



# 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-2022-00352-EMI**  
Issue Date: **June 1, 2022**  
Expiration Date: **June 30, 2022**

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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: U.S. Coast Guard  
Civil Engineering Unit Providence  
475 Kilvert Street, Suite 100  
Warwick, Rhode Island 02886

ACTIVITY: Ten-Year Maintenance Dredging with Upland Placement

WATERWAY: Fire Island Inlet

LOCATION: U.S. Coast Guard Station Fire Island (1 Rescue Road), Fire Island, Town of Babylon, 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-2022-00352-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.

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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](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>.

 Date: 2022.05.27  
12:13:41 -04'00'

**FOR AND IN BEHALF OF**  
Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The permit applicant, U.S. 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 onsite location. The project is located at Fire Island Inlet, on Fire Island, Town of Babylon, Suffolk County, New York.

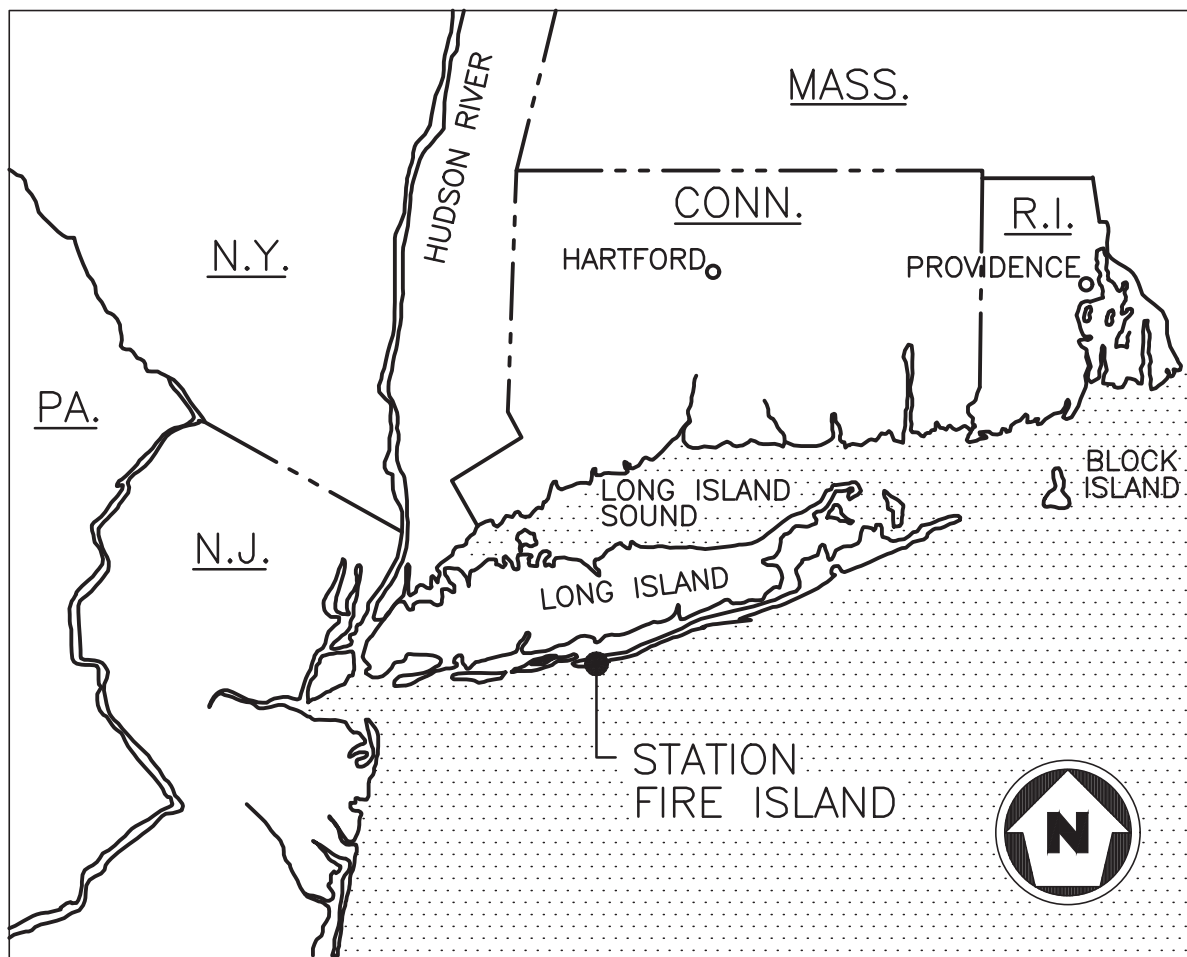
The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by mechanical dredge, approximately 13,000 cubic yards (CY) of material from an approximately 62,000 square foot (1.4 acres) boat basin to a depth of ten feet below the plane of Mean Lower Low Water (MLLW). The dredged material would be placed onto a barge and then would be placed at an upland approximately 59,000 square foot disposal area on site for dewatering with return flow to the waterway. The dewatering and disposal area would be surrounded with silt fencing and/or staked haybales to contain the dredged material.

The applicant plans to conduct one (1) additional dredging events within the ten-year maintenance dredging period removing a maximum of approximately 13,000 CY per event from within the same dredging area with the same dewatering and disposal location 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 dredge 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 such as using a turbidity curtain around the dredge area and using silt fencing and/or staked haybales around the dewatering area.

The stated purpose of this project is to maintain safe navigable depths within the boat basin.



**CONCEPTUAL  
NOT FOR CONSTRUCTION**

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

ISSUED FOR PERMITTING  
NOT FOR CONSTRUCTION

DREDGE BOAT BASIN  
USCG STA FIRE ISLAND  
BABYLON

NY

FIGURE 1  
VICINITY MAP

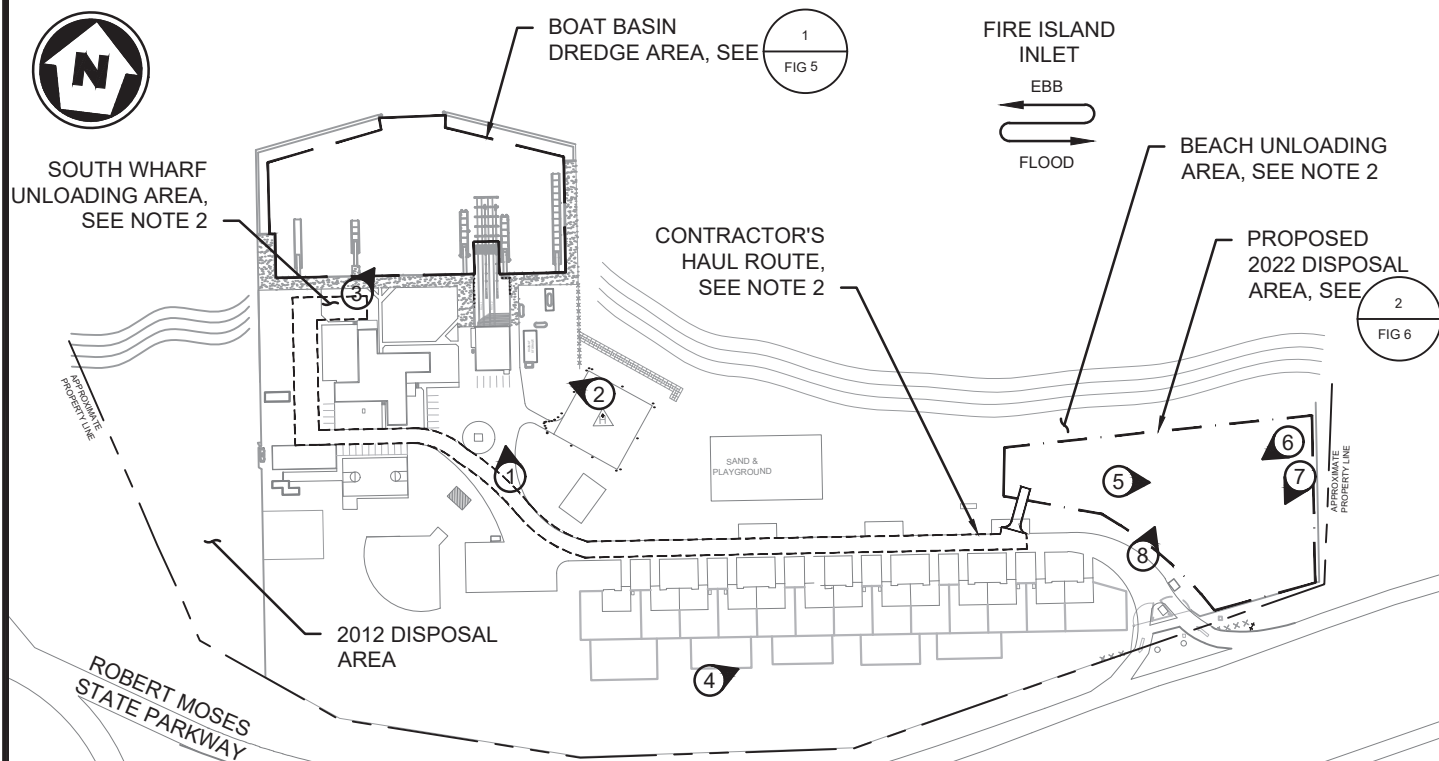
USCG PROJECT NO.  
9829701

SCALE NTS

DATE APR 2022

SHEET 1 OF 12

**CONCEPTUAL  
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APPLICATION BY  
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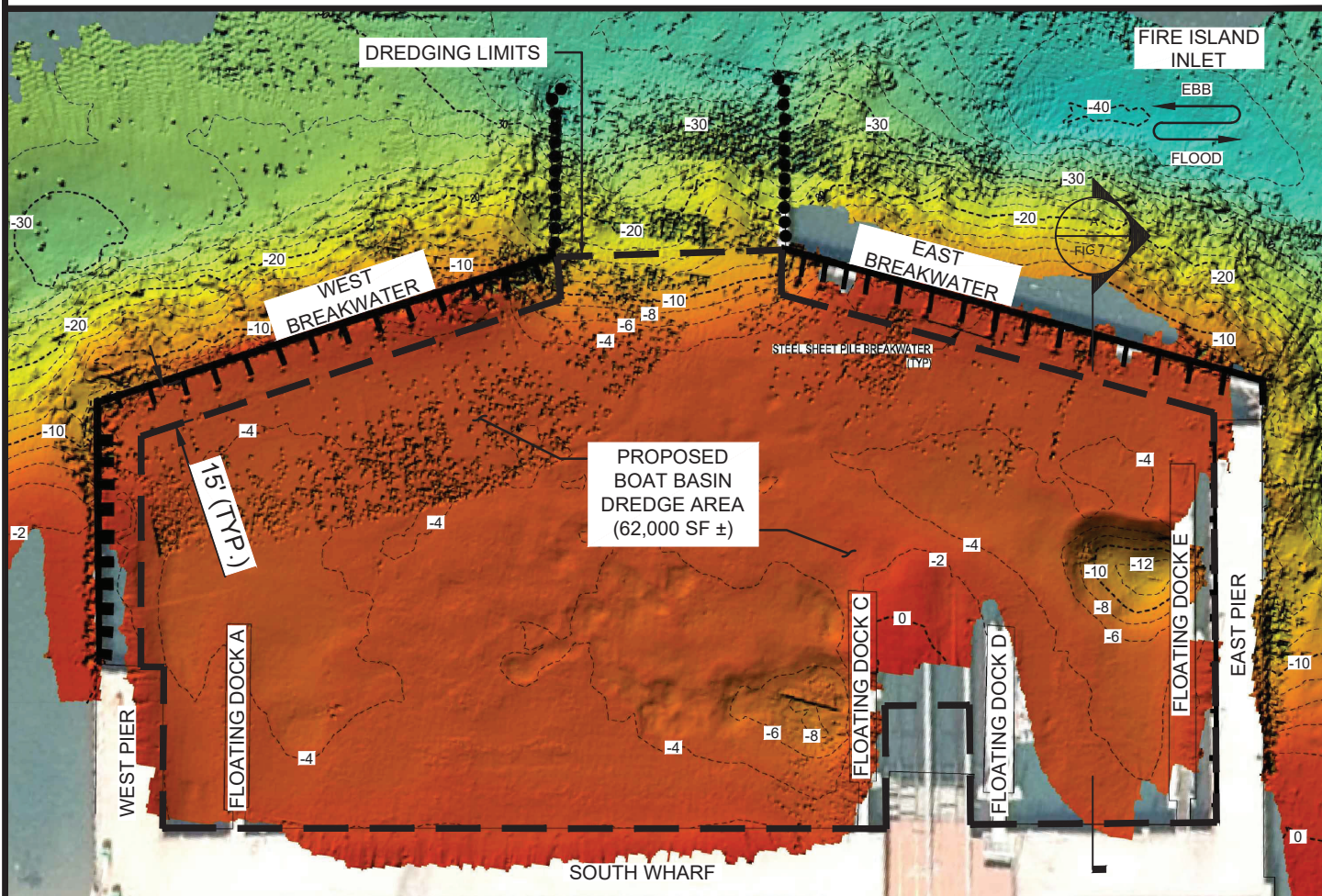
FIGURE 4  
SITE PLAN

USCG PROJECT NO.  
9829701

SCALE 1" = 240'

DATE APR 2022

SHEET 4 OF 12



1 BOAT BASIN DREDGE PLAN  
FIG 4 SCALE: 1" = 60'

**NOTES:**

1. THE INFORMATION PRESENTED ON THIS DRAWING REPRESENTS THE RESULTS OF MEASUREMENTS AND SOUNDINGS TAKEN BY MCLAREN ENGINEERING GROUP AND SUBCONSULTANT PRUDENT ENGINEERING LLP ON JULY 20, 2021. THIS DRAWING CAN ONLY BE CONSIDERED AS INDICATING THE CONDITIONS EXISTING AT THAT TIME. THIS CONTOUR PLAN IS INTENDED TO IDENTIFY CHANNEL BOTTOM IRREGULARITIES AND IS NOT INTENDED TO BE USED FOR DESIGN PURPOSES.
2. COORDINATES ARE NY STATE PLANE LONG ISLAND. THE WATER SURFACE ELEVATION AT THE TIME OF SURVEY WAS +0.95 ft. TO +1.36 ft. ABOVE MEAN LOWER LOW WATER DATUM (MLLW).
3. THE FIRE ISLAND INLET IS TIDALLY INFLUENCED. THE WATER SURFACE ELEVATION VARIED THROUGHOUT THE TAKING OF MEASUREMENTS.
4. THE CONTOUR INTERVAL ON THIS PLAN IS 2.0 ft.
5. DISPLAYED ON THE PLAN SHEET ARE CONTOUR DEPTHS. THESE DEPTHS ARE SHOWN IN FEET BELOW MLLW DATUM.
6. NORTH ORIENTATION IS APPROXIMATE.
7. FATHOMETER DATA IS ACCURATE TO ±0.3 ft.
8. MICROSTATION V8i (SELECT SERIES 10) WAS USED IN THE PRODUCTION OF THIS SURVEY.

MHHW = 2.31 feet	(0.705 meters)
MHW = 2.13 feet	(0.649 meters)
NAVD88 = 1.32 feet	(0.403 meters)
MSL = 1.13 feet	(0.344 meters)
MTL = 1.13 feet	(0.344 meters)
NGVD29 = 0.18 feet	(0.055 meters)
MLW = 0.13 feet	(0.040 meters)
MLLW = 0.00 feet	(0.000 meters)

NOAA-NGS TIDAL ELEVATION

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**GENERAL NOTES:**

1. HYDROGRAPHIC CONTOURS SHOWN ARE REFERENCED MEAN LOWER LOW WATER (MLLW).
2. THE CONTRACTOR SHALL NOT DREDGE WITHIN 15 FEET OF THE EAST AND WEST BREAKWATER SHEET PILES.



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DREDGE BOAT BASIN  
USCG STA FIRE ISLAND  
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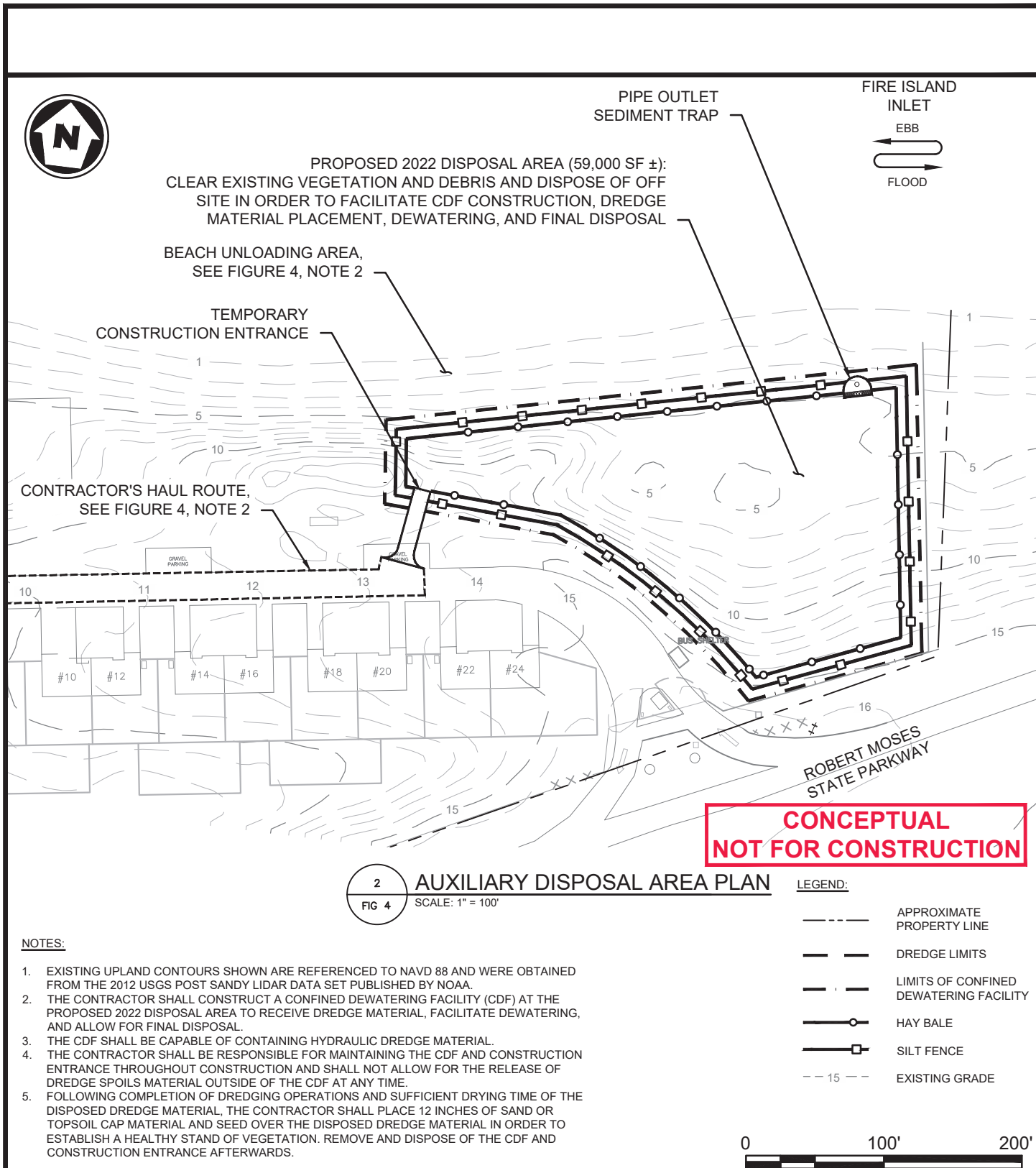
FIGURE 5  
BOAT BASIN DREDGE PLAN

USCG PROJECT NO.  
9829701

SCALE 1" = 60'

DATE APR 2022

SHEET 5 OF 12



APPLICATION BY  
U.S. COAST GUARD  
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DREDGE BOAT BASIN  
USCG STA FIRE ISLAND  
BABYLON

NY

FIGURE 6

2022 DISPOSAL AREA PLAN

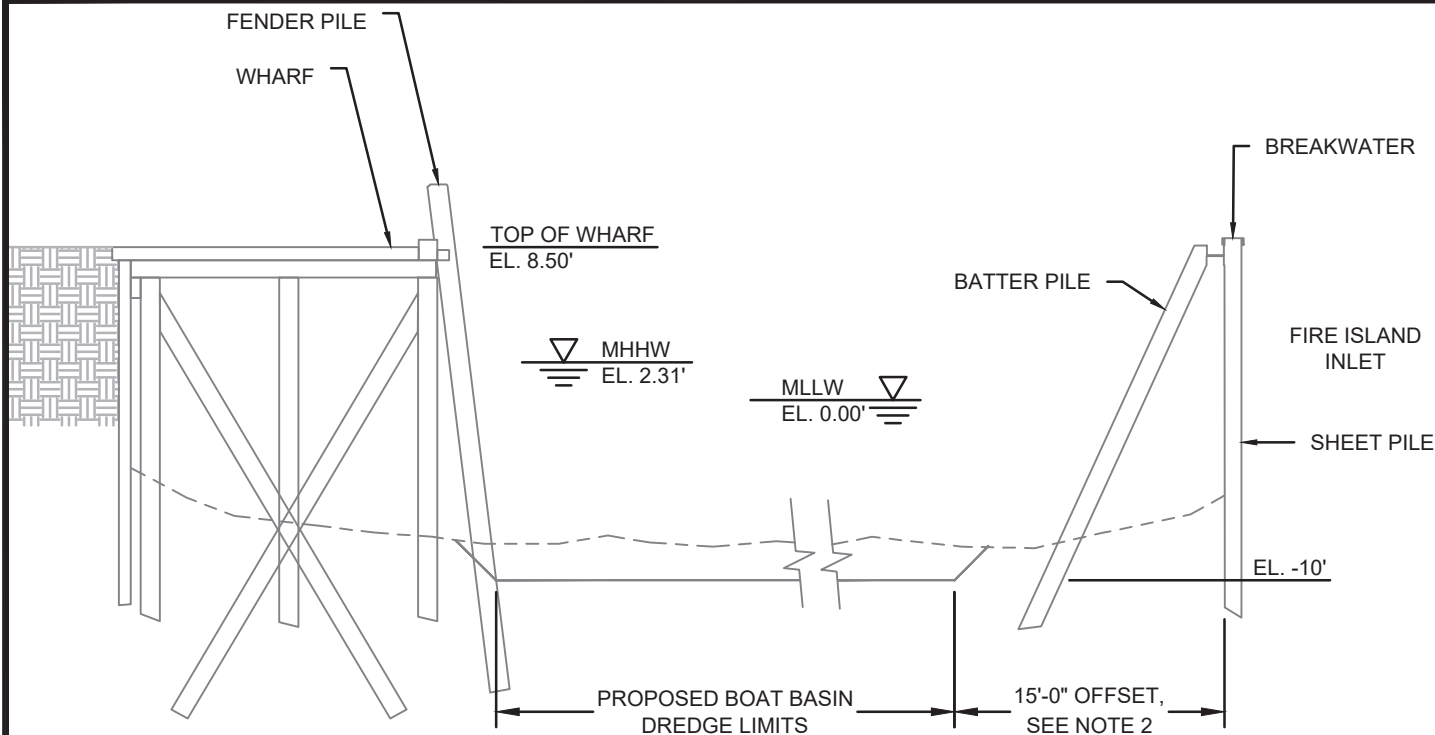
USCG PROJECT NO.  
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SCALE 1" = 100'

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SHEET 6 OF 12

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**BOAT BASIN DREDGE TYPICAL SECTION**  
 FIG 5 SCALE: NTS

**GENERAL NOTES:**

1. THE VERTICAL CONTROL DATUM FOR THIS PROJECT IS MEAN LOWER LOW WATER (MLLW).
2. THE CONTRACTOR SHALL NOT DREDGE WITHIN 15 FEET OF THE EAST AND WEST BREAKWATER SHEET PILES.
3. THE EXISTING BATHYMETRIC CONTOUR DATA SHOWN ON THESE FIGURES WAS OBTAINED DURING A SURVEY COMPLETED FOR THE USCG BY PRUDENT ENGINEERING ON JULY 20, 2021 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. MATERIAL LOCATED BELOW THE WHARF AND BREAKWATER BRACES 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 BREAKWATER BRACES IS NOT REQUIRED.
7. 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.
8. THE CONTRACTOR SHALL NOT DAMAGE THE EXISTING WATERFRONT INFRASTRUCTURE (E.G., FLOATING DOCKS, BREAKWATERS, 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.
9. 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 STA FIRE ISLAND 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.

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**DREDGE BOAT BASIN  
 USCG STA FIRE ISLAND  
 BABYLON**

**NY**

**FIGURE 7  
 DREDGE SECTION**

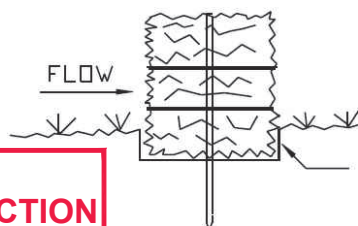
USCG PROJECT NO.  
 9829701

SCALE NTS

DATE APR 2022

SHEET 7 OF 12

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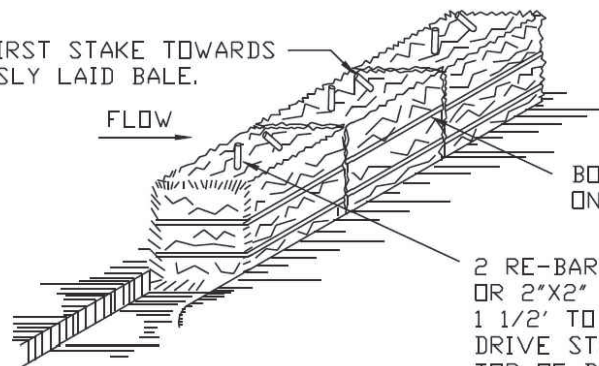
SYMBOL



BEDDING DETAIL  
NOT TO SCALE

DRAINAGE AREA NO MORE THAN 1/4 ACRE PER 100 FEET  
OF STRAW BALE DIKE FOR SLOPES LESS THAN 25%.

ANGLE FIRST STAKE TOWARDS  
PREVIOUSLY LAID BALE.



BOUND BALES PLACED  
ON CONTOUR.

2 RE-BARS, STEEL PICKETS  
OR 2"X2" STAKES PLACED  
1 1/2' TO 2' IN GROUND.  
DRIVE STAKES FLUSH WITH  
TOP OF BALE.

ANCHORING DETAIL  
NOT TO SCALE

## CONSTRUCTION SPECIFICATIONS

1. BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF (4) INCHES, AND PLACED SO THE BINDINGS ARE HORIZONTAL.
3. 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.
4. INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS,  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION,  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,  
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

STRAW BALE  
DIKE

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FIGURE 8  
DETAILS 1

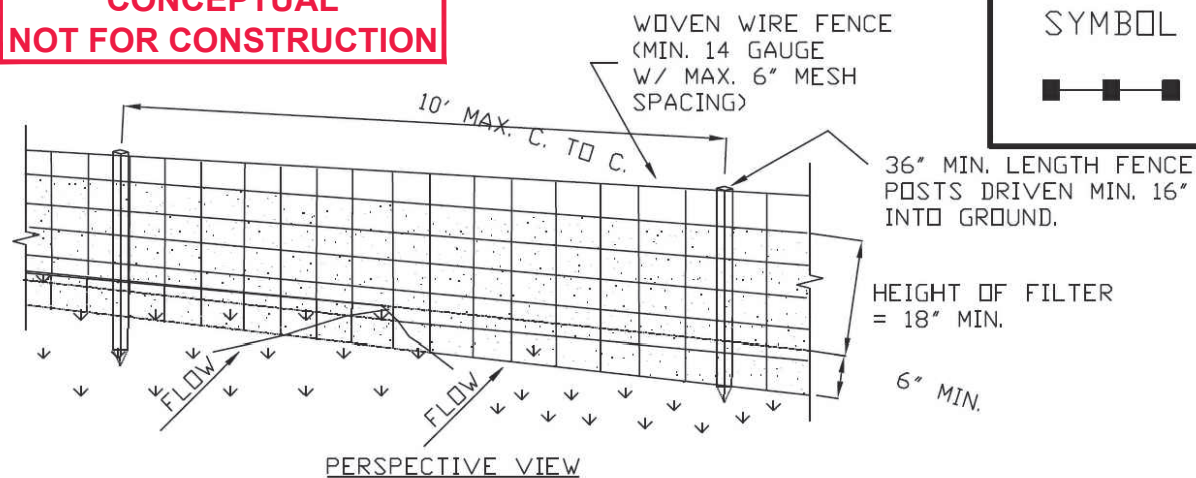
USCG PROJECT NO.  
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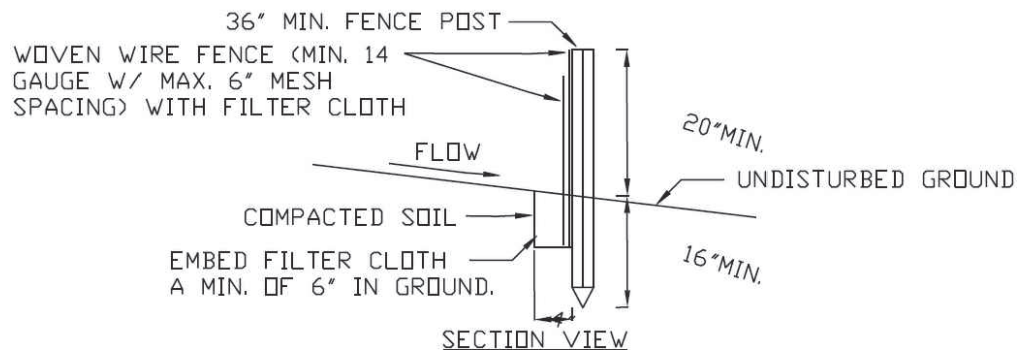
DATE APR 2022

SHEET 8 OF 12

**CONCEPTUAL  
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PERSPECTIVE VIEW



SECTION VIEW

## CONSTRUCTION SPECIFICATIONS

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL MEET THE MINIMUM REQUIREMENTS SHOWN.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS,  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION,  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,  
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REINFORCED  
SILT FENCE

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FIGURE 9  
DETAILS 2

USCG PROJECT NO.  
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SHEET 9 OF 12