



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-2016-01453-EBR
Issue Date: February 20, 2018
Expiration Date: March 22, 2018

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: Alfred Loreto
PO Box 1982
Sag Harbor, New York 11963

ACTIVITY: Ten-year maintenance dredging, installation of a bulkhead and maintenance of existing mooring structures.

WATERWAY: Silver Beach Harbor, tributary to West Neck Harbor

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.

Comments submitted in response to this notice will be fully considered during the public interest

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review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 adversely 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 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, One Commerce Plaza, 99

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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

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) 790-8516 and ask for William T. Bruno.

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 and In behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Alfred Loreto, has requested Department of the Army authorization to reconstruct an existing bulkhead and dredge with ten years maintenance in Silver Beach Harbor, tributary to West Neck Harbor, Town of Shelter Island, Suffolk County, New York.

The work would involve:

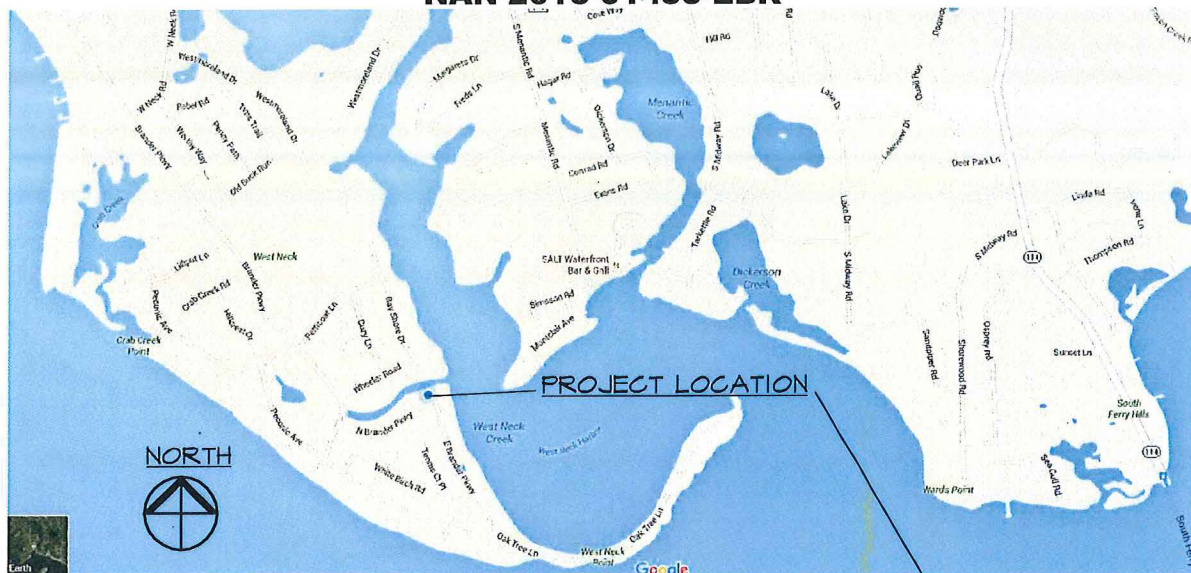
Maintenance dredge via clamshell bucket, the existing 23 foot wide by 39 foot long boat basin, a 10 foot wide by 37 foot long area immediately seaward of the bulkhead to the west of the boat basin and a 15 foot wide by 20 foot long area immediately seaward of the bulkhead to the east of the boat basin to a depth of 4 feet below the plane of Mean Low Water (MLW). The resultant approximately 115 cubic yards of sand/silt dredged material would be placed upland of the reconstructed bulkhead, approximately 5 cubic yards of fill will be placed below the Spring High Water (SHW) line landward of the 27 linear foot section of bulkhead at the southern end of the boat basin. Up to three additional dredging events are anticipated with the removal of up to approximately 115 cubic yards of dredged material per event, with the dredged material placed at a state approved upland location. All proposed dredging would be done within the confines of a turbidity curtain.

Remove and replace, in-place, approximately 159 linear feet of existing bulkhead, at the southern end of the boat basin, reconstruct 27 linear feet of bulkhead within 15 inches seaward of the existing bulkhead and reconstruct a 20 linear foot upland return.

Remove and replace, in-place the existing 4 foot wide by 39 foot long fixed pier, located along the eastern side of the boat basin.

The applicant has stated that they have avoided, minimized, and mitigated for proposed impacts to the maximum extent practicable replacing the majority of the existing bulkhead in-place, conducting the minimum dredging necessary for safe mooring and navigation and conducting the proposed dredging within the confines of a turbidity curtain.

The stated purpose of this project is to prevent erosion of the shoreline and provide safe water depths for mooring and navigation.



VICINITY MAP

SHELTER ISLAND, NY

PROPOSED:
 RECONSTRUCT IN-KIND, IN PLACE
 ±159' BULKHEAD AND 20' RETURN.
 SOUTHERN ±27' SECTION TO BE BUILT
 WITHIN 15' OF EXISTING WALL W/
 HELICAL SCREW DEADMEN TO
 PRESERVE THE INTEGRITY OF
 EXISTING HOUSE AND DECK.
 APPROXIMATELY 5 CU YDS CLEAN
 FILL WILL BE NEEDED BETWEEN
 EXISTING & NEW SHEATHING.
 REPLACE EXISTING ±4' X 39' FIXED
 LOWER DOCK IN BASIN AND
 ASSOCIATED 8"Ø PILING.
 TROPICAL HARDWOOD TO BE USED
 FOR DECKING AND CAP.
 REPLACE EXISTING WATER &
 ELECTRIC LINES.

MAINTENANCE DREDGE ±23' X 39'
 PRIVATE BOAT BASIN AND ±15' X 20'
 SHOALING ON EAST SIDE OF
 BULKHEAD TO 4' BELOW MLW.
 RESULTING ±100 CU. YDS SAND/SILT
 BEING TAKEN TO AN APPROVED
 UPLAND SITE.
 INCIDENTAL DREDGE OF ±10'X37'
 WEST SIDE OF BULKHEAD TO 4'
 BELOW MLW DUE TO FAILING
 BULKHEAD. RESULTING ±15 CU YDS
 SAND/SILT MATERIAL BEING USED AS
 BACKFILL OR TAKEN TO AN
 APPROVED UPLAND SITE.

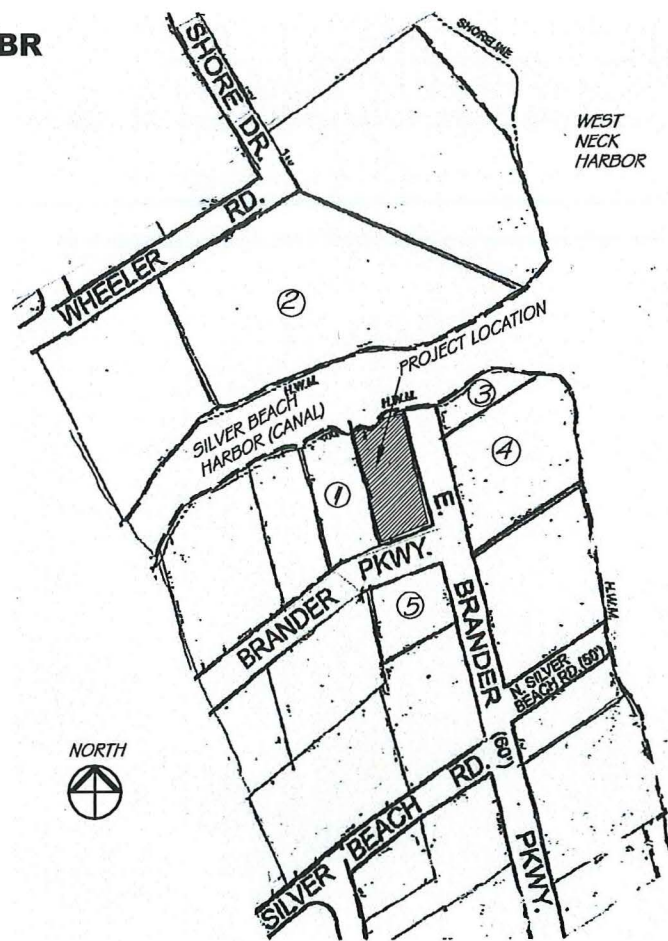
MATERIALS:
 FACE PILING 10"Ø CCA.
 TOP & BOTTOM STRINGERS 6" X 6" CCA
 MIDDLE STRINGER 6" X 8"
 SHEATHING VINYL ESP 5/8 OR EQUAL
 CLAMP 4" X 6" CCA
 HARDWARE: HD GALVANIZED &/OR SS
 BACKING SYSTEM: DEADMAN 10" Ø CCA
 BACKING PILES 8"Ø CCA
 TIE RODS 1" X 20' HDS

ACCESS:
 BY WATER USING BARGE
 AND BY LAND THROUGH
 APPLICANTS PROPERTY

PREPARED BY:
 ALFRED LORETO
 PO BOX 1982
 SAG HARBOR, NY 11963
 516 456-9839

APPLICANT:
 ALFRED LORETO
 PO BOX 1982
 SAG HARBOR, NY 11963

2 E. BRANDER PARKWAY
 SHELTER ISLAND NY 11964
 SCTM 700-22-1-30
 JUNE 24, 2016



LOCATION MAP



41° 02' 52.5" N 72° 21' 16.8"W

ADJACENT PROPERTY OWNERS

- ① SUSAN MASSE/SALLY SMITH
25 JUNIPER CIR
CONCORD, MA 01742
- ② MATTHEW WEINER
25 FOREST ST. APT 17-B
STAMFORD, CT 06901
- ③ SBSI ASSN C/O KEN FYSHER
PO BOX 442
SHELTER ISLAND HGTS NY 11965
- ④ LEONARD GENOVESE
4 E. HUXLEY DR
LLOYD HARBOR NY. 11743
- ⑤ BETHGE REV LIV TRUST
ROBERT BETHGE
45 LISPENARD ST APT 6-E
NY NY 10013

APPLICANT:
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PO BOX 1982
SAG HARBOR, NY 11963

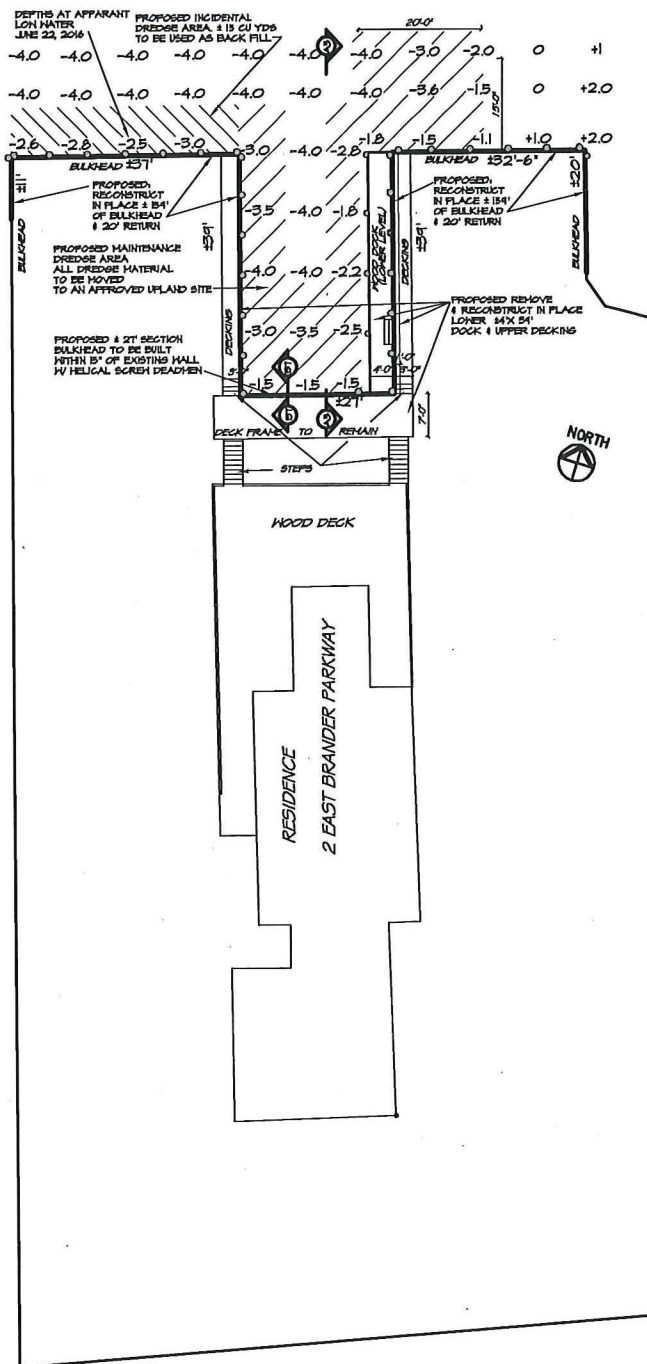
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PREPARED BY:
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SAG HARBOR, NY 11963
516 456-9839

SILVER BEACH HARBOR (CANAL)

REFERENCE SCALE

ADJACENT PROPERTY - MASSE / SMITH



EAST BRANDER PARKWAY

PROPOSED:
RECONSTRUCT IN-KIND, IN PLACE
15' BULKHEAD AND 20' RETURN.
SOUTHERN 12' SECTION TO BE BUILT
WITHIN 15" OF EXISTING WALL W/
HELICAL SCREW DEADMEN TO
PRESERVE THE INTEGRITY OF
EXISTING HOUSE AND DECK.
APPROXIMATELY 5 CU YDS CLEAN
FILL WILL BE NEEDED BETWEEN
EXISTING & NEW SHEATHING.
REPLACE EXISTING 14' X 39' FIXED
LOWER DOCK IN BASIN AND
ASSOCIATED 8"Ø PILING.
TROPICAL HARDWOOD TO BE USED
FOR DECKING AND CAP.
REPLACE EXISTING WATER &
ELECTRIC LINES.

MAINTENANCE DREDGE 123' X 39'
PRIVATE BOAT BASIN AND 15' X 20'
SHOALING ON EAST SIDE OF
BULKHEAD TO 4' BELOW MLW.
RESULTING ± 100 CU. YDS SAND/SILT
BEING TAKEN TO AN APPROVED
UPLAND SITE.
INCIDENTAL DREDGE OF 10' X 37'
WEST SIDE OF BULKHEAD TO 4'
BELOW MLW DUE TO FAILING
BULKHEAD. RESULTING ± 15 CU YDS
SAND/SILT MATERIAL BEING USED AS
BACKFILL OR TAKEN TO AN
APPROVED UPLAND SITE.

MATERIALS:
FACE PILING 10"Ø CCA.
TOP & BOTTOM STRINGERS 6" X 6" CCA
MIDDLE STRINGER 6" X 8"
SHEATHING VINYL ESP 2.5 OR EQUAL
CLAMP 4" X 6" CCA
HARDWARE: HD GALVANIZED &/OR SS
BACKING SYSTEM: DEADMAN 10" Ø CCA
BACKING FILES 8"Ø CCA
TIE RODS 1" X 20' HDG

ACCESS:
BY WATER USING BARGE
AND BY LAND THROUGH
APPLICANTS PROPERTY

SCALE 1"=30'
0 30'

APPLICANT:
ALFRED LORETO
PO BOX 1982
SAG HARBOR, NY 11963

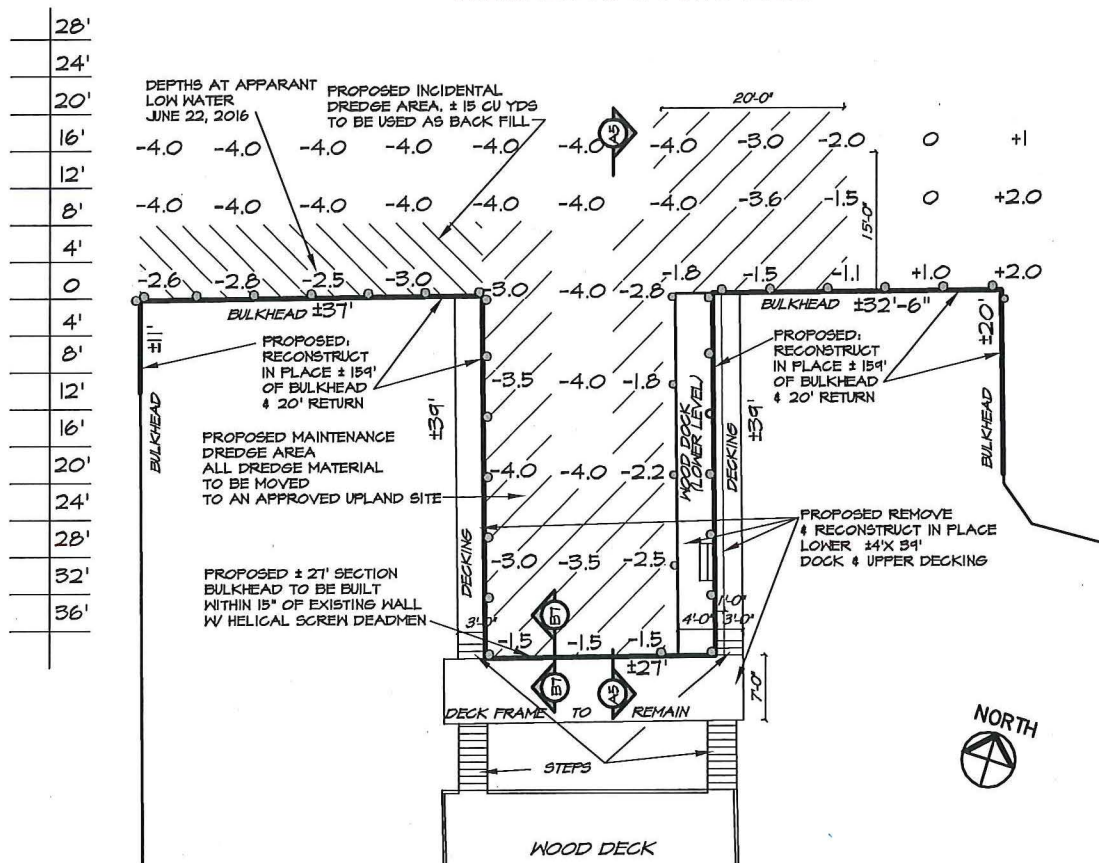
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SITE

SILVER BEACH HARBOR (CANAL)

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PROPOSED:
 RECONSTRUCT IN-KIND, IN PLACE
 ±159' BULKHEAD AND 20' RETURN.
 SOUTHERN ±27' SECTION TO BE BUILT
 WITHIN 15" OF EXISTING WALL W/
 HELICAL SCREW DEADMEN TO
 PRESERVE THE INTEGRITY OF
 EXISTING HOUSE AND DECK.
 APPROXIMATELY 5 CU YDS CLEAN
 FILL WILL BE NEEDED BETWEEN
 EXISTING & NEW SHEATHING.
 REPLACE EXISTING ±4' X 39' FIXED
 LOWER DOCK IN BASIN AND
 ASSOCIATED 8"Ø PILING.
 TROPICAL HARDWOOD TO BE USED
 FOR DECKING AND CAP.
 REPLACE EXISTING WATER &
 ELECTRIC LINES.

MAINTENANCE DREDGE ±23' X 39'
 PRIVATE BOAT BASIN AND ±15' X 20'
 SHOALING ON EAST SIDE OF
 BULKHEAD TO 4' BELOW MLW.
 RESULTING ±100 CU. YDS SAND/SILT
 BEING TAKEN TO AN APPROVED
 UPLAND SITE.
 INCIDENTAL DREDGE OF ±10'X37'
 WEST SIDE OF BULKHEAD TO 4'
 BELOW MLW DUE TO FAILING
 BULKHEAD. RESULTING ±15 CU YDS
 SAND/SILT MATERIAL BEING USED AS
 BACKFILL OR TAKEN TO AN
 APPROVED UPLAND SITE.

MATERIALS:
 FACE PILINGS 10"Ø CCA.
 TOP & BOTTOM STRINGERS 6" X 6" CCA
 MIDDLE STRINGER 6" X 8"
 SHEATHING VINYL ESP 8.5 OR EQUAL
 CLAMP 4" X 6" CCA
 HARDWARE: HD GALVANIZED #/OR SS
 BACKING SYSTEM: DEADMAN 10" Ø CCA
 BACKING FILES 8"Ø CCA
 TIE RODS 1" X 20' HDG

ACCESS:
 BY WATER USING BARGE
 AND BY LAND THROUGH
 APPLICANTS PROPERTY

PLAN

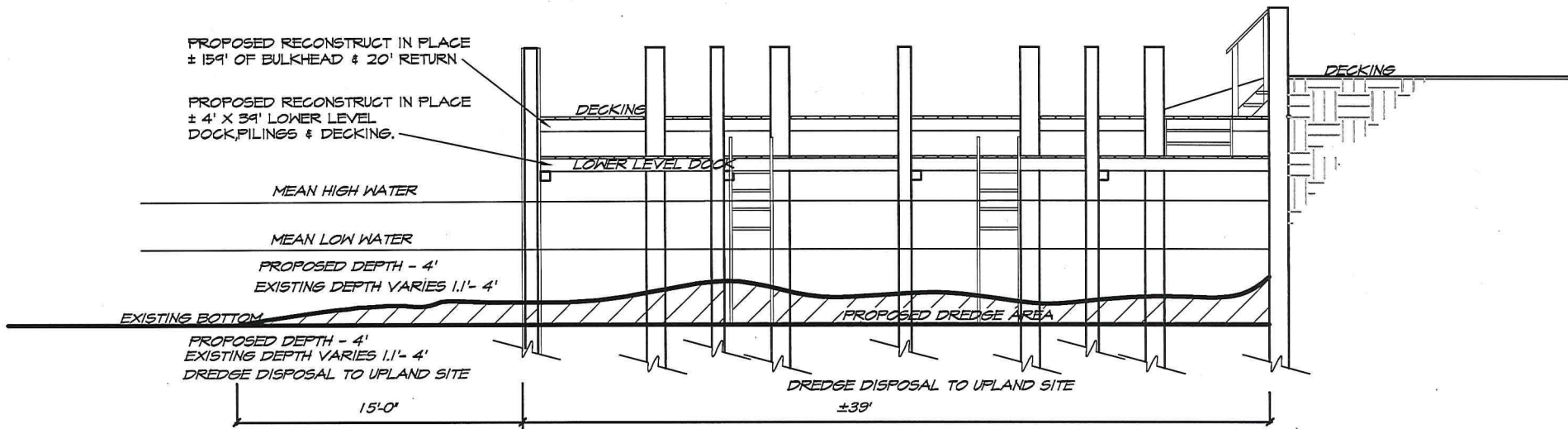
SCALE 1"=20'
 0 20'

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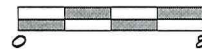
SECTION A-5



BULKHEAD & MAINTENANCE DREDGE PROJECT

SILVER BEACH HARBOR
SHELTER ISLAND, NY

SCALE 1/8" = 1'



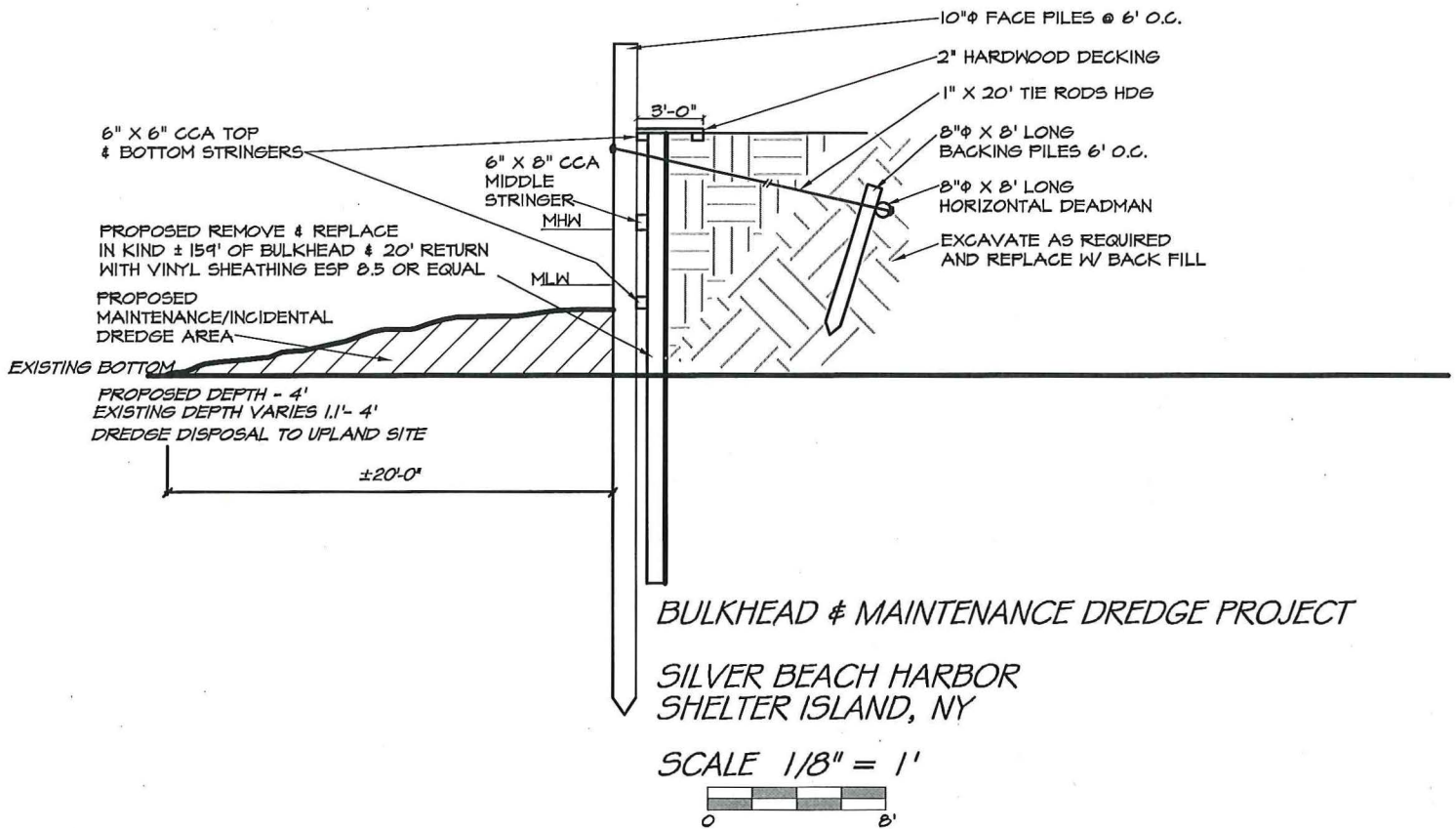
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5 OF 7

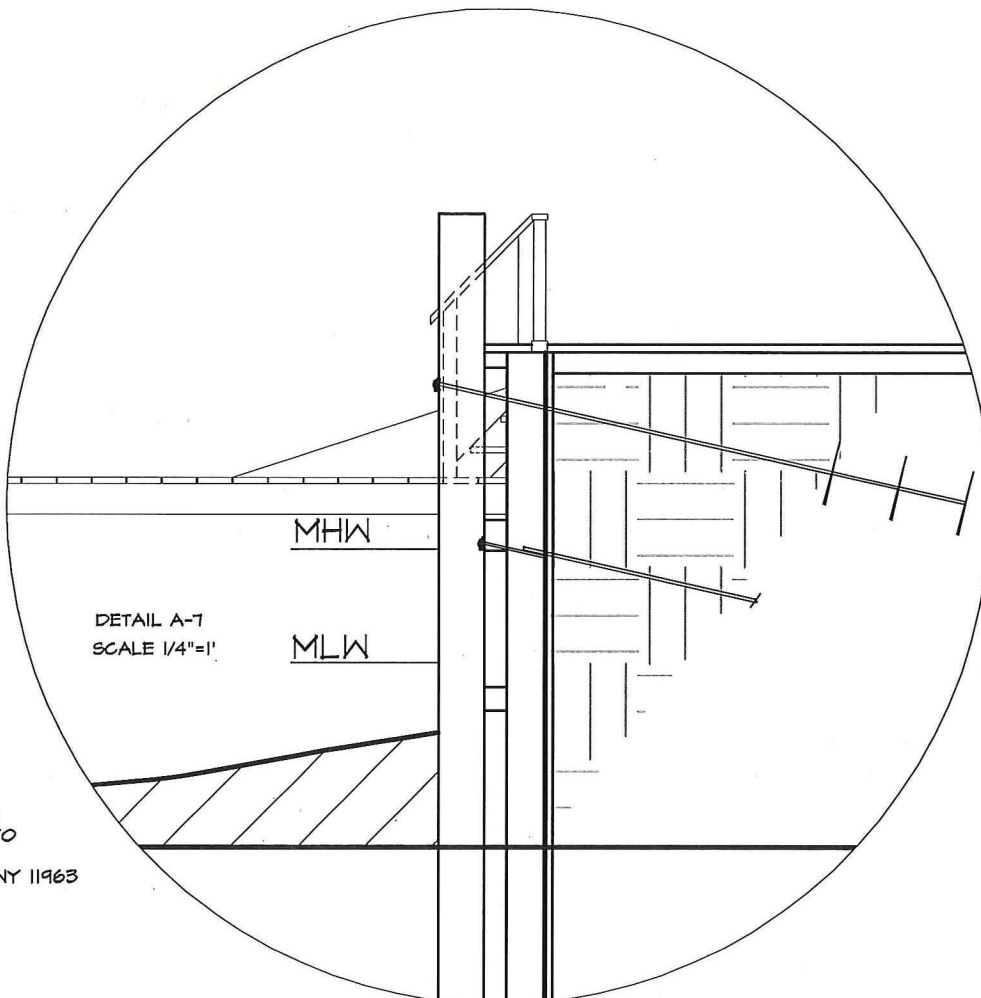
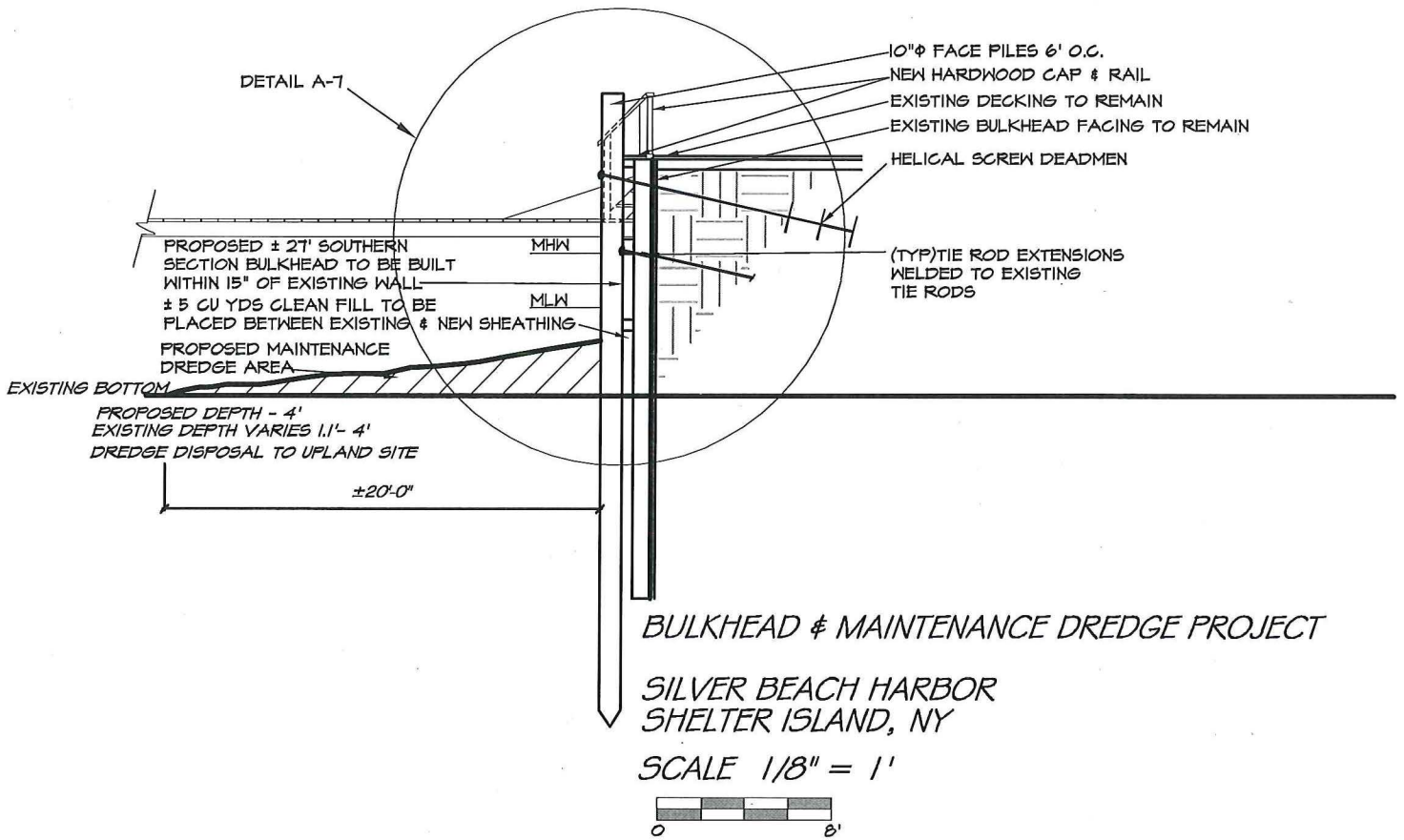
TYPICAL SECTION



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**NAN-2016-01453-EBR
SECTION B-7**



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2 E. BRANDER PARKWAY
SHELTER ISLAND NY 11964
SGTM 700-22-1-50
JUNE 24, 2016