



# 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-2012-01247-EHA  
Issue Date: February 25, 2013  
Expiration Date: March 25, 2013

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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).

**APPLICANT:** NY City Dept of Sanitation  
Attn: Harry Szarpanski, Deputy Commissioner  
44 Beaver Street, 12<sup>th</sup> Floor  
New York, New York 10004

**ACTIVITY:** 10-year maintenance dredging of an existing Marine Transfer Station, with upland placement of dredged material.

**WATERWAY:** Hudson River

**LOCATION:** Borough of Manhattan, New York 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 PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.**

CENAN-OP-RE  
MEMORANDUM FOR THE RECORD

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 and disturbance to the river bottom during construction. A preliminary assessment based on the EFH assessment provided by the applicant indicates the work regulated by this office would adversely affect EFH species. A conservation measure, specifically a restriction on in-water work between November 15 and April 15, would be imposed on any authorization to minimize impacts to EFH.

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 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.

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:

CENAN-OP-RE  
MEMORANDUM FOR THE RECORD

- 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) 790-8523 and ask for Naomi Handell.

In order for us to better serve you, please complete our Customer Service Survey located at: <http://per2.nwp.usace.army.mil/survey.html>.

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



Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

The applicant, NY City Department of Sanitation, has requested Department of the Army authorization for 10-year maintenance dredging with upland placement of dredged material in the Hudson River, Borough of Manhattan, New York County, New York.

The work would involve:

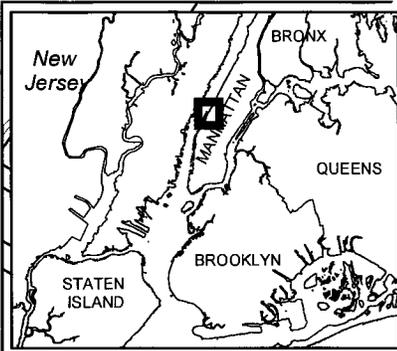
Dredge via closed, environmental clamshell bucket dredge approximately 28,710 cubic yards of sediment, from an approximately 585 foot long by 95 foot wide area to 21 feet below mean low water, including a proposed 2 foot over depth dredging. (Sheet 2 of 7).

The material to be dredged is comprised of approximately 80% sand, 16% silt and 4% clay.

Upon completion of the proposed dredging, the material would be transported to a state approved upland placement site. No return flow to the waterway is proposed.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by: the use of best management practices such as the use of a closed bucket to conduct dredging, controlled bucket hoist speeds, no barge overflow. Additionally, no dredging would occur between November 15 and April 15 to avoid adverse impacts to striped bass.

The stated purpose of this project is to provide safe navigational depths for barges using the facility.



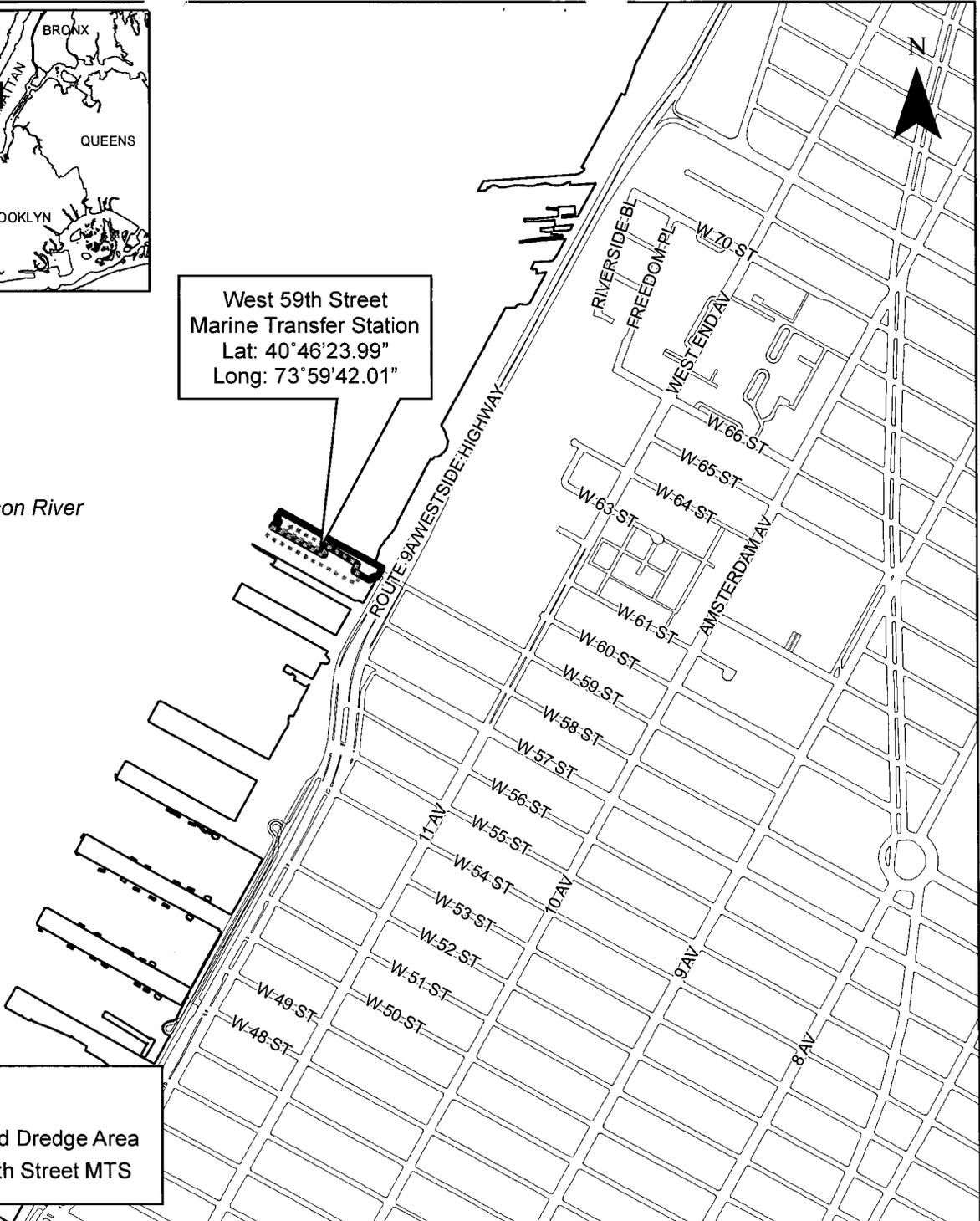
West 59th Street  
Marine Transfer Station  
Lat: 40°46'23.99"  
Long: 73°59'42.01"

Hudson River



**Legend**

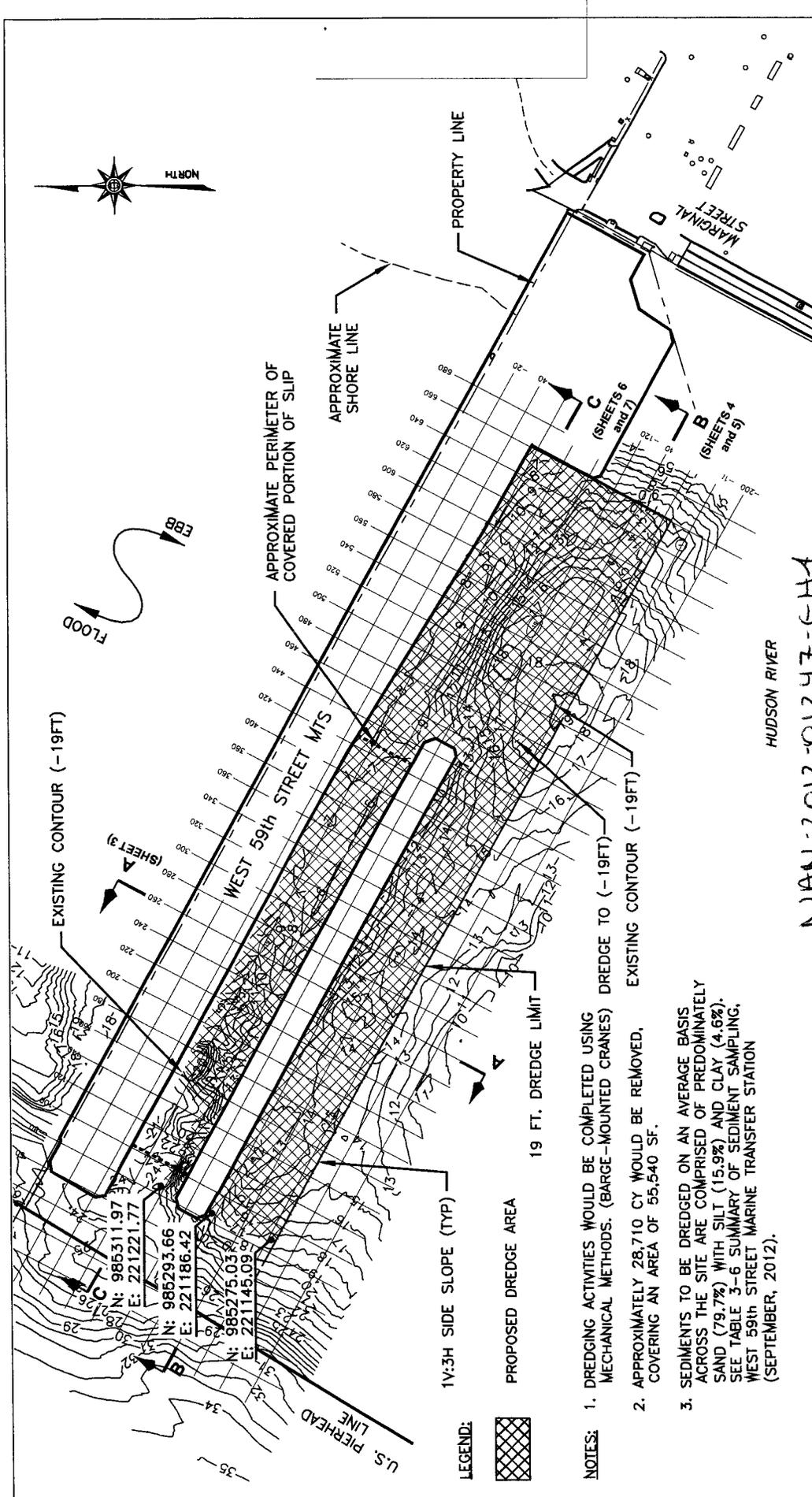
-  Proposed Dredge Area
-  West 59th Street MTS



Street Map Source: NYCmap Updates 2001-2002 Series, New York City Department of Information Technology & Telecommunications

<p>PURPOSE: TO CONDUCT MAINTENANCE DREDGING</p> <p>DATUM: MEAN LOW WATER MLW = 0.0 FT MHW = 4.15 FT</p> <p>ADJACENT PROPERTY OWNERS: 1. NYC DEPT. OF BUSINESS SERVICES 2. NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES 3. LANDS UNDER WATER</p>	<p><b>VICINITY MAP</b></p> <p><b>MAINTENANCE DREDGING WEST 59th STREET MARINE TRANSFER STATION</b></p> <p>0    500    1,000    2,000  Feet</p>	<p>IN: HUDSON RIVER AT: MANHATTAN COUNTY OF: NEW YORK STATE OF: NEW YORK APPLICATION BY: PREPARED BY HDR ON BEHALF OF CITY OF NEW YORK DEPARTMENT OF SANITATION</p> <p>SHEET: 1 OF 7                      DATE: 9/2012 REV: 1/2013</p>
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NAN-2012-01247-ETA



IN: HUDSON RIVER  
 AT: MANHATTAN  
 COUNTY OF: NEW YORK  
 STATE OF: NEW YORK

APPLICATION BY: PREPARED BY HDR ON  
 BEHALF OF THE CITY OF  
 NEW YORK DEPARTMENT  
 OF SANITATION

DATE: 9/2012  
 REV.: 2/2013

**PLAN VIEW**

**MAINTENANCE DREDGING  
 WEST 59th STREET MARINE  
 TRANSFER STATION**

( IN FEET )

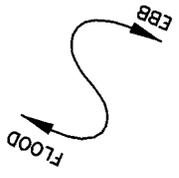
**PURPOSE: TO CONDUCT MAINTENANCE  
 DREDGING**

**DATUM: MEAN LOW WATER  
 MLW = 0.0 FT.  
 MHW = 4.15 FT.**

**ADJACENT PROPERTY OWNERS:**

1. NYC DEPT. OF BUSINESS SERVICES
2. NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES
3. LANDS UNDER WATER

EXISTING CONTOUR (-19FT)



(SHEET 3)

N: 985311.97  
 E: 221221.77

N: 985293.66  
 E: 221186.42

N: 985275.03  
 E: 221145.09

APPROXIMATE PERIMETER OF  
 COVERED PORTION OF SLIP

APPROXIMATE  
 SHORE LINE

1V:3H SIDE SLOPE (TYP)

PROPOSED DREDGE AREA

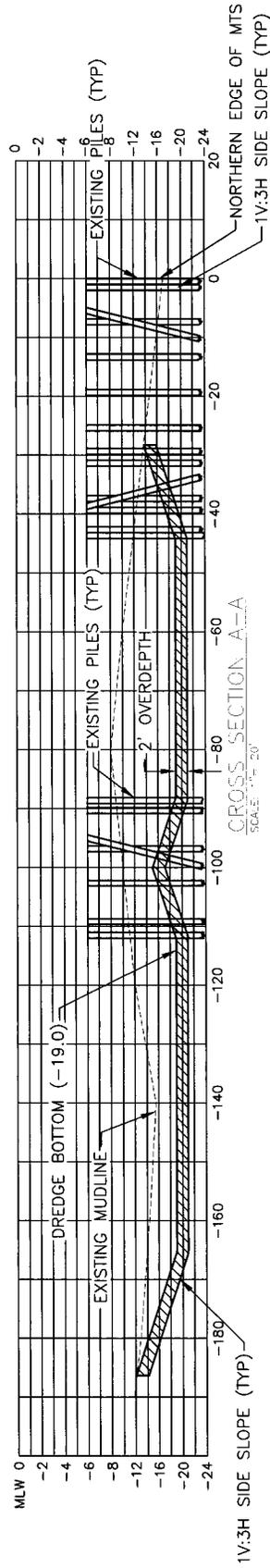


19 FT. DREDGE LIMIT

- NOTES:**
1. DREDGING ACTIVITIES WOULD BE COMPLETED USING MECHANICAL METHODS. (BARGE-MOUNTED CRANES) DREDGE TO (-19FT) EXISTING CONTOUR (-19FT)
  2. APPROXIMATELY 28,710 CY WOULD BE REMOVED, COVERING AN AREA OF 55,540 SF.
  3. SEDIMENTS TO BE DREDGED ON AN AVERAGE BASIS ACROSS THE SITE ARE COMPRISED OF PREDOMINATELY SAND (79.7%) WITH SILT (15.9%) AND CLAY (4.6%). SEE TABLE 3-6 SUMMARY OF SEDIMENT SAMPLING, WEST 59th STREET MARINE TRANSFER STATION (SEPTEMBER, 2012).

HUDSON RIVER

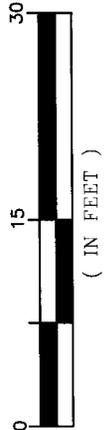
NAN 2012-01247-GHA



NAN-2012-01247-EHA

**SECTION VIEW  
A-A**

**MAINTENANCE DREDGING  
WEST 59th STREET MARINE  
TRANSFER STATION**



PURPOSE: TO CONDUCT MAINTENANCE  
DREDGING

DATUM: MEAN LOW WATER  
MLW = 0.0 FT.  
MHW = 4.15 FT.

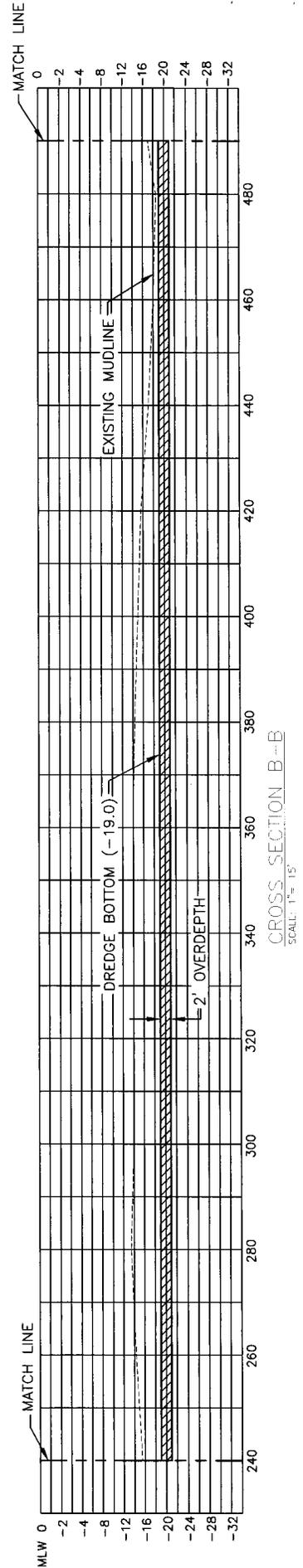
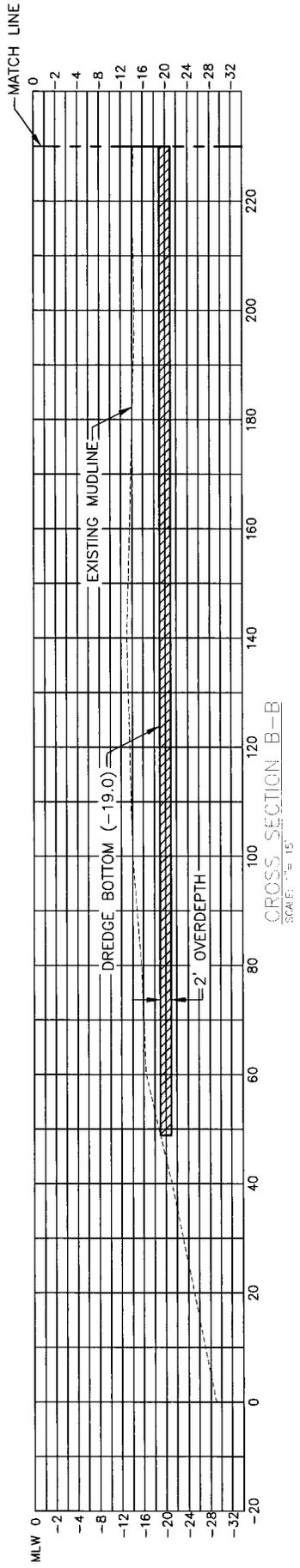
- ADJACENT PROPERTY OWNERS:
1. NYC DEPT. OF BUSINESS SERVICES
  2. NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES
  3. LANDS UNDER WATER

IN: HUDSON RIVER  
AT: MANHATTAN  
COUNTY OF: NEW YORK  
STATE OF: NEW YORK

APPLICATION BY: PREPARED BY HDR ON  
BEHALF OF THE CITY OF  
NEW YORK DEPARTMENT  
OF SANITATION

SHEET 3 OF 7

DATE: 9/2012  
REV: 1/2013



NAN-2012-01247-6HA

**SECTION VIEW  
B-B**

**MAINTENANCE DREDGING  
WEST 59th STREET MARINE  
TRANSFER STATION**



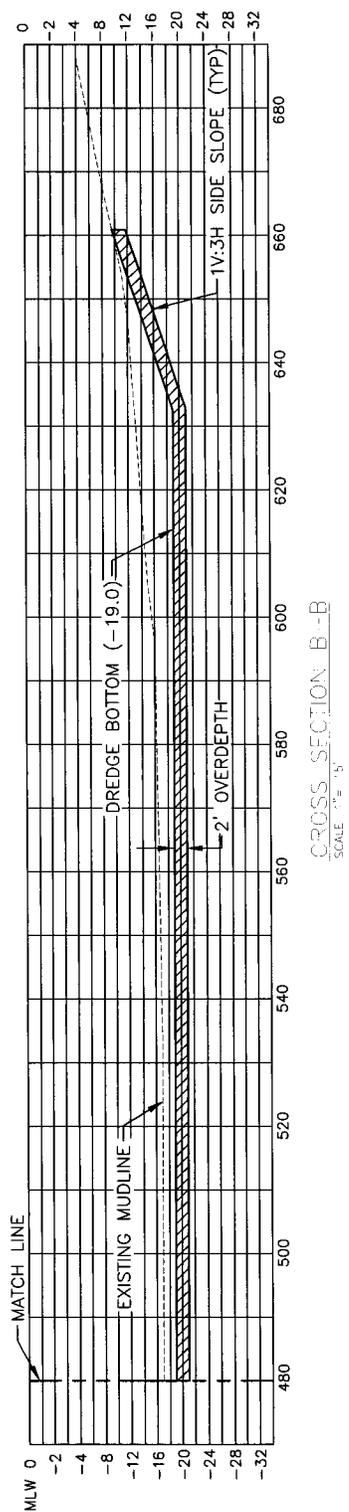
PURPOSE: TO CONDUCT MAINTENANCE  
DREDGING

DATUM: MEAN LOW WATER  
MLW = 0.0 FT.  
MHW = 4.15 FT.

- ADJACENT PROPERTY OWNERS:
1. NYC DEPT. OF BUSINESS SERVICES
  2. NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES
  3. LANDS UNDER WATER

IN: HUDSON RIVER  
AT: MANHATTAN  
COUNTY OF: NEW YORK  
STATE OF: NEW YORK

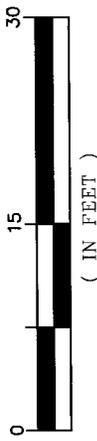
APPLICATION BY: PREPARED BY HDR ON  
BEHALF OF THE CITY OF  
NEW YORK DEPARTMENT  
OF SANITATION



NJAN-2012-01247-6MA

**SECTION VIEW  
B-B**

**MAINTENANCE DREDGING  
WEST 59th STREET MARINE  
TRANSFER STATION**



PURPOSE: TO CONDUCT MAINTENANCE  
DREDGING

DATUM: MEAN LOW WATER  
MLW = 0.0 FT.  
MHW = 4.15 FT.

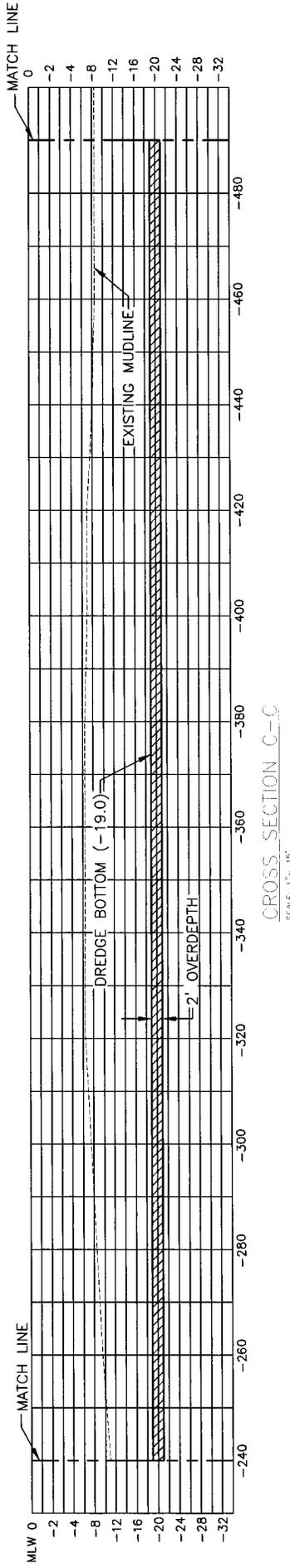
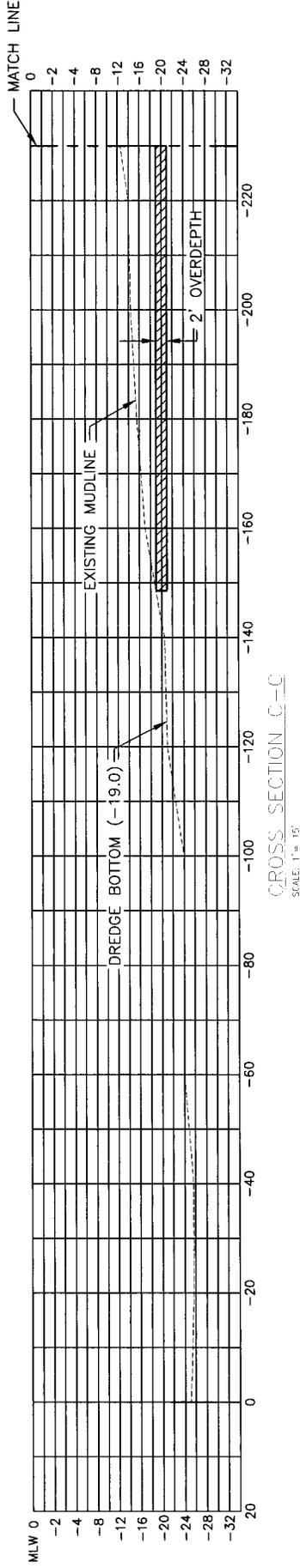
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IN: HUDSON RIVER  
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DATE: 9/2012  
REV.: 1/2013

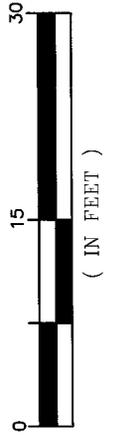
SHEET 5 OF 7



NJAN-2012-01247-EHA

**SECTION VIEW  
C-C**

**MAINTENANCE DREDGING  
WEST 59th STREET MARINE  
TRANSFER STATION**



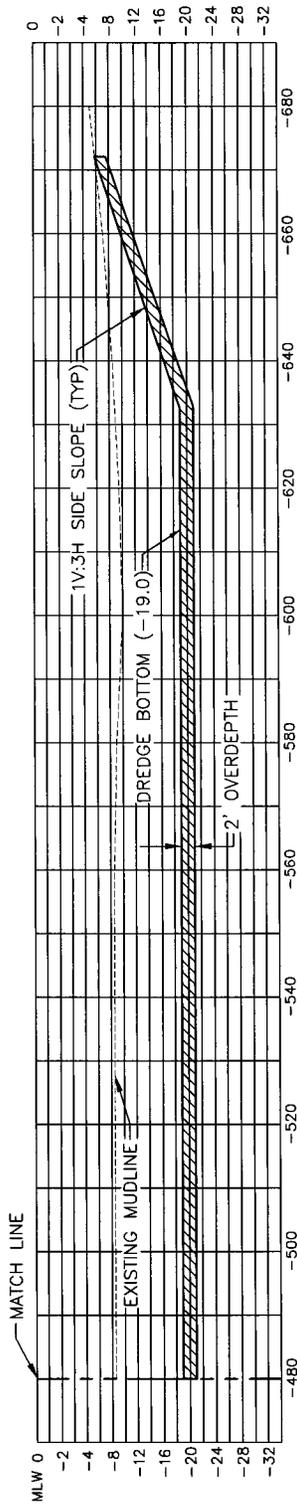
PURPOSE: TO CONDUCT MAINTENANCE DREDGING

DATUM: MEAN LOW WATER  
MLW = 0.0 FT.  
MHW = 4.15 FT.

- ADJACENT PROPERTY OWNERS:
1. NYC DEPT. OF BUSINESS SERVICES
  2. NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES
  3. LANDS UNDER WATER

IN: HUDSON RIVER  
AT: MANHATTAN  
COUNTY OF: NEW YORK  
STATE OF: NEW YORK

APPLICATION BY: PREPARED BY HDR ON  
BEHALF OF THE CITY OF  
NEW YORK DEPARTMENT  
OF SANITATION



CROSS SECTION C-C

SCALE: 1" = 15'

NAN-2012-01247-6 HA

**SECTION VIEW  
C-C**

**MAINTENANCE DREDGING  
WEST 59th STREET MARINE  
TRANSFER STATION**



PURPOSE: TO CONDUCT MAINTENANCE  
DREDGING

DATUM: MEAN LOW WATER  
MLW = 0.0 FT.  
MHW = 4.15 FT.

ADJACENT PROPERTY OWNERS:

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