



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-2024-00843-MOS
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: Robins Island Holdings
Attn: Peter Talty
11 Times Square, 37th Floor
New York, New York 10036

ACTIVITY: Ten-Year Maintenance Dredging, Upland Disposal, and Return Flow

WATERWAY: Cutchogue Harbor

LOCATION: 380 First Street, 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND EMAILED TO jarod.r.ostir@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

CENAN-OP-RM
MEMORANDUM FOR THE RECORD

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

CENAN-OP-RM
MEMORANDUM FOR THE RECORD

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 Jarod Ostir of this office at 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

CENAN-OP-RM
MEMORANDUM FOR THE RECORD

WORK DESCRIPTION

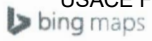
The applicant, Robins Island Holdings, has requested Department of the Army authorization for 10-year Maintenance Dredging at 380 First Street in Cutchogue Harbor, Town of Southold, Suffolk County, New York.

The proposed work would involve the following: Dredge with ten-year maintenance via land mounted crane and clamshell bucket, approximately 400 cubic yards (CY) of material from an approximately 17,200 square foot (SF) area to 7 feet below Mean Low Water. All dredged material will be placed across a 7,700 SF approved upland dewatering storage area, landward of Spring High Water, with return flow to the waterway.

The applicant plans to conduct two dredging events per year with 400 CY of material to be removed during each event from within the same dredging area with the same dewatering and disposal locations.

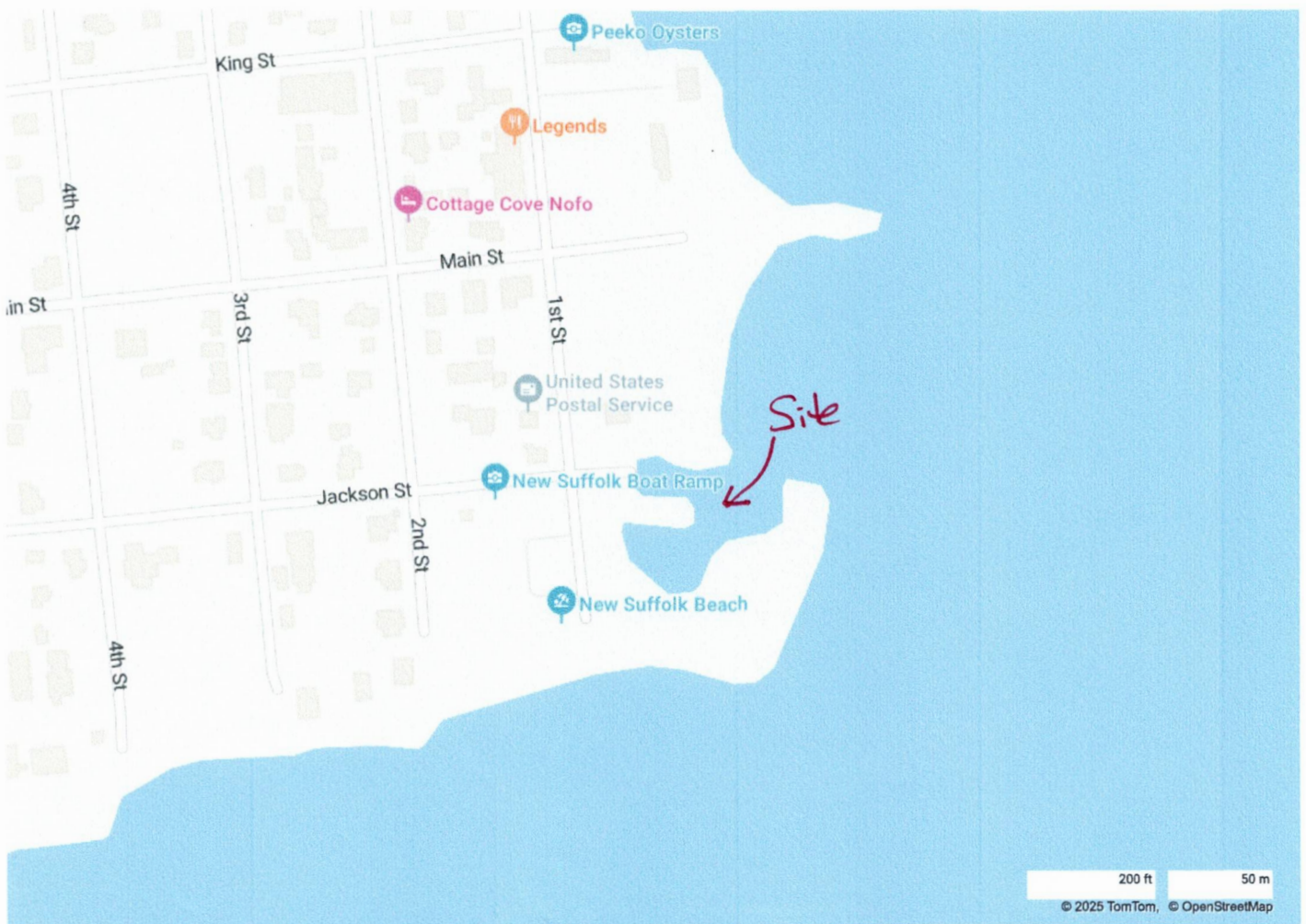
The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation. Any potential impacts would be temporary and would be offset by implementing best management practices including the use of a turbidity curtain around the dredge area to minimize turbidity.

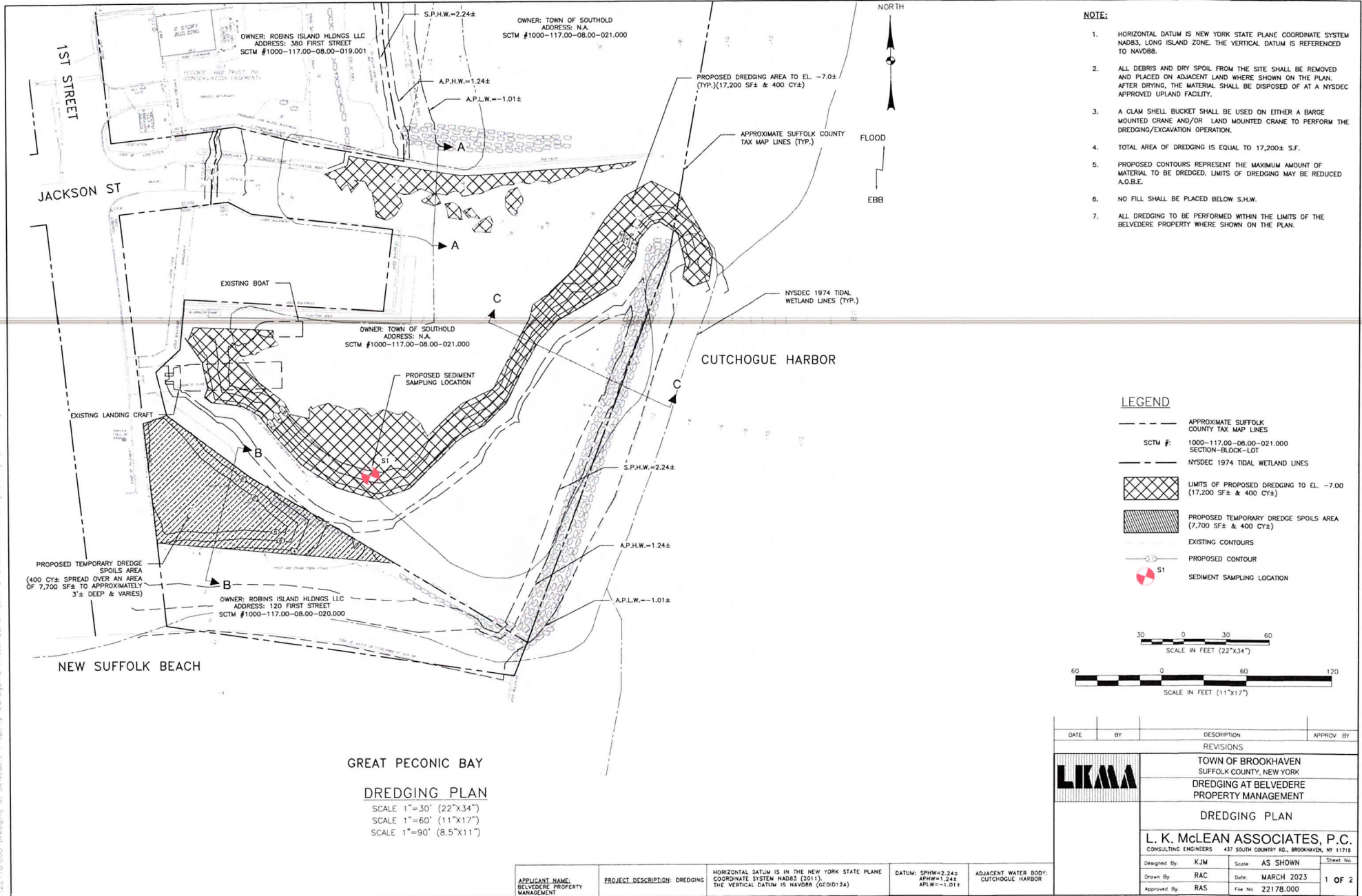
The stated purpose of this project is to remove sediments that have built up in the inner channel to the public boat ramp and the boat basin.



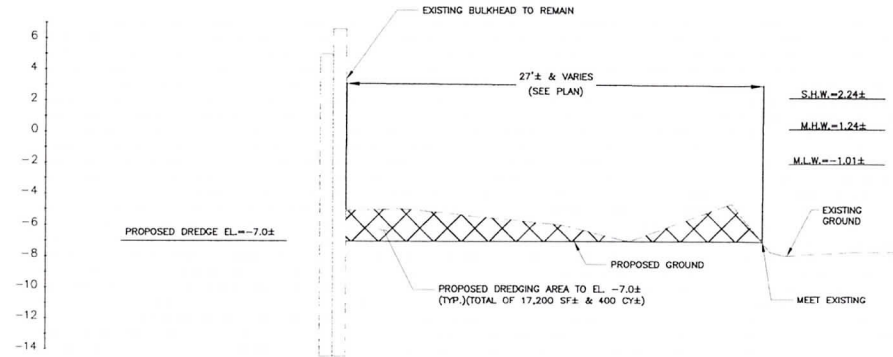
Notes

Robins Island Holdings





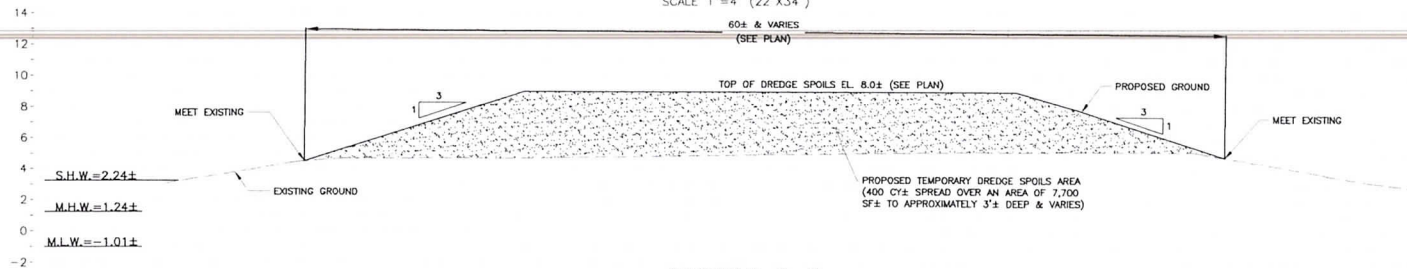
Apr 14, 2023 - 02:28pm
F:\22178.000 Dredging at Belvedere Property Management\New Suffolk Civil DWG\Contract Drawings\Drawings\Sections.dwg



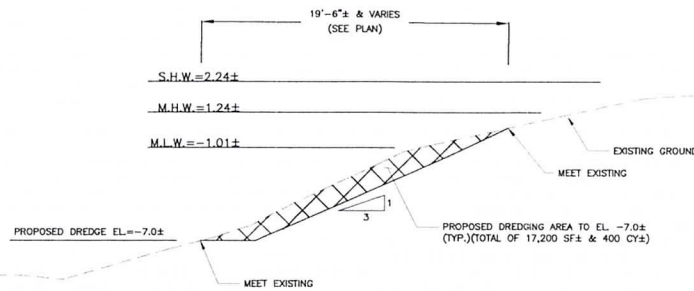
NOTE:

1. HORIZONTAL DATUM IS NEW YORK STATE PLANE COORDINATE SYSTEM NAD83, LONG ISLAND ZONE. THE VERTICAL DATUM IS REFERENCED TO NAVD83.
2. ALL DEBRIS AND DRY SPOIL FROM THE SITE SHALL BE REMOVED AND PLACED ON ADJACENT LAND WHERE SHOWN ON THE PLAN. AFTER DRYING, THE MATERIAL SHALL BE DISPOSED OF AT A NYSDEC APPROVED UPLAND FACILITY.
3. A CLAM SHELL BUCKET SHALL BE USED ON EITHER A BARGE MOUNTED CRANE AND/OR LAND MOUNTED CRANE TO PERFORM THE DREDGING/EXCAVATION OPERATION.
4. TOTAL AREA OF DREDGING IS EQUAL TO 17,200± S.F.
5. PROPOSED CONTOURS REPRESENT THE MAXIMUM AMOUNT OF MATERIAL TO BE DREDGED. LIMITS OF DREDGING MAY BE REDUCED A.O.B.E.
6. NO FILL SHALL BE PLACED BELOW S.H.W.
7. ALL DREDGING TO BE PERFORMED WITHIN THE LIMITS OF THE BELVEDERE PROPERTY WHERE SHOWN ON THE PLAN.
8. A MAXIMUM OF 400 CY SHALL BE STORED ON ADJACENT LAND AT ANY GIVEN TIME.

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



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



SECTION C-C
SCALE 1"=4' (22"X34")

CUTCHOGUE HARBOR

S.H.W.=2.24±
M.H.W.=1.24±

DATE	BY	DESCRIPTION	APPROV. BY
REVISIONS			
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK DREDGING AT BELVEDERE PROPERTY MANAGEMENT			
TYPICAL SECTIONS			
L. K. McLEAN ASSOCIATES, P.C. CONSULTING ENGINEERS 437 SOUTH COUNTRY RD., BROOKHAVEN, NY 11715			
Designed By:	KJM	Scale:	AS SHOWN
Drawn By:	RAC	Date:	MARCH 2023
Approved By:	RAS	File No:	22178.000

APPLICANT NAME: BELVEDERE PROPERTY MANAGEMENT	PROJECT DESCRIPTION: DREDGING	HORIZONTAL DATUM IS IN THE NEW YORK STATE PLANE COORDINATE SYSTEM NAD83 (2011). THE VERTICAL DATUM IS NAVD83 (GEOID 2A)	DATUM: S.H.W.=2.24± M.H.W.=1.24± M.L.W.=1.01±	ADJACENT WATER BODY: CUTCHOGUE HARBOR
---	-------------------------------	---	---	--