



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-2020-00333-EME
Issue Date: September 18, 2020
Expiration Date: October 18, 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: East Hampton Town Trustees

ACTIVITY: Excavate and Relocate the Mouth and Channel of Little Northwest Creek Improve Water Circulation

WATERWAY: Sag Harbor Bay and Little Northwest Creek, tributaries of Shelter Island Sound

LOCATION: Little Northwest Creek, in the Village of Sag Harbor, Town of East Hampton, 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 lisa.a.grudzinski@usace.army.mil 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. 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 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 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, and dredging/spoils placement activities. 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

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

The applicant has stated that they have avoided, minimized and mitigated for impacts proposed to the maximum extent practicable by utilizing best management practices such as installation of turbidity curtains and seasonal restrictions, and by maintaining excavated material within the project area.

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 Lisa A. Grudzinski, project manager, at (917) 790-8428 or lisa.a.grudzinski@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 programs, visit our website at <http://www.nan.usace.army.mil>.

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PINZON. RONALD.R.125
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Date: 2020.09.15
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FOR AND IN BEHALF OF
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, East Hampton Town Trustees, has requested Department of the Army authorization to excavate and relocate the mouth of Little Northwest Creek in Sag Harbor Bay, Tributary of Shelter Island Sound, in the Village of Sag Harbor, Town of East Hampton, Suffolk County, New York.

The proposed work would involve the following:

Using an excavator, remove, with 10-years maintenance, up to a total of approximately 4,000 cubic yards (CY) initially of accumulated sand, including approximately 2,800 CY below the plane of Mean High Water (MHW), from an area near the mouth of Little Northwest Creek, to create a new channel approximately 58-feet wide at the top of the prism and 40-feet wide at the base of the prism, by 700-feet long (40,000 square feet), up to a maximum depth of approximately three-feet below the plane of Mean Low Water (MLW). The new channel would be located approximately 700 to 900-feet east of the existing mouth, and excavated in part from the existing Little Northwest Creek channel landward of the existing sand beach, and in part through an existing upland sand beach into Sag Harbor Bay. The existing channel of Little Northwest Creek appears to vary between approximately 20 and 60-feet wide.

The excavated material would be used to fill the existing channel of Little Northwest Creek west (downstream) of the new proposed channel. Up to a total of approximately 4,000 CY of excavated material would be deposited into the existing channel of Little Northwest Creek, including approximately 3,040 CY below the plane of Spring High Water (SHW), in an area approximately 65-feet wide by 500-feet long (approximately 23,500-square feet below SHW), from approximately 50-feet west (downstream) of the proposed new channel to the existing mouth at Sag Harbor Bay.

An estimated one to three subsequent excavation events would occur over the 10-year life of the permit and would remove an estimated 800 to 2,000 CY of sand from the new channel prism per event.

The stated purpose of this project is to improve water circulation in Little Northwest Creek in order to maintain and/or improve water quality, including temperature.



D.B. Bennett, P.E., P.C. | Consulting Engineer
3 Railroad Avenue, P.O. Box 1442
East Hampton, NY 11937
631-907-0023 (T) 631-329-0324 (F)

LITTLE NORTHWEST CREEK
INLET DREDGING
AN EAST HAMPTON TOWN TRUSTEE PROJECT
EAST HAMPTON, NEW YORK

DRAWING
EXISTING VS PROPOSED
INLET

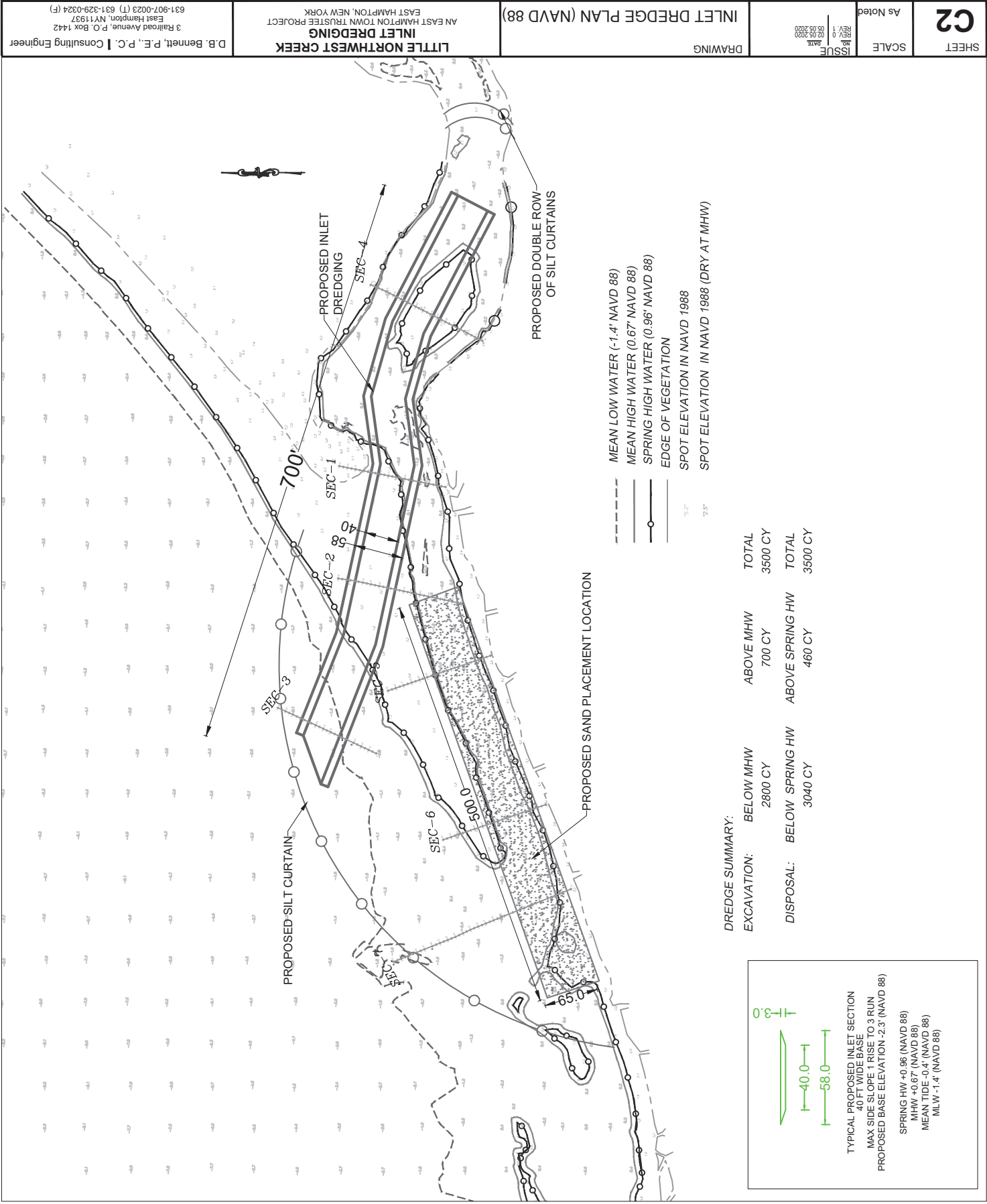
ISSUE
NO. 1
DATE 08/08/2020
REV. 1

SCALE
1:200

SHEET
C1A



C1B SHEET	SCALE 1:200	ISSUE NO. 1 DATE 05/05/2020 REV. 1	DRAWING EXISTING VS PROPOSED INLET	LITTLE NORTHWEST CREEK INLET DREDGING AN EAST HAMPTON TOWN TRUSTEE PROJECT EAST HAMPTON, NEW YORK	D.B. Bennett, P.E., P.C. Consulting Engineer 3 Railroad Avenue, P.O. Box 1442 East Hampton, NY 11937 631-907-0023 (T) 631-329-0324 (F)
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As Noted

SCALE

ISSUE

REV. 1

02/05/2020

DATE

DRAWING

INLET DREDGE PLAN (NAVD 88)

3 Railroad Avenue, P.O. Box 1442

East Hampton, NY 11937

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D.B. Bennett, P.E., P.C. | Consulting Engineer

LITTLE NORTHWEST CREEK

INLET DREDGING

AN EAST HAMPTON TOWN TRUSTEE PROJECT

EAST HAMPTON, NEW YORK

C2

SHEET

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INLET DREDGING

AN EAST HAMPTON TOWN TRUSTEE PROJECT

EAST HAMPTON, NEW YORK

SECTION 1

DRAWING

ISSUE

REV 0

02/05/2020

DATE

As Noted

SCALE

C3

SHEET

The diagram illustrates a cross-section of Little Northwest Creek. The vertical axis represents ELEVATION in feet, ranging from -4 to 6. The horizontal axis represents stationing from 0+00 to 1+30, with a horizontal scale of 1"=40'-0". The diagram shows the existing creek bed (green line) and the proposed dredged bed (pink line). Key features include:

- EXISTING ELEVATION** (green line)
- PROPOSED ELEVATION** (pink line)
- CUT** section between station 0+40 and 0+60.
- MEAN TIDE** at -0.4' (NAVD 88).
- MHW** (Mean High Water) at 0.67' (NAVD 88).
- SPRING HW** (Spring High Water) at 0.96' (NAVD 88).
- MLW** (Mean Low Water) at -1.4' (NAVD 88).

Station	Existing Elev (ft)	Proposed Elev (ft)
0+00	-1.4	-1.4
0+10	-1.4	-1.4
0+20	-1.4	-1.4
0+30	-2.3	-0.95
0+40	-2.3	-0.95
0+50	-2.3	1.6
0+60	-2.3	1.6
0+70	-2.3	1.4
0+80	1.0	3.5
0+90	4.0	4.0
1+00	6.0	6.0
1+10	6.0	6.0
1+20	6.0	6.0
1+30	6.0	6.0

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INLET DREDGING

EAST HAMPTON TOWN TRUSTEE PROJECT

EAST HAMPTON, NEW YORK

SECTION 2

DRAWING

ISSUE

REV. 1

02/03/2020

DATE

As Noted

SCALE

C4

SHEET

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SECTION 2
HORIZONTAL SCALE: 1"=40'-0"

ELEVATION
VERTICAL SCALE: 1"=4'

SOUTH **NORTH**

FILL **CUT**

EXISTING ELEVATION **PROPOSED ELEVATION**

MEAN TIDE -0.4' (NAVD 88)
MLW -1.4' (NAVD 88)
SPRING HW 0.96' (NAVD 88)
MHW 0.67' (NAVD 88)

Station	Existing Elev.	Proposed Elev.
0+00	2.0	2.0
0+10	2.0	2.0
0+20	2.0	2.0
0+30	2.0	2.0
0+40	2.0	2.0
0+50	2.0	2.0
0+60	2.0	2.0
0+70	1.8	1.8
0+80	2.0	2.0
0+90	2.1	2.3
1+00	2.3	2.3
1+10	2.3	2.3
1+20	2.3	2.3
1+30	2.0	2.0
1+40	2.0	2.0
1+50	2.0	2.0

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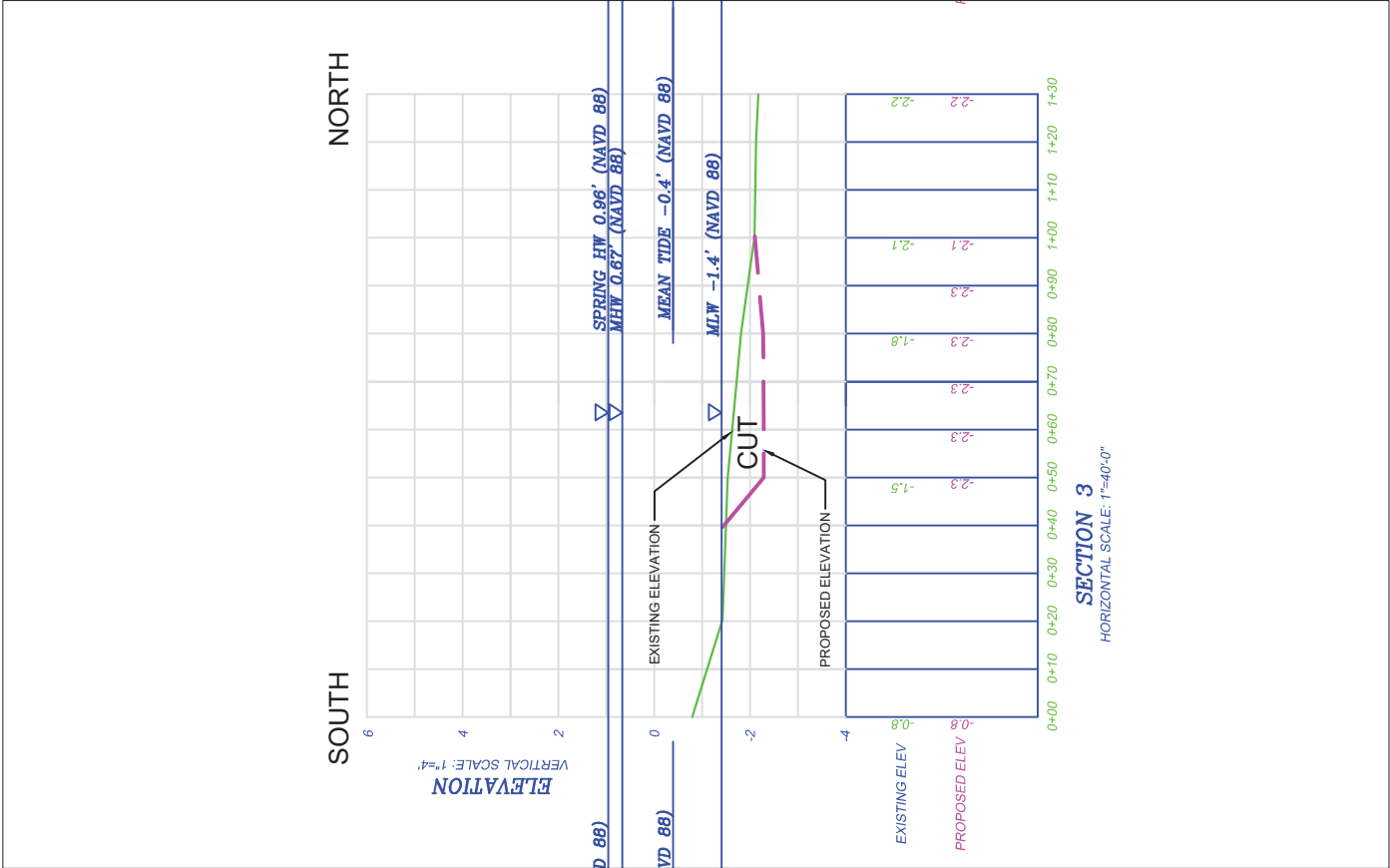
**LITTLE NORTHWEST CREEK
INLET DREDGING**
AN EAST HAMPTON TOWN TRUSTEE PROJECT
EAST HAMPTON, NEW YORK

SECTION 3
DRAWING

ISSUE
REV 1
DATE 02/03/2020

SCALE
As Noted

C5
SHEET



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INLET DREDGING

AN EAST HAMPTON TOWN TRUSTEE PROJECT

EAST HAMPTON, NEW YORK

SECTION 4

DRAWING

ISSUE

REV. 9

DATE

02/03/2020

As Noted

SCALE

C6

SHEET

SECTION 4
HORIZONTAL SCALE: 1"=40'-0"

VERTICAL SCALE: 1"=4'-0"

EXISTING ELEVATION

PROPOSED ELEVATION

CUT

MLW -1.4' (NAVD 88)

MEAN TIDE -0.4' (NAVD 88)

MHW 0.67' (NAVD 88)

SPRING HW 0.96' (NAVD 88)

SOUTH

NORTH

Station	Existing Elev.	Proposed Elev.
0+00	4.8	3.6
0+10	0.1	-1.4
0+20	0.5	-2.3
0+30	0.5	-2.3
0+40	1.3	-2.3
0+50	1.3	-2.3
0+60	-2.3	-2.3
0+70	-2.3	-2.3
0+80	1.4	-2.3
0+90	-2.3	-2.3
1+00	0.5	-2.3
1+10	0.4	-2.3
1+20	-0.6	6.0
1+30	-0.7	2.0
1+40	-0.7	2.0
1+50	1.7	2.0

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LITTLE NORTHWEST CREEK

INLET DREDGING

AN EAST HAMPTON TOWN TRUSTEE PROJECT

EAST HAMPTON, NEW YORK

SECTION 5

DRAWING

ISSUE

REV. 9

DATE

02/03/2020

As Noted

SCALE

C7

SHEET

SECTION 5
HORIZONTAL SCALE: 1"=40'-0"

ELEVATION
VERTICAL SCALE: 1"=4'-0"

SOUTH **NORTH**

PROPOSED ELEVATION (dashed line)
EXISTING ELEVATION (solid line)

FILL (shaded area between proposed and existing elevations)

TIDE LEVELS:
SPRING HW 0.96' (NAVD 88)
MHW 0.67' (NAVD 88)
MEAN TIDE -0.4' (NAVD 88)
MLW -1.4' (NAVD 88)

Station	Proposed Elev	Existing Elev
0+00	2.7	1.0
0+10	2.7	-0.9
0+20	2.7	-1.0
0+30	2.7	-0.5
0+40	2.7	0.6
0+50	2.7	2.0
0+60	2.5	2.4
0+70	2.4	1.2
0+80	2.4	1.2
0+90	2.4	1.2
1+00	2.4	1.2
1+10	2.4	1.2
1+20	2.4	1.2
1+30	2.4	1.2

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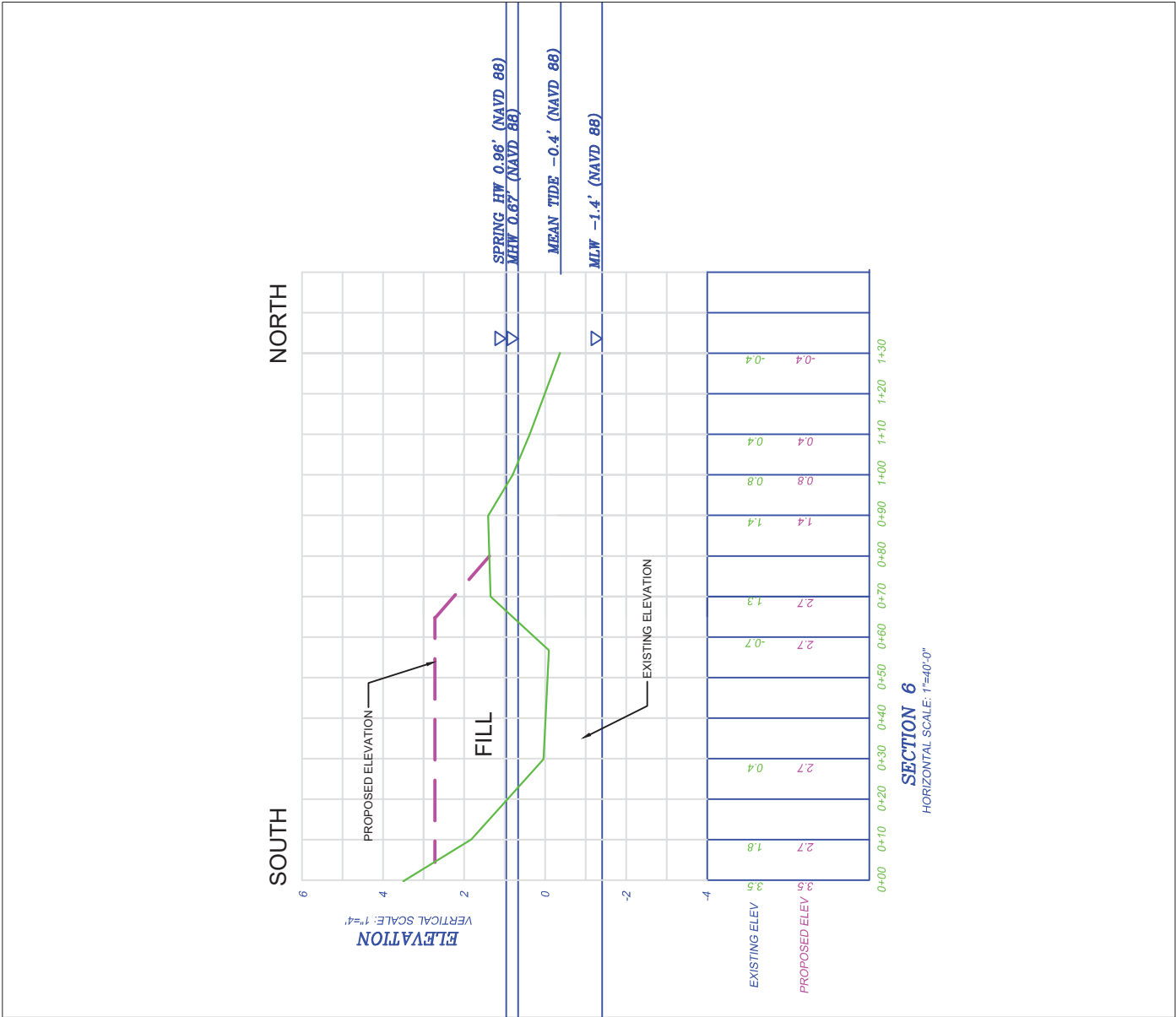
ISSUE
REV. 1
DATE
02/03/2020

SCALE
As Noted

C8
SHEET

SECTION 6
DRAWING

**LITTLE NORTHWEST CREEK
INLET DREDGING**
AN EAST HAMPTON TOWN TRUSTEE PROJECT
EAST HAMPTON, NEW YORK
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INLET DREDGING**
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EAST HAMPTON, NEW YORK

SECTION 7
DRAWING

ISSUE
REV. 1
DATE 02/03/2020

As Noted
SCALE

C9
SHEET

