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of Engineers®

Public Notice

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OPERATION AND MAINTENANCE DREDGING AND DREDGED MATERIAL PLACEMENT

IRONDEQUOIT HARBOR

MONROE COUNTY, NEW YORK

This Public Notice has been prepared pursuant to Section 404(a) of the Clean Water Act. It is being administered in conformance with U.S. Army Corps of Engineers (USACE) regulation, "Practice and Procedure: Final Rule for Operation and Maintenance of Army Corps of Engineers Civil Works Projects involving the Discharge of Dredged Materials into Waters of the United States or Ocean Waters," 33 Code of Federal Regulations (CFR) 337.1.0. The purpose of this Public Notice is to specify what dredged/fill materials would be discharged into waters of the United States by implementation of the proposed action and advise all interested parties of the proposed project and to provide an opportunity to submit comments or request a public hearing.

The U.S. Army Corps of Engineers (USACE), Buffalo District is periodically required to dredge and discharge sediment excavated from the authorized federal navigation channels of Irondequoit Harbor in order to maintain authorized channel depths. The next maintenance dredging operation is expected to be performed between 2026 and 2027 based on contractor availability to do the work.

Federal navigation channels in the harbor are shallow-draft and designed to accommodate recreational navigation, and include an Entrance, Access and Bay Channels having authorized depths ranging from -8 to -9 feet low water datum (LWD)¹ (Figure 1). These channels undergo periodic maintenance dredging, which requires management of the dredged sediments. Past sampling, testing and evaluation has determined that the sediments dredged from Irondequoit Bay Harbor federal navigation channels are suitable for discharge at designated open-water sites in Lake Ontario based on the "contaminant determination" Clean Water Act (CWA) Section 404(b)(1) Guidelines at 40 CFR 230.11(d).

¹ Low Water Datum for Lake Ontario is elevation 243.3 feet above mean water level at Rimouski, Quebec, Canada; International Great Lakes Datum [IGLD], 1985.

As sediments deposit through sedimentation and accumulate as shoals in Irondequoit Bay federal navigation channels, they obstruct shallow-draft commercial navigation, thus requiring periodic maintenance dredging. Dredging is generally targeted to occur at 5 to 10-year intervals, with a total quantity of about 20,000 cubic yards per event. The Entrance Channel typically accumulates a significant amount of coarse-grain sediment (mostly medium to fine sands); these sediments are dredged and placed at the approximately 0.05-square mile nearshore site located along Oklahoma Beach approximately 2,400 feet east-northeast of the Irondequoit Bay Harbor East Jetty. Sediments dredged from the remaining Access and Bay Channels tend to be predominantly fine-grain (sandy silts and clays) and are placed at the one quarter-square mile deep open-lake site located 3.2 statute miles from the harbor West Breakwater Light 2 at an azimuth of N 37° W (Figure 2).

The dredging operation at Irondequoit Harbor would be performed between the years 2026 and 2027. A contractor of the federal government would accomplish the project. Sediments would be removed from the channel bottom by mechanical or hydraulic dredge and placed into a hopper aboard ship or scow for transport to the discharge site. No overflow dredging would be allowed. The contractor performing the maintenance dredging would determine the method of excavation. In previous years, hopper and clamshell bucket dredges have been used to complete the required work.

Pursuant to Section 401 of the Clean Water Act, Water Quality Certification (WQC) from the New York State Department of Environmental Conservation (NYSDEC) is required for the discharge of dredged sediment. Therefore, a copy of this Public Notice has been provided to NYSDEC requesting WQC, or waiver thereof, for the disposal of the sediment in the open lake placement area.

The environmental effects of the dredging operation are documented in the ***Final Environmental Assessment (EA) and 404(b)(1) Evaluation, Operation and Maintenance, Irondequoit Bay Harbor, New York (1992)***. These documents, and supplemental documentation, have been filed with the USEPA. Copies are available for examination at the Buffalo District office.

There are no registered historic properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project. Since the dredging and placement operations would be restricted to those areas which have been historically impacted by these activities, the likelihood of encountering unknown cultural resources is low. In the event that unrecorded historic or archaeological remains are encountered during the course of the dredging operations, the State Historic Preservation Office (SHPO) will be duly notified, and appropriate measures will be taken to protect and preserve their integrity.

This office has determined that the proposed project would have No Effect upon any species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor would the proposed work result in an Adverse Modification of designated critical habitat for any

such species. Therefore, unless new information indicates otherwise, no further consultation pursuant to Section 7 of the Endangered Species Act Amendments of 1978 would be undertaken with the U.S. Fish and Wildlife Service.

This work would be undertaken in a manner consistent, to the maximum extent practicable, with the New York State Coastal Management Program. A Coastal Management Program Federal Consistency Determination has been submitted to the New York State Department of State documenting this determination.

The decision whether to perform dredging has been based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision reflects the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal has been balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal have been considered including the cumulative factors 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.

This activity is being coordinated with the following agencies, as well as other appropriate federal, state and local agencies and organizations:

- National Park Service
- New York State Department of Environmental Conservation
- New York State Department of State
- New York State Department of Parks, Recreation and Historic Preservation
- U.S. Coast Guard
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Environmental Protection Agency

Any interested parties and/or agencies desiring to express their views concerning these proposed discharges of dredged sediment may do so by filing their comments, in writing, no later than 30 days from the date of this notice. Any person who has an interest which may be affected by the discharge of this dredged sediment may request a public hearing. The request must be submitted in writing to the undersigned within 30 days of the date of this Public Notice. The request must clearly set forth the interest which may be affected, and the manner in which the interest may be affected, by this activity.

Interested parties are encouraged to contact the USACE - Buffalo District with their comments and/or requests for additional information regarding the proposed discharge of dredged sediment.

Please review this Public Notice and send your comments and/or information requests in writing within 30 days to the following e-mail address:

IrondequoitDredging@usace.army.mil

or via mail to:

U.S. Army Corps of Engineers - Buffalo District
Environmental Analysis Team
478 Main Street
Buffalo, NY 14202-3278
ATTN: Environmental Analysis – Irondequoit Harbor Dredging

This Public Notice is published in conformance with 33 CFR 337.1. All dredging and dredged sediment discharge would be performed in conformance with Sections 313 and 404 of the Clean Water Act (33 USC 1323 and 1344, respectively).

NOTICE TO THE POSTMASTER: It is requested that the above notice be conspicuously displayed for 30 days from the date of issuance.

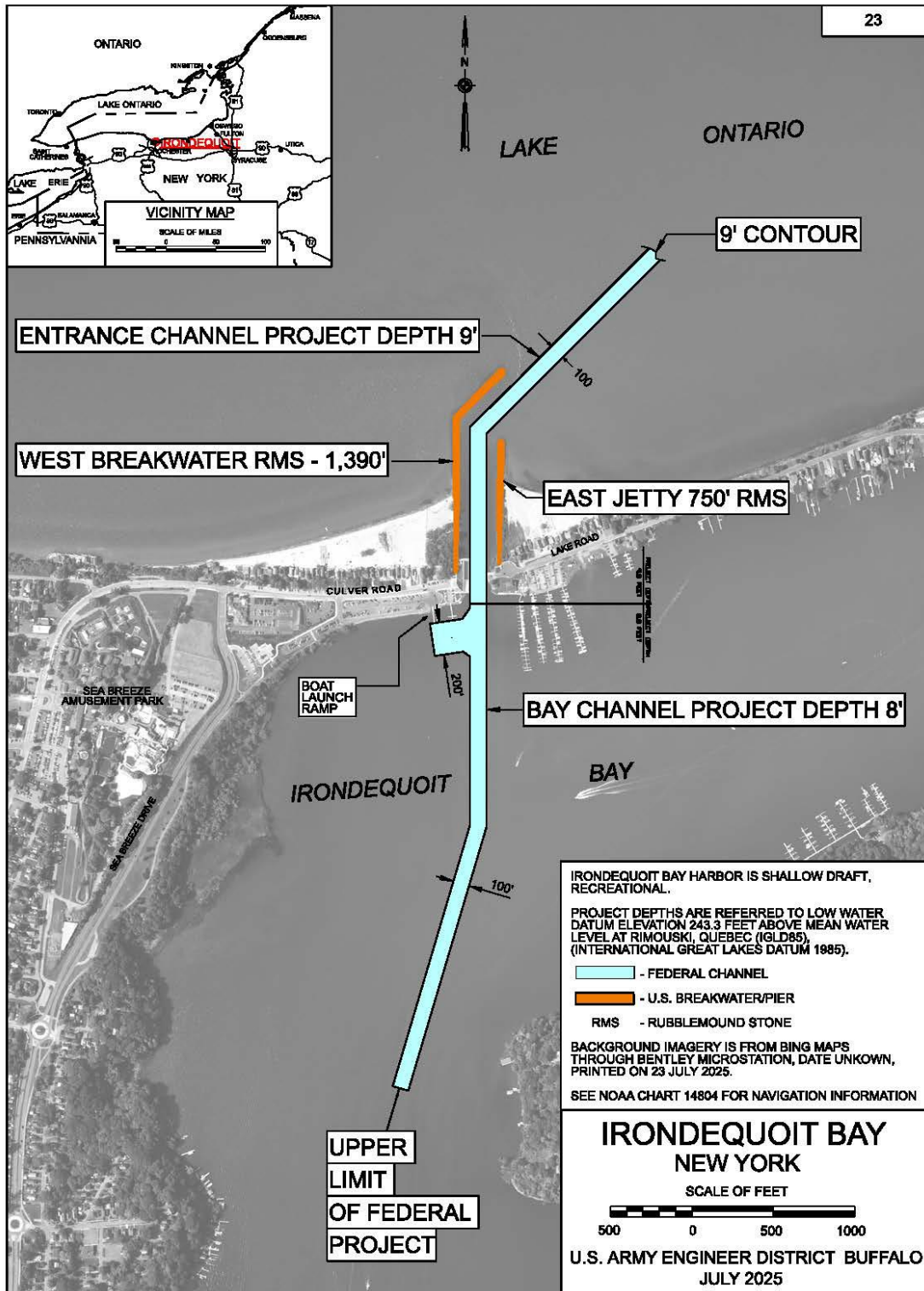


Figure 1: Irondequoit Bay dredging limit details.

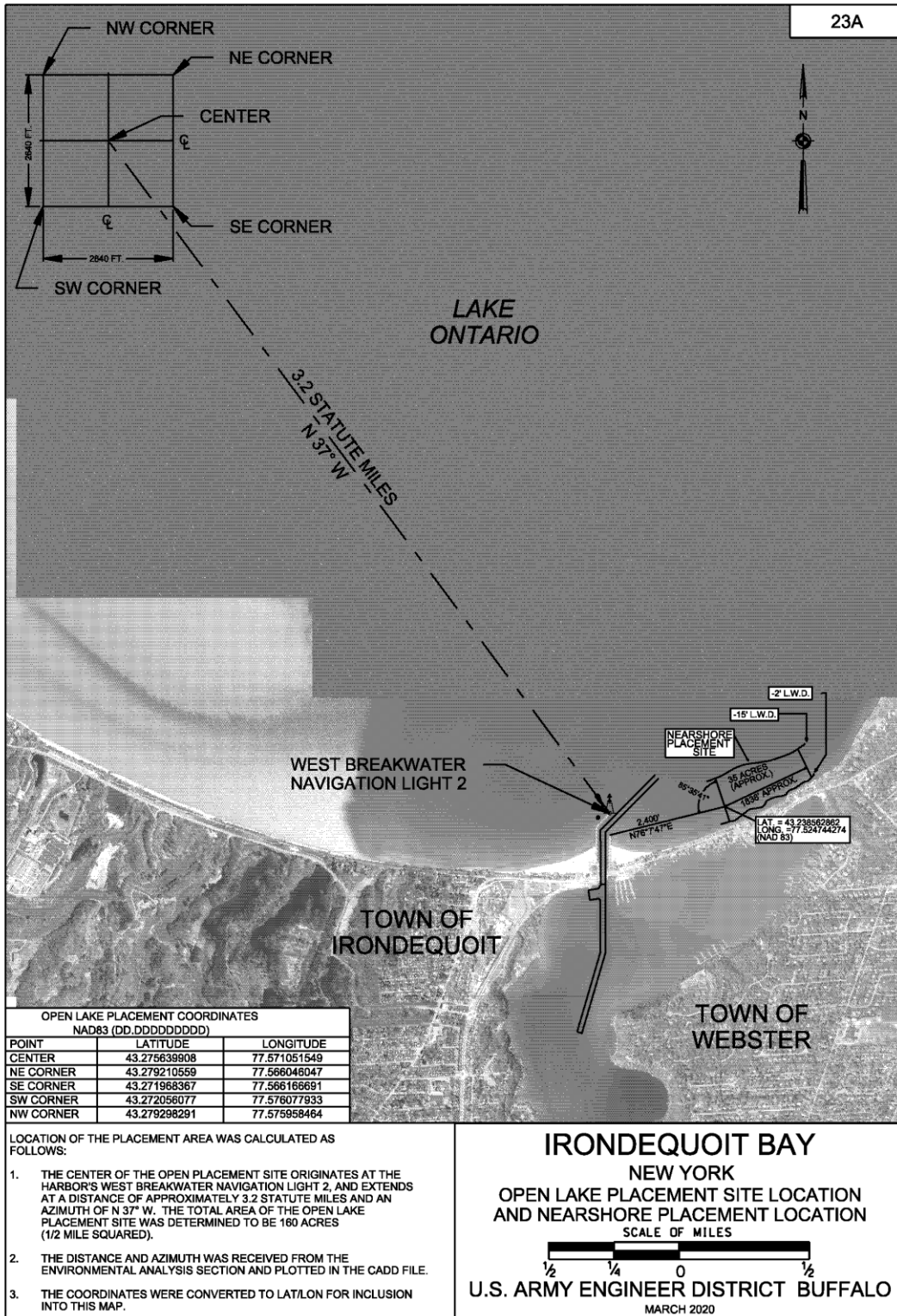


Figure 2: Irondequoit Bay open-lake and nearshore sediment placement locations.