



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-2006-00566
Issue Date: May 14, 2007
Expiration Date: June 14, 2007

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: SSJ Development of Sheepshead Bay I, LLC
c/o Sheldon L. Reich
4158 Victory Boulevard
Staten Island, NY 10314

ACTIVITY: The purpose of this proposed project is to construct an 18-slip accessory marina.

WATERWAY: Shell Bank Creek

LOCATION: Town of Sheepshead Bay, Kings 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

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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 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 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, 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.

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) 790-8420 and ask for Stacey M. Jensen.

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

Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, SSJ Development of Sheepshead Bay I, LLC, has requested Department of the Army authorization for the construction of an 18-slip accessory marina to an 18-unit residential building. The marina would involve the construction of a 4-foot-wide by 15-foot-6-inch timber walkway; 3-foot-wide by 27-foot-long aluminum ramp; 6-foot-wide by 138-foot-long main float perpendicular to Knapp Street; 6-foot-wide by 240-foot-long main float parallel to Knapp Street at the end of the 138-foot float; three (3) 3-foot-wide by 38-foot-long finger slips; six (6) 3-foot-wide by 30-foot-long finger slips. Thirty (30) 12-inch piles would be used to secure the floats and support the timber pier. Shoreline improvement work is also proposed above the spring high water line including the replacement of existing rip-rap on the 390-foot-long slope. The proposed project occurs in Shell Bank Creek, Town of Sheepshead Bay, Kings County, New York.

The stated purpose of this project is to provide recreational facilities and a safe mooring area for a residential development.

PLUMB 1st STREET

60' WIDE
NOT OPENED OR IN USE
(LAND UNDER WATER)

390'-0"

ADJACENT PROPERTY OWNER

PUBLIC STORAGE INC.
2461 KNAPP STREET
BROOKLYN, NY 11235

90°

LAND UNDER WATER

AVENUE X

60' WIDE
NOT OPENED OR IN USE
(LAND UNDER WATER)

200'-0"

10' CONTOUR
ABOVE MEAN
SEA LEVEL

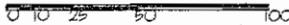
MEAN LOW
WATER LINE

MEAN HIGH
WATER LINE

EXISTING 2 STORY
CONC. BL.
2322

KNAPP STREET

GRAPHIC SCALE



EXISTING CONDITIONS

ADJACENT PROPERTY OWNER
NEW YORK CITY D.O.T.
40 WORTH STREET
NEW YORK, NY

PROPOSED FLOATS
& PIER SLIPS

SHELDON L. REICH, P.C.

CONSULTING ENGINEERS & ARCHITECTS
4815 VICTORY BLVD.
STATEN ISLAND, N.Y. 10314
(718) 983-6575

RIVIERA AT SHEEPSHEAD BAY
2433 KNAPP STREET
BROOKLYN, NY

SHEEPSHEAD BAY

KINGS COUNTY

DATE:
05/05/06

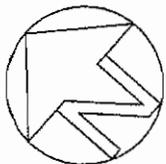
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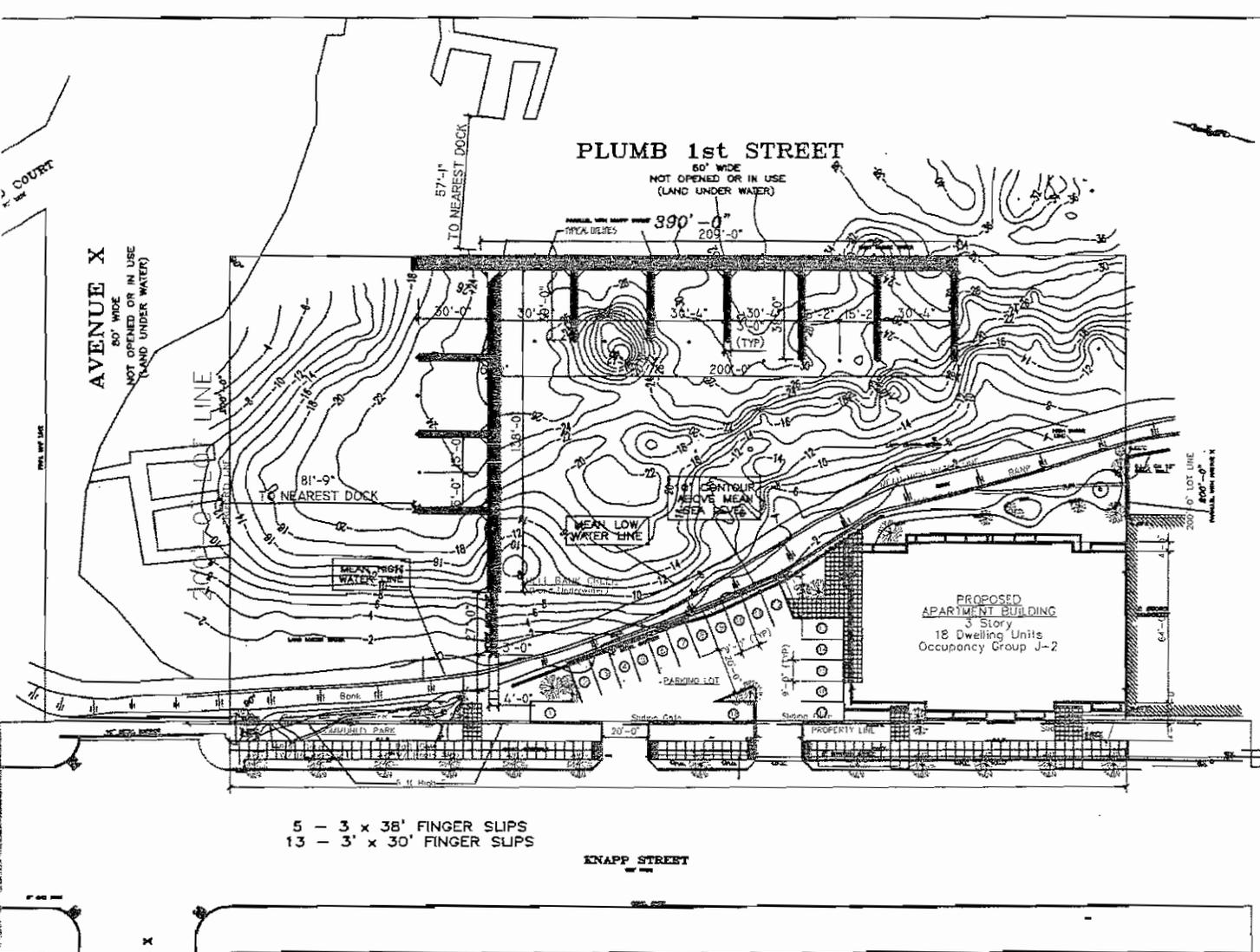
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2006-00566





GRAPHIC SCALE
0 10 25 50 100
PROPOSED PLAN

REVISED 9/13/06

PROPOSED FLOATS & PIER SLIPS

SHELDON L. REICH, P.C.
CONSULTING ENGINEERS & ARCHITECTS
4815 VICTORY BLVD.
STATEN ISLAND, N.Y. 10314.
(718) 983-8575

RIVERA AT SHEEPSHEAD BAY
2433 KNAPP STREET
BROOKLYN, NY

SHEEPSHEAD BAY

KINGS COUNTY

DATE:
05/05/06

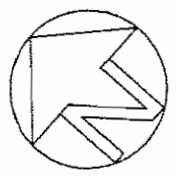
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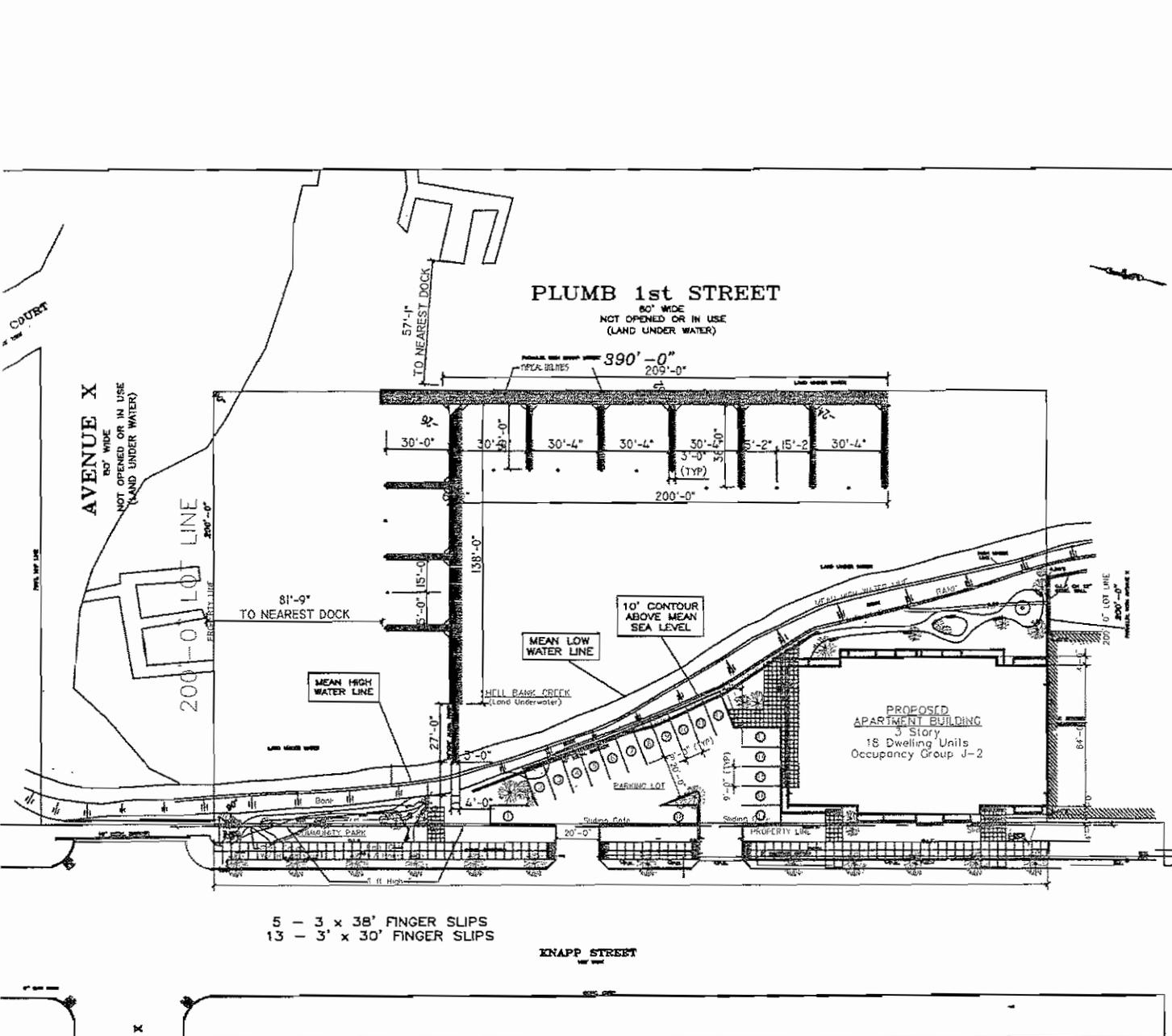
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PLUMB 1st STREET

80' WIDE
NOT OPENED OR IN USE
(LAND UNDER WATER)

AVENUE X
80' WIDE
NOT OPENED OR IN USE
(LAND UNDER WATER)

200'-0" LOT LINE

390'-0"
209'-0"

81'-9"
TO NEAREST DOCK

MEAN HIGH WATER LINE

MEAN LOW WATER LINE

10' CONTOUR
ABOVE MEAN
SEA LEVEL

PROPOSED
APARTMENT BUILDING
3 Story
18 Dwelling Units
Occupancy Group J-2

5 - 3 x 38' FINGER SLIPS
13 - 3' x 30' FINGER SLIPS

KNAPP STREET

GRAPHIC SCALE



PROPOSED PLAN

REVISED 9/13/06

PROPOSED FLOATS
& PIER SLIPS

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2433 KNAPP STREET
BROOKLYN, NY

SHEEPSHEAD BAY

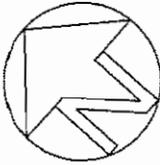
KINGS COUNTY

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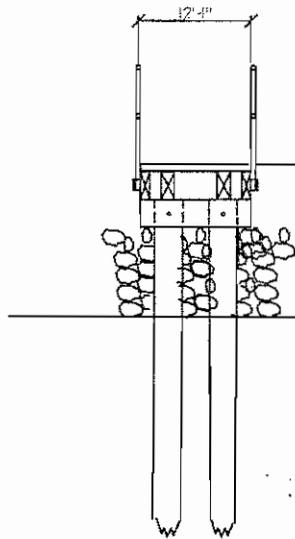
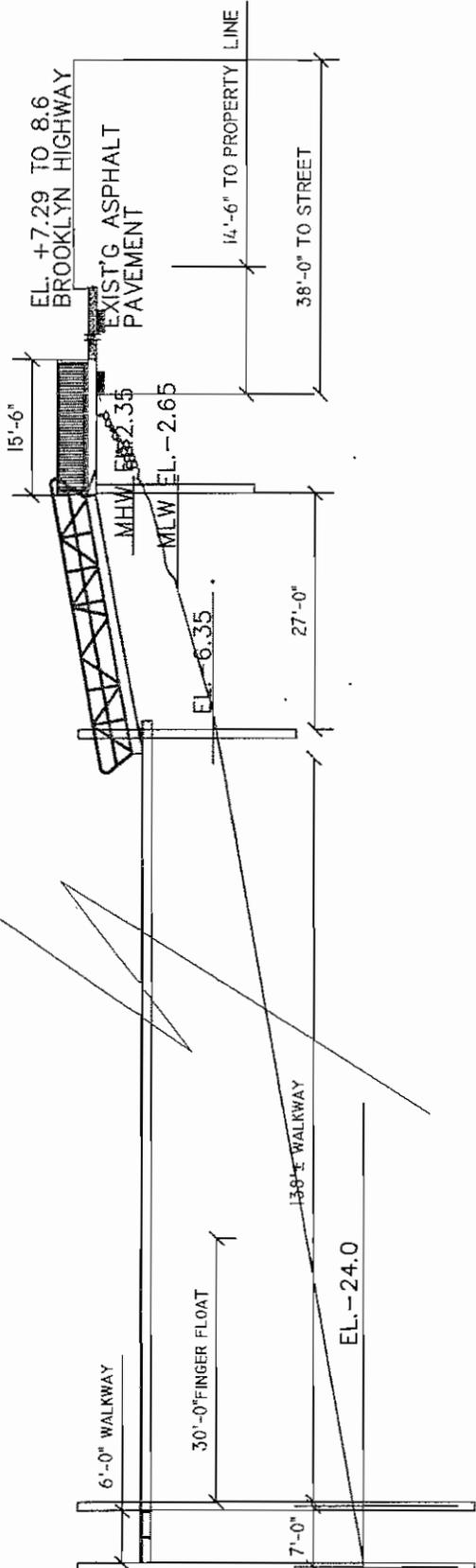
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* NOTE
 TO OBTAIN NGVD DATUM
 ADD 2.35 TO BOOKLYN HIGHWAY

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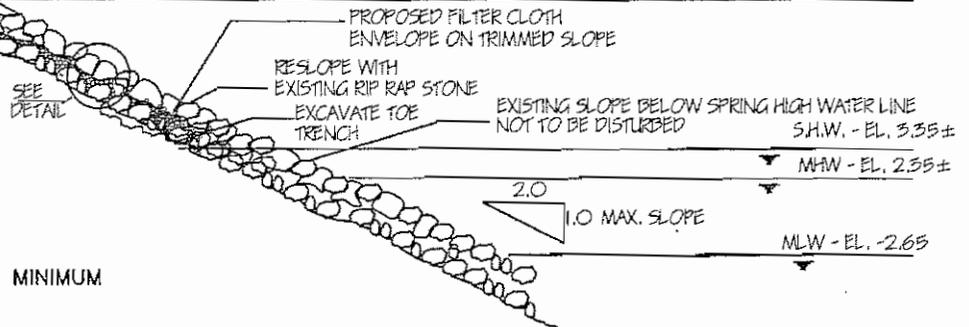
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PROPOSED FLOATS & PIER SLIPS	
SHELDON L. REICH, P.C. CONSULTING ENGINEERS & ARCHITECTS 4815 VICTORY BLVD. STATEN ISLAND, N.Y. 10314. (718) 983-6575	
RIVIERA AT SHEEPSHEAD BAY 2433 KNAPP STREET BROOKLYN, NY	
SHEEPSHEAD BAY	
KINGS COUNTY	
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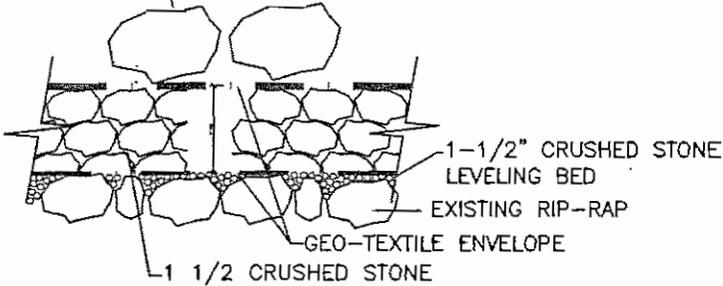
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PROPERTY LINE VARIES

+ EL. 7.29-8.6'±



NEW RIP-RAP COVER - MINIMUM SIZE - 150LB.



NOTE:
 NO WORK TO BE PERFORMED BELOW THE SPRING HIGH WATER LINE. ALL MATERIALS NOT NATURAL TO THE ECOSYSTEM SHALL BE REMOVED AND REPLACED BY NATURAL RIP RAP STONE.

TYPICAL SLOPE DETAIL

NTS

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PROPOSED FLOATS & PIER SLIPS

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4815 VICTORY BLVD.
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BROOKLYN, NY

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