

PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2013-00318-ETA
Issue Date: May 23, 2013
Expiration Date: June 22, 2013

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: South Ferry, Inc.
135 South Ferry Road
Shelter Island, NY 11964

ACTIVITY: Dredge with Ten Years Maintenance and Upland Disposal

WATERWAY: Smith Cove

LOCATION: Shelter Island, 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.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any

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Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 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.

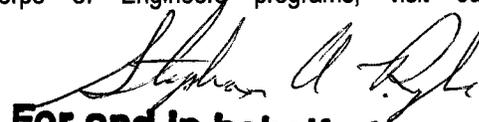
In addition to any required coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at 917-790-8521 and ask for Frank Tangorra.

In order for us to better serve you, please complete our Customer Service Survey located at: <http://www.nan.usace.army.mil/business/buslinks/regulat/index.php?survey>.

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


For and In behalf of
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

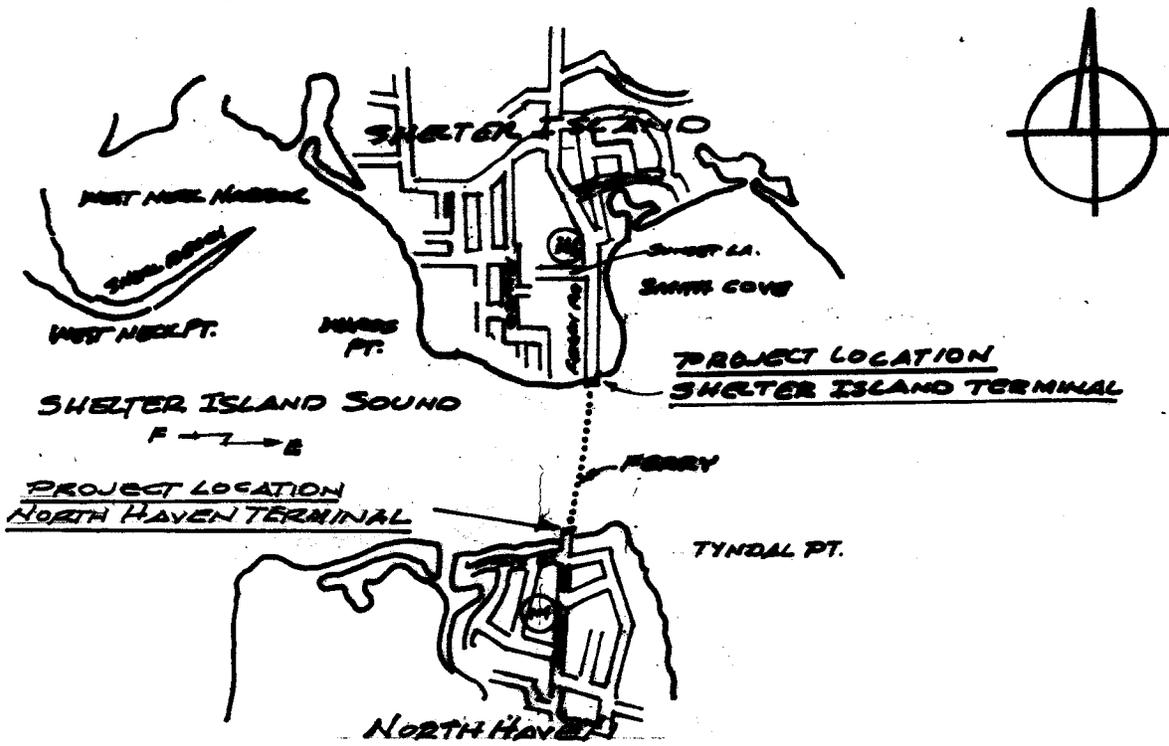
WORK DESCRIPTION

The applicant, South Ferry, Inc., has requested Department of the Army authorization to dredge with ten years maintenance and upland disposal in Smith Cove, Shelter Island, Suffolk County, New York.

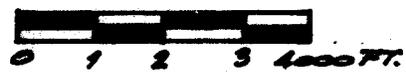
The regulated work involves the continued maintenance dredging by South Ferry, Inc. of approximately 12,000 cubic yards of material from an approximate 6,545 square foot area to a depth of 10 feet below mean low water in the Shelter Island Terminal and 3,200 cubic yards of material from an approximate 11,008 square foot area to a depth of 10 feet below mean low water in the North Haven Terminal. The applicant would perform four additional dredge events of approximately 500 cubic yards of material in the Shelter Island Terminal and four additional dredge events of approximately 1,000 cubic yards of material during the ten year period.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by limiting the dredging to the smallest area practicable. Also, the impacts to waters of the United States are only temporary. All dredged material would be placed in an approved upland site.

The stated purpose of this project is to maintain an existing ferry terminal to continue public ferry service.



VICINITY MAP



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PROPOSED: SHELTER ISLAND TERMINAL: MAINTENANCE DREDGE SLIP AREAS TO -10' BELOW MEAN LOW WATER ELEV. O.O. REMOVING 1,200 CU. YD'S 95% GRANULAR 5% GRAVEL THE FIRST YEAR AND 500 CU. YD'S FOUR TIMES IN REMAINING TEN YEARS.

NORTH HAVEN TERMINAL: MAINTENANCE DREDGE SLIP AREAS TO -10' BELOW MEAN LOW WATER ELEV. O.O. REMOVING 3200 CU. YD'S 95% GRANULAR 5% GRAVEL THE FIRST YEAR AND 1000 CU. YD'S FOUR TIMES IN REMAINING TEN YEARS.

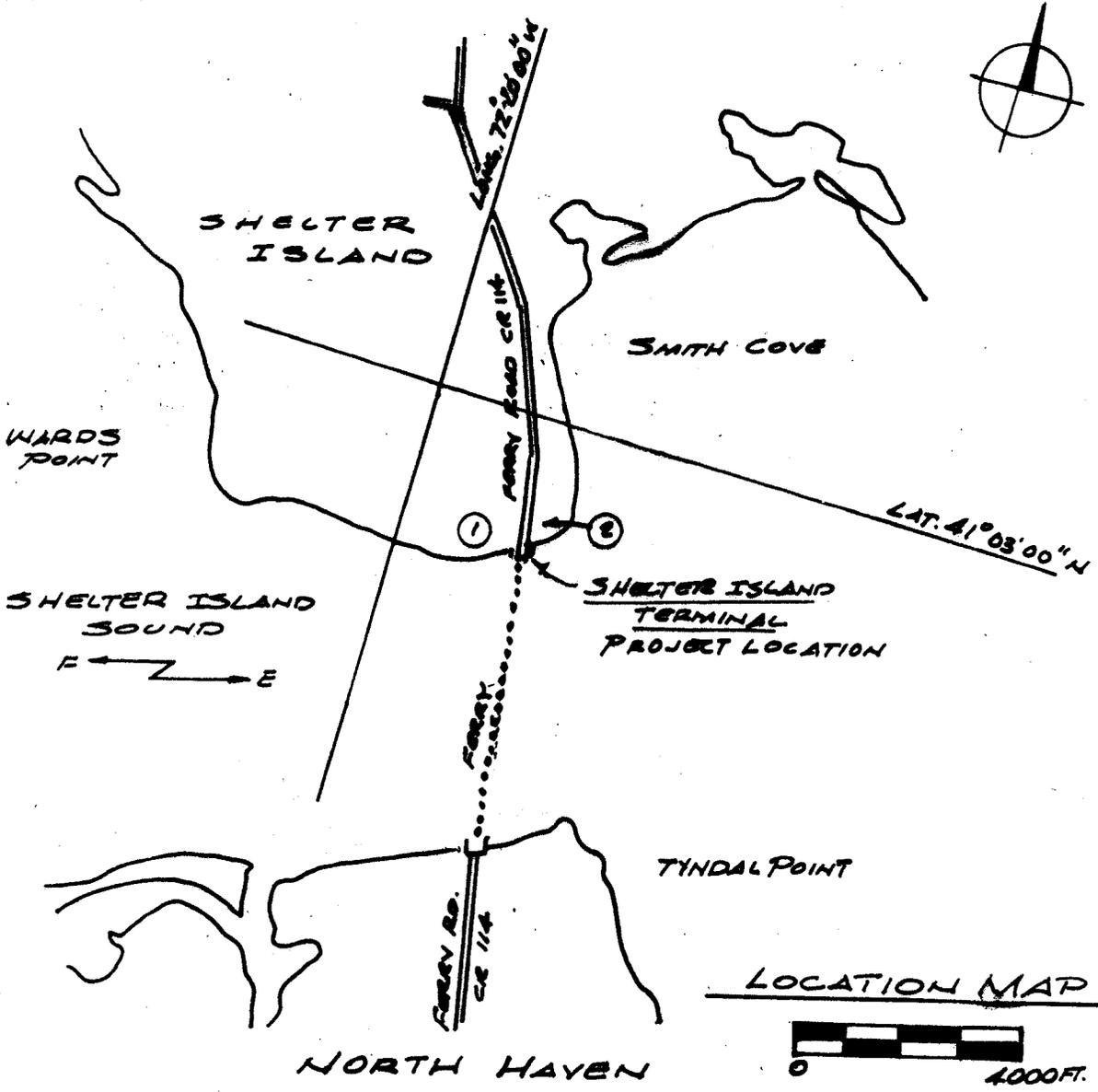
ALL DREDGING TO BE DONE USING BARGE/CRANE.
ALL DREDGED SPILL TO BE TRUCKED OFF-SITE TO AN APPROVED DISPOSAL SITE.

ACCESS BY WATER USING BARGE/CRANE.
BY LAND THROUGH APPLICANTS PROPERTY.

PREPARED BY:
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124 GREENPORT, N.Y. 11944
(631) 477-1199

APPLICANT
SOUTH FERRY INC.
135 SOUTH FERRY RD.
SHELTER ISLAND, N.Y.
11966
SHELTER ISLAND TERMINAL
+
NORTH HAVEN TERMINAL

MAR. 5, 2013



ADJACENT PROPERTY OWNERS:

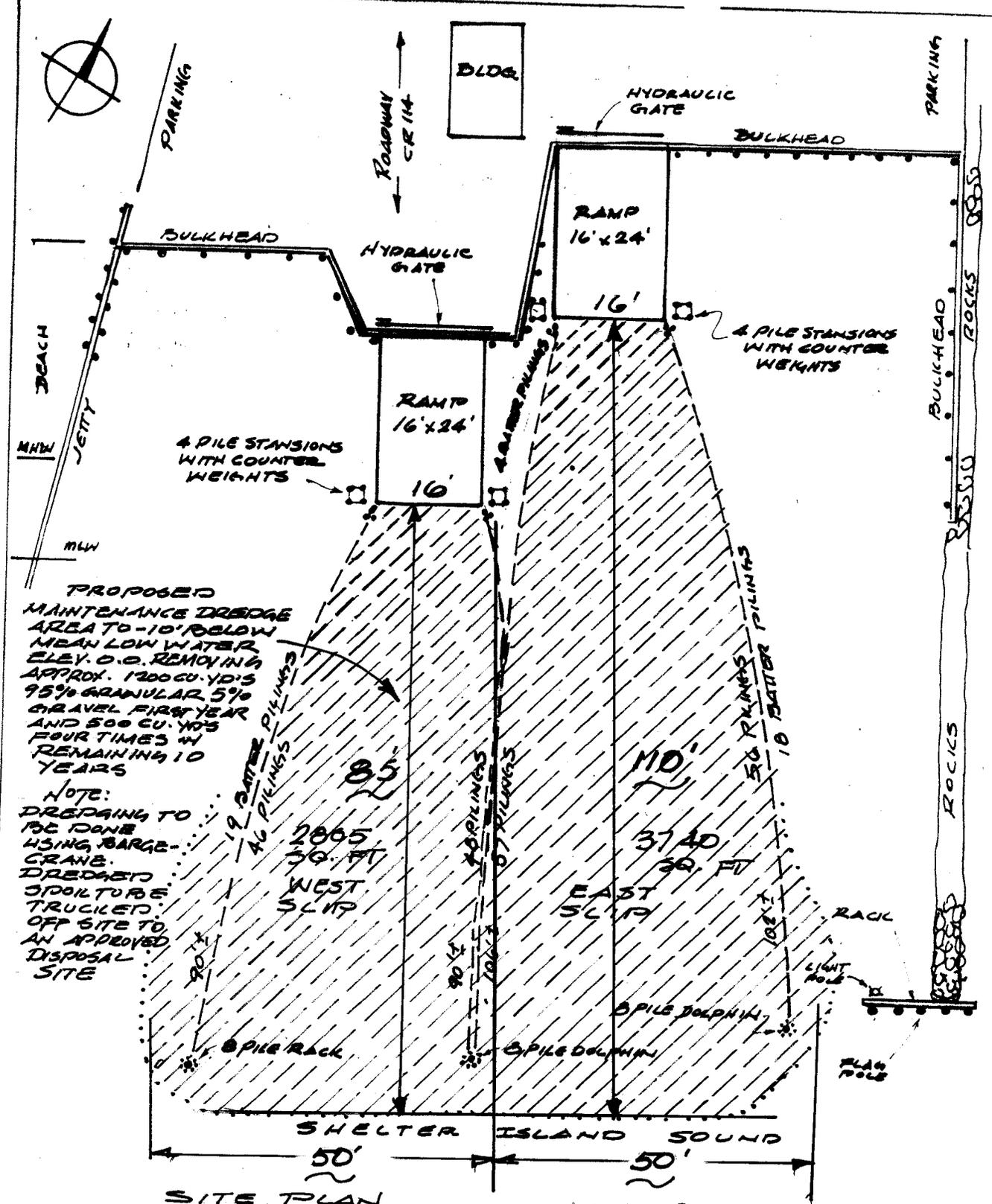
- ① SOUTH FERRY INC.
FERRY ROAD
SHELTER ISLAND, N.Y. 11964
- ② 0700-27-1-1
0700-27-1-2

NAN-2013-00318-ETA

APPLICANT
SOUTH FERRY INC.
135 SOUTH FERRY RD.
SHELTER ISLAND, N.Y.
11964
SHELTER ISLAND TERMINAL

PREPARED BY:
COSTELLO MARINE CONTRACTING CORP.
P.O. Box 2124 GREENPORT, N.Y. 11944
(601) 477-1199

MAR. 5, 2013



PROPOSED
 MAINTENANCE DREDGE
 AREA TO -10' BELOW
 MEAN LOW WATER
 ELEV. O.O. REMOVING
 APPROX. 1200 CU. YD'S
 95% GRANULAR, 5%
 GRAVEL FIRST YEAR
 AND 500 CU. YD'S
 FOUR TIMES IN
 REMAINING 10
 YEARS

NOTE:
 DREDGING TO
 BE DONE
 USING BARGE-
 CRANE.
 DREDGED
 STRUCTURE
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 OFF SITE TO
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 DISPOSAL
 SITE

SITE PLAN
 SHELTER ISLAND TERMINAL

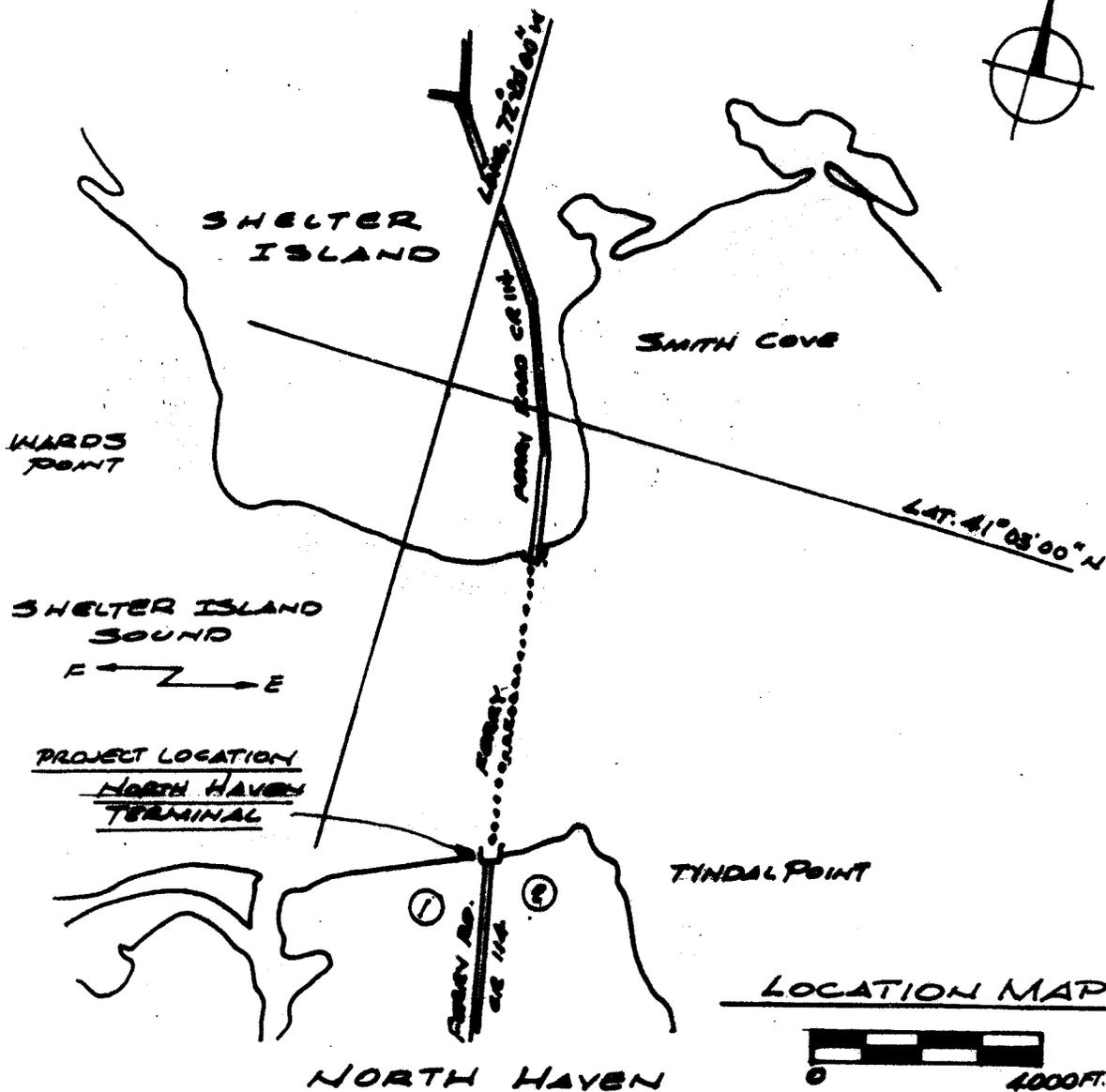


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 APPLICANT

SOUTH FERRY INC.
 135 SOUTH FERRY RD.
 SHELTER ISLAND, N.Y.
 11964

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 COSTELLO MARINE CONTRACTING CORP.
 P.O. Box 2124 GREENPORT, N.Y. 11944
 (631) 477-1199

MAR. 5, 2013



PROJECT LOCATION
NORTH HAVEN
TERMINAL

LOCATION MAP

ADJACENT PROPERTY OWNERS:

- ① SOUTH FERRY INC.
 FERRY ROAD
 SHELTER ISLAND N.Y. 11964
 90-1-4-61
- ② 370 NORTH FERRY ROAD LP
 FERRY ROAD
 NORTH HAVEN, N.Y. 11963
 90-1-2-142

APPLICANT

SOUTH FERRY INC.
 135 SOUTH FERRY RD.
 SHELTER ISLAND, N.Y.
 11964
 NORTH HAVEN TERMINAL

NAN-2013-00318-ETA

PREPARED BY:
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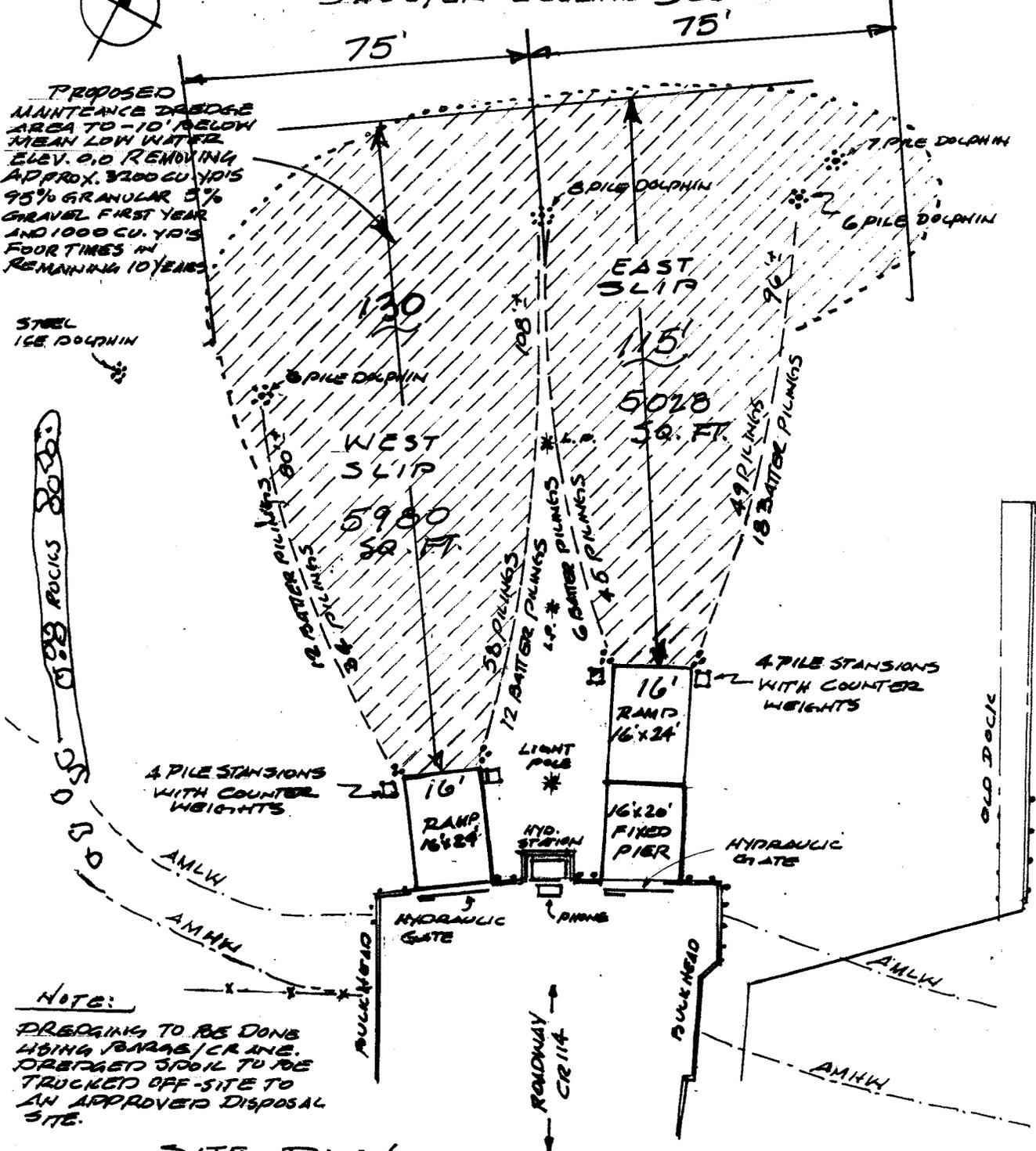
MAR. 5, 2013



SHELTER ISLAND SOUND

PROPOSED
MAINTENANCE DREDGE
AREA TO -10' BELOW
MEAN LOW WATER
ELEV. 0.0 REMOVING
APPROX. 3200 CU YD'S
95% GRANULAR 5%
GRAVEL FIRST YEAR
AND 1000 CU YD'S
FOUR TIMES IN
REMAINING 10 YEARS.

STEEL
ICE DOLPHIN



NOTE:
DREDGING TO BE DONE
USING PUMP/CRANE.
DREDGED SOIL TO BE
TRUCKED OFF-SITE TO
AN APPROVED DISPOSAL
SITE.

SITE-PLAN NORTH HAVEN TERMINAL

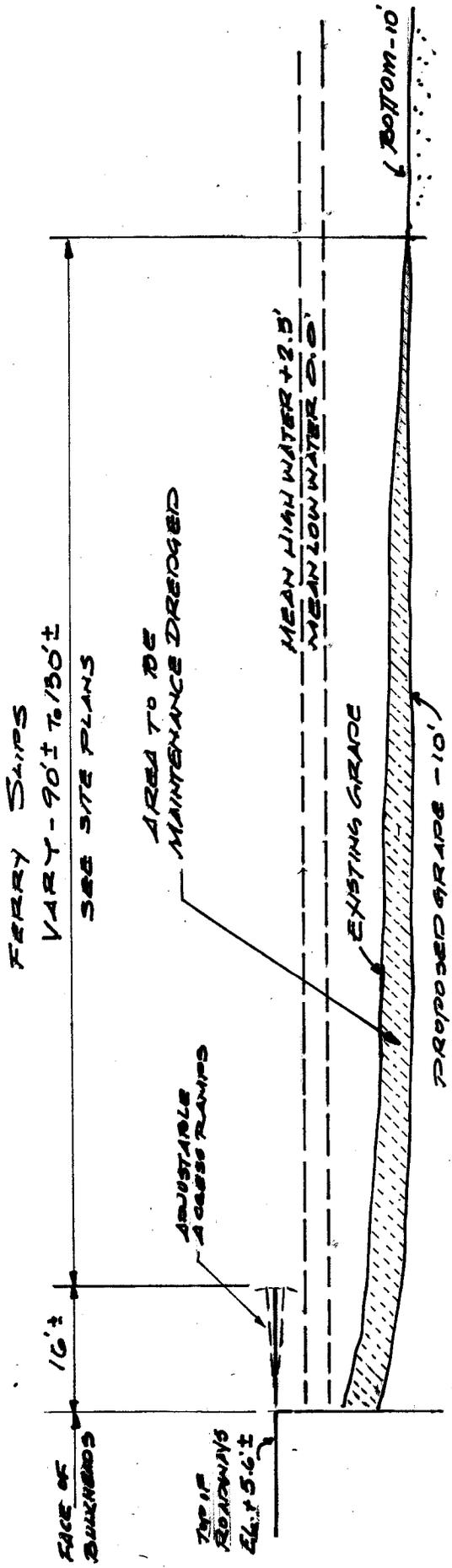


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SOUTH FERRY INC.
135 SOUTH FERRY RD.
SHELTER ISLAND, N.Y.
11964

PREPARED BY: NAN-2013-00318-ETA
COSTELLO MARINE CONTRACTING CORP.
P.O. Box 2124 GREENPORT, N.Y. 11944
(631) 477-1199

MAR. 5, 2015



TYPICAL DREDGING PROFILE



APPLICANT
 SOUTH FERRY INC.
 133 SOUTH FERRY ROAD
 SHELTER ISLAND, N.Y.
 11964
 SHELTER ISLAND TERMINAL
 NORTH HAVEN TERMINAL
 MAR. 5, 2013

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