



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-2021-00507-EMI**
Issue Date: **October 21, 2021**
Expiration Date: **November 20, 2021**

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: The Homeowners Association at the Admiralty
550 Montauk Highway
West Bay Shore, New York 11706

ACTIVITY: Ten-Year Maintenance Dredging with Upland Disposal and Return Flow to the Waterway & Bulkhead Maintenance

WATERWAY: Thorne Canal, a tributary of Great South Bay

LOCATION: Dredge Location: Thorne Canal, Bay Shore, Town of Islip, Suffolk County, New York

Dredge Material Placement Location: Upland area adjacent to Thorne canal

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

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2021-00507-EMI**

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.

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 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 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 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.

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

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2021-00507-EMI**

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

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. Please send all comments and questions concerning this application 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 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 permit applicant, The Homeowners Association at the Admiralty, has requested Department of the Army (DA) authorization to conduct dredging, with ten-years maintenance with placement of all resultant dredged material at an upland disposal area with return flow to the waterway and bulkhead maintenance. The project is located at Thorne Canal, a tributary of Great South Bay in the Town of Islip, Suffolk County, New York.

The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by mechanical clamshell dredge, approximately 1,200 cubic yards (CY) of material from an approximately 2.5 acre area with Thorne Canal to a depth of six feet below the plane of Mean Low Water (MLW). The dredged material will be placed upland along the canal within an approximately 4,000 square foot haybale lined area on the east side of the canal and an approximately 4,800 square foot haybale lined area on the west side of the canal for dewatering with return flow to the waterway. Following dewatering, the dredged material would then be spread in the upland area long the canal over approximately 80,500 square feet. If needed, material would also be placed at an approximately 42,500 square foot location in the upland site.

The applicant plans to conduct dredging annually removing a maximum of approximately 1,200 CY from within the same dredging area with the same upland disposal and dewatering location.

The applicant additionally proposes to replace approximately 800-linear feet of bulkhead within 18-inches seaward of existing along the end of the canal, backfilling the bulkhead with approximately 250 CY of clean fill below Spring High Water.

The applicant has 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 Thorne Canal. Any potential impacts would be temporary and would be offset by implementing best management practices such as using haybales and silt fencing along the dewatering area.

The stated purpose of this project is to maintain safe navigable depths for vessel use in the waterway.

VICINITY MAP



TITLE: The Admiralty - Maintenance Dredging

AT: West Bayshore, Islip **PROJ #:** CSTADM01
ON: Thorne Canal/Gr. S Bay **TM:** 417.01-01-161
COUNTY: Suffolk **DATE:** Dec. 2009
STATE: NY **REV:** 3/1/18, 6/13/18,
APPLICATION BY: The Admiralty 7/21/21

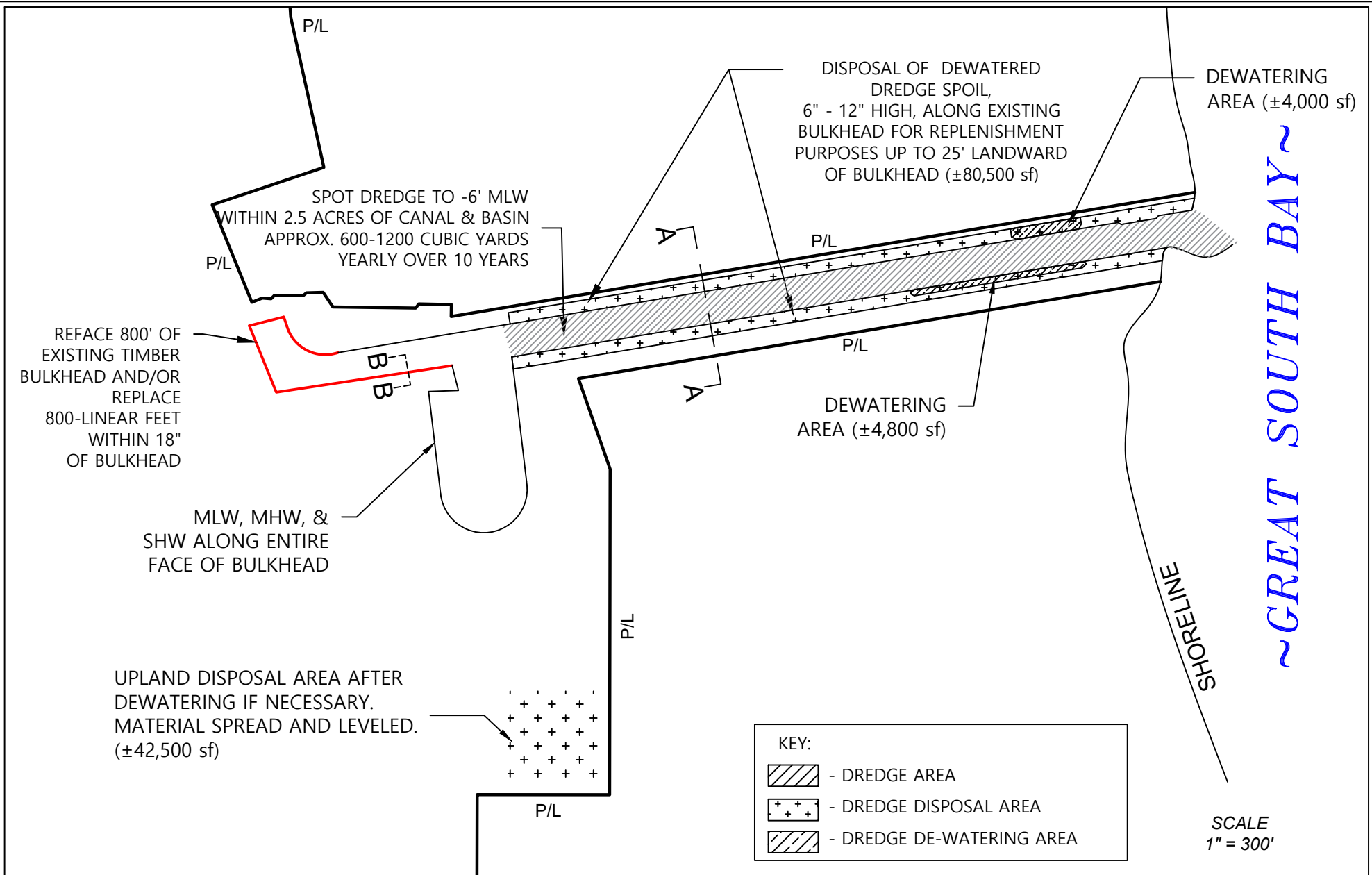
SHEET: 1 of 4 - Site Location Map

NOTES:

1. Project Vicinity Map sourced from Bing Maps.

Prepared By:

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TITLE: The Admiralty - Maintenance Dredging

AT: West Bayshore, Islip
ON: Thorne Canal/Gr. S Bay
COUNTY: Suffolk
STATE: NY
APPLICATION BY: The Admiralty
SHEET: 3 of 4 - Proposed Action Plan View

PROJ #: CSTADM01
TM: 417.01-01-161
DATE: Dec. 2009
REV: 3/1/18, 6/13/18, 7/21/21

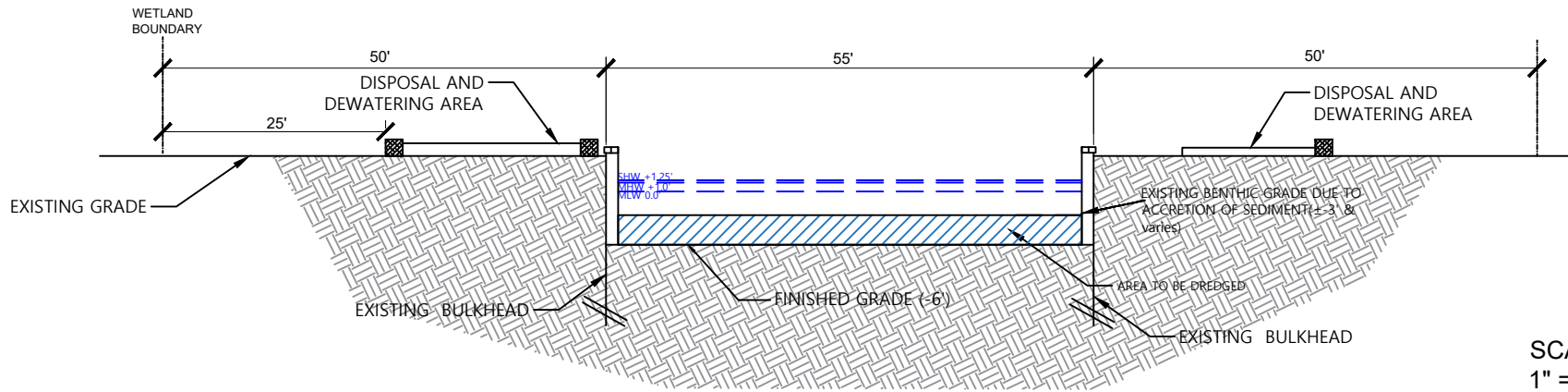
NOTES:

1. Total bulkhead replacement to encompass 800 linear feet, shown as red/bold line.
2. Approx. 250 cy of clean, upland fill material to be utilized landward of the new bulkhead.
3. Southeast of marina, canal, and jetties refaced with new bulkheads per previous permit approvals.
4. See Sheet 4 for Cross-sectional Details A-A and B-B.

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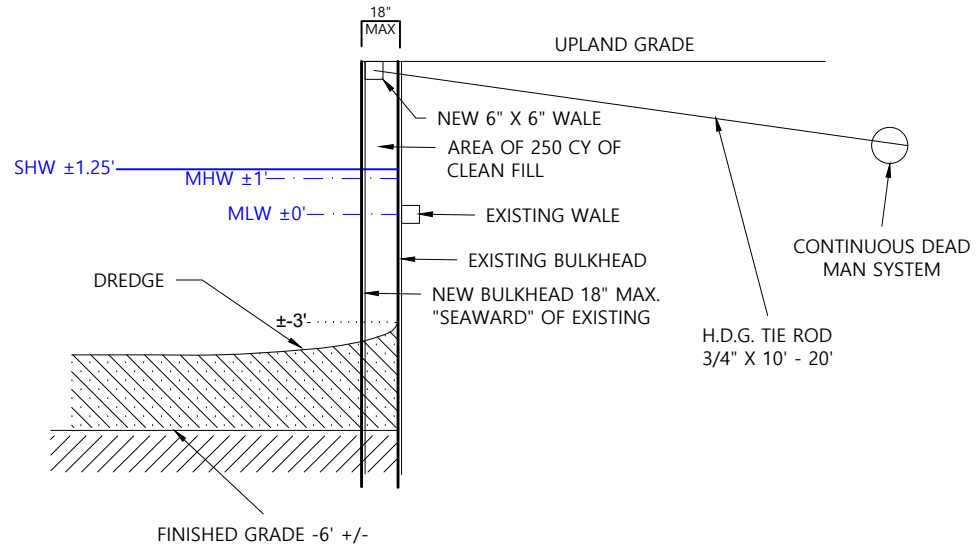
Cross-sectional Detail A-A



Cross-sectional Detail B-B

ADDITIONAL NOTES:

1. SPOT MAINTENANCE DREDGE 600-1200 C.Y. YEARLY OVER 10 YEARS.
2. UPLAND DISPOSAL ON APPLICANT'S PROPERTY.
3. DREDGE MATERIAL PLACED ALONG CANAL FOR DEWATERING.
4. DREDGE MATERIAL WILL BE PREVENTED FROM RE-ENTERING WETLAND BY THE USE OF BEST MANAGEMENT PRACTICES.
5. POST DEWATERING, MATERIAL WILL BE SPREAD OVER APPLICANTS UPLAND AREAS, TREATED AND VEGETATED IF NECESSARY.



NOT TO SCALE

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PROJ #: CSTADM01
TM: 417.01-01-161
DATE: Dec. 2009
REV: 3/1/18, 6/13/18,
 7/21/21, 8/23/21

SHEET: 4 of 4 - Proposed Action Details

NOTES:

1. Base plans taken from permitting efforts associated with former authorization NAN-2009-01303.

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