New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, Albany, New York 12233-4757
Phone: (518) 402-8935 • **FAX:** (518) 402-8925
Website: www.dec.state.ny.us

Erin M. Crotty
Commissioner

July 7, 2004

Keith Holley
Greenman Pedersen, Inc
325 West Main St
Babylon, NY 11702

Dear Mr. Holley:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Smith Point County Park Multiuse Pier, Proj. 2002 303, area as indicated on the map you provided, located in the Town of Shirley, Suffolk County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

This project location is within, or adjacent to, a designated Significant Coastal Fish and Wildlife Habitat. This habitat is part of New York State's Coastal Management Program (CMP), which is administered by the NYS Department of State (DOS). Projects which may impact the habitat are reviewed by DOS for consistency with the CMP. For more information regarding this designated habitat and applicable consistency review requirements, please contact:

Jeff Zappieri or Vance Barr - (518) 474-6000
NYS Department of State
Division of Coastal Resources and Waterfront Revitalization
41 State Street, Albany, NY 12231

The presence of rare species may result in your project requiring additional permits, permit conditions, or review. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should NOT be substituted for on-site surveys that may be required for environmental impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

Charlene Houle jp

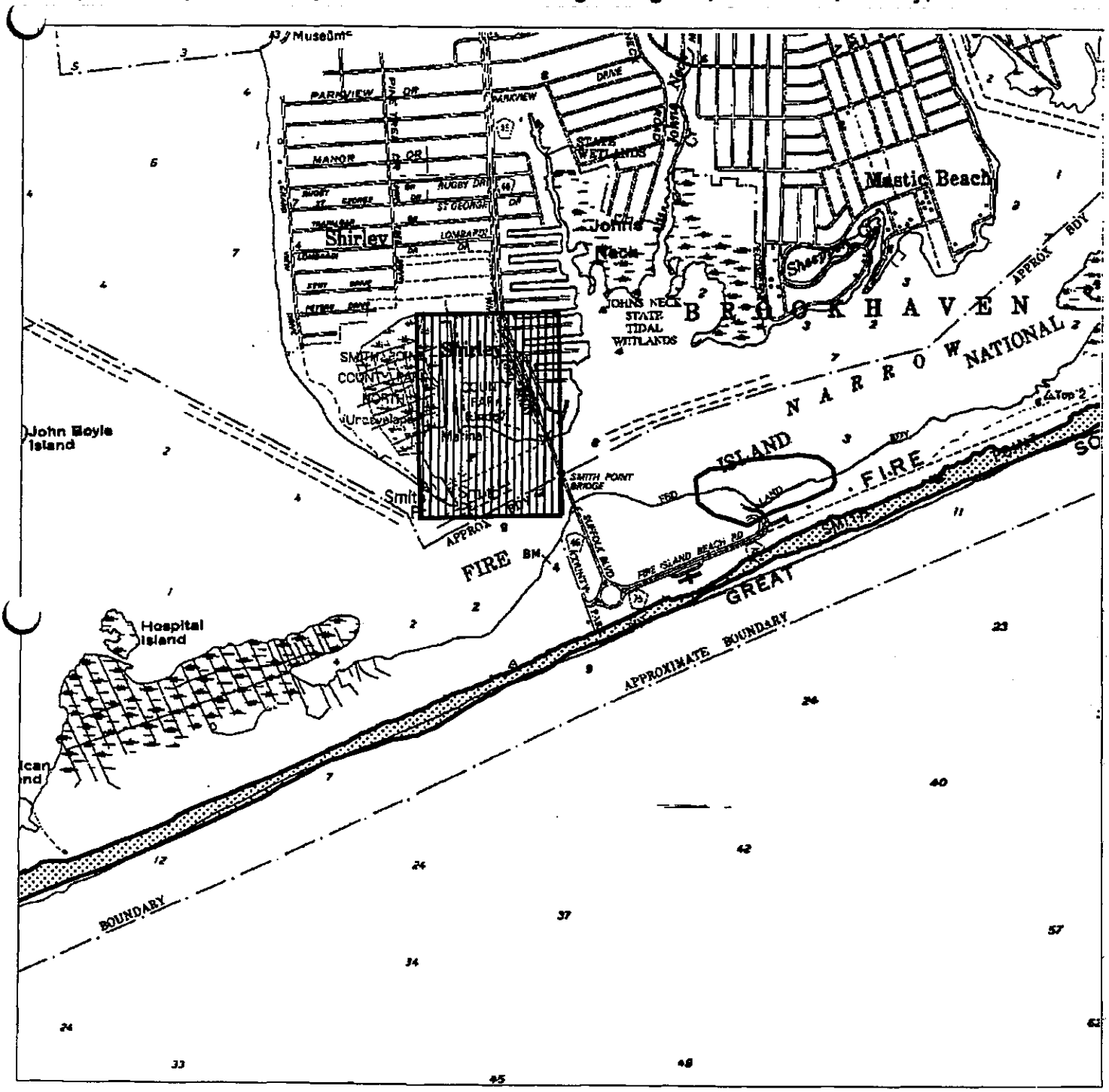
Charlene Houle
Information Services
NY Natural Heritage Program

Encs.

cc: Reg. 1, Wildlife Mgr.
Reg. 1, Fisheries Mgr.
Peter Nye, Endangered Species Unit, Albany

Natural Heritage Map of Rare Species and Ecological Communities

Prepared July 1, 2004 by the NY Natural Heritage Program, NYS DEC, Albany, NY



Map Overview

Project boundary

New York Natural Heritage Program Database Records

- Animal
- Community
- Animal Concentration Area
- Plant

N

Scale: 1:24,000

0.5 0 0.5 Miles

*The locations that are displayed are considered sensitve and cannot be released to the public without permission. We do not provide map locations for all records. Please see report for details.

Natural Heritage Report on Rare Species and Ecological Communities

Prepared 1 July 2004 by NY Natural Heritage Program, NYS DEC, Albany, New York

This report contains SENSITIVE information that should be treated in a sensitive manner -- Please see cover letter. Refer to the Users' Guide for explanations of codes, ranks, and fields.
We do not always provide maps of locations of species most vulnerable to disturbance, nor of some records whose locations and/or extents are not precisely known or are too large to display.

* County
** Town

Scientifc Name, COMMON NAME, & Group Name	NY Legal Status, Heritage Ranks, & Federal Status	EO Rank & Last Seen	Detailed Location	General Habitat and Quality	Office Use
* NY STATE WATERS, SUFFOLK					
** BABYLON, NY STATE WATERS, BROOKHAVEN, ISLIP					
MARITIME BEACH Community	UNPROTECTED G5 S5	AB 2001-09-28	FIRE ISLAND The beach along the south shore of Fire Island from Democrat Point east to Moriches Inlet. Access to Fire Island is via Robert Moses Causeway or William Floyd Parkway or by ferry.	A large sandy maritime beach along the south shore of a barrier island. The maritime beach extends 32 miles along the south shore of Fire Island from Democrat Point east to Moriches Inlet. The maritime beach grades into marine intertidal gravel/sand beach seaward. A 32 mile long maritime beach along the south shore of Fire Island, 7 miles of which is designated as Federal Wilderness Area where driving is not allowed for most of the year. Natural processes are affected by stablization and nourishment in some areas	4007363
* SUFFOLK					
** BROOKHAVEN					
Sterna antillarum LEAST TERN Bird	THREATENED G4 S3B (PS:LE)		SMITH POINT SHIRLEY Shirley (Smith Point) from the junction of Route 27 and William Floyd Parkway, follow parkway 5 mi south to john o'hara drive, west on john o'hara drive to dirt entrance road to marina. Colony between the road and parkway. The birds nest on the berm	For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.	4007267 S ESU

2 Records Processed

Significant Habitats

DATE 7/1/2004

REPORT ID #	NAME OF AREA	TYPE OF AREA	COUNTY	TOWN OR CITY	QUADRANGLE
SW 52-501	Great South Bay	Protected Coastal Bay	Suffolk	Brookhaven	Howells Point
SW 52-502	Moriches Bay	Protected Coastal Bay	Suffolk	Brookhaven	Pattersquash Island

DIVISION OF ENVIRONMENTAL PERMITS

June 2001

REGION	COUNTIES	REGIONAL PERMIT ADMINISTRATORS
1	Nassau & Suffolk Telephone: (631) 444-0365	John Pavacic NYS-DEC BLDG 40 SUNY at Stony Brook Stony Brook, NY 11790-2356
2	New York City (Boroughs of Manhattan, Brooklyn, Bronx, Queens, & Staten Island Telephone: (718) 482-4997	John Cryan NYS-DEC One Hunters Point Plaza 47-40 21st Street Long Island City, NY 11101-5407
3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster & Westchester Telephone: (845) 256-3054	Margaret Duke (Peg) NYS-DEC 21 South Putt Corners Road New Paltz, NY 12561-1696
4	Albany, Columbia, Greene, Montgomery, Rensselaer & Schenectady Telephone: (518) 357-2069	William Clarke NYS-DEC 1150 North Wescott Road Schenectady, NY 12306-2014
4 (sub-office)	Delaware, Otsego & Schoharie Telephone: (607) 652-7741	John Feltman NYS-DEC Route 10 HCR#1, Box 3A Stamford, NY 12167-9503
5	Clinton, Essex, Franklin & Hamilton Telephone: (518) 897-1234	Richard Wild NYS-DEC Route 86, PO Box 296 Ray Brook, NY 12977-0296
5 (sub-office)	Fulton, Saratoga, Warren & Washington Telephone: (518) 623- 1281	Thomas Hall* NYS-DEC County Route 40 PO Box 220 Warrensburg, NY 12885-0220
6	Jefferson, Lewis & St. Lawrence Telephone: (315) 785-2245	Brian Fenlon NYS-DEC State Office Building 317 Washington Street Watertown, NY 13601-3787
6 (sub-office)	Herkimer & Oneida Telephone: (315) 793-2555	J. Joseph Hornburger* NYS-DEC State Office Building 207 Genesee Street Utica, NY 13501-2885

USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 625 Broadway, Albany, NY, 12233-4757 (518) 402-8935

NATURAL HERITAGE PROGRAM: The Natural Heritage Program is an ongoing, systematic, scientific inventory whose goal is to compile and maintain data on the rare plants and animals native to New York State, and significant ecological communities. The data provided in the report facilitate sound planning, conservation, and natural resource management and help to conserve the plants, animals and ecological communities that represent New York's natural heritage.

DATA SENSITIVITY: The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should not be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

NATURAL HERITAGE REPORTS (may contain any of the following types of data):

COUNTY NAME: County where the occurrence of a rare species or significant ecological community is located.
TOWN NAME: Town where the occurrence of a rare species or significant ecological community is located.
USGS 7 ½' TOPOGRAPHIC MAP: Name of 7.5 minute US Geological Survey (USGS) quadrangle map (scale 1:24,000).

SIZE (acres): Approximate acres occupied by the rare species or significant ecological community at this location. A blank indicates unknown size.
SCIENTIFIC NAME: Scientific name of the occurrence of a rare species or significant ecological community.
COMMON NAME: Common name of the occurrence of a rare species or significant ecological community.
ELEMENT TYPE: Type of element (i.e. plant, animal, significant ecological community, other, etc.)

LAST SEEN: Year rare species or significant ecological community last observed extant at this location.

EO RANK: Comparative evaluation summarizing the quality, condition, viability and defensibility of this occurrence. Use with LAST SEEN.
A-E = Extant: A=excellent, B=good, C=fair, D=poor, E=extant but with insufficient data to assign a rank of A - D.
F = Failed to find. Did not locate species, but habitat is still there and further field work is justified.
H = Historical. Historical occurrence without any recent field information.
X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.
? = Unknown.
Blank = Not assigned.

NEW YORK STATE STATUS (animals): Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

E = Endangered Species: any species which meet one of the following criteria:
1) Any native species in imminent danger of extirpation or extinction in New York.
2) Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

T = Threatened Species: any species which meet one of the following criteria:
1) Any native species likely to become an endangered species within the foreseeable future in NY.
2) Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.

SC = Special Concern Species: those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law section 11-0535 (Endangered and Threatened Species).

P = Protected Wildlife (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.

U = Unprotected (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.

G = Game (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

NEW YORK STATE STATUS (plants): The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

E = Endangered Species: listed species are those with:
1) 5 or fewer extant sites, or
2) fewer than 1,000 individuals, or
3) restricted to fewer than 4 U.S.G.S. 7 ½ minute topographical maps, or
4) species listed as endangered by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

T = Threatened: listed species are those with:
1) 6 to fewer than 20 extant sites, or
2) 1,000 to fewer than 3,000 individuals, or
3) restricted to not less than 4 or more than 7 U.S.G.S. 7 and ½ minute topographical maps, or
4) listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

R = Rare: listed species have:
1) 20 to 35 extant sites, or
2) 3,000 to 5,000 individuals statewide.

V = Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

= Unprotected; no state status.

continued on next page

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

RONALD F. FOLEY
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

SEQRA
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Lead Agency: Suffolk County Capital Project # 7162

Address: Suffolk County Parks
P.O. Box 144
West Sayville, NY 11796 Date: September 7, 2006

This notice is issued pursuant to Title 6 NYCRR Part 617 and Suffolk County Local Law # 22-1985 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The County of Suffolk, as lead agency, has determined that the proposed action described below will **not** have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Title of Action: Smith Point County Park Beach Nourishment Project, Shirley, Town of Brookhaven (NYSDEC Permit # 1-4722-0134/00034).

SEQR Status: Type I
Unlisted

Conditional Negative Declaration: Yes
X No

Description of Action:
The project involves:

1. Place ~ 150,000 CY along ~4,000 LF ("West Nourishment Area")
2. Place ~75,000 CY along ~ 2,500 LF and construct dune by scraping ~15,000 CY along ~ 2,500 LF ("Central Nourishment Area")

3. Place either ~75,000 CY along ~ 2,500 LF and construct dune by scraping ~ 15,000 CY along ~ 2,500LF ("East Nourishment Area, Alternative A & C") or, place ~125,000 CY along ~ 4,000 LF and construct dune by scraping ~ 15,000 CY along ~2,500 LF ("East Nourishment Area, Alternate B")

Location: Smith Point County Park, Town of Brookhaven

Reasons Supporting This Determination:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. The project's purpose is to protect and repair the primary dune and unique habitat of the barrier beach.

For Further Information:

Contact Person: Ronald F. Foley, Commissioner
Address: P.O. Box 144
West Sayville, NY 11796
Telephone Number: (631) 854-4949

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

RONALD F. FOLEY
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

RECEIVED
AUG 18 2006
DEPT. OF PUBLIC WORKS
CHIEF ENGINEER' OFFICE
DOCUMENT NO. 11198

August 14, 2006

Steve Papa
Senior Biologist
U.S. Fish & Wildlife Service
Long Island Field Office
500 St. Mark's Lane
Islip, NY 11751

Dear Steve;

I have received your email requesting the status of piping plover nesting activities in Smith Point County Park. In response to this request I have enclosed maps containing the current data for 2006. If you have any questions regarding this data, need additional information, or wish to visit the site, please contact my office at (631) 854-0971.

Sincerely,

N Gibbons

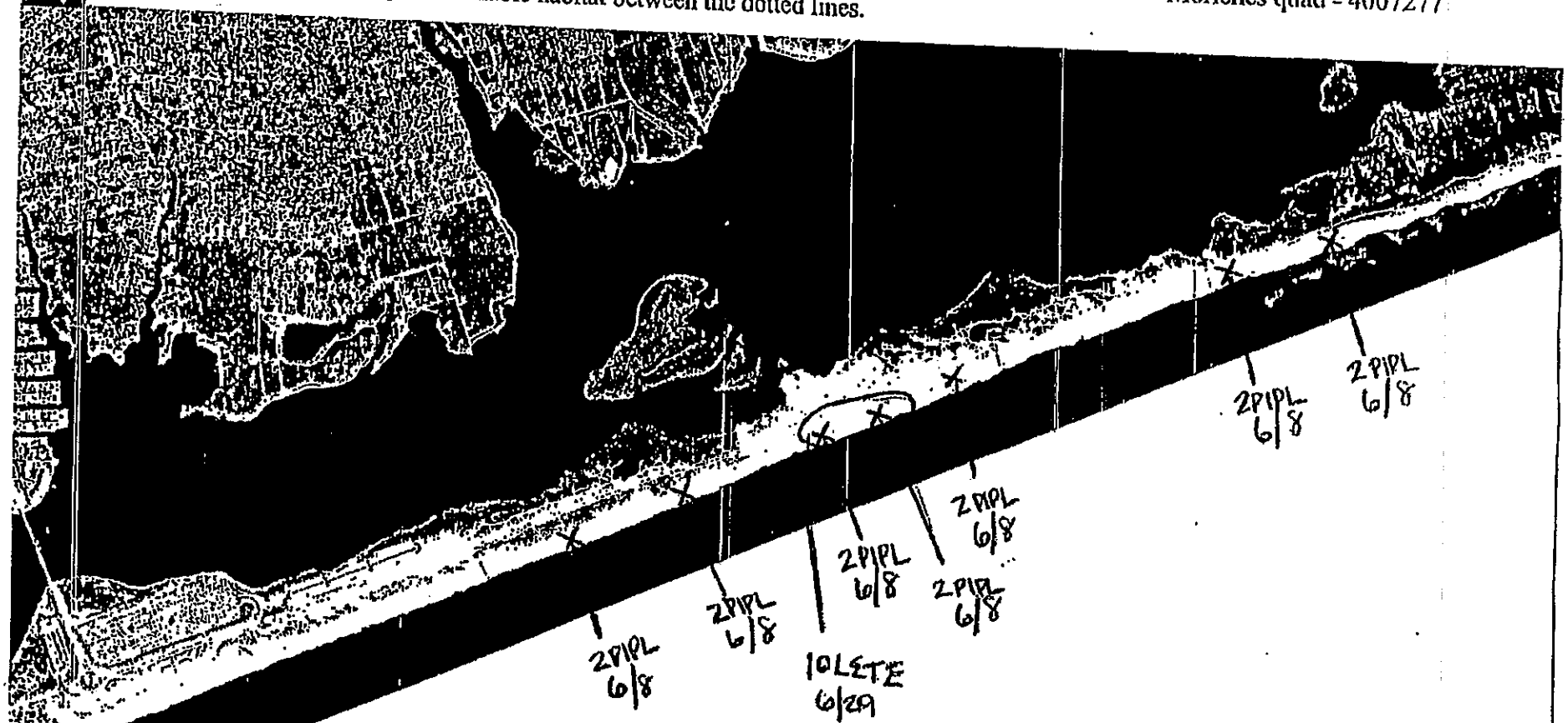
Nicholas Gibbons
Senior Environmental Analyst

cc: Ronald Foley, Commissioner
William Sickles, Senior Parks Superintendent
Thomas Rogers, DPW

Fire Island East

Surveysite Boundary - survey all available habitat between the dotted lines.

Pattersquash Island quad - 4007267,
Moriches quad - 4007277



MAP: It is essential that you clearly label the map with the following information.

PLOVERS

a. Draw the LOCATION of plover nests/pairs with a dark X on the aerial photo.
b. Write the species code (PIPL), the NUMBER OF BIRDS and the DATE OBSERVED next to the "X" location in the white space provided. If necessary draw a line from the survey data to the "X" location
c. If no birds were observed, indicate the area surveyed in pencil and record the survey date.

TERNS and SKIMMERS

a. If breeding activity is observed, count all adults present. Do not record non-breeding birds. Draw a BOUNDARY around EACH SEPARATE COLONY LOCATION on the photo which depicts the size and shape of the colony as accurately as possible.
b. Write the SPECIES CODE, the NUMBER OF INDIVIDUAL ADULTS and the DATE OBSERVED next to the drawn boundary in the white space provided. If necessary draw a line from the survey data to the colony boundary.
c. If no birds were observed, indicate the area surveyed in pencil and record the survey date.

approximate scale 1:24,000

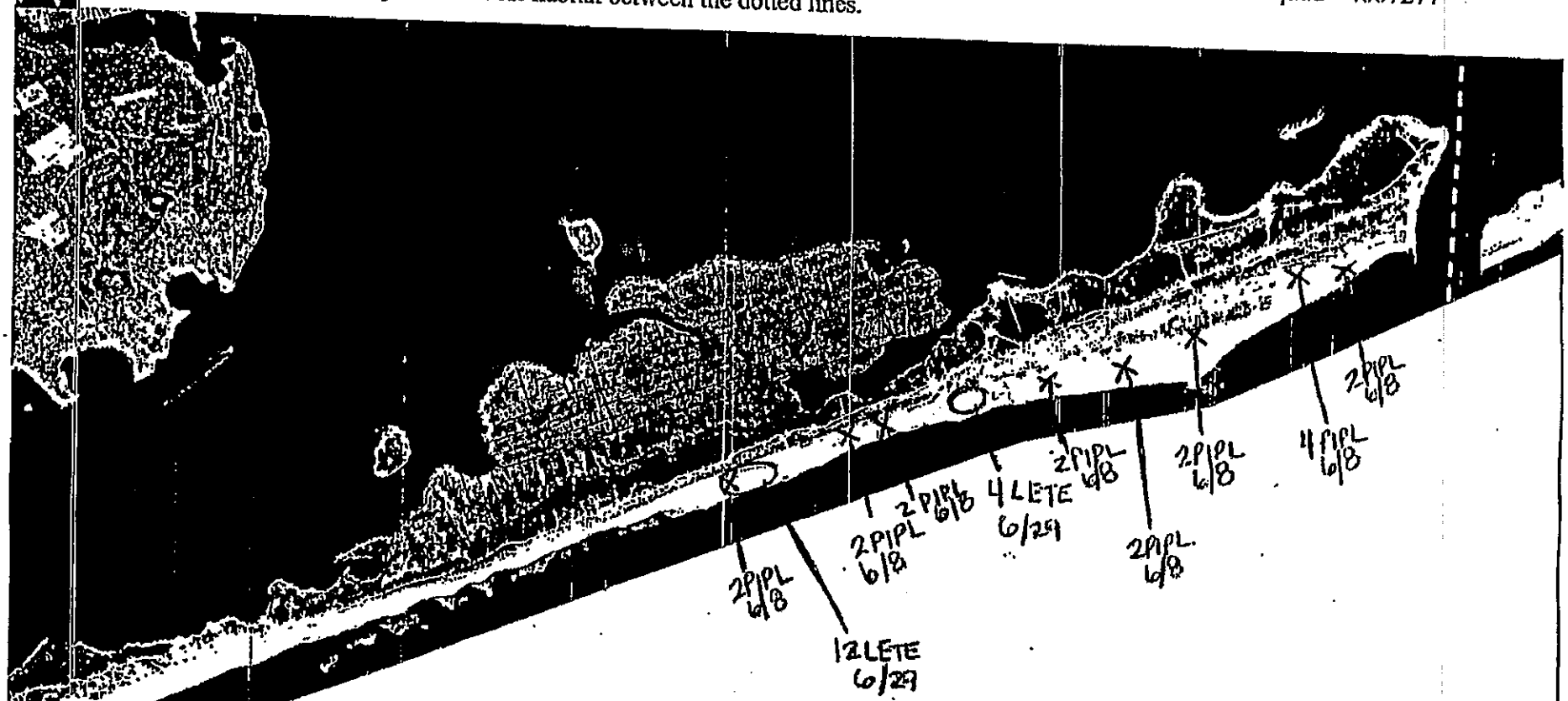
0 0.1 0.2 0.3 0.4 0.5 Miles

Prepared by New York Natural Heritage Program 2002

Fire Island East

Surveysite Boundary - survey all available habitat between the dotted lines.

Pattersquash Island quad - 4007267,
Moriches quad - 4007277



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approximate scale 1:24,000

0 0.1 0.2 0.3 0.4 0.5 Miles

Prepared by New York Natural Heritage Program 2002

New York State Department of Environmental Conservation
Division of Environmental Permits, Region One
Building 40 - SUNY, Stony Brook, New York 11790-2356
Phone: (631) 444-0365 FAX: (631) 444-0360

LEAD AGENCY COORDINATION RESPONSE

Commissioner Ronald Foley
Suffolk County Department of Parks
PO Box 144
West Sayville, NY 11796-0144

August 8, 2006

Re: Smith Point County Park Beach Nourishment
Application #1-4722-01342/00034

Dear Commissioner Foley:

This letter responds to your communication of July 31, 2006, regarding lead agency designation for the above project pursuant to the State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law and its implementing regulations (6NYCRR Part 617). The Department has the following interest in this project:

This New York State Department of Environmental Conservation has no objection to your agency assuming lead agency status for this action.

SEQRA Classification: [X] Type I [ ] Unlisted

DEC Permits (if any): Tidal Wetlands (Article 25) & Protection of Waters (Article 15, Title 5)

DEC Contact Person: Mark Carrara, Deputy Permit Administrator

Please feel free to contact our office at (631) 444-0365 for further information or discussion.

Sincerely,

Mark Carrara
Deputy Permit Administrator

cc: Greenman-Pederson, Inc.
Fire Island National Seashore
Army Corps of Engineers
file

RW/TNR

RECEIVED
JUL 17 2006
DEPT. OF PUBLIC WORKS
CHIEF ENGINEER' OFFICE
DOCUMENT NO. 10811

STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

CHRISTOPHER L. JACOBS
SECRETARY OF STATE

Mr. William Hillman, P.E.
Chief Engineer
Suffolk County Dept. of Public Works
335 Yaphank Avenue
Yaphank, New York 11980

July 11, 2006

Re: F-2006 - 0599 (formerly F-2005-1005)
U.S. Army Corps of Engineers/New York District Permit Application;
Suffolk County DPW - Smith Point County Park Beach Nourishment;
Atlantic Ocean; Town of Brookhaven, Suffolk County

General Concurrence

Dear Mr. Hillman:

The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on June 22, 2006.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

This General Concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, other forms of authorization or approval that may be required pursuant to existing State statutes.

When communicating with us regarding this matter, please contact us at (518) 474- 6000 and refer to our file #F-2006-0599.

Sincerely,

Steven C. Resler
Deputy Bureau Chief, Resources Management Bureau
Section Chief, Consistency Review, Analysis, GIS, and Special Projects
New York Coastal Management Program

SCR/sm

c: COE/New York District - Michael Vissichelli
NYSDEC Region 1 - Mark Carrera

GPI Greenman - Pedersen, Inc.

Engineering and Construction Services

March 19, 2008

Mary Colligan
Assistant Regional Administrator
National Marine Fisheries Service
One Blackburn Drive
Gloucester, MA 01930

RE: Suffolk County Parks Commission
Smith Point County Park/Cutchogue County Park Beach Nourishment and Storm Restoration
Smith Point County Park/Cutchogue County Park
Shirley/Westhampton, New York
GPI Project No. 2005336

Dear Ms Colligan:

Greenman Pedersen, Inc. has been hired by the Suffolk County Department of Public Works to obtain all permits, write all reports and conduct all studies for the proposed dredging of the Moriches Inlet and subsequent nourishment of the Smith Point County Park and Cutchogue County Park beaches with the dredged sand. As such, we are contacting you to see what reports or studies the NMFS will be requiring for this project. I have attached all permit applications and the EDR written for this project. An Environmental Assessment is also in the process of being written and will be available in April 2008.

If you have any further questions you can contact me at 631-761-7353 or email at kholley@gpinet.com.

Thank you for your cooperation on this matter.

Sincerely,

GPI / GREENMAN-PEDERSEN, INC.

Keith Holley

Keith Holley

KH/kah
O:\2005\2005336\Environmental\National Marine Fisheries Service Letter.doc

325 West Main Street, Babylon, NY 11702 Tel: (631) 587-5060 Fax: (631) 422-3479
www.gpinet.com

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

APR 14 2008

Keith Holley
Greenman-Pederson Inc.
325 West Main Street
Babylon, New York 11702

Re: Smith Point County Park/Cutchogue County Park

Dear Mr. Holley,

This is in response to your letter dated March 19, 2008 regarding the Suffolk County Department of Public Works' (DPW) proposed dredging of Moriches Inlet and subsequent nourishment of the Smith Point County Park and Cutchogue County Park beaches with the dredged sand. Greenman-Pederson is developing an Environmental Assessment for the proposed project. Your letter requested information on the types of reports or studies that NOAA's National Marine Fisheries Service (NMFS) will be requiring for this project.

The Protected Resources Division (PRD) of NMFS is responsible for overseeing programs related to species listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, as amended. Four species of federally threatened or endangered sea turtles under the jurisdiction of NMFS may be found seasonally in New York waters. Sea turtles are known to occur in Great South Bay and waters off Long Island where the proposed projects are located. Sea turtles occur in Long Island waters, including many bays and harbors, during the warmer months, typically from May 1 to November 30. The sea turtles in the waters of Long Island are typically small juveniles with the most abundant being the federally threatened loggerhead (*Caretta caretta*) followed by the federally endangered Kemp's ridley (*Lepidochelys kempi*). New York waters have also been found to be warm enough to support federally endangered green sea turtles (*Chelonia mydas*) from June through October. While federally endangered leatherback sea turtles (*Dermochelys coriacea*) may be found in the waters off Long Island during the warmer months as well, this species is less likely to occur in the action area for this project as it is typically found in more offshore waters. Listed whales, including endangered North Atlantic right (*Eubalaena glacialis*), humpback (*Megaptera novaeangliae*) and fin (*Balaenoptera physalus*) whales also occur seasonally off the southern coast of Long Island, although these species are unlikely to occur in Moriches Inlet.

Dredging activities can affect sea turtles through direct injury or mortality, displacing the species from the area or by altering habitat and destroying forage items. Sea turtles are vulnerable to

entrainment in hydraulic hopper dredges and to avoid interactions with sea turtles NMFS recommends that use of this type of dredge be restricted to the December 1 – April 30 time period when possible.

As you may know, any discretionary federal action, such as the permitting, approval or funding of a project by a Federal agency, that may affect a listed species must undergo consultation pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended. If the proposed project has the potential to affect listed species and it is being approved, permitted or funded by a Federal agency, the lead Federal agency, or their designated non-Federal representative, is responsible for determining whether the proposed action is likely to affect this species. The Federal agency would submit their determination along with justification for their determination and a request for concurrence, to the attention of the Endangered Species Coordinator, NMFS Northeast Regional Office, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930. After reviewing this information, NMFS would then be able to conduct a consultation under section 7 of the ESA.

NMFS encourages the Suffolk County DPW and their consultants to work with the Army Corps of Engineers (ACOE) to ensure that effects to listed species are adequately covered in any NEPA documentation. This will facilitate a timely review of the proposed project when it is submitted for Section 7 consultation. Additionally, please ensure that coordination with NMFS Habitat Conservation Division on effects of the proposed project on designated Essential Fish Habitat (EFH) is completed. Questions regarding EFH in New York waters should be directed to Diane Rusanowsky at (203)882-6571. Should you have any questions about these comments or about the section 7 consultation process in general, please contact Julie Crocker at (978)281-9300 ext. 6530 or by e-mail (Julie.Crocker@noaa.gov).

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Rusanowsky – F/NER4

File Code: Sec 7 ACE NY Suffolk County DPW dredging
PCTS: F/NER/2008/02109

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER 1-4722-01342/00034		EFFECTIVE DATE January 19, 2007
FACILITY/PROGRAM NUMBER(S)	**PERMIT** **Under the Environmental Conservation Law**	EXPIRATION DATE(S) January 18, 2011

TYPE OF PERMIT ■ New ☐ Renewal ☐ Modification ☐ Permit to Construct ☐ Permit to Operate

- ■ Article 15, Title 5: Protection of Waters
- ☐ Article 15, Title 15: Water Supply
- ☐ Article 15, Title 15: Water Transport
- ☐ Article 15, Title 15: Long Island Wells
- ☐ Article 15, Title 27: Wild, Scenic and Recreational Rivers
- ■ 6NYCRR 608: Water Quality Certification
- ☐ Article 17, Titles 7, 8: SPDES
- ☐ Article 19: Air Pollution Control
- ☐ Article 23, Title 27: Mined Land Reclamation
- ☐ Article 24: Freshwater Wetlands
- ■ Article 25: Tidal Wetlands
- ☐ Article 27, Title 7; 6NYCRR 360: Solid Waste Management
- ☐ Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
- ☐ Article 34: Coastal Erosion Management
- ☐ Article 36: Floodplain Management
- ☐ Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control

PERMIT ISSUED TO Suffolk County Dept. Of Public Works			TELEPHONE NUMBER (631) 852-4002
ADDRESS OF PERMITTEE 335 Yaphank Avenue, Yaphank, NY 11980			
CONTACT PERSON FOR PERMITTED WORK Tom Rogers			TELEPHONE NUMBER (631) 852-4002
NAME AND ADDRESS OF PROJECT/FACILITY Smith Point County Park			
COUNTY Suffolk	TOWN Brookhaven	WATERCOURSE Atlantic Ocean	NYTM COORDINATES E: N:

DESCRIPTION OF AUTHORIZED ACTIVITY: Dredge 350,000 cubic yards of sand from an offshore borrow site, place 150,000 cubic yards of material along 4,000 feet of a western portion of the park's shoreline, place 75,000 cubic yards of material along 2,500 feet of a central portion of the park's shoreline, place 125,000 cubic yards of material along 4,000 feet of an eastern portion the park's shoreline. Scrape beach to collect material to enhance the dunes along the central and eastern portions of the park. All work shall be done in accordance with the attached plans stamped NYSDEC approved on January 19, 2007.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any **Special Conditions** included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR: Mark Carrara	ADDRESS Region 1 Headquarters SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790 - 3409	
AUTHORIZED SIGNATURE M Carrara	DATE January 20, 2007	Page 1 of 5

SPECIAL CONDITIONS

1. Permittee must submit a hydrographic survey (3 copies) of the borrow/dredge site prior to commencement of dredging activities. Submit to: Office of Permits, SUNY at Stony Brook, 50 Circle Road, Stony Brook, NY 11790,

2. Permittee shall conduct monitoring for finfish recovery within the borrow/dredge site area for two years following the dredging event and shall submit an annual report to: Marine Finfish Unit, Marine Resources, 205 Belle Meade Road, East Setauket, NY 11733 and a copy to the Office of Permits (address above). The finfish monitoring shall consist of monthly trawls at 8-10 minute tows at 2.5 knots in 4 sample sites within the borrow area and 4 reference points outside the borrow area.

3. The permittee must obtain all necessary permissions, approvals and or permits from the Department of the Interior, Fire Island National Seashore (FINS) prior to commencement of permitted activities.

4. Excavated sediment shall be placed directly into the approved disposal/dewatering site or conveyance vehicle. No side-casting (double dipping) or temporary storage of dredged material is authorized.

5. The side slopes within the borrow site shall not exceed a 1on 6 slope. All dredging shall be conducted so as to leave a uniform bottom elevation free from mounds and holes.

6. Dredging is prohibited from June 1 to September 30 of each year to protect spawning shellfish and/or spawning finfish.

7. The dredge material discharge pipe shall be located a minimum of 40' linear feet seaward of the toe of the dune and shall be positioned to prevent damage to the dune face. If any scarping or scouring of the dune becomes evident as a result of the authorized activity, the dredging operation shall cease immediately until the situation is corrected and the office of Marine Habitat Protection has been notified.

8. All material deposited on the beach shall be of compatible (equal or larger) grain size to the to the naturally occurring beach. If at any time during the dredging operation the composition of the dredged material changes and becomes unsuitable for beach placement, dredging operations shall cease immediately and the office of Marine Habitat Protection shall be contacted with a proposed plan to correct the problem and/or for alternative placement. No further activity will commence without the Department's approval.

9. Dredging shall be undertaken no more than once in any calendar year unless specifically authorized by the Department.

10. Within 30 days of completion of the dredging operation an as-dredged depth survey of the dredged area shall be submitted to: Office of Permits, SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409.

SPECIAL CONDITIONS

11. The restored dune or bluff shall be stabilized with snow fencing, placed at the seaward toe of the dune immediately upon completion of the placement of fill.

12. The area of fill placement shall be planted with American Beach Grass planted 12 inches on center during the first growing season following placement, but not more than six (6) months following the placement of fill. The permit holder shall maintain a beach grass survival rate of at least 85% after three (3) years. Any grass planted after April 15 of any calendar year shall be irrigated.

13. American Beach Grass must be planted 12 inches on center on all restored seaward beach slopes. 18 inch centers may be used on landward slopes and level grades. The permit holder shall maintain plantings at a minimum survival rate of at least 85% for a period no less than five (5) years.

14. There shall be no disturbance to vegetated dune areas or vegetated tidal wetland areas as a result of the permitted activities.

15. The permit holder or his qualified agent shall monitor, inspect and evaluate the condition of the beach, reconstructed dune and dune grass plantings on the subject parcel on an annual basis, prior to April 15 of each calendar year from the date of permit issuance from the life of the permit. During each annual monitoring event, the monitor shall record:

1. Date, time, tide, dune height and width
2. Condition and survival rate of dune grass plantings
3. Location of apparent high water and apparent low water
4. Estimated loss or gain of dune area
5. Color photographs of dune conditions from the landward side of the reconstructed dune and the seaward side of the reconstructed dune to show the entire dune.
6. All monitoring information shall be provided as a written report to Region 1 Marine Habitat Protection, SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790 (Attn: Compliance) within 30 days of the monitoring date.

16. The permit holder shall maintain the reconstructed dune and vegetative plantings in accordance with the project's NYSDEC approved cross-section and profile for the life of the permit. To be deemed in compliance with this maintenance requirement, the permit holder shall apply upland sand of compatible grain size as needed to maintain the required covering at the project location by May 15 of each year. The project area shall be restored to its original configuration in accordance with the NYSDEC approved cross-section. The quantity of sand applied shall be the amount necessary to restore the cross-section and profile to its original configuration as shown on the NYSDEC approved cross-section.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

General Condition 1: Facility Inspection by the Department

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

General Condition 3: Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 1,SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790 - 3409

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

ADDITIONAL GENERAL CONDITIONS FOR ARTICLES 15 (TITLE 5), 24, 25, 34 AND 6NYCRR PART 608

(TIDAL WETLANDS)

1. If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

2. The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

3. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

4. Any material dredged in the conduct of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across or along the bed of a waterway or floodplain, deposits within any regulatory floodway, or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.

5. There shall be no unreasonable interference with navigation by the work herein authorized.

6. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

7. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

8. At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work and, if required, a survey.

9. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

   Such approved plans were prepared by Greenman-Pedersen and stamped NYSDEC approved on 1/19/2007.

DEPARTMENT OF THE ARMY PERMIT

Permittee: Suffolk County Department of Public Works
335 Yaphank Avenue
Yaphank, NY 11980
(631) 852-4078

Permit No.: NAN-2006-255

Issuing Office: New York District Corps of Engineers

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

The work involves dredging approximately 225,000 cubic yards of beach compatible sand from an offshore borrow area located approximately 4.4 miles southwest of the beach nourishment sites in the Corps of Engineers Borrow Area 3. Dredging will be accomplished using a hopper dredge, with a maximum dredge cut depth of 63 feet below mean low water. The maximum depth of the dredge cut below grade will be 5 feet. The dredge will fill its hopper at the borrow area, and then travel to a submerged pipeline extending 2,000 feet offshore from the placement area. The dredge will connect to the pipeline and pump sand to the beach.

The resultant dredged material will be deposited for beach nourishment in two areas within Smith Point County Park. The priority beach nourishment area, known as the West area, will receive approximately 150,000 cubic yards of sand fill placed along 4,000 linear feet of beach to restore the bathing beach to a width of 75 feet and extend out on a 1 on 15 slope to meet the existing grade. Approximately 858,142 square feet of beach area below the spring high water (SHW) line will be affected. The second beach nourishment area, known as the East area, will receive approximately 75,000 cubic yards of sand fill along 2,500 linear feet of beach to restore the eroded dune and beach area to a varying width of 60-145 feet and extend out on a 1 on 15 slope to meet the existing grade. Approximately 297,784 square feet of beach area below the SHW line will be affected.

All work shall be done in accordance with the attached drawings, Special Conditions A-I, and New York State Department of Environmental Conservation Permit No. 1-4722-01342/00034, incorporating the Section 401 Water Quality Certification, which are hereby made a part of this permit.

Project Location: IN: Atlantic Ocean

AT: Town of Brookhaven, Suffolk County, New York

Permit Conditions:

General Conditions:

PERMITTEE: Suffolk County Department of Public Works
PERMIT NO.:NAN-2006-255

1. The time limit for completing the work authorized ends on _____.
If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice form the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

(B) This Department of the Army permit does not authorize you to take an endangered species, in particular piping plover (*Charadrius melodus*). In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) Section 7 "incidental take" provisions, with which you must comply. The enclosed U.S. Fish and Wildlife Service (USFWS) Biological Opinion (BO) contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take". Your authorization under this Department of the Army permit is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated *by reference*

PERMITTEE: Suffolk County Department of Public Works
PERMIT NO.:NAN-2006-255

in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Department of the Army permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

(C) All work shall be done in accordance with New York State Department of Environmental Conservation (NYSDEC) permit number 1-4722-01342/00034. Any changes to the special conditions in the NYSDEC permit may require USACE to re-initiate consultation with NOAA Fisheries Service (NFS) under the Magnuson-Stevens Fisheries Conservation and Management Act to address potential impacts to Essential Fish Habitat. USACE must be notified immediately if any NYSDEC permit conditions are changed; USACE will determine if said changes require re-initiation of consultation. If re-initiation of consultation is required, no work under changed conditions can be done until the consultation is complete.

(D) The permittee shall obtain all dredged material from the eastern half of the Borrow Area 3 as depicted on the attached permit drawings Sheet 2 of 7. Any request to use the western half of Borrow Area 3 will require USACE to re-initiate consultation under the Magnuson-Stevens Fisheries Conservation and Management Act to address potential impacts to Essential Fish Habitat. No work shall be permitted in the western half of Borrow Area 3 until the re-initiated consultation is complete. Additionally, as part of the re-initiated consultation, the permitee will be required to obtain current clam density data in the borrow area using the same methodology as the URS February 2002 Surf Clam Assessment or similar NFS approved methodology and submit said data to the following:

U.S. Army Corps of Engineers, New York
Attn: Eastern Permits Section
26 Federal Plaza, Room 1937
New York, New York 10278-0090

and

NOAA Fisheries Milford Lab
Attn: Diane Rusanowski
212 Rogers Avenue
Milford, Connecticut 06460

(E) The permittee shall be required to provide a qualified environmental monitor to determine whether the beach nourishment material contains substantial surf clam densities. A monitor shall be provided continuously while work is in progress. If the monitor determines (at any specific discharge point) that over 500 clams per discharge point are being pumped onto the beach, the monitor shall order the contractor to cease work and notify USACE. USACE shall then re-initiate consultation with NFS under the Magnuson-Stevens Fisheries Conservation and Management Act to address potential impacts to Essential Fish Habitat. If re-initiation of consultation is required, the permittee shall not recommence work until the consultation is complete.

(F) No dredging shall be permitted from April 1 to November 30 to avoid impacts to

PERMITTEE: Suffolk County Department of Public Works
PERMIT NO.:NAN-2006-255

federally threatened or endangered sea turtles.

(G) Beach nourishment and dune construction activities shall not occur between April 1 and September 1 to avoid impacts to piping plovers and between April 1 and November 1 to avoid impacts to seabeach amaranth (*Amaranthus pumilus*) in the East area and the intermediate area between the East area and the West area. During construction of the West area, beach nourishment and dune construction activities may occur beyond April 1 provided the permittee provides qualified piping plover monitors which adhere to a USFWS pre-approved plan that avoids impacts to piping plovers.

(H) Prior to commencing work, the permittee shall coordinate the location of the proposed work and anchoring of all vessels with Global Marine Systems in order to prevent damage to the trans-Atlantic cables in the area.

(I) As the dredged material is pumped onto the beach, the permittee shall use temporary sand dikes, created from dredged material, aligned with the seaward berm crest to direct and control the slurry.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(x) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(x) Section 404 of the Clean Water Act (33 U.S. Code 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

PERMITTEE: Suffolk County Department of Public Works
PERMIT NO.:NAN-2006-255

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

PERMITTEE: Suffolk County Department of Public Works
PERMIT NO.:NAN-2006-255

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE) 2/21/07 (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

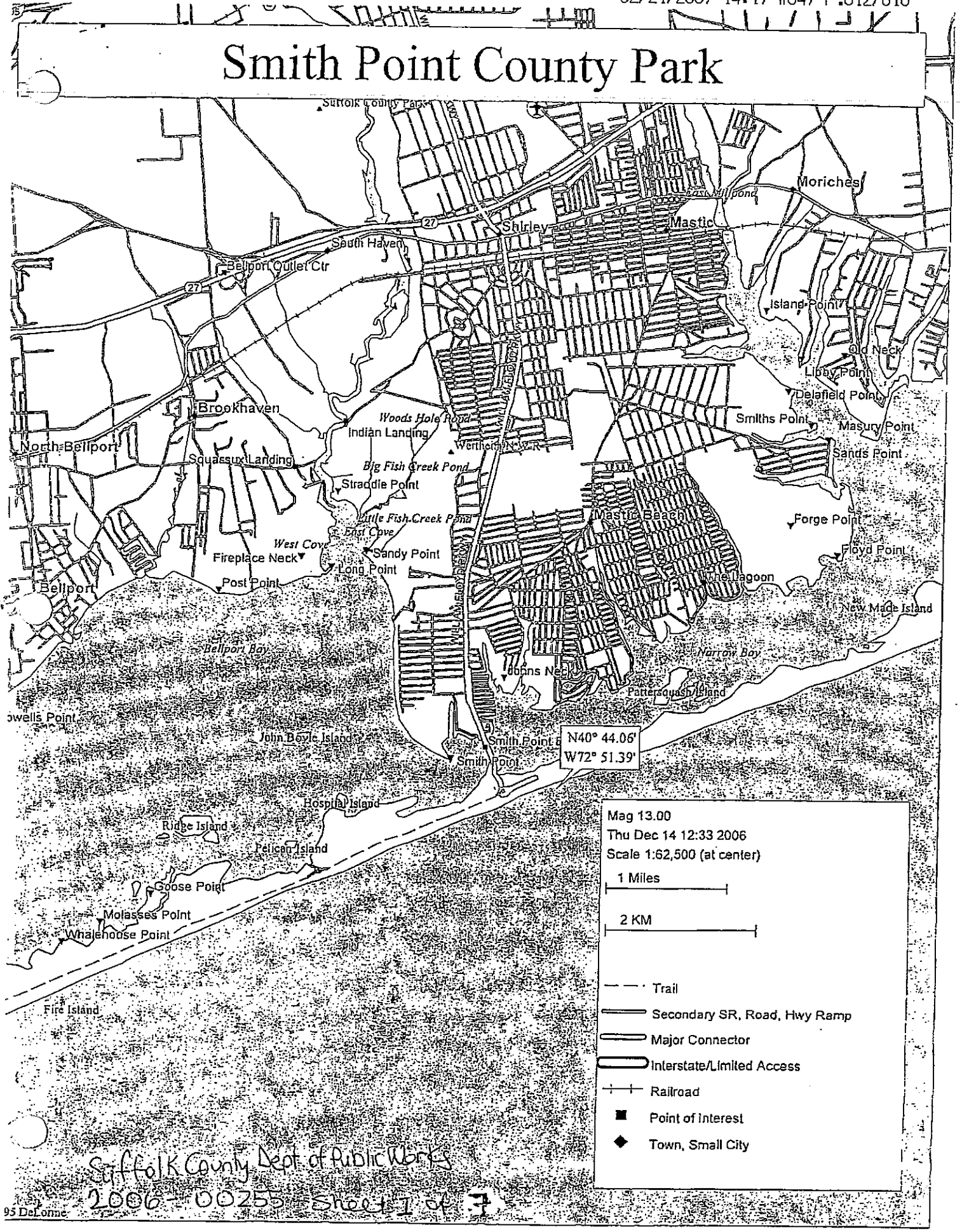
Richard L. Tomer (DISTRICT ENGINEER) 2/21/2007 (DATE)

"FOR AND IN BEHALF OF"
Aniello L. Tortorra
Colonel, U.S. Army
District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below. A copy of the permit signed by the transferee should be sent to this office.

(TRANSFEREE) (DATE)

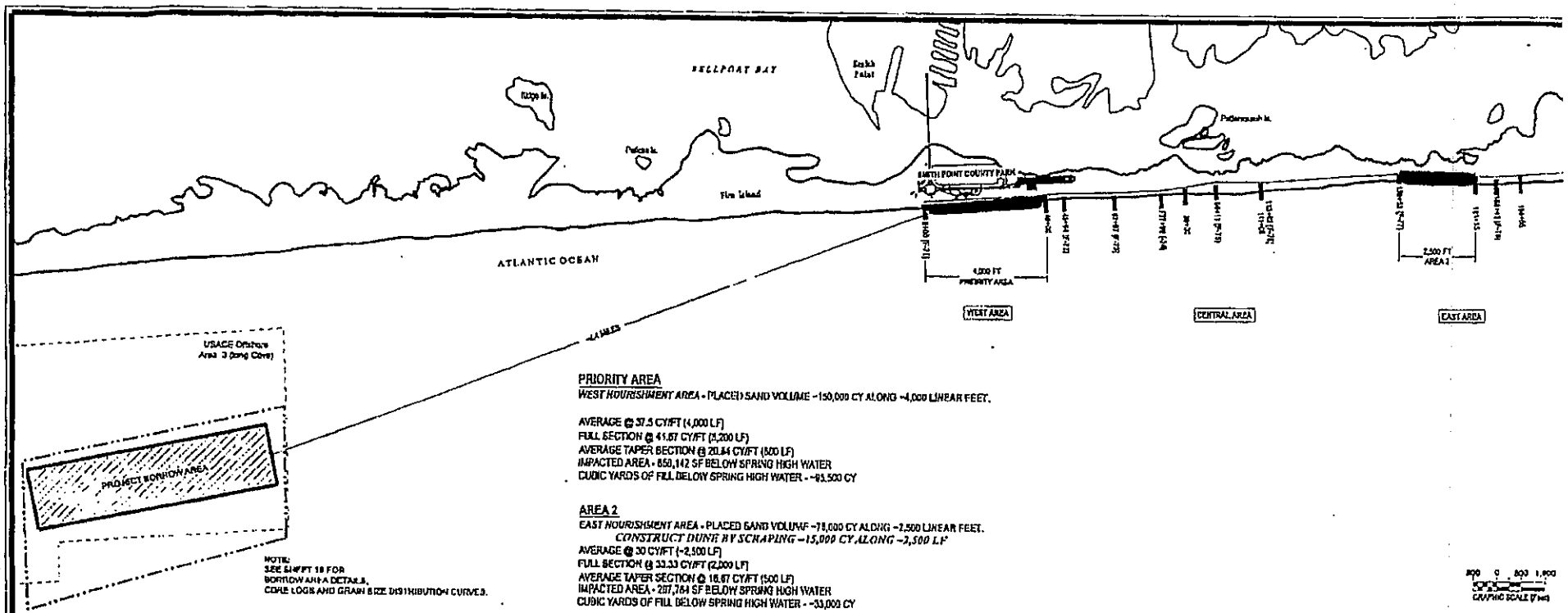
Smith Point County Park



Suffolk County Dept of Public Works
2006-00255 Sheet 1 of 3

95 DeLorme

From: 401H01368



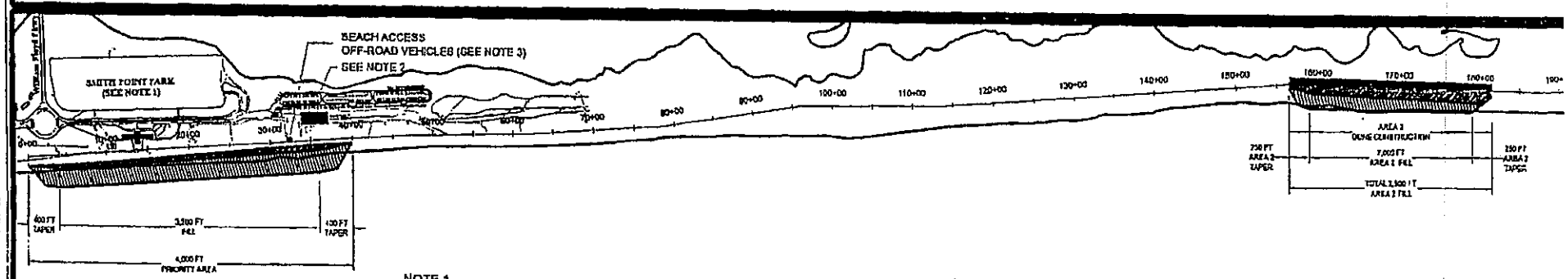
PRIORITY AREA

WEST NOURISHMENT AREA - PLACED SAND VOLUME ~150,000 CY ALONG ~4,000 LINEAR FEET.

AVERAGE @ 37.5 CY/FT (4,000 LF)
FULL SECTION @ 41.67 CY/FT (3,200 LF)
AVERAGE TAPER SECTION @ 20.84 CY/FT (500 LF)
IMPACTED AREA - 850,142 SF BELOW SPRING HIGH WATER
CUBIC YARDS OF FILL BELOW SPRING HIGH WATER - ~93,500 CY

AREA 2

EAST NOURISHMENT AREA - PLACED SAND VOLUME ~78,000 CY ALONG ~2,500 LINEAR FEET.
CONSTRUCT DUNE BY SCRAPING ~15,000 CY ALONG ~2,500 LF
AVERAGE @ 30 CY/FT (~2,500 LF)
FULL SECTION @ 33.33 CY/FT (2,000 LF)
AVERAGE TAPER SECTION @ 16.67 CY/FT (500 LF)
IMPACTED AREA - 287,784 SF BELOW SPRING HIGH WATER
CUBIC YARDS OF FILL BELOW SPRING HIGH WATER - ~33,000 CY



NOTE:
SEE SHEETS 5-6 FOR NOURISHMENT AREA DETAILS.

NOTE 1
PORTIONS OF EXISTING PARKING LOT WILL BE MADE AVAILABLE TO CONTRACTOR FOR EQUIPMENT STORAGE, REPAIRS, ETC, AND MAY BE USED TO SET UP PORTABLE POWER, PORTAJOHNS, ETC.

NOTE 2
ALTERNATE STAGING, EQUIPMENT STORAGE AREA ADJACENT TO EXISTING CAMPSITES

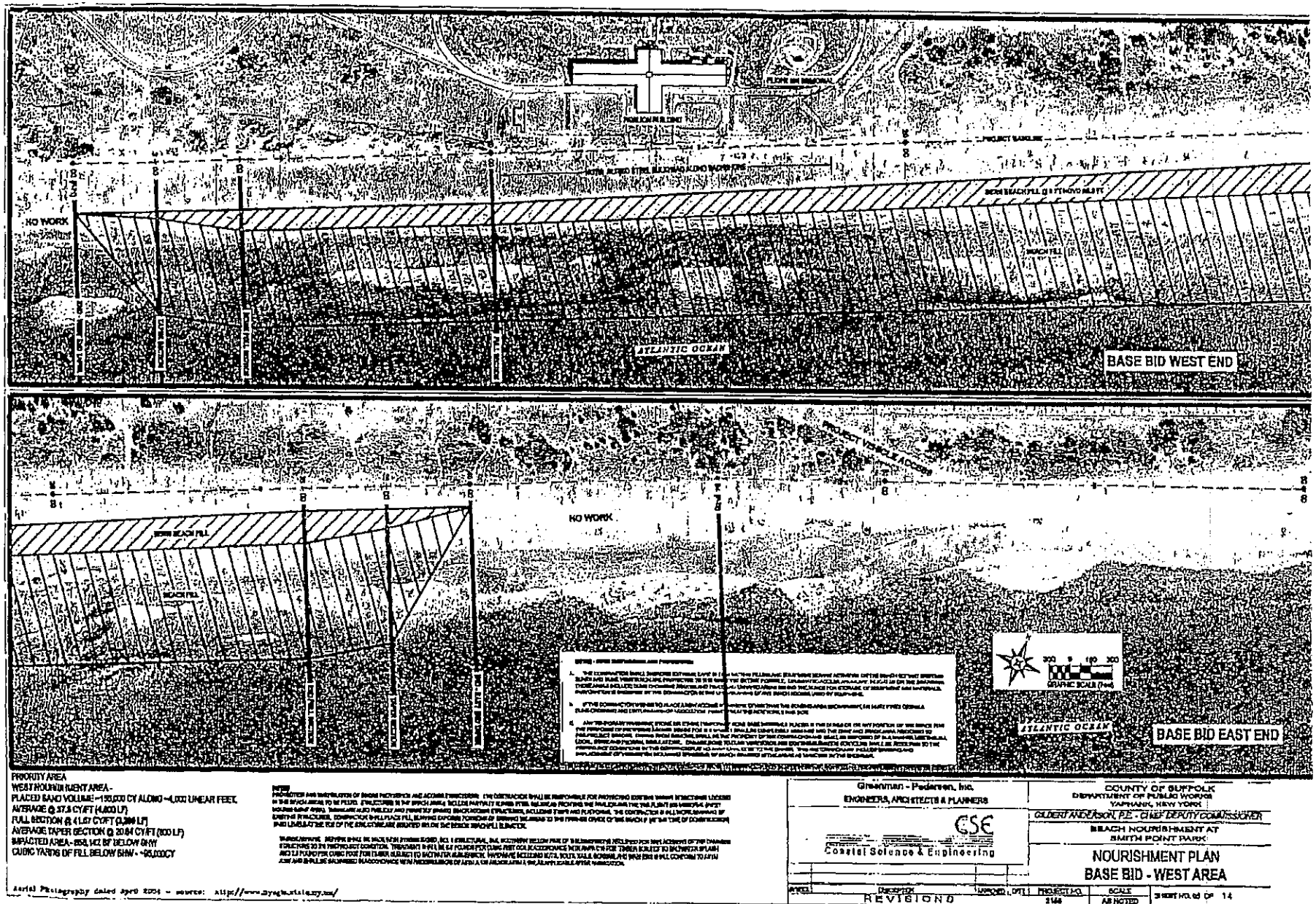
NOTE 3
EXISTING BEACH ACCESS - CONTRACTOR TO RESTORE TO EXISTING CONDITIONS UPON PROJECT COMPLETION

Grnenman - Pedersen, Inc.
ENGINEERS, ARCHITECTS & PLANNERS
Coastal Science & Engineering
COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK
GILBERT ANDERSEN, P.E. - CHIEF DEPUTY CO
BEACH NOURISHMENT A
SMITH POINT PARK
NOURISHMENT PLA
PROJECT PLAN
REVISIONS
PROJECT NO. 2186
SCALE AS NOTED
SHEET NO 03 OF

02/21/2007 14:18 #047 P.013/018

Suffolk County Dept. of Public Works
2006-00255 Sheet 2 of 7

From:40LH01368



PRIORITY AREA
WEST NOURISHMENT AREA -
PLACED SAND VOLUME - 150,000 CY ALONG ~4,000 LINEAR FEET.
AVERAGE @ 37.5 CY/FT (4,800 LF)
FULL SECTION @ 41.67 CY/FT (1,200 LF)
AVERAGE TAPER SECTION @ 20.84 CY/FT (800 LF)
IMPACTED AREA - 858,142 SF BELOW MHW
CUBIC YARDS OF FILL BELOW MHW - ~90,000CY

Aerial Photography dated April 2004 - source: http://www.nysgisutility.com/

Greenman - Pedersen, Inc.
ENGINEERS, ARCHITECTS & PLANNERS
CSE
Coastal Science & Engineering

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK
GILBERT ANDERSON, P.E. - CHIEF DEPUTY COMMISSIONER
BEACH NOURISHMENT AT
SMITH POINT PARK
NOURISHMENT PLAN
BASE BID - WEST AREA

MARK	DESCRIPTION	APPROVED	DATE	PROJECT NO.	SCALE	SHEET NO.
	REVISIONS			2144	AS NOTED	3 OF 14

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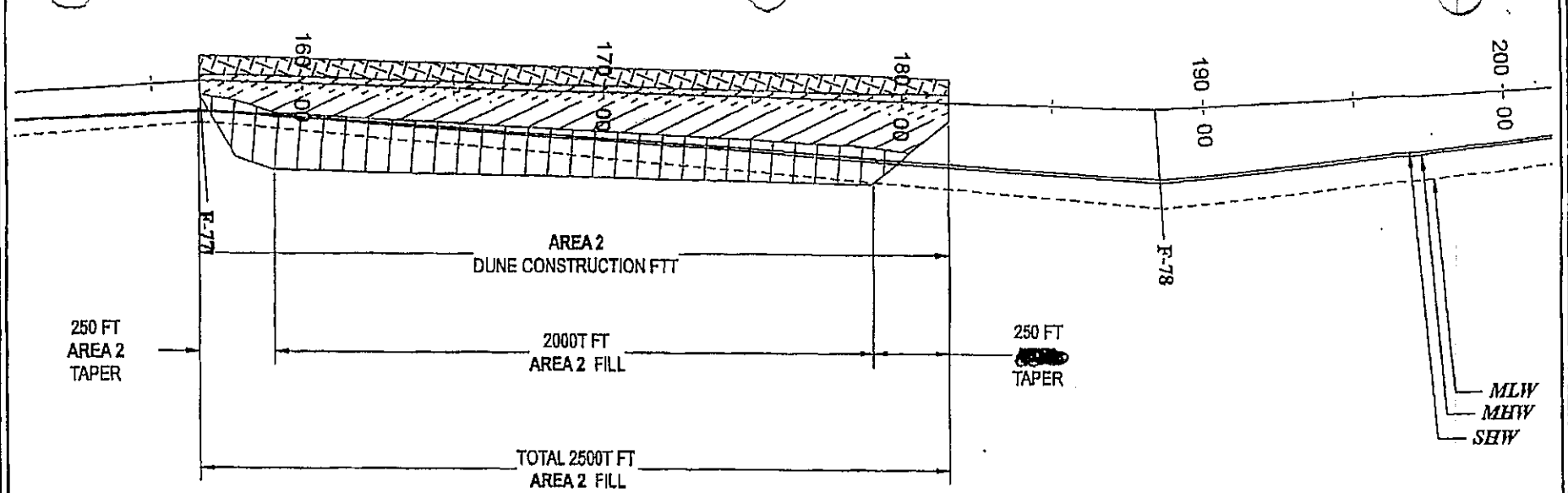
02/21/2007 14:18 #047 P.014/018

From:40LH01368



DATUM: NOAA MLLW

SHW - SPRING HIGH WATER = 3.65'
MHW - MEAN HIGH WATER = 3.35'
MSL - MEAN SEA LEVEL = 1.90'
MLW - MEAN LOW WATER = 0.45'
MLLW - MEAN LOWER LOW WATER = 0.00'

AREA 2
IMPACTED AREA - 297,748 SF BELOW SHW
CUBIC FEET OF FILL - ~33,000CYBELOW SHW

250 0 250 500
GRAPHIC SCALE (Feet)

N

COLUMBIA • MOREHEAD CITY CSE
Coastal Science & Engineering

PROJECT TITLE:
SMITH POINT
BEACH RESTORATION

PREPARED FOR:
SUFFOLK COUNTY, NY

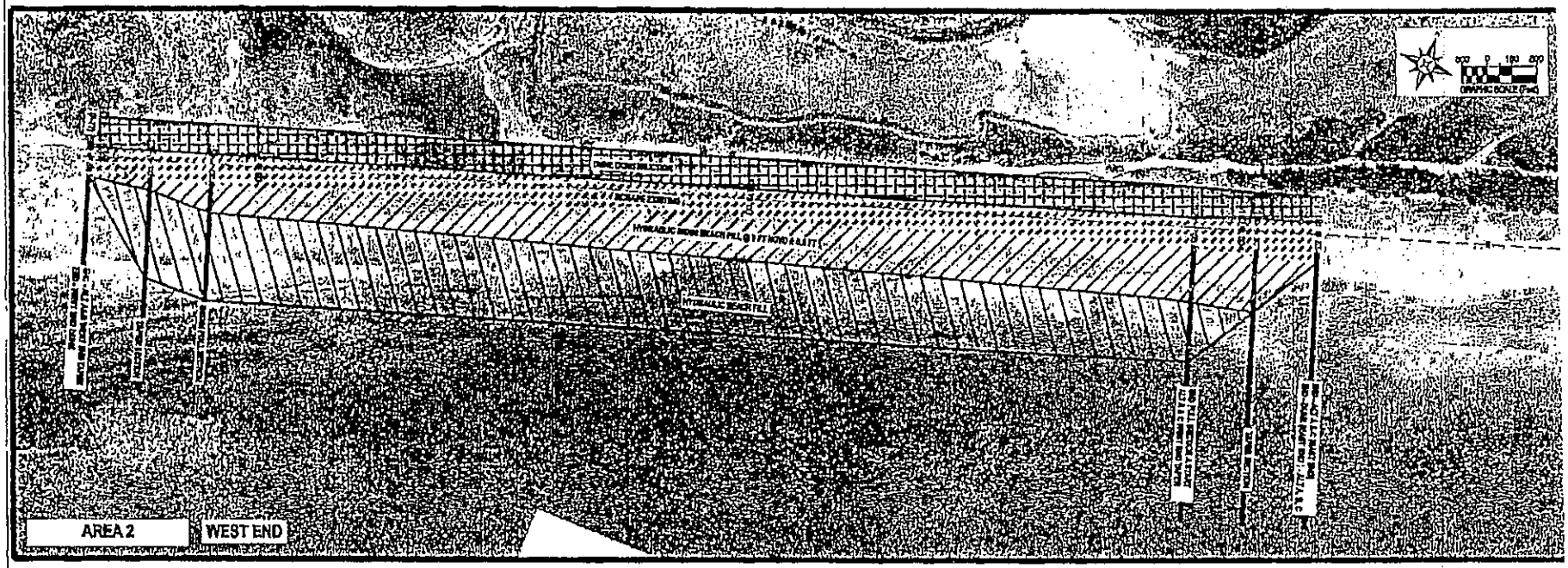
DRAWING TITLE:
NOURISHMENT PLAN
[redacted] AREA
East

SCALE:	AS SHOWN
DATE:	NOV 2005
DRAWN BY:	JJH
PROJECT #:	2188

SHEET #: 06 OF: 07

Suffolk County Dept of Public Works
2005-00255 Sheet 4 of 7

02/21/2007 14:20 #047 P.015/018



NOTES - DUNE CONSTRUCTION: ALTERNATES A, B, AND/OR D - THE CONTRACTOR IS REQUIRED TO PLACE DUNES BETWEEN STATIONS [illegible] AND [illegible].

VOLUME: TWO CUBIC YARDS/FOOT (CY/FT) NUMBERS ARE SHOWN ON THE PROFILE REQUIRING DUNE CONSTRUCTION. CY/FT IN THE DUNE AND CY/FT IN THE 8-FT ELEVATION BERM. THE SHAPE OF THE PLACED DUNE WILL NECESSARILY VARY, DEPENDING ON TOPOGRAPHY, BUT THE REQUIREMENT IS FOR THE APPROXIMATE SPECIFIED CY/FT TO BE PLACED ABOVE THE SPECIFIED ELEVATION TO FORM A DUNE.

METHOD OF CONSTRUCTION: IT IS ASSUMED THAT MECHANICAL BEACH SCRAPING WILL FACILITATE DUNE CONSTRUCTION. SCRAPING OF THE UPPER BEACH ZONE SHALL BE LIMITED TO CUTS DIRECTLY SEAWARD OF THE CONSTRUCTED DUNE ALIGNMENT AT OR ABOVE THE +8 FT NGVD CONTOUR. (SEE REPRESENTATION CROSS SECTIONS ON THE PLANS.) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT SUFFICIENT SAND VOLUMES FOR SCRAPING COST ALONG THE DESIGNED DUNE ALIGNMENT AND SHALL INFORM THE ENGINEER IMMEDIATELY IF EXISTING CONDITIONS PRECLUDE SCRAPING ACCORDING TO THE DESIGN SHOWN IN THIS DRAWING AND ON THE PLANS. IF CONDITIONS AT THE TIME OF CONSTRUCTION PRECLUDE DUNE CONSTRUCTION BY SCRAPING OF THE EXISTING UPPER BEACH ZONE FOR ALL OR PORTIONS OF THE DUNE CONSTRUCTION AREA, THE CONTRACTOR MAY BE DIRECTED BY THE ENGINEER TO PLACE A PORTION OF THE HYDRAULIC FILL ABOVE THE +8 FT NGVD CONTOUR AS CLOSE TO THE DESIGN DUNE ALIGNMENT AS FEASIBLE. THE CONTRACTOR SHALL THEN USE THIS PORTION OF HYDRAULIC FILL TO SCRAPE AND SHAPE THE DUNE MORE OR LESS AS SHOWN ON THE PLANS. NOTE THAT THIS REQUIREMENT DOES NOT CHANGE THE OVERALL OR SECTION FILL VOLUME THAT IS TO BE PLACED BY HYDRAULIC MEANS. THE CONTRACTOR MAY AT THE DISCRETION PROPOSE ALTERNATE METHODS OF DUNE CONSTRUCTION SO AS TO ACCOMPLISH THE WORK IN AN EFFICIENT MANNER PROVIDED THE METHOD COMPLIES WITH ALL CONDITIONS OF STATE AND FEDERAL PERMITS.

AREA 2

EAST NOURISHMENT AREA - PLACED SAND VOLUME ~75,000 CY ALONG ~2,500 LINEAR FEET

CONSTRUCT DUNE BY SCRAPING ~15,000 CY ALONG ~2,500 LF

AVERAGE @ 30 CY/FT (~2,500 LF)

FULL SECTION @ 33.33 CY/FT (2,000 LF)

AVERAGE TAPER SECTION @ 18.67 CY/FT (500 LF)

IMPACTED AREA - ~~[illegible] SF BELOW SHW~~ → 297,748 SF below SHW

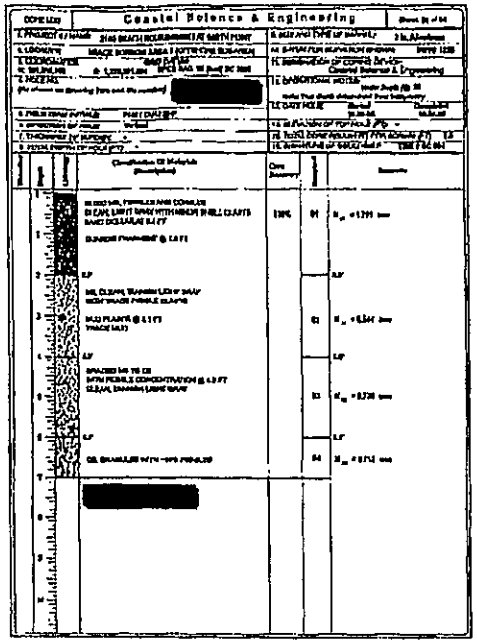
CUBIC YARDS OF FILL BELOW SHW - ~~[illegible] CY~~ → 33,000 CY

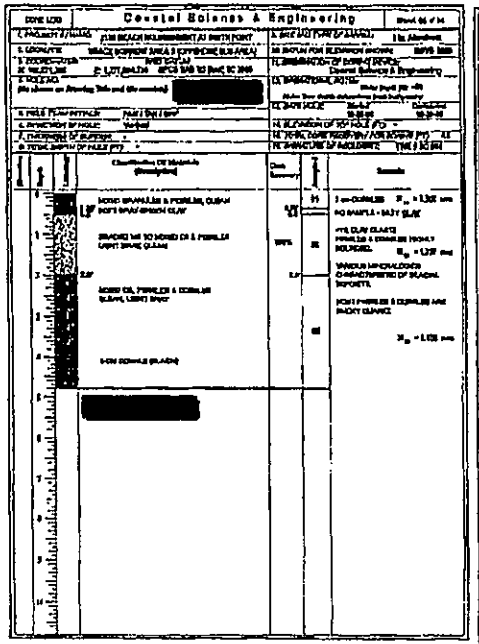
Aerial Photography dated April 2004 - source: http://www.nysgis.state.ny.us/

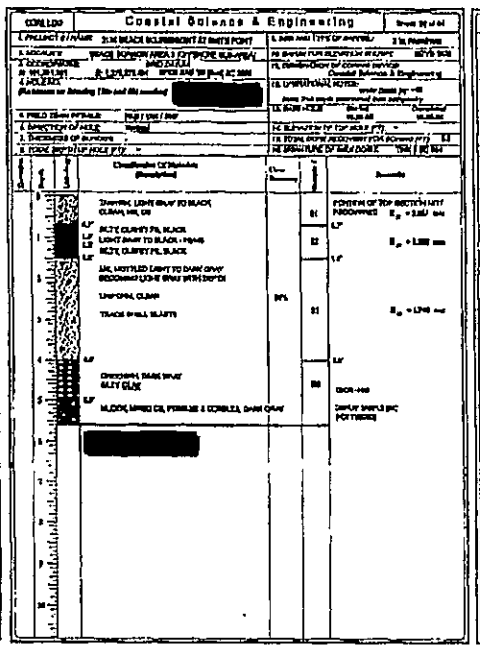
Greenman - Pedersen, Inc. ENGINEERS, ARCHITECTS & PLANNERS	COUNTY OF SUFFOLK DEPARTMENT OF PUBLIC WORKS YAPHANK, NEW YORK
CSE Coastal Science & Engineering	GILBERT ANDERSON, P.E. - CHIEF DEPUTY COMMISSIONER
	BEACH NOURISHMENT AT SMITH POINT PARK
	NOURISHMENT PLAN (East) AREA 2
REVISIONS	PROJECT NO. 2166 · SCALE AS NOTED · SHEET NO. 15 OF 14

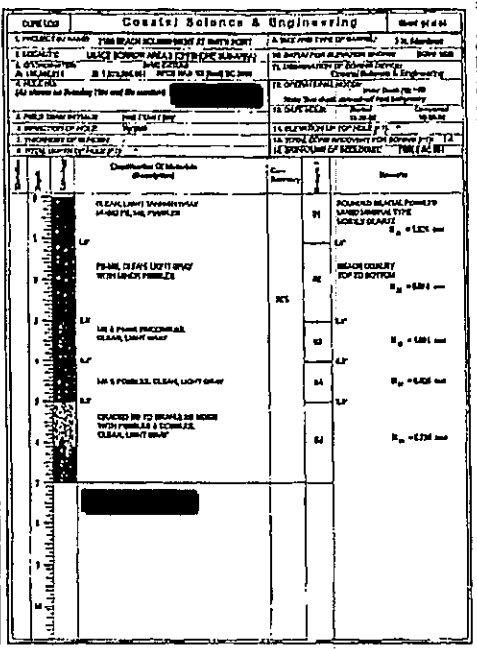
Suffolk County Dept. of Public Works
2006-00255 Sheet 5 of 7

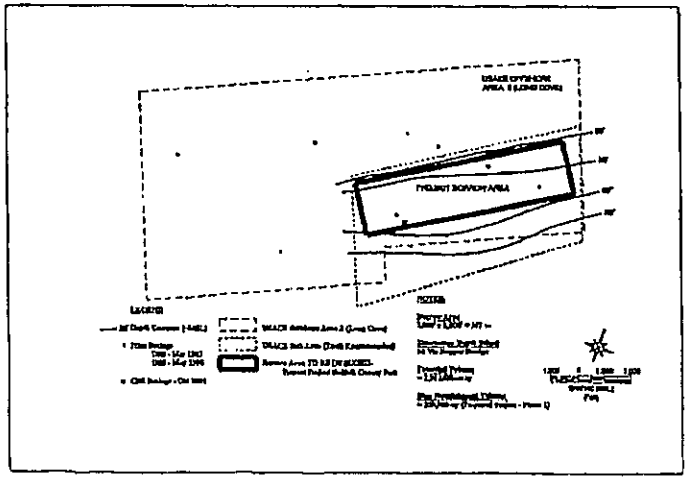
From:40LH01368











BORROW AREA COORDINATES			
Coordinate System:		US State Plane (ftus)	
Horizontal Datum:		NAD 1983	
Zone:		NY LI 3104	
Name	Northing	Easting	Elev
A			NA
B			NA
C			NA
D			NA

Grossman - Pedersen, Inc.
ENGINEERS, ARCHITECTS & PLANNERS

Coastal Science & Engineering

NUMBER	DESCRIPTION	APPROVED	DATE
	REVISIONS		

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK
CHARLES J. BARTHA, P.E. - COMMISSIONER

BEACH NOURISHMENT AT
SMITH POINT PARK

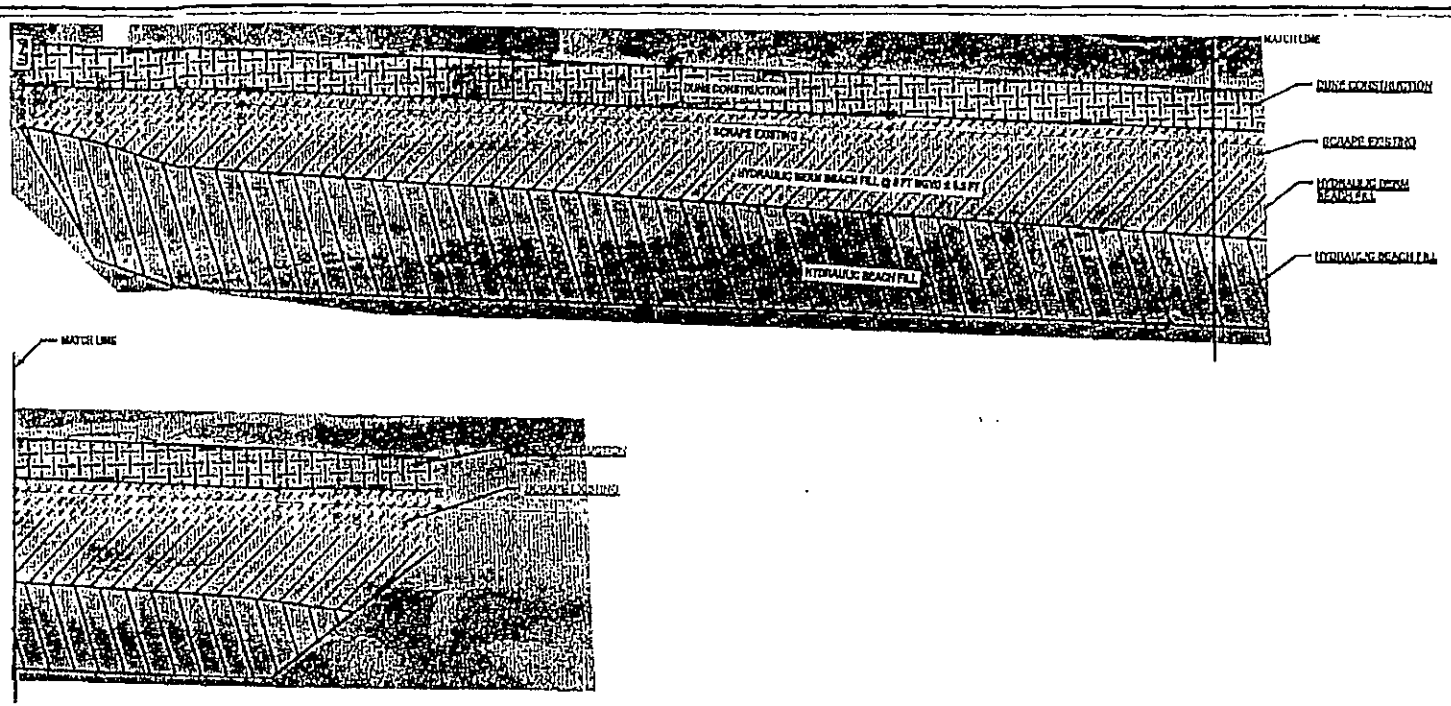
BORROW AREA
GEOTECHNICAL DATA

PROJECT NO. 2166 | SCALE AS NOTED | SHEET NO. 13 OF 14

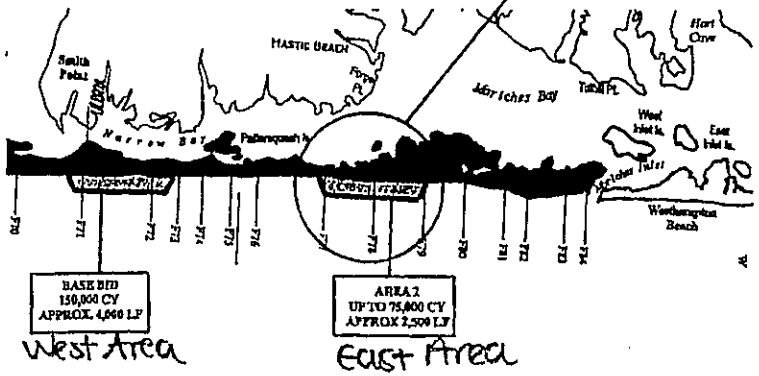
Suffolk County Dept. of Public Works
2006-00255 Sheet 6 of 7

02/21/2007 14:21 #047 P.017/018

From:4OLH01368



AREA 2
DUNE CONSTRUCTION



BEACH GRASS PLANTING

THE DUNE CONSTRUCTED IN ALT. A&C AND ALT. B SHALL BE PLANTED WITH AMERICAN BEACHGRASS, AMMOPHILA BREVILIGULATA.

PLANTS SHALL BE FROM NURSERY STOCK, AND OBTAINED FROM A RECOGNIZED SUPPLIER APPROVED BY THE COUNTY. THE CONTRACTOR SHALL SUBMIT THE QUALIFICATIONS OF THE SUPPLIER FOR REVIEW AND APPROVAL. THE COUNTY RESERVES THE RIGHT TO INSPECT THE PLANT MATERIAL AT THE NURSERY SITE PRIOR TO PLACEMENT OF ANY ORDER.

PLANTING STOCK SHALL BE 12 TO 18" LONG FROM ROOTS OR BASAL NODE TO TIP OF LEAVES.

PROTECT ALL PLANT MATERIAL AND MAINTAIN ROOTS IN MOIST CONDITION PRIOR TO PLANTING.

TIME OF PLANTING SHALL BE BETWEEN OCTOBER 1ST AND MARCH 30TH, WHEN CONDITIONS THAT MAY CAUSE FREEZING ARE NOT PRESENT OR EXPECTED WITHIN 48 HOURS OF PLANTING.

PLANTS SHALL BE SET IN SPADE HOLES 8 TO 10 INCHES DEEP. EACH PLANT SHALL CONSIST OF 2 CULMS. PLANTS SHALL BE SET AT 18" O.C. SPACING WITH THE HOLES STAGGERED FROM ROW TO ROW.

DURING PLANTING A ROOT STIMULANT FERTILIZER SHALL BE INCLUDED. FERTILIZER SHALL BE A RECOGNIZED ORGANIC ROOT STIMULANT SUCH AS PGA BY ORGANICA, BIOPACK BY PLANT HEALTH CARE, OR ROOTS BY HOWAZYME. PRODUCT SHALL BE MIXED TO THE CONCENTRATION RECOMMENDED BY THE MANUFACTURER, AND APPLIED TO COMPLETELY DRENCH TO THE ROOT MASS AND HOLE.

THE PLANTED AREA SHALL BE WATERED REGULARLY TO MAINTAIN MOIST ROOT ZONE. TANK METHOD SHALL BE USED TO ACCOMPLISH THIS UNTIL THE IRRIGATION SYSTEM IS INSTALLED AND EFFECTIVE.

THE PLANTED AREA SHALL BE FERTILIZED WITH AN 8-2-4 COMMERCIAL ORGANIC FERTILIZER FROM A RECOGNIZED AND APPROVED SUPPLIER/MANUFACTURER SUCH AS ORGANICA, PLANT HEALTH CARE, ROOTS, AND NORTH COUNTRY ORGANICS. THE EFFECTIVE RATE PER APPLICATION SHALL BE 15 LB OF ACTIVE N PER 1000 SF. FERTILIZER SHALL BE APPLIED ON OR ABOUT APRIL 30TH, JULY 30TH, AND NOV. 30TH OF THE YEAR OF PLANTING.

IRRIGATION SYSTEM

THE CONTRACTOR SHALL FURNISH AND INSTALL AN IRRIGATION SYSTEM TO AID IN THE ESTABLISHMENT OF THE BEACHGRASS PLANTING.

THE SYSTEM SHALL BE A DRIP IRRIGATION TYPE. THE SYSTEM SHALL BE CONNECTED TO THE SITE WATER SUPPLY AS DIRECTED BY THE COUNTY. THE SYSTEM SHALL INCLUDE THE APPROPRIATE AND REQUIRED COMPONENTS THAT REPRESENT INDUSTRY STANDARDS AND ANY APPLICABLE REGULATIONS. THIS SHALL INCLUDE BUT IS NOT LIMITED TO A BACKFLOW PREVENTION DEVICE, ISOLATION VALVES, CONTROL VALVES, DRAIN VALVES, MAIN AND DISTRIBUTION PIPING, EMMITTERS, VALVE BOXES, CONTROL STATION/TIMER, ETC.

THE SYSTEM SHALL BE LAYOUT SO THAT EACH PLANT LOCATION SHALL HAVE A DEDICATED EMMITTER.

IRRIGATION SYSTEM MAIN AND CONTROL WIRING ARE BURIED 15" BELOW FINISHED GRADE.

GPI Greenman - Pedersen, Inc.
ENGINEERS, ARCHITECTS & PLANNERS

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK
GILBERT ANDERSON, P.E., CHIEF DEPUTY COMMISSIO

BEACH NOURISHMENT AT
SMITH POINT PARK

PLANTING AND IRRIGATION PLA

MARK	DESCRIPTION	APPROVED	DATE
	REVISIONS		

PROJECT NO. 2000336.00 | SCALE AS NOTED | SHEET NO. 1 OF 1

Suffolk County Dept of Public Works
2006-00255 Sheet 7 of 7

02/21/2007 14:21 #047 P.018/018

GPI Greenman - Pedersen, Inc.

Engineering and Construction Services

July 8, 2008

Douglas Mackey
New York State Historic Preservation Office
Peebles Island, PO Box 189
Waterford, New York 12188-0189

RE: Suffolk County Parks Commission
Smith Point County Park Beach Nourishment
Smith Point County Park
Shirley, Suffolk County, New York

GPI Project No. 2005336 BY FAX

Dear Mr Mackey:

Suffolk County Department of Public Works has proposed work at the Smith Point County Park in Shirley, NY and Cupsoque Beach in Westhampton, NY. This work will involve the dredging of the Moriches inlet and the subsequent nourishment of several reaches of Smith Point Park and Cupsoque Beach. As the project consultants we are writing to learn of any historical or archeological information that may be available for the area.

Enclosed is a completed Structural Archeological Assessment Form and Map of the work area.

Thank you for you cooperation in this matter.

Sincerely,

GPI / GREENMAN-PEDERSEN, INC.

Keith Holley
Environmental Scientist

KH/kah

O:\2005\2005336\Environmental\shpo letter.doc

325 West Main Street, Babylon, NY 11702 Tel: (631) 587-5060 Fax: (631) 422-3479
www.gpinet.com

95-20-7 (5/93)

New York State Department of Environmental Conservation

Supplement to Joint Application for Permit

STRUCTURAL ARCHEOLOGICAL ASSESSMENT FORM (SAAF)

PART 1 - - APPLICANT COMPLETES

APPLICANT INFORMATION

1. Applicant Name	Suffolk County Department of Public Works
2. Applicant Address	335 Yaphank Ave, Yaphank, NY 11980

PROJECT INFORMATION

3. Project/Facility Name	Smith Point County Park/Cupsogue Beach Nourishment
4. Project/Facility Location	Smith Point County Park, Shirley and Cupsogue Beach, Westhampton Beach

5. Is the proposed project adjacent to, or does it contain a building or structure listed in the State or National Register of Historic Places?	☐ Yes ☑ No
6. Are any buildings or structures adjacent to or within the proposed project area 50 yrs of age or older ?	☐ Yes ☑ No

If the answer to question 5 and/or 6 is yes, provide the following information for each building and structure (use attachments if necessary):

a. Name of structure	
b. Location	
c. Type of structure (ex. house, outbuilding, barn, bridge, dam, ruins)	
d. Approximate age or date of construction	
7. Might the proposed project have any impact (physical/ visual) upon any buildings or structures listed in the State or National Register of Historic Places or built prior to 1940?	☐ Yes ☑ No

If yes, describe briefly (use attachments if necessary)

APPLICANT SECTION CONTINUES ON REVERSE SIDE

Reset

PART 1 - - APPLICANT COMPLETES

8. Provide photographs of every building and structure that may be impacted by the project as described in number 7, on the opposite side of this page. The following standards are recommended:

- Minimum of 2 photographs
- Minimum size 4" X 4" prints from negatives preferred; polaroid photos are acceptable
- Photos must be **clear** and **focused**
- Clearly label photos so it is obvious what is being illustrated; key photos to map or plan, if possible
- Photo 1: show both the entire front and side of the structure in a single shot from as close to the building as possible. Be sure the structure is not partially or fully blocked by trees or other obstructions
- Photo 2: show relationship of building structure to roadway or surroundings

9.	Has the land within the proposed project area been previously disturbed or altered (excavated, landscaped, filled, utilities installed)?	☑ Yes ☐ No

If yes, describe briefly, including depth of disturbance (use attachments if necessary):

Most recent nourishment project placed several feet of dredged sand on this section of beach in March of 2007. The most recent dredging of Moriches Inlet was 200 foot wide in inlet and seaward to a depth of -10ft mlw and 100 foot wide to a Depth of -6ft mlw in the bay

10.	Approximate percentage of proposed project area with slopes:	0-10%	80 %
		10-15%	%
		15% or greater	20 %
11.	Approximate percentage of proposed project site with the following drainage characteristics:	Well drained	na %
		Moderately well drained	na %
		Poorly drained	na %

Prepared By (Print or type name):

Signature: Date: 4/28/2008

Reset

(5/93)

SAAF

PART 2 - - DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) COMPLETES

APPLICANT/PROJECT INFORMATION		
1.	Applicant Name	
2.	Project/Facility Name	
3.	DEC Number	

BUILDINGS AND STRUCTURES		
4.	Might the proposed project have any impact (physical/visual) upon any buildings or structures listed in the State or National Register of Historic Places or built prior to 1940?	☐ Yes ☐ No

If yes, DEC must consult with the Office of Parks, Recreation and Historic Preservation (OPRHP). DEC must request a determination of eligibility for the State Register of Historic Places and/or comments regarding project impact. Include information supplied by the applicant in response to questions 5, 6, 7 and 8 of Part 1 of this form.

ARCHEOLOGICAL SITES		
5.	Does the proposed project area coincide with a circle, square or stippled area on OPRHP's Statewide Archeological Inventory Map?	☐ Yes ☐ No
6.	Is the proposed project area outside of a circle or square, but one for which information has been provided (ex: documented reports of known sites) that suggests the area is archeologically sensitive?	☐ Yes ☐ No
	If yes, what is the nature and source of information?	
7.	Is the proposed project area apparently undisturbed?	☐ Yes ☐ No
8.	Will the proposed action include a physical disturbance of the project area?	☐ Yes ☐ No
9.	Is the slope in the area characteristically less than 15% (unless on limestone/flint escarpments)?	☐ Yes ☐ No
10.	Is the proposed project area characteristically moderately well or well drained?	☐ Yes ☐ No

If the answers to 5, 7-10 are yes, an archeological survey should be performed by the applicant. Provide the applicant with a copy of *Report Format for Cultural Resource Investigations* and a list of archeological consultants.

If the answer to 5 is no, but answers to 6-10 are yes, DEC must consult with OPRHP before requiring that the applicant perform an archeological survey.

DEC SECTION CONTINUES ON REVERSE SIDE

PART 2 - - DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) COMPLETES

RESULTS OF EVALUATION		
☐ **SHPA-1**	No buildings, structures or archeological sites identified at the project location.	
☐ **SHPA-2**	Buildings, structures or archeological sites identified, but no impacts will occur, no survey required. No further cultural resources review required.	
☐	Consultation by DEC with OPRHP required.	☐ Structures ☐ Archeology
☐	Archeological survey required.	
Prepared by:		Date:

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

July 7, 2008

Keith Holley
GPI/Greenman-Pedersen, Inc.
325 West Main Street
Babylon, NY 11702

Re: **F-2008-0233**
U.S. Army Corps of Engineers/New York District Permit Application: Suffolk Co. Department of Public Works Maintenance Dredging of Moriches Bay Inlet and the placement of sand on three locations at Smith Point Park and Cupsogue Beach, Town of Brookhaven, Suffolk County.
Status of Consistency Review.

Dear Mr. Holley:

The Department of State is required to notify you of the status of our review of this project for its consistency with the New York State Coastal Management Program if a decision has not been issued within three months following commencement of our consistency review.

We cannot complete our consistency review for this project until we coordinate our findings with the involved Federal, State and Local agencies. We also can not complete our review until a Public Notice is issued by the Department of State, has expired and comments, if any, are received and addressed. A 30 day public notice has been submitted for the July 9, 2008 issue of the New York State Register, to expire on August 8, 2008.

Please contact me at (518) 484-1737 (email: Jennifer.Street@dos.state.ny.us) and refer to our file # F-2008-0233 if you have any questions regarding this matter.

Sincerely,

Jennifer L. Street
Coastal Resources Specialist
Division of Coastal Resources

/jls
cc: COE/New York District - Stacey Jensen
NYSDEC/Region 1- George Hammarth

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 File Number: NAN-2008-00278-EHA
Issue Date: 18 JUL 2008
Expiration Date: 18 AUG 2008

To Whom It May Concern:

The New York District, U.S. Army 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: Sand-borrow dredging with sand placement for beach re-nourishment.

WATERWAY: Moriches Inlet, a tributary to the Atlantic Ocean, and Atlantic Ocean Shoreline

LOCATION: Moriches Inlet, Smith Point County Park on Fire Island and Cupsogue County Park, Town of Brookhaven, 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.

PLEASE INCLUDE THE 18-CHARACTER APPLICATION FILE NUMBER SHOWN ABOVE ON ALL SUBMITTALS

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.

The New York District of the U.S. Army Corps of Engineers is serving as a cooperating agency involved in the preparation of an Environmental Assessment by the U.S. Department of the Interior, National Park Service, Fire Island National Seashore.

Information on project impacts to Endangered and Threatened Species, Essential Fish Habitat, and sites included in or eligible for inclusion in the National Register of Historical Places can be found in the Environmental Assessment. The point of contact for the Environmental Assessment is Michael Bilecki, Chief of Resources Management, Fire Island National Seashore at Michael_Bilecki@nps.gov.

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 occurs. 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, 41 State Street, 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
- U.S. Department of the Interior, National Park Service, Fire Island National Seashore

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 this office at (917) 790-8523 and ask for Naomi Handell.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

Richard L. Tomer
for Chief, Regulatory Branch

Enclosures

PLEASE INCLUDE THE 18-CHARACTER APPLICATION FILE NUMBER SHOWN ABOVE ON ALL SUBMITTALS

WORK DESCRIPTION

The permit applicant, Suffolk County Department of Public Works (SCDPW), has requested a one-time Department of the Army permit to dredge in Moriches Inlet, a tributary to the Atlantic Ocean, Town of Brookhaven, Suffolk County, New York for sand. The resultant sand dredged material would be placed on eroded sections of beaches at Smith Point County Park to the west of Moriches Inlet and at Cupsogue Beach County Park to the east of Moriches Inlet, for beach nourishment, to restore the eroded beaches to pre-storm contours.

The proposed work would involve dredging by SCDPW, via hydraulic cutterhead pipeline dredge, a maximum of 460,000 cubic yards of beach compatible sand from the following areas (see attached permit application drawing 7 of 9):

Moriches Inlet Area A

- 340,000 cubic yards; 2,800 feet long by 300 feet wide; to a depth of -14 below the plane of mean low water, plus a 1 foot overcut

Moriches Inlet Area B

- 105,000 cubic yards; 2,000 feet long by 200 feet wide; to a depth of -12 feet below the plane of mean low water

Moriches Inlet Area C

- 15,000 cubic yards; 1,100 feet long by 100 feet wide; to a depth -8 feet below the plane of mean low water, plus a 1 foot overcut

The resultant sandy dredged material, composed of 90% sand and 10% silt, would be deposited for beach nourishment in the following areas (see attached permit application drawings 4, 5, and 6 of 9):

Beach Nourishment Area 1-Smith Point County Park Pavilion

- 38,000 cubic yards of sand dredged material would be deposited waterward of the Spring High Water Line (SHWL); approximately 1,026,000 square feet of beach area waterward of the SHWL would be affected
- 4,000 feet long by 300 feet wide, including a 250 foot taper at the west and east terminus of the placement area

Beach Nourishment Area 2-Smith Point County Park East Fire Island

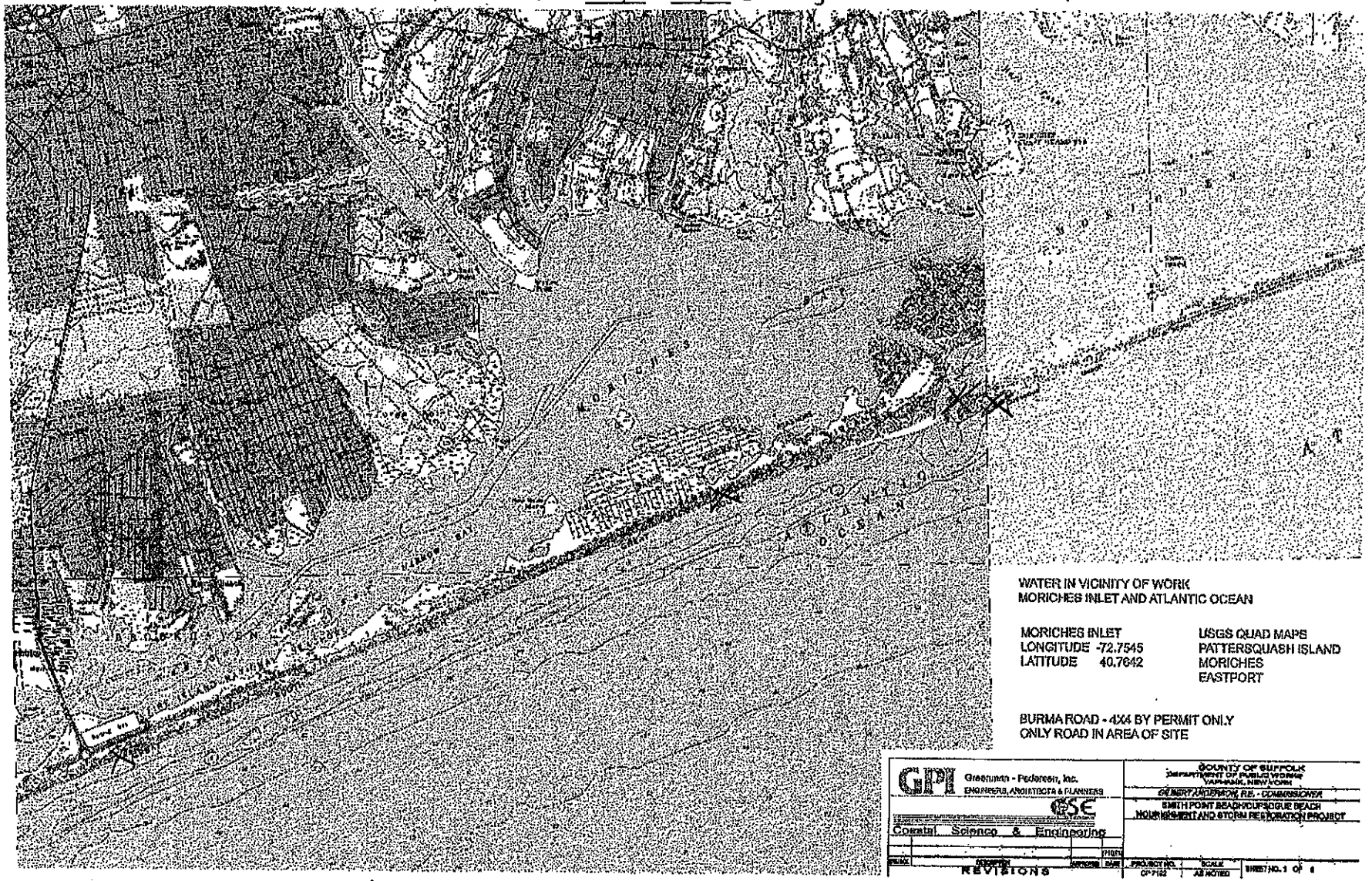
- 117,000 cubic yards of dredged material would be deposited waterward of the SHWL; approximately 3,159,000 square feet of beach area waterward of the SHWL would be affected
- 9,000 feet long by 300 feet wide, including a 250 foot taper at the west and east terminus of the placement area

Beach Nourishment Area 3-Cupsogue Beach County Park

- 75,000 cubic yards of dredged material would be deposited waterward of the SHWL; approximately 2,250,000 square feet of beach area waterward of the SHWL would be affected
- 6,000 feet long by 550 feet wide, including a 250 foot taper at the west and east terminus of the placement area.

PLEASE INCLUDE THE 18-CHARACTER APPLICATION FILE NUMBER SHOWN ABOVE ON ALL SUBMITTALS

Corps #: NAN-2008-278-EHA
Project Name: SCDPW Smith Point + Cupsogue County Park/Moriches Inlet
Sheet 1 of 9



WATER IN VICINITY OF WORK
MORICHES INLET AND ATLANTIC OCEAN

MORICHES INLET
LONGITUDE -72.7545
LATITUDE 40.7642

USGS QUAD MAPS
PATTERSQUASH ISLAND
MORICHES
EASTPORT

BURMA ROAD - 4X4 BY PERMIT ONLY
ONLY ROAD IN AREA OF SITE

GPI Greenman - Pedersen, Inc.
ENGINEERS, ARCHITECTS & PLANNERS
CSE Coastal Science & Engineering

COUNTY OF SUFFOLK
DEPARTMENT OF PUBLIC WORKS
YAPHANK, NEW YORK
GILBERT ANDERSON, P.E. - COMMISSIONER
SMITH POINT BEACH/CUPSOGUE BEACH
NOURISHMENT AND STORM RESTORATION PROJECT

REVISIONS

PROJECT NO. CP-7102 | SCALE AS NOTED | SHEET NO. 1 OF 6

X = project sites