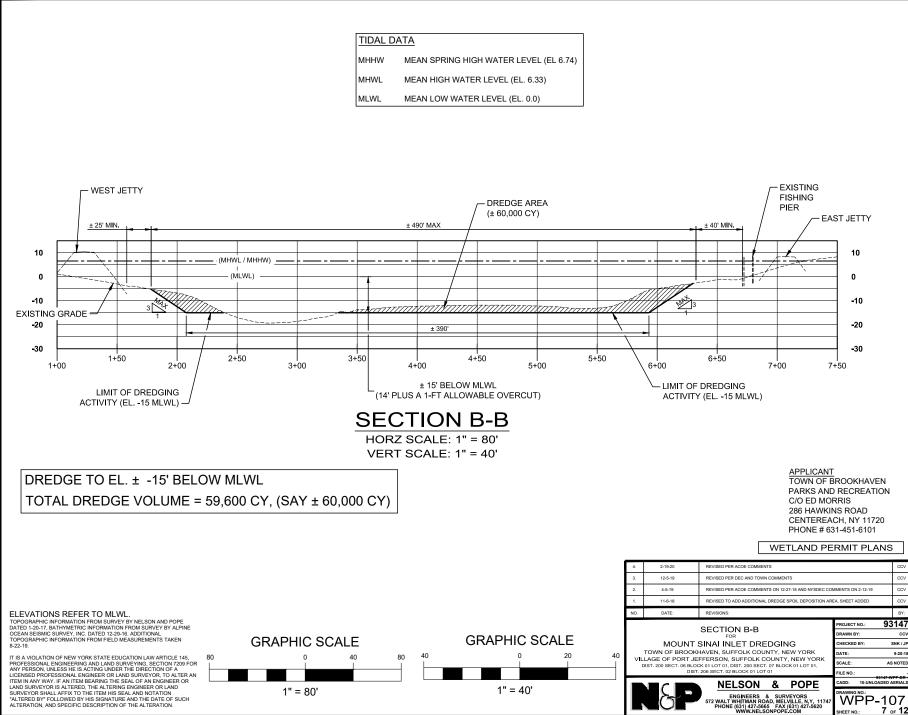
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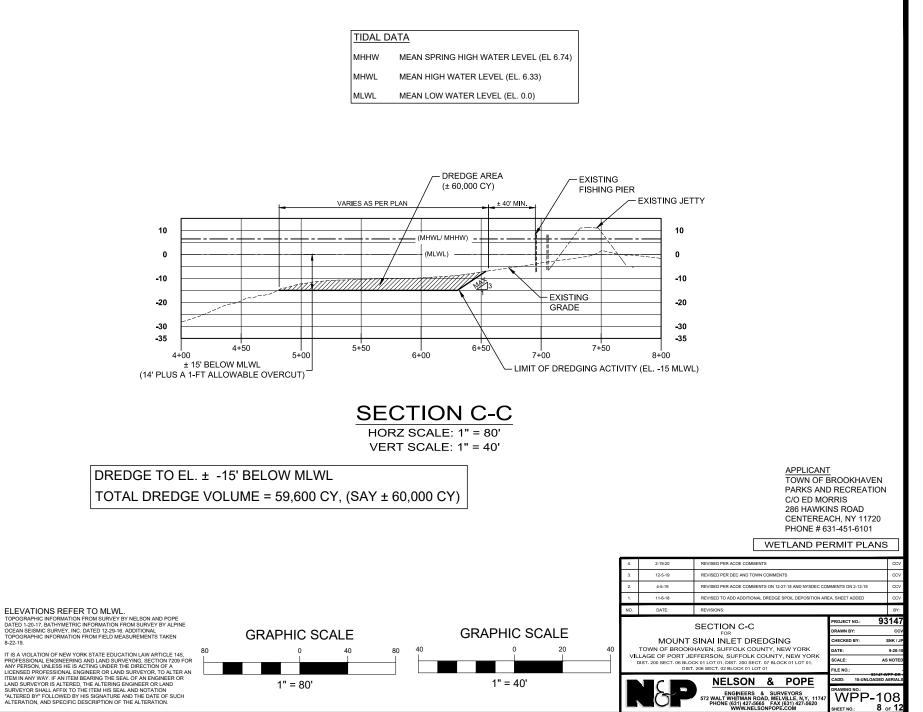
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2. 4-5-19		REVISED PER ACOE COMMENTS ON 12-27-18 AND NYSDEC COMMENTS ON 2-12-19		

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2.	2. 4-5-19 REVISED PER ACOE COMMENTS ON 12-27-18 AND NYSDEC COMMENTS ON 2-12-19			CCV	
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NO.	DATE:	REVISIONS:		BY:	
LEGEND FOR DRAWN BY:					
					MOUNT SINAI INLET DREDGING CHECKED BY:
TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK VILLAGE OF PORT JEFFERSON, SUFFOLK COUNTY, NEW YORK DIST. 200 SECT. 06 BLOCK 01 LOT 01, DIST. 200 SECT. 07 BLOCK 01 LOT 01, DIST. 200 SECT. 200					
NELSON & POPE ENGINEERS & SURVEYORS 572 WALT WHITTAKI ROAD, DIFLORED FAX (131) 427 5695 729 HONNE (631) 427 5695 FAX (131) 427 54747 WPPP-1 SURFEY NO. 5					



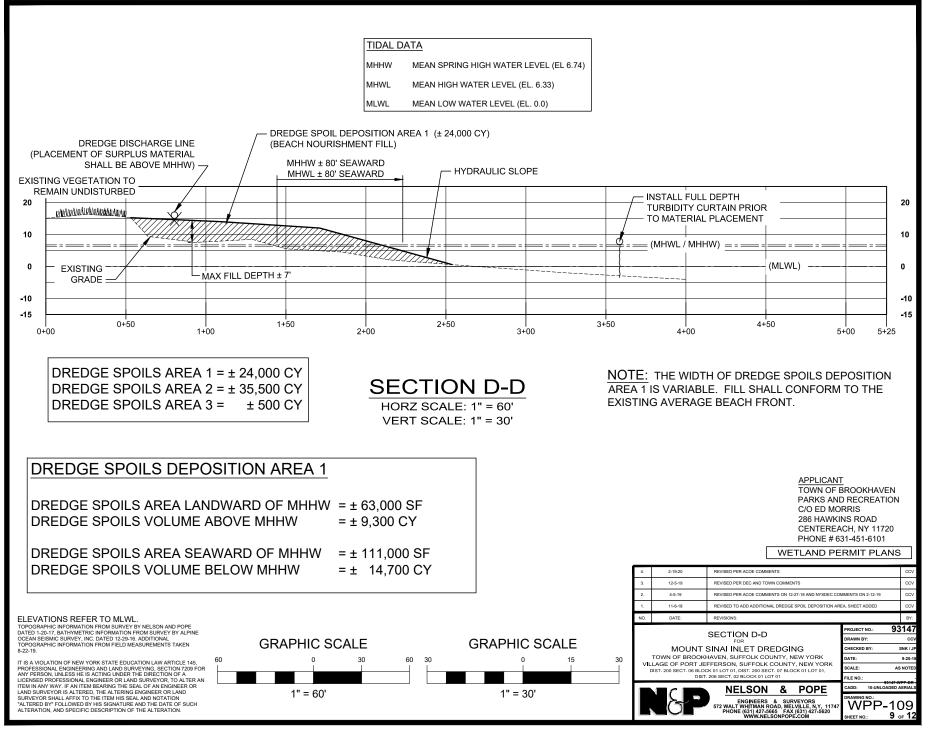


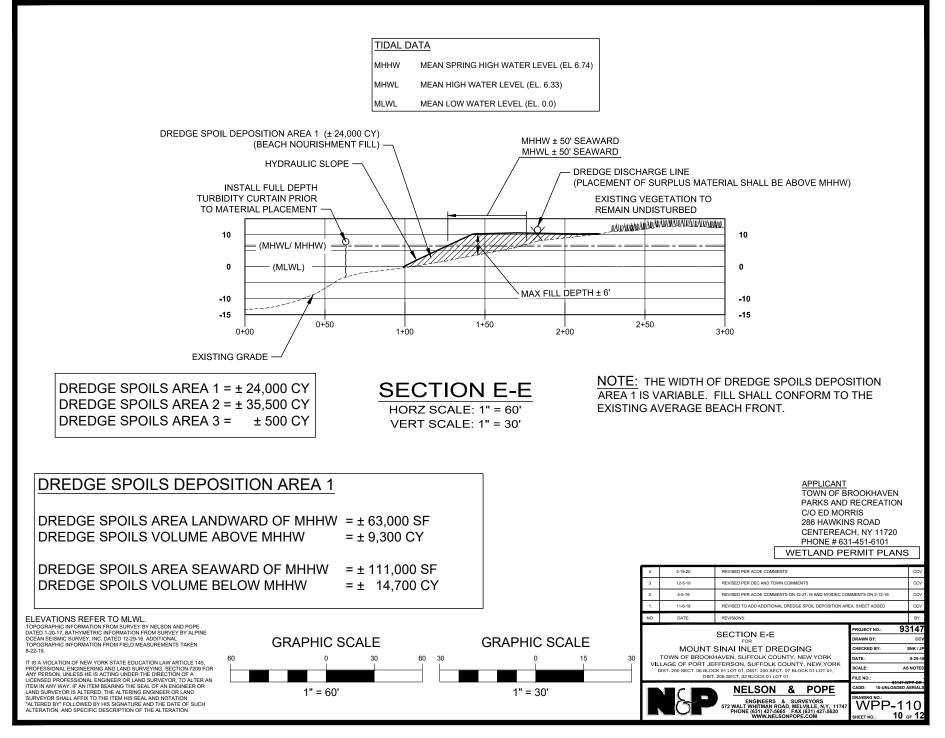


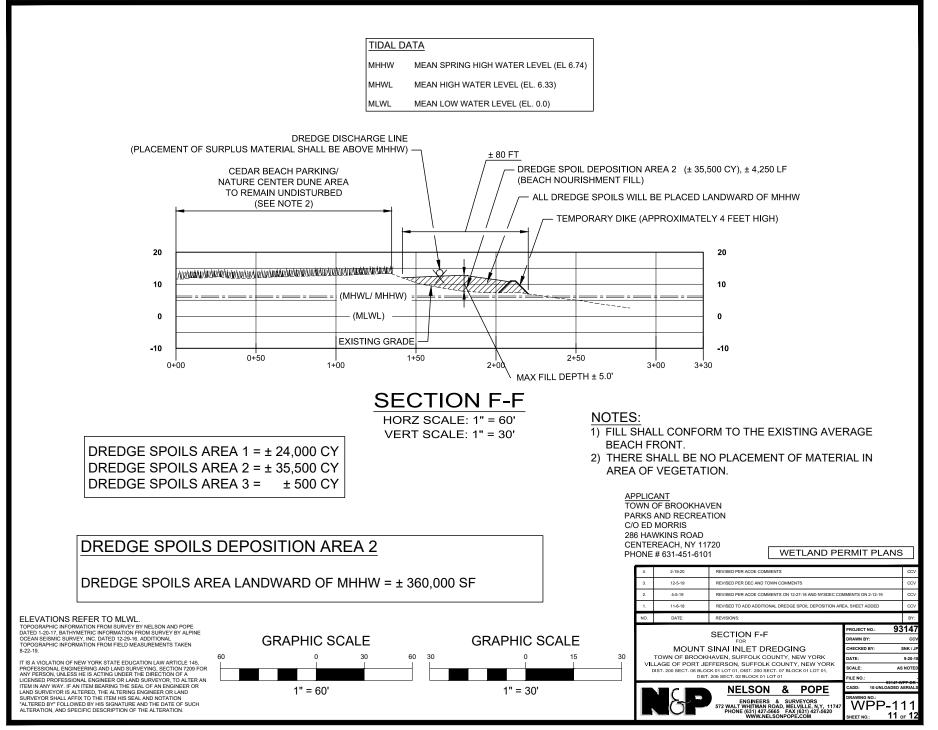
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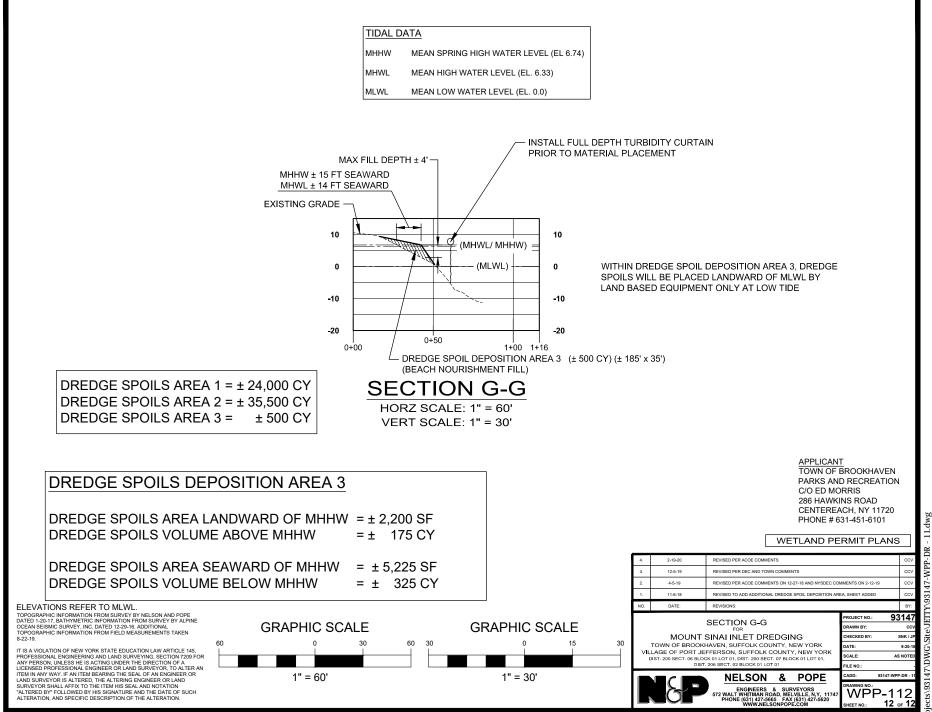
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