



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-2022-00990-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):

APPLICANT: 370 North Ferry Road LP
95 N. Country Road
Palm Beach, FL 33480

WATERWAY: Lagoon located within Shelter Island Sound

LOCATION: Dredge Location: Lagoon located within Shelter Island Sound

Dredge Material Placement Location: Beach placement adjacent to the dredging area

ACTIVITY: Dredge with ten-year maintenance with Beach placement

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

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2022-00990-EVI

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 lost by work accomplished under the required permit.

CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2022-00990-EVI

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

Encl

**CENAN-OP-RE
PUBLIC NOTICE NO. NAN-2022-00990-EVI**

WORK DESCRIPTION

The applicant, 370 North Ferry Road LP, has requested Department of the Army (DA) authorization to conduct dredging, with ten-year maintenance with placement of all resultant dredged material at two (2) upland disposal sites located adjacent to the dredging area. The proposed dredging is located within a lagoon in Shelter Island Sound in Village of North Haven, Town of Southampton, Suffolk County, New York.

Dredge with ten-year maintenance, by mechanical clamshell bucket dredge via barge approximately 1,867 cubic yards (CY) of material from an approximately 22,181 square foot area within an irregularly shaped area. Dredging will be conducted to a maximum depth of 5.5-feet below the plane of Mean Low Water.

The resultant approximately 1,867 CY of dredged material would be placed on a barge where the material will be contained within a dredge box with no overflow. The resultant dredged material would then be transported and placed at two (2) different beach locations adjacent to the dredging area above the plane of Spring High Water.

The applicant plans to conduct five (6) additional dredging events (7 total dredging events) within the ten-year maintenance period with up to a total of approximately 900 CY (5,400 CY total) of material per event 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 lagoon located within Shelter Island Sound. 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.

In addition to the proposed dredging, the applicant is also proposing to install a new 40 linear foot bulkhead return. The proposed bulkhead will meet an existing bulkhead and will be constructed to be the same height as existing.

The stated purpose of this project is to provide adequate water depths for residential homeowner who uses the lagoon for recreational activities and to stabilize the shoreline.



PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

VICINITY MAP

41° 2' 18.3" N 72° 18' 34.5" W
 (SHEET 1 OF 10)

APPLICANT: 370 NORTH FERRY ROAD LP
 C/O JEFFREY GREENE
 ADDRESS: 95 N. COUNTY ROAD PALM
 BEACH, FL 33480
 JOB SITE: 370 SOUTH FERRY ROAD
 NORTH HAVEN, NY 11963
 SCTM#: 901-1-2-2
 DATE: 09-01-22

PROPOSED

10 YEAR MAINTENANCE PERMIT TO DREDGE THE FOLLOWING AREAS TO -5.5' BELOW MEAN LOW WATER:
±92'x85'(±5,370 SF) DEPOSITION BASIN; ±193'x27'(±5,605 SF) INLET; ±212'x24'(±5,244 SF) CHANNEL; ±78'x53'(±5,602 SF) LAGOON.

FIRST DREDGE EVENT WILL REMOVE ±782 CU.YD'S FROM DEPOSITION BASIN, ±115 CU.YD'S FROM INLET, ±603 CU.YD'S FROM CHANNEL, & ±367 CU.YD'S FROM LAGOON FOR A TOTAL OF ±1,867 CU.YD'S. SUBSEQUENT DREDGE EVENTS WILL REMOVE APPROX. ±900 CU.YD'S. SIX DREDGE EVENTS ARE ANTICIPATED WITHIN A 10 YEAR PERIOD.

DREDGED SPOIL TO BE DEPOSITED AS BEACH NOURISHMENT ON NORTH & SOUTH SIDES OF INLET LANDWARD OF SPRING HIGH WATER. NORTH SITE WILL BE ±500'x40' FOR A TOTAL OF ±1,111 CU.YD'S. SOUTH SITE WILL BE 550'x25' FOR A TOTAL OF 763 CU.YD'S.

CONSTRUCT 40' OF BULKHEAD RETURN ON SOUTH SIDE OF INLET IN-LINE WITH EXISTING 24' RETURN.

MATERIALS:

SHEATHING:

- VINYL ESP 6.25, 10' LONG OR EQUAL

LUMBER:

- 2" CAP
- 6"x6" STRINGER
- 4"x6" CLAMP
- ALL LUMBER TO BE UNTREATED HARDWOOD

HARDWARE:

- H.D. GALVANIZED
- 1" DIA. HELIX ANCHOR SCREW 6' O.C.

ACCESS:

BY WATER VIA BARGE USING CRANE CLAM SHELL BUCKET

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

APPLICANT: 370 NORTH FERRY ROAD LP
C/O JEFFREY GREENE
ADDRESS: 95 N. COUNTY ROAD PALM
BEACH, FL 33480
JOB SITE: 370 SOUTH FERRY ROAD
NORTH HAVEN, NY 11963
SCTM#: 901-1-2-2
DATE: 09-01-22



PROPOSED: DREDGE DEPOSITION BASIN
 33'x210'± TO -5.5' BELOW MEAN LOW WATER EL. 0.0 REMOVING ±782 CU.YD'S± OF SPOIL. DREDGED SPOIL TO BE PLACED ON NORTH & SOUTH SIDES OF INLET AS BEACH NOURISHMENT.
 *SEE SHEET N° 9

PROPOSED: NORTH SPOIL DISPOSAL
 40'x500'(20,000 SF) SITE SPREAD 1,111 CU.YD'S± OF DREDGED SPOIL OVER BEACH AREA ABOVE SPRING HIGH WATER LINE AS BEACH NOURISHMENT
 *SEE SHEET N° 10

PROPOSED: DREDGE INLET 27'x193'± TO -5.5' BELOW MEAN LOW WATER EL. 0.0 REMOVING ±115 CU.YD'S± OF SPOIL. DREDGED SPOIL TO BE PLACED ON NORTH & SOUTH SIDES OF INLET AS BEACH NOURISHMENT.
 *SEE SHEET N° 9

PROPOSED: DREDGE CHANNEL 24'x212'± TO -5.5' BELOW MEAN LOW WATER EL. 0.0 REMOVING ±603 CU.YD'S± OF SPOIL. DREDGED SPOIL TO BE PLACED ON NORTH & SOUTH SIDES OF INLET AS BEACH NOURISHMENT.
 *SEE SHEET N° 9

PROPOSED:
 CONSTRUCT 40' BULKHEAD RETURN EXTENSION IN-LINE WITH EXISTING RETURN
 *SEE SHEET N° 788

PROPOSED: SOUTH SPOIL DISPOSAL 25'x550' (13,750 SF) SPREAD 756 CU.YD'S± OF DREDGED SPOIL OVER BEACH AREA ABOVE SPRING HIGH WATER LINE AS BEACH NOURISHMENT
 *SEE SHEET N° 10

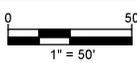
PROPOSED: DREDGE LAGOON 53'x78'± TO -5.5' BELOW MEAN LOW WATER EL. 0.0 REMOVING ±367 CU.YD'S± OF SPOIL. DREDGED SPOIL TO BE PLACED ON NORTH & SOUTH SIDES OF INLET AS BEACH NOURISHMENT.
 *SEE SHEET N° 9

NOTE:
 -3.5 INDICATES WATER LEVEL IN FEET WHEN MLW EQUALS 0.0 AS MEASURED BY ROBERT H. FOX IN DECEMBER 2020

WETLAND BOUNDARY LINE PLACED BY ROBERT FOX OF SEA LEVEL MAPPING ON AUGUST, 8, 2020 AND MEASURED BY ACTUAL SURVEY METHODS BY SEA LEVEL MAPPING ON AUGUST 21, 2008. LINE OF WETLAND FLAGS FOUND AGAIN IN DECEMBER 2020.

PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

SITE PLAN

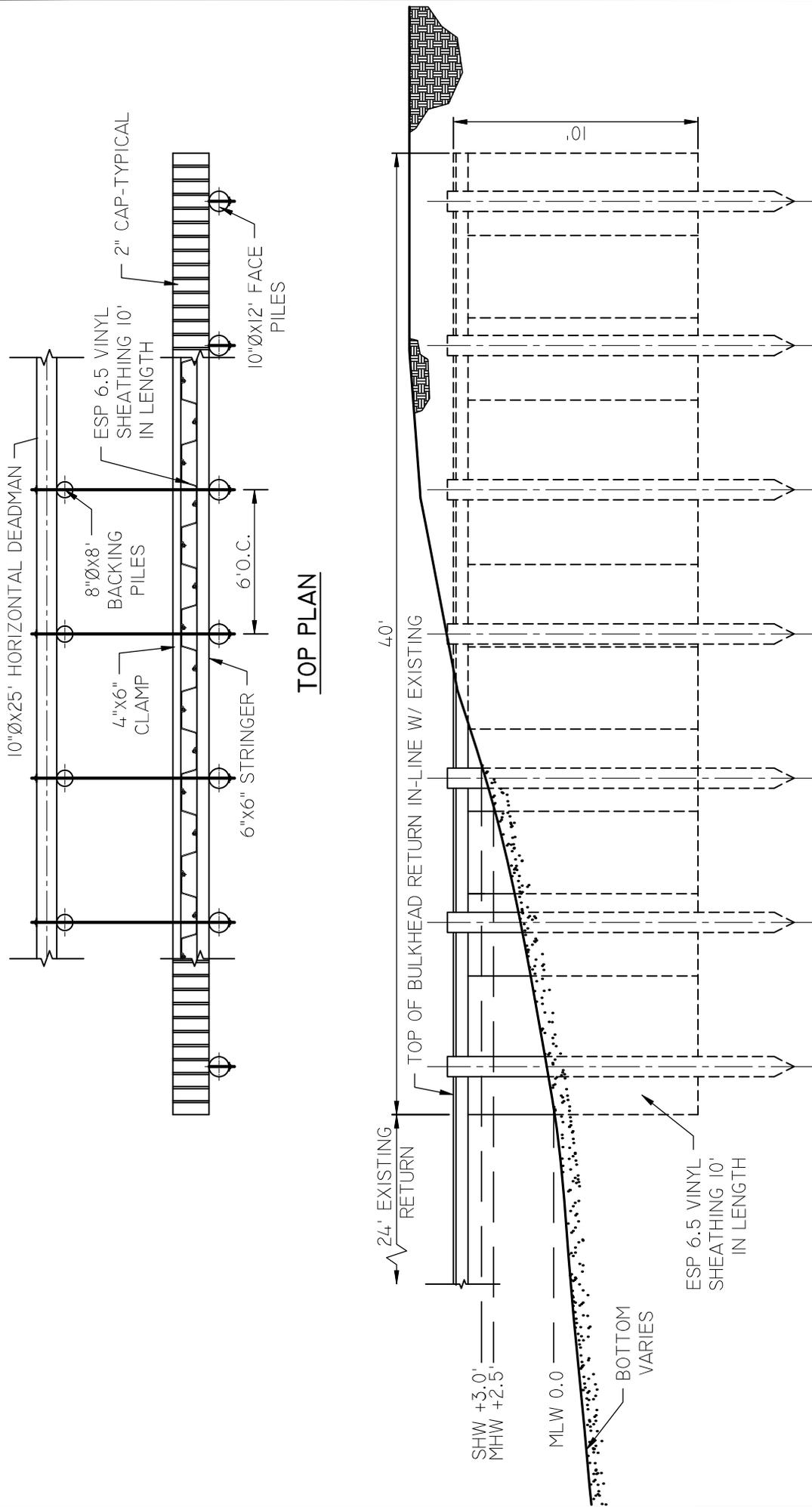


(SHEET 6 OF 10)

KEY

- PROPOSED DEPOSITION BASIN DREDGE
- PROPOSED INLET DREDGE
- PROPOSED CHANNEL DREDGE
- PROPOSED LAGOON DREDGE
- PROPOSED BULKHEAD RETURN EXTENSION
- PROPOSED SPOIL SITE
- PROPOSED DREDGE LOCATION
- MLW / MHW / SHW WATER LEVEL
- WETLAND BOUNDARY
- 3.5' WATER LEVEL
- MARSH
- DOCK
- FLOAT

APPLICANT: 370 NORTH FERRY ROAD LP
 C/O JEFFREY GREENE
 ADDRESS: 95 N. COUNTY ROAD PALM BEACH, FL 33480
 JOB SITE: 370 SOUTH FERRY ROAD NORTH HAVEN, NY 11963
 SCTM#: 901-I-2-2
 DATE: 09-01-22

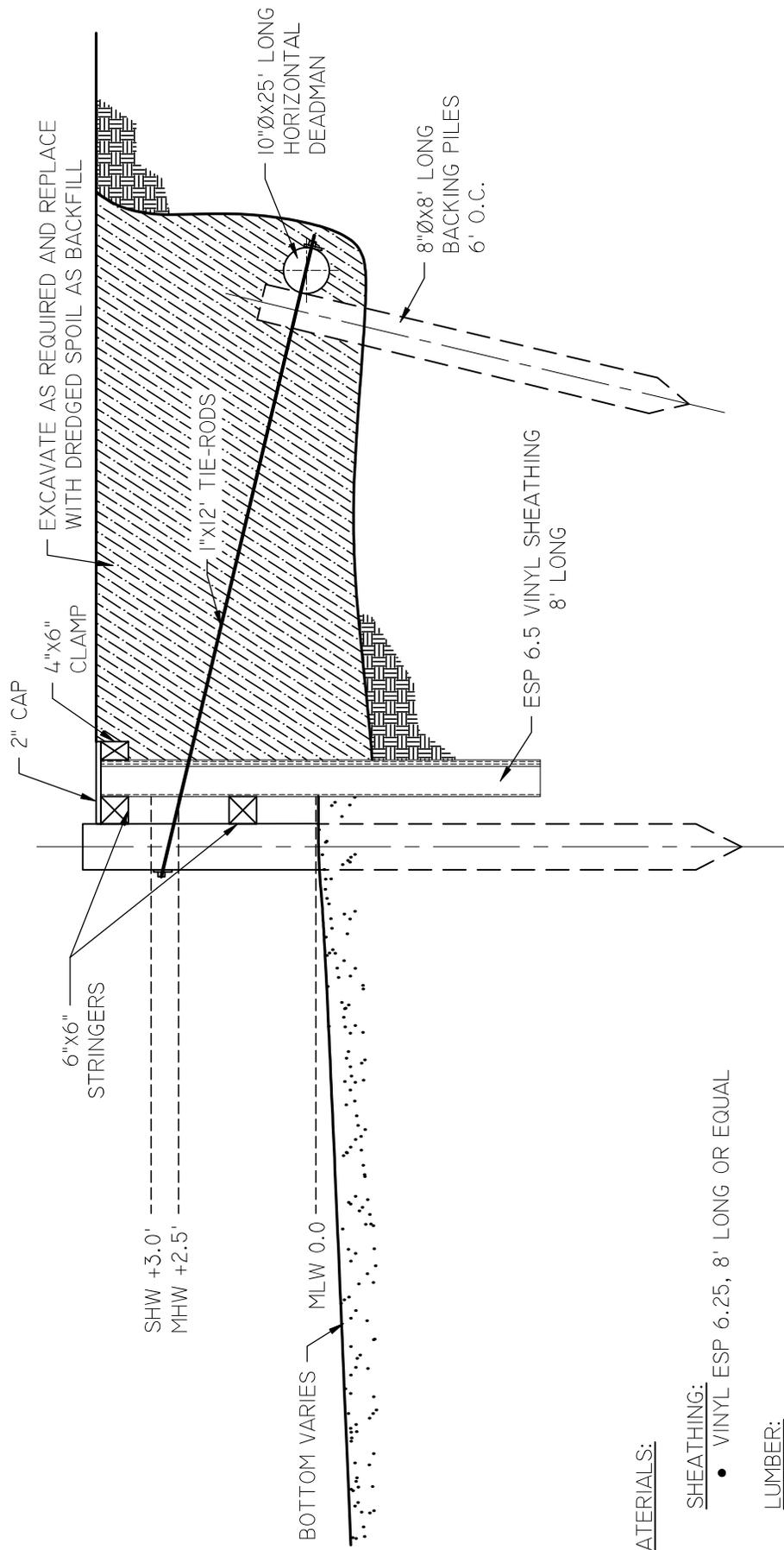


BULKHEAD CROSS SECTION



PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

APPLICANT: 370 NORTH FERRY ROAD LP
 C/O JEFFREY GREENE
 ADDRESS: 95 N. COUNTY ROAD PALM BEACH, FL 33480
 JOB SITE: 370 SOUTH FERRY ROAD NORTH HAVEN, NY 11963
 SCTM#: 901-1-2-2
 DATE: 09-01-22



MATERIALS:

- SHEATHING:
- VINYL ESP 6.25, 8' LONG OR EQUAL
- LUMBER:
- 2" CAP
 - 6"x6" STRINGER
 - 3"x6" CLAMP
 - ALL LUMBER TO BE UNTREATED HARDWOOD

HARDWARE:

- H.D. GALVANIZED
- 1/2" DIA. HELIX ANCHOR SCREW 10' O.C.

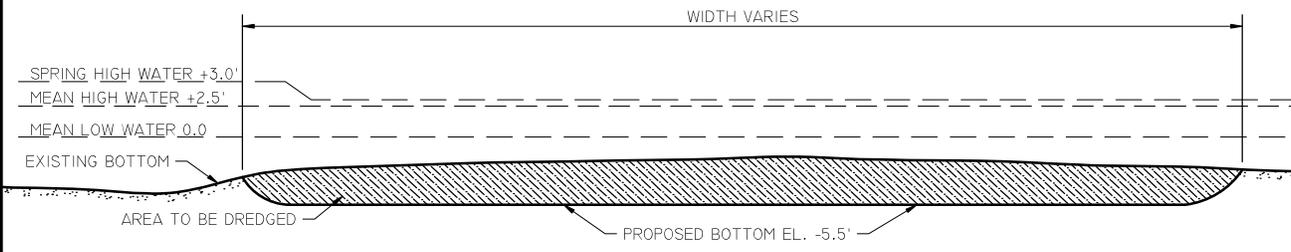
PREPARED BY: KS
 COSTELLO MARINE CONTRACTING CORP.
 P.O. BOX 2124, GREENPORT, N.Y. 11944
 (631)477-1199

BULKHEAD CROSS SECTION

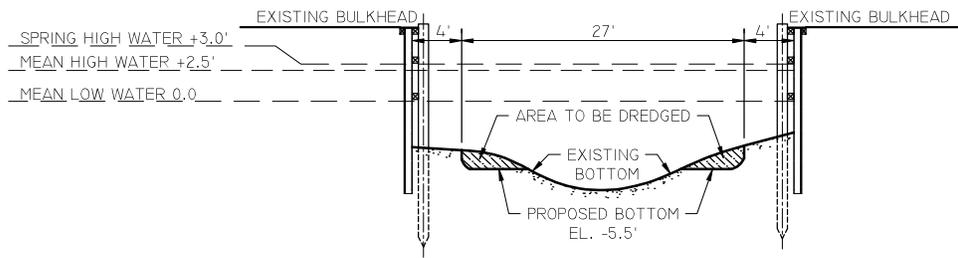


(SHEET 8 OF 10)

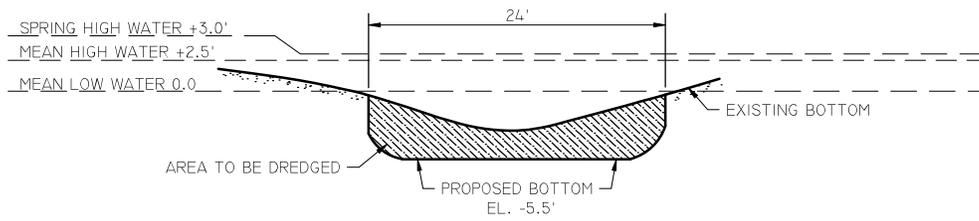
APPLICANT: 370 NORTH FERRY ROAD LP
 C/O JEFFREY GREENE
 ADDRESS: 95 N. COUNTY ROAD PALM BEACH, FL 33480
 JOB SITE: 370 SOUTH FERRY ROAD NORTH HAVEN, NY 11963
 SCTM#: 901-1-2-2
 DATE: 09-01-22



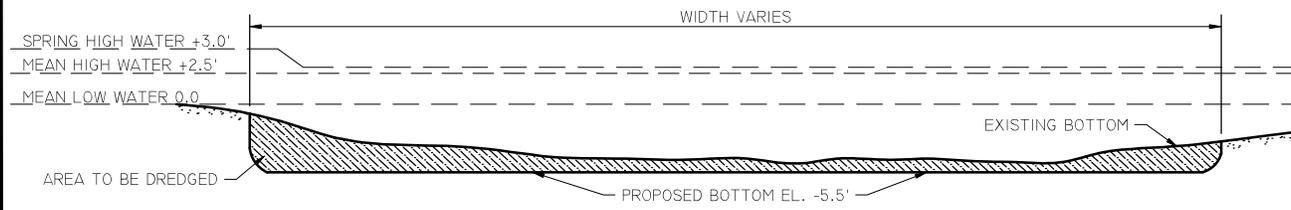
SECTION 'A'
DEPOSITION BASIN DREDGE PROFILE



SECTION 'B'
INLET DREDGE PROFILE



SECTION 'C'
CHANNEL DREDGE PROFILE

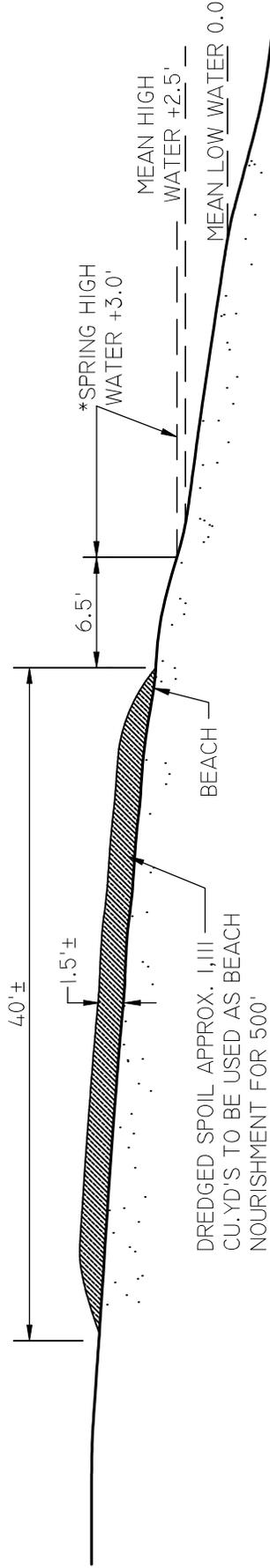


SECTION 'D'
LAGOON DREDGE PROFILE

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199

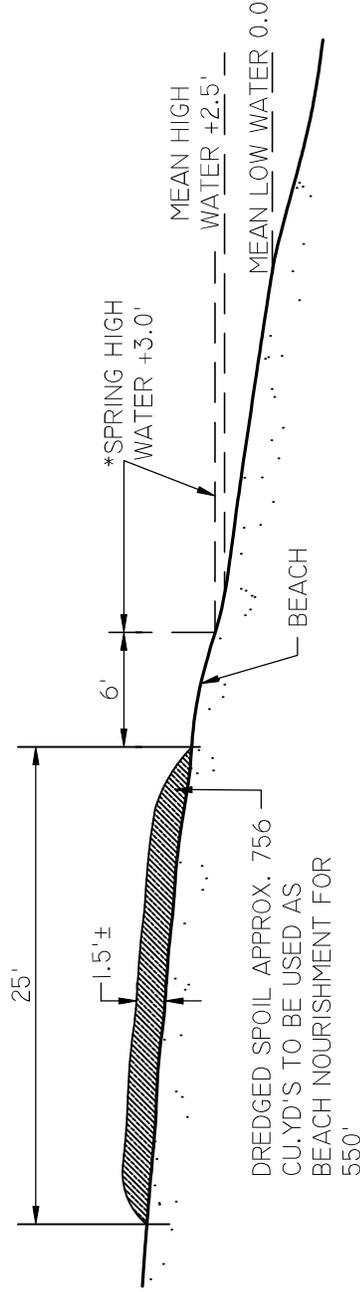
(SHEET 9 OF 10)

APPLICANT: 370 NORTH FERRY ROAD LP
C/O JEFFREY GREENE
ADDRESS: 95 N. COUNTY ROAD PALM
BEACH, FL 33480
JOB SITE: 370 SOUTH FERRY ROAD
NORTH HAVEN, NY 11963
SCTM#: 901-I-2-2
DATE: 09-01-22



* SPRING HIGH WATER
LINE AS PER N.O.A.A.
TIDE TABLES 2011

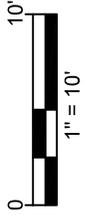
SECTION 'E'
NORTH SPOIL DISPOSAL SITE



* SPRING HIGH WATER
LINE AS PER N.O.A.A.
TIDE TABLES 2011

SECTION 'F'
SOUTH SPOIL DISPOSAL SITE - PROFILE

PREPARED BY: KS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124, GREENPORT, N.Y. 11944
(631)477-1199



(SHEET 10 OF 10)

APPLICANT: 370 NORTH FERRY ROAD LP
C/O JEFFREY GREENE
ADDRESS: 95 N. COUNTY ROAD PALM
BEACH, FL 33480
JOB SITE: 370 SOUTH FERRY ROAD
NORTH HAVEN, NY 11963
SCTM#: 901-1-2-2
DATE: 09-01-22