

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-2022-00983-EKO

Issue Date: January 24,2024 Expiration Date: February 23, 2024

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: Port Regalle Marina & Yacht Club, LLC

1000 South Avenue, Suite 104 Staten Island, NY 10314

ACTIVITY: Marina Improvements, Reconfiguration, and Dredging

WATERWAY: Great Kills Harbor

LOCATION: 305B Wiman Avenue, Staten Island, Richmond County, New York

Dredge Location: Great Kills Harbor

Dredge Material Placement Location: Temporary placement on adjoining beach

with final placement on beach dunes at NYC Parks Crescent Beach

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 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 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, 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 Zachary.J.Kocsik@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, Port Regalle Marina & Yacht Club, LLC, has requested Department of the Army (DA) authorization to perform marina improvements, reconfiguration, and dredging with placement of all resultant dredged material temporarily on the adjoining beach and finally on beach dunes at NYC Parks Crescent Beach with return flow to the waterway. The project is located at 305B Wiman Avenue, Staten Island, Richmond County, New York.

The proposed work would involve the following:

Structure Removal:

The removal of all existing dock structures, timber groin, 33 18-inch-diameter steel piles, 32 24-inch-diameter steel piles, four (4) 12-inch-diameter timber piles, and approximately 286 square feet of timber groin.

Wave Attenuators:

Along the Northeast property line install a new approximately 315-foot-long by 10-foot-wide wave attenuator supported by 16 24-inch-wide steel pipe piles. Along the U.S. Pierhead Line install a new 507-foot-long by 10-foot-wide wave attenuator supported by 27 24-inch-diamtere steel pipe piles. A 66-foot-wide marina entrance located between the two new wave attenuators.

Dock A:

Install a new approximately 75-foot-long by 5-foot-wide aluminum ramp leading to a new approximately 236-foot-long by 10-foot-wide main float (Dock A). On the south side of Dock A install eight (8) new approximately 20-foot-long by 4-foot-wide finger floats. On the north side of Dock A install a new approximately 207-foot-long by 6-foot-wide float with thirty-four (34) 12-foot-long by 6-foot-wide jet ski float on the seaward side.

Main Dock Structure for Docks B, C, and D:

Install a new approximately 5-foot-long by 5-foot-wide knee dock. From the southwest side of the knee dock and running parallel to the upland install a new approximately 75-foot-long by 5-foot-wide aluminum ramp leading to a new 75-foot-long by 6-foot-wide float. From the end of the new float install a new approximately 375-foot-long by 10-foot-wide float in an "L" configuration. From the end of the new 375-foot-long by 10-foot-wide float install a new 16-foot-long by 5-foot-wide ramp leading to the end of the 507-foot-long by 10-foot-wide wave attenuator.

Dock B:

Approximately 55 feet from the landward end of the 375-foot-long by 10-foot-wide float install a new 167-foot-long by 10-foot-wide float leading to a new approximately 18-foot-long by 6-foot-wide float in a "L" configuration. From the landward end of the 18-foot-long by 6-foot-wide float install a new approximately 65-foot-long by 10-foot-wide float leading to a new approximately 65-foot-long by 6-foot-wide float in an "T" configuration. Install eleven (11) 20-foot-long by 4-foot-wide finger floats along the 167-foot-long by 10-foot-wide float and install seven (7) 20-foot-long by 4-foot-wide finger floats along the 65-foot-long by 10-foot-wide float.

Dock C:

Approximately 135-feet from Dock B install a new approximately 266-foot-long by 10-foot-wide float leading to a new approximately 120-foot-long by 21-foot-wide float in a "T" configuration. Install four (4) approximately 44-long-by 4-foot-wide finger float and eight (8) 34-foot-long by 4-foot-wide finger floats along the 266-foot-long by 10-foot-wide float.

Dock D:

Approximately 150 feet from Dock C install a new approximately 186-foot-long by 10-foot-wide float leading to a new approximately 48-foot-long by 6-foot-wide float in an "L" configuration. On the landward side of the 186-foot-long float install four (4) new approximately 34-foot-long by 4-foot-wide finger floats and on the seaward side of the 186-foot-long float install six (6) new approximately 20-foot-long by 4-foot-wide finger floats.

Steel Sheet Pile Groin:

Along the shore install a new approximately 268-foot-long steel sheet pile groin.

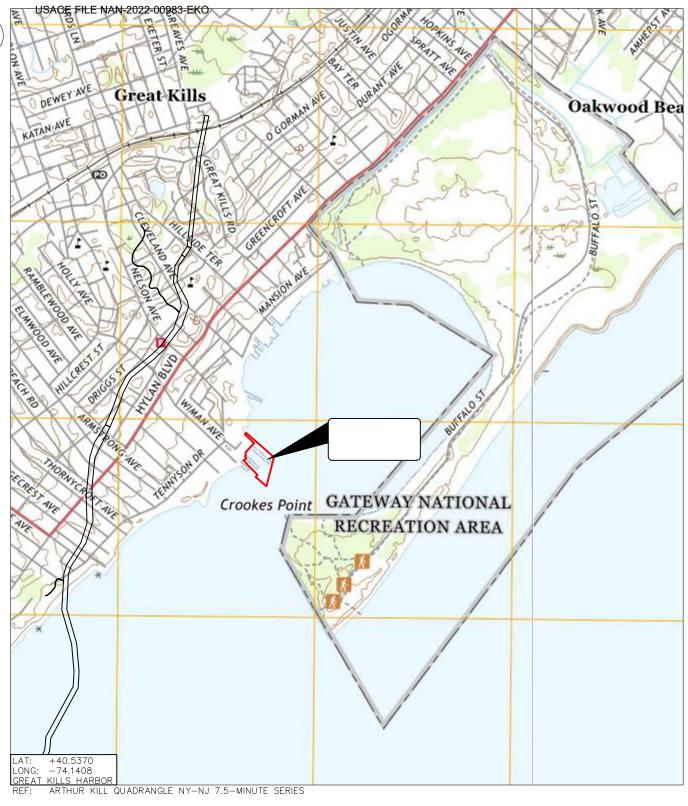
Dredging:

Maintenance dredge, by mechanical clam shell, approximately 2,100-cubic yards (CY) of material from an approximately 23,000 square foot irregularly shaped area and extend to a depth of 5.0 feet below the plane of Mean Low Water (MLW) with no overdraft. The 2,100 CY of dredge material would be temporarily placed on the adjoining beach property owned by Port Regalle Condominiums before final placement on beach dunes at NYC Parks Crescent Beach.

The applicant has stated that they have avoided, minimized, and mitigated for potential impacts proposed, to the maximum extent practicable by using erosion and sediment control practices.

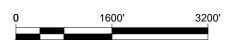
The purpose of this project is to restore function to the marina and maintain safe depths for operation.





USGS VICINITY MAP

SCALE: 1"=1600'-0"





TORVALSEN CONSULTING, LLC
DBA TMS WATERFRONT
ONE VANHOUTEN STREET.
NYACK NY 10950

PROJECT TITLE:
PORT REGALLE MARINA

LOCATED AT
305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA

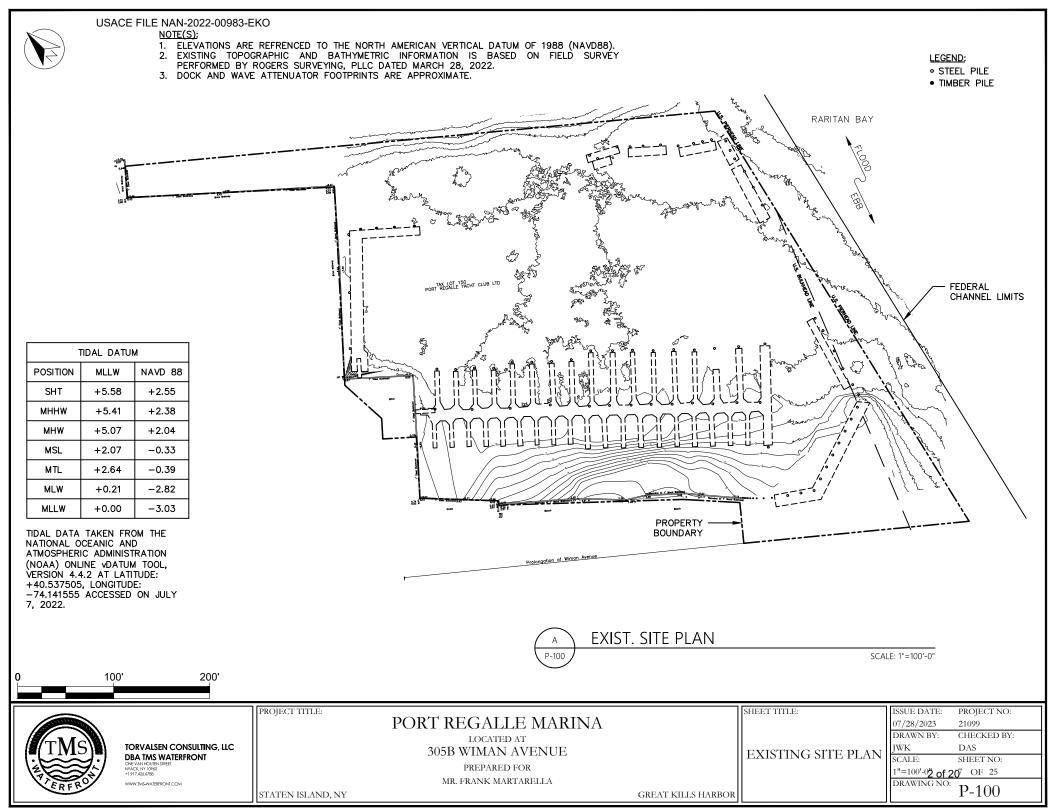
MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR

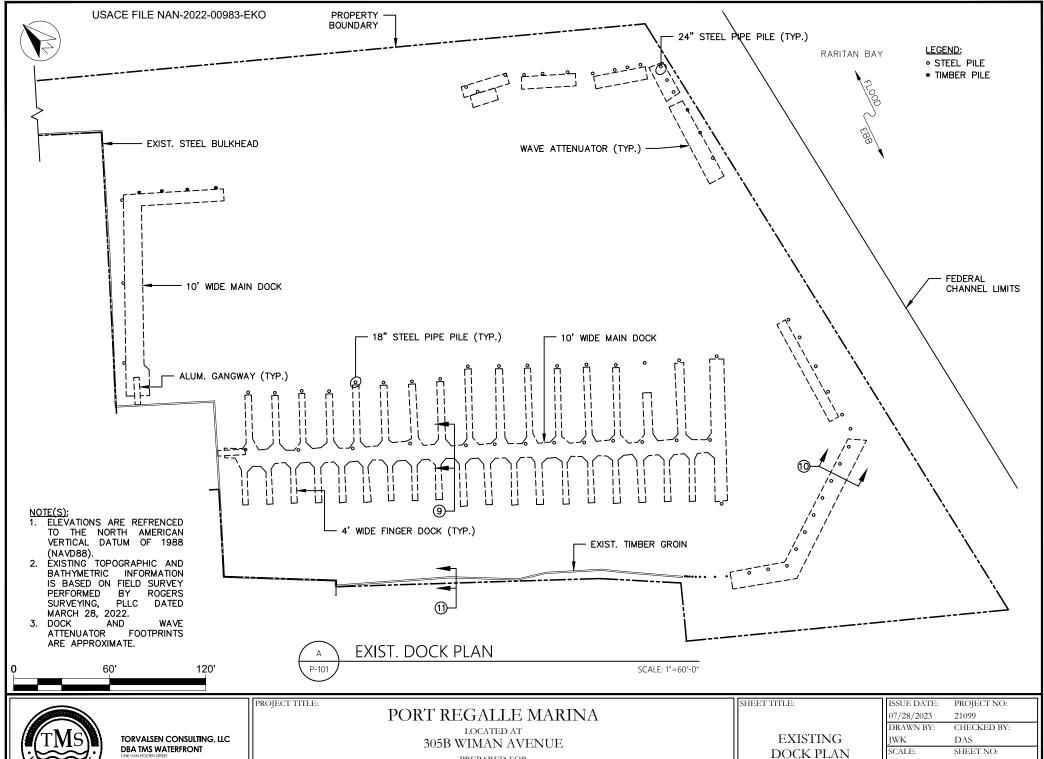
SHEET TITLE:

USGS VICINITY MAP

ISSUE DATE: PROJECT NO: 07/28/2023 21099
DRAWN BY: CHECKED BY: JWK DAS
SCALE: SHEET NO:

1"=1600'-6"of 20¹ OF 25
DRAWING NO: FIG-1.0







STATEN ISLAND, NY

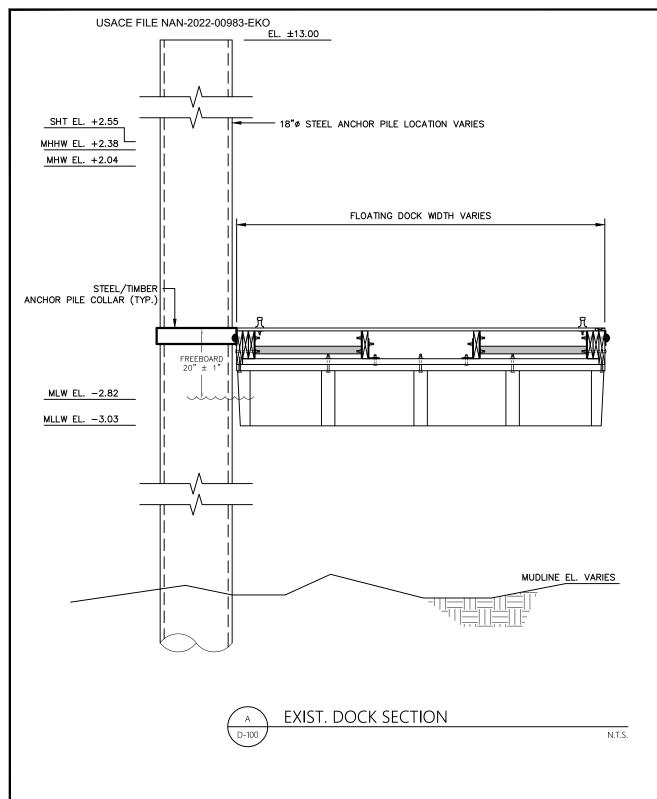
PREPARED FOR MR. FRANK MARTARELLA

GREAT KILLS HARBOR

1"=60'-0"**3 of 20**8 OF 25

DRAWING NO:

P-101





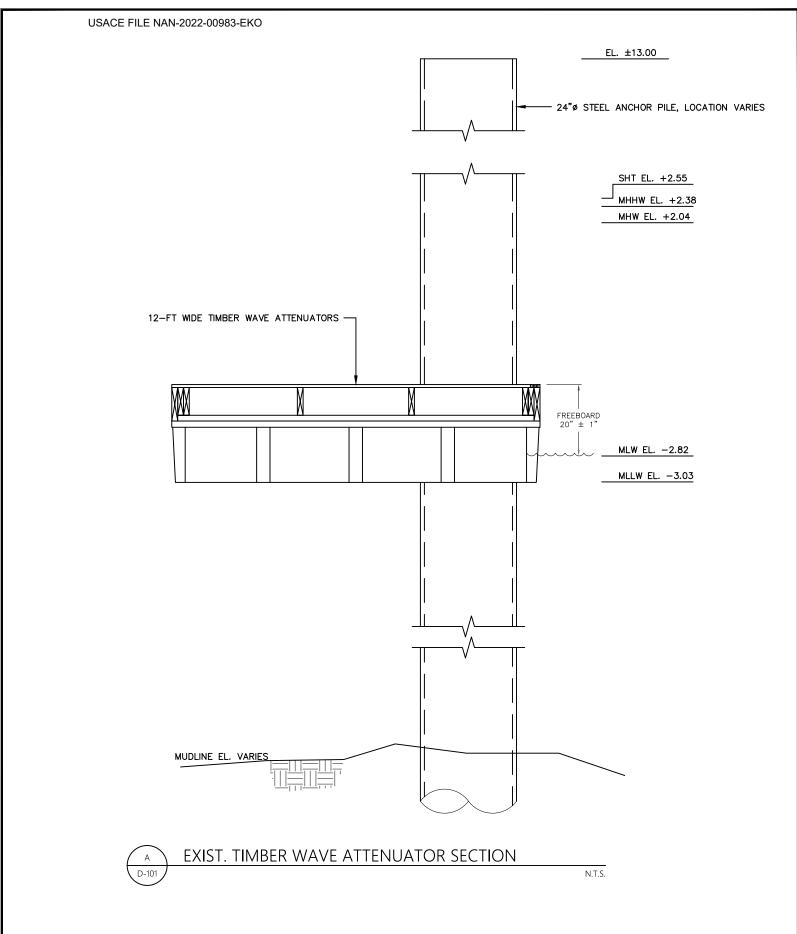
LOCATED AT 305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

EXIST. DOCK **SECTION**

ISSUE DATE:	PROJECT NO:
07/28/2023	21099
DRAWN BY:	CHECKED BY:
JWK	DAS
SCALE:	SHEET NO:
N.T.S. 4 of 2	20 ⁹ OF 25
DRAWING NO:	D-100
	D -100





TORVALSEN CONSULTING, LLC DBA TMS WATERFRONT

PROJECT TITLE: PORT REGALLE MARINA

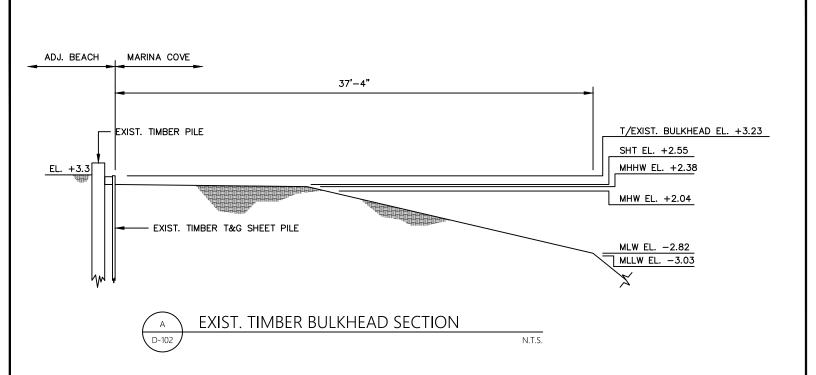
LOCATED AT

305B WIMAN AVENUE PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

EXISTING TIMBER WAVE ATTENUATOR **SECTION**

٦	ISSUE DATE:	PROJECT NO:
	07/28/2023	21099
	DRAWN BY:	CHECKED BY:
	JWK	DAS
٠	SCALE:	SHEET NO:
	N.T.S. 5 of 2	2010 OF 25
	DRAWING NO:	D-101





PROJECT TITLE:
PORT REGALLE MARINA
LOCATED AT
305B WIMAN AVENUE
PREPARED FOR

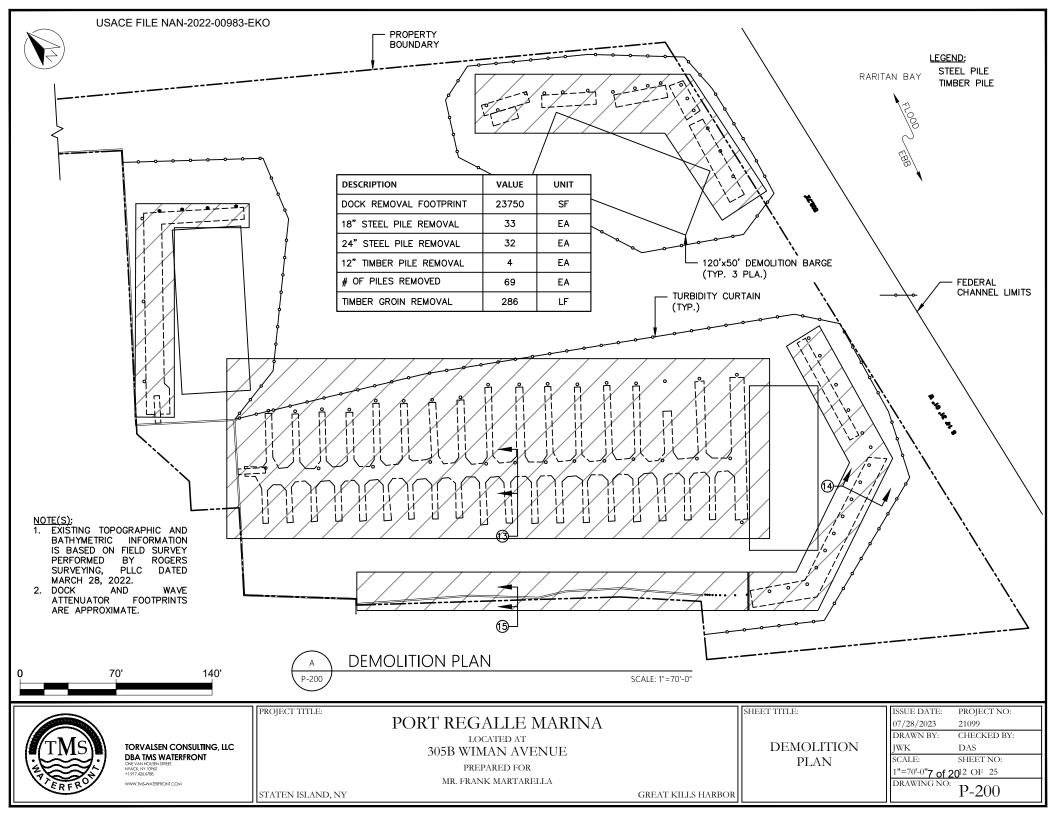
PREPARED FOR MR. FRANK MARTARELLA

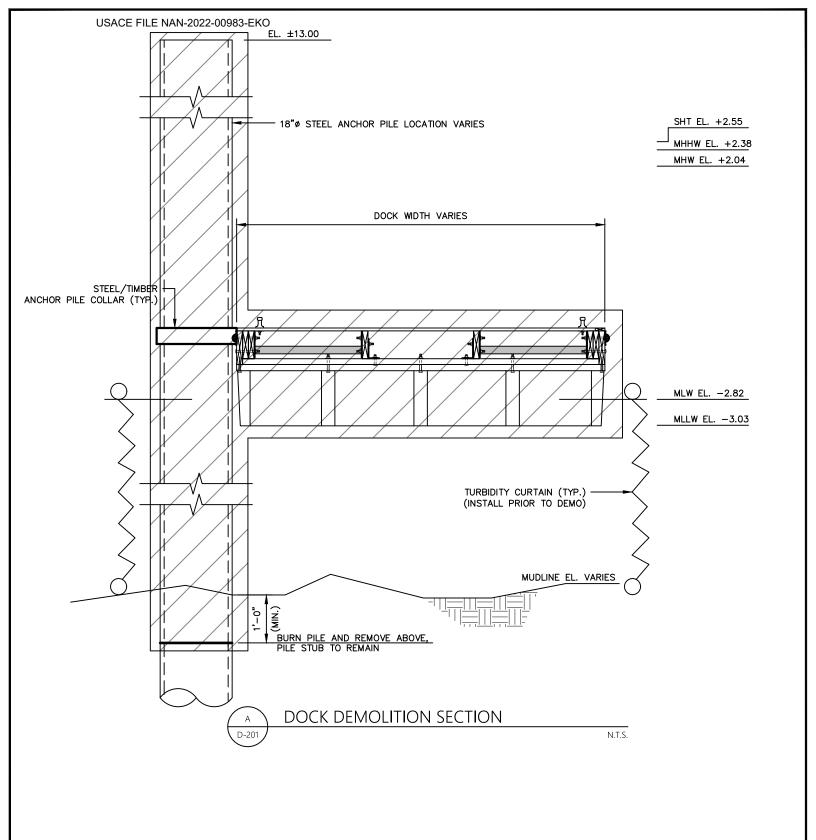
STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

EXIST. TIMBER BULKHEAD SECTION

ISSUE DATE:	PROJECT NO:
07/28/2023	21099
DRAWN BY:	CHECKED BY:
JWK	DAS
SCALE:	SHEET NO:
N.T.S. 6 of 2	20 11 OF 25
DRAWING NO:	D 102
	07/28/2023 DRAWN BY: JWK SCALE: N.T.S. 6 of 2







LOCATED AT 305B WIMAN AVENUE

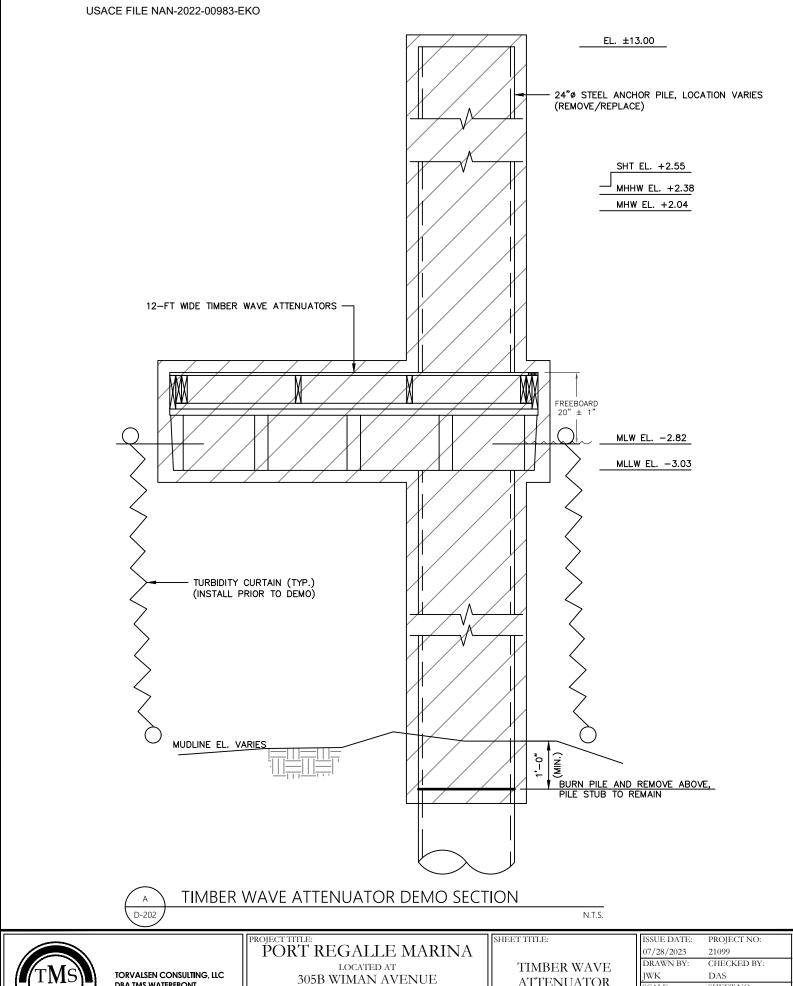
PREPARED FOR MR. FRANK MARTARELLA

STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

DOCK DEMOLITION SECTION

1	ISSUE DATE:	PROJECT NO:
	07/28/2023	21099
	DRAWN BY:	CHECKED BY:
	JWK	DAS
	SCALE:	SHEET NO:
	N.T.S. 8 of 20 ¹³ OF 25	
	DRAWING NO	D-201





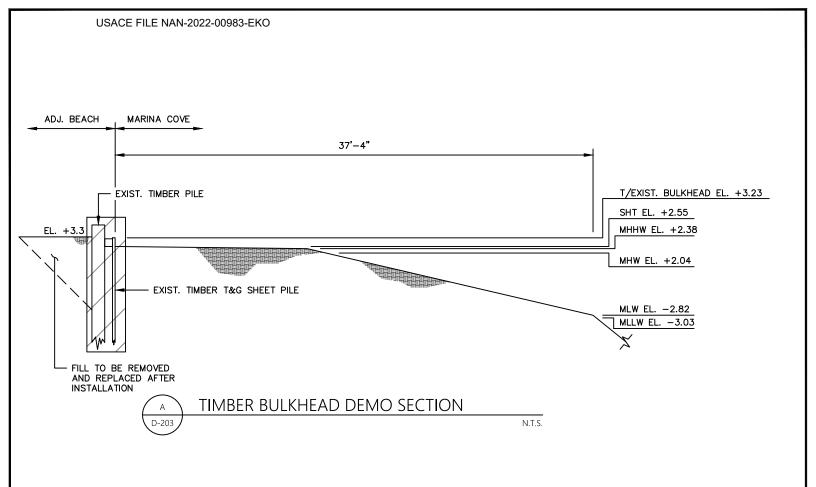
DBA TMS WATERFRONT

WWW.TMS-WATERFRONT.COM

PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR

ATTENUATOR **DEMO SECTION**

ī	ISSUE DATE:	PROJECT NO:
	07/28/2023	21099
	DRAWN BY:	CHECKED BY:
	JWK	DAS
	SCALE:	SHEET NO:
		014 OF 25
	DRAWING NO:	D-202
ı		D- 202





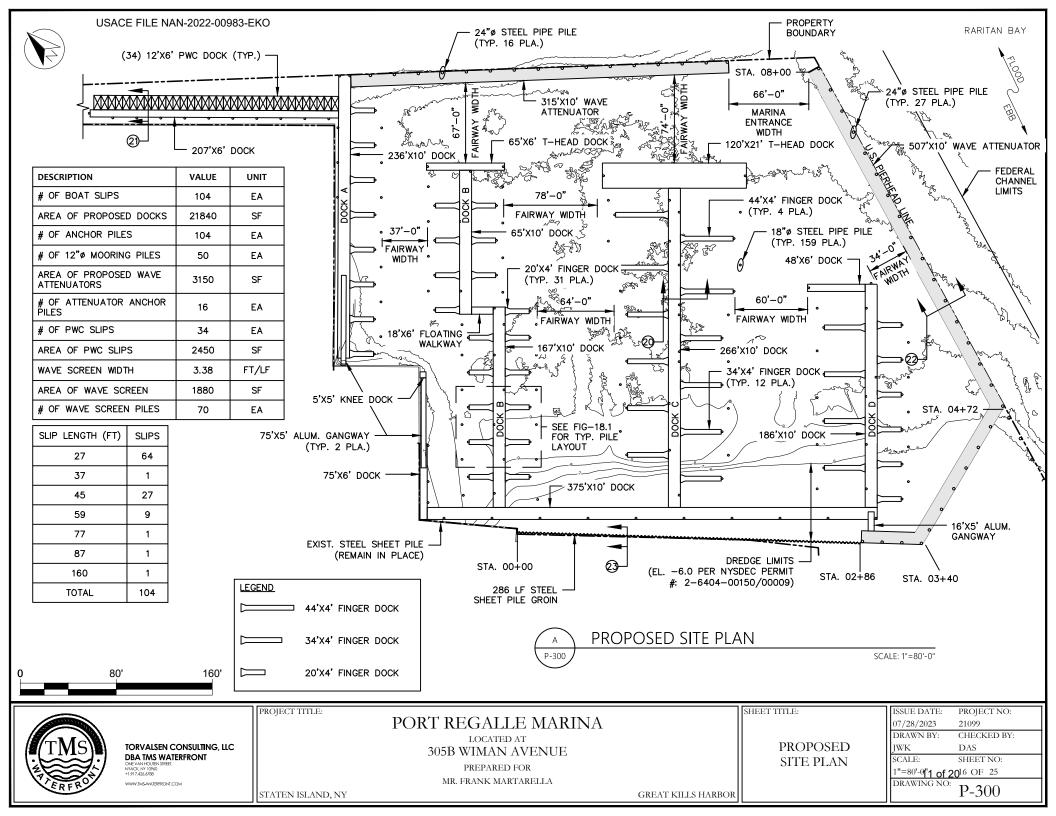
PORT REGALLE MARINA

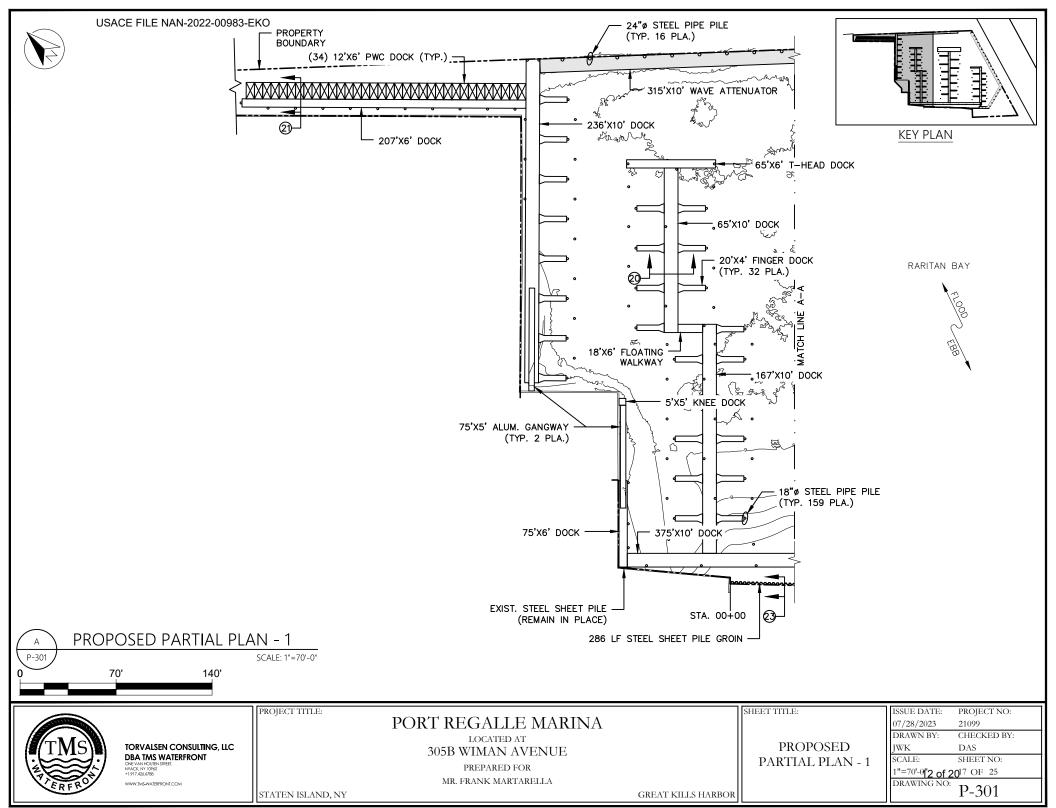
LOCATED AT 305B WIMAN AVENUE

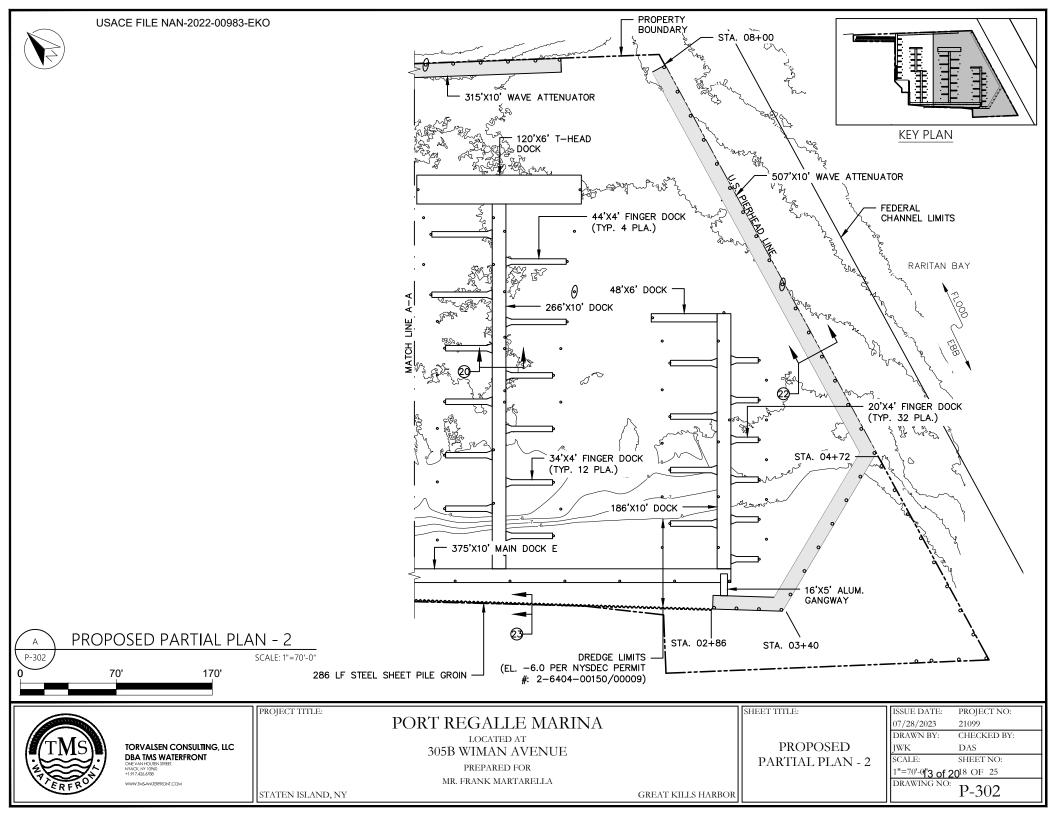
PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR TIMBER BULKHEAD DEMO SECTION

SHEET TITLE:

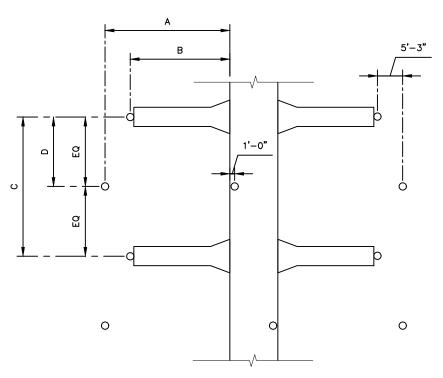
| ISSUE DATE: PROJECT NO: 07/28/2023 21099 |
| DRAWN BY: CHECKED BY: JWK DAS |
| SCALE: SHEET NO: N.T.S. 10 of 20!5 OF 25 |
| DRAWING NO: D-203











STATEN ISLAND, NY

FINGER DOCK SIZE	DIMENSION (FT)			
	Α	В	С	D
44'X4'	50	44'-9"	44	22
34'X4'	40	34'-9"	39	19'-6"
20'X4'	26	20'-9"	29	14'-6"





PROJECT TITLE:

PORT REGALLE MARINA

LOCATED AT

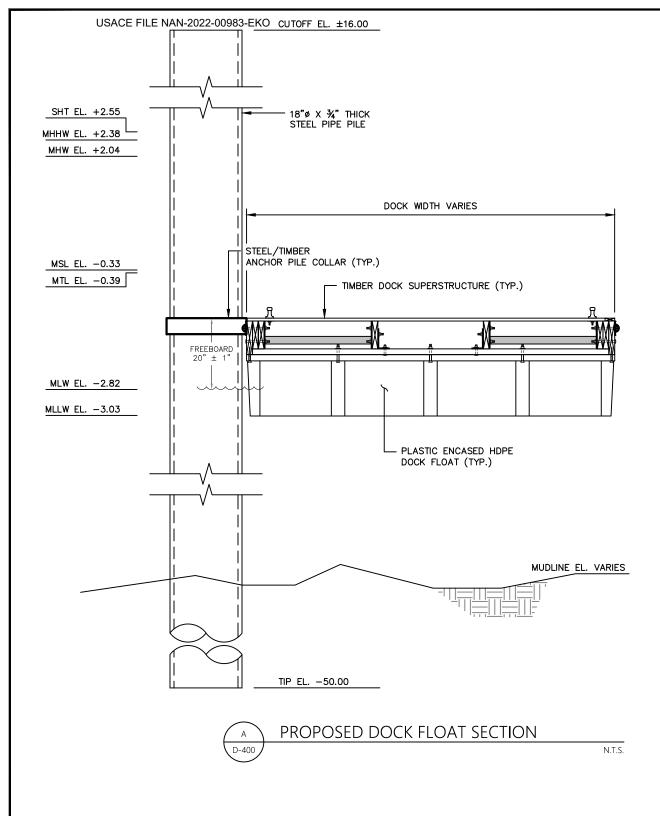
305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA

GREAT KILLS HARBOR

SHEET TITLE:

TYPICAL PILE LAYOUT PLAN | ISSUE DATE: PROJECT NO: | 07/28/2023 | 21099 | | DRAWN BY: CHECKED BY: | JWK DAS | SCALE: SHEET NO: | 1"=20'-0'|4 of 20'|9 OF 25 | DRAWING NO: | P-303





LOCATED AT 305B WIMAN AVENUE

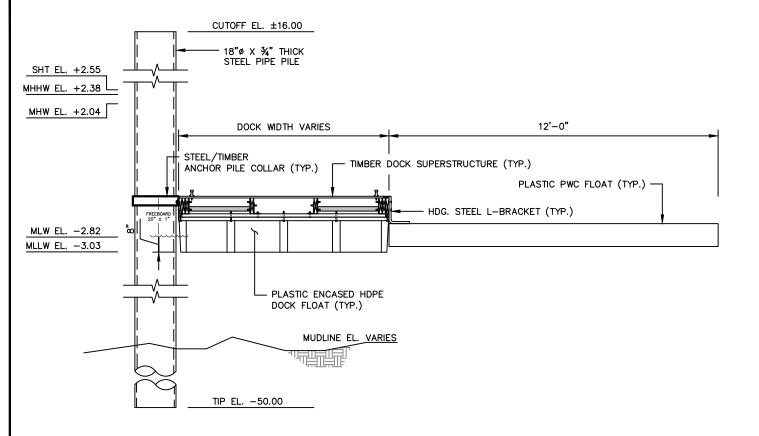
MR. FRANK MARTARELLA STATEN ISLAND, NY

PREPARED FOR GREAT KILLS HARBOR

SHEET TITLE:

PROPOSED DOCK FLOAT SECTION

ISSUE DATE: PROJECT NO: 07/28/2023 21099 DRAWN BY: CHECKED BY: JWK DAS SCALE: SHEET NO: N.T.S. 15 of 20²⁰ OF 25 DRAWING NO: D-400



PROPOSED PWC DOCK SECTION

A D-401



PORT REGALLE MARINA

LOCATED AT 305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA

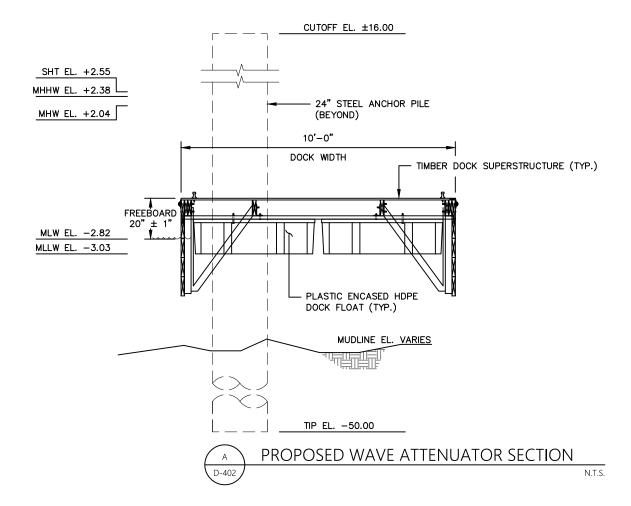
STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

PROPOSED PWC DOCK SECTION

N.T.S.

ISSUE DATE:	PROJECT NO:
07/28/2023	21099
DRAWN BY:	CHECKED BY:
JWK	DAS
SCALE:	SHEET NO:
N.T.S. 16 of 2	20 21 OF 25
DRAWING NO:	D 401





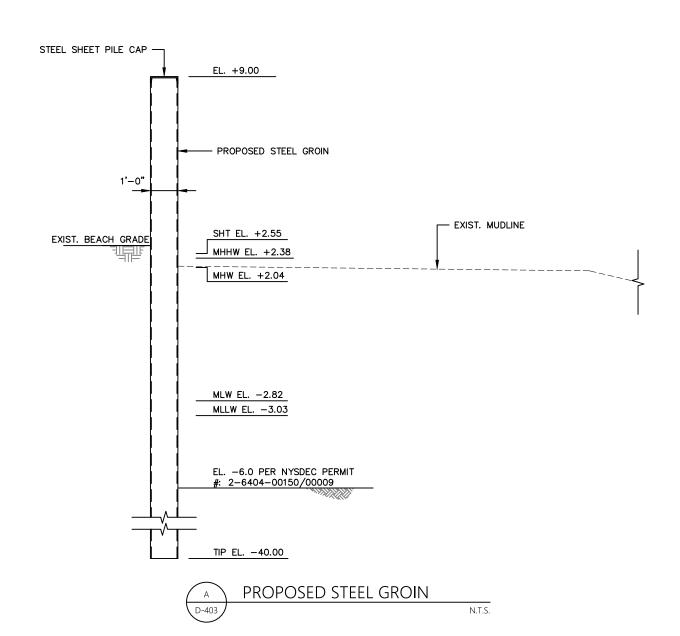
PORT REGALLE MARINA

LOCATED AT 305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR PROPOSED WAVE ATTENUATOR SECTION

SHEET TITLE:

| ISSUE DATE: PROJECT NO: 07/28/2023 21099 |
| DRAWN BY: CHECKED BY: JWK DAS |
| SCALE: SHEET NO: N.T.S. 17 of 202 OF 25 |
| DRAWING NO: D-402





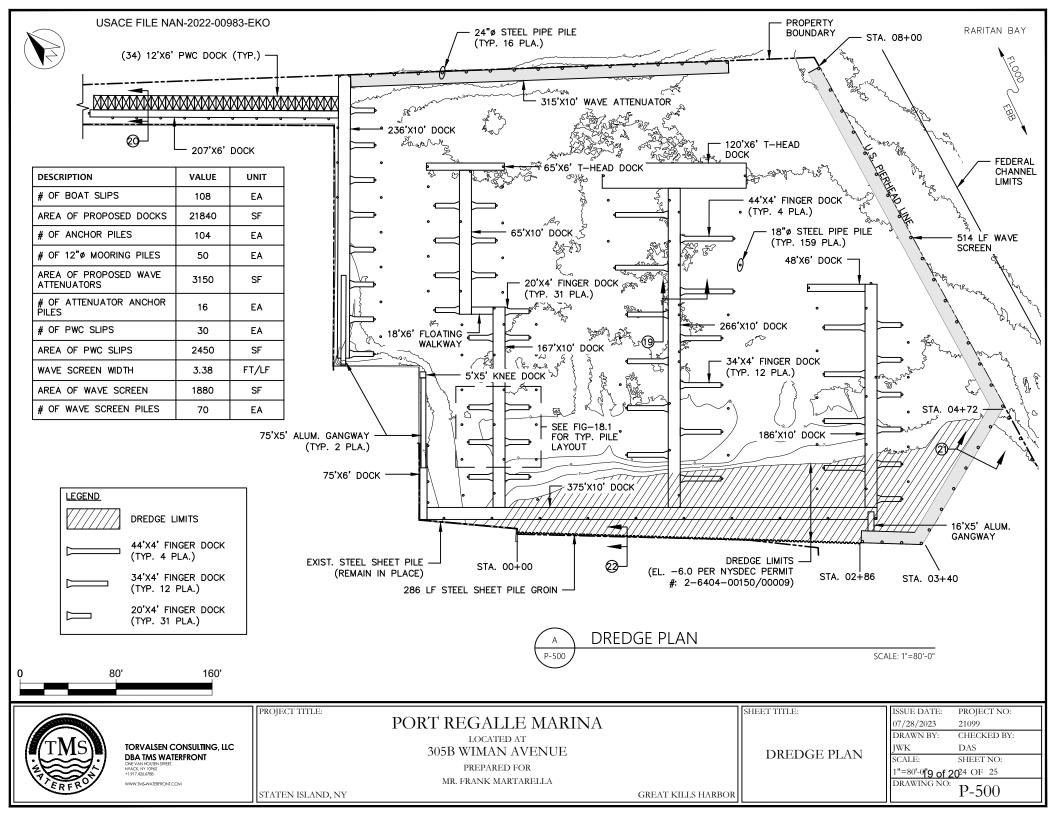
PORT REGALLE MARINA

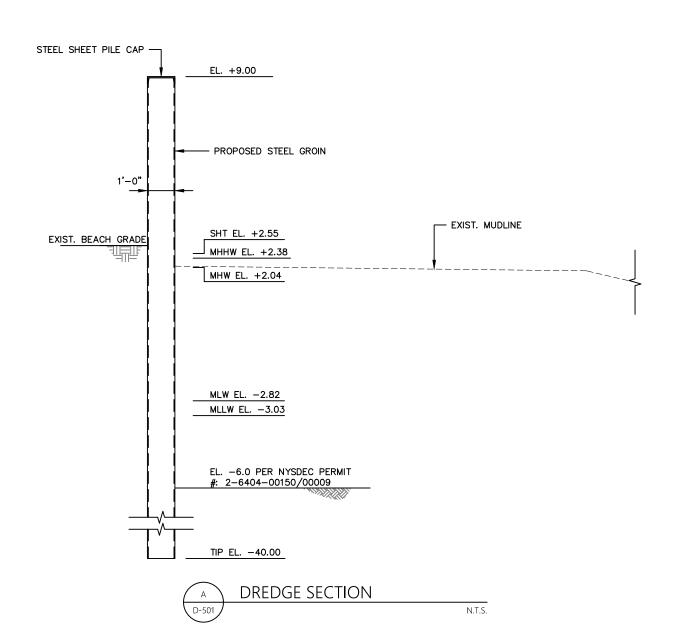
LOCATED AT 305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR PROPOSED STEEL GROIN

SHEET TITLE:

| ISSUE DATE: PROJECT NO: 07/28/2023 21099 |
| DRAWN BY: CHECKED BY: JWK DAS |
| SCALE: SHEET NO: N.T.S. 18 of 20²³ OF 25 |
| DRAWING NO: D-403







LOCATED AT 305B WIMAN AVENUE

PREPARED FOR MR. FRANK MARTARELLA STATEN ISLAND, NY GREAT KILLS HARBOR

SHEET TITLE:

DREDGE SECTION

ISSUE DATE:	PROJECT NO:
07/28/2023	21099
DRAWN BY:	CHECKED BY:
JWK	DAS
SCALE:	SHEET NO:
N.T.S. 20 of	20 ²⁵ OF 25
DRAWING NO	D 501