



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-2023-00895-TREC
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: Robert P. Nelson, Jr.
P.O. Box 596
Greenport, NY 11944

ACTIVITY: Ten-Year Maintenance Dredging with Upland Disposal

WATERWAY: Pipes Cove

LOCATION: 1420 Ninth Street, Town of Southold, 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 SENT VIA ELECTRONIC MAIL TO Brad.Sherwood@usace.army.mil, OR PREPARED IN WRITING AND MAILED TO THE ATTENTION OF BRAD SHERWOOD AT THE ABOVE ADDRESS, TO REACH THIS OFFICE BY 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 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. Presently unknown archeological, scientific, prehistorical, or historical data may be 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, 41 State Street, 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.

CENAN-OP-R
PUBLIC NOTICE NO. NAN-2023-00895-TREC

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 Brad Sherwood at (518) 487-0382, or at Brad.Sherwood@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/business/buslinks/regulat/index.php?survey>.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Jon T. Coleman
FOR AND ON BEHALF OF
Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Robert P. Nelson, Jr., has requested Department of the Army authorization to conduct dredging, with ten-years maintenance and upland disposal. The project is located at 1420 Ninth Street, within Pipes Cove, in the Town of Southold, Suffolk County, New York.

The work would involve the following:

Mechanically dredge, with ten-years maintenance, approximately 800 cubic yards (CY) of material from an approximately 10,620 square-foot (SF) area and extend to a depth of four (4) feet below the plane of Mean Low Water (MLW). The dredged material would be placed directly on the adjacent upland area, landward of Spring High Water (SHW). Once dewatered the dredged material would be graded on-site, above SHW.

The applicant has 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. Any potential impacts would be temporary nature.

The stated purpose of this project is to maintain a safe navigational depth for recreational purposes.



VICINITY MAP

N41° 5' 42" W72° 22' 20"
41.095 -72.372

General Notes

- BODY OF WATER: PIPES COVE

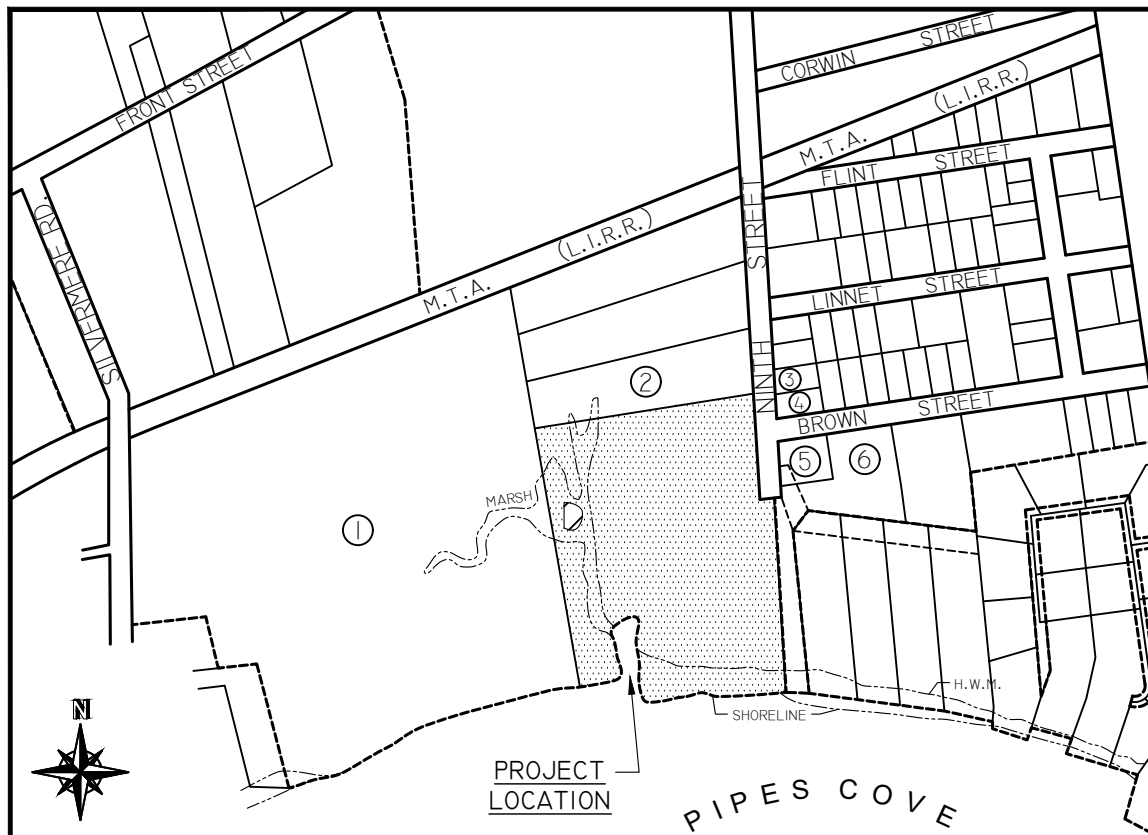
4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS
COSTELLO MARINE CONTRACTING CORP.
P.O. BOX 2124
GREENPORT, N.Y. 11944
(631) 477-1199

PROJECT NAME AND ADDRESS
MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN: SOUTHDOLD
COUNTY: SUFFOLK
STATE: NEW YORK

DRAWN BY: KS	SHEET: 1 OF 9
DATE: 09/27/23	
SCALE: N.T.S.	



LOCATION MAP

N41° 5' 42" W72° 22' 20"
41.095 -72.372

ADJACENT PROPERTY OWNERS

- ① SILVER SANDS HOLDINGS I LLC
C/O ALEXANDER PERROS
19215 SOUNDVIEW AVENUE
SOUTHOLD, NY 11971
(675 SILVERMERE ROAD)
(SCTM# 1000-45-6-8)
- ② MEADOWS @ GREENPORT LLC
C/O JAMES NEISLOSS
101 SUNNYSIDE BLVD., SUITE 105
PLAINVIEW, NY 11803
(1360 NINTH STREET)
(SCTM# 1000-45-6-9.3)
- ③ GEORGE E. HARLOW & CAROLE
SLADE HARLOW
320 RIVERSIDE DRIVE, 4C
NEW YORK, NY 10025
(1225 NINTH STREET)
(SCTM# 1000-48-3-28)
- ④ KEVIN J. & KELLY C. O'SHEA
55 BROWN STREET
GREENPORT, NY 11944
(55 BROWN STREET)
(SCTM# 1000-48-3-29)
- ⑤ RYAN C. GREENE
721 BROWN STREET
GREENPORT, NY 11944
(1395 NINTH STREET)
(SCTM# 1000-48-3-42.8)
- ⑥ BONNIE S. & IRA F. KANTOR
719 BROWN STREET
GREENPORT, NY 11944
(160 BROWN STREET)
(SCTM# 1000-45-3-42.6)

General Notes

- BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

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

PROJECT NAME AND ADDRESS

MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN: SOUTHOLD

COUNTY: SUFFOLK

STATE: NEW YORK

DRAWN BY: KS

DATE: 09/27/23

SCALE: N.T.S.

SHEET:

2 OF 9

PROPOSED

10 YEAR MAINTENANCE DREDGE OF BASIN (±10,620 SQ.FT.). DREDGE APPROXIMATELY 800 CUBIC YARDS DURING INITIAL DREDGE EVENT, APPROXIMATELY 200 CUBIC YARDS DURING SUBSEQUENT DREDGE EVENTS, OCCURRING EVERY TWO YEARS FOR A TOTAL OF 5 EVENTS. ALL DREDGE MATERIAL TO REMAIN ON SITE LANDWARD OF SPRING HIGH WATER AND DISTRIBUTED AS BEACH NOURISHMENT TO THE EAST AND WEST OF THE BASIN, AND A 76'x88' AREA LOCATED ON EAST SIDE OF PROPERTY.

DREDGE MATERIAL: 100% SAND
DREDGE METHOD: CLAMSHELL BUCKET

ACCESS:
BY WATER VIA BARGE AND/OR BY LAND THROUGH APPLICANT'S PROPERTY

General Notes

- BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

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

PROJECT NAME AND ADDRESS

MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN: SOUTHOLD

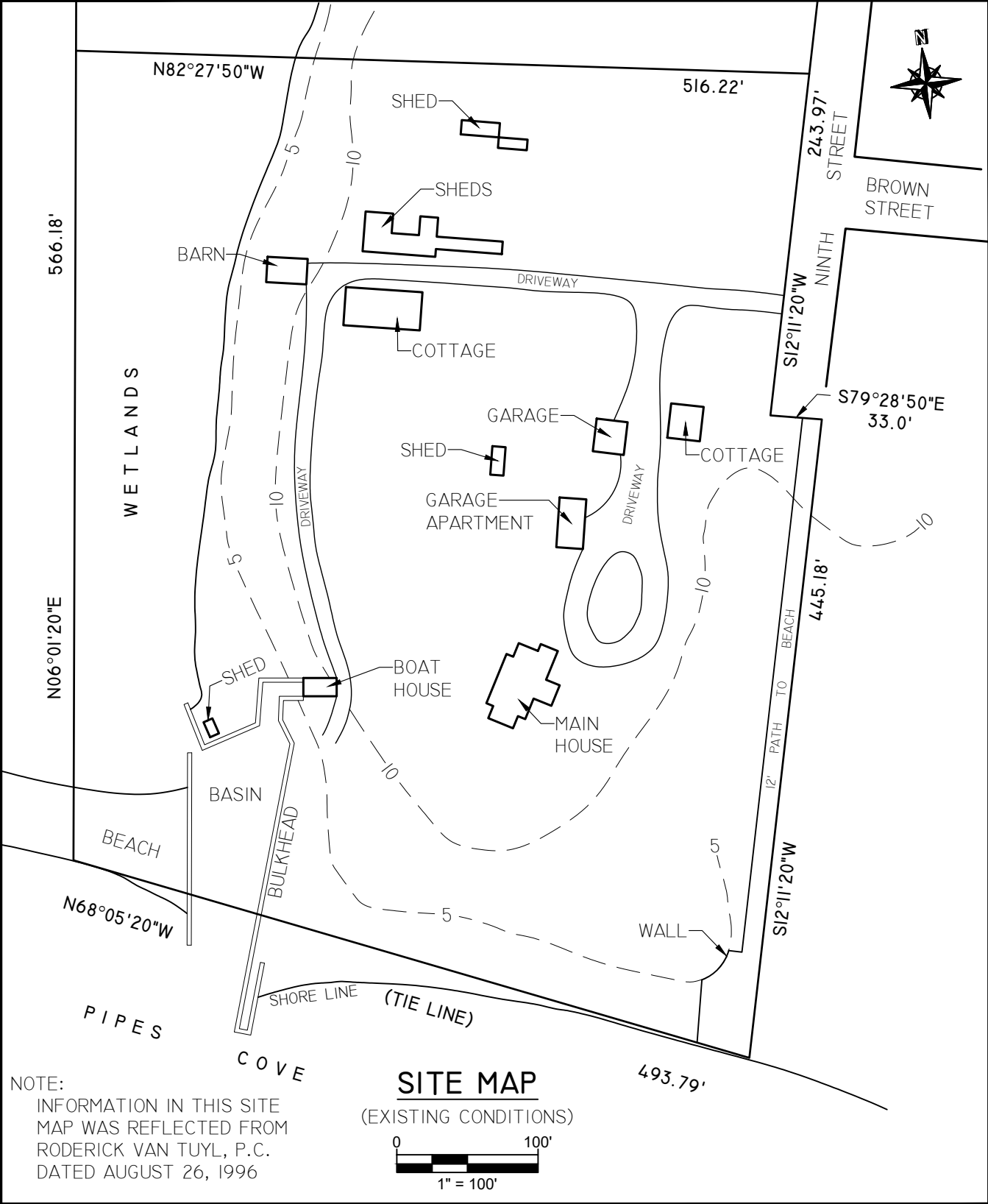
COUNTY: SUFFOLK

STATE: NEW YORK

DRAWN BY: KS SHEET:

DATE: 09/27/23 3 OF 9

SCALE: N.T.S.



General Notes	
• BODY OF WATER: PIPES COVE	

FIRM NAME AND ADDRESS	
COSTELLO MARINE CONTRACTING CORP.	
P.O. BOX 2124	
GREENPORT, N.Y. 11944	
(631) 477-1199	

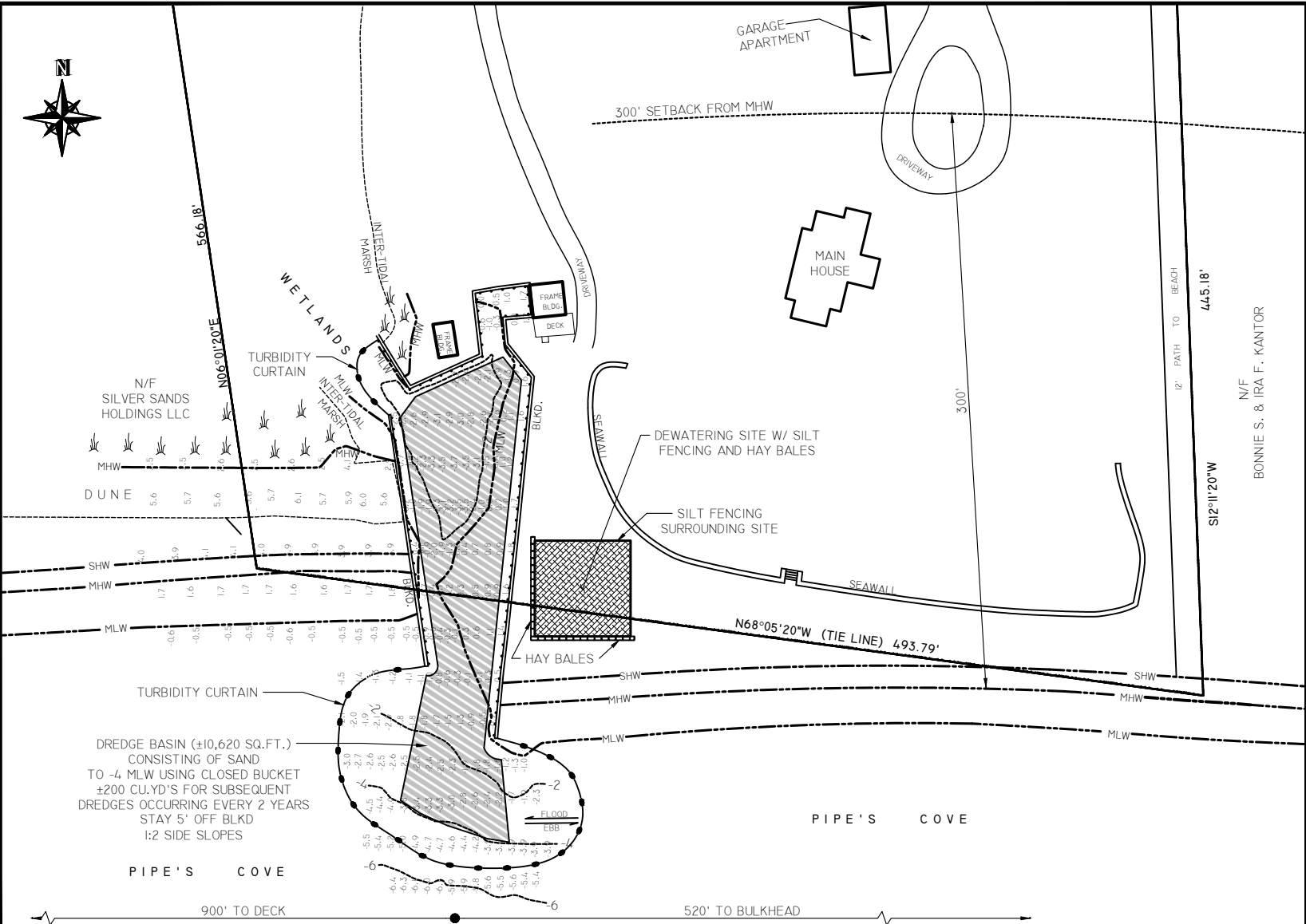
PROJECT NAME AND ADDRESS	
MAINTENANCE DREDGE	
ROBERT P. NELSON JR.	
1420 NINTH STREET	
GREENPORT, NY 11944	
SCIM#: 1000-45-6-9-4	

TOWN:	SOUTHOLD
COUNTY:	SUFFOLK
STATE:	NEW YORK

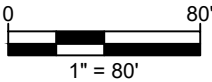
DRAWN BY:	KS
DATE:	09/27/23
SCALE:	1"=100'

SHEET:	4 OF 9
--------	--------

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23



SITE PLAN FOR BEST MANAGEMENT PRACTICES (BPMs)



NOTE:
-4 IS MEASURED IN FEET WHEN MLW
EQUALS 0.0 BY ROBERT H. FOX ON AUGUST
23, 2022 AMENDED APRIL 11, 2023.

General Notes

• BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

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

PROJECT NAME AND ADDRESS

MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN:

SOUTHOLD

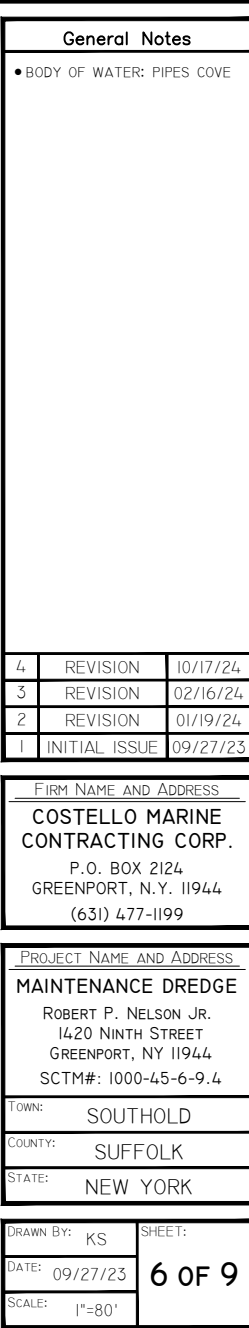
COUNTY:

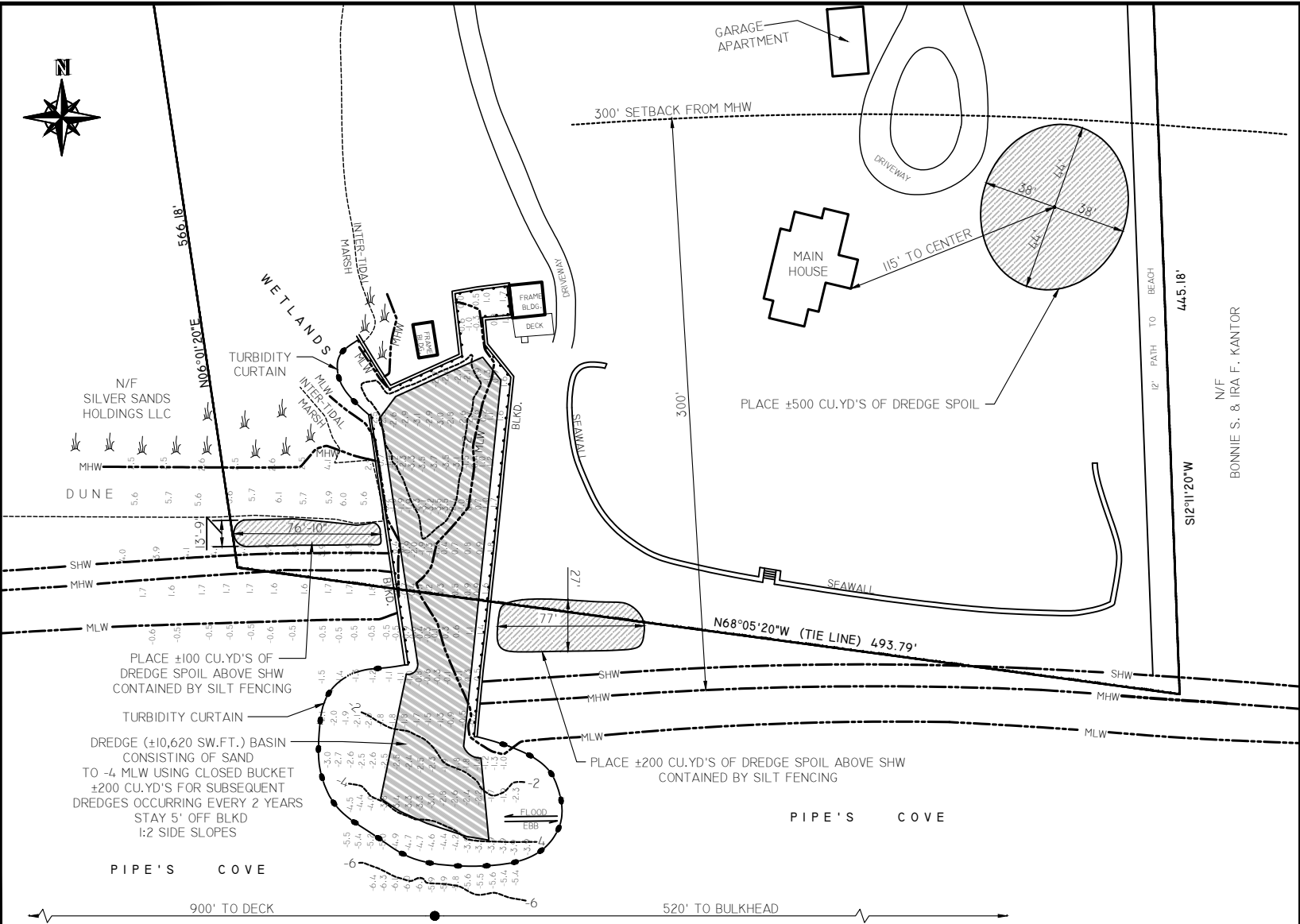
SUFFOLK

STATE:

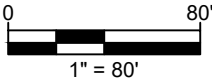
NEW YORK

DRAWN BY: KS	SHEET:
DATE: 09/27/23	5 OF 9
SCALE: 1"=80'	





SITE PLAN FOR SUBSEQUENT DREDGES



NOTE:
-4 IS MEASURED IN FEET WHEN MLW
EQUALS 0.0 BY ROBERT H. FOX ON AUGUST
23, 2022 AMENDED APRIL 11, 2023.

General Notes

- BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

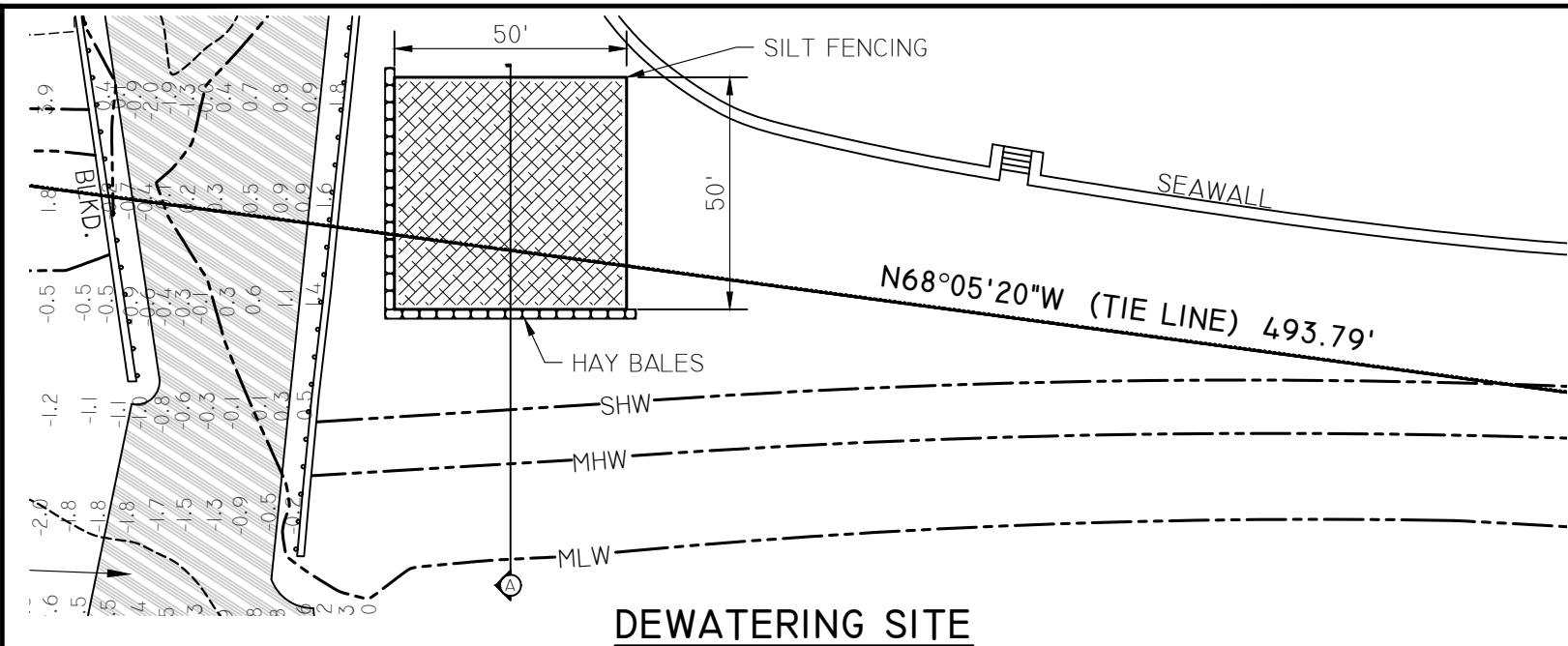
**COSTELLO MARINE
CONTRACTING CORP.**
P.O. BOX 2124
GREENPORT, N.Y. 11944
(631) 477-1199

PROJECT NAME AND ADDRESS

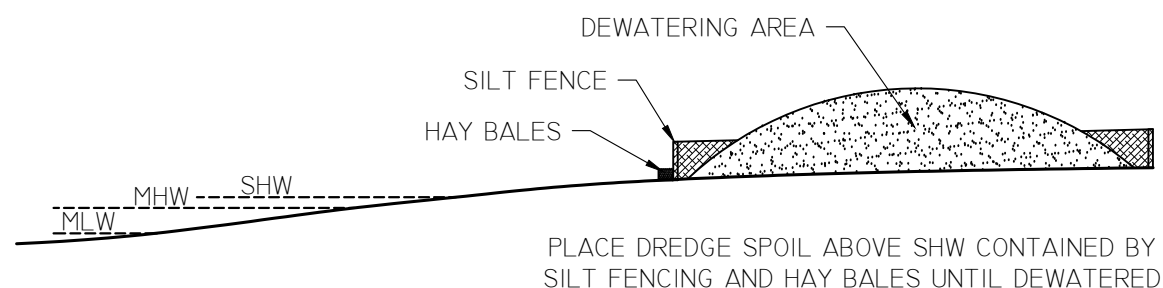
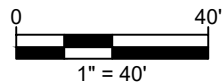
MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN:	SOUTHOLD
COUNTY:	SUFFOLK
STATE:	NEW YORK

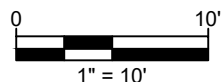
DRAWN BY: KS	SHEET:
DATE: 09/27/23	7 OF 9
SCALE: 1"=80'	



DEWATERING SITE



DEWATERING SECTION 'A'



General Notes

• BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

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

PROJECT NAME AND ADDRESS

MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN: SOUTHDOLD

COUNTY: SUFFOLK

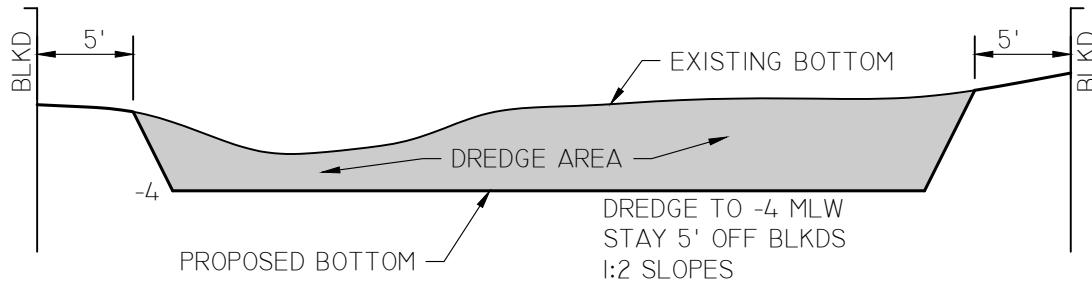
STATE: NEW YORK

DRAWN BY: KS

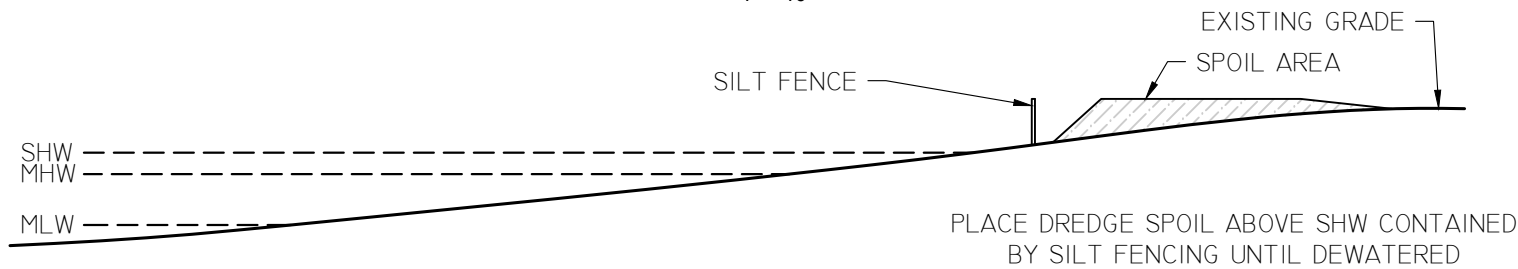
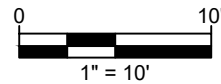
DATE: 09/27/23

SCALE: AS SHOWN

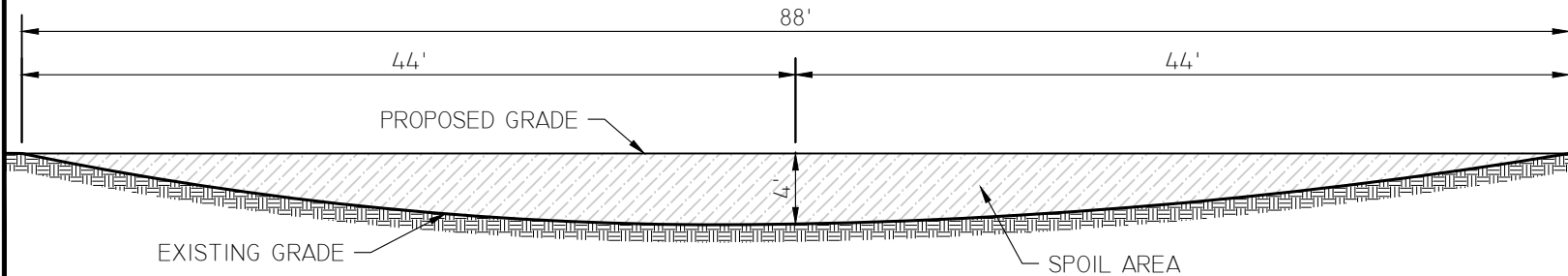
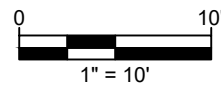
SHEET: 8 OF 9



DREDGE SECTION



BEACH DREDGE SPOIL SECTION



UPLAND SPOIL SECTION

SCALE: NOT TO SCALE (NTS)

General Notes

- BODY OF WATER: PIPES COVE

4	REVISION	10/17/24
3	REVISION	02/16/24
2	REVISION	01/19/24
1	INITIAL ISSUE	09/27/23

FIRM NAME AND ADDRESS

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

PROJECT NAME AND ADDRESS

MAINTENANCE DREDGE
ROBERT P. NELSON JR.
1420 NINTH STREET
GREENPORT, NY 11944
SCTM#: 1000-45-6-9.4

TOWN: SOUTHDOLD

COUNTY: SUFFOLK

STATE: NEW YORK

DRAWN BY: KS

DATE: 09/27/23

SCALE: AS SHOWN

SHEET:

9 OF 9