



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-2011-00949-EST
Issue Date: January 23, 2012
Expiration Date: February 22, 2012

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) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: William Rauff & Patricia Van Leer
One Sailor Street
Bay Shore, NY 11706

ACTIVITY: Bulkhead construction with dredging and excavated material placement behind the constructed structure.

WATERWAY: Dug canal off Great Cove

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

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

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

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions 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, One Commerce Plaza, 99 Washington Avenue, 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 Permit

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> .

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 a (917) 790-8533 and ask for Leo Strogach.

CENAN-OP-RE
PUBLIC NOTICE NO.NAN-2011-00949-EST

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



for Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

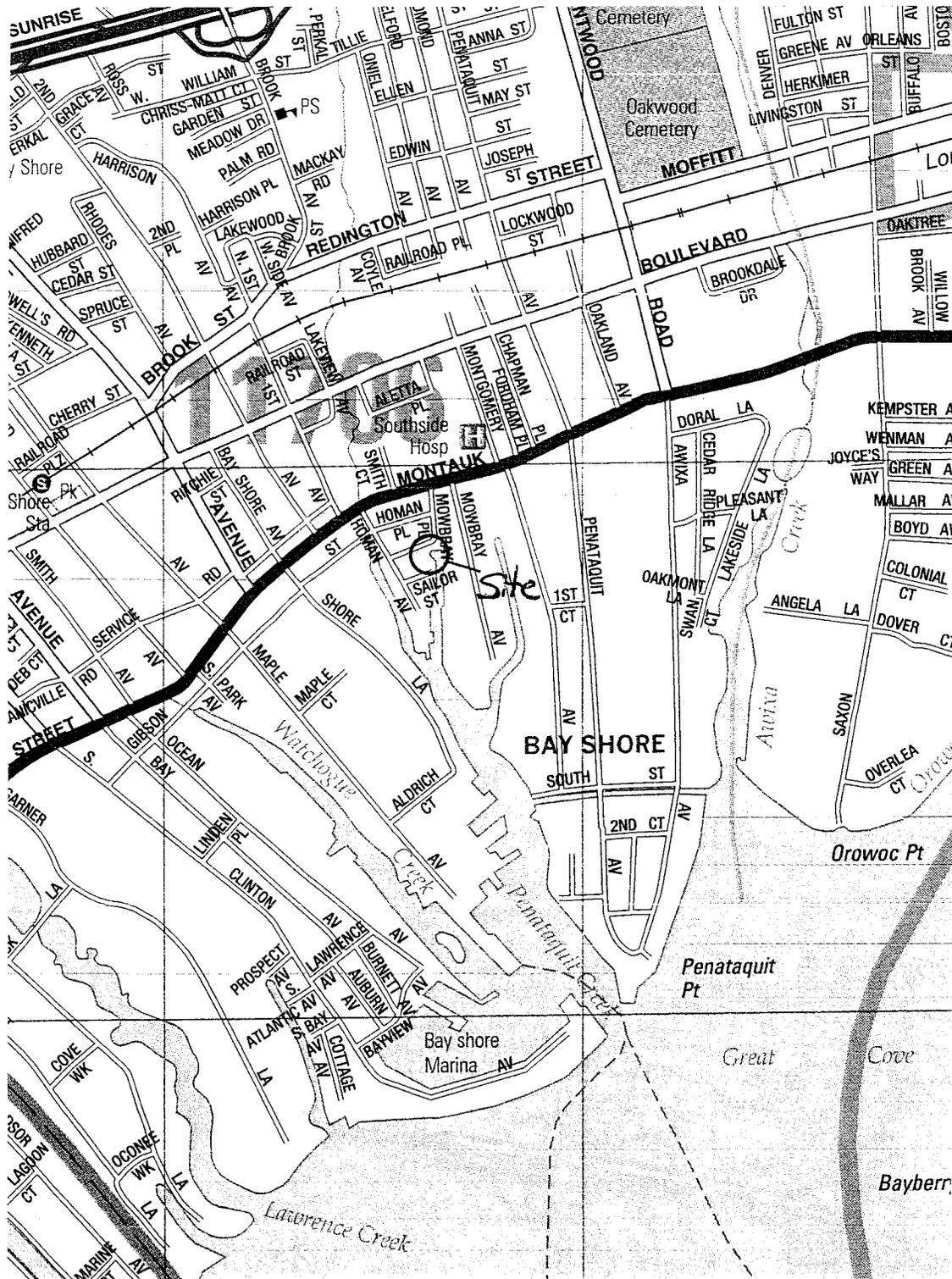
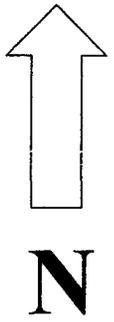
The applicant, William Rauff & Patricia Van Leer, has requested Department of the Army authorization for bulkhead construction with dredging and excavated material placement behind the constructed structure. The project site is located in Dug canal off Great Cove, in the Town of Islip, Suffolk County, New York.

The work would involve construction of an approximately 135-foot-long vinyl bulkhead with dredging of approximately 115 cubic yards of dredged material to 3 feet below mean low water (MLW) from an approximately 1,940 square foot area in front of the proposed bulkhead with placement of dredged material at a state-approved upland location.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable. Most of the impacts associated with the proposed project are temporary and would be offset by implementing best management practices.

The stated purpose of this project is the maintenance of safe navigable waters in front of the property with erosion control.

Rauft / Van Leer – Bay Shore, NY



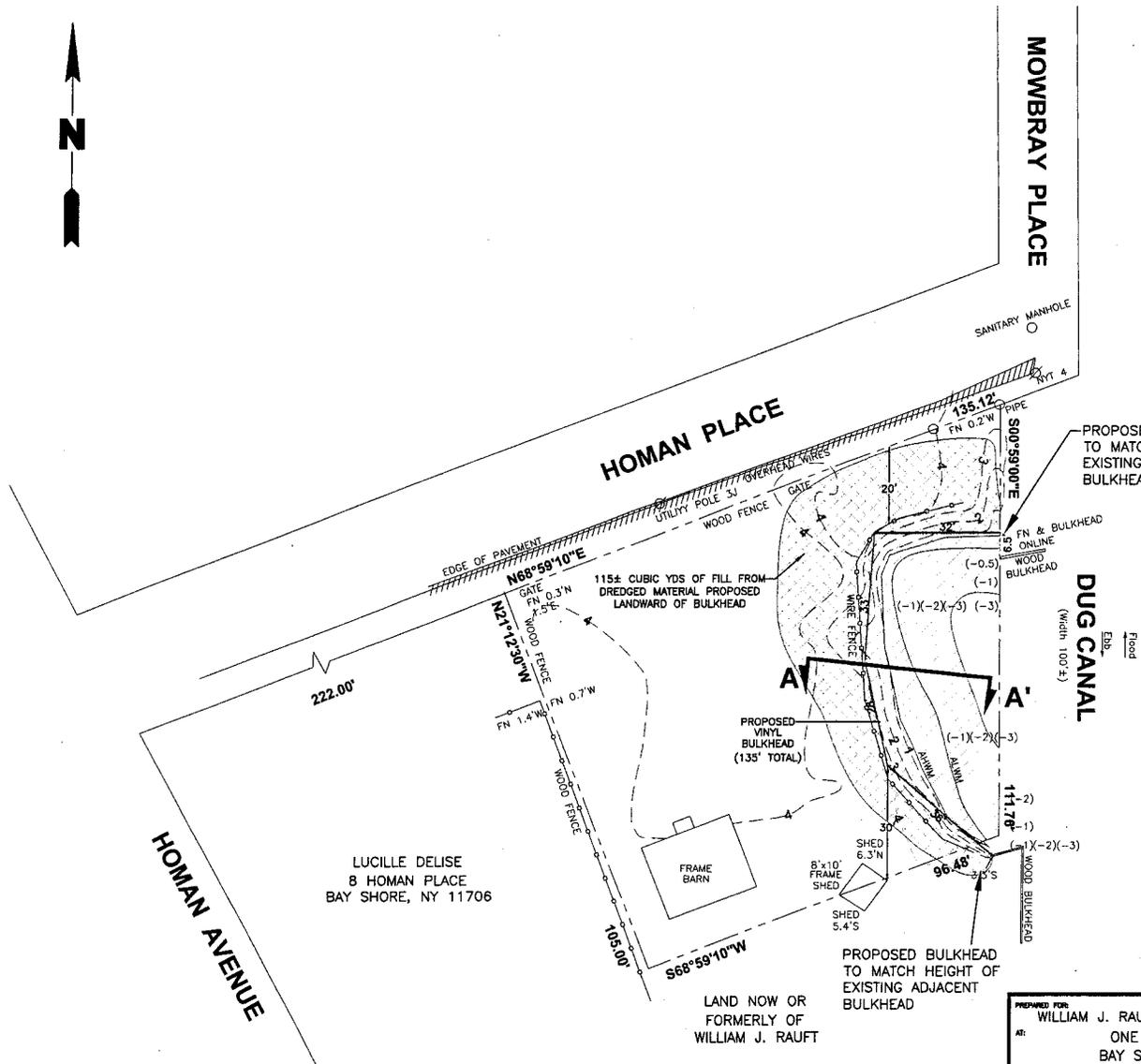
Quadrangle: Bay Shore East

Land Use Ecological Services, Inc.
 570 Expressway Drive South, Suite 2F
 Medford, NY 11763
 Tel. 631-727-2400 Fax. 631-727-2605

Location map taken from Suffolk County Atlas, (Hagstrom)
 40°43'23.33" North (coordinates are center of project site)
 73°14' 29.45" West

DRAWING 1 of 3

APP # 2011-00949-EST



MOWBRAY PLACE

HOMAN PLACE

HOMAN AVENUE

DUG CANAL
(Width 100 F.)

JOAN DLOUHY
2 MOWBRAY AVENUE
BAY SHORE, NY 11706

LUCILLE DELISE
8 HOMAN PLACE
BAY SHORE, NY 11706

LAND NOW OR
FORMERLY OF
WILLIAM J. RAUFT

PROPOSED BULKHEAD
TO MATCH HEIGHT OF
EXISTING ADJACENT
BULKHEAD

LEGEND:

-  115± CUBIC YARDS ALL OF FILL FROM DREDGE MATERIAL PROPOSED LANDWARD OF BULKHEAD AS DEPICTED
-  1937 sq. ft. AREA (115 cyds±) PROPOSED TO BE DREDGED TO (-3.0). 115± cyds OF DREDGED MATERIAL UTILIZED ON SITE AS DEPICTED

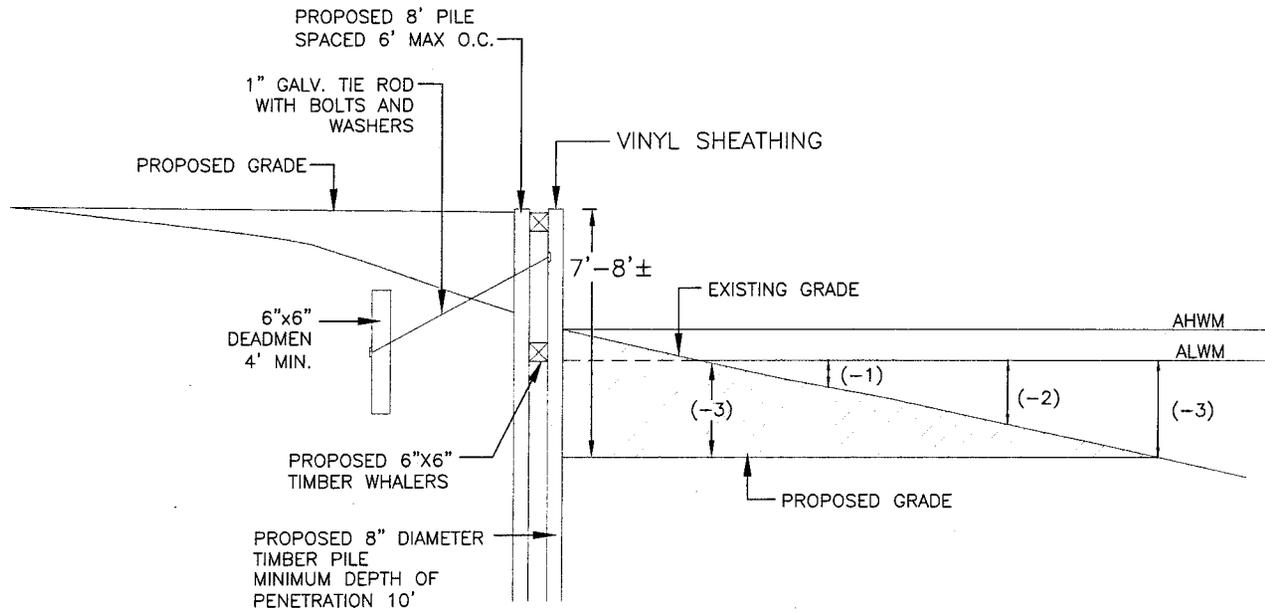
NOTES:

- * (-#) = EXISTING WATER DEPTH.
- * SOUNDING DATA REFERENCED TO MEAN LOW WATER
- * TIDAL WETLANDS BOUNDARY IS SYNONYMOUS WITH THE AHWM AS OBSERVED BY LAND USE ECOLOGICAL SERVICES, INC. ON 7-7-2011.



PREPARED FOR: WILLIAM J. RAUFT / PATRICA VAN LEER AS: ONE SAILOR STREET BAY SHORE, NY 11763		TITLE: <p style="text-align: center;">- SITE PLAN</p>	
Compiled by: D.H. Prepared by: R.K. Project Mgr: D.H. Rev: B-2B-11, 12-9-11, 1-4-12	Date: JUL 11, 2011 Scale: AS SHOWN File: RAUFT	SUFFOLK COUNTY TAX MAP#: DIST. 0500 SEC. 394 BLK. 01 LOT 34.2	DRAWING NO. <p style="text-align: center;">1 OF 2</p>

LAND USE ECOLOGICAL SERVICES, INC
570 EXPRESS DRIVE, SUITE 2F
Medford, New York 11763 (631) 727-2605



PROPOSED 8' PILE
SPACED 6' MAX O.C.

1" GALV. TIE ROD
WITH BOLTS AND
WASHERS

PROPOSED GRADE

6"x6"
DEADMEN
4' MIN.

PROPOSED 6"x6"
TIMBER WHALERS

PROPOSED 8" DIAMETER
TIMBER PILE
MINIMUM DEPTH OF
PENETRATION 10'

VINYL SHEATHING

7'-8'±

EXISTING GRADE

AHWM

ALWM

(-1)

(-2)

(-3)

PROPOSED GRADE

SECTION A - A'

SCALE: 1" = 4'

*PROPOSED BULKHEAD TO MATCH HEIGHT
OF EXISTING ADJACENT BULKHEAD

LEGEND:



115± CUBIC YARDS ALL OF FILL FROM DREDGED
MATERIAL PROPOSED LANDWARD OF BULKHEAD
AS DEPICTED



1937 sq ft. AREA (115 cyds±) PROPOSED
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DREDGED MATERIAL UTILIZED ON SITE AS
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MEAN LOW WATER
- * TIDAL WETLANDS BOUNDARY IS SYNONYMOUS
WITH THE AHWM AS OBSERVED BY LAND USE
ECOLOGICAL SERVICES, INC. ON 7-7-2011.
- * PROPOSED BULKHEAD HEIGHT TO MATCH
EXISTING ADJACENT NEIGHBORING BULKHEADS

PREPARED FOR:
WILLIAM J. RAUFT / PATRICA VAN LEER
AT: ONE SAILOR STREET
BAY SHORE, NY 11763

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570 EXPRESS DRIVE, SUITE 2F
Medford, New York 11763 (631) 727-2605

TITLE:

SECTION VIEW

Compiled by: D.H.	Date: JUL 11, 2011	SUFFOLK COUNTY TAX MAP#:
Prepared by: R.K.	Scale: AS SHOWN	DIST. 0500 SEC. 394 BLK. 01 LOT 34.2
Project Mgr: D.H.	File: RAUFT	DRAWING NO.
Rev: 08-3-11, 12-9-11, 1-4-12		2 OF 2