



# 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-2008-88-EJF  
Issue Date: February 21, 2008  
Expiration Date: March 21, 2008

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## 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: Town of Shelter Island  
38 North Ferry Road  
Shelter Island, NY 11964

ACTIVITY: Construction of jetties and gabion wall

WATERWAY: Shelter Island Sound

LOCATION: Town of 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

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PUBLIC NOTICE NO. NAN-2008-88-EJE

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, 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.

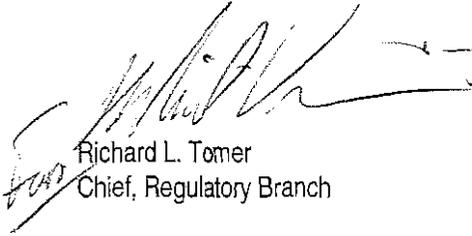
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

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.

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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>



Richard L. Tomer  
Chief, Regulatory Branch

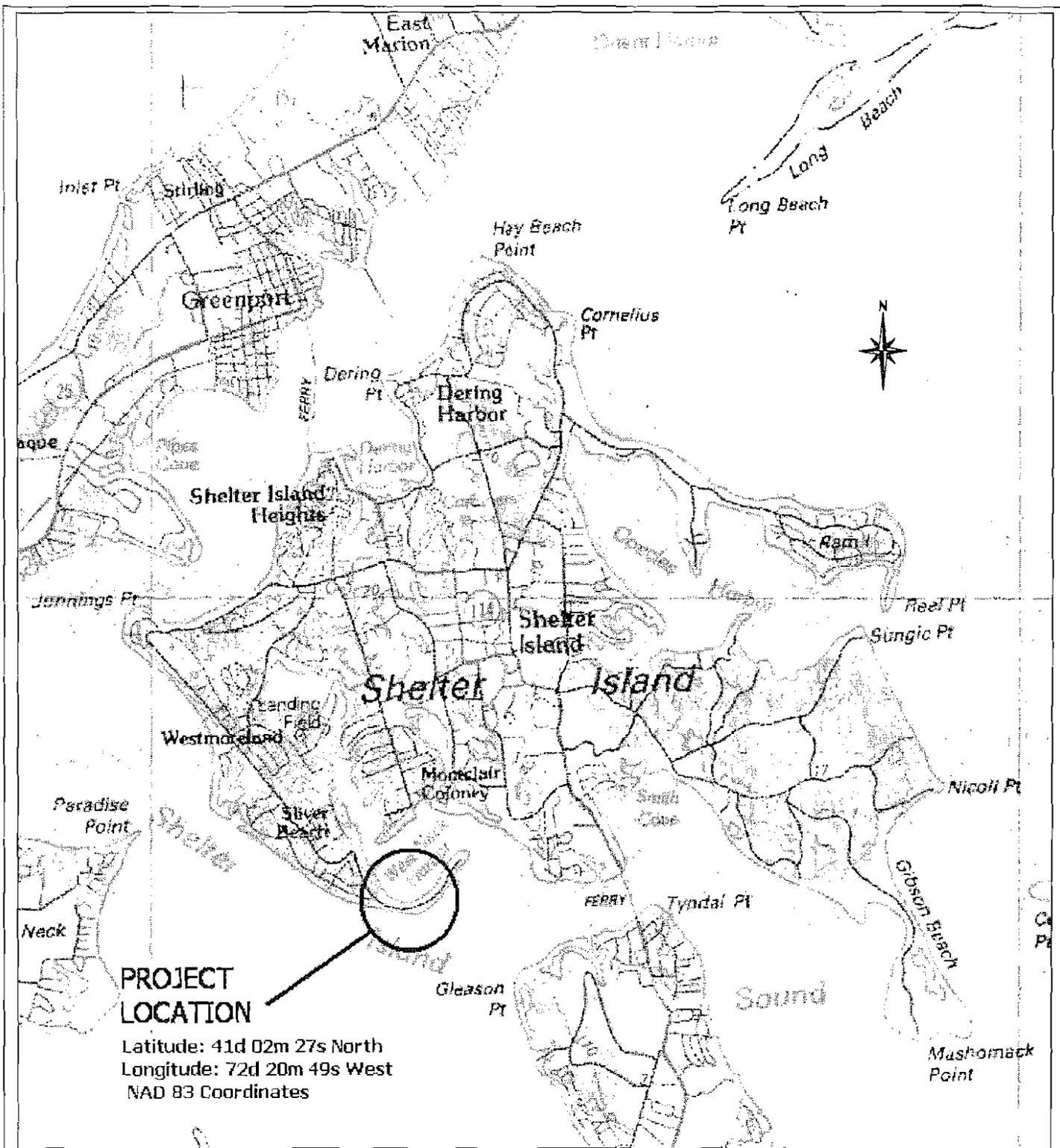
Enclosures

**WORK DESCRIPTION**

The applicant, the Town of Shelter Island, has requested Department of the Army authorization for the construction of jetties in the Shelter Island Sound, Town of Shelter Island, Suffolk County, New York.

The work would involve: construction of three (3) new jetties; the jetties would be constructed of corrugated vinyl sheet piling and would not extend past the mean low water (MLW) line. The dimensions of the jetties would be 50-feet long with 1 ½ feet protruding above the existing beach surface; the jetties would be pre-loaded with dredged or native sandy material with approximately 133 cubic yards (CY) of fill material per jetty, to total approximately 399 CY of fill material below the Spring High Water line (SHW). Also proposed is the reconstruction of Oak Tree Lane, including construction of a gabion retaining wall and replacement of the eroded sub-base, to total approximately 36 CY of fill material below the SHW.

The stated purpose of this project is to provide the applicant with erosion control.



**PROJECT LOCATION**

Latitude: 41d 02m 27s North  
 Longitude: 72d 20m 49s West  
 NAD 83 Coordinates

USGS Greenport Quadrangle

**LOCATION MAP**  
**SCALE: 1" = 1 MILE**

PREPARED BY:

**FE FAGAN ENGINEERS**  
 Environmental Consultants  
 113 East Chemung Place  
 Elmira New York 14904  
 Tel: 607-734-2165 Fax: 607-734-2169

**SHELL BEACH**  
**JETTY CONSTRUCTION**  
**SHELTER ISLAND SOUND**

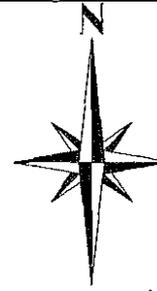
APPLICANT

Town of Shelter Island  
 38 North Ferry Road, P.O. Box 970  
 Shelter Island, Suffolk County, New York 11964  
 Tel: 631-749-1166 Fax: 631-749-3436

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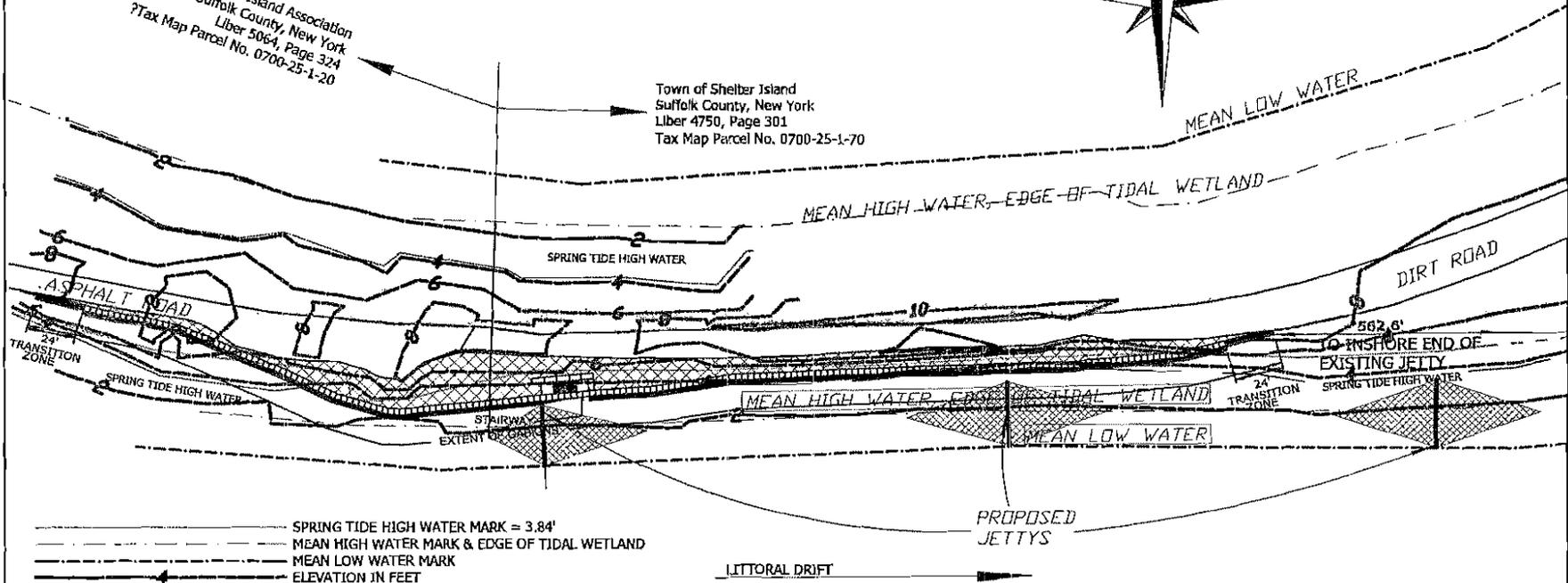
NAN-2008-88-EJE

# WEST NECK HARBOR



Silver Beach-Shelter Island Association  
Suffolk County, New York  
Liber 5064, Page 324  
Tax Map Parcel No. 0700-25-1-20

Town of Shelter Island  
Suffolk County, New York  
Liber 4750, Page 301  
Tax Map Parcel No. 0700-25-1-70



## SHELTER ISLAND SOUND

**SITE PLAN**  
**SCALE: 1" = 80'**

NOTE: Property and Topographic Survey  
Completed August 24th and  
November 5, 2007 by  
Peconic Surveyors, P.C.  
Job No. 07-178

NOTES:  
NOTE: GABION WALL IS 570 L.F. IN LENGTH WITH A  
24 L.F. TRANSITION ZONE ON EACH END FOR A  
TOTAL LENGTH OF 618 L.F.  
STAIRWAY DIMENSIONS AND DETAILS ARE SHOWN  
ON FIGURE 3 OF 9.  
GABION TRANSITION ZONE DIMENSIONS AND  
DETAILS ARE SHOWN ON FIGURE 4 OF 9.

PREPARED BY:

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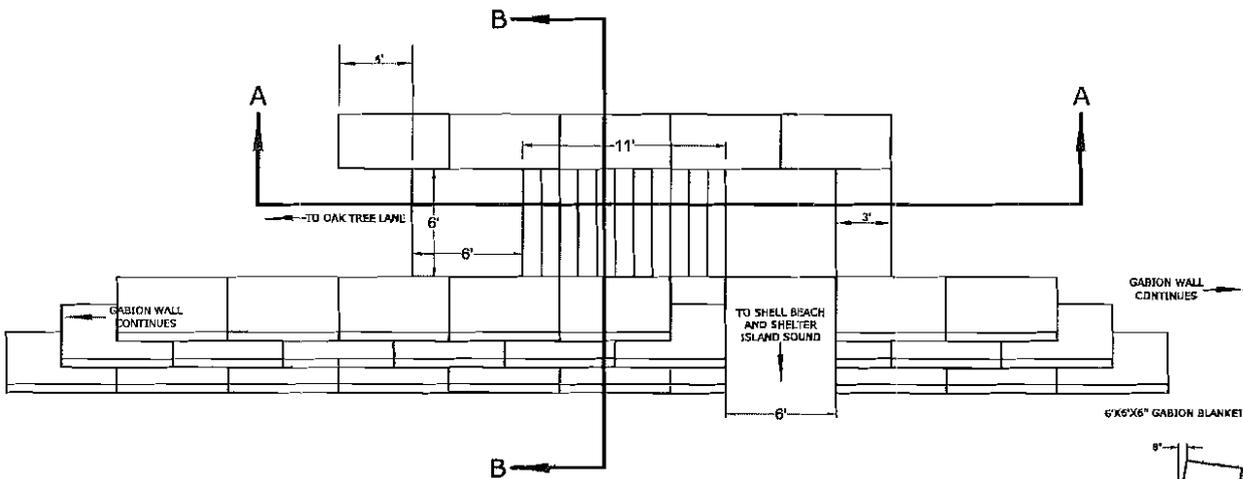
APPLICANT

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JETTY CONSTRUCTION  
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Town of Shelter Island  
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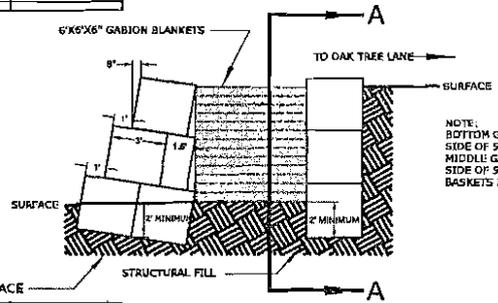
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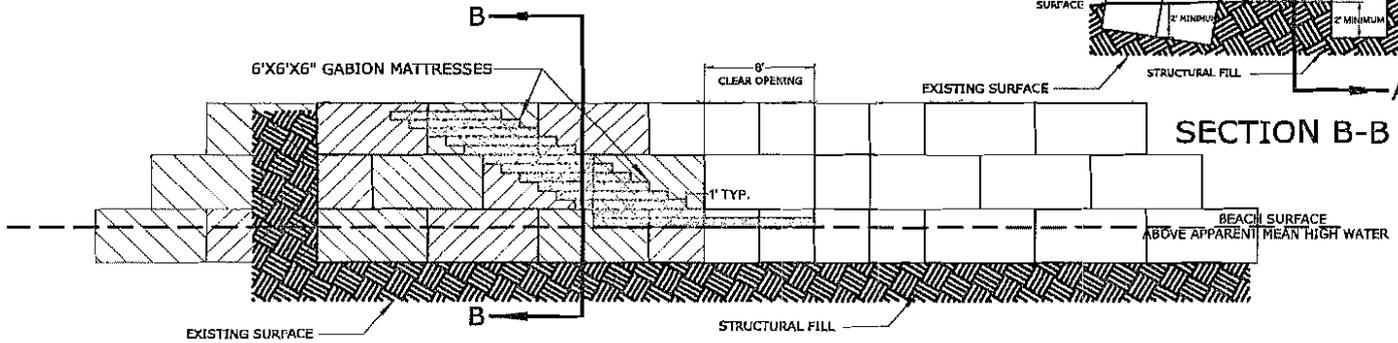


Fill Stone Sizes		
	Minimum	Maximum
Gabions:	4"	12"
Mattresses:	4"	6"

PLAN VIEW



NOTE:  
 BOTTOM GABION COURSE ON SEAWARD  
 SIDE OF STAIRWAY IS DOUBLED.  
 MIDDLE GABION COURSE ON SEAWARD  
 SIDE OF STAIRWAY IS 1 1/2 STANDARD  
 BASKETS IN WIDTH.



SECTION A-A

**STAIRWAY DETAILS**  
 ALL VIEWS SCALED AT 1"=10'

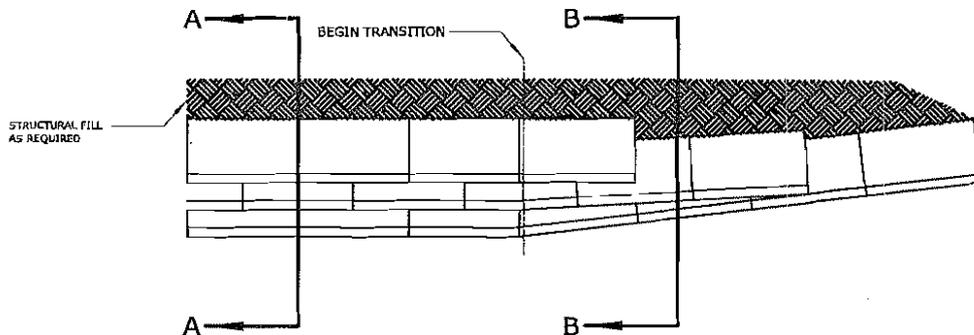
PREPARED BY:  
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*Environmental Consultants*  
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 Elmira New York 14904  
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**SHELL BEACH  
 JETTY CONSTRUCTION  
 SHELTER ISLAND SOUND**

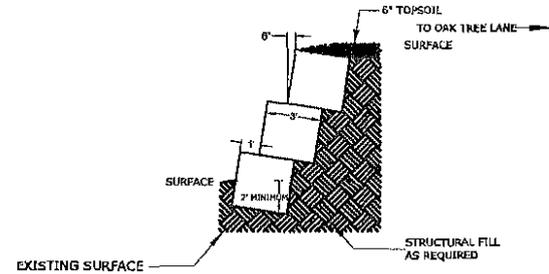
APPLICANT  
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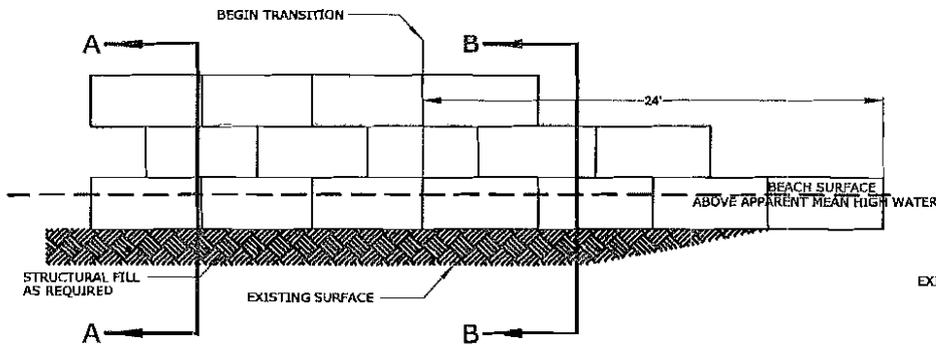
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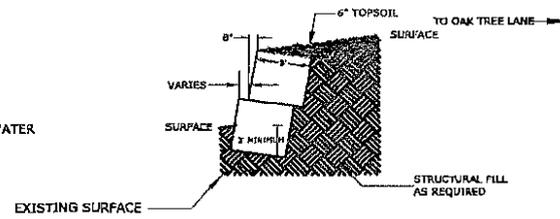
PLAN VIEW: EAST END  
WEST END IS SYMMETRICAL



SECTION A-A



SOUTH ELEVATION



SECTION B-B

GABION TRANSITION ZONE DETAILS  
ALL VIEWS SCALED AT 1"=10'

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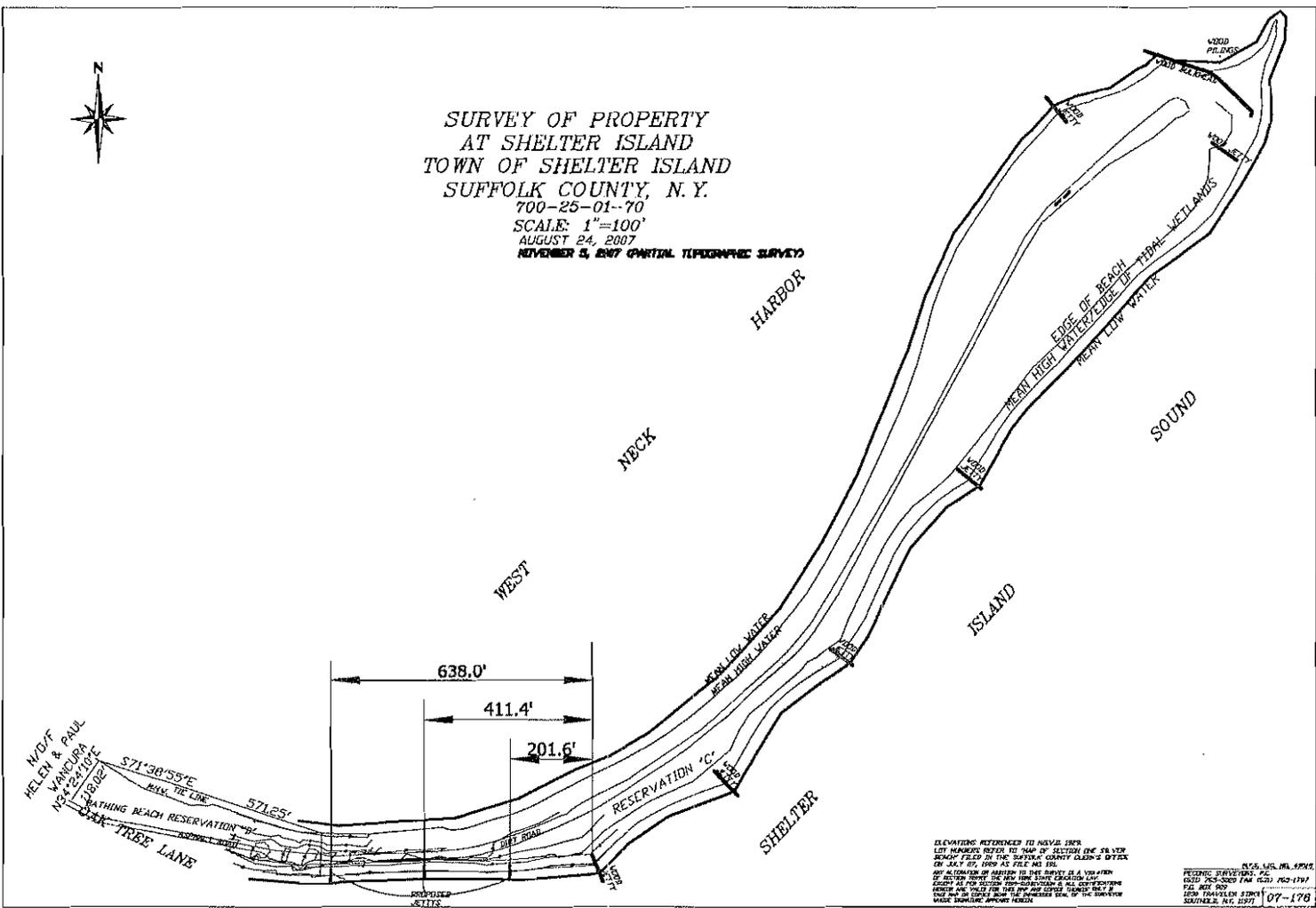
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SURVEY OF PROPERTY  
AT SHELTER ISLAND  
TOWN OF SHELTER ISLAND  
SUFFOLK COUNTY, N. Y.

700-25-01-70  
SCALE: 1"=100'  
AUGUST 24, 2007  
NOVEMBER 3, 2007 (PARTIAL TYPING SURVEY)



8 1/2 x 11 Scale: 1" = 400'

PREPARED BY:



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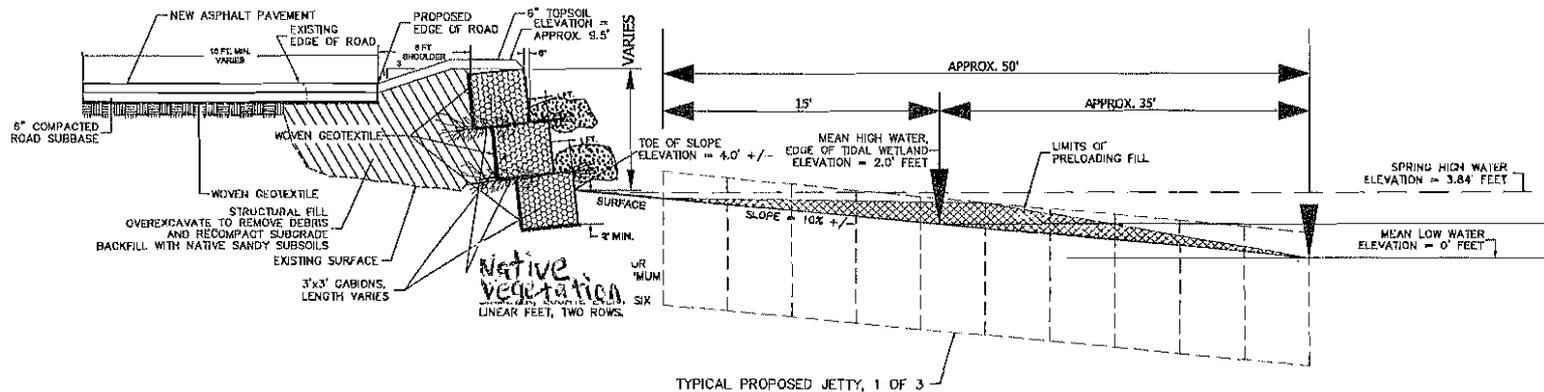
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TYPICAL PROPOSED JETTY, 1 OF 3  
**CROSS SECTION**  
 SCALE: 1"=10'

**Notes:**

1. Structural Fill and Preloading Fill are to be Native, Sandy Subsoils from the Town of Shelter Island Sand & Gravel Pit or Harbor Dredgings from a Permitted Dredging Operation, if such an Operation is Ongoing at the Time of Construction
2. Topsoil to be Screened Yardwaste Compost Obtained from the permitted Yardwaste Composting Operation at the Town of Shelter Island Sand & Gravel Pit or Native Excavated Topsoil Obtained from a Properly-Permitted On-Island source.

**Fill Volume Summary**

A. Roadway Shoulder	
Structural Soil Fill	2,092 C.Y.
Topsoil	112 C.Y.
Gabion Fill	596 C.Y.
B. Jetty Preload Fill Soil	133 C.Y.

PREPARED BY:



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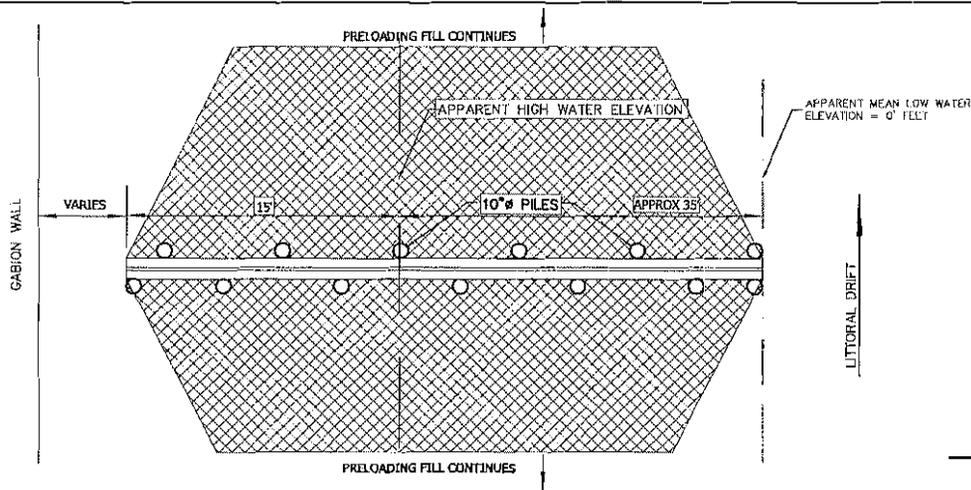
SHELL BEACH  
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APPLICANT

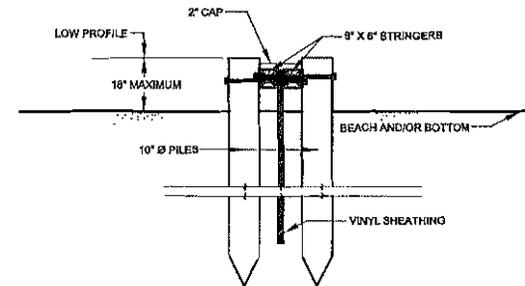
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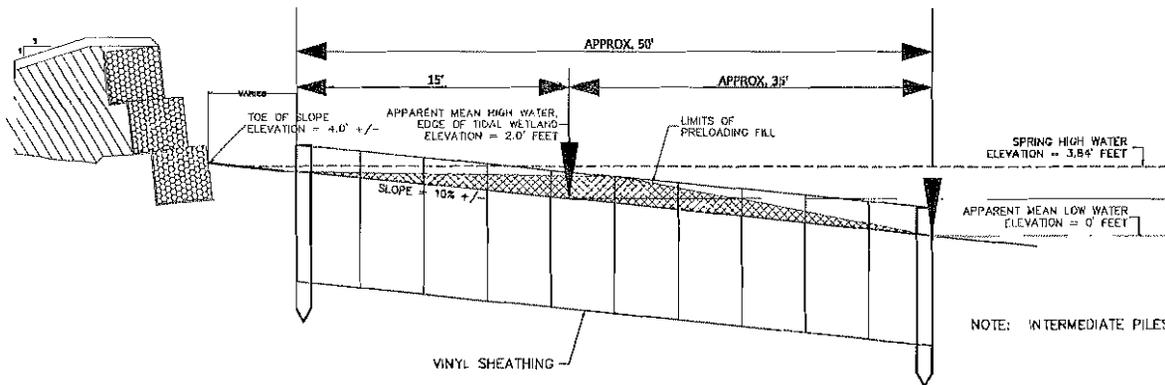
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**JETTY PLAN VIEW**  
SCALE: 1"=10'



**JETTY END VIEW**  
"LOW PROFILE"  
SCALE: 1" = 5'



**JETTY ELEVATION**  
SCALE: 1"=10'

NOTE: INTERMEDIATE PILES OMITTED FOR CLARITY

PREPARED BY: \_\_\_\_\_

**FE** **FACAN ENGINEERS**  
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**SHELL BEACH**  
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