

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-2014-01210-EYR**
Issue Date: **November 14, 2014**
Expiration Date: **December 14, 2014**

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: Daniel Gundrum
61 East 82nd Street, Apartment 1A
New York, NY 10028

ACTIVITY: Installation of one seasonal, fixed timber pier at Fire Island.

WATERWAY: Great South Bay

LOCATION: One Atlantic Walk at Fire Island, Village of Water Island, Town of Brookhaven, Suffolk County, NY

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.

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ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

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

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

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

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 occurs. For activities within the coastal zone of New York, the applicant's certification and accompanying information is available from the New York State Department of State Division of Coastal Resources, Coastal Management Program, 99 Washington Avenue – Suite 1010, Albany, New York 12231-0001, 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.

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Public Notice NAN-2014-01210-EYR

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

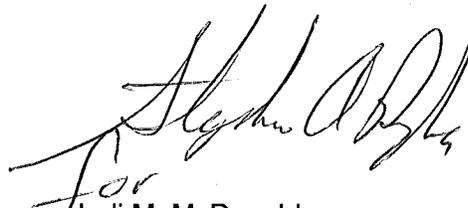
- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice.

If you have any questions concerning this application, you may contact this office at (917) 790-8515 and ask for Mr. Robert Youhas.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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



for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

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WORK DESCRIPTION

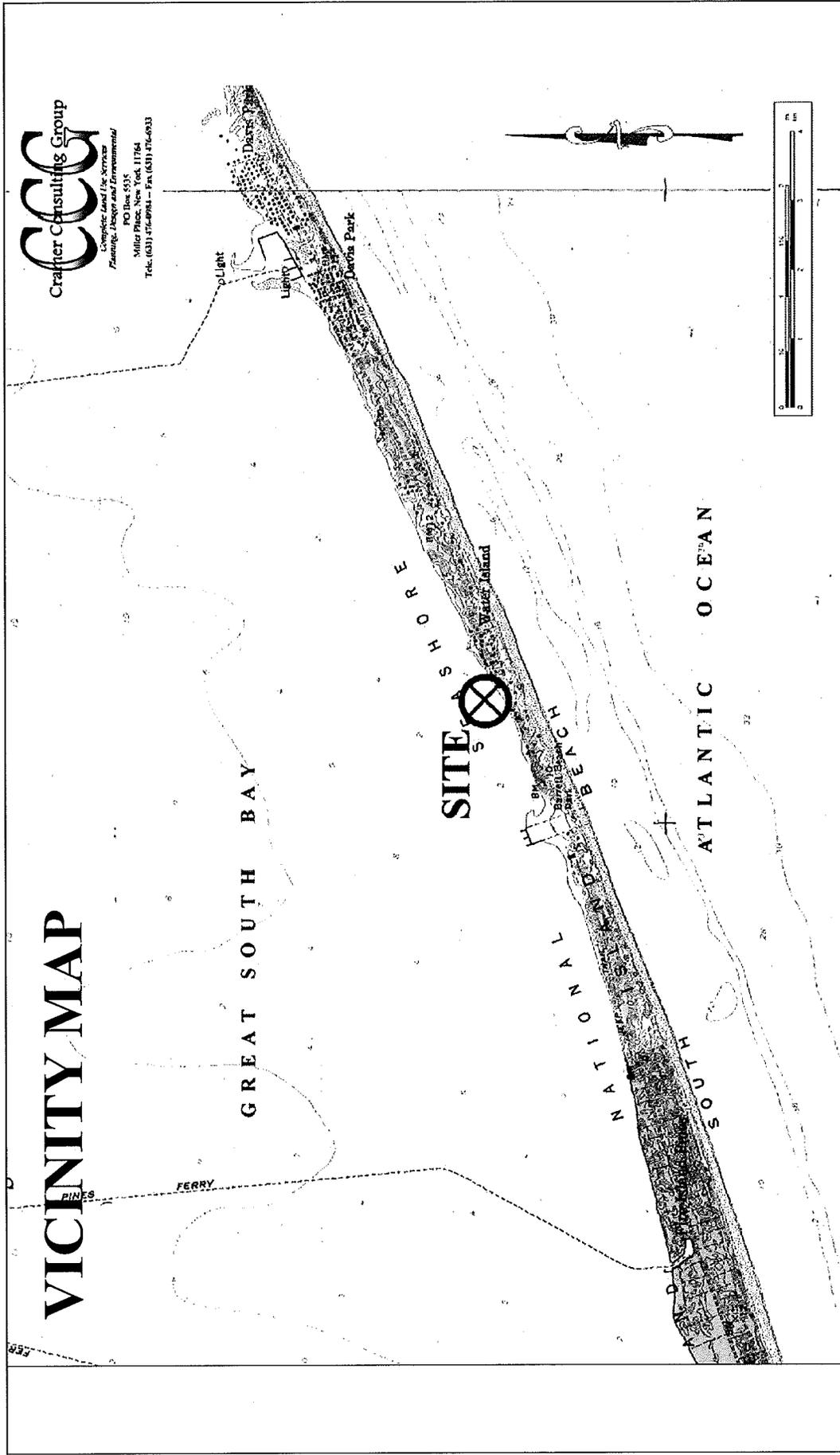
The permit applicant, Mr. Daniel Gundrum, has requested Department of the Army authorization to install one 308-foot long by 4-foot wide seasonal, fixed timber pier at One Atlantic Walk at Fire Island, Village of Water Island, Town of Brookhaven, Suffolk, County, NY.

The regulated work would involve annual installation of the fixed timber pier structure in the Spring, on approximately May 1st; and annual removal of the fixed timber pier structure in the Fall, on approximately November 1st. The pier structure will be comprised of timber piles installed approximately 2-feet into the sea bottom; and sliding timber deck panels, joists, and girders. The proposed pier will extend approximately 300-linear feet from the Spring High Water Line into Great South Bay.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by limiting construction to the smallest area practicable and installing a seasonal, non-permanent structure.

The stated purpose of this project is to provide emergency service access for Fire Island residents and allow transport of people and supplies to and from the mainland.

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CCG
Cramer Consulting Group
Specialists in the Environmental
Planning, Design and Construction
PO Box 4335
Miller Place, New York 11764
Tele: (631) 476-6984 - Fax: (631) 476-6933

PROPOSED PROJECT:
Daniel Gindrum Property Seasonal Dock
IN: Great South Bay
NEAR/AT: Water Island
TOWNSHIP: Brookhaven COUNTY: Suffolk
STATE: New York

LOCATION:
375' w/o West Walk (no access), SCTM # 200 - 986.7 - 1 - 14.1 & 14.2
LAT/LONG: 40° 40' 31.98" / 73° 01' 56.29"
Sheet 1 of 6 Date: November 3, 2014

FILE #: NAN -
APPLICANT: Daniel Gindrum
ADJACENT PROPERTY OWNERS:
United States of America (west)
Anthony & Susan Capotola (east)
Carla & Edward Bianchi (east)

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SITE DESIGN PLAN

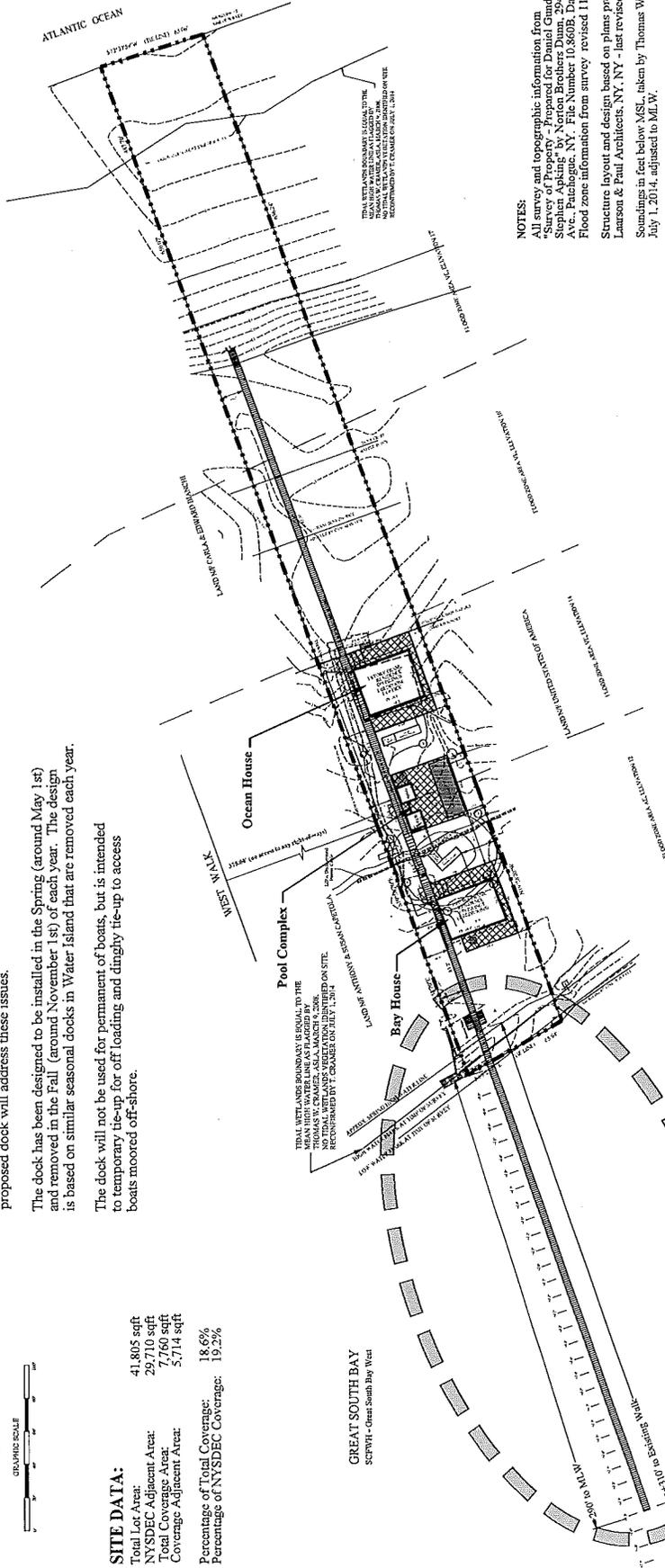
The proposed action is for the installation of a seasonal dock. It will also be used for emergency service access for the houses in the immediate area. At least five homes in the area do not have direct access to navigable waters or any boardwalks (public or private). This poses significant public safety issues. The construction of the proposed dock will address these issues.

The dock has been designed to be installed in the Spring (around May 1st) and removed in the Fall (around November 1st) of each year. The design is based on similar seasonal docks in Water Island that are removed each year.

The dock will not be used for permanent of boats, but is intended to temporary tie-up for off loading and dinghy tie-up to access boats moored off-shore.



SITE DATA:
 Total Lot Area: 41,905 sqft
 NYSDEC Adjacent Area: 29,270 sqft
 Total Coverage: 7,769 sqft
 Coverage Adjacent Area: 5,714 sqft
 Percentage of Total Coverage: 18.6%
 Percentage of NYSDEC Coverage: 19.2%



NOTES:
 All survey and topographic information from "Survey of Property - Prepared for Daniel Gundrum & Stephen Apking" by Norton Brothers Dunn, 294 Medford Ave., Patchogue, NY. File Number 10.860B, Dated 1/22/2008. Flood zone information from survey revised 11/30/09.
 Structure layout and design based on plans prepared by Larson & Paul Architects, NY, NY - last revised on 3/30/2010.
 Soundings in feet below MSL, taken by Thomas W. Cramer, ASIA July 1, 2014, adjusted to MLLW.

Project: Daniel Gundrum Property
Seasonal Dock
 Location: One Atlantic Walk, Water Island, New York

Project #: TEL# 200-986-70-1-14.1 & 14.2
 Date: July 3, 2014 Scale: 1" = 100' - 0"
 Designed By: TWC Drawn By: TWC Checked By: TWC

Revision:
 1.0: Initial Design & Permit
 1.1: 11/14/14 - US Army Corp comments
 1.2: 11/24/14 - US Army Corp comments

Sheet 2 of 6

Cramer Consulting Group
 Complete Land Use Services - Including Planning, Design and Management
 P.O. Box 8558, Miller Place, New York 11764
 Telephone (631) 476-0364 - Fax (631) 476-6555

See Sheet 3 of 6
 for Details

FILE #: NAN -
 Applicant Name: Daniel Gundrum
 Proposed Project: Daniel Gundrum Property Seasonal Dock
 Location: 375' w/o West Walk, Water Island, N.Y.
 Sheet 2 of 6 Date: October 1, 2014

