



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-2023-00264-EOS
Issue Date:
Expiration Date:

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), Section 404 of the Clean Water Act (33 U.S.C. 1344)

APPLICANT: Dunewood BECD
Attn: Ken Cohen
119 West 57th Street, Penthouse South
New York, New York 10019-2303

ACTIVITY: Ten-Year Maintenance Dredging with Beach Placement of Dredged Material, Bulkhead Replacement, and Installation of Finger Piers

WATERWAY: Great South Bay

LOCATION: Town of Islip, 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

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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 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. This public notice serves as notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act. If EPA determines that the proposed discharge may affect the quality of the waters of any state other than New York, it will so notify such other state, the district engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the district engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

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

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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 jarod.r.ostir@usace.army.mil.

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

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 applicant, Dunewood BECD, has requested Department of the Army authorization for dredging with 10-year maintenance with beach placement, bulkhead replacement and installation of finger piers in the Great South Bay, Town of Islip, Suffolk County, New York.

The work would involve the following:

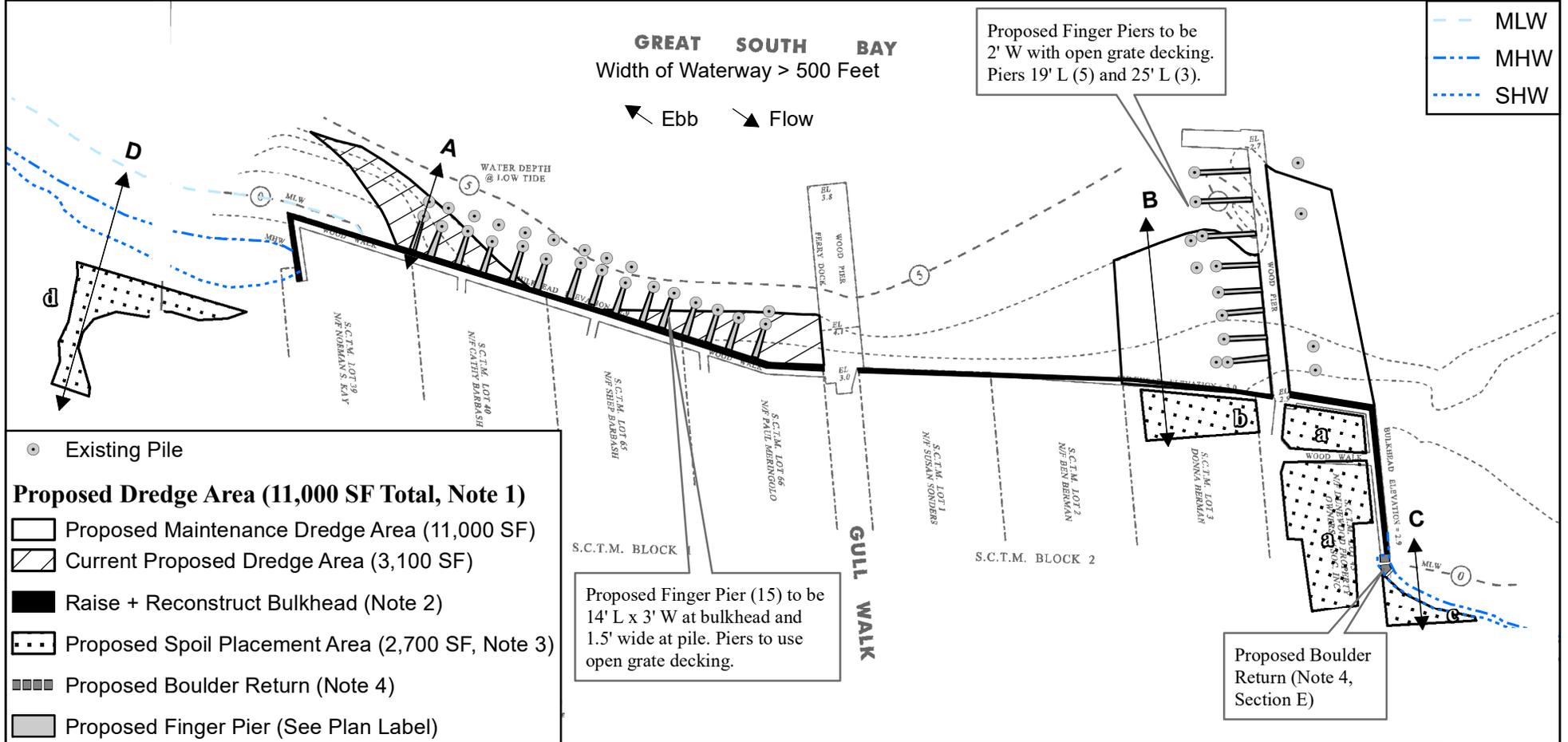
Dredge with ten-year maintenance, by mechanical clamshell bucket dredge via barge approximately 180 cubic yards of material from an approximately 11,000 square foot area. Dredging will be conducted to a maximum depth of 4-feet below the plane of Mean Low Water.

The resultant of approximately 180 cubic yards of dredge spoils will be placed landward and upland of the existing bulkhead in several locations, and landward of Spring High Water over an area of 1,400 square feet at the beach with return flow back to the waterway resulting from dredging. Approximately two (2) cubic yards of dredge spoils will be placed seaward of Spring High Water along the eastern beach.

The applicant plans to conduct two (2) additional dredging events (3 total dredging events) within the ten-year maintenance period with up to a total of approximately 200 cubic yards of material per event and have stated that they have avoided and minimized, potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation. Any potential impacts would be temporary and would be offset by implementing best management practices associated with the proposed use of a mechanical clamshell bucket dredge.

In addition to the proposed dredging, the applicant is also proposing to reconstruct approximately 584-linear-feet of bulkhead as well as the installation of (15) 14-foot-long by 1.5-foot-wide finger piers, (5) 19-foot-long by 2-foot-wide finger piers, (3) 25-foot-long by 2-foot-wide finger piers and the placement of approximately 2 cubic of 1-ton stones over an approximately 30 square foot area, with all fill at or below the plane of SHW along an approximately 10-linear-foot section of shoreline.

The stated purpose of this project is to maintain safe navigation and mooring depths, to provide safe access to the waterway and to stabilize the shoreline.



COMMUNITY DREDGING, SAND PLACEMENT, + DOCKING:

1. Sheet D-1: Proposed bayside dredging for navigation safety to -4' MLW. Total volume of current dredge area spoil +/- 180 CY.
2. Sheet D-1: Reconstruct existing bulkhead in kind and in place. Raise bulkhead 12-13 inches to elevation 4.0' NAVD.
 - a. West Bulkhead - 257 LF + 32 LF return west
 - b. Center Bulkhead 187 LF
 - c. East Bulkhead 39 LF + 69 LF return east
3. Sheet D-2: Proposed sand placement landward of spring high water (SHW). Placement areas to be planted with American beach grass, *Ammophila breviligulata*, 2" plugs @ 12" OC. Placement proposed at the following sites:
 - a. HOA/Community - 100 CY (1' high)
 - b. Berman Property - 70 CY (2' high)
 - c. Carpenter Property - 25 CY (3' high)
 - d. HOA/Community - 100 CY (2' high) - Place berm at access walk while maintaining beach access.
4. Proposed Boulder Return to fill gap between existing bulkhead return and boulders. One row of 1-ton stone to be placed on geotextile fabric in gap (10 LF, 2 CY).

		Prepared By: Land Use Ecological Services, Inc. 570 Expressway Drive South, Suite 2F Medford, NY 11763	Project: BAYSIDE STABILIZATION + DOCKING For: Dunewood BECD c/o Ken Cohen 119 West 57th St., Penthouse, New York, NY 10019 SCTM #500 - 494 - 1, 2 - As Shown
		Date: 1/2/2023	Revised: 5/24/2023, 9/25/2023
		Scale: As Noted	Sheet: D-1



COMMUNITY DREDGING, SAND PLACEMENT, + DOCKING:

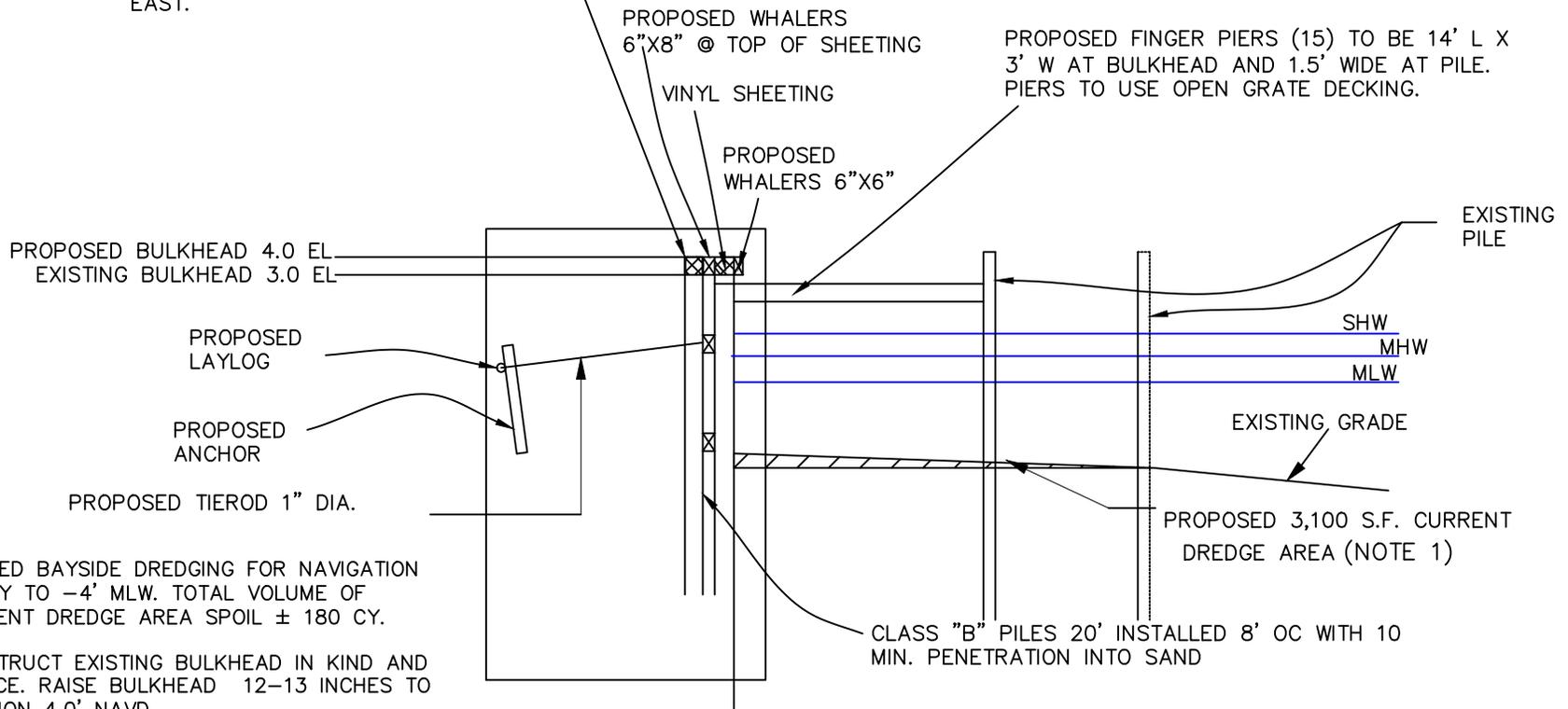
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		Date: 1/2/2023	Revised: 5/24/2023, 9/25/2023

SECTION A VIEW

SCALE: 1" = 10'

EXISTING BULKHEAD TO BE RECONSTRUCTED AND RAISED 12" TO MATCH ELEVATION OF BULKHEAD TO THE EAST.



1. PROPOSED BAYSIDE DREDGING FOR NAVIGATION SAFETY TO -4' MLW. TOTAL VOLUME OF CURRENT DREDGE AREA SPOIL ± 180 CY.
2. RECONSTRUCT EXISTING BULKHEAD IN KIND AND IN PLACE. RAISE BULKHEAD 12-13 INCHES TO ELEVATION 4.0' NAVD.
 - a. WEST BULKHEAD 257 LF +32 LF RETURN WEST
 - b. CENTER BULKHEAD 187 LF
 - c. EAST BULKHEAD 39 LF +69 LF RETURN EAST.

3. PROPOSED SAND PLACEMENT LANDWARD OF SPRING HIGH WATER (SHW). PLACEMENT AREAS TO BE PLANTED WITH AMERICAN BEACH GRASS, *Ammophila brevigulata*, 2" PLUGS@ 12" OC. PLACEMENT PROPOSED AT THE FOLLOWING SITES:
 - a. HOA/COMMUNITY -100 CY (1' HIGH)
 - b. BERMAN PROPERTY - 70 CY (2' HIGH)
 - c. CARPENTER PROPERTY -25 CY (3' HIGH)
 - d. HOA/COMMUNITY -110 CY (2' HIGH)

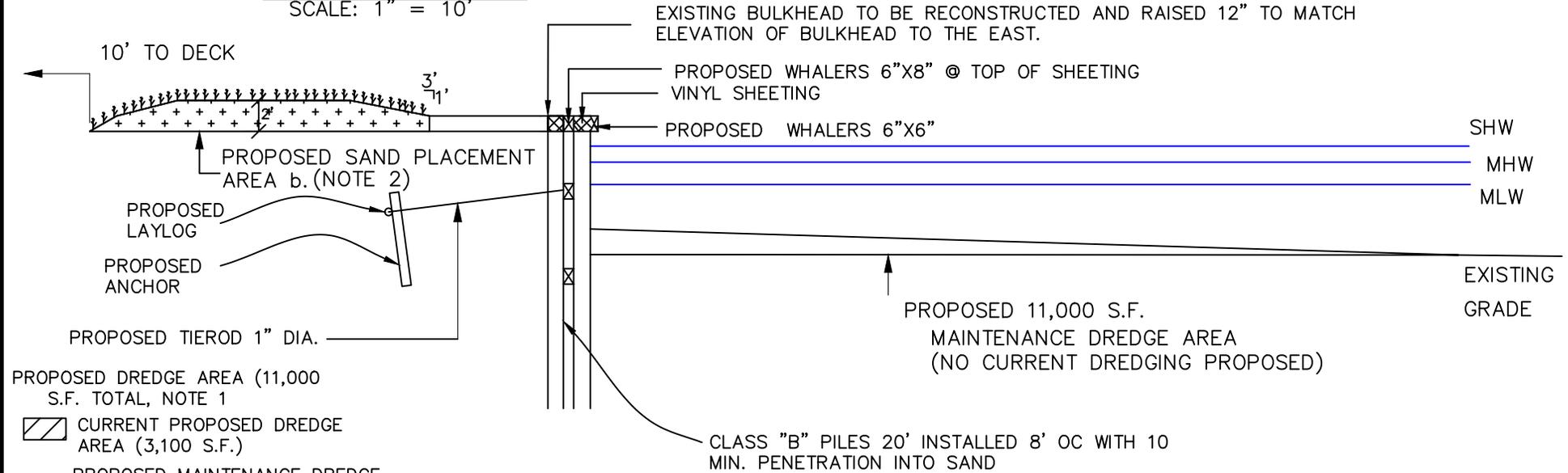
4. PROPOSED BOULDER RETURN TO FILL GAP BETWEEN EXISTING BULKHEAD RETURN AND BOULDERS. ONE ROW OF 1-TON STONE TO BE PLACED ON GEOTEXILE FABRIC IN GAP (10 LF, 2 CY).

- PROPOSED DREDGE AREA (11,000 S.F. TOTAL, NOTE 1)
- CURRENT PROPOSED DREDGE AREA (3,100 S.F.)
 - PROPOSED MAINTENANCE DREDGE AREA (11,000 S.F.)
 - RAISED & RECONSTRUCT BULKHEAD (NOTE 2)
 - PROPOSED SOIL PLACEMENT AREA (2,700 S.F. NOTE 3)

<p>PREPARED FOR: DUNEWOOD BECD C/O KEN COHEN</p> <p>AS: 119 WEST 57TH ST., PENTHOUSE, NEW YORK, NY 10019</p>	<p>TITLE:</p> <p>BAYSIDE DREDGING & SAND PLACEMENT SECTION VIEW</p>												
<p>LAND USE ECOLOGICAL SERVICES, INC 570 EXPRESSWAY DRIVE SOUTH, SUITE 2F Medford, New York 11763 (631) 727-2400</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Compiled by: K.R.</td> <td style="width: 25%;">Date: 1/2/23</td> <td style="width: 50%;">SUFFOLK COUNTY TAX MAP#:</td> </tr> <tr> <td>Prepared by: A.V.</td> <td>Scale: AS SHOWN</td> <td>500-494-1,2-AS SHOWN</td> </tr> <tr> <td>Project Mgr: K.R.</td> <td>File: DUNEWOOD BECD</td> <td>DRAWING NO. D-3</td> </tr> <tr> <td colspan="2">Rev: 5/24/2023</td> <td></td> </tr> </table>	Compiled by: K.R.	Date: 1/2/23	SUFFOLK COUNTY TAX MAP#:	Prepared by: A.V.	Scale: AS SHOWN	500-494-1,2-AS SHOWN	Project Mgr: K.R.	File: DUNEWOOD BECD	DRAWING NO. D-3	Rev: 5/24/2023		
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Rev: 5/24/2023													

SECTION B VIEW

SCALE: 1" = 10'



PROPOSED DREDGE AREA (11,000 S.F. TOTAL, NOTE 1)

CURRENT PROPOSED DREDGE AREA (3,100 S.F.)

PROPOSED MAINTENANCE DREDGE AREA (11,000 S.F.)

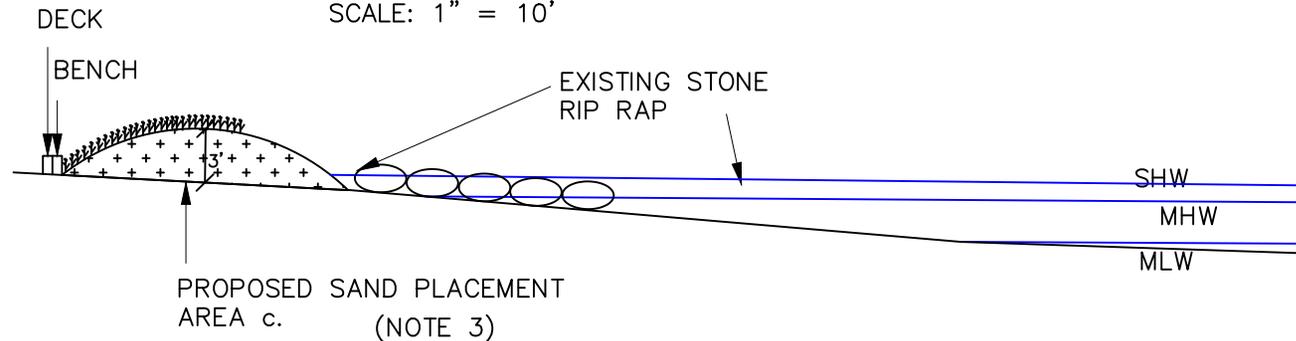
RAISED & RECONSTRUCT BULKHEAD (NOTE 2)

PROPOSED SOIL PLACEMENT AREA (2,700 S.F. NOTE 3)

1. PROPOSED BAYSIDE DREDGING FOR NAVIGATION SAFETY TO -4' MLW. TOTAL VOLUME OF CURRENT DREDGE AREA SPOIL ± 180 CY.
2. RECONSTRUCT EXISTING BULKHEAD IN KIND AND IN PLACE. RAISE BULKHEAD 12-13 INCHES TO ELEVATION 4.0' NAVD.
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 - a. HOA/COMMUNITY -100 CY (1' HIGH)
 - b. BERMAN PROPERTY - 70 CY (2' HIGH)
 - c. CARPENTER PROPERTY -25 CY (3' HIGH)
 - d. HOA/COMMUNITY -110 CY (2' HIGH)
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SECTION C VIEW

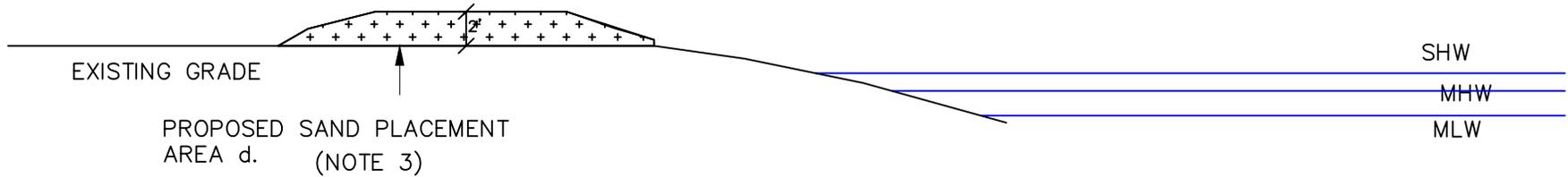
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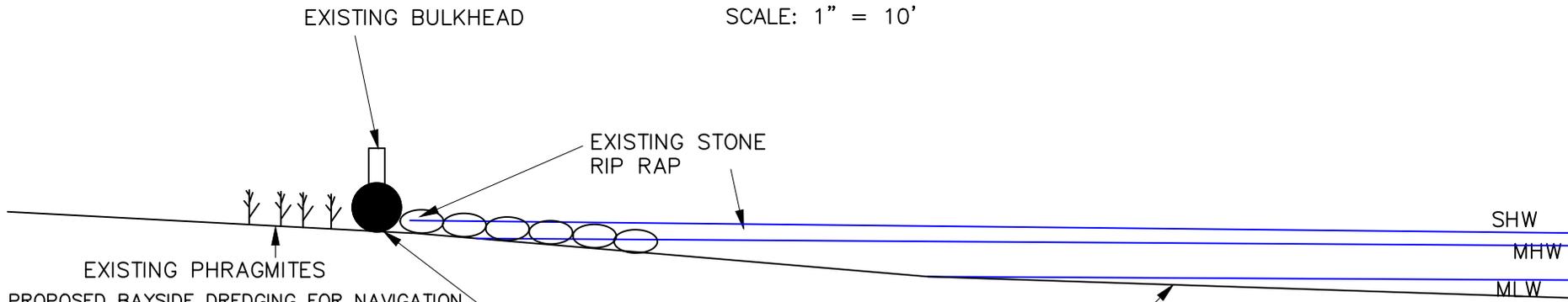
SECTION D VIEW

SCALE: 1" = 10'



SECTION E VIEW

SCALE: 1" = 10'



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BAYSIDE DREDGING & SAND PLACEMENT SECTION VIEW		
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