



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-2023-00603-WJO

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

APPLICANT: GXG Management, LLC
540 Madison Avenue
New York, NY 10022

ACTIVITY: Ten Year Maintenance Dredging with Upland Disposal

WATERWAY: Gardiners Bay (Shelter Island Sound Watershed)

LOCATION: Gardiners Island Marina, 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 MAILED 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

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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 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

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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 Alexis.J.Johnson@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, GXG Management, LLC, has requested Department of the Army authorization for a ten-year maintenance dredging permit in Gardiners Bay, Town of East Hampton, Suffolk County, New York.

The work would involve the following:

Dredge 2,300 cubic yards (cy) over an area of 53,560 square feet (sf) within the boat basin and inlet at Gardiners Marina and dredge an additional 1,500 cy over an area of 32,575 sf within the deposition basin. The dredging of the boat basin and inlet will be performed to a depth of 8 ft below Mean Low Water (MLW) to an elevation of -8.0, and the dredging of the deposition basin will be performed to a depth of 4 ft below MLW to an elevation of -4.0.

All material will be mechanically dredged using a clam shell bucket on a barge mounted crane and/or land mounted crane and shall be placed as beach fill to the east and west of the inlet over an area of approximately 16,360 sf. Initially, a total of 3,800 cy of material will be dredged over a total area of 86,135 sf, and then every year after for the duration of the permit.

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 Gardiners Bay. Any potential impacts would be temporary and would be offset by implementing best management practices such as turbidity curtains.

The stated purpose of this project is to maintain a safe navigational depth for recreational purposes.

DREDGING AT GARDINERS ISLAND MARINA
SUFFOLK COUNTY, NEW YORK

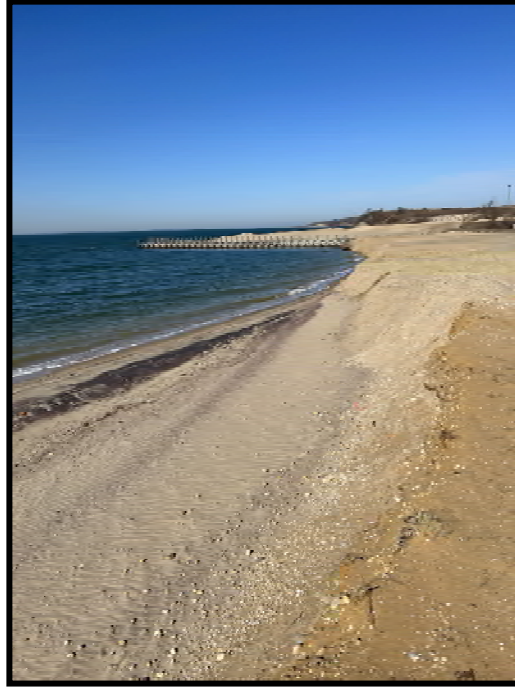


PHOTO 1
(SEE EXISTING CONDITIONS PLAN)



PHOTO 2
(SEE EXISTING CONDITIONS PLAN)

DREDGING AT GARDINERS ISLAND MARINA
EXISTING CONDITIONS PHOTOS MARCH, 2023

SUFFOLK COUNTY, N.Y.



PHOTO 3
(SEE EXISTING CONDITIONS PLAN)



PHOTO 4
(SEE EXISTING CONDITIONS PLAN)

DREDGING AT GARDINERS ISLAND MARINA EXISTING CONDITIONS PHOTOS MARCH, 2023

SUFFOLK COUNTY, N.Y.



PHOTO 5
(SEE EXISTING CONDITIONS PLAN)



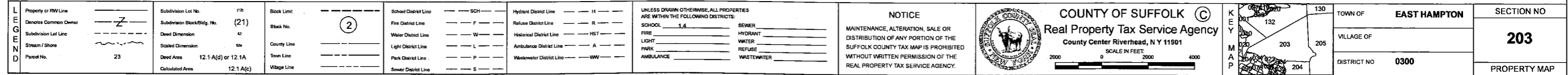
PHOTO 6
(SEE EXISTING CONDITIONS PLAN)

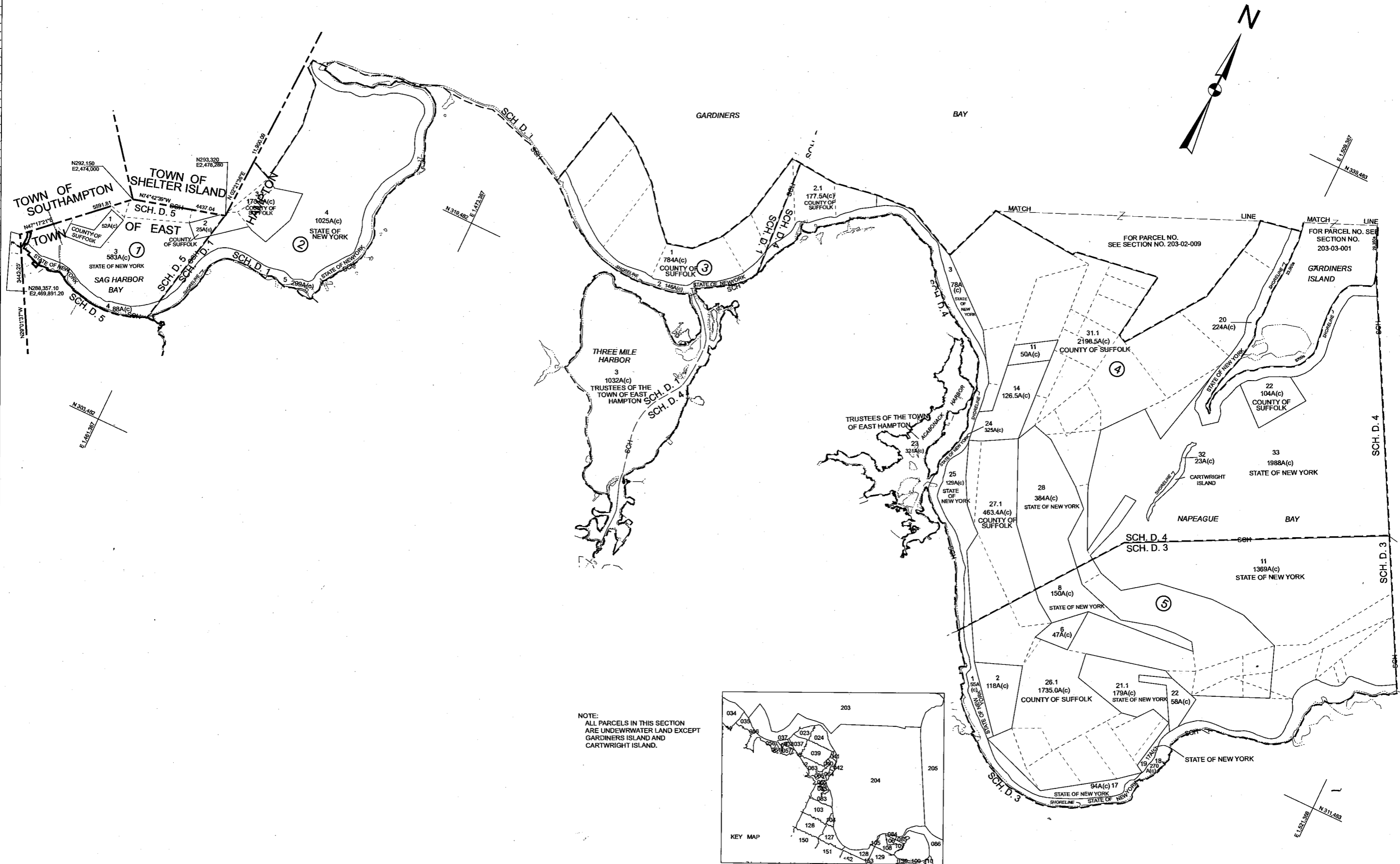
DREDGING AT GARDINERS ISLAND MARINA
EXISTING CONDITIONS PHOTOS MARCH, 2023



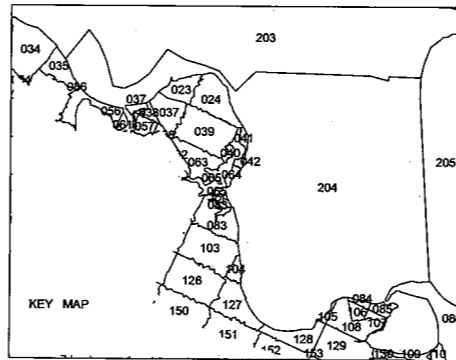
PHOTO 7
(SEE EXISTING CONDITIONS PLAN)

DREDGING AT GARDINERS ISLAND MARINA
EXISTING CONDITIONS PHOTOS MARCH, 2023

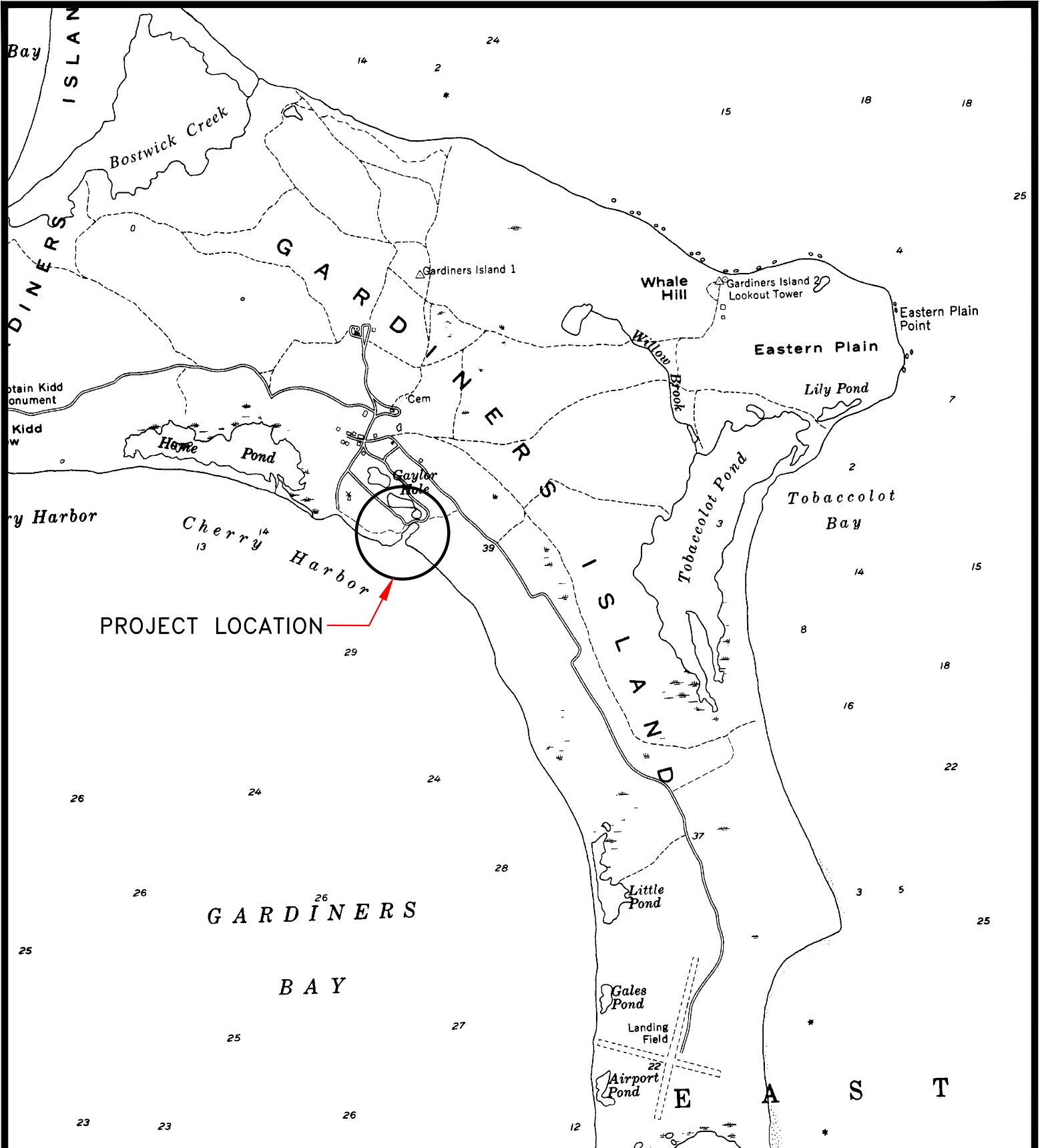
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NOTE:
ALL PARCELS IN THIS SECTION
ARE UNDERWATER LAND EXCEPT
GARDINERS ISLAND AND
CARTWRIGHT ISLAND.



LEGEND Property or RW Line Denotes Common Owner Subdivision Lot Line Stream / Shore	Subdivision Lot No. (17) Subdivision Block/Map No. (21) Deed Dimension Ruled Dimension	Block Limit Block No. (2) County Line	School District Line Fire District Line Water District Line Light District Line	Hydant District Line Refuge District Line Historical District Line Ambulance District Line	UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL 1,3,4,5 FIRE LIGHT PAVIL SEWER HYDRANT WATER REPLINE WATERWATER	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE	COUNTY OF SUFFOLK Real Property Tax Service Agency County Center Riverhead, N.Y. 11901 SCALE IN FEET: 2000 4000	KEY SEE INSET	TOWN OF EAST HAMPTON VILLAGE OF DISTRICT NO. 0300	SECTION NO 204
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GARDINERS ISLAND MARINA DREDGING SUFFOLK COUNTY, VICINITY MAP (USGS QUAD MAP GARDINERS ISLAND EAST, NY)

TOWN OF EAST HAMPTON
SUFFOLK COUNTY, NEW YORK
LONGITUDE: -72.107210
LATITUDE: 41.089591

GRID
NORTH



APRIL 2023
23034.000

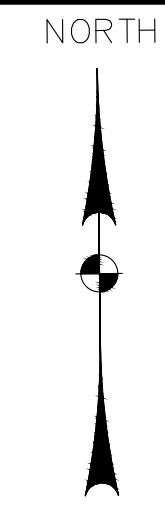


L. K. McLEAN ASSOCIATES, P.C.

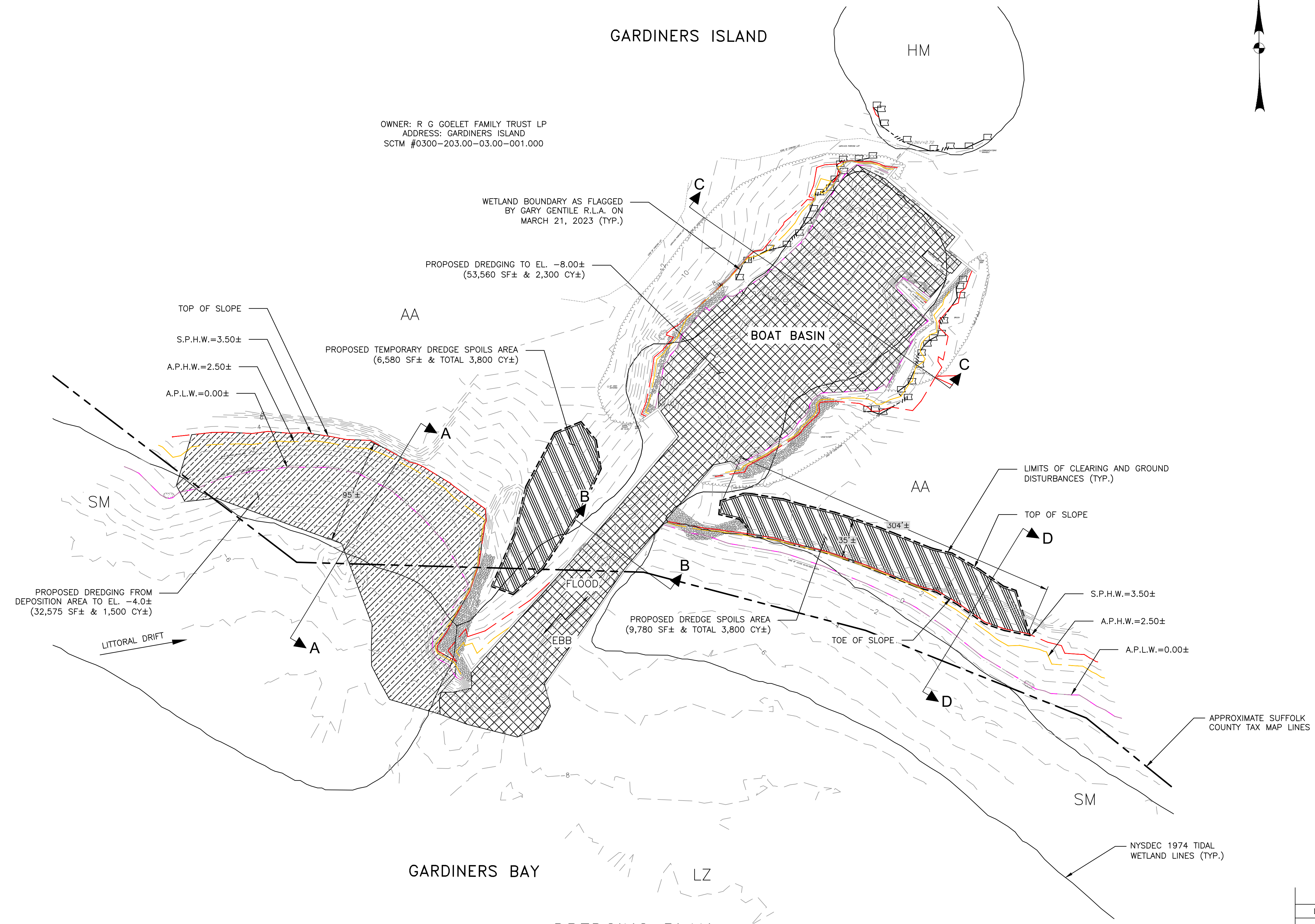
Apr 19, 2023 - 03:45pm

P:\23034.000 Gardiners Marina\Civil DWG\Working Drawings\Vicinity Map - quad map.dwg

Apr. 10, 2023 - 02:21pm
P:\23034.000 Gardiners Marina\Civil DWG\Contract Drawings\Dredging Plan.dwg



- NOTE:**
- HORIZONTAL DATUM IS NEW YORK STATE PLANE COORDINATE SYSTEM NAD83, LONG ISLAND ZONE. THE VERTICAL DATUM IS REFERENCED TO NAVD88.
 - ALL DREDGED MATERIAL IS TO BE CLEAN 100% GRANULAR SAND.
 - A CLAM SHELL BUCKET SHALL BE USED ON EITHER A BARGE MOUNTED CRANE AND/OR LAND MOUNTED CRANE TO PERFORM THE DREDGING/EXCAVATION OPERATION.
 - TOTAL AREA OF DREDGING IS EQUAL TO 86,135± S.F.
 - NO FILL SHALL BE PLACED BELOW S.P.H.W.
 - ALL DREDGING TO BE PERFORMED WITHIN THE LIMITS WHERE SHOWN ON THE PLAN. AN INITIAL VOLUME OF 3,800 CY± SHALL BE DREDGED AND DONE SO EACH YEAR THEREAFTER. A TOTAL OF 1,500 CY± SHALL BE DREDGED FROM THE DEPOSITION BASIN AND 2,300 CY± SHALL BE DREDGED FROM THE BOAT BASIN AND INLET.

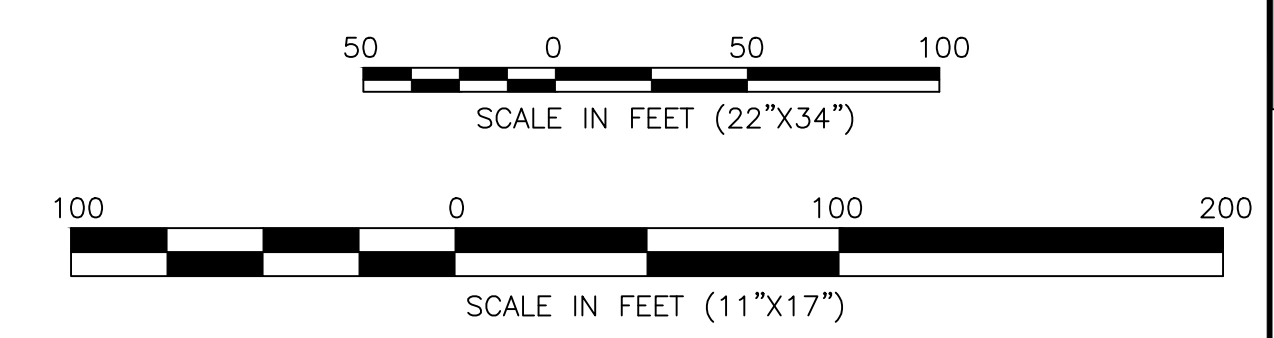


LEGEND

- APPROXIMATE SUFFOLK COUNTY TAX MAP LINES
- SCTM #: 1000-117.00-08.00-021.000 SECTION-BLOCK-LOT
- NYSDEC 1974 TIDAL WETLAND LINES
- [Cross-hatched box] LIMITS OF PROPOSED DREDGING WITHIN BOAT BASIN & INLET TO EL. -8.00± (53,560 SF± & 2,300 CY±)
- [Diagonal hatched box] PROPOSED DREDGE SPOILS AREAS (TOTAL 16,360 SF± & 3,800 CY±)
- [Horizontal hatched box] DREDGE DEPOSITION AREA TO EL. -4.0± (32,575 SF± & 1,500 CY±)
- - - - - EXISTING CONTOURS
- [Dashed line with cross-ticks] WETLAND BOUNDARY AS FLAGGED BY GARY GENTILE R.L.A. ON MARCH 21, 2023
- LIMITS OF CLEARING AND GROUND DISTURBANCES

DREDGING PLAN

SCALE 1"=50' (22"x34")
SCALE 1"=100' (11"x17")
SCALE 1"=150' (8.5"x11")



APPLICANT NAME: GXG MANAGNT, LLC	PROJECT DESCRIPTION: DREDGING	HORIZONTAL DATUM IS IN THE NEW YORK STATE PLANE COORDINATE SYSTEM NAD83 (2011). THE VERTICAL DATUM IS NAVD88 (GEOID12A)	DATUM: SPHW=3.50± APHW=2.50± APLW=0.00±	ADJACENT WATER BODY: GARDINERS BAY
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DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
		GXG MANAGEMENT, LLC SUFFOLK COUNTY, NEW YORK	
		DREDGING AT GARDINERS ISLAND MARINA	
		DREDGING PLAN	
		L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11719	
Designed By:	KJM	Scale: AS SHOWN	Sheet No.
Drawn By:	RAC	Date: APRIL 2023	1 OF 4
Approved By:	RAS	File No. 23034.000	

Apr 10, 2023 -- 02:22pm
P:\23034.000 Gardiners Marina\Civil DWG\Contract Drawings\Existing Conditions Plan.dwg



PLAN

SCALE 1"=50' (22"x34"), SCALE 1"=100' (11"x17"), SCALE 1"=150' (8.5"x11")

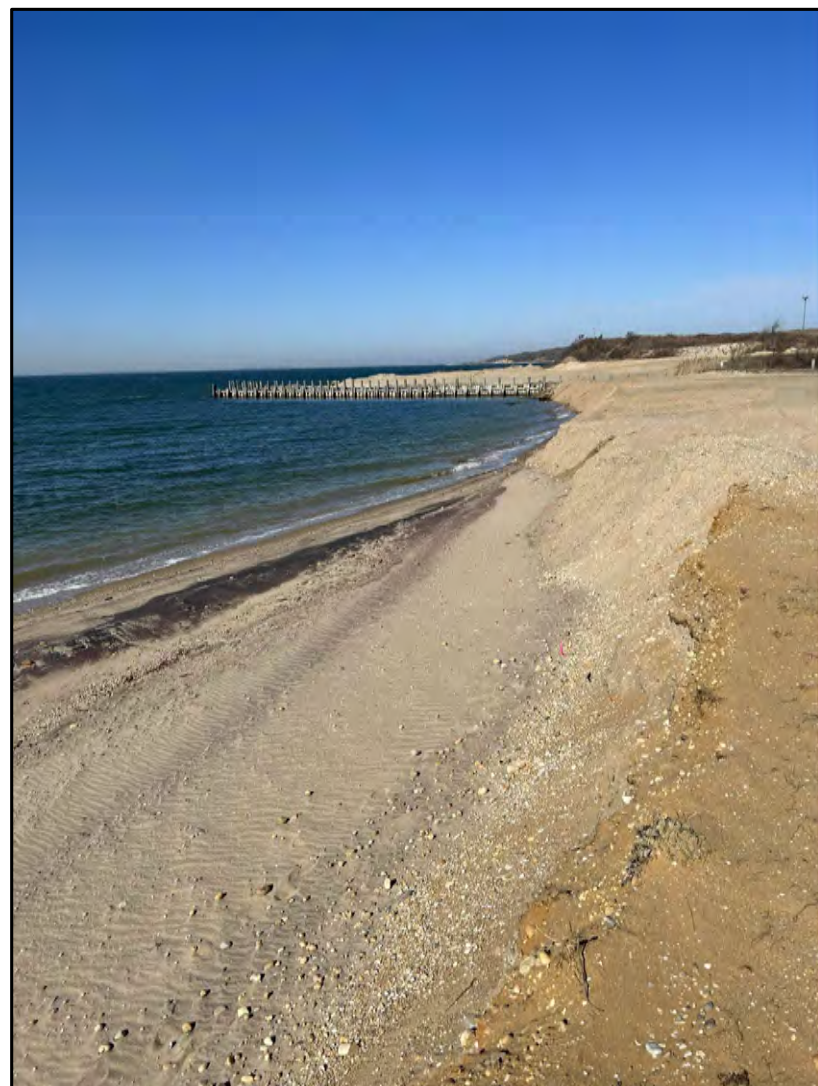


PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



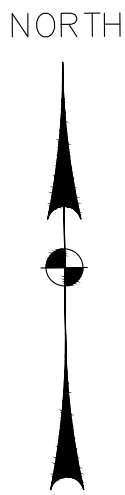
PHOTO 5



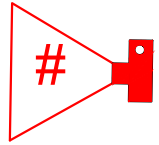
PHOTO 6



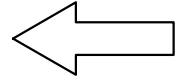
PHOTO 7



LEGEND





DIRECTION OF
PHOTO TAKEN



50 0 50 100
SCALE IN FEET (22"x34")

100 0 100 200
SCALE IN FEET (11"x17")

SCALE IN FEET (1"=1')			
DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
	GXG MANAGEMENT, LLC SUFFOLK COUNTY, NEW YORK		
	DREDGING AT GARDINERS ISLAND MARINA		
	EXISTING CONDITIONS PLAN		
	L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11719		
	Designed By: KJM	Scale: AS SHOWN	Sheet No.
	Drawn By: RAC	Date: APRIL 2023	2 OF 4
Approved By: RAS	File No. 23034.000		

APPLICANT NAME:
GXG MANAGMENT, LLC

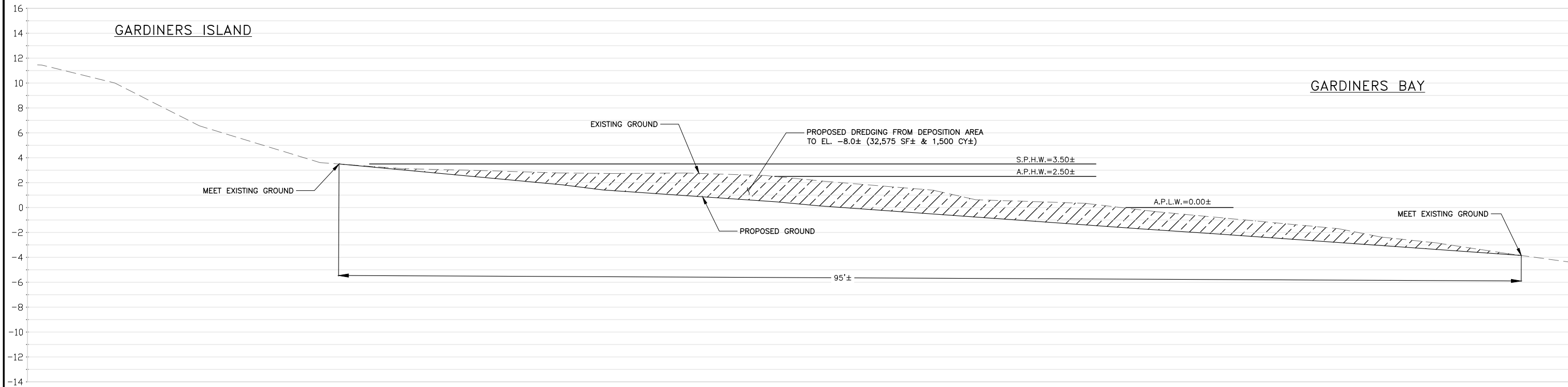
PROJECT DESCRIPTION: DREDGING

HORIZONTAL DATUM IS IN THE NEW YORK STATE PLANE
COORDINATE SYSTEM NAD83 (2011).
THE VERTICAL DATUM IS NAVD88 (GEOID12A)

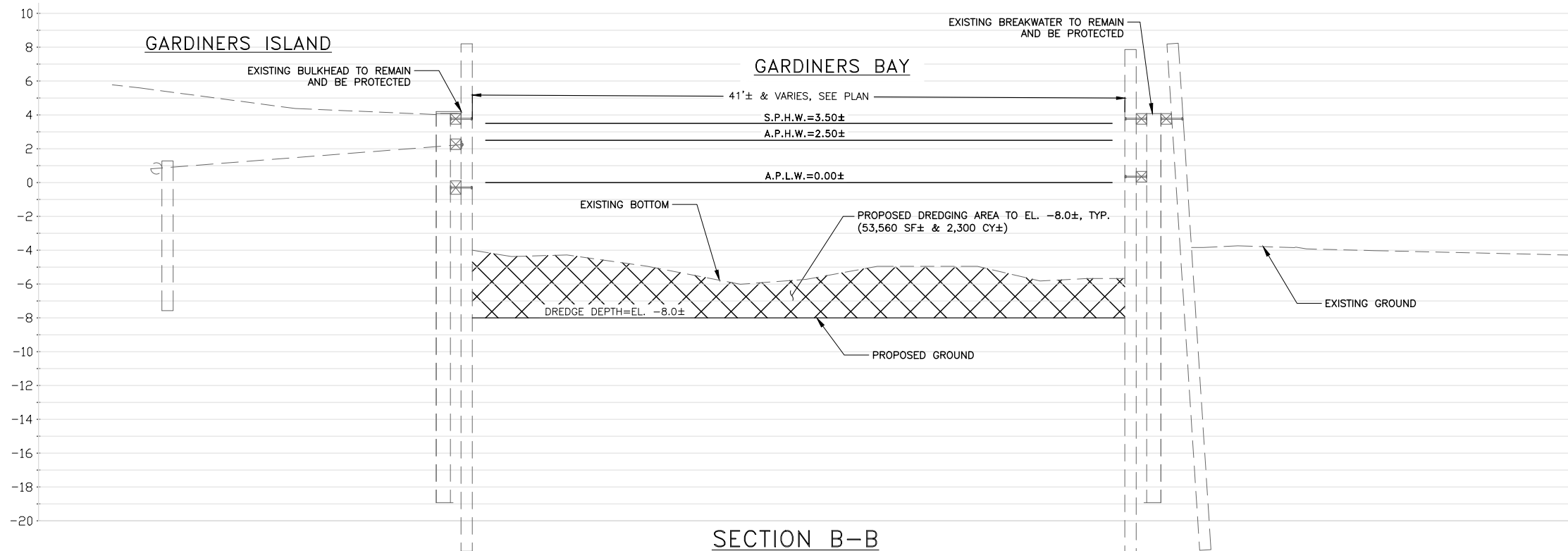
DATUM: SPHW=3.50±
APHW=2.50±
APLW=0.00±

ADJACENT WATER BODY:
GARDINERS BAY

Apr 10, 2023 - 02:22pm
P:\23034.000 Gardiners Marina\Civil DWG\Contract Drawings\Typical Sections.dwg





SECTION A-A
(SECTION THROUGH DEPOSITION BASIN)
SCALE 1"=4' (22"X34")



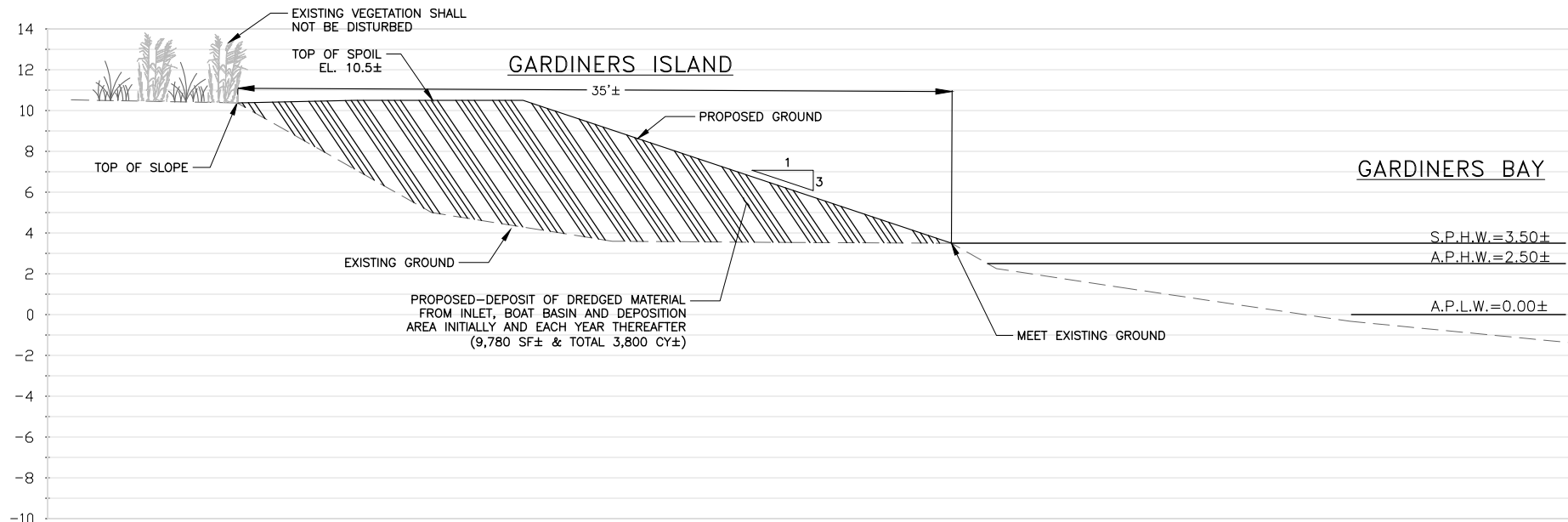
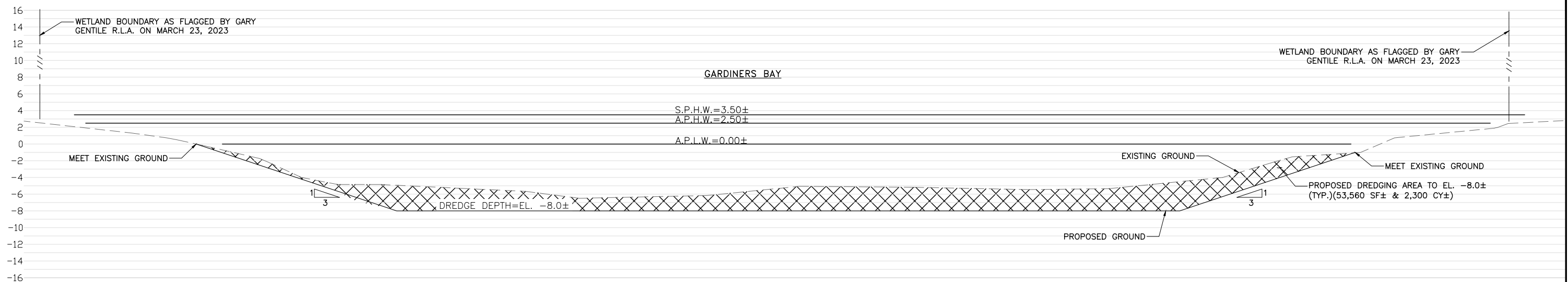
SECTION B-B
(SECTION THROUGH INLET)
SCALE 1"=4' (22"X34")

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DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
		GXG MANAGEMENT, LLC SUFFOLK COUNTY, NEW YORK	
		DREDGING AT GARDINERS ISLAND MARINA	
		TYPICAL SECTIONS – 1	
		L. K. McLEAN ASSOCIATES, P.C.	
		CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11719	
		Designed By: KJM	Scale: AS SHOWN
Drawn By: RAC	Date: APRIL 2023	Sheet No. 3 OF 4	
Approved By: RAS	File No. 23034.000		


APPLICANT NAME: GXG MANAGMENT, LLC	PROJECT DESCRIPTION: DREDGING	HORIZONTAL DATUM IS IN THE NEW YORK STATE PLANE COORDINATE SYSTEM NAD83 (2011). THE VERTICAL DATUM IS NAVD88 (GEOID12A)	DATUM: SPHW=3.50± APHW=2.50± APLW=0.00±	ADJACENT WATER BODY: GARDINERS BAY
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Apr 10, 2023 - 02:22pm
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DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
		GXG MANAGEMENT, LLC SUFFOLK COUNTY, NEW YORK	
		DREDGING AT GARDINERS ISLAND MARINA	
		TYPICAL SECTIONS – 2	
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11719			
Designed By:	KJM	Scale:	AS SHOWN
Drawn By:	RAC	Date:	APRIL 2023
Approved By:	RAS	File No.	23034.000
			Sheet No. 4 OF 4