

# 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-2020-01217-EMI**  
Issue Date: **February 12, 2021**  
Expiration Date: **March 13, 2021**

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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: United States Coast Guard  
Civil Engineering Unit Providence  
475 Kilvert Street  
Warwick, Rhode Island 02886

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

WATERWAY: Tuthill Cove, a tributary of Moriches Bay

LOCATION: United States Coast Guard (USCG) Sector Field Office (SFO) Moriches - 100 Moriches Island Road, East Moriches, Town of Brookhaven, Suffolk County, New York

Dredge Location: USCG SFO Moriches Boat Basin

Dredge Material Placement Location: Upland Diked Disposal Area North of USCG SFO Moriches Office

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

**CENAN-OP-RE**  
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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.

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

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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

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](mailto: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, United States Coast Guard (USCG), 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 diked disposal area with return flow to the waterway. The project is located at Tuthill Cove, a tributary of Moriches Bay at the USCG Sector Field Office (SFO) Moriches at 100 Moriches Island Road, East Moriches, Town of Brookhaven, Suffolk County, New York

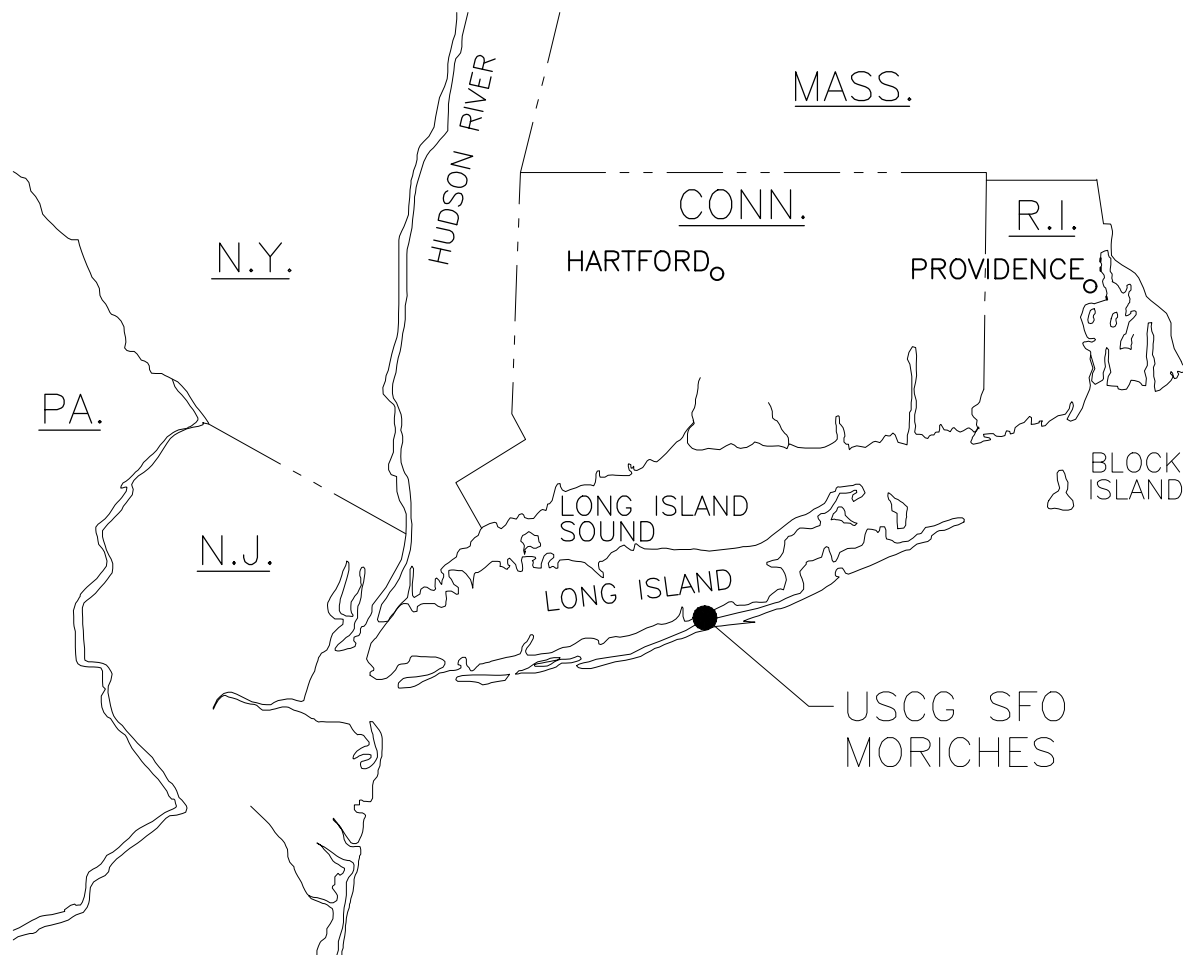
The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by mechanical clam shell or hydraulic dredge, approximately 8,700-cubic yards (CY) of material from an approximately 129,000 square foot basin area, of which initial dredging will occur within an approximately 45,400 square foot irregularly shaped area (1.1 acres) and extend to a depth of six feet below the plane of Mean Low Water (MLW) with two feet of allowable overdraft (maximum depth of eight feet below MLW). The approximate slope of the channel would be 1 to 3. The dredged material would be placed at a designated onsite upland diked area for disposal and dewatering with return flow to the waterway through a temporary weir box and return flow pipe. The disposal site is located north of USCG SFO Moriches office and the dredge area.

The applicant plans to conduct one (1) additional dredging event within the ten-year maintenance dredging period removing a maximum of approximately 10,000 CY from within the same dredging area with the same upland disposal and dewatering location.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by using a turbidity curtain around the project area, using a clamshell bucket or hydraulic dredge. Barge overflow is not requested.

The purpose of this project is to maintain safe navigation at the USCG SFO Moriches boat basin to allow for continue first responder transit, sea rescue deployment and emergency boat shelter.



**APPLICATION BY**

U.S. COAST GUARD  
CIVIL ENGINEERING  
CEU PROVIDENCE  
475 KILVERT ST, STE 100  
WARWICK, RI 02886

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NOT FOR CONSTRUCTION

DREDGE BOAT BASIN  
USCG SFO MORICHES  
EAST MORICHES

NY

FIGURE 1  
VICINITY MAP

USCG PROJECT NO.  
11061645

SCALE NTS

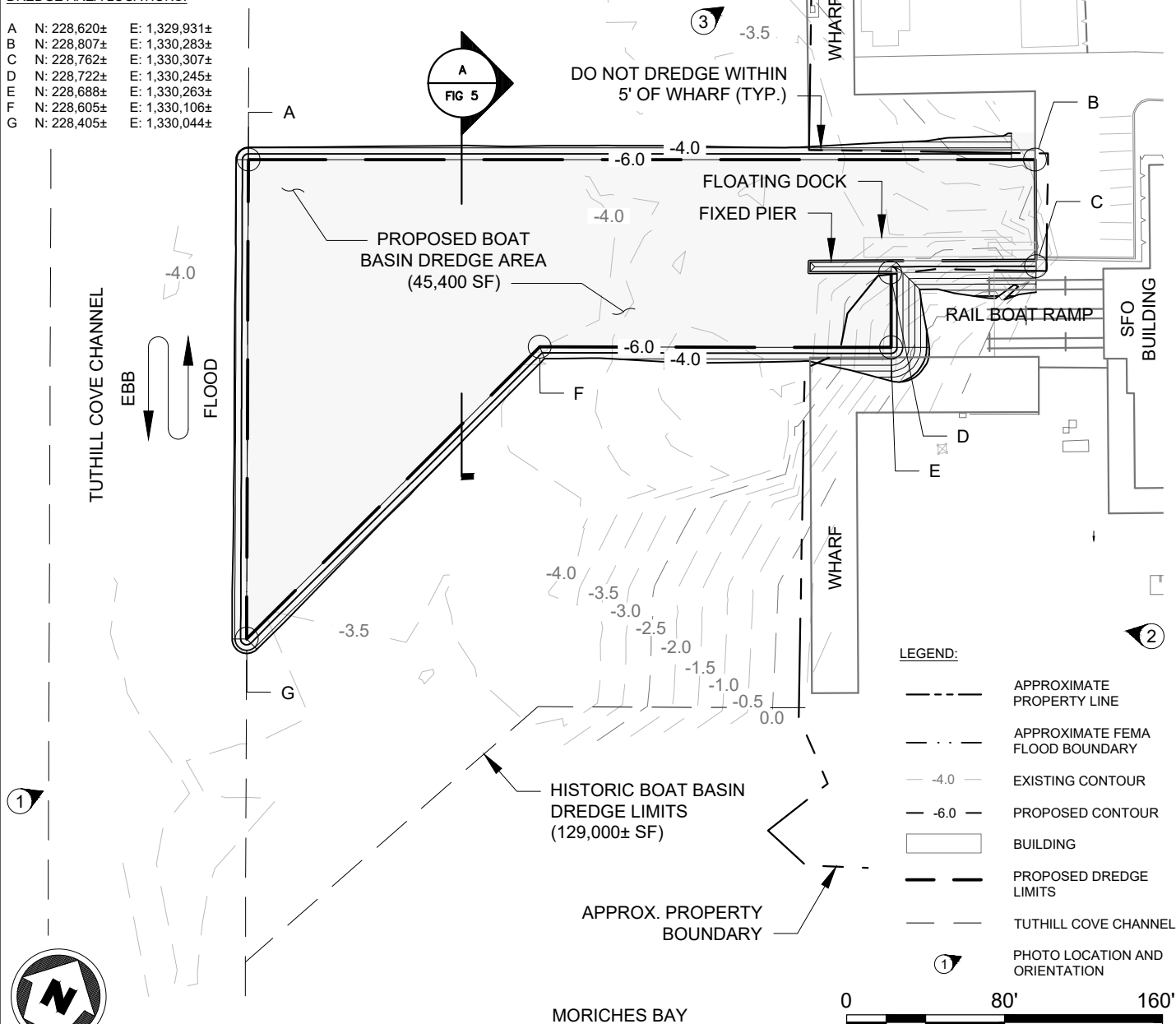
DATE DEC 2020

SHEET 1 OF 7

TABLE 1 ANTICIPATED DREDGE VOLUMES	
DREDGE TYPE	DREDGE QUANTITY (CY)
BASE (EL. -6)	4,500 ±
OVERDREDGE (2 FEET)	4,200 ±
TOTAL	8,700 ±

## DREDGE AREA LOCATIONS:

A	N: 228,620±	E: 1,329,931±
B	N: 228,807±	E: 1,330,283±
C	N: 228,762±	E: 1,330,307±
D	N: 228,722±	E: 1,330,245±
E	N: 228,688±	E: 1,330,263±
F	N: 228,605±	E: 1,330,106±
G	N: 228,405±	E: 1,330,044±



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FIGURE 4

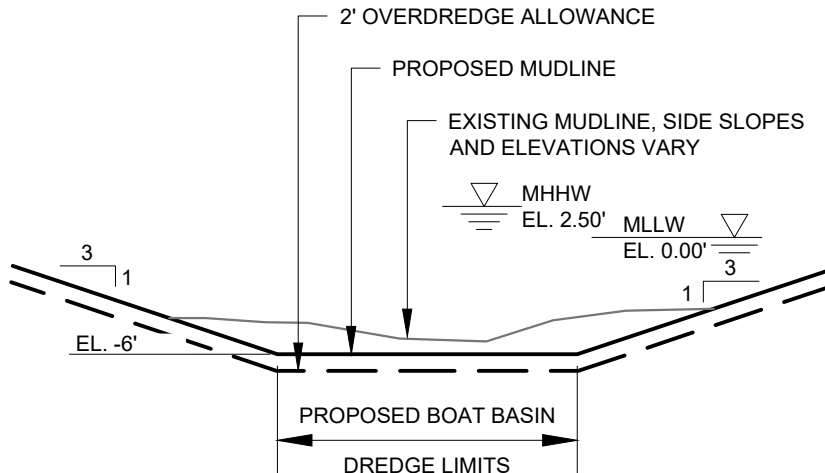
DREDGE SITE PLAN

USCG PROJECT NO.  
11061645

SCALE 1" = 80'-0"

DATE DEC 2020

SHEET 4 OF 7



**BOAT BASIN DREDGE TYPICAL SECTION**  
FIG 4 SCALE: NTS

	MLLW	NAVD 88
—MHHW —	EL. 2.50'	— EL. 1.19'
—MHW —	EL. 2.27'	— EL. 0.96'
—NAVD 88 —	EL. 1.31'	— EL. 0.00'
—MTL —	EL. 1.20'	— EL. -0.11'
—MSL —	EL. 1.19'	— EL. -0.12'
—MLW —	EL. 0.12'	— EL. -1.19'
—MLLW —	EL. 0.00'	— EL. -1.31'

TIDAL  
RANGE = 2.15'

#### GENERAL NOTES:

1. THE HORIZONTAL CONTROL DATUM FOR THIS PROJECT IS NAD 1983 (I.E., THE NEW YORK LONG ISLAND STATE PLANE COORDINATE SYSTEM).
2. THE VERTICAL CONTROL DATUM FOR THIS PROJECT IS MEAN LOWER LOW WATER (MLLW).
3. THE EXISTING BATHYMETRIC CONTOUR DATA SHOWN ON THESE FIGURES WAS OBTAINED DURING A SURVEY COMPLETED BY THE USCG ON AUGUST 26, 2020 AND IS CONSIDERED APPROXIMATE.
4. THE DATA DEPICTED ON THESE FIGURES SHOULD NOT BE USED FOR VOLUME CALCULATION PURPOSES.
5. THE SPECIFIED PRE-DREDGE SURVEY SHALL BE USED AS THE FINAL PRE-DREDGE CONTOURS. REFER TO THE PROJECT SPECIFICATIONS FOR MORE DETAILS.
6. THE CONTRACTOR SHALL NOT DREDGE WITHIN 5 FEET OF THE WHARFS AND FIXED PIER.
7. MATERIAL LOCATED BELOW THE WHARFS AND FIXED PIER SHALL BE ALLOWED TO SLOUGH TO ITS NATURAL ANGLE OF REPOSE AS A RESULT OF DREDGING WITHIN THE DESIGNATED BOAT BASIN DREDGE AREAS SHOWN. DREDGING BELOW THE WHARFS AND FIXED PIER IS NOT REQUIRED.
8. THE CONTRACTOR SHALL DREDGE AROUND THE EXISTING FLOATING DOCKS WITHIN THE DREDGE LIMITS WITHOUT RELOCATING THE FLOATING DOCKS. THE AREA BELOW THE FLOATING DOCKS SHALL BE DREDGED AS CLOSE AS POSSIBLE TO THE PROPOSED DREDGE DEPTH FROM THE PERIMETER OF THE FLOATING DOCKS.
9. THE CONTRACTOR SHALL NOT DAMAGE THE EXISTING WATERFRONT INFRASTRUCTURE (E.G., FLOATING DOCKS, GUIDE PILES, GANGWAYS, FIXED PIER, WHARFS, ETC.). ANY DAMAGE IMPARTED TO THE EXISTING WATERFRONT INFRASTRUCTURE SHALL BE REPAIRED BY THE CONTRACTOR TO THE SATISFACTION OF THE USCG AT NO COST TO THE GOVERNMENT.
10. THE CONTRACTOR SHALL COMPLETE THE REQUIRED DREDGING WITHIN NORMAL WORKING HOURS BETWEEN 0700 AND 1700 WITHOUT IMPACTING THE USCG OPERATIONS IN ANY WAY. THE CONTRACTOR SHALL COORDINATE WITH THE COR AND USCG SFO MORICHES PERSONNEL TO DEVELOP A MUTUALLY AGREED UPON SCHEDULE TO ACCOMPLISH THE PROPOSED DREDGING. THE CONTRACTOR SHALL RELOCATE ALL DREDGE EQUIPMENT AWAY FROM ALL BERTHING AREAS NO LATER THAN 1700 EACH WORKDAY TO ALLOW USCG BOATS TO RETURN TO THEIR NORMAL MOORING LOCATIONS.

#### NOTES:

1. THE ELEVATION DATA SHOWN ABOVE WAS OBTAINED FROM THE U.S. DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA), NATIONAL OCEAN SERVICE, FROM:  
  
STATION ID: 8513388  
LOCATION: MORICHES CGS, NY  
LATITUDE: 40° 47.2' N  
LONGITUDE: 72° 45.0' W
2. THE ELEVATION DATA SHOWN FOR NAVD 88 WAS TAKEN FROM THE NOAA ONLINE VERTICAL DATUM TRANSFORMATION TOOL.

#### VERTICAL DATUM CONVERSION DIAGRAM

SCALE: NTS

#### APPLICATION BY

U.S. COAST GUARD  
CIVIL ENGINEERING  
CEU PROVIDENCE  
475 KILVERT ST, STE 100  
WARWICK, RI 02886

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DREDGE BOAT BASIN  
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EAST MORICHES

NY

FIGURE 5

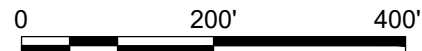
DREDGE SECTION

USCG PROJECT NO.  
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SCALE NTS

DATE DEC 2020

SHEET 5 OF 7



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FIGURE 6

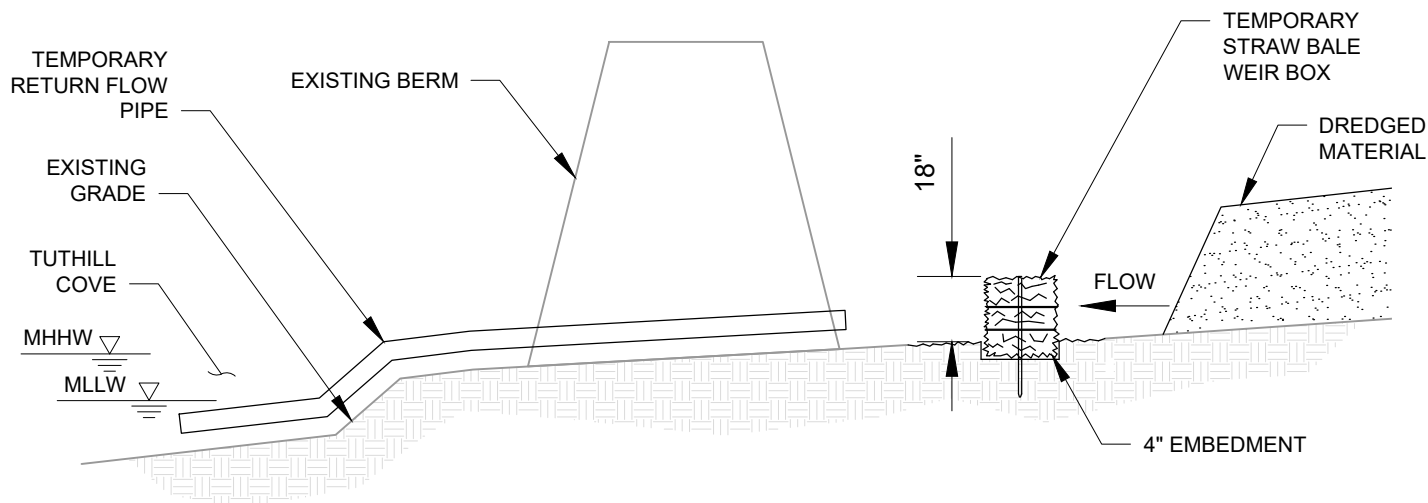
DISPOSAL AREA PLAN

USCG PROJECT NO.  
11061645

SCALE 1" = 200'-0"

DATE DEC 2020

SHEET 6 OF 7



**NOTES:**

1. DREDGED MATERIAL SHALL BE PLACED WITHIN THE EXISTING BERM FOR DEWATERING AND FINAL DISPOSAL.
2. STRAW BALES SHALL BE PLACED AGAINST THE EXISTING BERM AND AROUND THE ENTRANCE TO THE TEMPORARY RETURN FLOW PIPE. BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES AND THE BERM.
3. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF (4) INCHES, AND PLACED SO THE BINDINGS ARE HORIZONTAL.
4. BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES OR RE-BARS DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE BALE.
5. INSPECTION SHALL BE PERFORMED DAILY AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
6. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS.



**OVERFLOW WEIR AND RETURN FLOW PIPE SECTION**

SCALE: NTS

**APPLICATION BY**

U.S. COAST GUARD  
CIVIL ENGINEERING  
CEU PROVIDENCE  
475 KILVERT ST, STE 100  
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FIGURE 7

DISPOSAL SECTION

USCG PROJECT NO.  
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SCALE NTS

DATE DEC 2020

SHEET 7 OF 7