

# 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-2022-00227-WRY  
Issue Date:  
Expiration Date:

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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:** SHM Post Road, LLC  
155 East Boston Post Road  
Mamaroneck, NY 10543

**ACTIVITY:** Install a new bulkhead waterward of the existing, remove existing marina structures, and install new floating docks with associated gangways.

**WATERWAY:** Mamaroneck Harbor

**LOCATION:** Village of Mamaroneck, Westchester 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.

**CENAN-OP-RW**  
**PUBLIC NOTICE NO. NAN-2022-00227-WRY**

ALL COMMENTS REGARDING THIS PERMIT APPLICATION MUST BE PREPARED IN WRITING AND E-MAILED TO THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Emailed comments must include this public notice's number, NAN-2021-00352-WRY. The email inbox for written comments is: [alexandra.ryan@usace.army.mil](mailto:alexandra.ryan@usace.army.mil).

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 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 (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. However, there are several eligible sites within the immediate vicinity of the permit area. Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C 470s), the District Engineer is consulting with the New York State Office of Parks, Recreation and Historic Preservation to determine the presence of an potential impacts to historic properties. 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. This public notice serves as notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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If EPA determines that the proposed discharge may affect the quality of the waters of any state other than New York, it will so notify such other state, the District Engineer, and the applicant. If such notice or a request for supplemental information is not received within 30 days of issuance of this public notice, the District Engineer will assume EPA has made a negative determination with respect to section 401(a)(2).

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 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 – Tidal Wetlands; Excavation and Fill in Navigable Waters; and Docks, Platforms and Moorings

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, Alexandra Ryan, of this office, by phone at (917) 790-8518 or by email at [alexandra.ryan@usace.army.mil](mailto:alexandra.ryan@usace.army.mil)

In order for us to better serve you, please complete our Customer Service Survey located at <https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/>.

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, SHM Post Road, LLC, has requested Department of the Army authorization to install a new bulkhead waterward of the existing bulkhead, remove existing marina structures, and install new floating docks with associated gangways in the East Basin of Mamaroneck Harbor, Village of Mamaroneck, Westchester County, New York.

The work would involve:

Removal and demolition of existing marina structures, including a fixed timber pier, totaling approximately 9,965 square feet (sf). Approximately 33 steel and timber piles would be removed from the waterway via vibratory extraction methods.

Install 355 linear feet steel sheet bulkhead approximately 18-inches waterward of the existing bulkhead by oversheeting methods via vibratory hammer. Backfill behind new bulkhead with approximately 260 cubic yards (CY) crushed stone, over 538 sf.

Install nine (9) main docks measuring 6-feet (ft) in width and varying from 16-ft to 262-ft in length. Install 16 floating finger docks with widths varying from 3-ft to 6-ft and lengths varying from 30-ft to 55-ft. All docks would be secured with 38 new 10-inch diameter steel pipe piles, each installed via vibratory methods and filled with 0.75 CY concrete. Install four (4) gangways 4-ft wide by 36-ft long and one (1) ADA-compliant gangway 5-ft wide by 80 ft long. The area of newly installed floats would be approximately 9,014 sf.

The stated purpose of this project is to maintain and improve erosion control structures as well as to provide safe access to the waterway.



# SAFE HARBOR POST ROAD MARINA & BULKHEAD REPLACEMENT

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	TAX MAP
4	EXISTING SITE PLAN
5	PARTIAL PLAN 1
6	PARTIAL PLAN 2
7	PROPOSED PARTIAL PLAN 1
8	PROPOSED PARTIAL PLAN 2
9	EXISTING & PROPOSED SECTION A-A
10	TYPICAL FLOATING DOCK SECTIONS

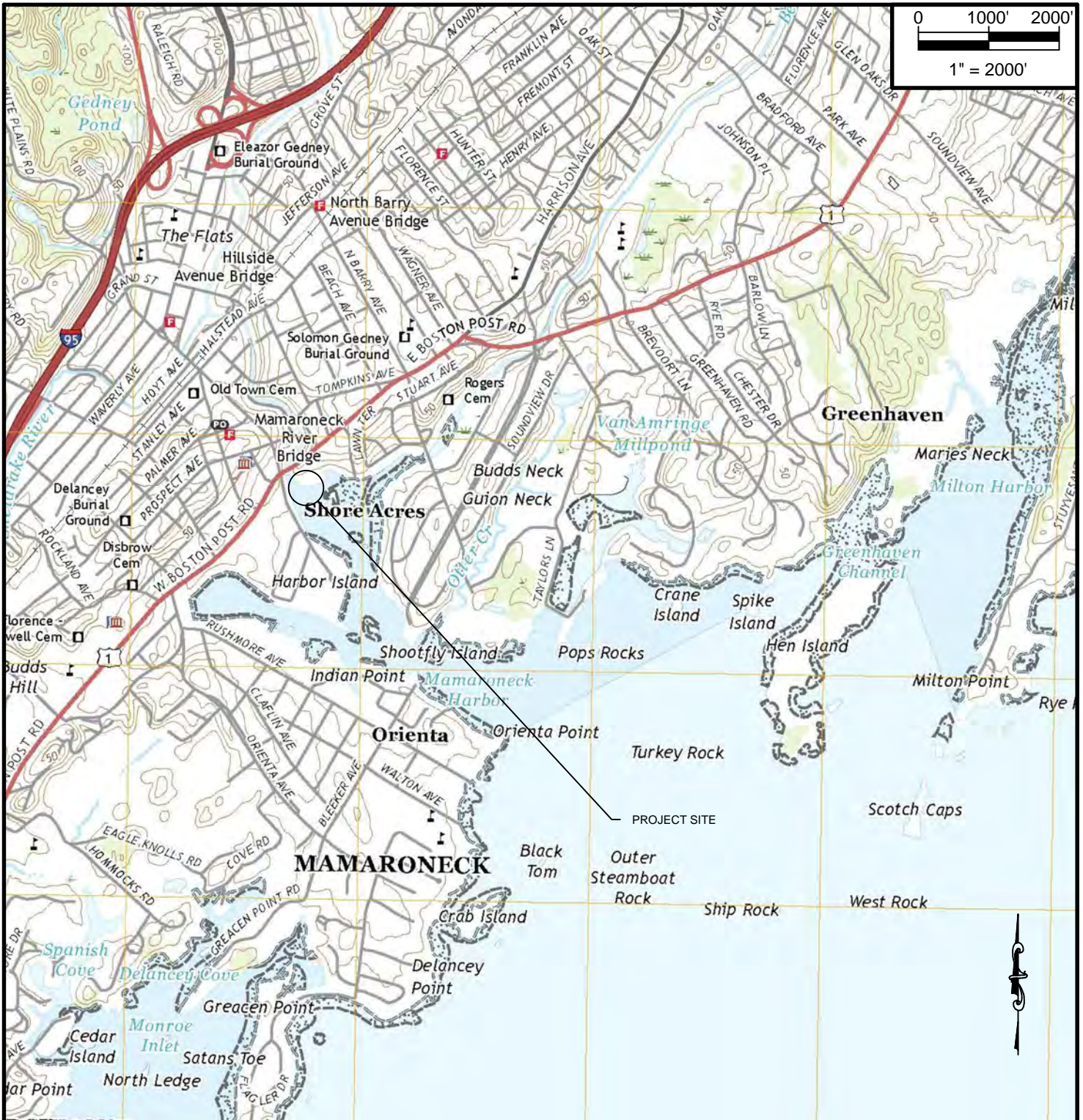
**GENERAL NOTES**

1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS 7.5 MINUTE SERIES, MAMARONECK QUADRANGLE.
3. TAX MAP TAKEN FROM MAP NO. 154.058 PER WESTCHESTER COUNTY ONLINE MUNICIPAL TAX PARCEL VIEWER.
4. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), UNLESS NOTED OTHERWISE.
5. SITE PLAN INFORMATION HAS BEEN TAKEN FROM A DRAWING FILE (.DWG) PROVIDED BY SAFE HARBOR MARINAS..
6. HYDROGRAPHIC DATA PER 2016 SURVEY PERFORMED BY AQUA SURVEY, INC.
7. SUPPLEMENTARY INFORMATION OBTAINED BY RACE COASTAL ENGINEERING, PC ON 6/9/2021.
8. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR RYE BEACH AMUSEMENT PARK, NY 8518091 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.
9. HIGH TIDE LINE TAKEN AS THE "1 YEAR FREQUENCY TIDAL FLOOD" FOR MAMARONECK HARBOR PER USACE TIDAL FLOOD PROFILES OF NEW ENGLAND COASTLINE, SEPTEMBER 1988.

PROJECT TIDAL ELEVATIONS		
DATUM	NAVD 88 (FT)	MLW (FT)
HIGH TIDE LINE (HTL)	+5.2	+9.1
MEAN HIGH WATER (MHW)	+3.4	+7.3
NAVD 88	0.0	+3.9
NGVD 29	-1.1	+2.8
MEAN LOW WATER (MLW)	-3.9	0.0

 <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 racecoastal.com</p>	Prepared For: SAFE HARBOR POST ROAD 155 E BOSTON POST ROAD MAMARONECK, NY 10543	SEAL: 	Date: 8-9-2021	Rev.:	
	Project: SAFE HARBOR POST ROAD MARINA AND BULKHEAD REPLACEMENT 155 E BOSTON POST ROAD MAMARONECK, NY 10543	Drawn By: SLB	Checked By: SCS	Datum: NAVD88	Scale: N/A
	ALL RIGHTS RESERVED. NOT FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY	Project No.: 2021074	Drawing No.: 1 of 10		
	NOT VALID WITHOUT ENGINEER'S SEAL				





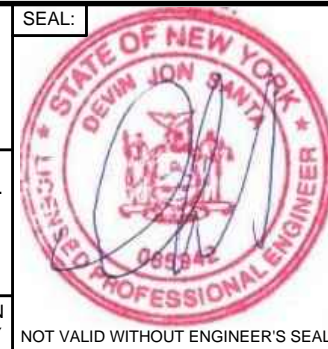
**VICINITY MAP**

**RACE**  
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MAMARONECK, NY 10543

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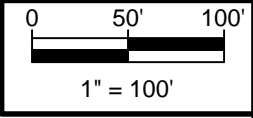
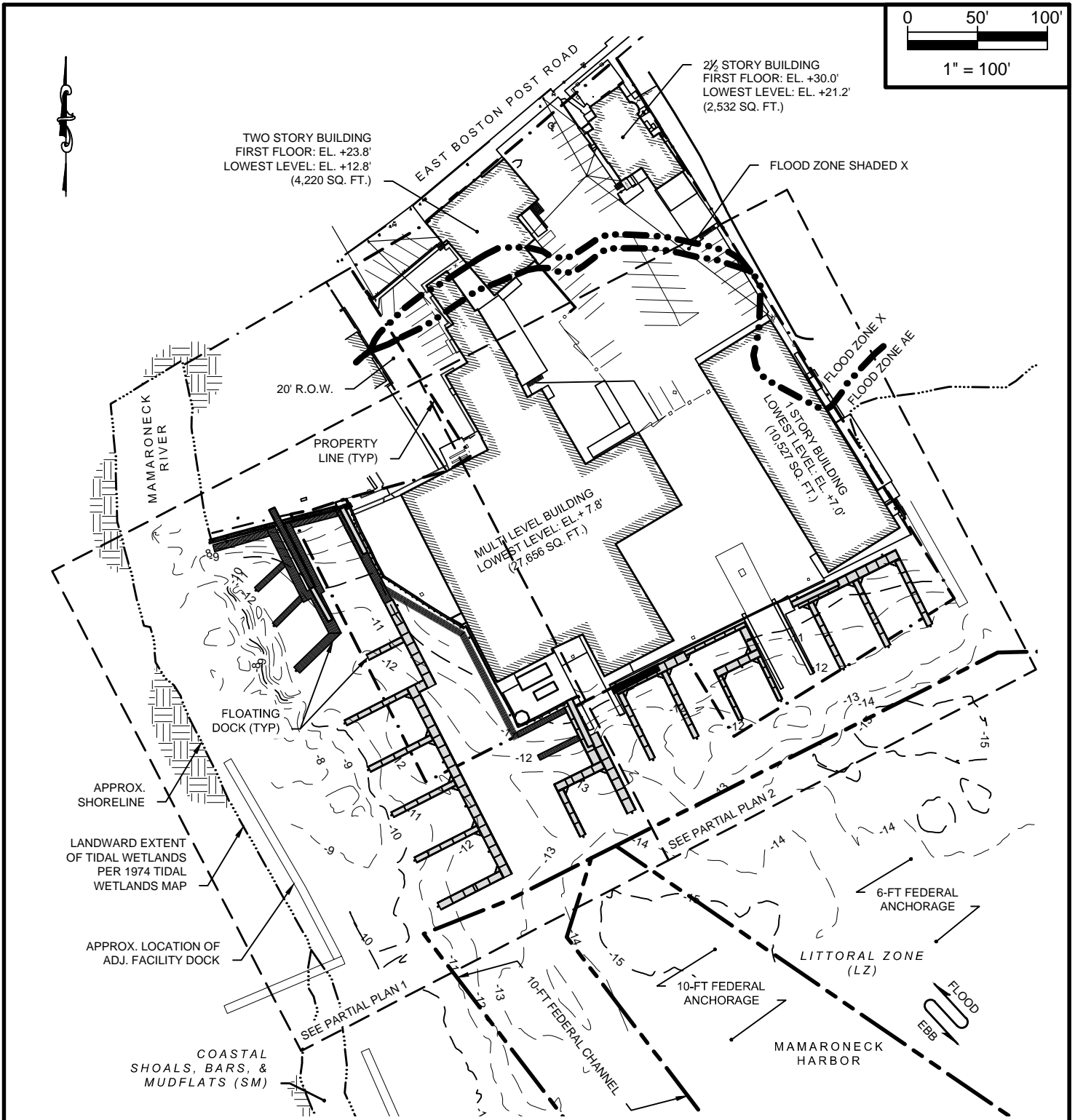


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Project No.:	2021074	Drawing No.:	2 of 10

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**EXISTING SITE PLAN**

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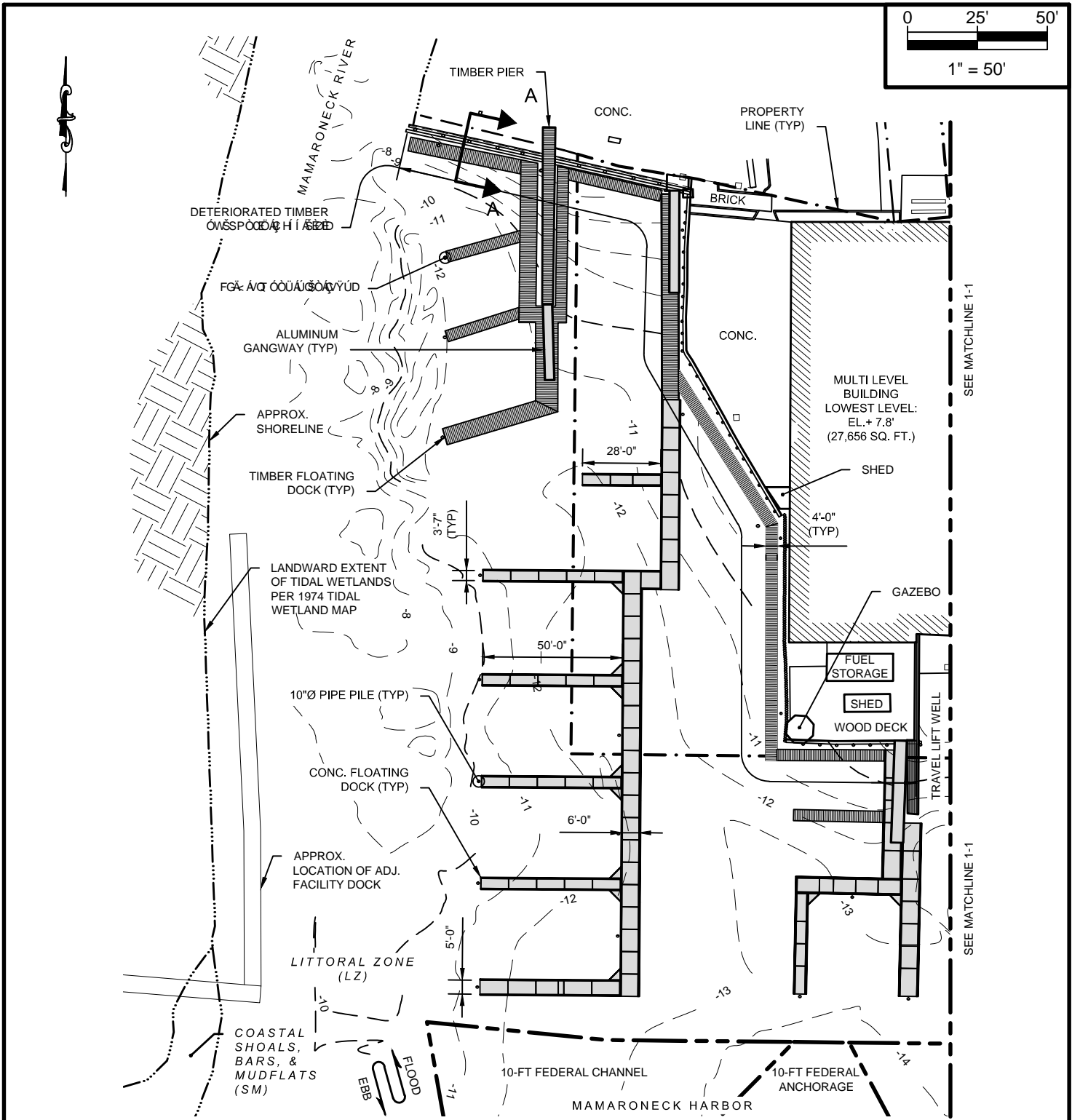
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MARINA AND BULKHEAD REPLACEMENT  
155 E BOSTON POST ROAD  
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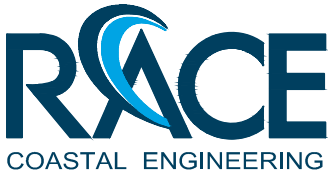

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Drawn By:	Checked By:
SLB	SCS
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Project No.:	Drawing No.:
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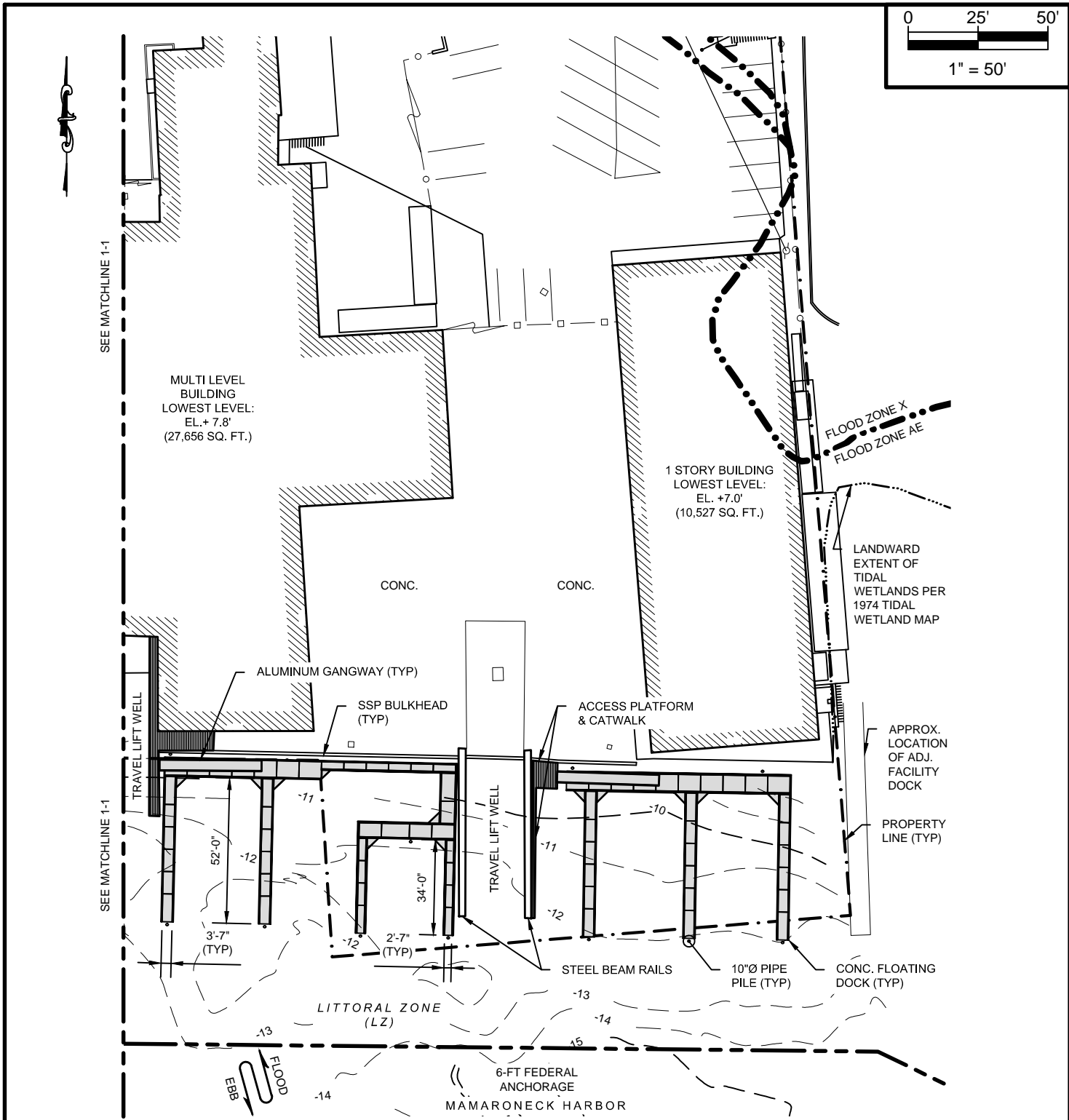
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**PARTIAL PLAN 1**

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	Project: SAFE HARBOR POST ROAD MARINA AND BULKHEAD REPLACEMENT 155 E BOSTON POST ROAD MAMARONECK, NY 10543	Drawn By: SLB	Checked By: SCS	Datum: NAVD88	Scale: 1" = 50'
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**PARTIAL PLAN 2**

**RACE**  
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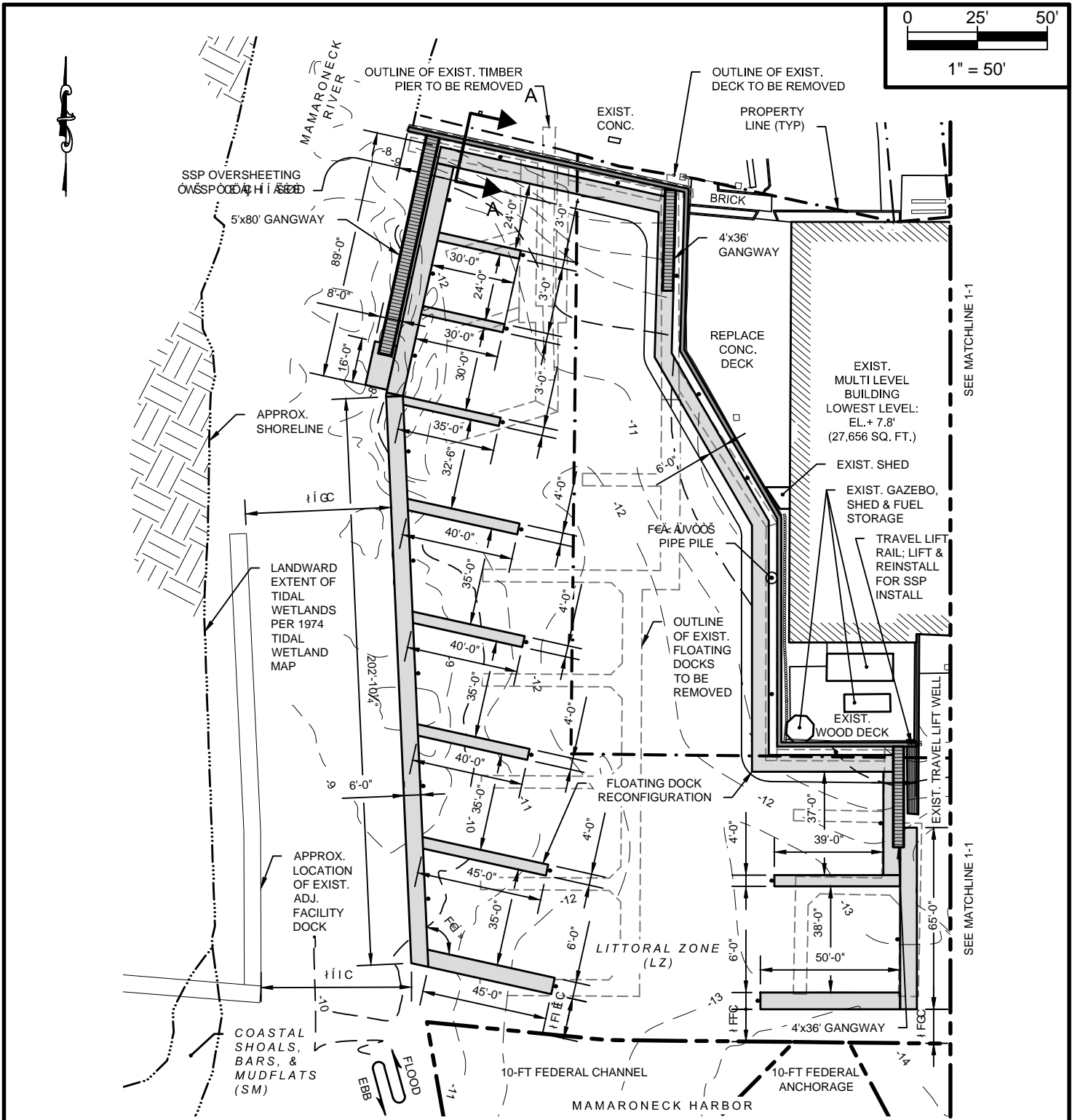
Project: SAFE HARBOR POST ROAD  
MARINA AND BULKHEAD REPLACEMENT  
155 E BOSTON POST ROAD  
MAMARONECK, NY 10543

SEAL:



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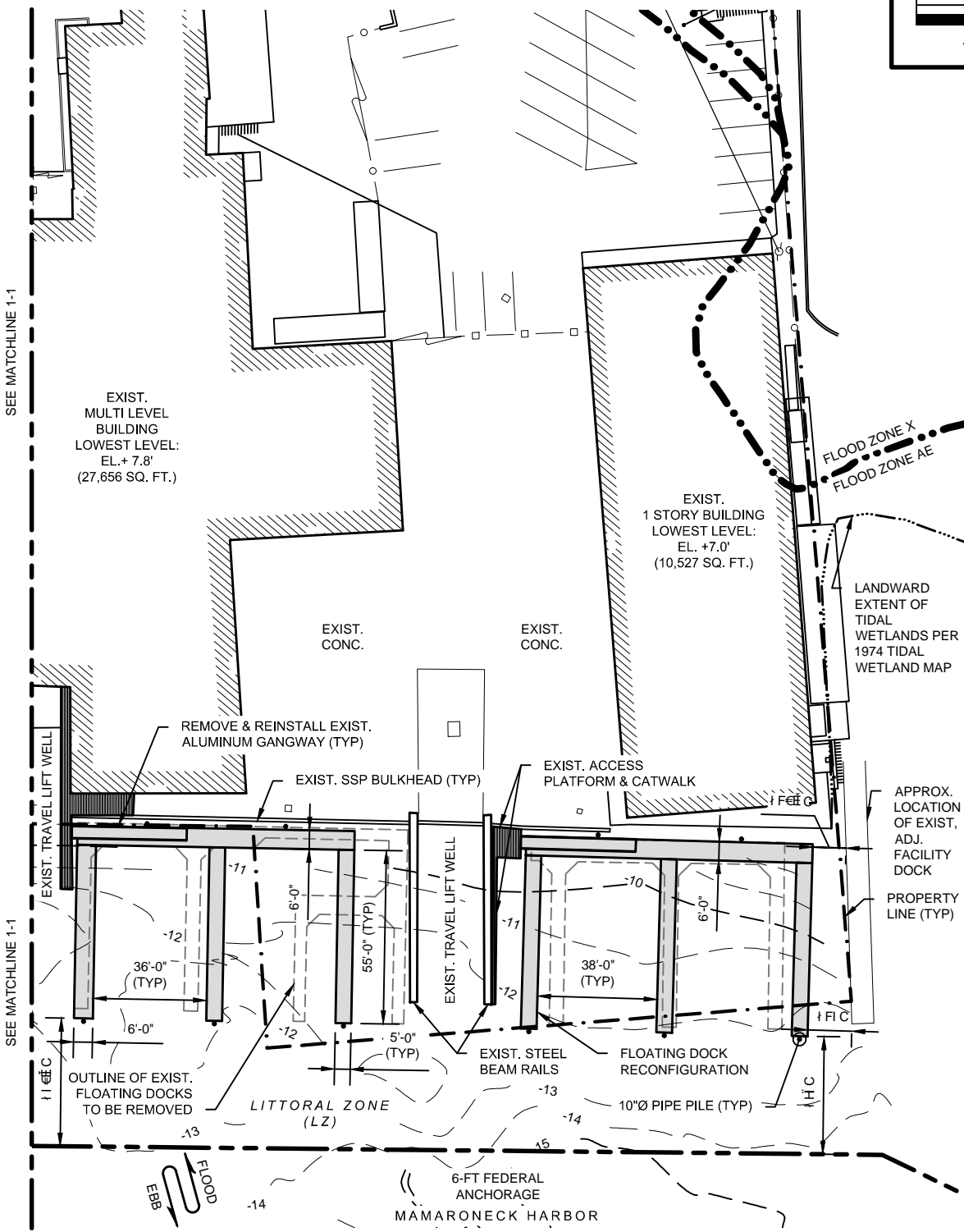
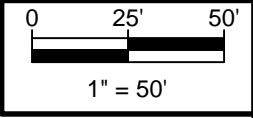
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Datum:	NAVD88	Scale:	1" = 50'
Project No.:	2021074	Drawing No.:	6 of 10

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**PROPOSED PARTIAL PLAN 1**

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	Project: SAFE HARBOR POST ROAD MARINA AND BULKHEAD REPLACEMENT 155 E BOSTON POST ROAD MAMARONECK, NY 10543	Date: 8-9-2021	Drawn By: SLB	Checked By: SCS	
		Datum: NAVD88	Scale: 1" = 50'	Project No.: 2021074	Drawing No.: 7 of 10
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**PROPOSED PARTIAL PLAN 2**

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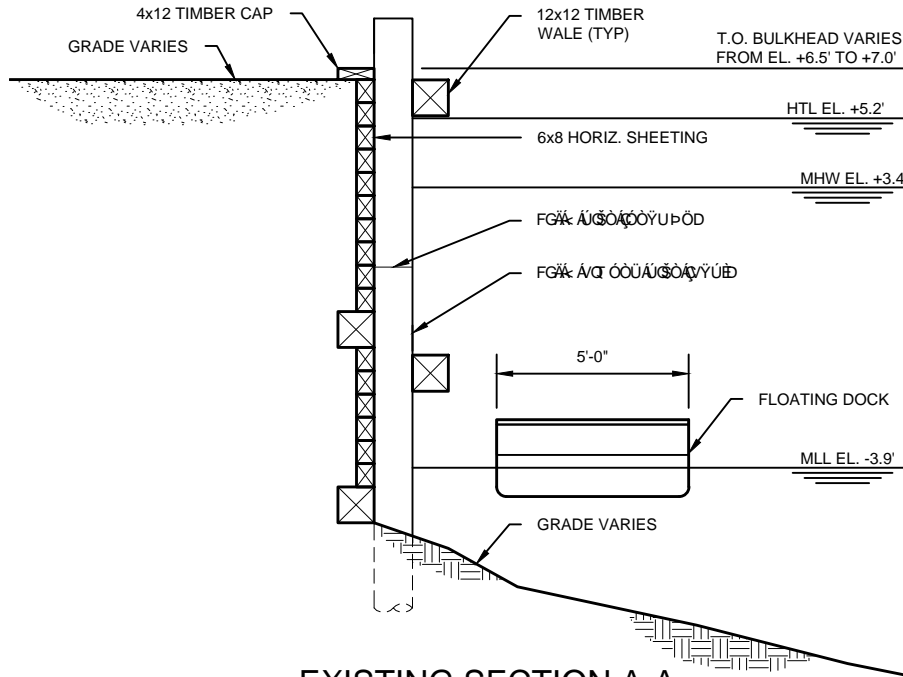
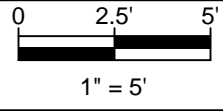
SEAL:

STATE OF NEW YORK  
DEVIN JON SANTA  
088942  
REGISTERED PROFESSIONAL ENGINEER

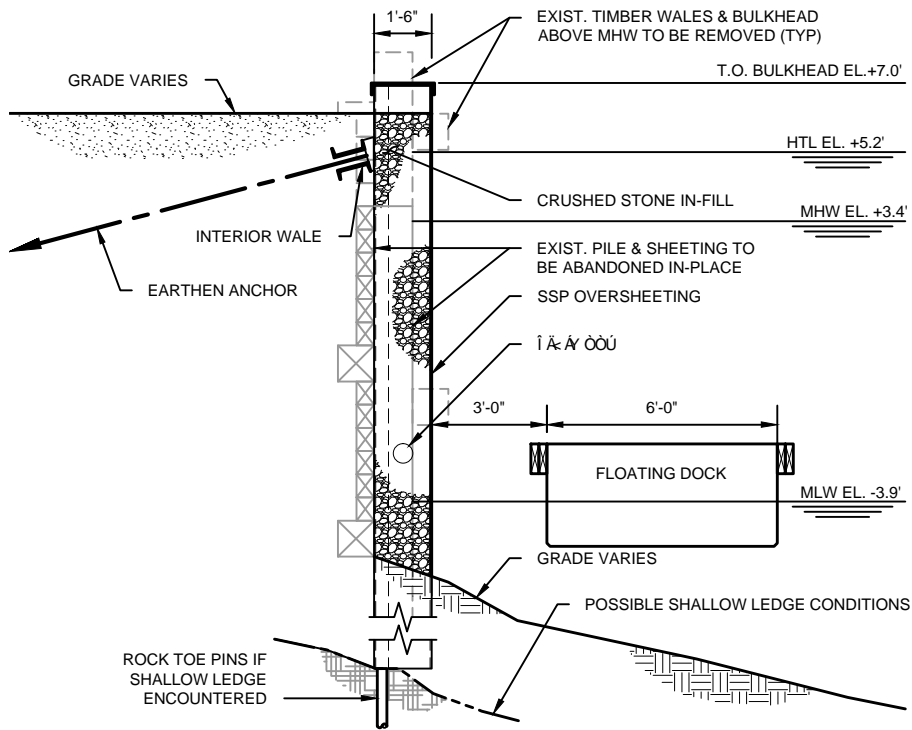
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Project No.:	2021074	Drawing No.:	8 of 10

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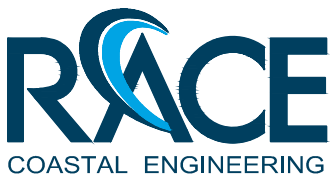
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**EXISTING SECTION A-A**



**PROPOSED SECTION A-A**



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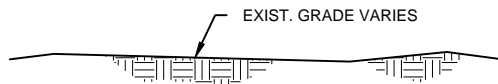
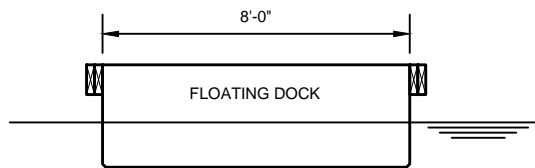
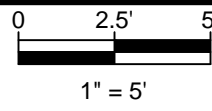


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Project No.:	2021074	Drawing No.:	9 of 10

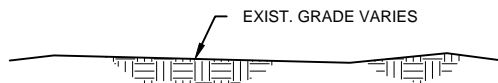
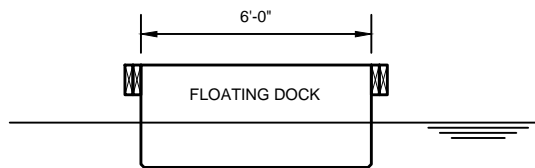
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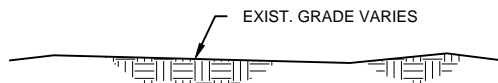
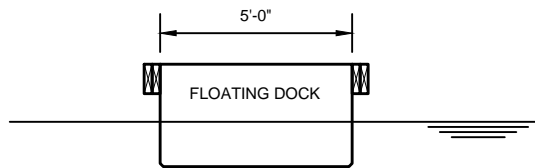




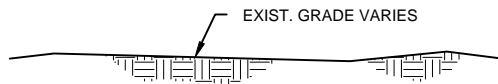
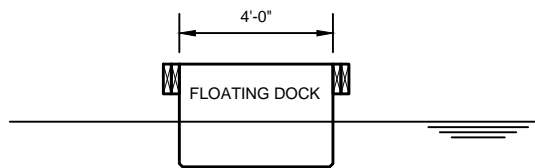
**8-FT FLOAT**



**6-FT FLOAT**



**5-FT FLOAT**



**4-FT FLOAT**

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