



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-2022-00249-EMI**
Issue Date: **June 3 2022**
Expiration Date: **July 2, 2022**

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: Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, New York 11980

ACTIVITY: Ten-Year Maintenance Dredging with Beach Placement

WATERWAY: Halls Creek

LOCATION: Dredge Location: Halls Creek, Town of Southold, Suffolk County, New York

Dredge Material Placement Location: Peconic Bay Shoreline, Town of Southold, 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.

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2022-00249-EMI

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.

CENAN-OP-RE
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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.

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>.

 Date: 2022.05.27
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FOR AND IN BEHALF OF
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The permit applicant, Suffolk County Department of Public Works (SCDPW), has requested Department of the Army (DA) authorization to conduct dredging, with ten-years maintenance with placement of all resultant dredged material at three designated beach placement areas. The project is located at Halls Creek, in the Town of Southold, Suffolk County, New York.

The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by hydraulic dredge, approximately 12,000 cubic yards (CY) of material from an approximately 40,454 square foot (0.92 acres) channel area consisting of an approximately 25-foot-wide by 450-foot-long inner channel section leading to an approximately 75-foot-wide by 390-foot-long outer channel section. The inner channel section would be dredged to a depth of four feet below the plane of Mean Low Water (MLW) and the outer channel section would be dredged to a depth of six feet below the plane of MLW. The approximate slope of the channel would be 1 to 3. The dredged material would be placed at three designated beach placement areas along the Peconic Bay shoreline to the east of the channel, west of the channel, and/or east of Downs Creek via a floating dredge pipeline.

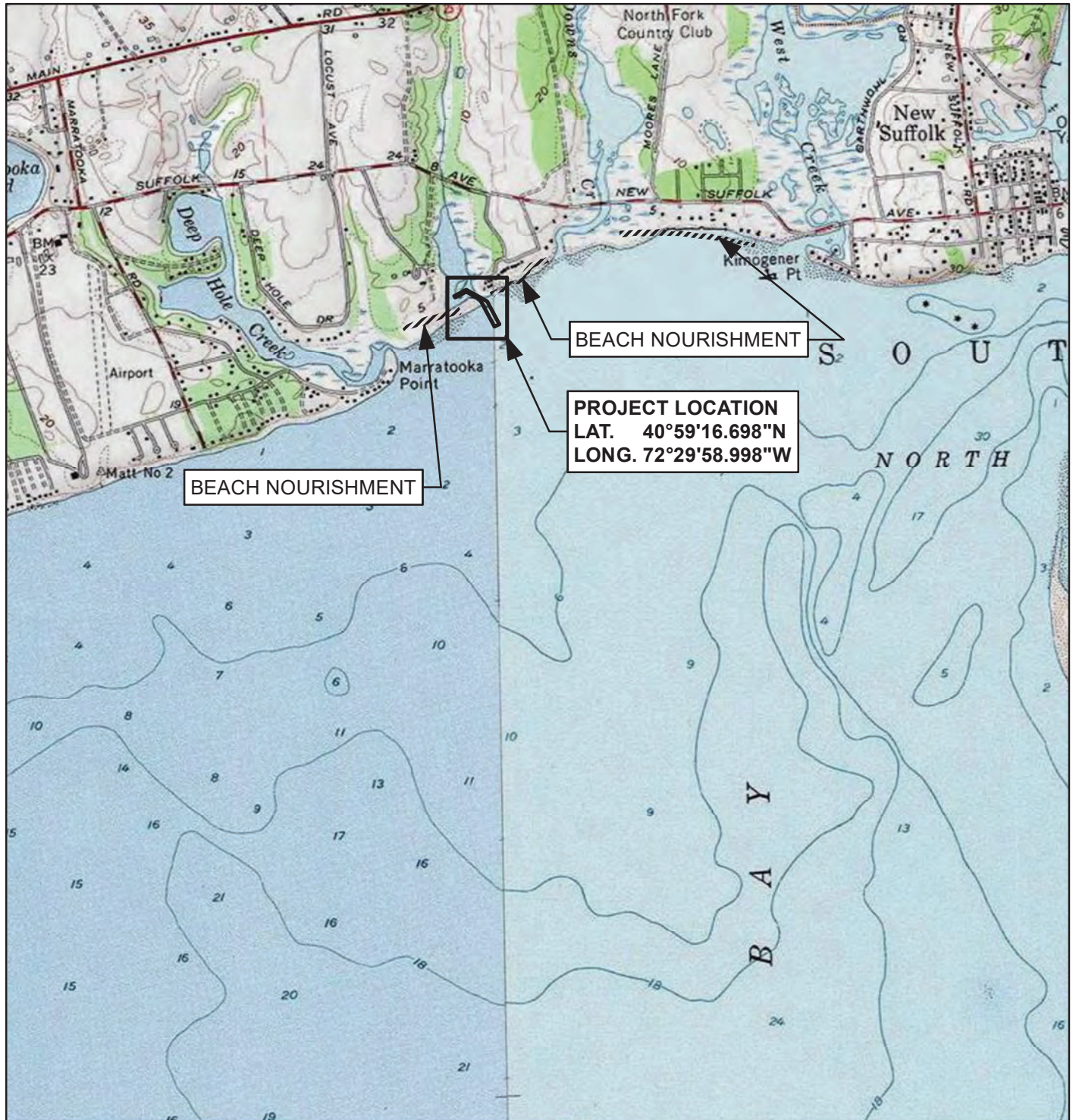
The approximately 12,000 cubic yards would be placed at one or more of the three beach nourishment areas after each dredge event. The maximum amount of material placed at each location is described below:

- West of Halls Creek – A maximum of approximately 5,000 CY of dredged material would be placed along the shoreline of which approximately 1,800 CY would be placed below the plane of Spring High Water (SHW) over approximately 34,000 square feet.
- East of Halls Creek – A maximum of approximately 12,000 CY of dredged material would be placed along the shoreline of which approximately 5,400 CY would be placed below the plane of SHW over approximately 67,500 square feet.
- East of Downs Cree – A maximum of approximately 12,000 CY of dredged material would be placed along the shoreline of which approximately 5,100 CY would be placed below the plane of SHW over approximately 76,500 square feet.

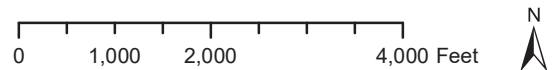
The applicant plans to conduct five (5) additional dredging events within the ten-year maintenance dredging period removing a maximum of approximately 12,000 CY from within the same dredging area with beach placement at the above referenced areas.

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 Halls Creek. Any potential impacts would be temporary and would be offset by implementing best management practices associated with the proposed use of a hydraulic dredge and floating pipeline. The use of a hydraulic dredge and floating pipeline would provide the cleanest and least obtrusive method for sediment removal and transport, minimizing to the greatest extent possible any potential adverse effects to the aquatic environment.

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



SOURCE: MATTITUCK AND SOUTHOLD USGS QUADRANGLES



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HUNTINGTON STATION, NEW YORK

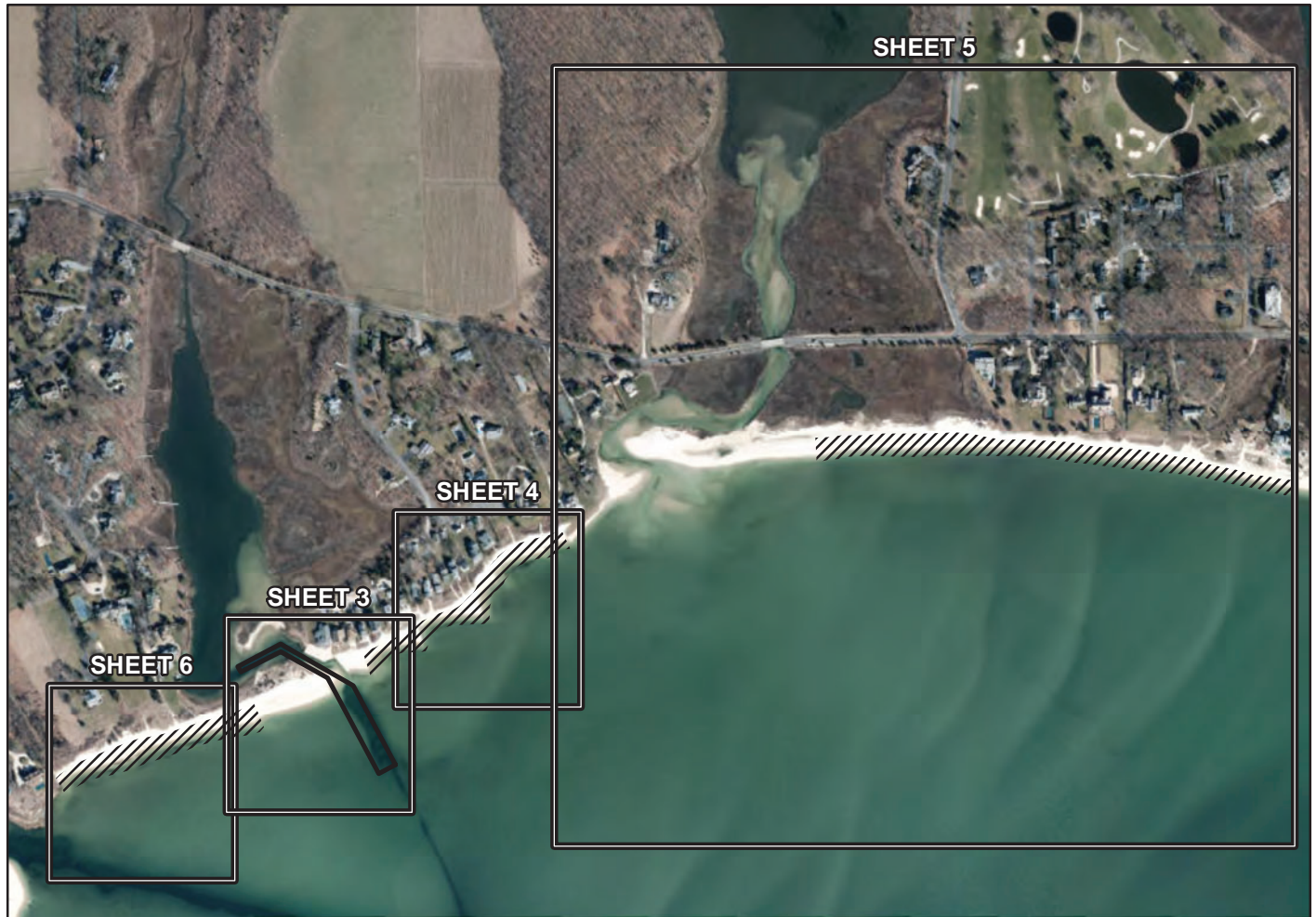
APPLICATION BY COUNTY OF SUFFOLK
JOSEPH T. BROWN, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

MAINTENANCE DREDGING AT:

**HALLS CREEK
(MUD CREEK)
TOWN OF SOUTHOLD
SUFFOLK COUNTY, NEW YORK**

DATE: FEBRUARY 2022

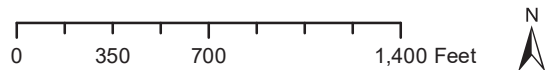
SHEET 1 OF 9



MAINTENANCE DREDGING APPLICATION
 GENERAL NOTES:
 1. TYPE OF DREDGING: Maintenance.
 2. METHOD OF DREDGING: Hydraulic.
 3. APPROX. AMOUNT TO BE DREDGED:
 Up to approximately 12,000± cu. yds.
 4. TYPE OF MATERIAL TO BE DREDGED:
 Sand.
 5. MATERIAL PLACEMENT LOCATION:
 West of Halls Creek channel, east of Halls
 Creek channel, and east of Downs Creek.
 6. NAVIGATION CHANNEL DIMENSIONS:
 Outer channel = 390'L x 75'W and variable x -6'MLW,
 Inner channel = 450'L x 25'W and variable x -4' MLW.
 7. CHANNEL SURVEY PROVIDED BY SCDPW:
 Soundings show results of survey performed
 May 2018, based on Local Plane of MLW.
 8. EXISTING SHORELINE AND TIDAL
 AREAS DRAWN FROM AERIAL:
 Due to coastal vegetation and hard
 structures, tidal lines such as SHW, are not
 apparent along certain shoreline sections.
 9. TOTAL DREDGE AREA: Halls Creek:
 40,454 sq. ft.

MAINTENANCE DREDGING APPLICATION
 GENERAL NOTES (CONTINUED):
 10. AMOUNT OF MATERIAL TO SETTLE
 BELOW SHW:
 West of Halls Creek (assumes up to approx.
 5,000 cy): Approx. 1,800 cy
 East of Halls Creek (assumes up to approx.
 12,000 cy): Approx. 5,400 cy
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 11. AREA OF FILL BELOW SHW:
 West of Halls Creek (assumes up to approx.
 5,000 cy): Approx. 34,000 sq ft
 East of Halls Creek (assumes up to approx.
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SOURCE: ESRI AERIAL IMAGERY, 2021



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 HUNTINGTON STATION, NEW YORK

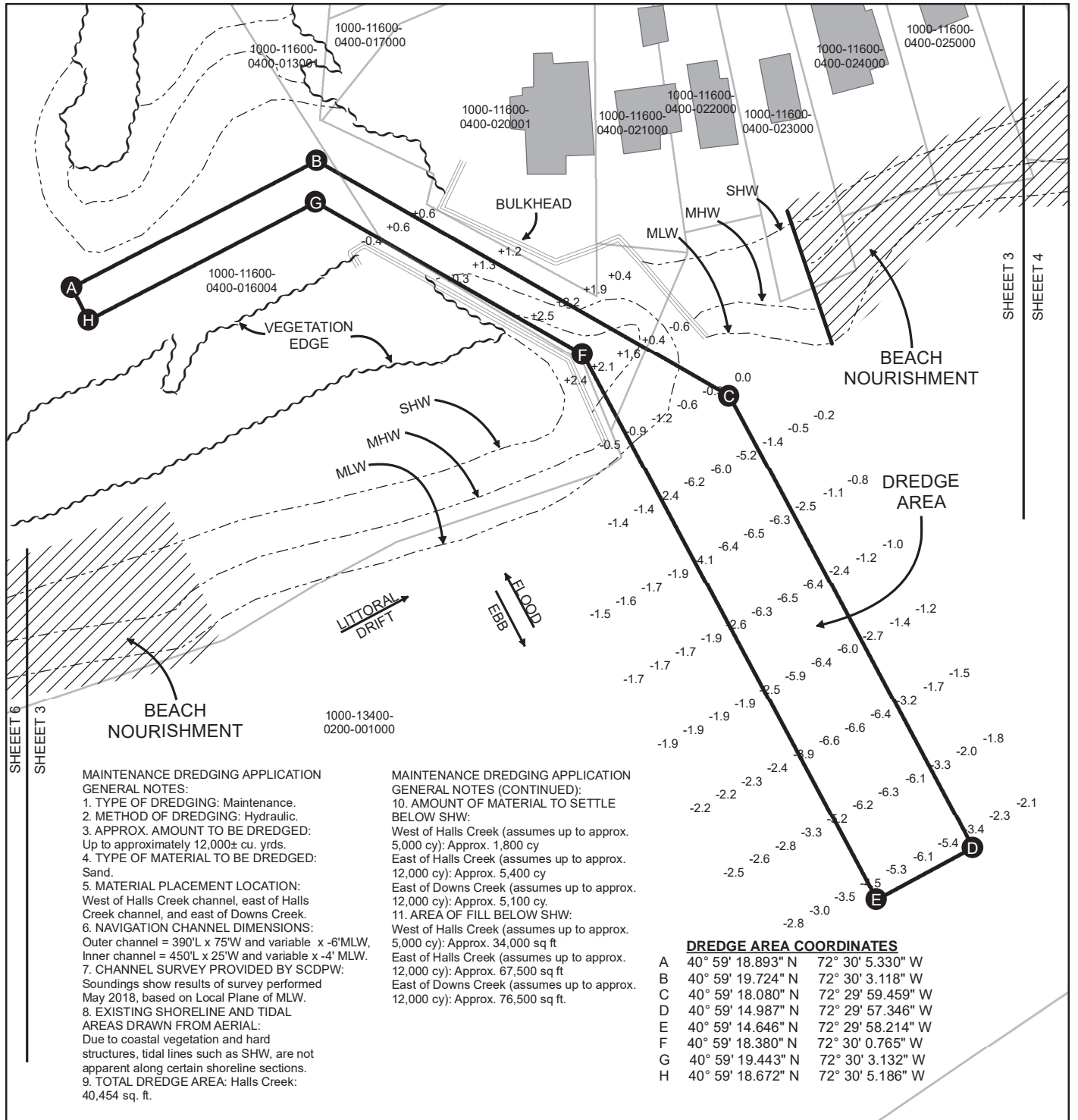
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MAINTENANCE DREDGING AT:

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SHEET 2 OF 9



MAINTENANCE DREDGING APPLICATION GENERAL NOTES:

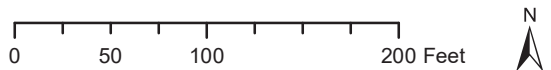
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DREDGE AREA COORDINATES

A	40° 59' 18.893" N	72° 30' 5.330" W
B	40° 59' 19.724" N	72° 30' 3.118" W
C	40° 59' 18.080" N	72° 29' 59.459" W
D	40° 59' 14.987" N	72° 29' 57.346" W
E	40° 59' 14.646" N	72° 29' 58.214" W
F	40° 59' 18.380" N	72° 30' 0.765" W
G	40° 59' 19.443" N	72° 30' 3.132" W
H	40° 59' 18.672" N	72° 30' 5.186" W



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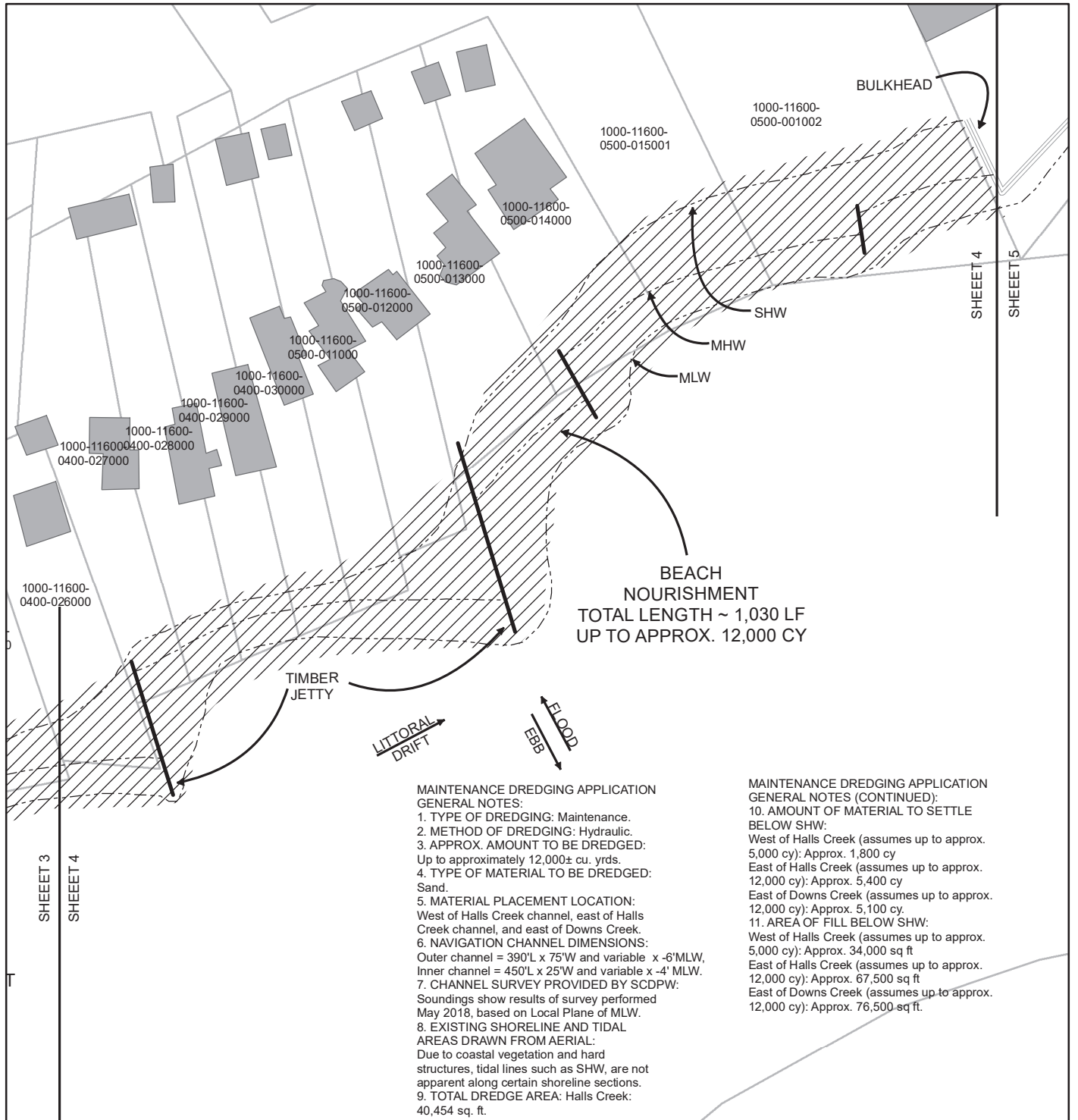
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MAINTENANCE DREDGING AT:

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DATE: FEBRUARY 2022

SHEET 3 OF 9

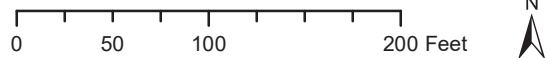


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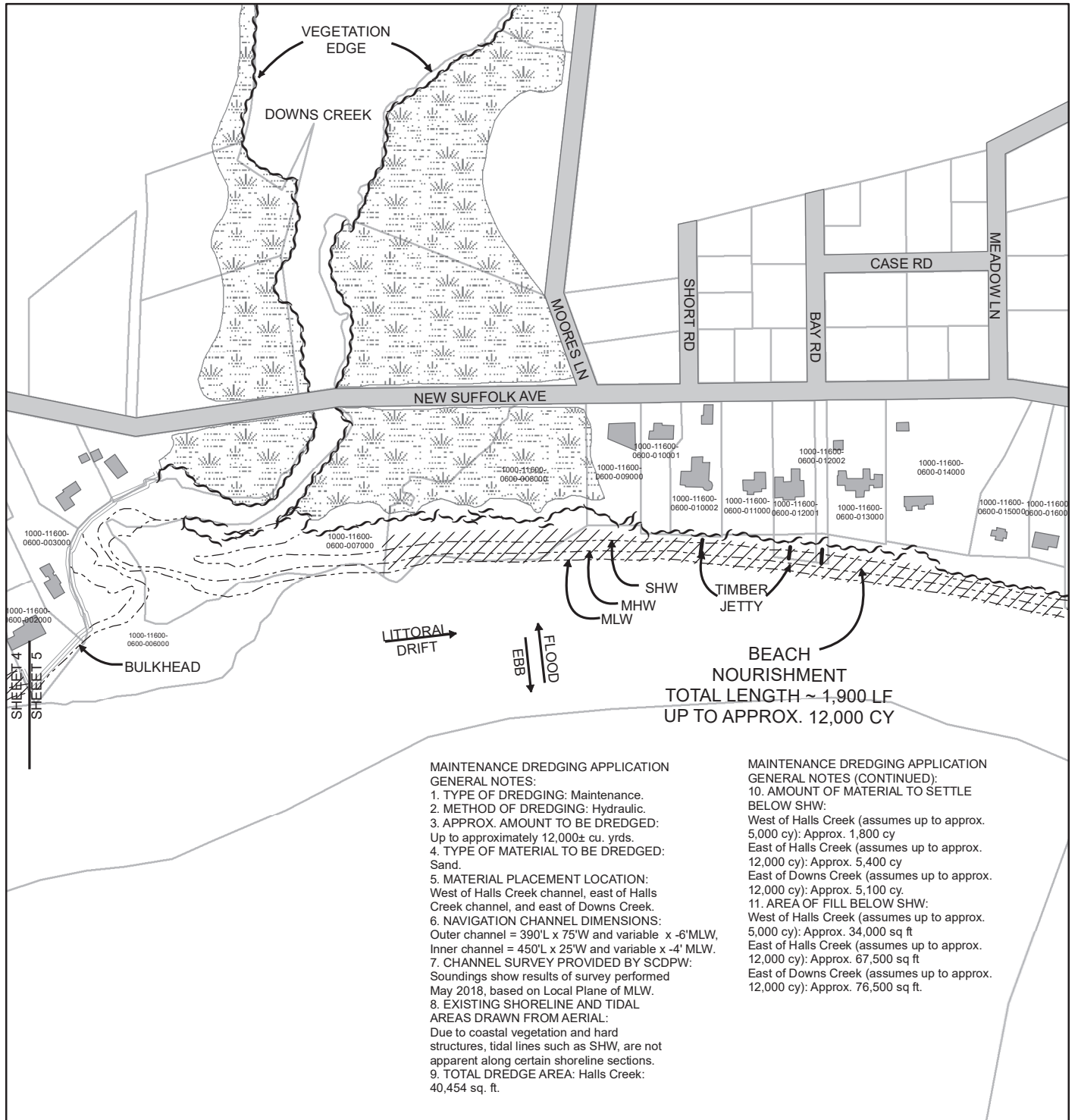
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SHEET 4 OF 9

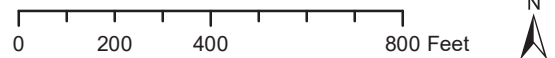


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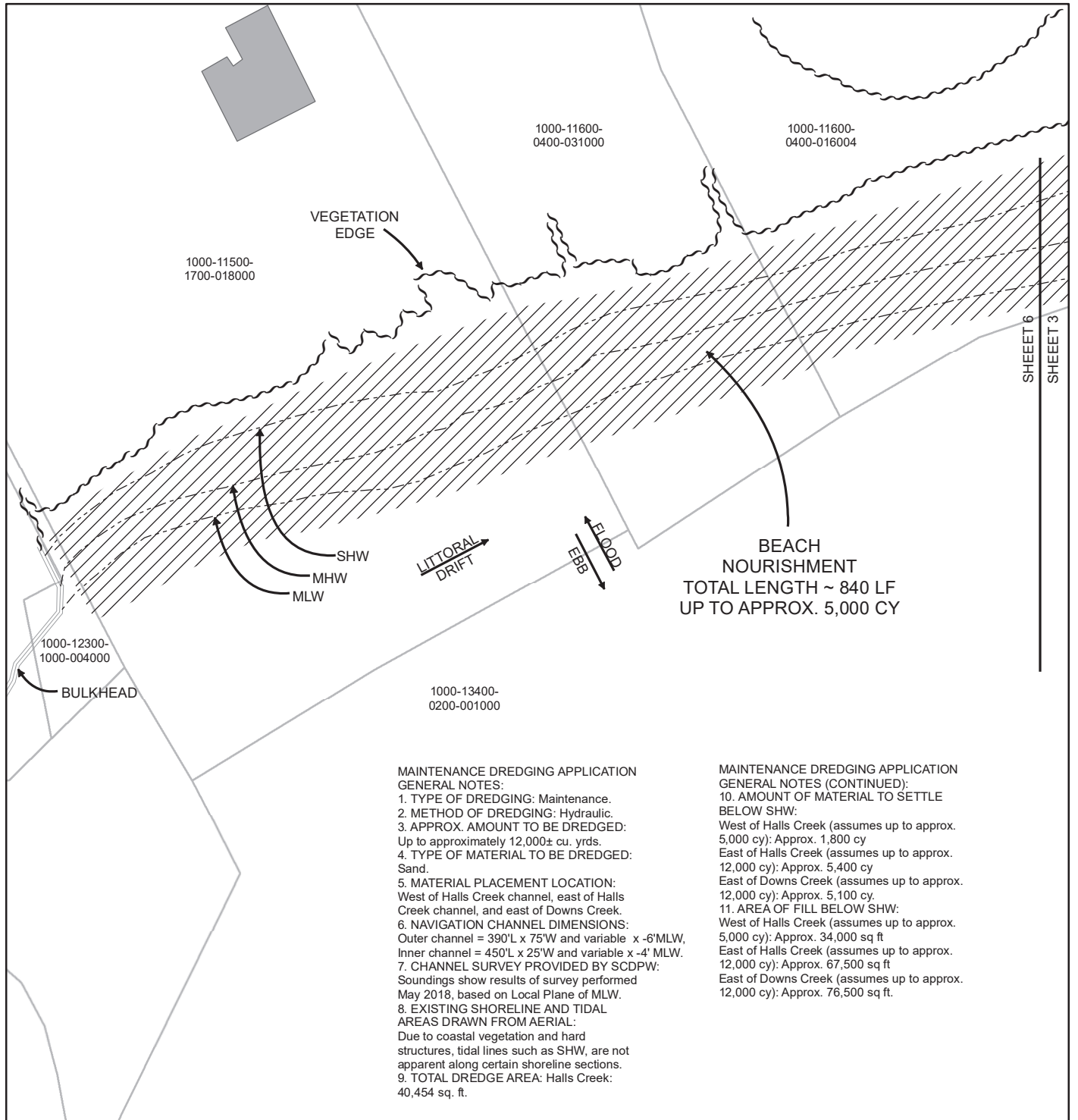
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SHEET 5 OF 9



GEI CONSULTANTS, INC., P. C.
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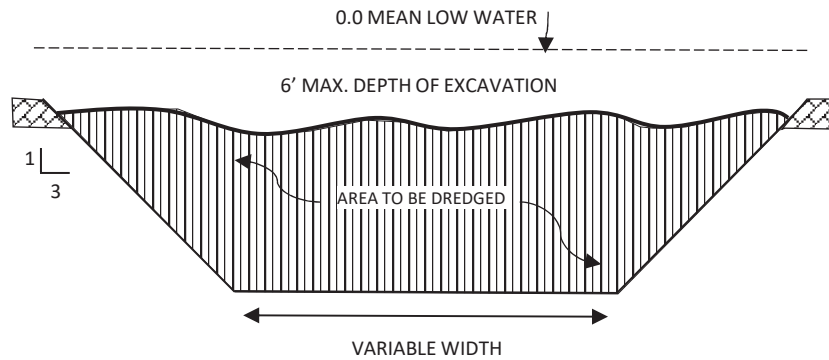
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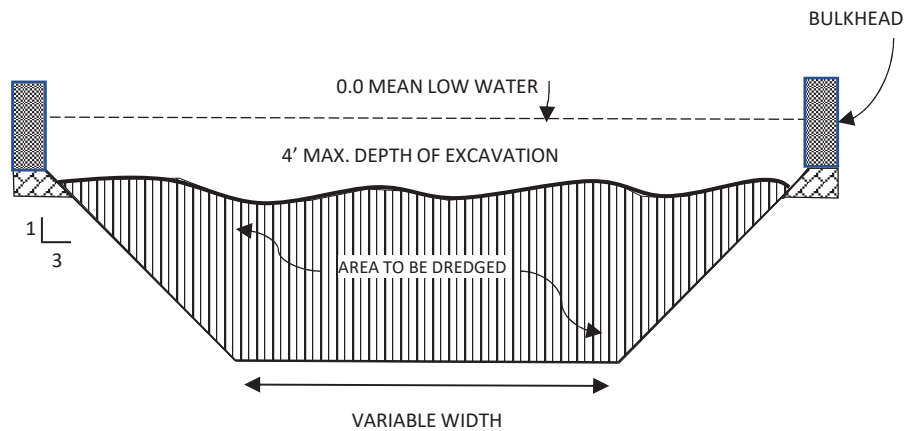
DATE: FEBRUARY 2022

SHEET 6 OF 9



TYPICAL CHANNEL SECTION

N.T.S.



TYPICAL CHANNEL SECTION WITH BULKHEAD

N.T.S.



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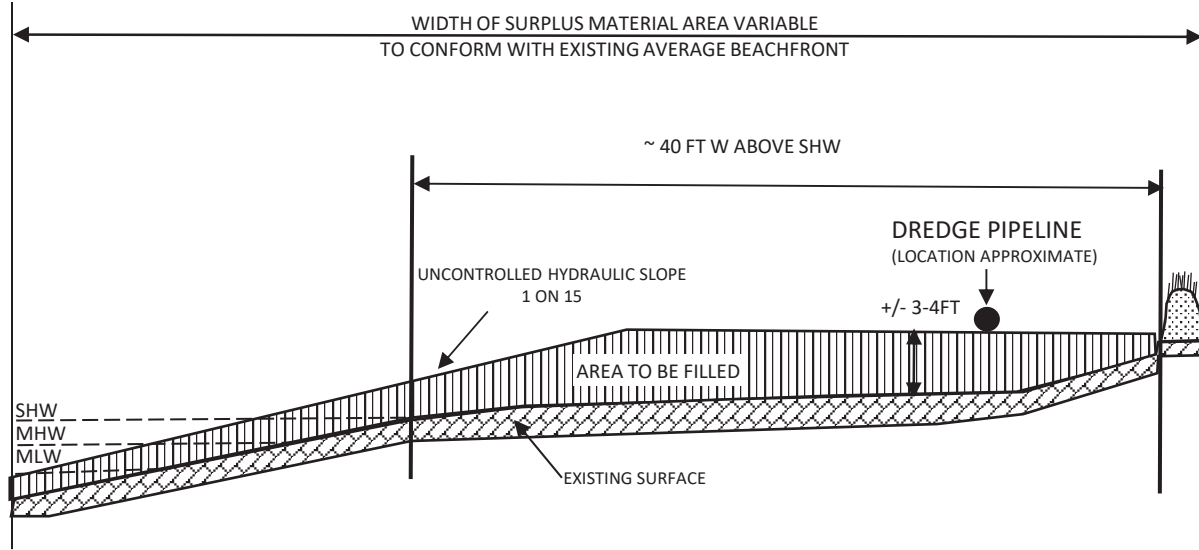
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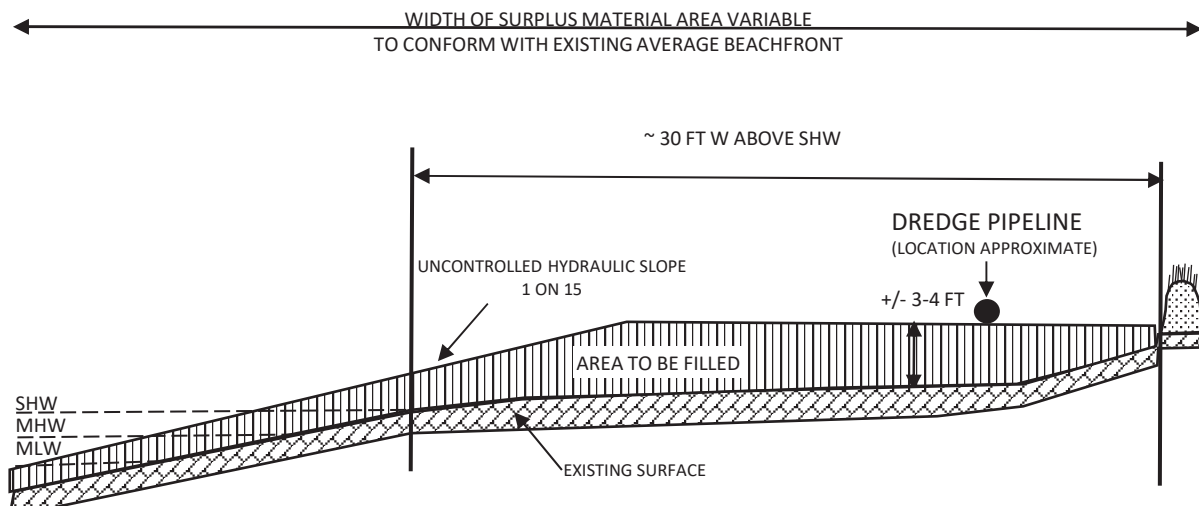
DATE: FEBRUARY 2022

SHEET 7 OF 9



TYPICAL BEACH NOURISHMENT SECTION EAST OF HALLS CREEK

N.T.S.



TYPICAL BEACH NOURISHMENT SECTION EAST OF DOWNS CREEK

N.T.S.



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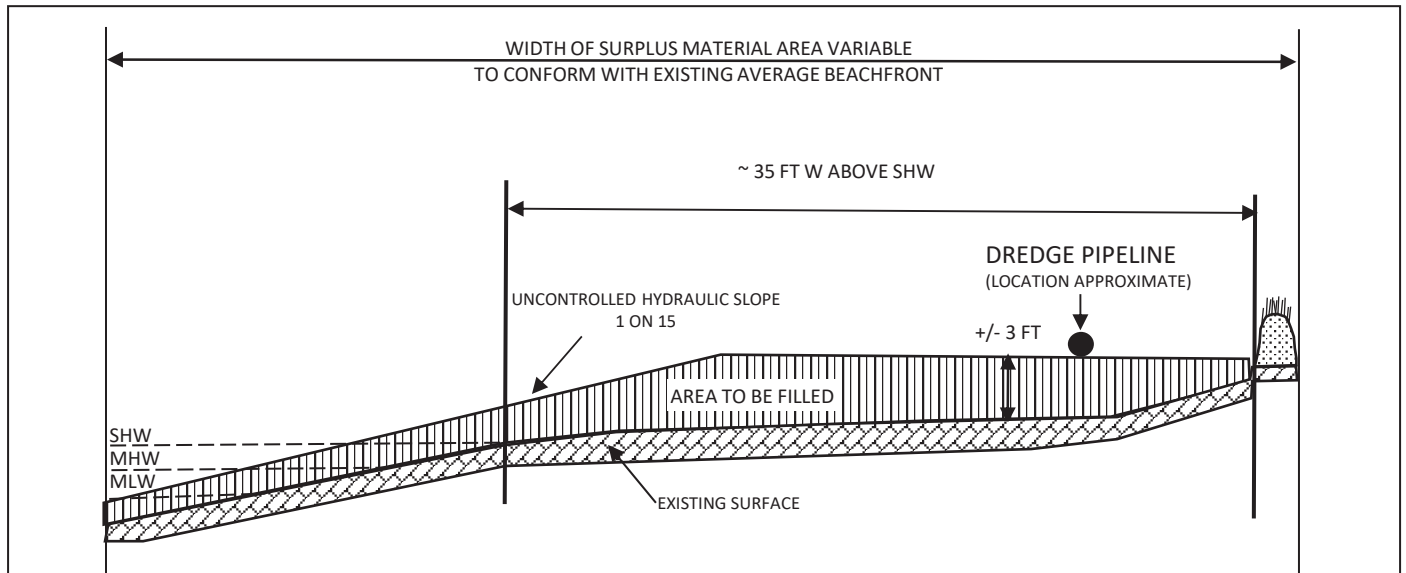
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DATE: FEBRUARY 2022

SHEET 8 OF 9



TYPICAL BEACH NOURISHMENT SECTION WEST OF HALLS CREEK

N.T.S.



GEI CONSULTANTS, INC., P. C.
HUNTINGTON STATION, NEW YORK

MAINTENANCE DREDGING AT:

APPLICATION BY COUNTY OF SUFFOLK
JOSEPH T. BROWN, P.E.
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HALLS CREEK (MUD CREEK)
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SHEET 9 OF 9