



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-2022-00959-EVI

Issue Date:

Expiration Date:

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: FTKS Holdings, LLC
20 West 64th Street, 24E
New York, NY 10023

WATERWAY: Boat Basin within Gardiners Bay

LOCATION: 2835 Shipyard Lane, East Marion, Town of Southold, Suffolk County, New York

Dredge Location: Boat Basin within Gardiners Bay

Dredge Material Placement Location: Upland disposal site located adjacent to the dredging area.

ACTIVITY: Installation of Bulkhead, Stone Armorment and Jetties along with 10-Year Maintenance Dredging with Upland Disposal

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

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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 Robert.T.Vietri@usace.army.mil 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 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 life stages 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

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lost by work accomplished under the required permit.

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

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) 790-8379 and ask for Robert T. Vietri.

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

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WORK DESCRIPTION

The applicant, FTKS Holdings, LLC, has requested Department of the Army (DA) authorization to remove and replace an existing approximately 817 linear foot dilapidated bulkhead within the limits of the boat basin, and install a new approximately 817 linear foot vinyl style bulkhead the same height as existing. On the boat basin exterior, an existing approximately 479 linear foot dilapidated bulkhead will be removed and replaced with a new approximately 479 linear foot vinyl style bulkhead, constructed 12 feet landward of existing. Approximately 400 cubic yards of dredged material will be excavated within an approximately 4,530 square foot area between the existing and proposed bulkhead and placed at an upland disposal site located adjacent to the dredging area. Immediately seaward of the proposed bulkhead, an approximately 479 linear foot stone armorment will be installed in which approximately 763 cubic yards of stone will be placed over an approximately 3,832 square foot area below the plane of Spring High Water. The proposed work also includes the installation of three (3), new vinyl style jetty's measuring approximately 19, 61 and 106 linear feet in length.

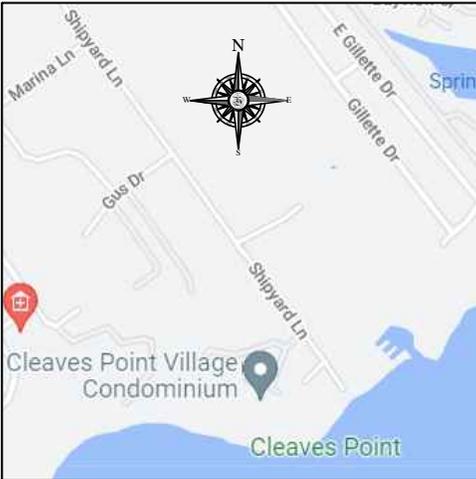
Lastly, the applicant has requested to dredge with ten-year maintenance, by mechanical clamshell bucket dredge, either from land or barge-mounted, approximately 4,022 cubic yards (CY) of dredged material from within an approximately 22,453 square foot area. Dredging will be conducted to a depth of 5-feet below the plane of Mean Low Water.

The resultant 4,022 CY of dredged material would be placed at two (2), approximately 3,330 sq ft upland disposal sites located adjacent to the dredging location. The dewatering sites will consist of a plastic liner and will have a 4-foot berm with a silt fence surrounding the area. Once the material is completely dry it will be distributed and graded evenly across the property. It is anticipated that the dredging activities will take approximately 6-8 weeks.

The applicant plans to conduct additional dredging an additional 3 times (4 total dredge events) within the ten-year maintenance period with up to a total of approximately 700 CY of material per event (approximately 2,100 CY total) and have stated that they have avoided, minimized, and mitigated for potential impacts proposed to the maximum extent practicable by limiting the dredged area to the minimum area required for safe and reasonable navigation of the boat basin within Gardiners Bay. Any potential impacts would be temporary and would be offset by implementing best management practices associated with the proposed use of a mechanical clamshell bucket dredge.

The stated purpose of this project is to stabilize the shoreline while also restoring the existing boat basin's navigational channel.

USACE FILE: NAN-2022-00959-EVI



NOTES:

- * METHOD OF DREDGING SHALL BE VIA CLAM SHELL BUCKET.
- * DEWATERED DREDGE SPOILS TO BE DEPOSITED WITHIN THE ON-SITE SETTLING LAGOONS OR OTHER APPROVED UPLAND LOCATIONS
- * SOUNDINGS SHOWN THUS (6.3) ARE REFERENCED TO MEAN LOW WATER.
- * ALL TIMBER MATERIAL SHALL BE UNTREATED.
- * EXISTING VEGETATION TO BE PRESERVED.
- * PILES SHALL BE DRIVEN AND NOT JETTED.
- * DREDGING TO BE PERFORMED AFTER CONSTRUCTION OF BULKHEAD IS COMPLETED.

QUANTITIES:

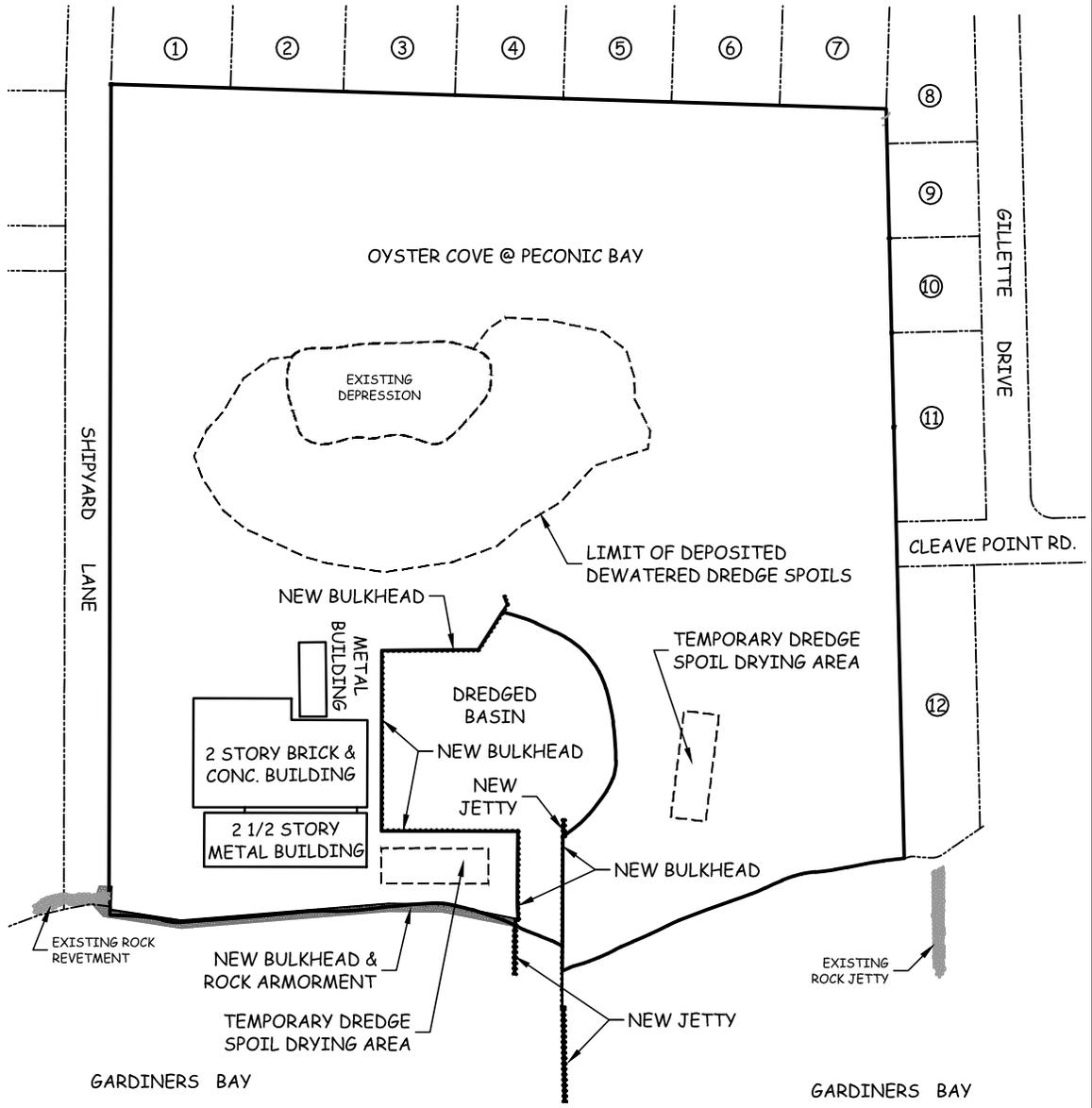
AREA BETWEEN SPRING HIGH WATER & MEAN HIGH WATER = 4,065 SF
 AREA BETWEEN MEAN HIGH WATER & MEAN LOW WATER = 40,332 SF
 LENGTH OF BULKHEAD & ROCK ARMORMENT = 479 LF
 LENGTH OF BULKHEAD = 817 LF
 LENGTH OF JETTY (IN BASIN) = 19 LF
 LENGTH OF JETTY (EAST OF CHANNEL) = 106 LF
 LENGTH OF JETTY (WEST OF CHANNEL) = 61 LF
 VOLUME OF DREDGING = 4,022 CY



VICINITY MAP
 SOURCE: GOOGLE
 SCALE: 1"=1,200'

ADJACENT OWNERS:

1. now or formerly John V. Kent
2195 Shipyard Lane
East Marion, NY 11939
2. now or formerly Peter J. McKenzie
12 Lubber Street
Stony Brook, NY 11790
3. now or formerly Shipway LLC
PO Box 136
East Marion, NY 11939
4. now or formerly Martin A. Sarandria & Eva L. McGuire
PO Box 101
East Marion, NY 11939
5. now or formerly John Cadwallader
PO Box 28
Stanfordville, NY 12581
6. now or formerly Brian Wills & Jaye Dee Wills
680 Private Road #7
East Marion, NY 11939
7. now or formerly 6500 Main Road East Marion LLC
c/o Solow Realty & Dev.
9 W. 57TH St. Ste. 4500
New York, NY 10019
8. now or formerly Mary Evangelou
49-12 169 Street
Flushing, NY 11365
9. now or formerly Gene O. Walker & Heather J. C. Walker
2530 Gillette Drive
East Marion, NY 11939
10. now or formerly Barbara Wiegel
132 N. Jefferson Avenue
Lindenhurst, NY 11757
11. now or formerly Joseph Licciardi & Catherine E. Pino
100 W. 12th St. Apt. 2LMN
New York, NY 10011
12. now or formerly Joseph Licciardi & Catherine E. Pino
100 W. 12th St. Apt. 2LMN
New York, NY 10011

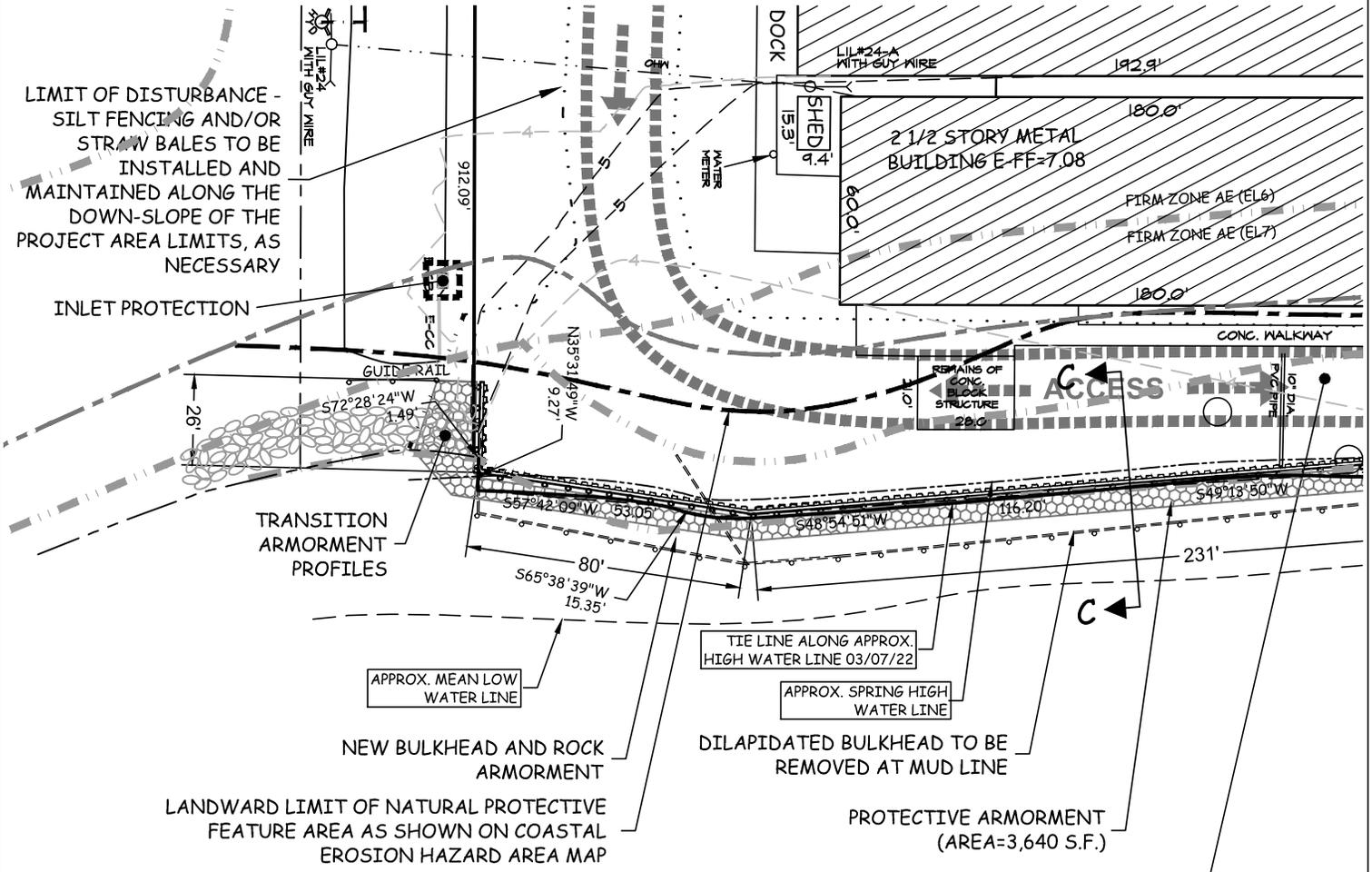


PURPOSE: BULKHEAD, ARMORMENT & DREDGING
 VERTICAL DATUM: NAVD (1988)
 PROPERTY OWNER:
 FTKS HOLDINGS, LLC
 20 WEST 64th STREET 24E
 NEW YORK, NY 10023
 JOB NO. 2022-0034
 DWG. 990613_2020_0034_army core

FEB. 09, 2023
 JAN. 31, 2023
 MAR. 30, 2022

KEY MAP
OYSTER COVE @ PECONIC BAY
 SHIPYARD LANE
 EAST MARION, NEW YORK
 SHEET 1 OF 17 SCALE: 1"=200'

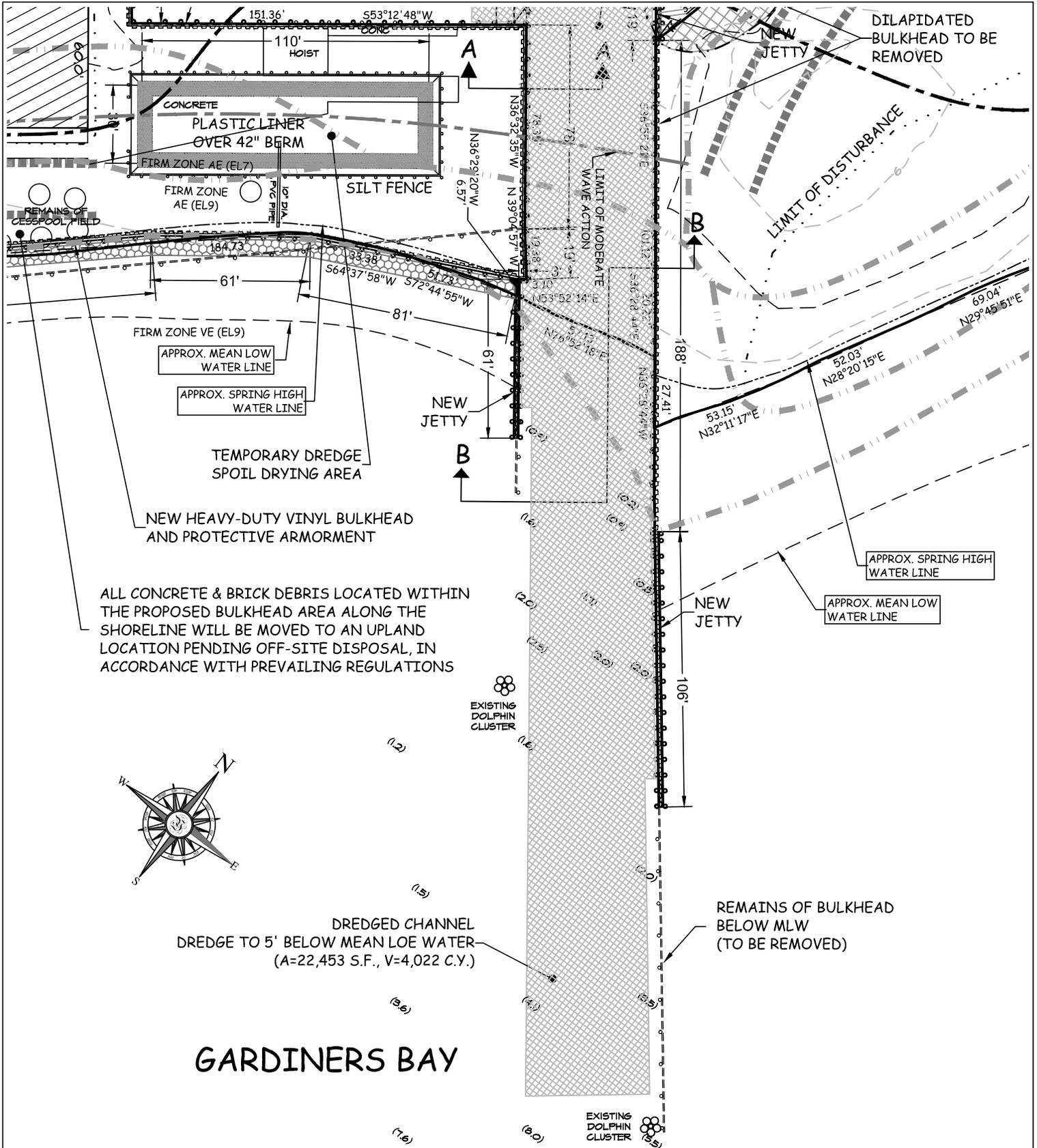
PROPOSED PLAN OF WATERFRONT IMPROVEMENTS
 AT GARDINERS BAY
 TOWN OF SOUTHOLD
 COUNTY OF SUFFOLK, STATE OF NEW YORK
 APPLICATION BY: Young & Young, Land Surveyors
 400 Ostrander Avenue
 Riverhead, New York 11901
 631-727-2303



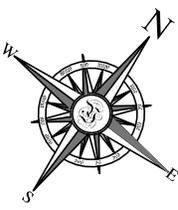
GARDINERS BAY

ALL CONCRETE & BRICK DEBRIS LOCATED WITHIN THE PROPOSED BULKHEAD AREA ALONG THE SHORELINE WILL BE MOVED TO AN UPLAND LOCATION PENDING OFF-SITE DISPOSAL, IN ACCORDANCE WITH PREVAILING REGULATIONS

PURPOSE : BULKHEAD, ARMORMENT & DREDGING VERTICAL DATUM: NAVD (1988) PROPERTY OWNER: FTKS HOLDINGS, LLC 20 WEST 64th STREET 24E NEW YORK, NY 10023 JOB NO. 2022-0034 DWG. 990613_2020_0034_army core	SITE PLAN OYSTER COVE @ PECONIC BAY SHIPYARD LANE EAST MARION, NEW YORK		PROPOSED PLAN OF WATERFRONT IMPROVEMENTS AT GARDINERS BAY TOWN OF SOUTHOLD COUNTY OF SUFFOLK, STATE OF NEW YORK
	FEB. 09, 2023 JAN. 31, 2023 MAR. 30, 2022	SHEET 2 OF 17	SCALE: 1"=50'



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SITE PLAN

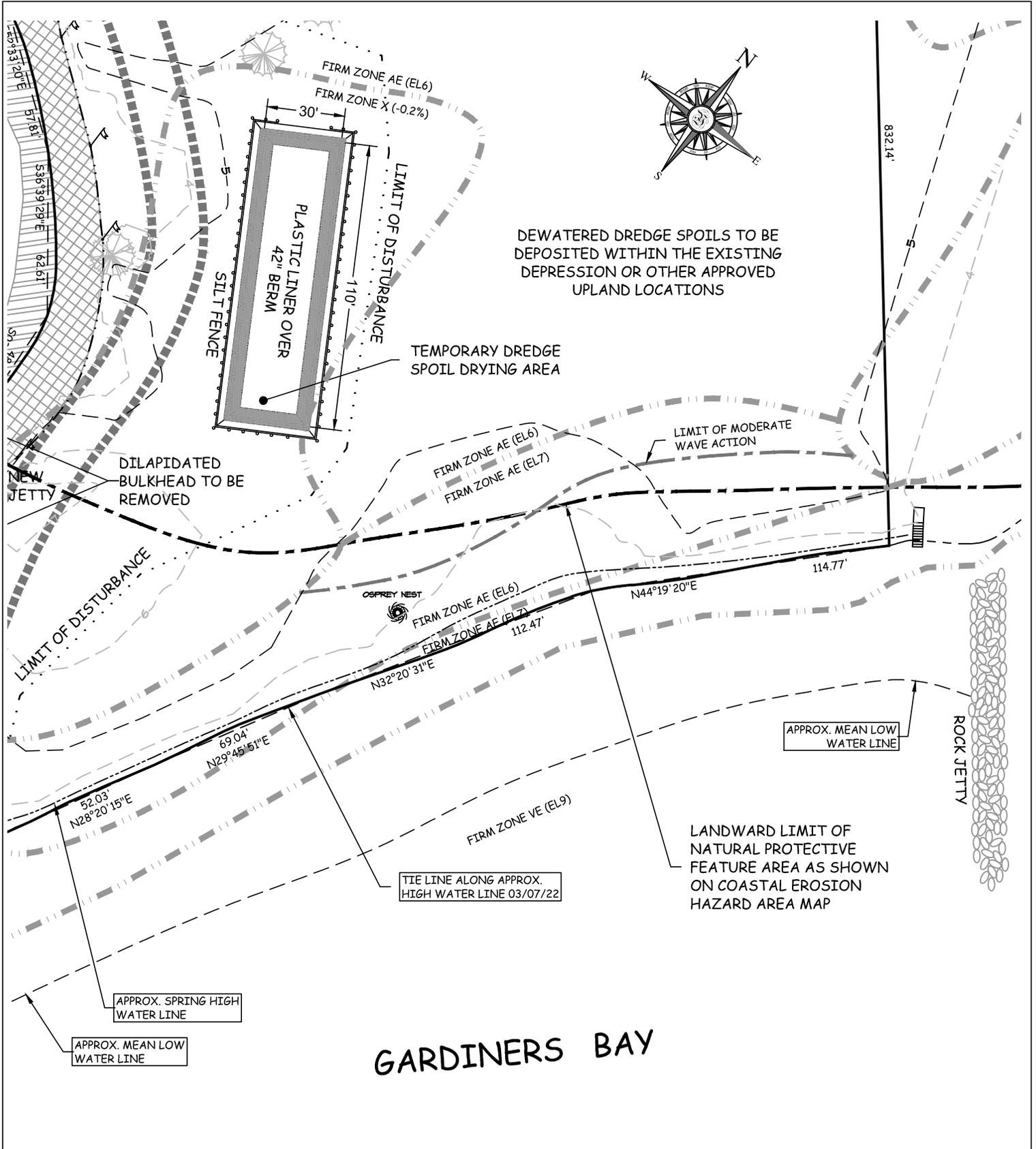
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
 EAST MARION, NEW YORK

SHEET 3 OF 17 SCALE: 1"=50'

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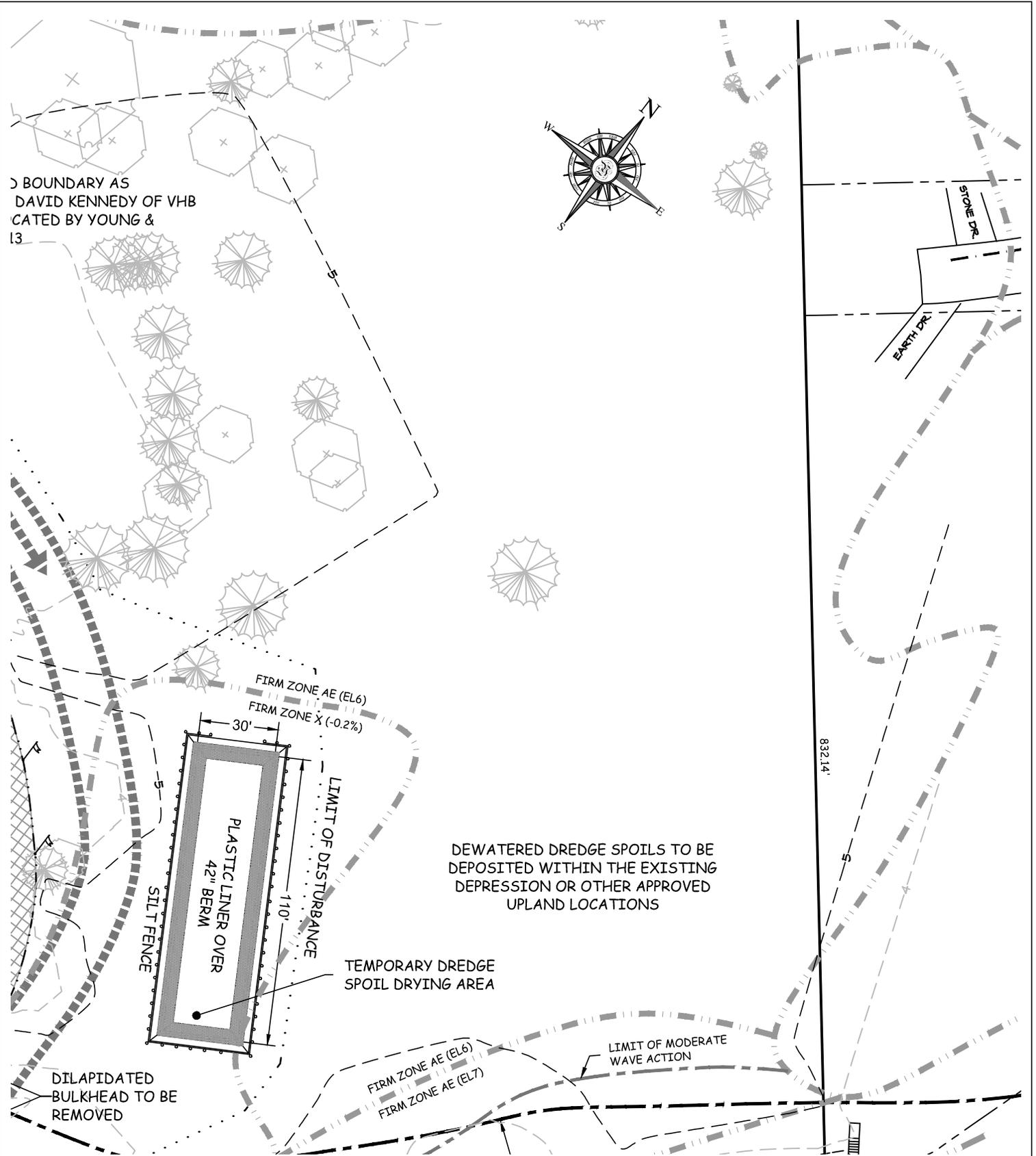
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OYSTER COVE @ PECONIC BAY
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 EAST MARION, NEW YORK
 SHEET 4 OF 17 SCALE: 1"=50'

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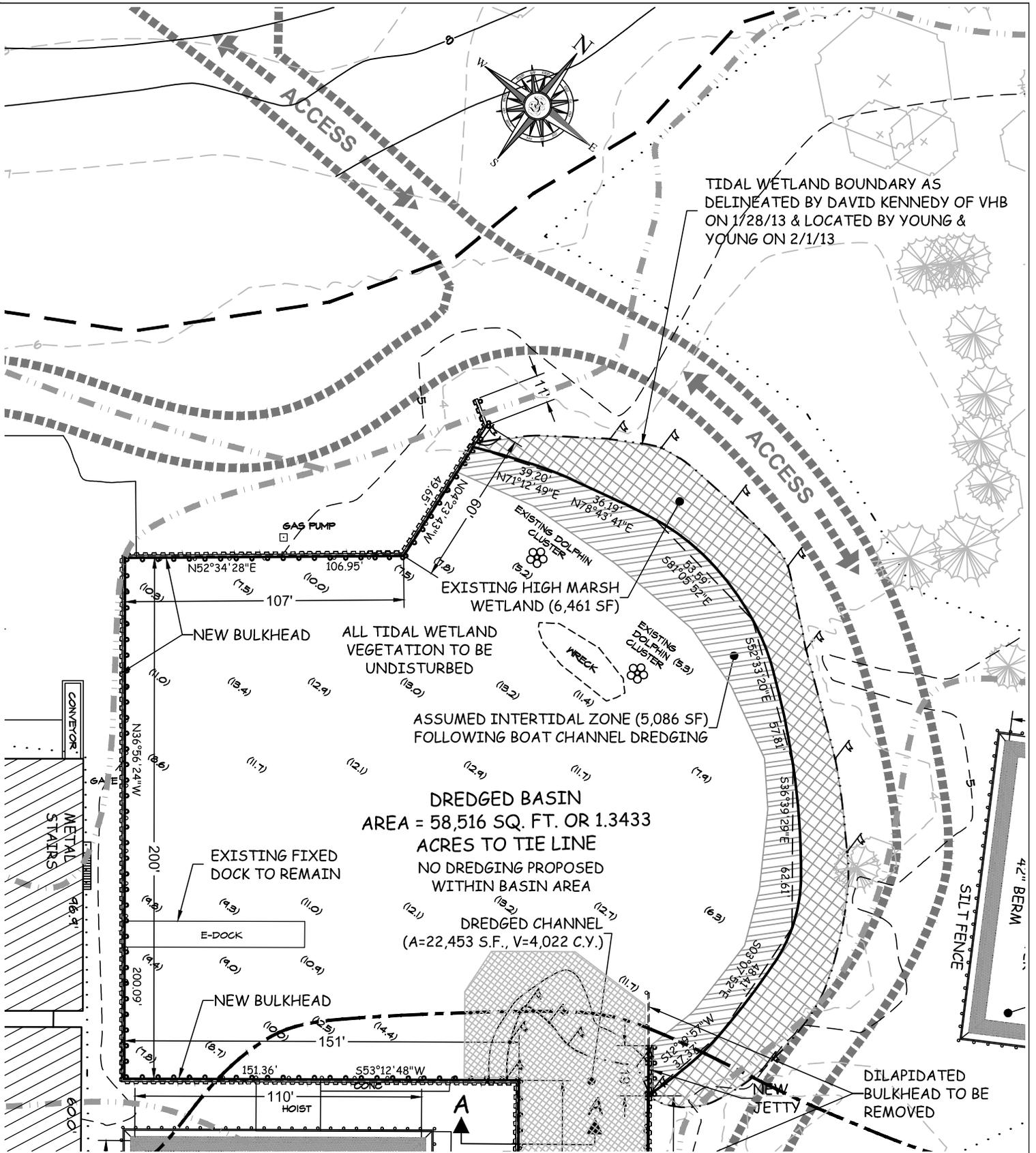
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
 EAST MARION, NEW YORK

SHEET 5 OF 17 SCALE: 1"=50'

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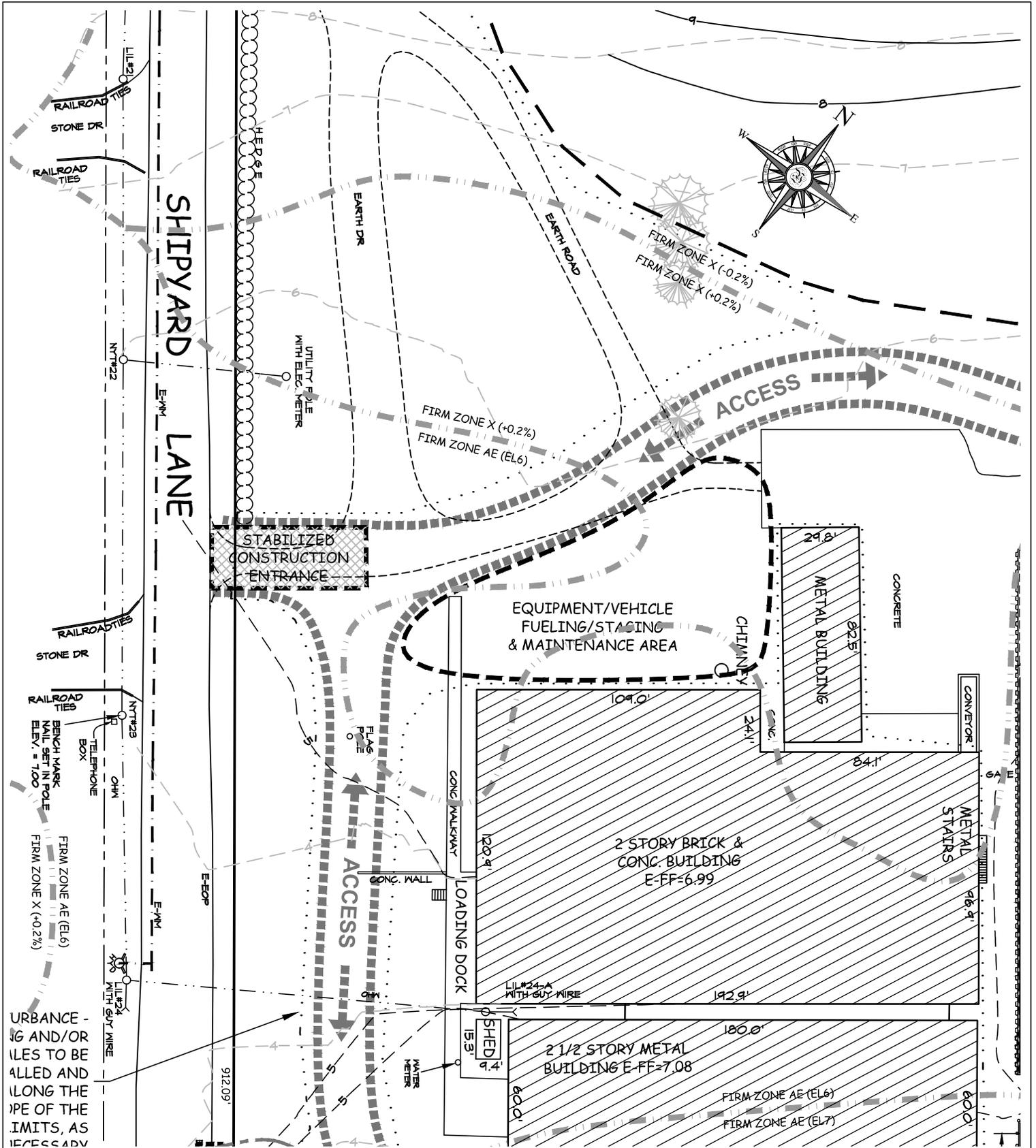
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
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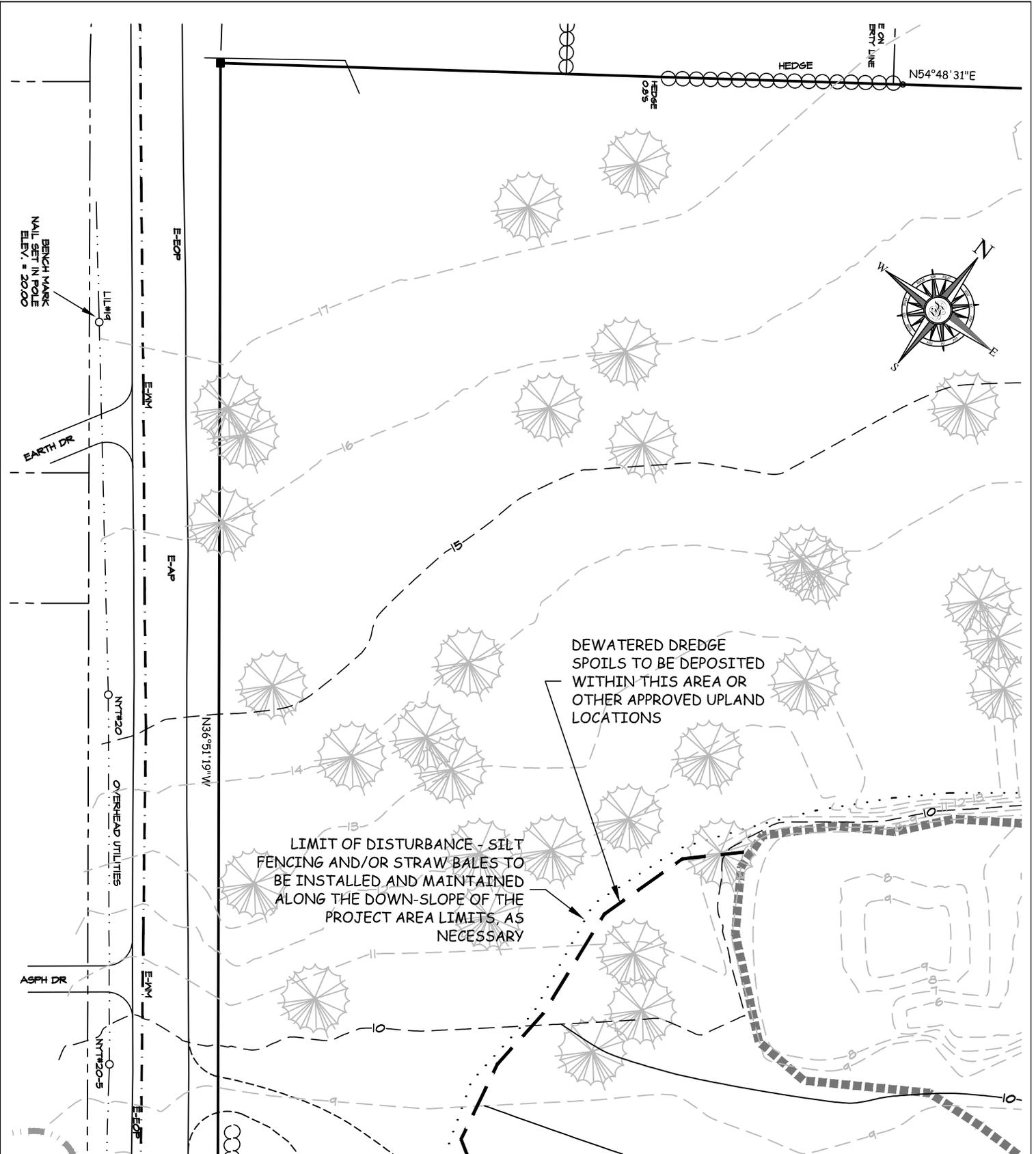
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SHIPYARD LANE
 EAST MARION, NEW YORK

SHEET 7 OF 17 SCALE: 1"=50'

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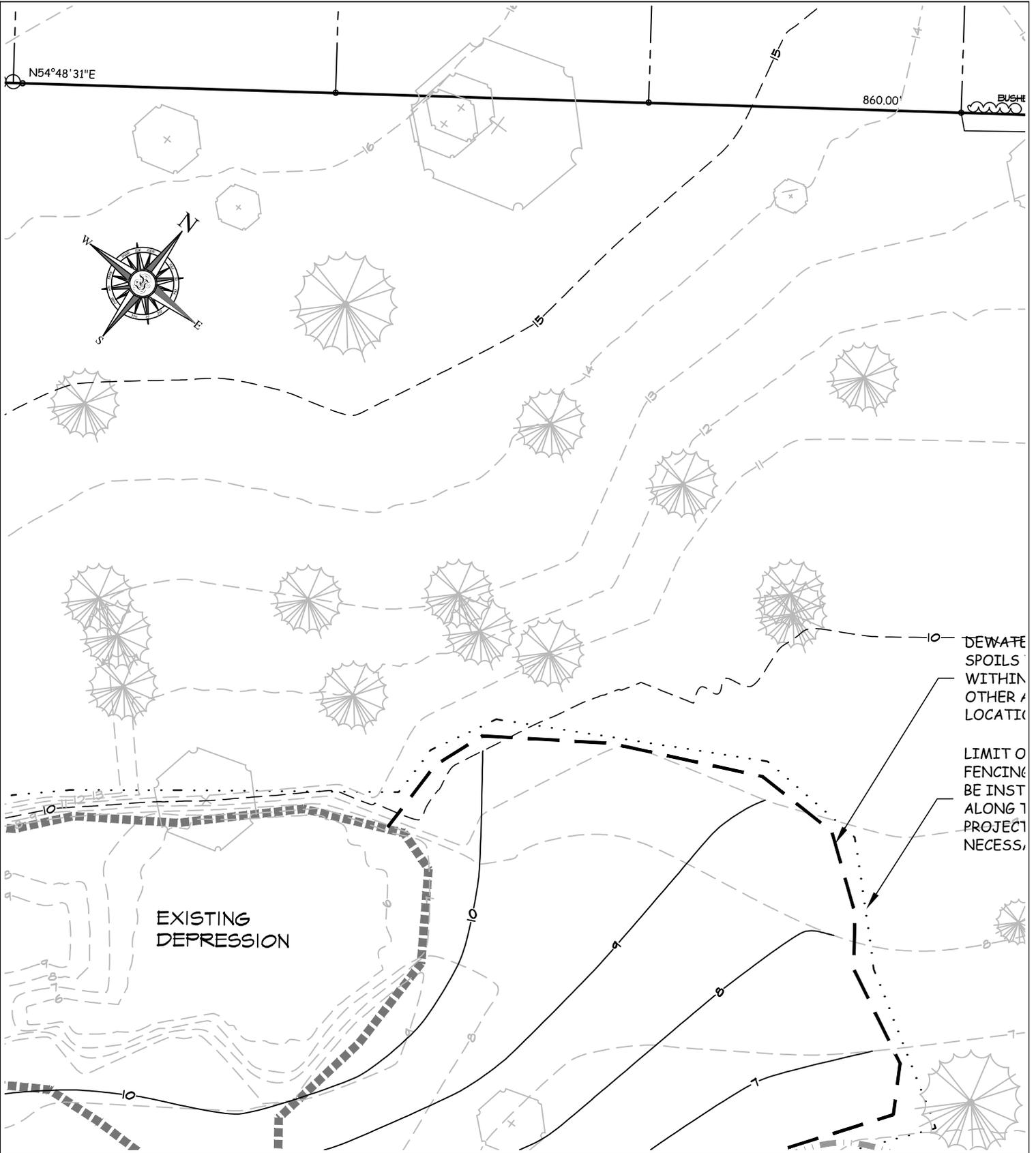
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
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SHEET 8 OF 17 SCALE: 1"=50'

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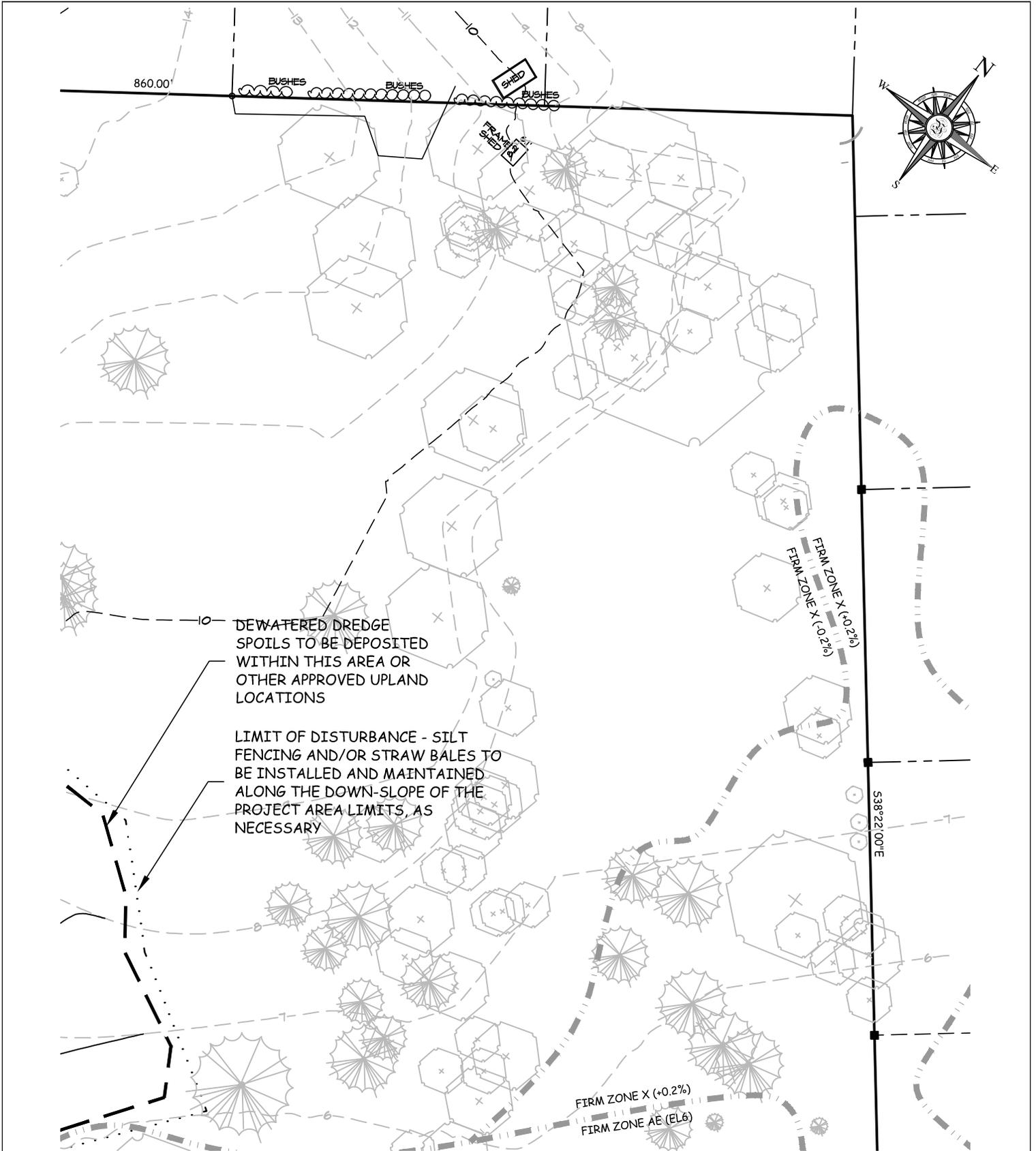
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SHIPYARD LANE
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SHEET 9 OF 17 SCALE: 1"=50'

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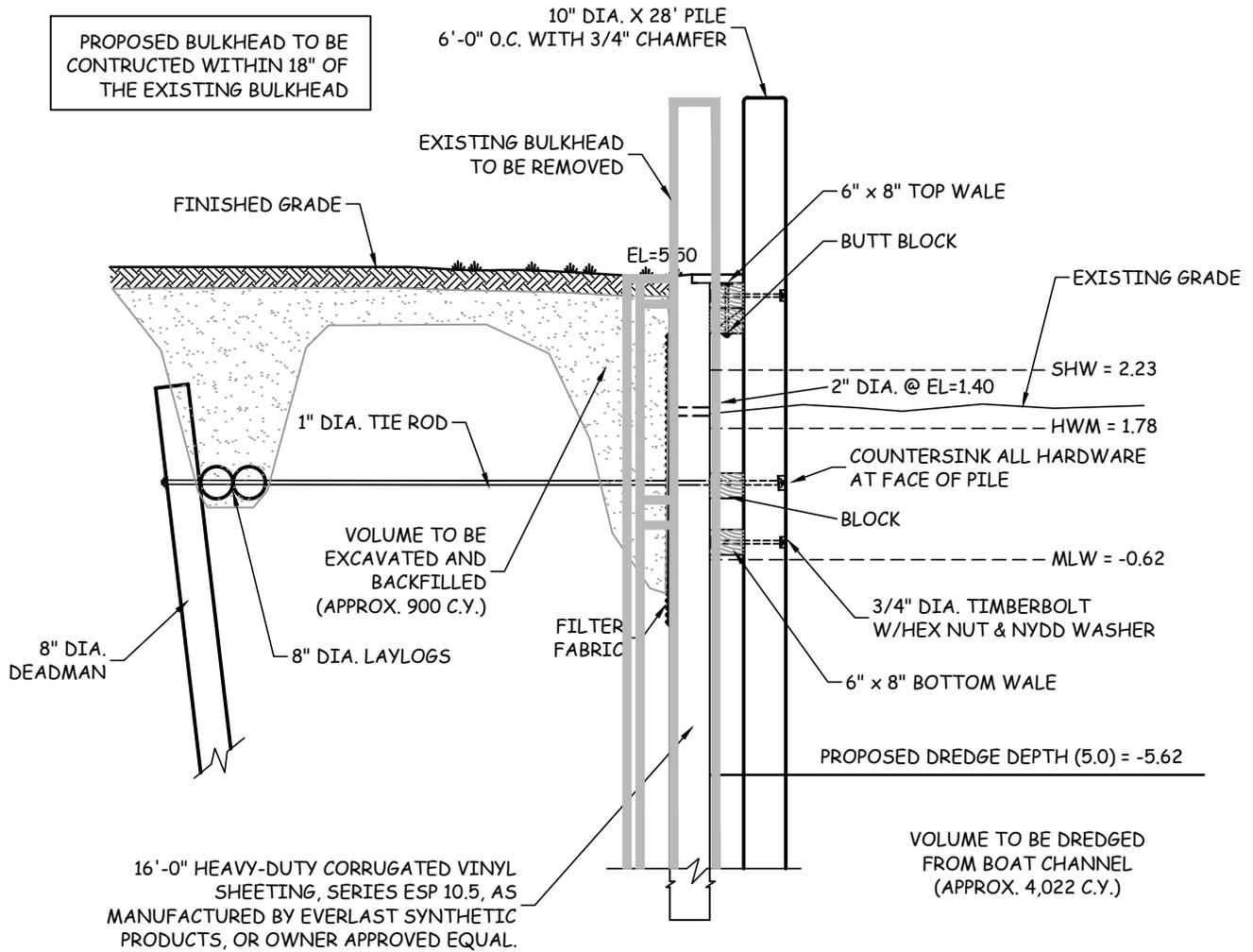
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
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SHEET 10 OF 17 SCALE: 1"=50'

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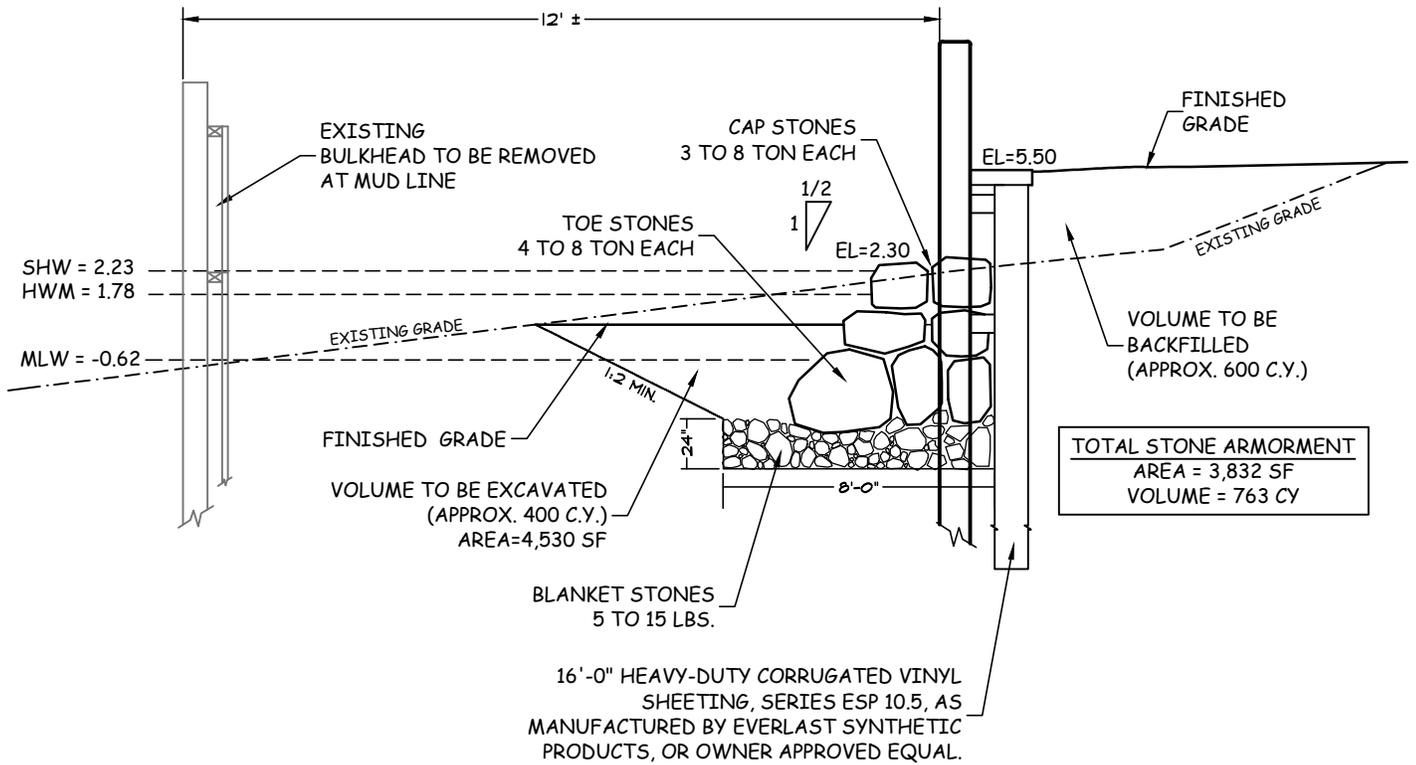


SECTION A-A BULKHEAD

PURPOSE : BULKHEAD, ARMORMENT & DREDGING
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DETAILS
OYSTER COVE @ PECONIC BAY
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 SHEET 11 OF 17 SCALE: NTS

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SECTION C-C BULKHEAD AND ROCK ARMORMENT

PURPOSE : BULKHEAD, ARMORMENT & DREDGING
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DETAILS

OYSTER COVE @ PECONIC BAY

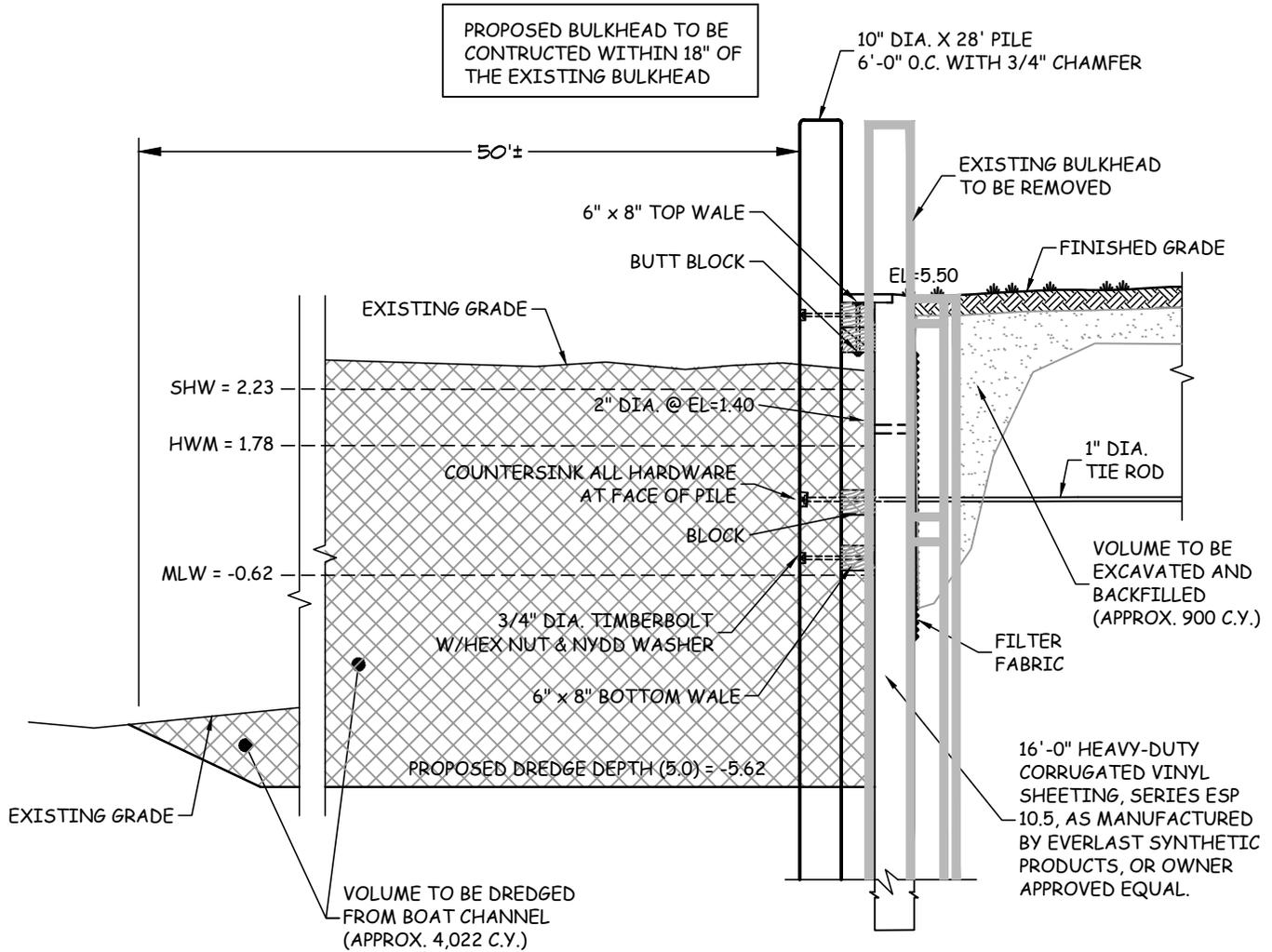
SHIPYARD LANE
EAST MARION, NEW YORK

SHEET 12 OF 17

SCALE: NTS

PROPOSED PLAN OF WATERFRONT IMPROVEMENTS
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Riverhead, New York 11901
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SECTION B-B CHANNEL

PURPOSE : BULKHEAD, ARMORMENT & DREDGING
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DETAILS

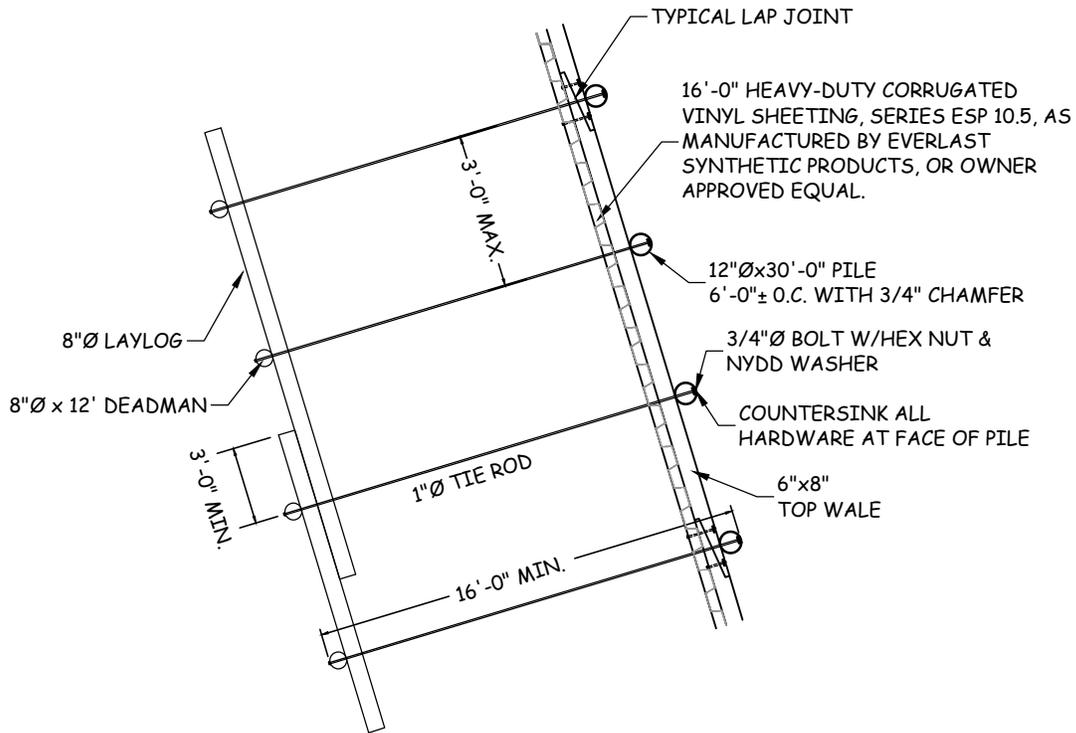
OYSTER COVE @ PECONIC BAY

SHIPYARD LANE
EAST MARION, NEW YORK

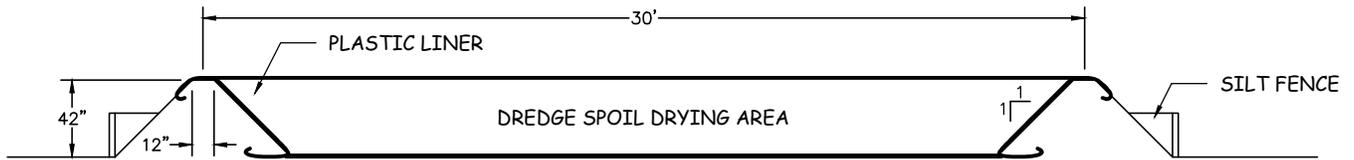
SHEET 13 OF 17 SCALE: NTS

PROPOSED PLAN OF WATERFRONT IMPROVEMENTS
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TOWN OF SOUTHOLD
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DETAIL - TYPICAL BULKHEAD PLAN VIEW

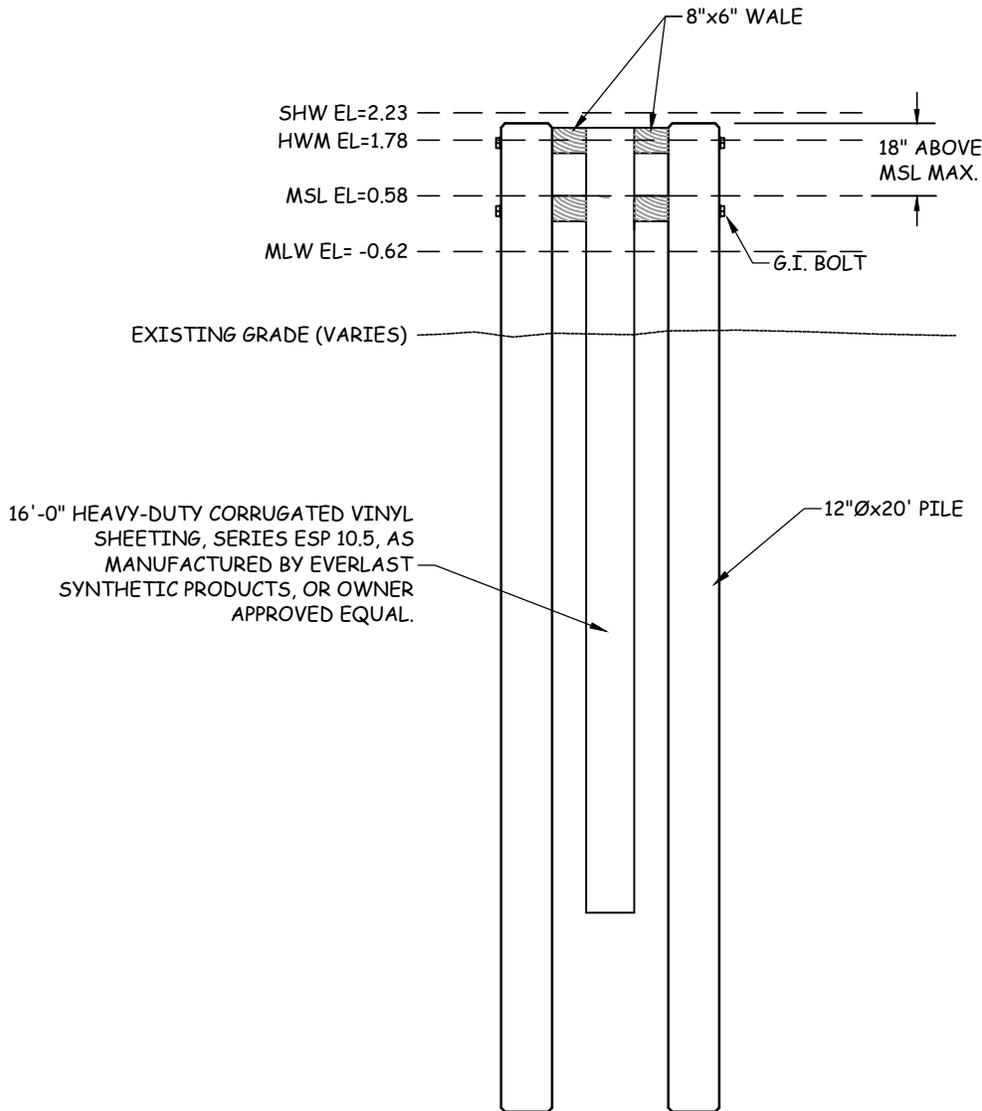


SECTION - DREDGE SPOIL DRYING AREA

PURPOSE : BULKHEAD, ARMORMENT & DREDGING
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 NEW YORK, NY 10023
 FEB.09, 2023
 JAN. 31, 2023
 MAR. 30, 2022

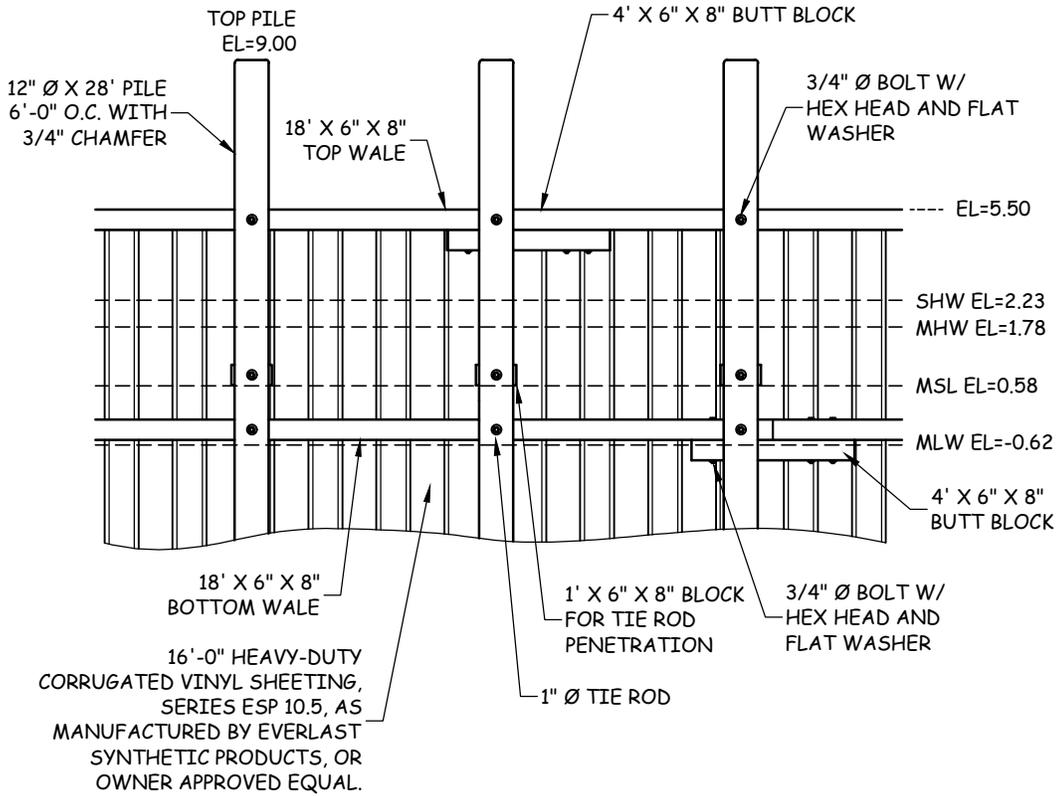
DETAILS
OYSTER COVE @ PECONIC BAY
 SHIPYARD LANE
 EAST MARION, NEW YORK
 SHEET 14 OF 17 SCALE: NTS

PROPOSED PLAN OF WATERFRONT IMPROVEMENTS
 AT GARDINERS BAY
 TOWN OF SOUTHOLD
 COUNTY OF SUFFOLK, STATE OF NEW YORK
 APPLICATION BY: Young & Young, Land Surveyors
 400 Ostrander Avenue
 Riverhead, New York 11901
 631-727-2303



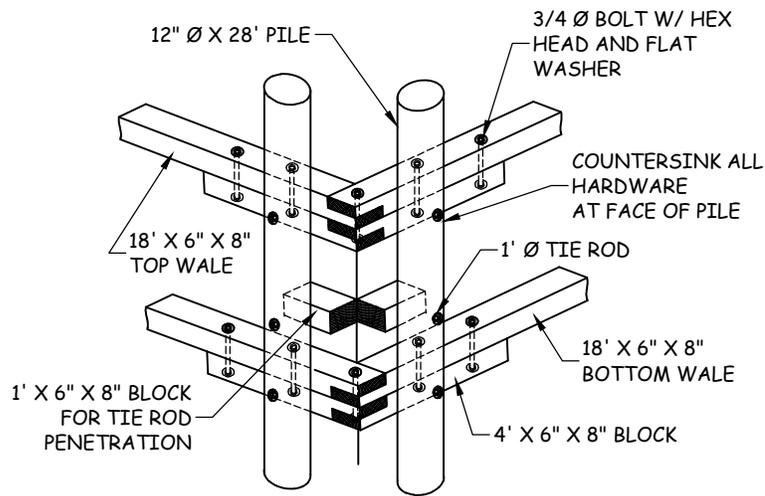
DETAIL - JETTY

PURPOSE : BULKHEAD, ARMORMENT & DREDGING VERTICAL DATUM: NAVD (1988) PROPERTY OWNER: FTKS HOLDINGS, LLC 20 WEST 64th STREET 24E NEW YORK, NY 10023 JOB NO. 2022-0034 DWG. 990613_2020_0034_army core	DETAILS	PROPOSED PLAN OF WATERFRONT IMPROVEMENTS AT GARDINERS BAY TOWN OF SOUTHOLD COUNTY OF SUFFOLK, STATE OF NEW YORK
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ELEVATION - TYPICAL BULKHEAD

PURPOSE : BULKHEAD, ARMORMENT & DREDGING VERTICAL DATUM: NAVD (1988) PROPERTY OWNER: FTKS HOLDINGS, LLC 20 WEST 64th STREET 24E NEW YORK, NY 10023 FEB. 09, 2023 JAN. 31, 2023 MAR. 30, 2022	DETAILS	PROPOSED PLAN OF WATERFRONT IMPROVEMENTS AT GARDINERS BAY TOWN OF SOUTHOLD COUNTY OF SUFFOLK, STATE OF NEW YORK
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DETAIL - SCARPH JOINT

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