

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-2020-00382-EMI**
Issue Date: **August 18, 2020**
Expiration Date: **September 17, 2020**

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: Seaview Association of FI, NY
c/o Thomas Ruskin
Five Penn Plaza, 23rd Floor
New York, New York 10001

ACTIVITY: 10 Year Maintenance Dredging with Upland Disposal

WATERWAY: Great South Bay

LOCATION: Central Walk on Fire Island in Bay Shore, 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

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AND EMAILED 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 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 email 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 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.

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

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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 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. Please send all comments and questions concerning this application to Christopher.W.Minck@usace.army.mil.

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 permit applicant, Seaview Association of FI, NY, has requested Department of the Army authorization for dredging with 10-years maintenance of an existing basin in Great South Bay located at Central Walk on Fire Island in Bay Shore, Town of Islip, Suffolk County, New York.

The regulated work would involve the dredging of approximately 1,150-cubic yards of material to a depth of four-feet below the plane of Mean Low Water over an area of approximately 23,200-square feet within the existing approximately 46,500-square foot (1.07 acre) boat basin. The material will be mechanically dredged using a clamshell bucket. The dredged material will be placed in lined containers on a barge with no overflow for transport to an approved upland site for disposal. Any excess water will be decanted within the boat basin. A maximum of three (3) additional dredging events will occur over the next 10 years, dredging a maximum of 1,000 cubic yards per event within the entire 46,500-square foot (1.07 acre) boat basin.

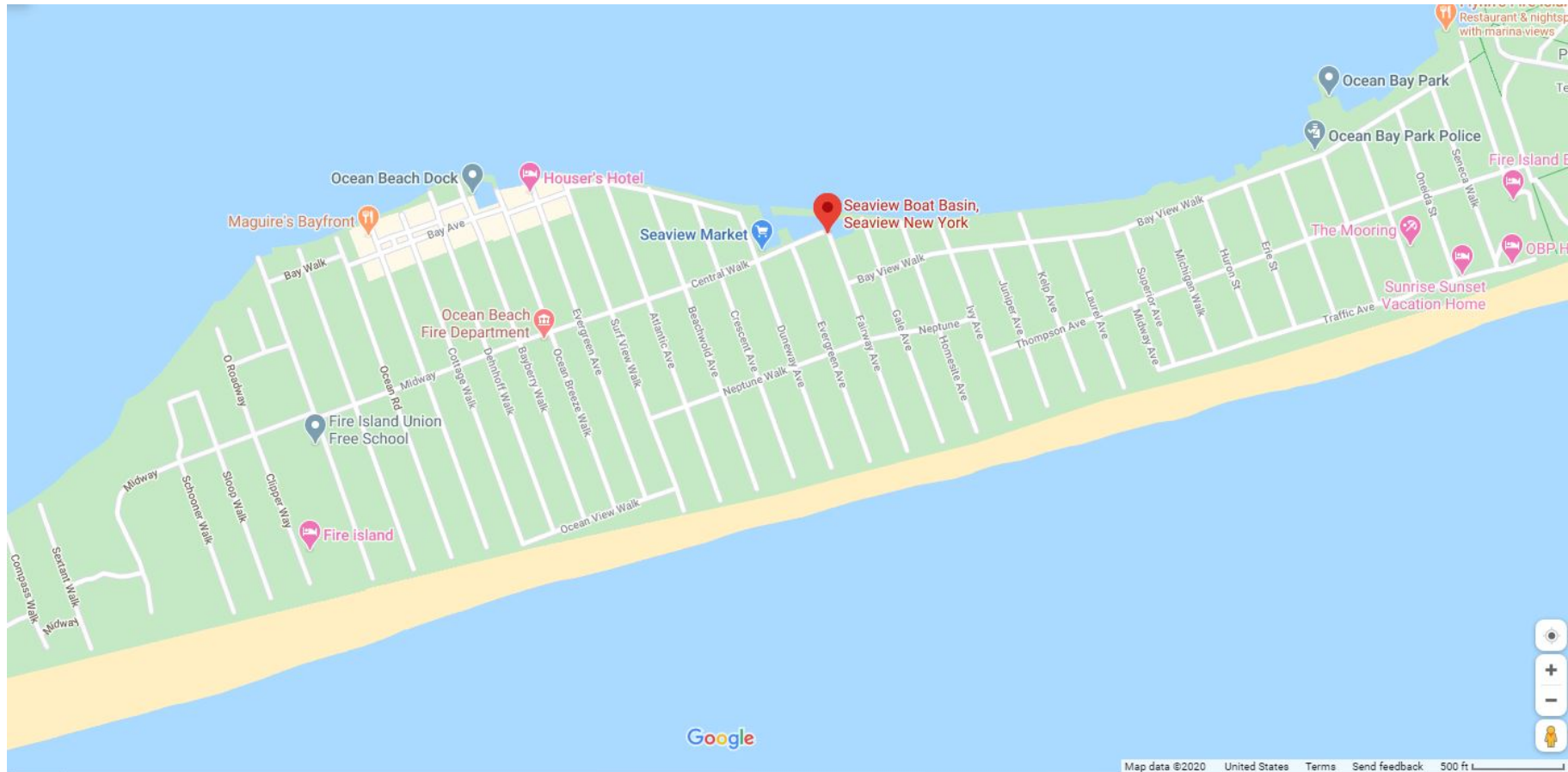
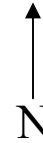
Additional regulated work includes the relocation of approximately eighty (80) 12-inch diameter timber piles that will be installed via jetting and the re-sheathing of approximately 1,538-linear feet of existing bulkhead, as needed.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by using a closed clamshell bucket to contain dredge spoil and limiting the dredge area to within the existing marina basin and utilizing a jetting method to re-install piles.

The purpose of this project is to provide adequate mooring depths and safe vessel navigation throughout the existing marina basin.

Seaview Boat Basin

Corner of Central Walk and Fairway Avenue, Bay Shore, NY 11706| SCTM #500-497-1-72.1



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 Google Maps (www.google.com).
Latitude 40° 38' 56.26" N Longitude 73° 08' 59.83" W

EXISTING
WALKWAY

BULKHEAD

SHW

MHW

MLW

PROPOSED MARINA MAINTENANCE

1. Maintenance Dredging of the Seaview Marina to a depth of -4.0' MLW (-5.0' NAVD). Approx. 1,150 CY of dredge spoil to be removed and disposed at an approved upland site.
2. Maintenance and Repair of existing bulkhead, including re-sheating with no seaward extension and repair of damaged components, to be performed as needed. No bulkhead reconstruction is proposed. Repositioning of marina piles to be performed as needed. Existing walkways to be repaired as needed.
3. Landward limit of tidal wetlands equivalent to MHW as observed by Land Use Ecological Services, Inc.
4. SHW, MHW, and MLW equivalent to marina bulkhead.

EXISTING
WALKWAY

BULKHEAD

- 4 MLW

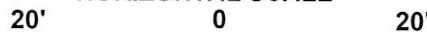
EXISTING
GRADE

VERTICAL SCALE

A



HORIZONTAL SCALE



A'



CURRENT DREDGING

DATA SOURCES

1. Bathymetry Survey prepared by John C. Mayer, L.S., last revised 4/6/2020. Contours referenced to MLW = 0.

PREPARED FOR: SEAVIEW ASSOCIATION OF FIRE ISLAND

AT: CENTRAL WALK AT FAIRWAY AVE.



LAND USE ECOLOGICAL SERVICES, INC
570 EXPRESSWAY DRIVE SOUTH, SUITE 2F
Medford, New York 11763 (631) 727-2400

TITLE:

SECTION

Compiled by: K.R.

Date: 4/10/20

SUFFOLK COUNTY TAX MAP#:

Prepared by: A.V.

Scale: AS SHOWN

500-497-1-72.1

Project Mgr: K.R.

File: MARINADREDGING

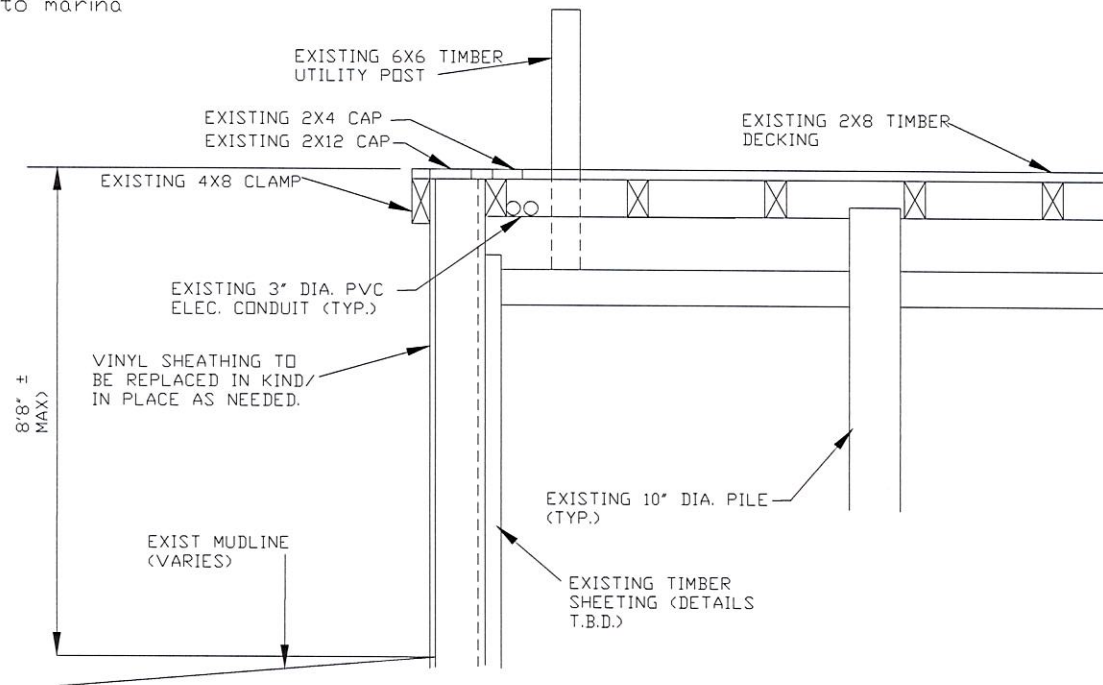
Rev: - 5/28/20, 8/3/20

DRAWING NO.


D-2

PROPOSED MARINA MAINTENANCE

1. Maintenance and Repair of existing bulkhead, including re-sheating with no seaward extension and repair of damaged components, to be performed as needed. No bulkhead reconstruction is proposed. Repositioning of marina piles to be performed as needed. Existing walkways to be repaired as needed.
2. Landward limit of tidal wetlands equivalent to MHW as observed by Land Use Ecological Services, Inc.
3. SHW, MHW, and MLW equivalent to marina bulkhead.



N.T.S.

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| PREPARED FOR: SEAVIEW ASSOCIATION OF FIRE ISLAND | | TITLE: | | |
| AT: CENTRAL WALK AT FAIRWAY AVE. | | SECTION | | |
|  <div>LAND USE ECOLOGICAL SERVICES, INC 570 EXPRESSWAY DRIVE SOUTH, SUITE 2F Medford, New York 11763 (631) 727-2400</div> | Compiled by: K.R | | Date: 8/3/20 | SUFFOLK COUNTY TAX MAP#: 500-497-1-72.1 |
| | Prepared by: A.V. | | Scale: AS SHOWN | |
| | Project Mgr: K.R | | File: MARINADREDGING | DRAWING NO. D-3 |
| | Rev: - | | | |