



# 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-2020-01315-EVI**

Issue Date:

Expiration Date:

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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):

APPLICANT: Town of Southampton  
116 Hampton Road  
Southampton, NY 11968

WATERWAY: Shinnecock Bay

LOCATION: Dredge Location: Shinnecock Bay

Dredge Material Placement Location: Upland disposal site directly adjacent to the south side of the existing Shinnecock Commercial Dock

ACTIVITY: Dredge with ten-year maintenance with placement at upland disposal site

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

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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 ROBERT.T.VIETRI@USACE.ARMY.MIL 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 life stages 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.

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

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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. On July 8, 2021 New York State Department of State (NYS DOS) determined that the proposed work meets the Departments general consistency concurrence criteria (F-2021-0517). Therefore, further review of the proposed activity by the NYSDOS is not required.

In addition to the required 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) 790-8379 and ask for Robert T. Vietri.

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

Encl

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**WORK DESCRIPTION**

The applicant, Town of Southampton, has requested Department of the Army (DA) authorization to conduct dredging, with ten-year maintenance with placement of all resultant dredged material at an upland disposal site directly adjacent to the south side of the existing Shinnecock Commercial Dock. The project is located within Shinnecock Bay at 333 Beach Road, Hampton Bays, Town of Southampton, Suffolk County, New York.

Dredge with ten-year maintenance, by mechanical clamshell bucket dredge approximately 215 cubic yards (CY) of material from three irregular shaped areas totaling approximately 4,811 square feet to a depth of six feet below the plane of Mean Low Water (MLW).

The resultant approximately 215 CY of dredged material would be placed at an approximate 1,400 square foot upland disposal site staked with hay bales located directly adjacent to the south side of Shinnecock Commercial Dock where the material will be dewatered with no return flow into the waterway. Once the material is dewatered and dry, it will be spread evenly with no material placed below the plane of Spring High Water (SHW). The duration of the dredging activity would be approximately two (2) weeks.

The applicant plans to conduct five (5) additional dredging events within the ten-year maintenance period with up to a total of approximately 215 CY of material per event and have 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 mooring depth within Shinnecock commercial dock. Any potential impacts would be temporary and would be offset by implementing best management practices associated with the proposed use of a mechanical dredge.

The stated purpose of this project is to provide safe navigation for commercial fishing vessels.

**TOWN OF SOUTHAMPTON  
HAMPTON BAYS, NEW YORK**



PRELIMINARY PLANS FOR

**SHINNECOCK COMMERCIAL DOCK  
DREDGING WITHIN THE SHINNECOCK BAY  
DECEMBER 2020**

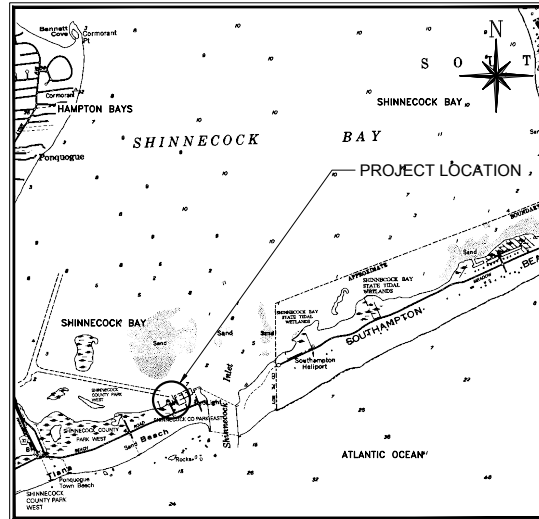
INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	EXISTING CONDITIONS
3	DREDGING PLAN
4	DREDGING SECTIONS -1
5	DREDGING SECTIONS -2

PREPARED AND RECOMMENDED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

RAYMOND DIBIASE, P.E., - NYSPE Lic. No. 56985  
**LKMA** L. K. McLEAN ASSOCIATES, P.C.  
 CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11719

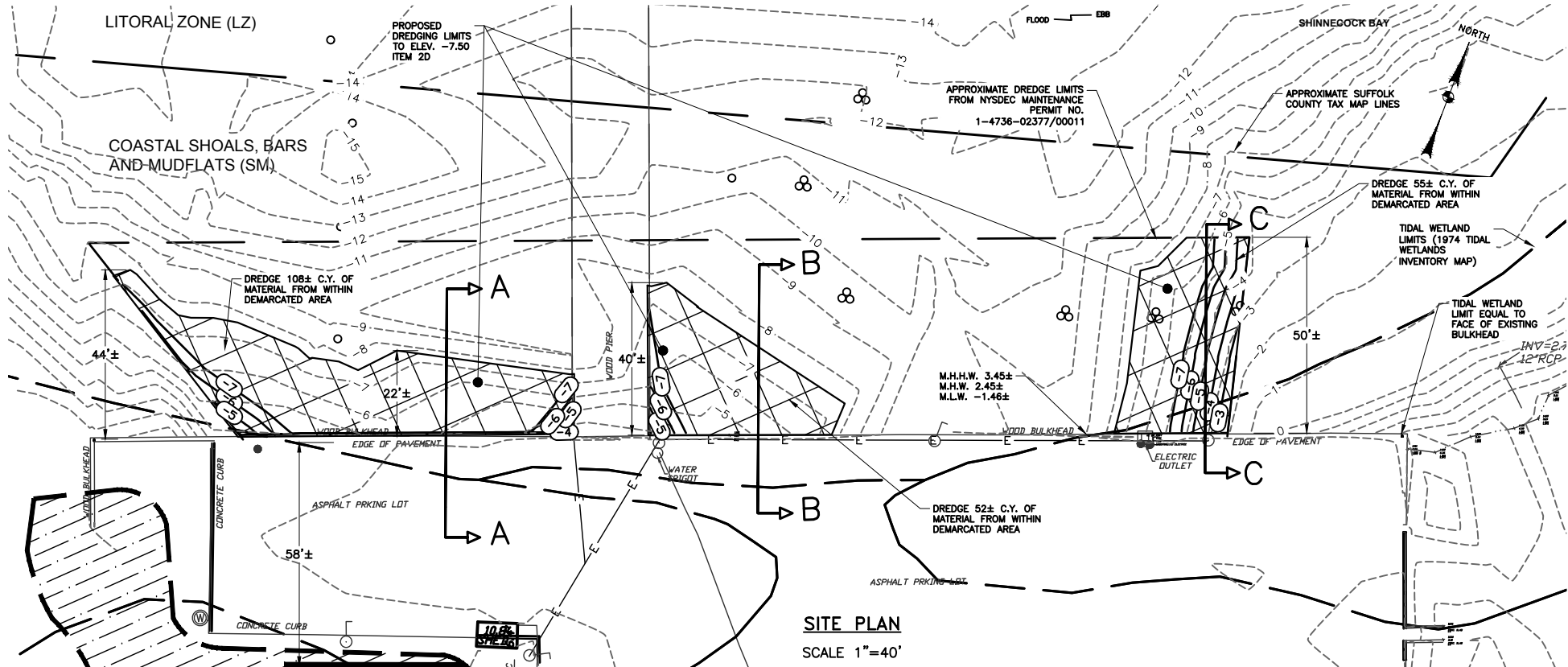
CONSTRUCTION COMPLETED : \_\_\_\_\_ DATE: \_\_\_\_\_  
 CONSTRUCTION ENGINEER



**LOCATION MAP**  
SCALE 1" = 2000 FEET

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).

Dec 18, 2020 09:55am  
 P:\19121600 1021 Shinnecock Commercial Dock\Civil DWG\Contract Drawings\Cover Sheet.dwg



**SITE PLAN**  
SCALE 1"=40'

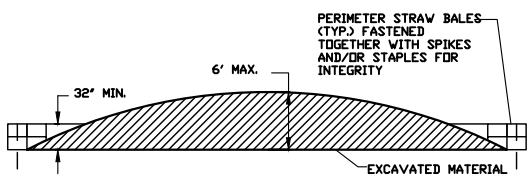
**NOTES:**

1. IN ACCORDANCE WITH NYSDEC PERMIT #1-4736-02377/00015 NO DREDGE SPOILS SHALL LEAVE THE SITE. ALL EXCAVATED MATERIAL SHALL BE PLACED WHERE SHOWN ON THE PLANS.
2. HORIZONTAL DATUM IS IN THE NEW YORK STATE PLAN COORDINATE SYSTEM, NAD83 LONG ISLAND ZONE.
3. THE VERTICAL DATUM IS REFERENCED TO NAVD88 (GEOID12A).
4. ALL DEBRIS AND DRY SPOIL FROM THE SITE SHALL BE REMOVED AND PLACED ON ADJACENT LAND WHERE SHOWN ON THE PLAN.
5. A CLAM SHELL BUCKET SHALL BE USED ON EITHER A BARGE MOUNTED CRANE AND/OR LAND MOUNTED CRANE TO PERFORM THE DREDGING/EXCAVATION OPERATION.
6. TOTAL AREA OF DREDGING IS EQUAL TO 4,811 ± S.F.
7. PROPOSED CONTOURS REPRESENT THE MAXIMUM AMOUNT OF MATERIAL TO BE DREDGED.
8. NO FILL SHALL BE PLACED BELOW M.H.W.
9. ACCORDING TO THE NATIONAL WETLANDS INVENTORY, THE PROJECT SITE (SHINNECOCK BAY) IS IN A WETLAND WHICH IS CLASSIFIED AS A LITTORAL ZONE (LZ), ADDITIONALLY THERE ARE NO SWAMPS, MARSHES OR SUBAQUATIC VEGETATION.

**LEGEND**

- - - - - APPROXIMATE SUFFOLK COUNTY TAX MAP LINES
- - - - - WETLAND BOUNDARY
- ⊠ LIMITS OF PROPOSED DREDGING TO ELEV. -7.50 (215± CY) ITEM 2D
- ⊙(28) PROPOSED CONTOURS
- - - - - 28 - - - - - EXISTING CONTOURS
- ▨ SPOIL NOURISHMENT AREA

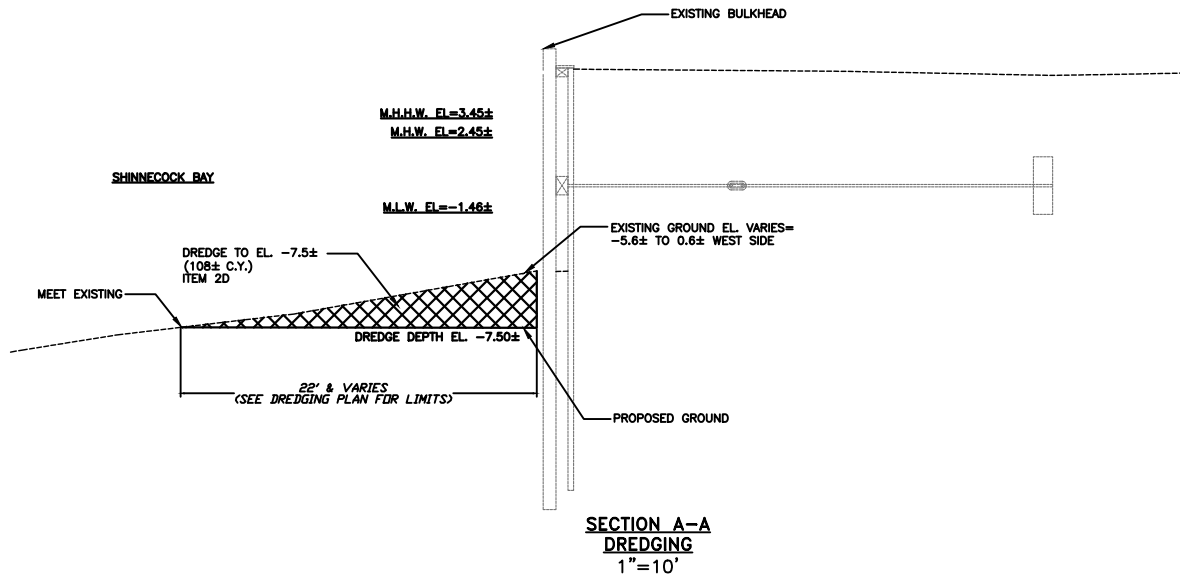
AREA OF WORK SCTM# 900-364-01-002



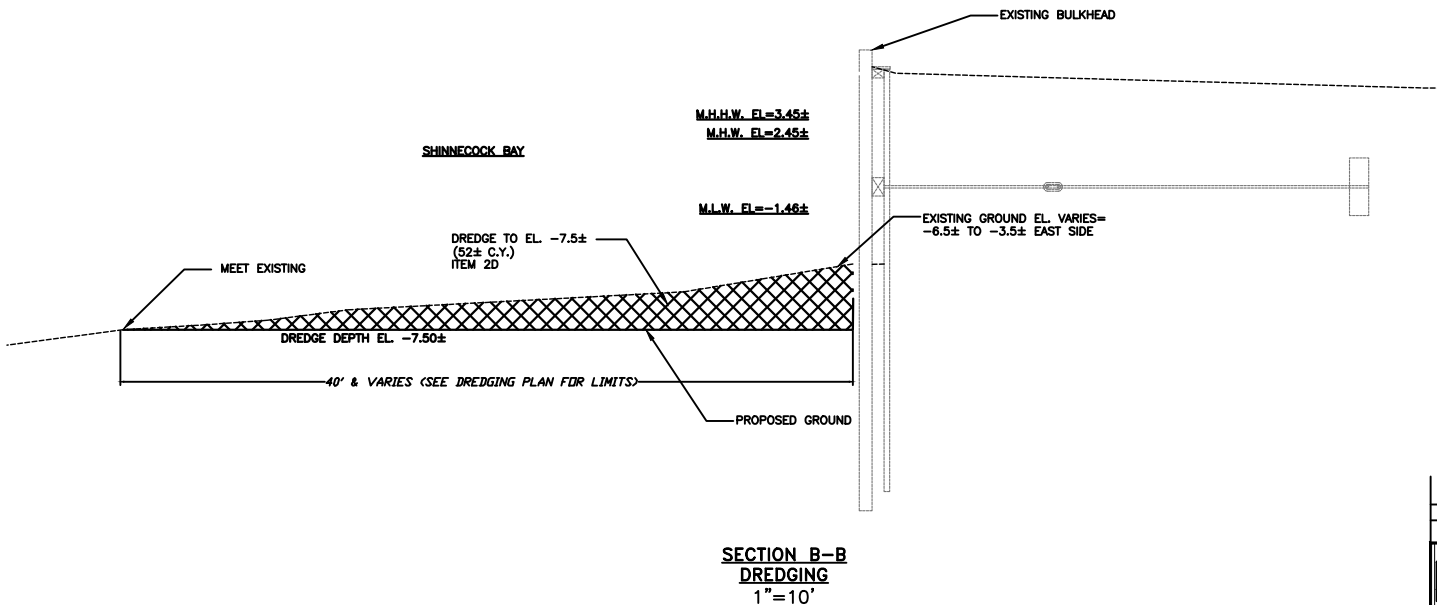
THE HORIZONTAL DATUM IS NEW YORK STATE PLAN COORDINATE SYSTEM, NAD 83 (2011), LONG ISLAND ZONE AND THE VERTICAL DATUM IS REFERENCED TO NAVD 88 (GEOID 12A)	DATUM: MHHW=3.45± MHW=2.45± MLW=-1.46±	ADJACENT WATER BODY: SHINNECOCK BAY
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DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF SOUTHAMPTON SUFFOLK COUNTY, NEW YORK			
SHINNECOCK COMMERCIAL DOCK DREDGING WITHIN THE SHINNECOCK BAY			
DREDGING PLAN			
<b>L. K. McLEAN ASSOCIATES, P.C.</b> CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11789			
Designed By:	KJM	Scale: AS NOTED	Sheet No.
Drawn By:	DCR	Date: DECEMBER 2020	3 OF 5
Approved By:	RGD	File No. 19122.000	

Dec 18, 2020 - 12:03pm P:\19122.000\_TOSH\_Shinnecock Commercial Dock\Civil\_DWG\Contract\_Drawings\_Dredging\_Plan.dwg



- NOTES:**
1. IN ACCORDANCE WITH NYSDEC PERMIT #1-4736-02377/00015 NO DREDGE SPOILS SHALL LEAVE THE SITE. ALL EXCAVATED MATERIAL SHALL BE PLACED WHERE SHOWN ON THE PLANS.
  2. HORIZONTAL DATUM IS IN THE NEW YORK STATE PLAN COORDINATE SYSTEM. NAD83 LONG ISLAND ZONE.
  3. THE VERTICAL DATUM IS REFERENCED TO NAVD88 (GEOID12A).
  4. ALL DEBRIS AND DRY SPOIL FROM THE SITE SHALL BE REMOVED AND PLACED ON ADJACENT LAND WHERE SHOWN ON THE PLAN.
  5. A CLAM SHELL BUCKET SHALL BE USED ON EITHER A BARGE MOUNTED CRANE AND/OR LAND MOUNTED CRANE TO PERFORM THE DREDGING/EXCAVATION OPERATION.
  6. TOTAL AREA OF DREDGING IS EQUAL TO 4,811 ± S.F.
  7. PROPOSED CONTOURS REPRESENT THE MAXIMUM AMOUNT OF MATERIAL TO BE DREDGED,
  8. NO FILL SHALL BE PLACED BELOW M.H.W.
  9. ACCORDING TO THE NATIONAL WETLANDS INVENTORY, THE PROJECT SITE (SHINNECOCK BAY) IS IN A WETLAND WHICH IS CLASSIFIED AS A LITTORAL ZONE (LZ), ADDITIONALLY THERE ARE NO SWAMPS, MARSHES OR SUBAQUATIC VEGETATION.



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DATUM: MHHW=3.45±  
MHW=2.45±  
MLW=-1.46±

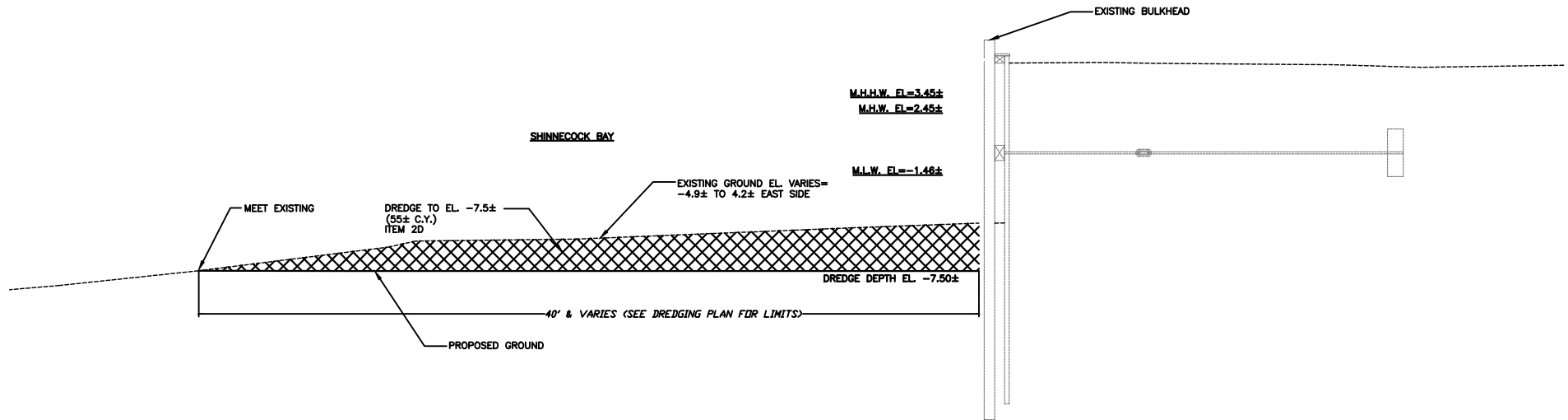
ADJACENT WATER BODY:  
SHINNECOCK BAY

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF SOUTHAMPTON SUFFOLK COUNTY, NEW YORK			
SHINNECOCK COMMERCIAL DOCK DREDGING WITHIN THE SHINNECOCK BAY			
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	Sheet No.
Drawn By:	DCR	Date: DECEMBER 2020	4 OF 5
Approved By:	RGD	File No. 19122.000	

Dec 18, 2020 - 12:06pm P:\19122.000 TOSH Shinnecock Commercial Dock\Civil Drawings\Miscellaneous Details.dwg

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**SECTION C-C  
DREDGING  
1"=10'**

Dec 18, 2020 - 12:06pm P:\19122.000 TOSH Shinnecock Commercial Dock\Civil DWG\Contract Drawings\Miscellaneous Details.dwg

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ADJACENT WATER BODY:  
SHINNECOCK BAY

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
 TOWN OF SOUTHAMPTON SUFFOLK COUNTY, NEW YORK SHINNECOCK COMMERCIAL DOCK DREDGING WITHIN THE SHINNECOCK BAY			
DREDGING SECTIONS - 2			
<b>L. K. McLEAN ASSOCIATES, P.C.</b> CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NEW YORK 11719			
Designed By:	KJM	Scale:	AS NOTED
Drawn By:	DCR	Date:	DECEMBER 2020
Approved By:	RGD	File No.:	19122.000
			Sheet No. <b>5 OF 5</b>