



# 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-2014-01245-EYR**  
Issue Date: **December 4, 2014**  
Expiration Date: **January 3, 2015**

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:** NYC Economic Development Corporation  
110 William Street  
New York, NY 10038

**ACTIVITY:** Expand existing East 23<sup>rd</sup> Street Skyport Marina.

**WATERWAY:** East River

**LOCATION:** 2430 FDR Drive Service Road at East 23<sup>rd</sup> Street, Borough of Manhattan, City of New York, New York County, NY

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.

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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. Comments provided will become a part of the public record for this action.

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 construction work, fully described in the enclosed Work Description, could cause minimum disruption of habitat for various life stages of some EFH-designated species as a result of a minor short-term temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific minor adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of minor disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision on this permit application.

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.

Review 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 permit 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 application 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, the applicant's certification and accompanying information is available from the New York State Department of State Division of Coastal Resources, Coastal Management

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Program, 99 Washington Avenue – Suite 1010, Albany, New York 12231-0001, 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:

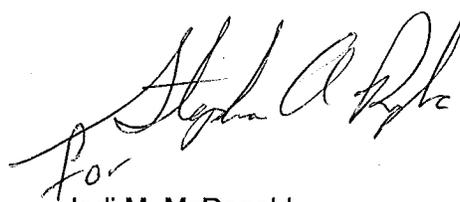
- New York State Department of Environmental Conservation

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) 790-8715 and ask for Mr. Robert Youhas.

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>.

A handwritten signature in black ink, appearing to read "Jodi M. McDonald". The signature is written in a cursive style and is positioned above the printed name and title.

Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

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### WORK DESCRIPTION

The permit applicant, NYC Development Corporation, has requested Department of the Army authorization to expand the existing East 23rd Street Skyport Marina. The regulated work would involve removal of existing ramps, floats, fender piles, fixed pier, and wave fencing and installation of the following structures:

- Walkway A: one 232-foot long by 12-foot wide walkway with 72-foot long by 4-foot wide ramp leading to a 3,083-square foot concrete platform;
- Docks A, B, and C: one 113-foot long by 10-foot wide fixed timber pier; one 95-foot long by 10-foot wide fixed timber pier; one 77-foot long by 10-foot wide fixed timber pier;
- Docks D, E, and F: three (3) 24-foot long by 4-foot wide ramps leading to three (3) 36-foot long by 8-foot wide floats;
- Docks G, H, and I: three (3) 36-foot long by 4-foot wide ramps leading to three (3) 72-foot long by 10-foot wide floats;
- Docks J, K, M, N, and O: one 72-foot long by 4-foot wide ramp leading to one 143-foot long by 16-foot wide landing float connected to the following finger floats: 108-foot long by 10 foot wide; one 63-foot long by 10-foot wide; two (2) 36-foot long by 10-foot wide; one 171-foot long by 10-foot wide; and one 15-foot long by 10-foot wide float leading to one 156-foot long by 24-foot wide seaplane float.
- Dock L: one 72-foot long by 4-foot wide ramp leading to one 166-foot long by 16-foot wide fueling float;
- Mooring field composed of fifteen (15) mooring buoys secured to the sea bottom with mushroom/fluke anchors.
- Timber and steel pipe wave attenuation system approximately 460-feet in length.

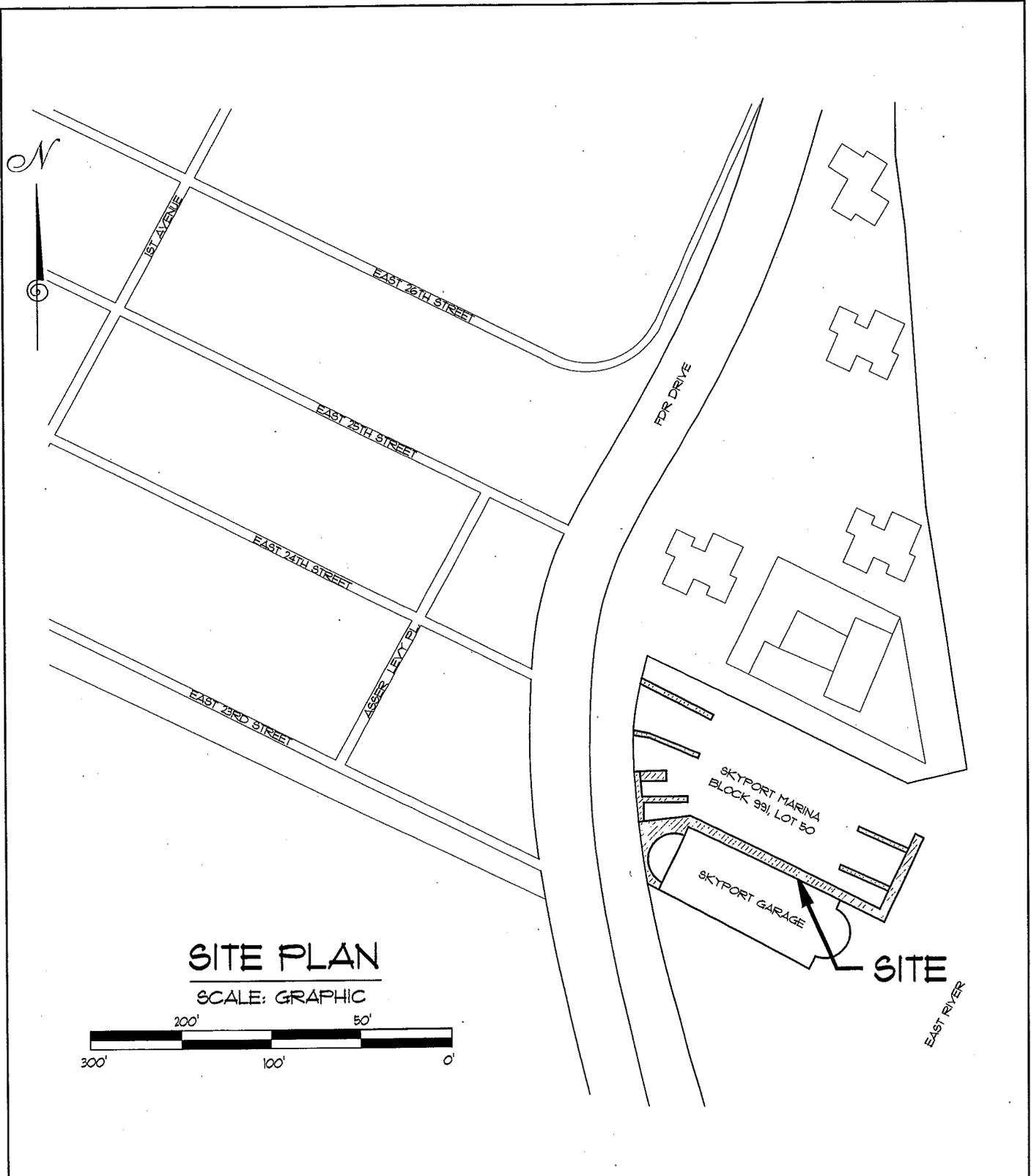
The proposed fixed and floating pier structure will extend from the existing Skyport Marina bulkhead to the U.S. Pier and Bulkhead Line of the East River. Additionally, installation of pile clusters and maintenance work consisting of bulkhead repairs and encapsulation of existing timber pile supports is proposed.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by limiting construction to the smallest area practicable to allow safe access by facility personnel and the general public.

The stated purpose of this project is to rehabilitate and expand Manhattan's sole public marina and seaplane terminal due to increased demand.

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NAN-2014-01245-EYR



**SITE PLAN**

SCALE: GRAPHIC



FOR PERMIT USE ONLY NOT  
FOR CONSTRUCTION

PURPOSE: REHABILITATION AND EXPANSION OF THE  
E. 23RD STREET SKYPORT MARINA

DATUM: NAVD 88 EL. 0.0

PREPARED BY: PENNMAX ENGINEERING, PLLC  
100 SOUTH BEDFORD ROAD, SUITE 340  
MT. KISCO N.Y. 10549

NEW YORK CITY ECONOMIC DEVELOPMENT CORP.

**SITE PLAN**

AGENT: TISHMAN / AECOM

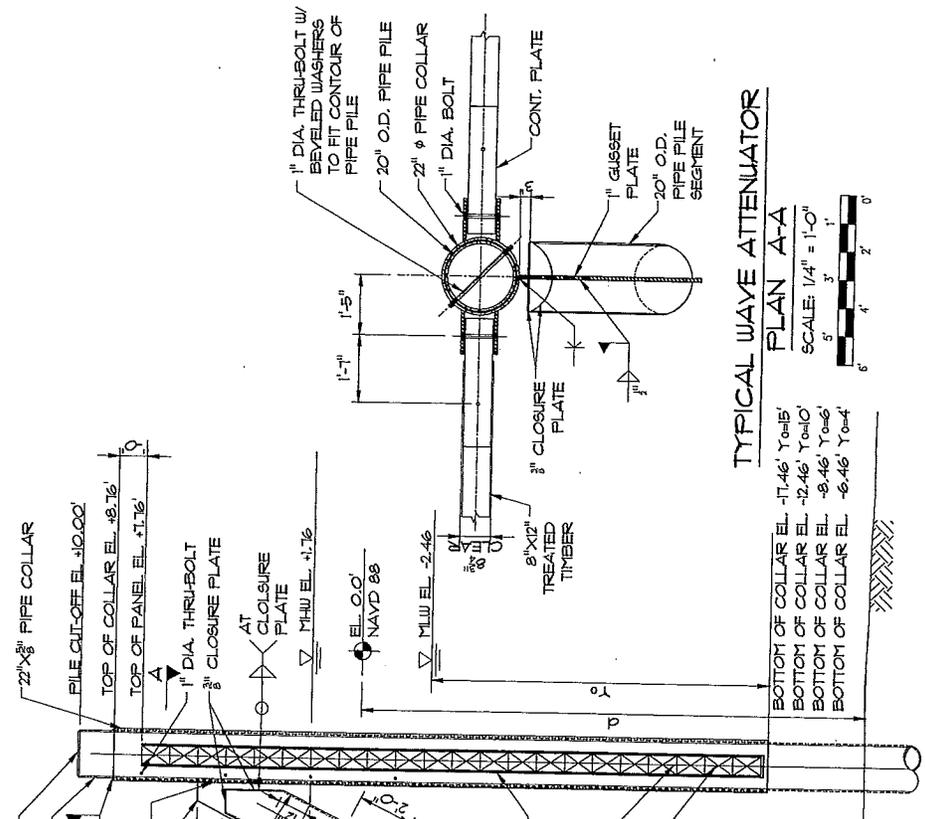
DATE: JUNE 2014

SHEET SK- 1



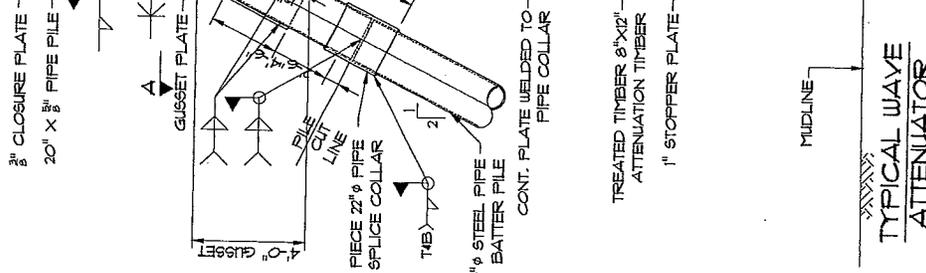


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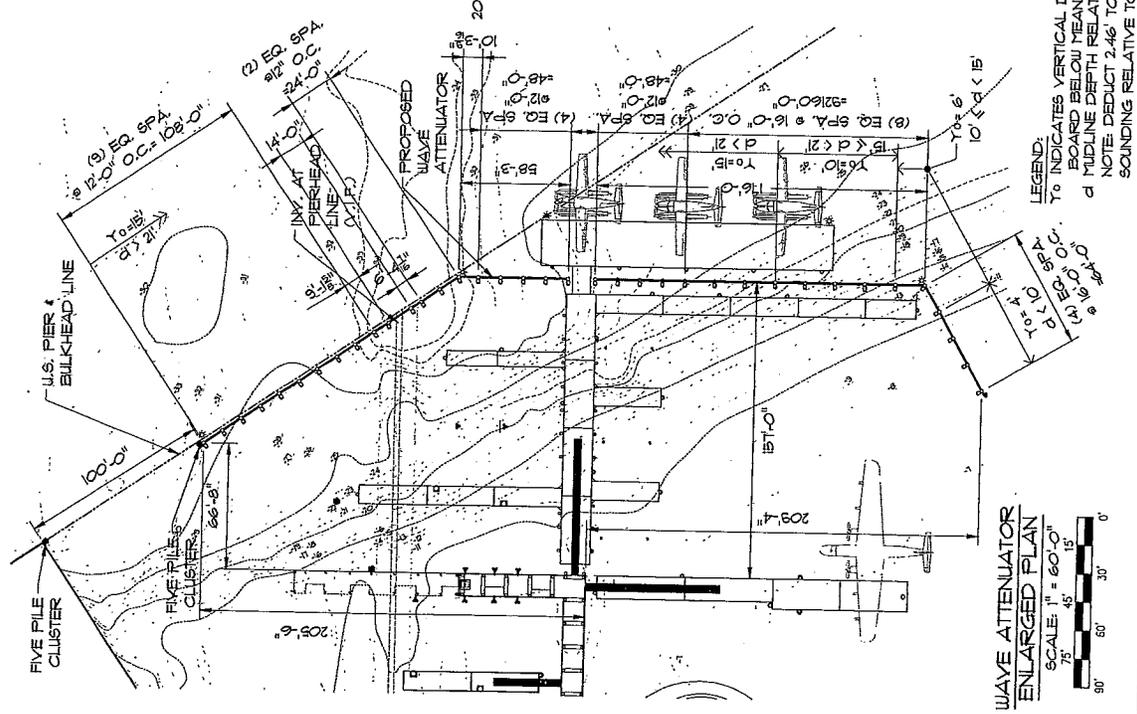
TYPICAL WAVE ATTENUATOR  
PLAN A-A

SCALE: 1/4" = 1'-0"  
5' 4' 2' 0'



TYPICAL WAVE ATTENUATOR  
ELEVATION

SCALE: 1/4" = 1'-0"  
5' 3' 1' 0'



WAVE ATTENUATOR  
ENLARGED PLAN

SCALE: 1" = 60'-0"  
75' 45' 15' 0'

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PURPOSE: REHABILITATION AND EXPANSION OF THE E. 23RD STREET SKYPORT MARINA

DATE: NAVD 88  
PREPARED BY: PENNIMAX ENGINEERING, PLLC  
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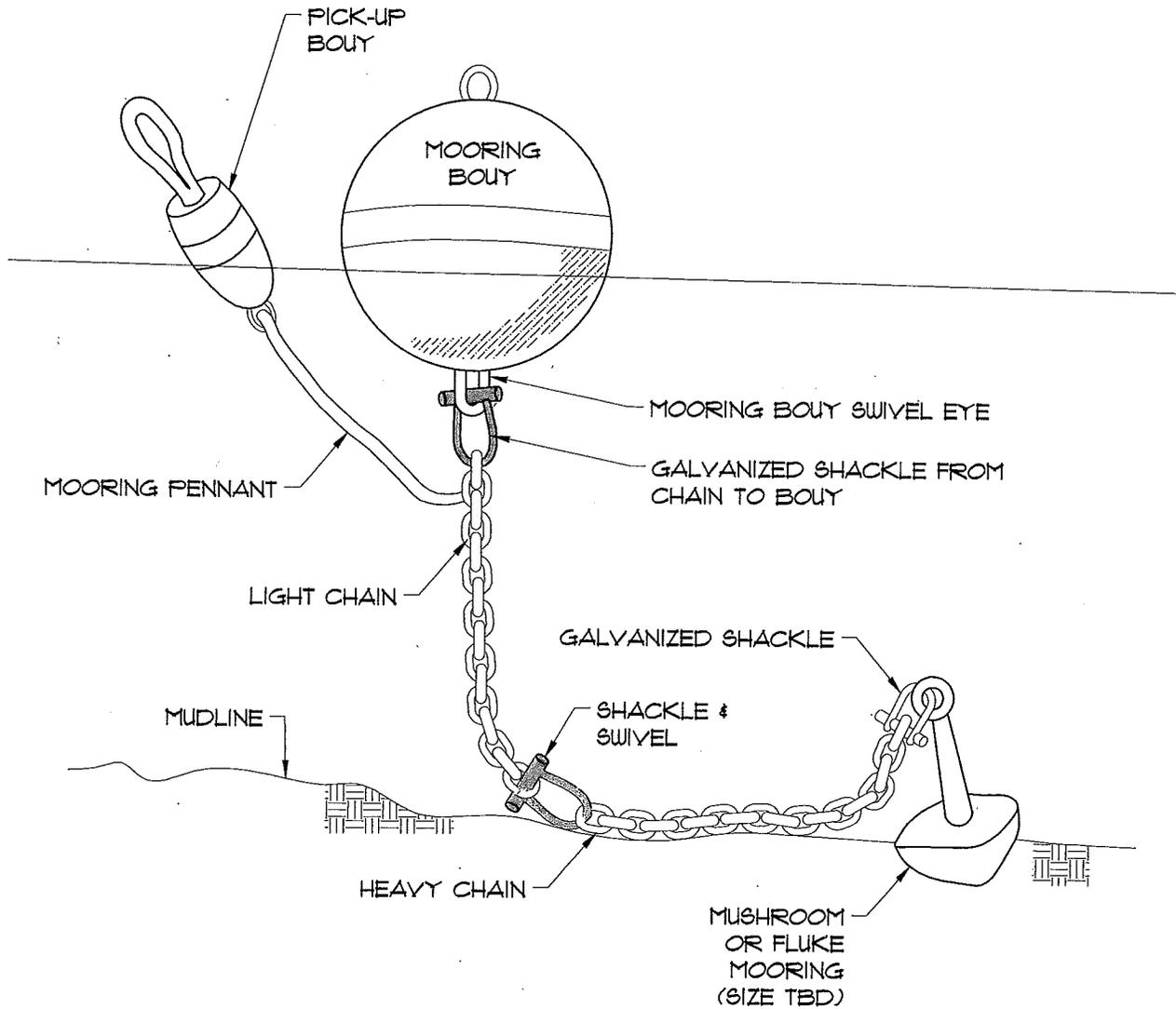
WAVE ATTENUATOR DETAILS

AGENT: TISHMAN / AECOM

DATE: JUNE 2014

SHEET BK-4

NAN-2014-01245-EYR



**SCHEMATIC MOORING**  
**BOUY DETAIL**

SCALE: N.T.S.

FOR PERMIT USE ONLY NOT  
FOR CONSTRUCTION

PURPOSE: REHABILITATION AND EXPANSION OF THE  
E. 23RD STREET SKYPORT MARINA

DATUM: NAVD 88 EL. 0.0

PREPARED BY: PENNMAX ENGINEERING, PLLC  
100 SOUTH BEDFORD ROAD, SUITE 340  
MT. KISCO N.Y. 10549

NEW YORK CITY ECONOMIC DEVELOPMENT CORP.

**MOORING BOUY DETAIL**

AGENT: TISHMAN / AECOM

DATE: JUNE 2014

SHEET 8K- 8