



# 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-2024-01144-MNE  
Issue Date: April 7, 2025  
Expiration Date: May 7, 2025

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: Clearwater Beach Property Owners Association, Inc.  
P.O. Box 666  
East Hampton, NY11963

ACTIVITY: Ten-Year Maintenance Dredging with Beach Placement

WATERWAY: Gardiners Bay and Hog Creek

LOCATION: Town of East Hampton, 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 EMAILED TO [LINDSEY.NEUWIRTH@USACE.ARMY.MIL](mailto:LINDSEY.NEUWIRTH@USACE.ARMY.MIL) 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 can also be submitted through the USACE Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs/public-notice>.

Comments submitted in response to this notice will be fully considered during the public interest

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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.

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

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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. If you have any questions concerning this application, you may contact Lindsey Neuwirth of this office at [lindsey.neuwirth@usace.army.mil](mailto:lindsey.neuwirth@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>.

 Digitally signed by  
Rosita Miranda

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

Enclosures

## **WORK DESCRIPTION**

The permit applicant, Clearwater Beach Property Owners Association, has requested Department of the Army (DA) authorization to conduct dredging, with ten-years maintenance with placement of all resultant dredged material at designated beach placement areas. The project is located at Hog Creek and Gardiners Bay in the Town of East Hampton, Suffolk County, New York.

The proposed work would involve the following:

Maintenance dredge with ten-years maintenance, by mechanical dredging, approximately 3,900 cubic yards (CY) of sand from an approximately 24,600 square foot area to a depth of eight feet below the plane of Mean Low Water (MLW). The approximate slope of the channel would be 1 to 3. The dredged material would be placed at beach nourishment areas on Lion Head Beach Civic Association, Inc. property to the west of Hog Creek Channel and onsite at Clearwater Beach Property Owners Association, Inc property to the east of Hog Creek Channel. The dredged material will be placed at a temporary dewatering upland diked area onsite before placing the material on the beach.

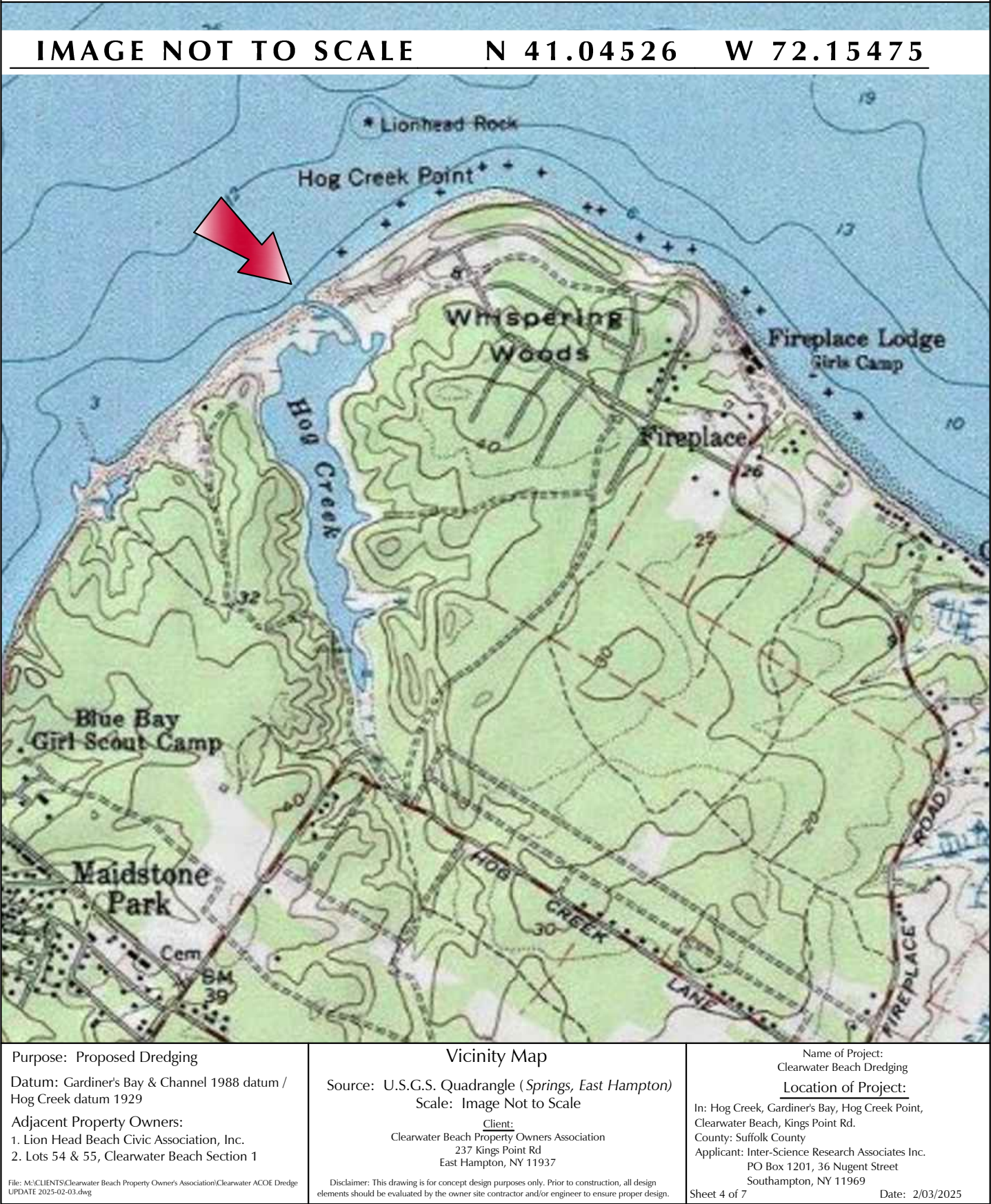
Approximately 2,296 cubic yards of material would be placed over an approximately 311 linear foot stretch of beach over an approximately 7,000 square foot area on Lion Head Beach Civic Association beach. Approximately 1,500 cubic yards of material would be placed over an approximately 540 linear foot stretch of beach over an approximately 23,000 square foot area on Clearwater Beach. The material placed on both beaches will be graded to create a new dune planted with *Ammophila Breviligulata*.

The applicant plans to conduct nine (9) additional dredging events within the ten-year maintenance dredging period removing a maximum of approximately 3,900 CY per event, from within the same dredging area with the same beach placement 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 Hog Creek and Gardiners Bay.

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



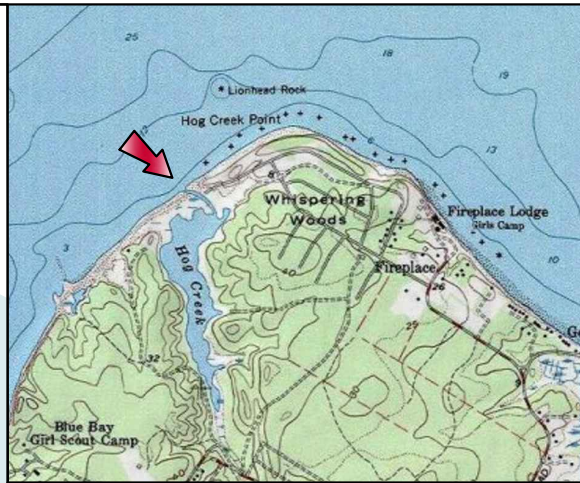


# PROJECT SITE LOCATION

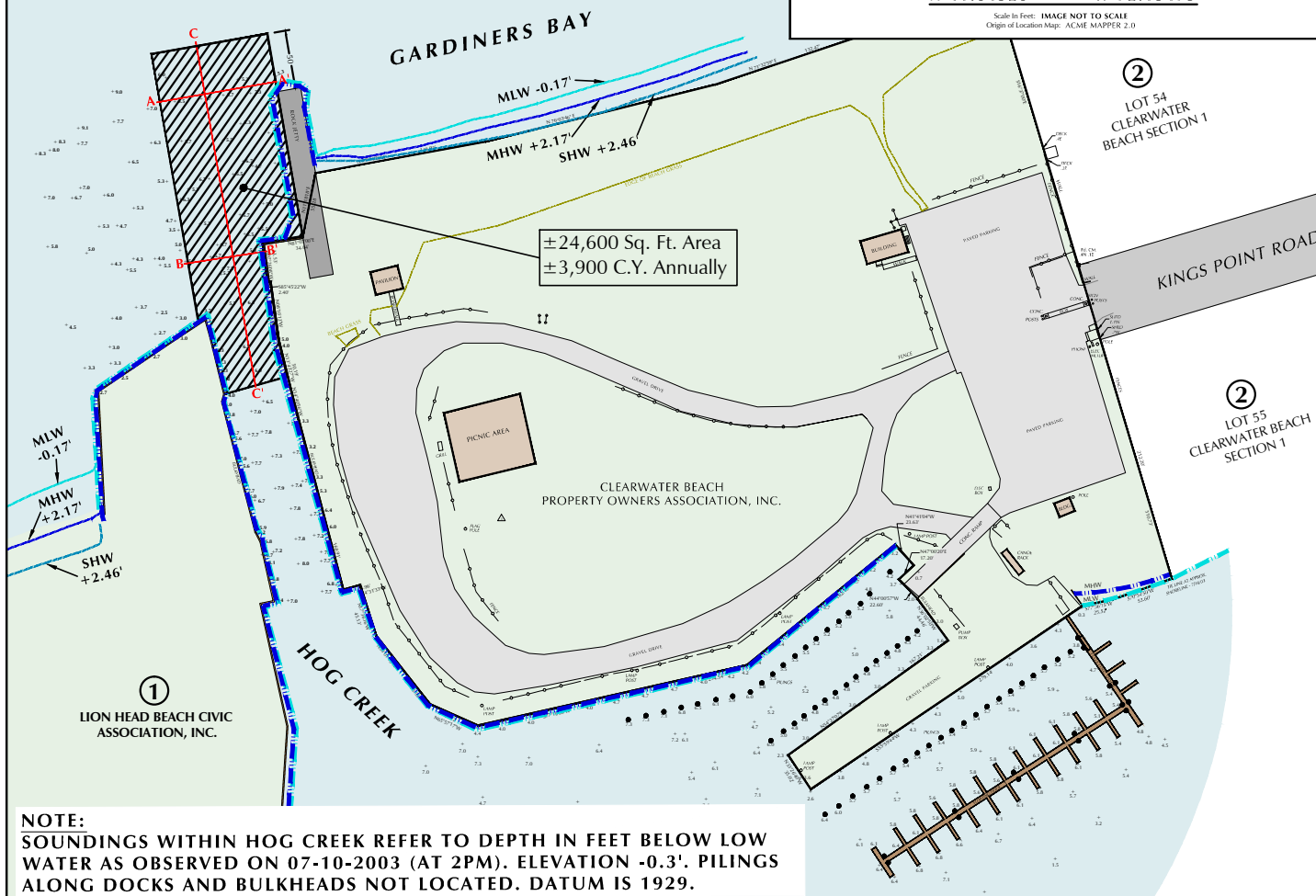


**NOTE:**  
MECHANICAL DREDGING BY LONG REACH  
EXCAVATOR (BACK HOE) PROPOSED.  
DREDGE SPOIL VOLUME IS  $\pm 3,900$  CUBIC YARDS.  
DREDGED MATERIAL TO BE PLACED ON BARGE, IF  
NECESSARY.

**NOTE:**  
SOUNDINGS WITHIN CHANNEL AND GARDINER'S BAY REFER  
TO DEPTH BELOW LOW WATER. LOW WATER WAS ELEVATION  
-0.3' OBSERVED ON 09-07-2010. DATUM IS 1988.



V I C I N I T Y M A P  
N 41.04526 W 72.15475  
Scale in Feet: IMAGE NOT TO SCALE  
Origin of Location Map: ACME MAPPER 2.0



**NOTE:**  
SOUNDINGS WITHIN HOG CREEK REFER TO DEPTH IN FEET BELOW  
LOW WATER AS OBSERVED ON 07-10-2003 (AT 2PM). ELEVATION -0.3'. PILINGS  
ALONG DOCKS AND BULKHEADS NOT LOCATED. DATUM IS 1929.

Purpose: Proposed Dredging

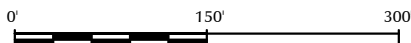
Datum: Gardiner's Bay & Channel 1988 datum /  
Hog Creek datum 1929

Adjacent Property Owners:

1. Lion Head Beach Civic Association, Inc.
2. Lots 54 & 55, Clearwater Beach Section 1

File: M:\CLIENTS\Clearwater Beach Property Owner's Association\Clearwater ACOE Dredge  
UPDATE 2025-02-03.dwg

Full Site View



Scale: 1" = 150'

Client:

Clearwater Beach Property Owners Association  
237 Kings Point Rd  
East Hampton, NY 11937

Disclaimer: This drawing is for concept design purposes only. Prior to construction, all design  
elements should be evaluated by the owner site contractor and/or engineer to ensure proper design.

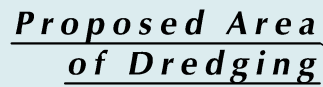
Name of Project:  
Clearwater Beach Dredging  
Location of Project:

In: Hog Creek, Gardiner's Bay, Hog Creek Point,  
Clearwater Beach, Kings Point Rd.  
County: Suffolk County  
Applicant: Inter-Science Research Associates Inc.  
PO Box 1201, 36 Nugent Street  
Southampton, NY 11969

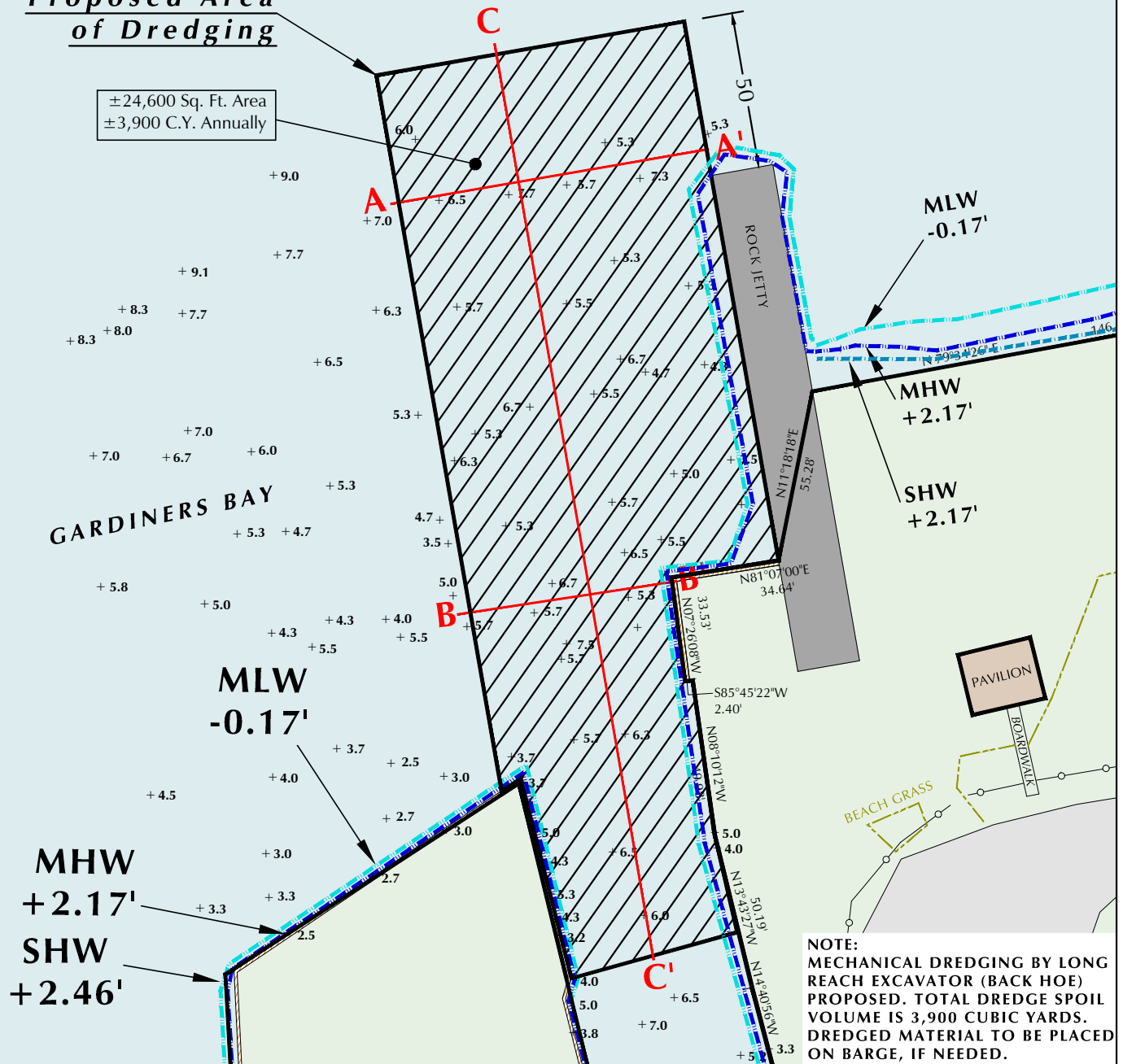
Sheet 1 of 7

Date: 2/03/2025





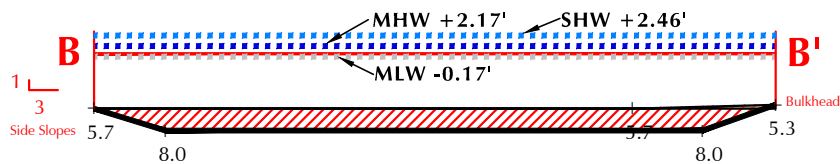
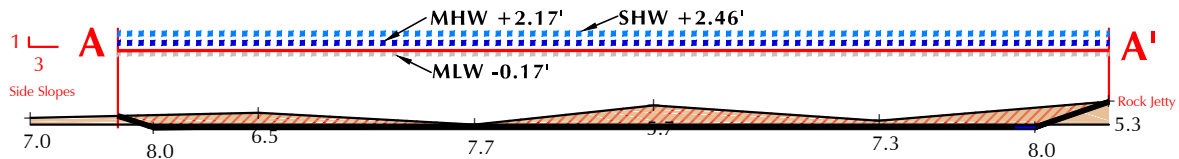
±24,600 Sq. Ft. Area ±3,900 C.Y. Annually
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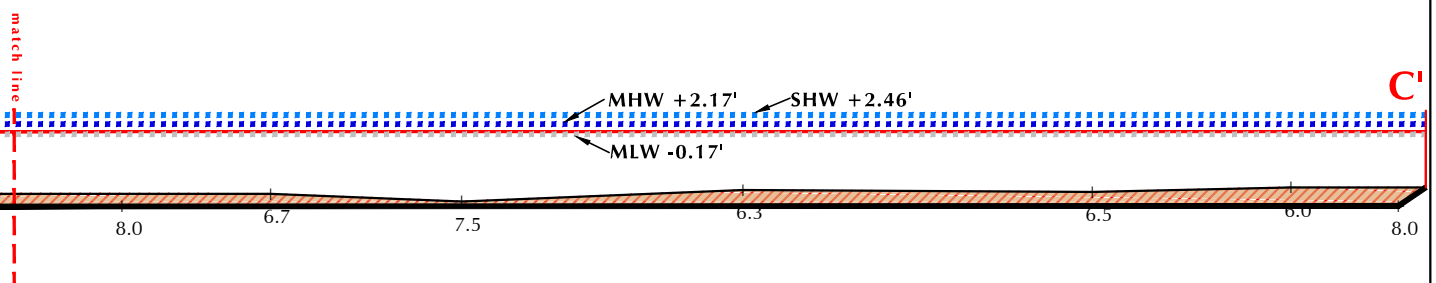
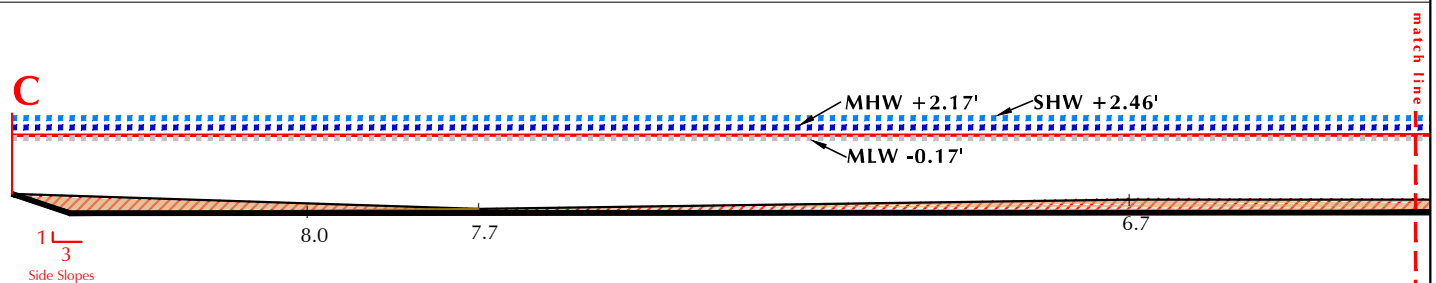
**NOTE:**  
MECHANICAL DREDGING BY LONG  
REACH EXCAVATOR (BACK HOE)  
PROPOSED. TOTAL DREDGE SPOIL  
VOLUME IS 3,900 CUBIC YARDS.  
DREDGED MATERIAL TO BE PLACED  
ON BARGE, IF NEEDED.

Views of Cross Sections A through C  
Proposed Dredging to 8 foot Depth with 1 on 3 Side Slopes

Area to be Removed Shown As: 



NOTE:  
 MECHANICAL DREDGING BY LONG REACH EXCAVATOR (BACK  
 HOE) PROPOSED. DREDGE SPOIL VOLUME IS 3,900 CUBIC YARDS.  
 DREDGED MATERIAL TO BE PLACED ON BARGE, IF NEEDED.



Purpose: Proposed Dredging

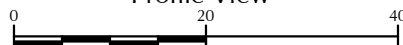
Datum: Gardiner's Bay & Channel 1988 datum /  
 Hog Creek datum 1929

Adjacent Property Owners:

1. Lion Head Beach Civic Association, Inc.
2. Lots 54 & 55, Clearwater Beach Section 1

File: M:\CLIENTS\Clearwater Beach Property Owner's Association\Clearwater ACOE Dredge  
 UPDATE 2025-02-03.dwg

**Profile View**



Scale: 1"=20'

Client:

Clearwater Beach Property Owners Association  
 237 Kings Point Rd  
 East Hampton, NY 11937

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 elements should be evaluated by the owner site contractor and/or engineer to ensure proper design.

Name of Project:  
 Clearwater Beach Dredging

Location of Project:

In: Hog Creek, Gardiner's Bay, Hog Creek Point,  
 Clearwater Beach, Kings Point Rd.  
 County: Suffolk County  
 Applicant: Inter-Science Research Associates Inc.  
 PO Box 1201, 36 Nugent Street  
 Southampton, NY 11969

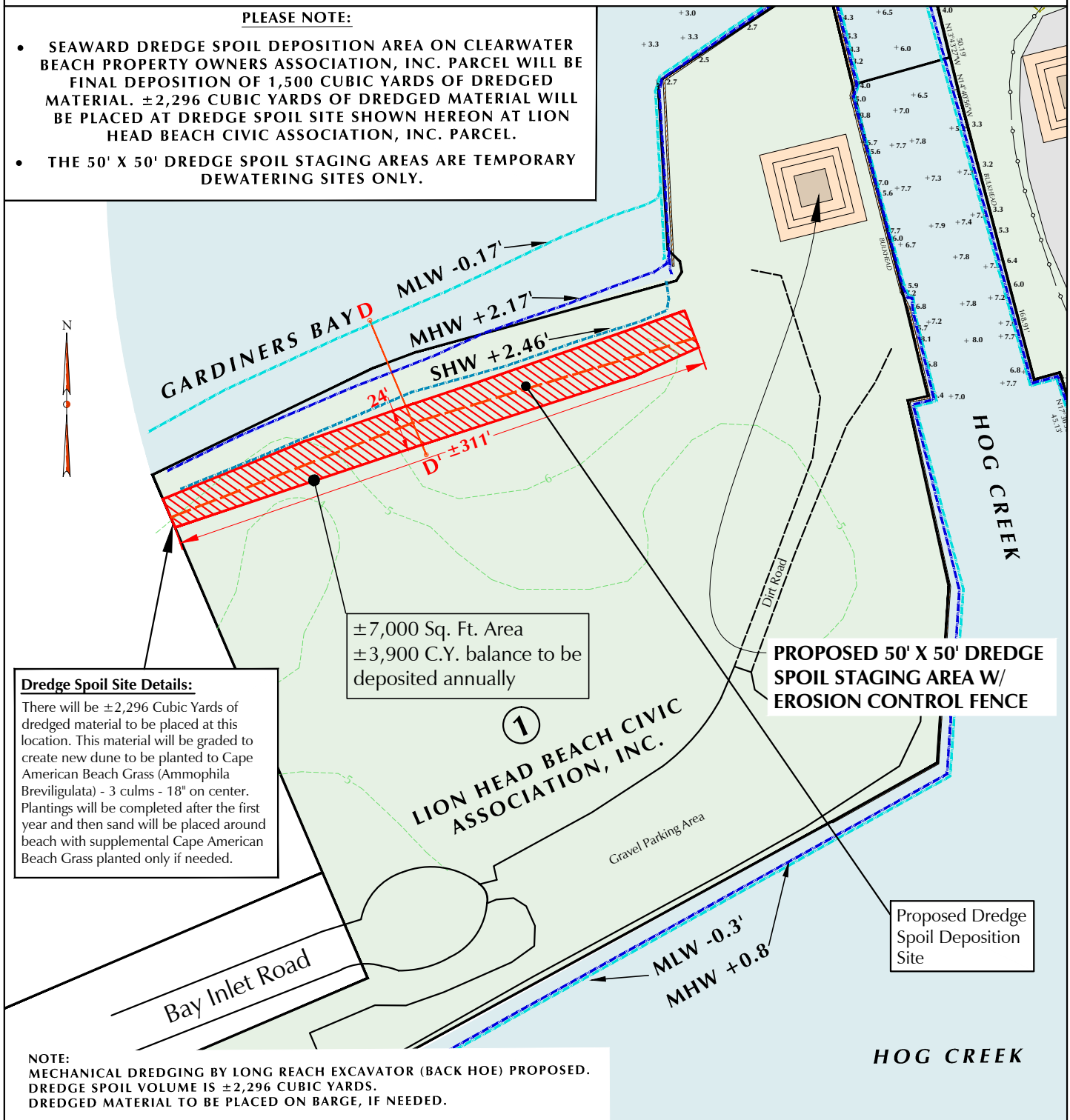
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Date: 2/03/2025



**PLEASE NOTE:**

- SEAWARD DREDGE SPOIL DEPOSITION AREA ON CLEARWATER BEACH PROPERTY OWNERS ASSOCIATION, INC. PARCEL WILL BE FINAL DEPOSITION OF 1,500 CUBIC YARDS OF DREDGED MATERIAL.  $\pm 2,296$  CUBIC YARDS OF DREDGED MATERIAL WILL BE PLACED AT DREDGE SPOIL SITE SHOWN HEREON AT LION HEAD BEACH CIVIC ASSOCIATION, INC. PARCEL.
- THE 50' X 50' DREDGE SPOIL STAGING AREAS ARE TEMPORARY DEWATERING SITES ONLY.



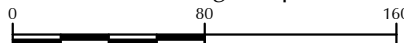
Purpose: Proposed Dredging

Datum: Gardiner's Bay &amp; Channel 1988 datum / Hog Creek datum 1929

Adjacent Property Owners:

- Lion Head Beach Civic Association, Inc.
- Lots 54 & 55, Clearwater Beach Section 1

File: M:\CLIENTS\Clearwater Beach Property Owner's Association\Clearwater ACOE Dredge UPDATE 2025-02-03.dwg

**Lionhead Beach Dredge Deposition Site 1**

Scale: 1"=80'

Client:  
Clearwater Beach Property Owners Association  
237 Kings Point Rd  
East Hampton, NY 11937

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Applicant: Inter-Science Research Associates Inc.  
PO Box 1201, 36 Nugent Street  
Southampton, NY 11969

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Date: 2/03/2025

Please Note:

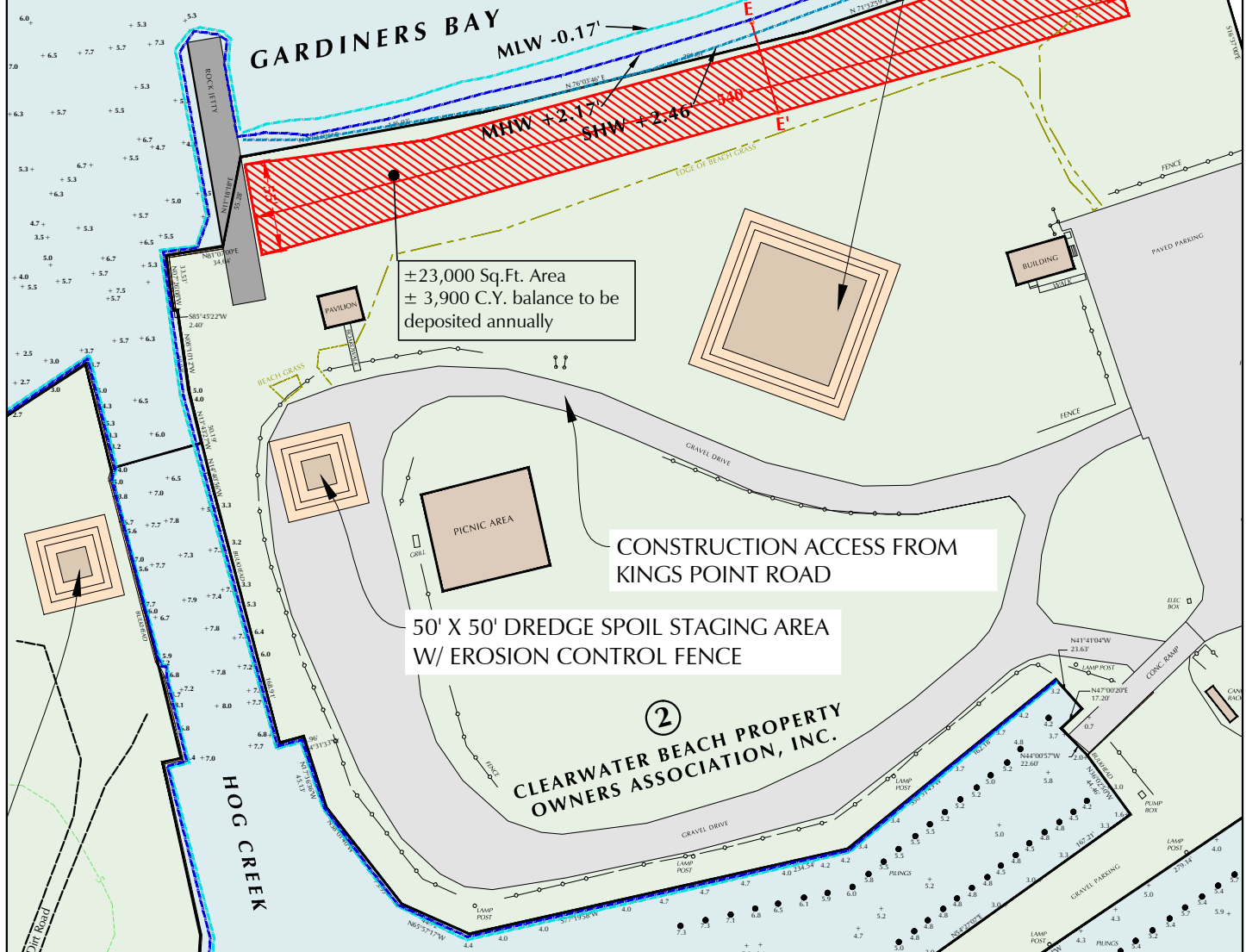
With regard to surrounding dikes, dredged material placed at this location will be graded to create a new dune to be planted to Cape American Beach Grass (*Ammophila breviligulata*) - 3 culms - 18" on center. Cape American Beach Grass plantings will be done after the first year and then the sand will be placed around the surrounding beach grass with supplemental Cape American Beach Grass planted only if needed.

Regarding the 50' X 50' Dredge Spoil Staging Areas (on both properties), they are temporary dewatering sites only.

**NOTES:**

- MECHANICAL DREDGING BY LONG REACH EXCAVATOR (BACK HOE) PROPOSED.
- TOTAL DREDGE SPOIL VOLUME (FROM SPOIL SITES 1 AND 2) IS  $\pm 3,900$  CUBIC YARDS.
- DREDGED MATERIAL TO BE PLACED ON BARGE, IF NEEDED.

100' X 100'  
FINAL DREDGE SPOIL  
DEPOSITION AREA (EXISTING  
FROM EARLIER  
MAINTENANCE DREDGING)



Purpose: Proposed Dredging

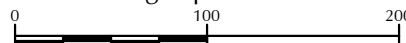
Datum: Gardiner's Bay & Channel 1988 datum /  
Hog Creek datum 1929

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2. Lots 54 & 55, Clearwater Beach Section 1

File: M:\CLIENTS\Cleawater Beach Property Owner's Association\Cleawater ACOE Dredge  
UPDATE 2025-02-03.dwg

## Clearwater Dredge Spoil Site 2 Detail View



Scale: 1"=100'

Client:  
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237 Kings Point Rd  
East Hampton, NY 11937

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Name of Project:  
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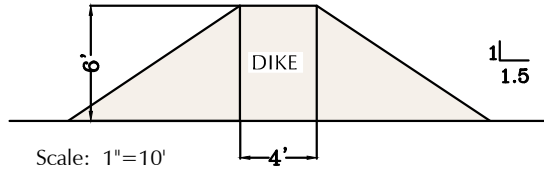
Location of Project:

In: Hog Creek, Gardiner's Bay, Hog Creek Point,  
Clearwater Beach, Kings Point Rd.  
County: Suffolk County  
Applicant: Inter-Science Research Associates Inc.  
PO Box 1201, 36 Nugent Street  
Southampton, NY 11969

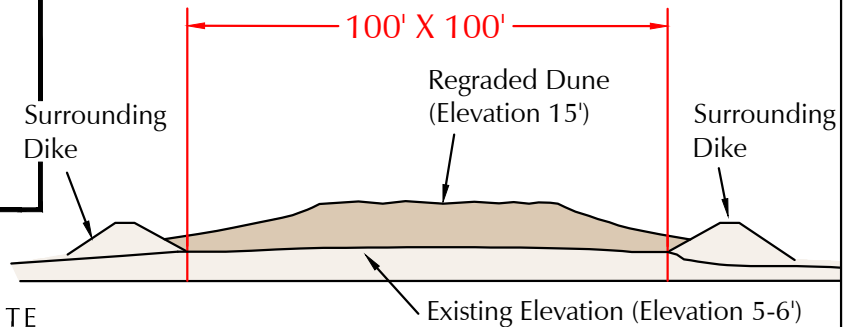
Sheet 6 of 7

Date: 2/03/2025

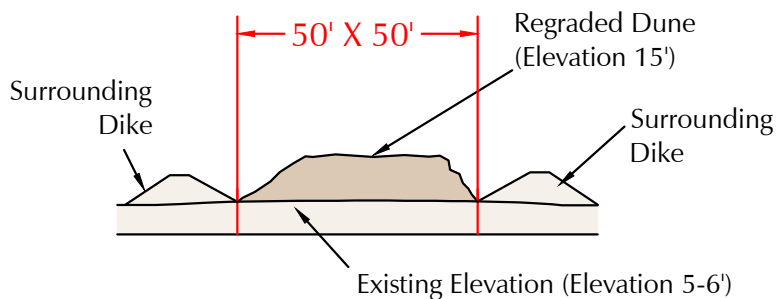
## TYPICAL DIKE SECTION



(TYPICAL)  
CLEARWATER BEACH DREDGE  
SPOILS / GRADING PLAN  
(SPOIL SITE 2 - 1,500 Cubic Yards)



TEMPORARY DEWATERING SITE  
(SPOIL SITE 2 - Clearwater Beach)

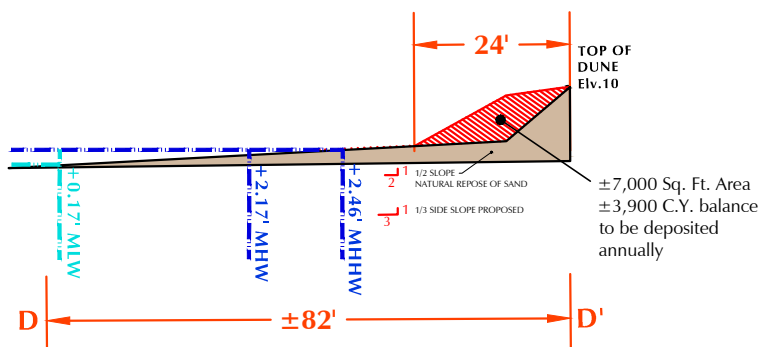


Scale : 1" = 40'

## CROSS SECTIONS of Dredge Spoil Sites 1 and 2

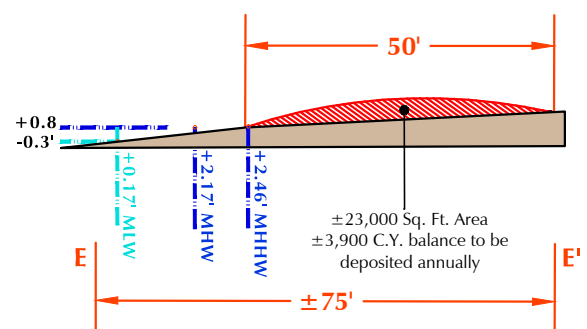
Scale : 1" = 30'

(TYPICAL)  
LIONHEAD BEACH DREDGE DEPOSITION SITE / GRADING PLAN  
(SPOIL SITE 1 - ±2,296 Cubic Yards)



NOTES: ±2,296 CY MATERIAL INITIALLY PLACED AT ERODED DUNE.

(TYPICAL)  
CLEARWATER BEACH DREDGE DEPOSITION SITE /  
GRADING PLAN (SPOIL SITE 2 - ±1,500 Cubic Yards)



NOTES: ±1,500 CY MATERIAL INITIALLY PLACED AT ERODED DUNE.

Purpose: Proposed Dredging

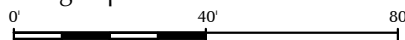
Datum: Gardiner's Bay &amp; Channel 1988 datum / Hog Creek datum 1929

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File: M:\CLIENTS\Clearwater Beach Property Owner's Association\Clearwater ACOE Dredge  
UPDATE 2023-02-03.dwg

## Dredge Spoil Details - Sites 1 and 2



Scale: 1" = 40'

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