

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: 2004-00226-L1

Issue Date: **JAN 20 2006**

Expiration Date: **FEB 20 2006**

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 USC 403).

APPLICANT: Victor Levy (South Shore Boats)
PO Box 1706
Southampton, NY 11978-7706

ACTIVITY: Install/replace bulkheading, dredge with 10 years maintenance and upland disposal.

WATERWAY: Moneybogue Bay, Moriches Bay

LOCATION: Westhampton Beach, Town of Southampton, 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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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

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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 of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) 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. However, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is 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 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

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) 790-8522 and ask for Craig Spitz.

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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, Victor Levy (South Shore boats), has requested Department of the Army (DA) authorization to dredge with ten years maintenance and upland disposal, and to replace/construct bulkheading in Moneybogue Bay, Moriches Bay at Westhampton Beach, Town of Southampton, Suffolk County, New York.

The work would involve the following:

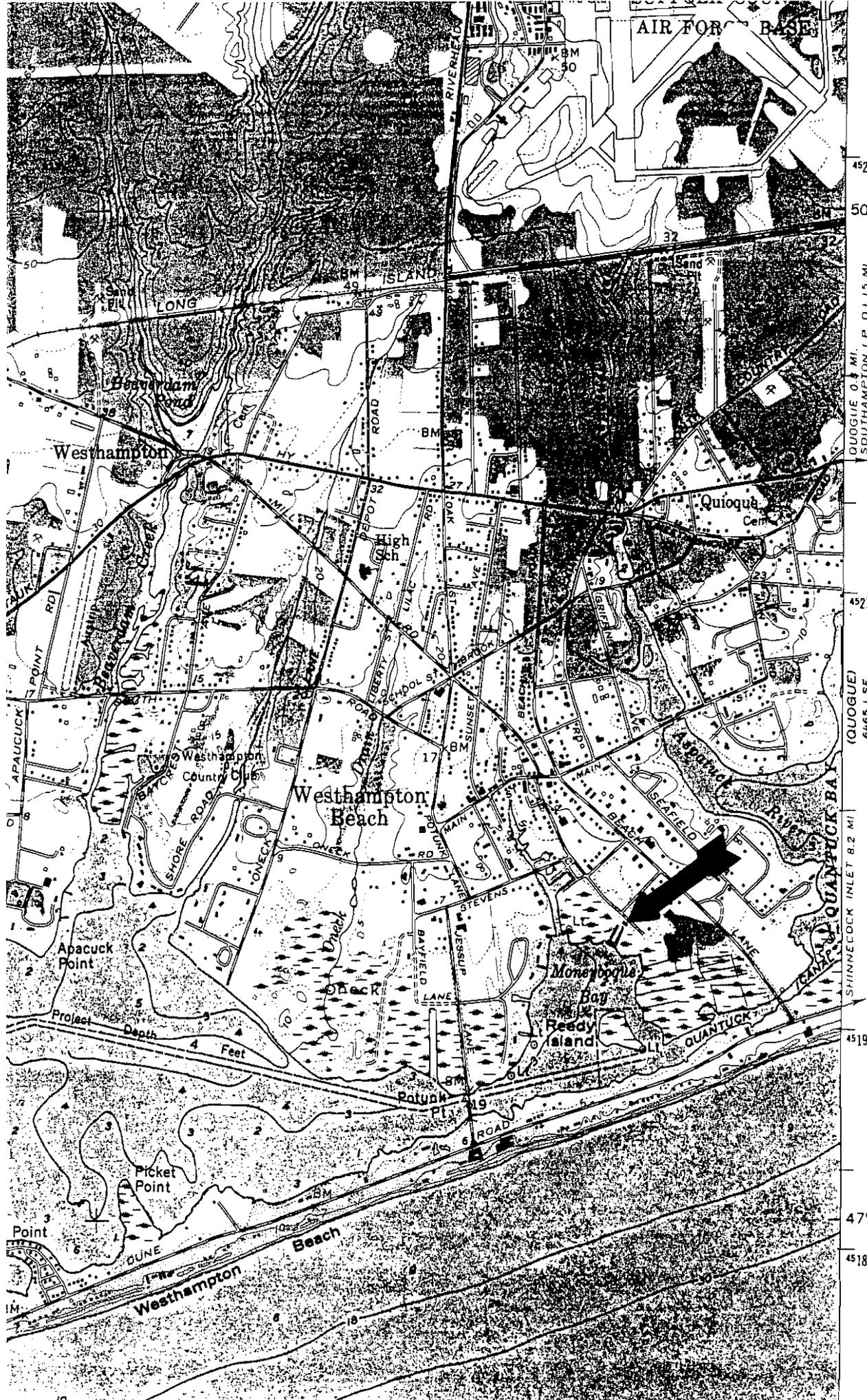
Northwest side of the property: Construct approximately 273 linear feet of low sill bulkhead immediately waterward of the existing wetlands with an 8-foot long return. To be attached parallel to this bulkhead would be a 4-foot wide by 273-foot long pile-supported fixed pier. Approximately 1100 square feet of wetlands would be created by planting Spartina alterniflora adjacent to the proposed low sill bulkhead.

Southeast side of the property: Construct approximately 240 linear feet of low sill bulkhead immediately waterward of the existing wetlands. To be attached parallel to this bulkhead would be a 4-foot wide by 240-foot long pile-supported fixed pier.

Central Part of the property: Replace, in-place, of approximately 226 linear feet of existing bulkhead.

The project would also involve dredging, with ten years maintenance, approximately 3,400 cubic yards of material to 5-feet below mean low water, from basins A and B (see Sheet 2). Dredging would be undertaken using a clamshell bucket. The dredged material would either be placed upland on the applicant's property or trucked to a suitable state-approved upland location so as not to reenter any waterways or wetlands. Two additional dredging events are anticipated to occur during the ten year life of the permit, if issued, removing approximately 500 cubic yards of material per event with disposal in the same manner and location.

The stated purpose of this project is to prevent erosion to the upland property and to provide adequate water depths and mooring space for a marina.



AIR FORCE BASE

4823

50'

QUOGUE 0.4 MI.
SOUTHAMPTON I.P. 0.15 MI.

4821

(QUOGUE)
6465 I SE

SHINNECOCK INLET 8.2 MI

4519

47'30"

4518

1



Wetlands line as flagged
by Inter-Science, May, 2002

Existing
Boat
Storage
Area

Proposed
4' x 143' fixed
pier catwalk

Proposed 143 l.f.
low sill bulkhead

1M Intertidal Marsh
Salt marsh Cordgrass
Spartina alterniflora
planted @ 1 plug
each 12" on center
(1100 Sq. Ft.)

Apparent Low Water
Apparent High Water

200 lb
Rock
Stabilization

Proposed 8'
bulkhead return

(BASIN A)

Existing
pier cat
(to be r

Proposed
88 l.f. bulkhead
replacement

Store

**DETAIL PLAN
OF SUBJECT PROPERTY**

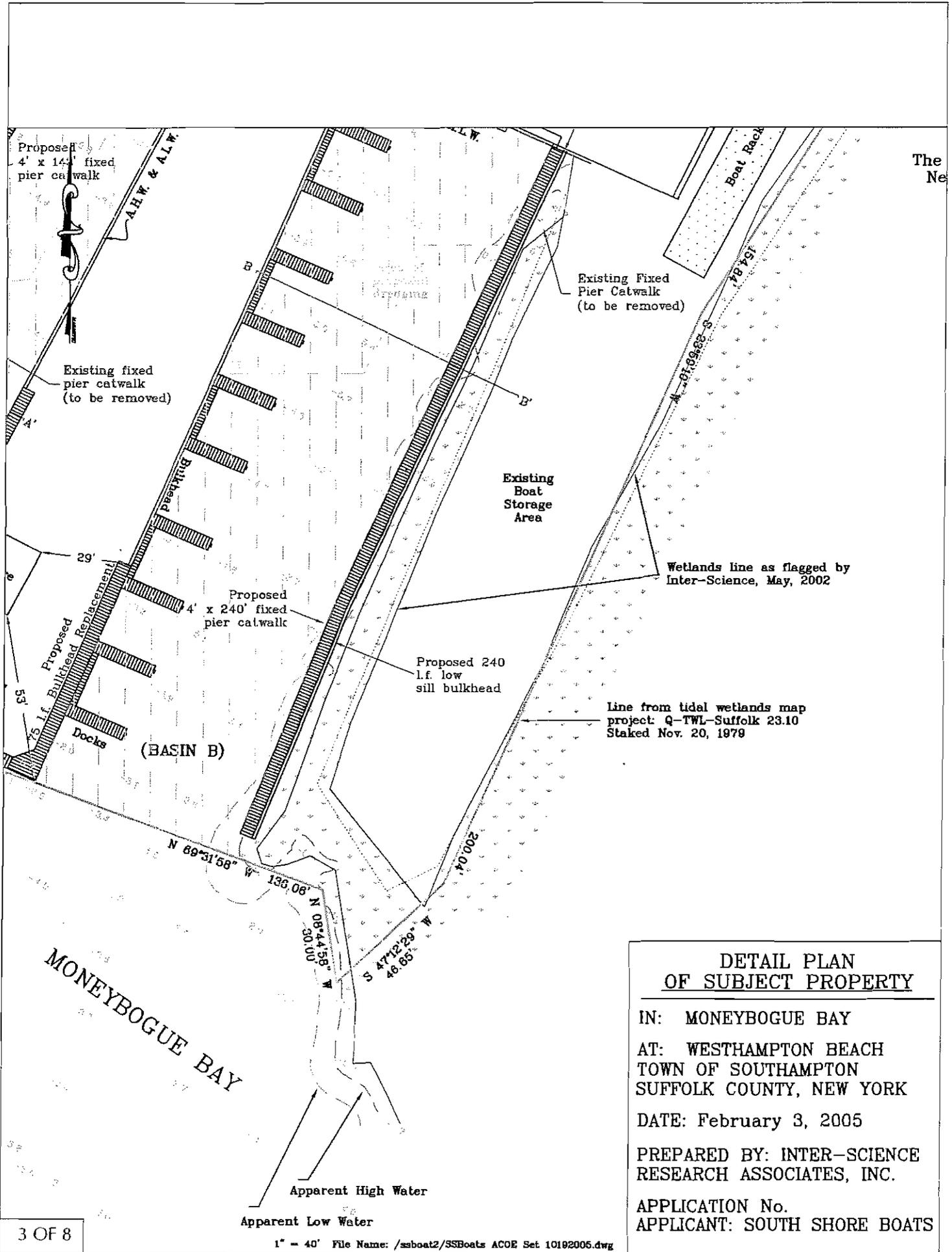
IN: MONEYBOGUE BAY
AT: WESTHAMPTON BEACH
TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

DATE: February 3, 2005

PREPARED BY: INTER-SCIENCE
RESEARCH ASSOCIATES, INC.

APPLICATION No.
APPLICANT: SOUTH SHORE BOATS

Proposed 63 l.f.
bulkhead replacement



**DETAIL PLAN
OF SUBJECT PROPERTY**

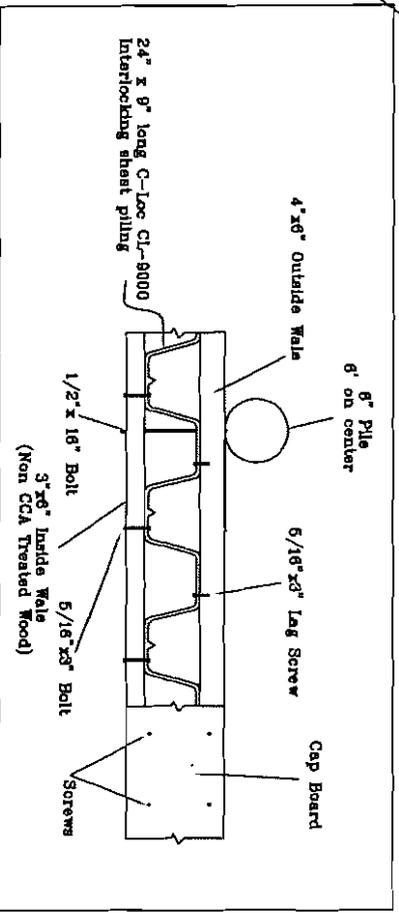
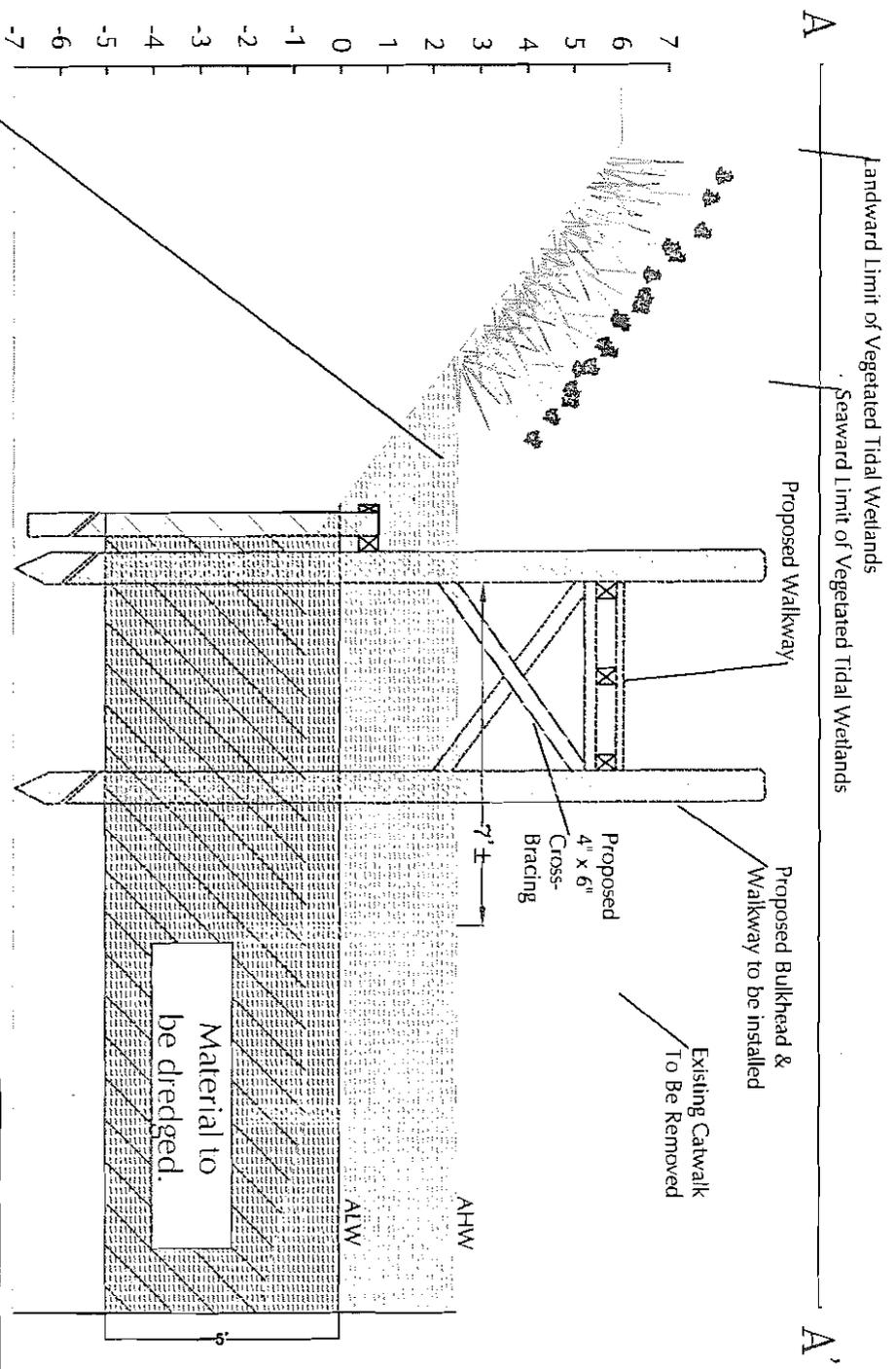
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 APPLICANT: SOUTH SHORE BOATS

(4)



CROSS SECTION OF BULKHEAD - A-A'

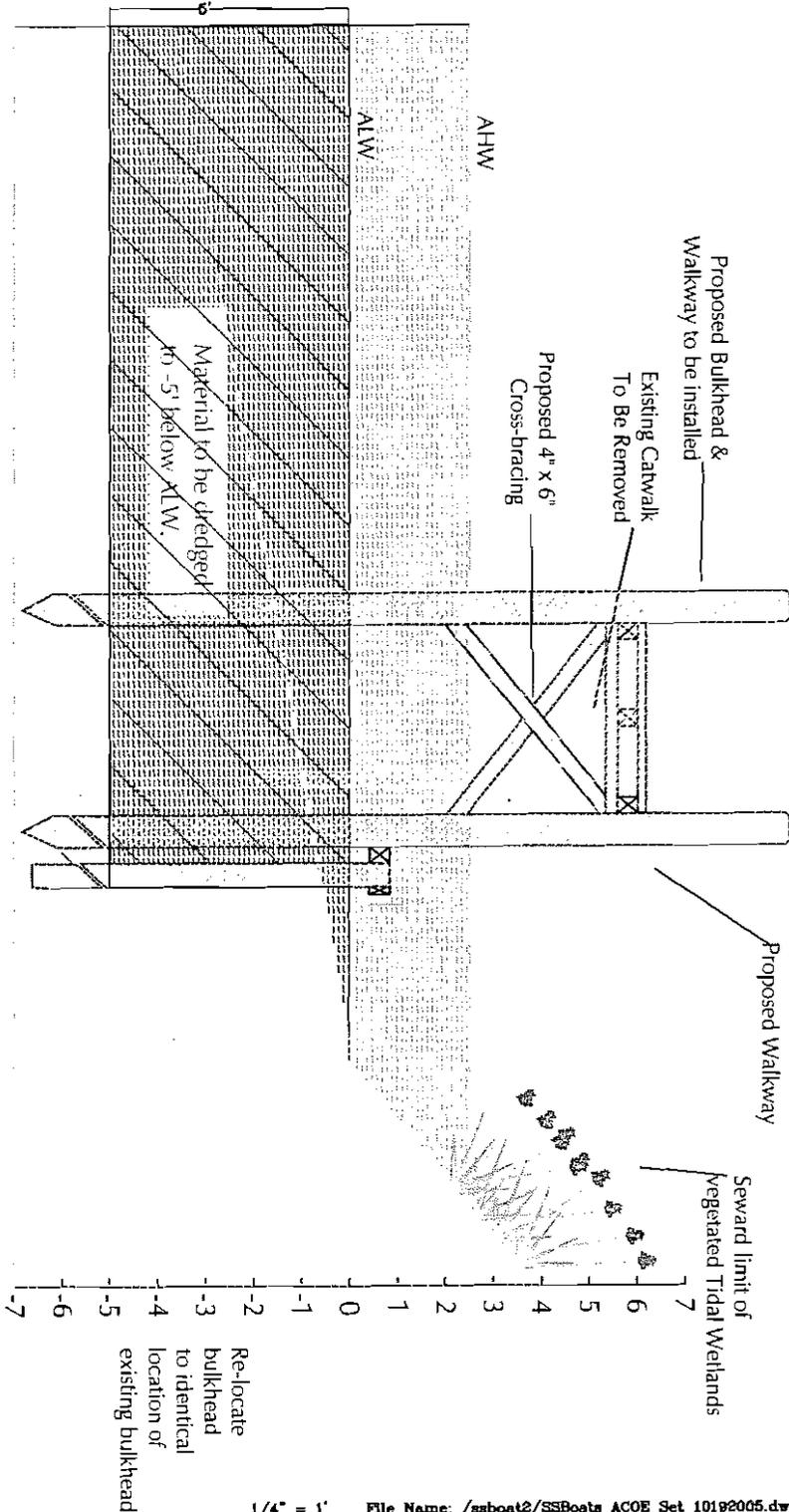
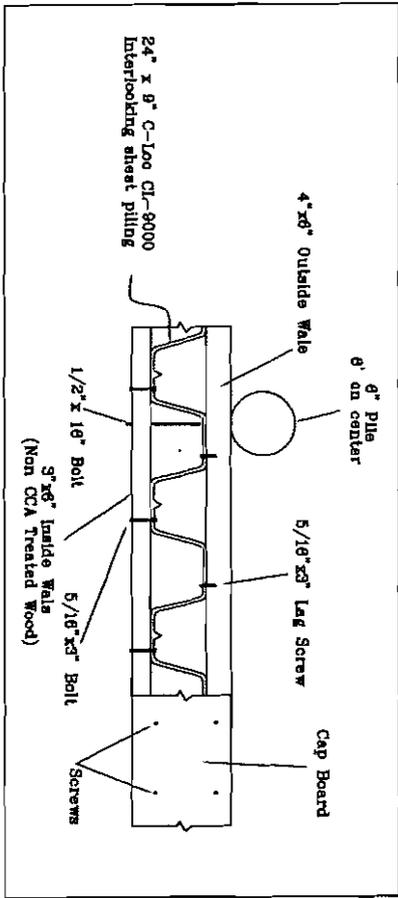
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 APPLICATION No.
 APPLICANT: SOUTH SHORE BOATS

273 l.f. Proposed Low Sill Bulkhead



Crossview 150 l.f. Proposed Bulkhead and Proposed Fixed Pier Catwalk

B



B'

CROSS SECTION OF BULKHEAD - B-B'

IN: MONEYBOGUE BAY

AT: WESTHAMPTON BEACH
TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

DATE: February 3, 2005

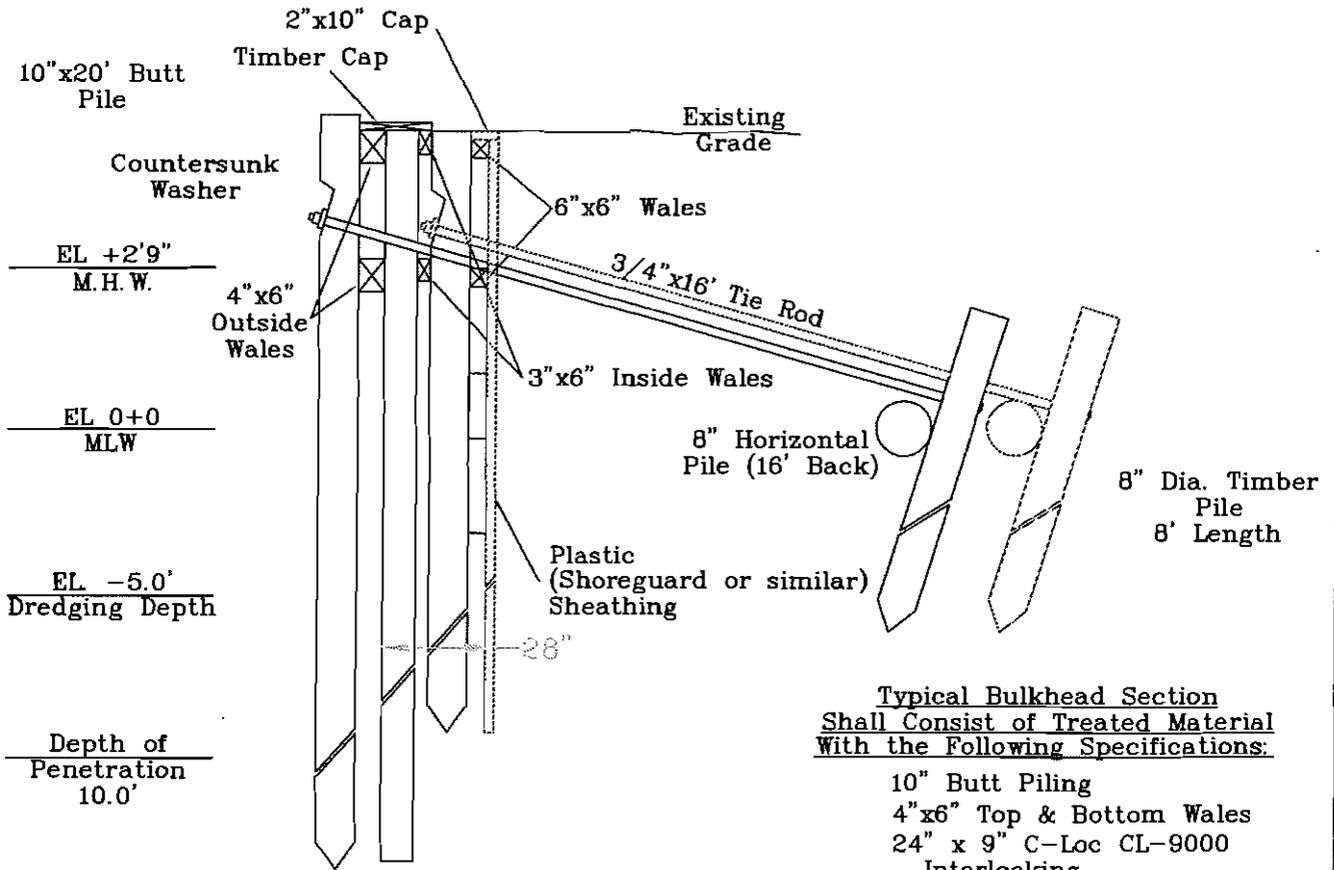
PREPARED BY: INTER-SCIENCE
RESEARCH ASSOCIATES, INC.

APPLICATION No.
APPLICANT: SOUTH SHORE BOATS

6

TYPICAL CROSS SECTION
EXISTING & PROPOSED BULKHEAD

SCALE: 1/4" x 1'



Typical Bulkhead Section
Shall Consist of Treated Material
With the Following Specifications:

- 10" Butt Piling
- 4"x6" Top & Bottom Wales
- 24" x 9" C-Loc CL-9000 Interlocking Sheathing (approx. 226 l.f.)
- 8" Backing Piling
- 8" Horizontal Piling
- 3" x 6" Top & Bottom Wales (inside)

**EXISTING & PROPOSED
BULKHEAD DETAIL**

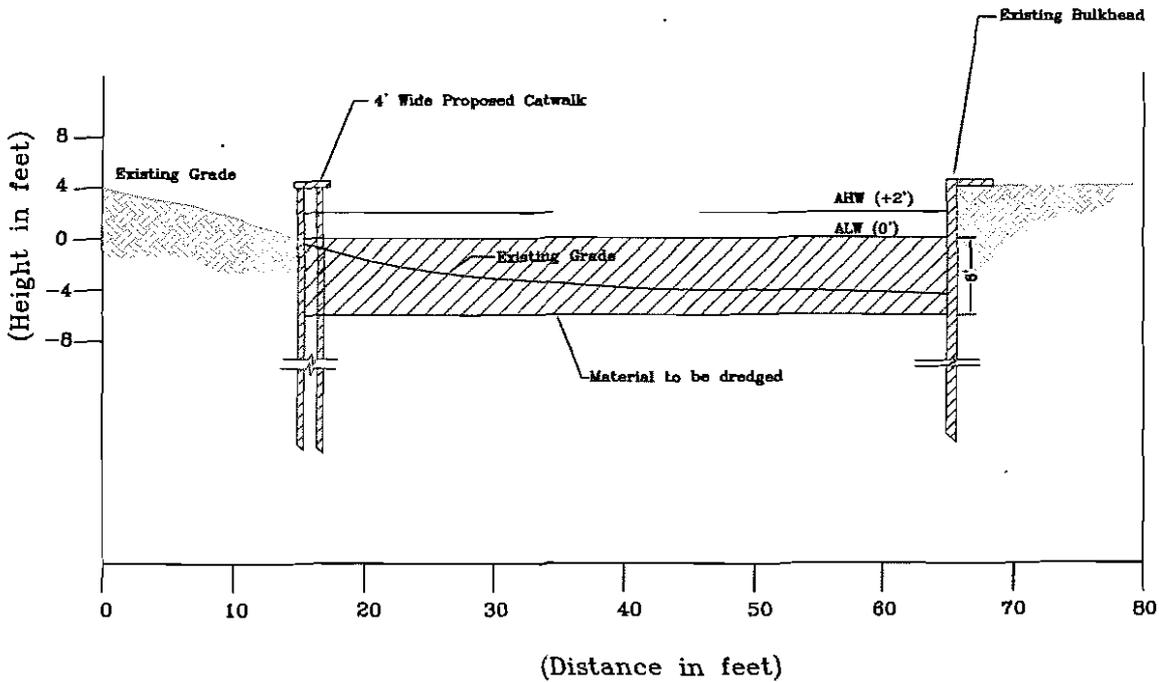
IN: MONEYBOGUE BAY
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TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NY

DATE: February 3, 2005

PREPARED BY: INTER-SCIENCE
RESEARCH ASSOCIATES, INC.
APPLICATION No. 1-4736-
04357/00001

APPLICANT: VILLAGE MARINA OF
WESTHAMPTON

BULKHEAD CROSS SECTION A-A' (BASIN A)



SCALE 1:15

BULKHEAD CROSS SECTION A-A'

IN: MONEYBOGUE BAY
 AT: WESTHAMPTON BEACH
 TOWN OF SOUTHAMPTON
 SUFFOLK COUNTY, NY
 DATE: February 3, 2005

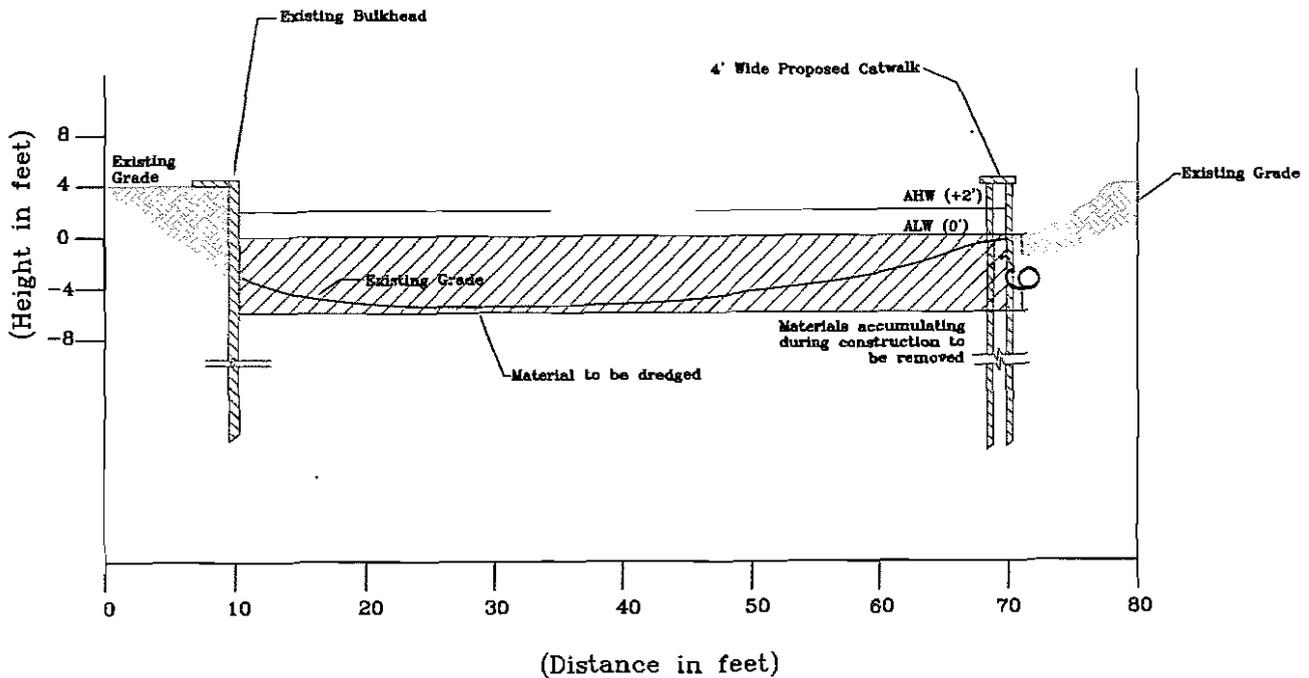
PREPARED BY: INTER-SCIENCE
 RESEARCH ASSOCIATES, INC.

APPLICATION No.

APPLICANT: SOUTH SHORE BOATS

(8)

BULKHEAD CROSS SECTION B-B' (BASIN B)



SCALE 1:15

BULKHEAD CROSS SECTION B-B'

IN: MONEYBOGUE BAY
 AT: WESTHAMPTON BEACH
 TOWN OF SOUTHAMPTON
 SUFFOLK COUNTY, NY
 DATE: February 3, 2005

PREPARED BY: INTER-SCIENCE
 RESEARCH ASSOCIATES, INC.

APPLICATION No.

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