



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-2013-01502-ESW
Issue Date: March 4, 2014
Expiration Date: April 3, 2014

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: The Port Authority of New York and New Jersey
2 Gateway Center, 14th Floor
Newark, New Jersey 07102

ACTIVITY: Berthing Facility Maintenance with Associated Dredging

WATERWAY: Upper Bay, Gravesend Bay

LOCATION: Borough of Brooklyn, Kings 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.

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.

CENAN-OP-RE
PUBLIC NOTICE No. NAN-2013-01502-ESW

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.

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:

- New York State Department of Environmental Conservation

In order for us to better serve you, please complete our Customer Service Survey located at:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

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) 790-8618 and ask for Amanda Switzer.

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


for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

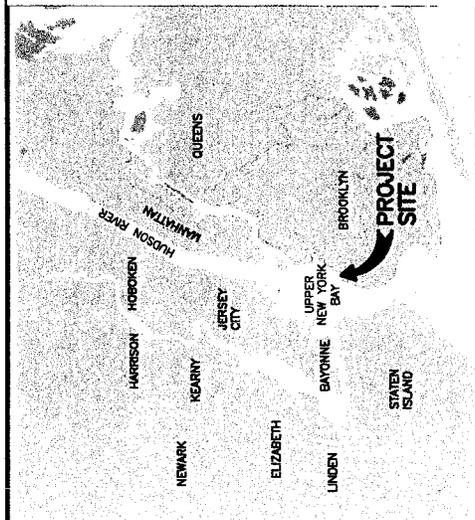
The applicant, the Port Authority of New York and New Jersey, has requested Department of the Army authorization to improve berthing facilities at the 65th Street Rail Yard in the Upper Bay in the Borough of Brooklyn, Kings County, New York.

The regulated work would consist of dredging and the replacement of the current fender and mooring systems to allow for simultaneous berthing of two four-track-wide car floats. The applicant will dredge approximately 23,662 cubic yards to 15 feet below Mean Low Water with one foot allowable overdepth. Dredged material is reported as consisting of mainly of Black Organic Silty Clay with an evident chemical sheen on the samples. Material will be directed to a temporary storage pond or container located on site before being transported for remediation. Remediation will include dewatering and mixed with a minimum of 8% Portland Cement.

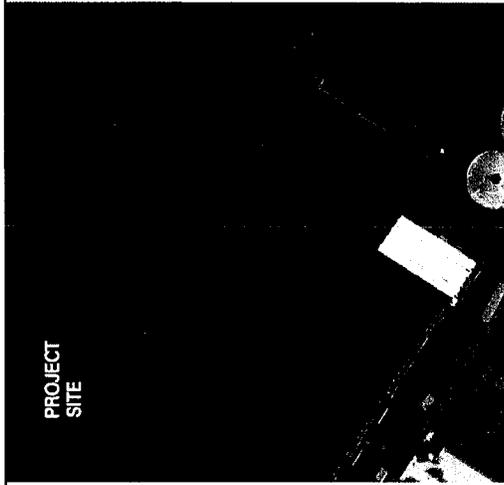
The new fender and mooring system would consist of installation of nine 60-inch diameter piles to support mooring/fendering monopiles driven to a depth of 90 feet below Mean Low Water. Installation of the piles will include discharge of approximately 98 cubic yards of fill over 2,655 cubic feet. All piles will be installed from work barges equipped with cranes and pile driving hammers.

The new fendering/mooring system will extend an additional 345 feet into Upper Bay. The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable. Most of the impacts associated with the maintenance project and dredging are temporary and would be offset by implementing best management practices. The use of a closed environmental bucket to dredge would provide the cleanest and least obtrusive method for sediment removal without damaging the sensitive environment. The operator will avoid full bucket loads to minimize the risk of sediment resuspension in the water column. The operator will not use any barge overflow. The vibratory hammer being used to drive the piles will be equipped with a cushion block and bubble curtain where applicable.

The stated purpose of this regulated work is to upgrade existing facilities to accommodate growth in the larger float size needed to transport the increased volume of goods.



VICINITY MAP
N.T.S.



PROJECT SITE

LOCATION PLAN
N.T.S.

DRAWING INDEX	
DWG. NO.	DRAWING TITLE
SK401	VICINITY MAP, LOCATION PLAN AND DRAWING INDEX
SK402	DEMOLITION PLAN
SK403	SITE PLAN
SK404	DREDGE PLAN
SK405	ELEVATIONS AT NORTH BASELINE
SK406	ELEVATIONS AT SOUTH BASELINE
SK407	MONOPILE FENDER SECTION AND DETAIL

NOTES:

- DIRECTIONS TO SITE: FROM 1-278/BROOKLYN-QUEENS EXPRESSWAY MERGE ONTO BELT PARKWAY/SHORE PARKWAY. TAKE EXIT 1 TOWARD 65-67 STREETS. MERGE ONTO SHORE ROAD AND TAKE EXIT TOWARD 2ND AVENUE/RIDGE BLVD. TURN LEFT AT 2ND AVENUE. ENTRANCE ON LEFT AT 63RD AVENUE.
- PROJECT SITE ADDRESS:
BROOKLYN, NY 11220
- APPLICANT:
PORT AUTHORITY OF NEW YORK AND NEW JERSEY
- PROPOSED PROJECT:
IN THE UPPER NEW YORK BAY, KINGS COUNTY, STATE OF NEW YORK
LATITUDE: N 40°38'38"
LONGITUDE: E 74°01'57"
- PROJECT DESCRIPTION:
-REMOVAL OF EXISTING MARINE TIMBER FENDER AND MOORING STRUCTURES
-INSTALLATION OF NEW MARINE FENDER AND MOORING STRUCTURES
-MAINTENANCE DREDGING
- OVER-WATER COVERAGE:
-EXISTING TO BE REMOVED = 4,500 SF
-NEW = 1,500 SF
- PILING:
-EXISTING TO BE REMOVED: (100) 14"Ø TIMBER PILING, (76) W10x68, (7) 30"Ø STEEL PIPE PILING.
-NEW: (9) 60"Ø STEEL PIPE PILING
- PLAN DIMENSIONS ARE MEASURED IN A TRUE HORIZONTAL PLANE, UNLESS NOTED OTHERWISE. VERTICAL DIMENSIONS ARE MEASURED IN A TRUE VERTICAL PLANE, UNLESS NOTED OTHERWISE.
- REFER TO SPECIFICATIONS, GEOTECHNICAL DATA REPORT AND GEOTECHNICAL INTERPRETIVE REPORT FOR ADDITIONAL INFORMATION, REQUIREMENTS, AND RESTRICTIONS AND DIRECTIONS REGARDING THE DESIGN AND CONSTRUCTION OF THE PROJECT.
- ALL DESIGN FOR THE PROJECT, EXCEPT AS DIRECTED BY THE PORT AUTHORITY SHALL BE IN ACCORDANCE WITH PROJECT DESIGN CRITERIA AND PROJECT SPECIFICATIONS.
- CONSTRUCTION ACTIVITIES SHALL BE CONFINED WITHIN THE RIGHT-OF-WAY PROVIDED AND AREAS DESIGNATED FOR CONSTRUCTION STAGING.
- THE DESIGN SHALL FOLLOW ALL FEDERAL, STATE, AND LOCAL ORDINANCES APPLICABLE TO THE REMOVAL, DISPOSAL, AND TRANSPORT OF ALL EXCAVATED MATERIAL.

SURVEY DATUM:

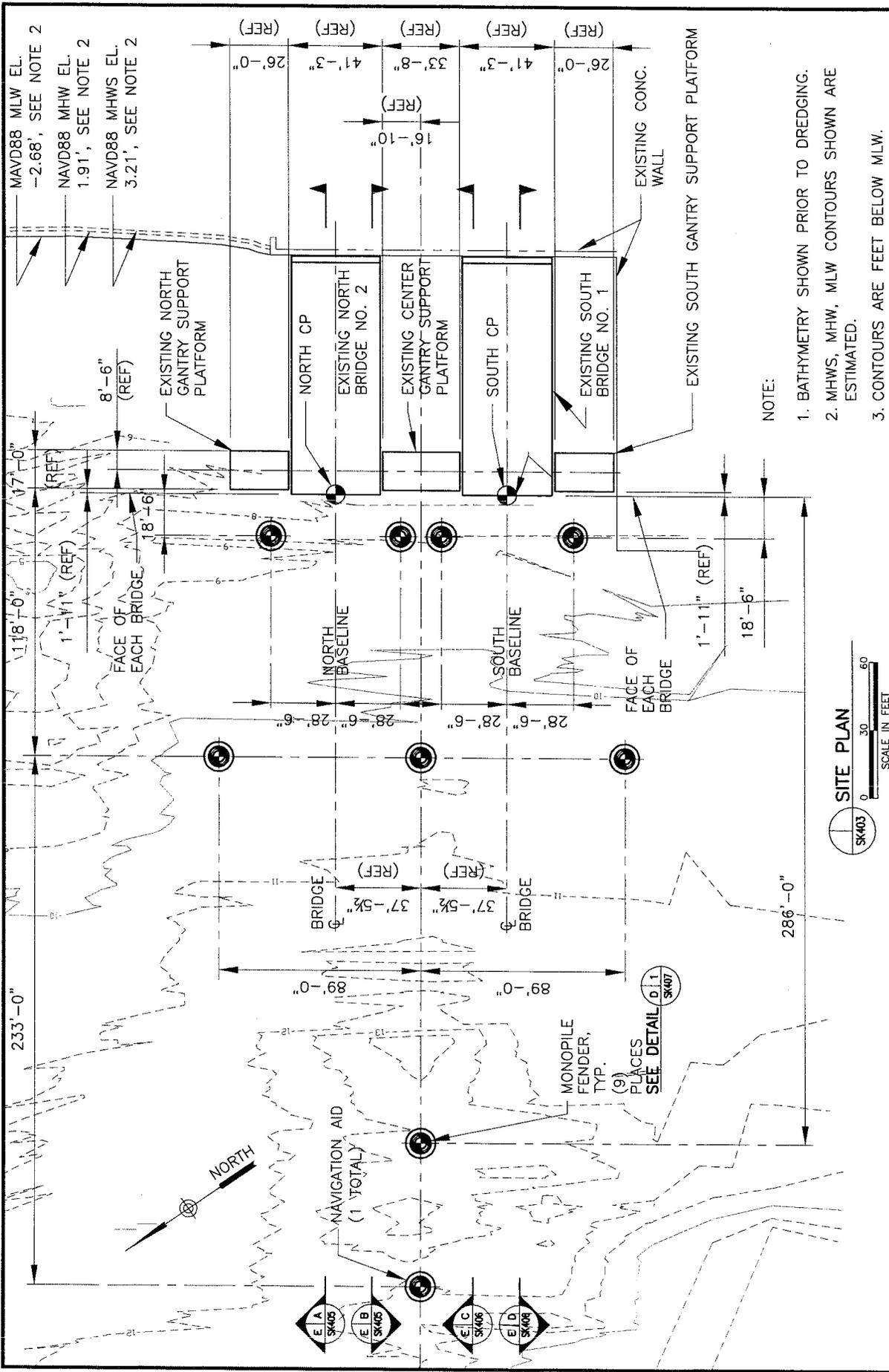
- HORIZONTAL: HORIZONTAL CONTROL FOR THE PROJECT IS THE CENTER EAST EDGE OF EACH BRIDGE NO. 1 AND NO. 2.
- VERTICAL: THE REFERENCE DATUM IS 0.00', ESTABLISHED BY NAVD88.

TIDAL INFORMATION

MHWS	+3.21'
MHHW	+2.26'
MHW	+1.91'
MLW	-2.68'
MLLW	-2.89'

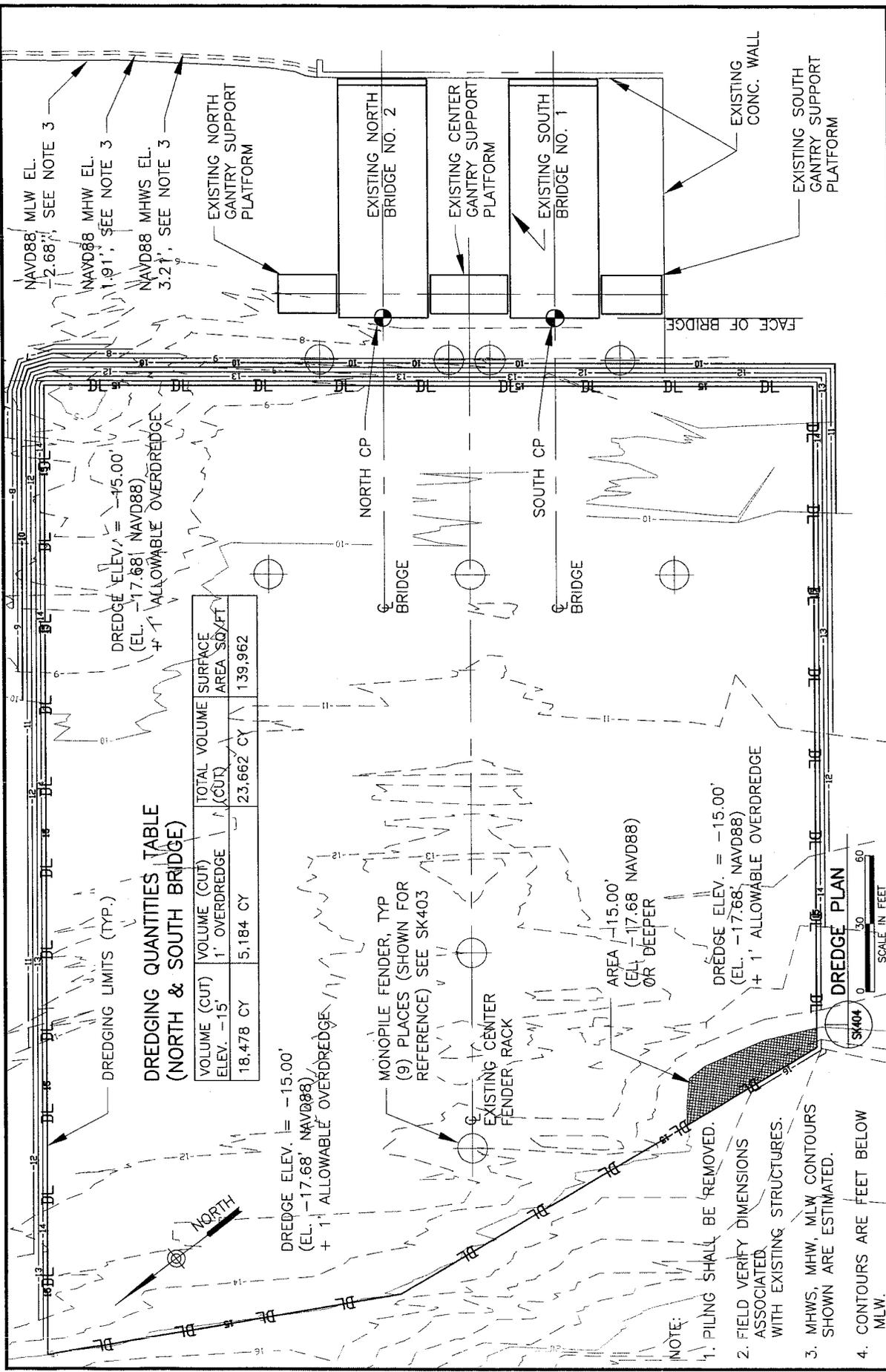
FOR ENVIRONMENTAL PERMITTING PURPOSES ONLY
DO NOT USE FOR CONSTRUCTION

THE PORT AUTHORITY OF NY & NJ	NEW YORK AND NEW JERSEY RAILROAD, LLO	Discipline	ENGINEERING DEP. TITLE SHEET, DRAWING INDEX, VICINITY MAP AND LOCATION PLAN	Date	03/15/2013	1 of 7
		T. FISHER Designed by	A. KABANUK Drawn by	R. LEE Checked by	NYNJR-644.536 Contract Number	12189000 PID Number



<p>MAVD88 MLW EL. -2.68', SEE NOTE 2</p> <p>NAVD88 MHW EL. 1.91', SEE NOTE 2</p> <p>NAVD88 MHSW EL. 3.21', SEE NOTE 2</p>	<p>26'-0" (REF)</p> <p>41'-3" (REF)</p> <p>33'-8" (REF)</p> <p>41'-3" (REF)</p> <p>26'-0" (REF)</p>	<p>03/15/2013</p> <p>Date</p>	<p>3 of 7</p>
	<p>16'-10" (REF)</p> <p>EXISTING NORTH BRIDGE NO. 2</p> <p>EXISTING CENTER GANTRY-SUPPORT PLATFORM</p> <p>SOUTH CP</p> <p>EXISTING SOUTH BRIDGE NO. 1</p> <p>EXISTING CONC. WALL</p> <p>EXISTING SOUTH GANTRY SUPPORT PLATFORM</p>	<p>NYNJR-644,536</p> <p>Contract Number</p> <p>12189000</p> <p>PID Number</p>	<p>ENGINEERING DEP.</p>
<p>8'-6" (REF)</p> <p>EXISTING NORTH GANTRY SUPPORT PLATFORM</p> <p>NORTH CP</p> <p>EXISTING SOUTH BRIDGE NO. 1</p> <p>EXISTING SOUTH GANTRY SUPPORT PLATFORM</p>	<p>118'-0" (REF)</p> <p>1'-11" (REF)</p> <p>FACE OF EACH BRIDGE</p> <p>18'-6"</p> <p>1'-11" (REF)</p> <p>18'-6"</p>	<p>Discipline</p>	<p>SITE PLAN</p>
<p>233'-0"</p> <p>118'-0" (REF)</p> <p>1'-11" (REF)</p> <p>FACE OF EACH BRIDGE</p> <p>18'-6"</p> <p>1'-11" (REF)</p> <p>18'-6"</p> <p>286'-0"</p>	<p>NOTE:</p> <ol style="list-style-type: none"> BATHYMETRY SHOWN PRIOR TO DREDGING. MHSW, MHW, MLW CONTOURS SHOWN ARE ESTIMATED. CONTOURS ARE FEET BELOW MLW. 	<p>NEW YORK AND NEW JERSEY RAILROAD, LLC</p> <p>CROSS HARBOR FREIGHT PROGRAM FENDER AND MOORING SYSTEM SLIP No. 182 AT 6TH STREET RAIL YARD</p>	<p>THE PORT AUTHORITY OF NY & NJ</p> <p>T. FISHER</p> <p>Designed by</p>
<p>MONOPILE FENDER, TYP. (9)</p> <p>PLACES SEE DETAIL D.11 (SK407)</p>	<p>SCALE IN FEET</p> <p>0 30 60</p>	<p>R. LEE</p> <p>Checked by</p>	<p>A. KABANUK</p> <p>Drawn by</p>
<p>NAVIGATION AID (1 TOTAL)</p>	<p>SK403</p>	<p>FOR ENVIRONMENTAL PERMITTING PURPOSES ONLY</p> <p>DO NOT USE FOR CONSTRUCTION</p>	<p>SK403</p> <p>Drawing Number</p>

NAN-2013-01502-ESW



THE PORT AUTHORITY OF NY & NJ

NEW YORK AND NEW JERSEY RAILROAD, LLC

CROSS HARBOR FREIGHT PROGRAM FENDER AND MOORING SYSTEM SLIP No. 182 AT 68TH STREET RAIL YARD

Discipline: **ENGINEERING DEP.**
 DREDGE PLAN

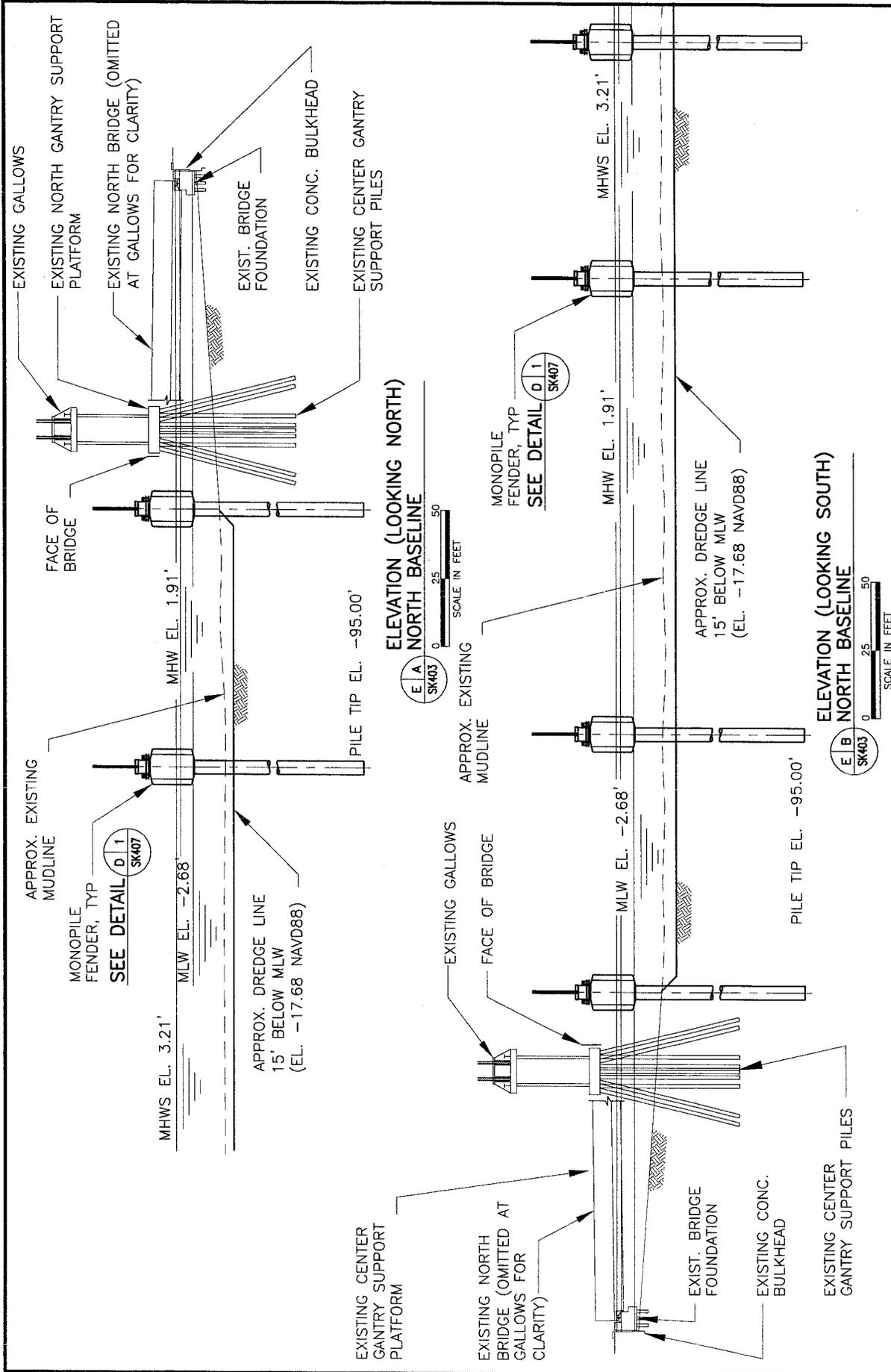
Date: **03/15/2013**
 Contract Number: **NYNJR-644.536**
 PID Number: **12189000**

Workorder Number: **4** of **7**
 Drawing Number: **SK404**

Designed by: **T. FISHER**
 Drawn by: **A. KABANUK**
 Checked by: **R. LEE**

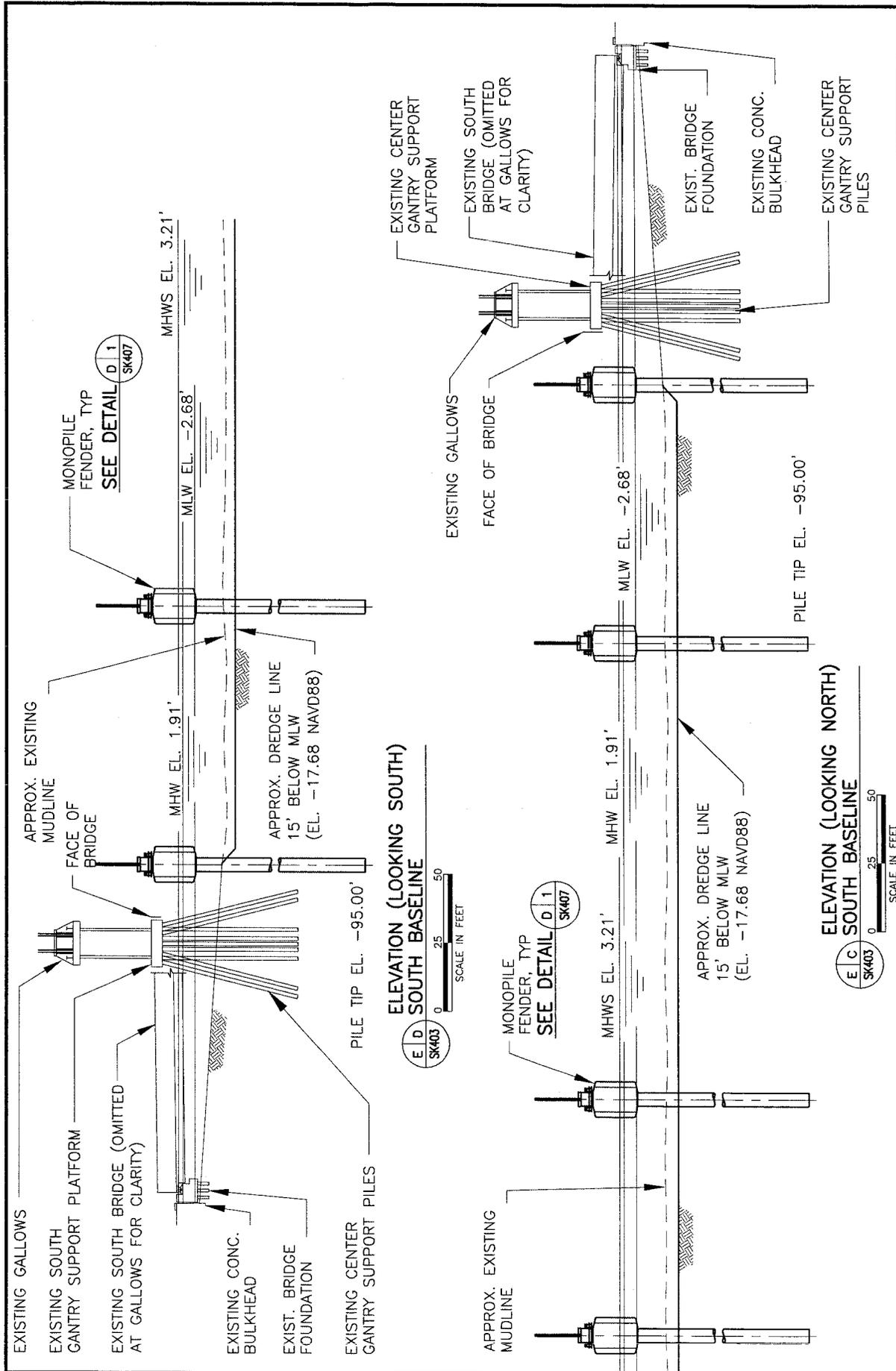
FOR ENVIRONMENTAL PERMITTING PURPOSES ONLY
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NAN-2013-01502-ESW



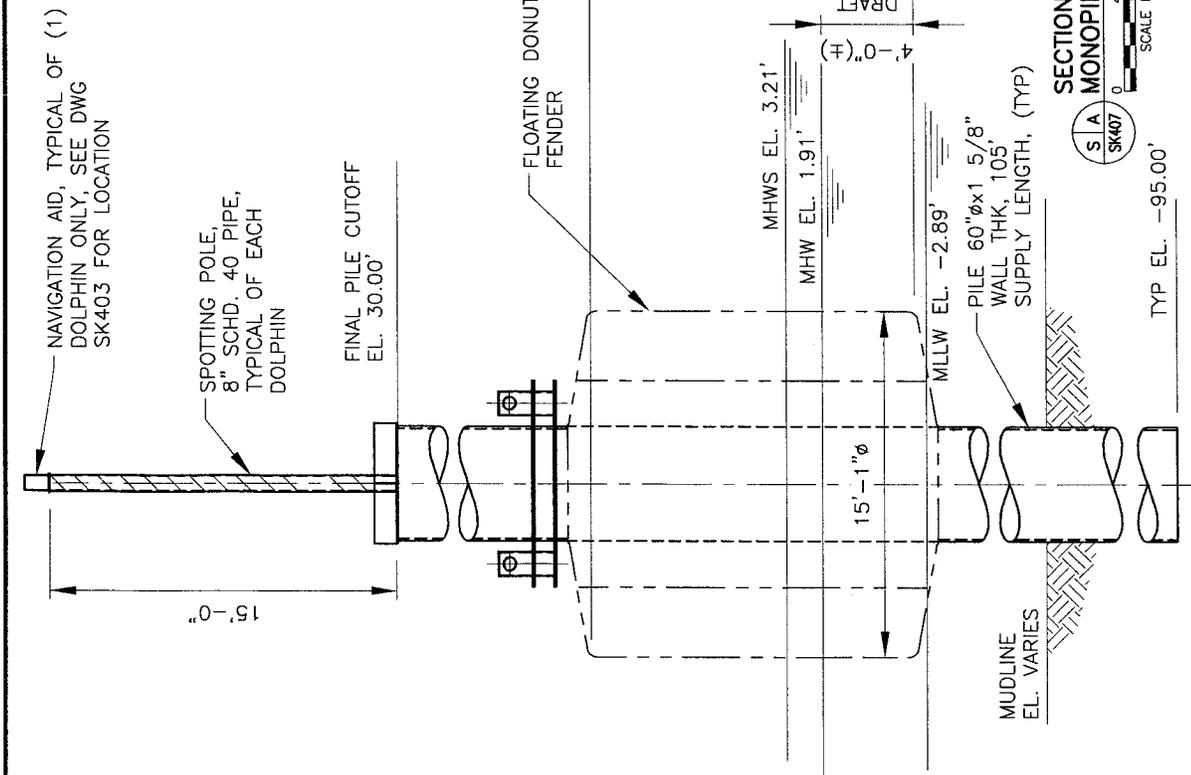
THE PORT AUTHORITY OF NY & NJ T. FISHER Designed by	A. KABANUK Drawn by	R. LEE Checked by	NEW YORK AND NEW JERSEY RAILROAD, LLC CROSS HARBOR FREIGHT PROGRAM FENDER AND MOORING SYSTEM SLIP No. 182 AT 66TH STREET RAIL YARD	Discipline ENGINEERING DEP. ELEVATIONS AT NORTH BASELINE	Date 03/15/2013	Workorder Number NYNJR-644.536
					Contract Number 12189000	PID Number SK405

FOR ENVIRONMENTAL PERMITTING PURPOSES ONLY
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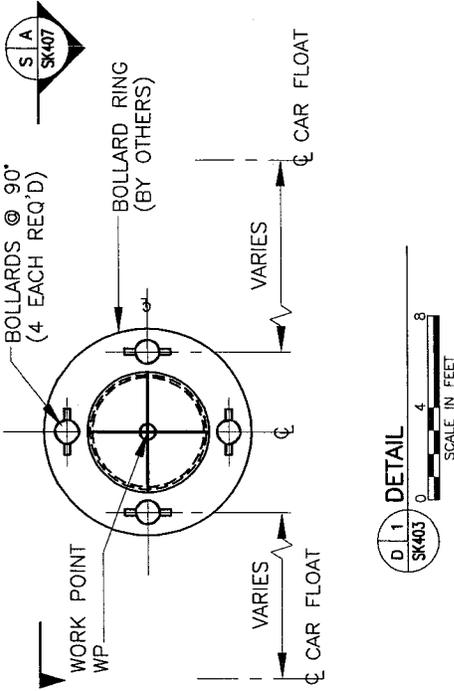


FOR ENVIRONMENTAL PERMITTING PURPOSES ONLY DO NOT USE FOR CONSTRUCTION	THE PORT AUTHORITY OF NY & NJ	NEW YORK AND NEW JERSEY RAILROAD, LLC	Discipline ENGINEERING DEP.	Date 03/15/2013	Workorder Number 6 of 7
	Designed by T. FISHER	Drawn by A. KABANUK	Program CROSS HARBOR FREIGHT PROGRAM FENDER AND MOORING SYSTEM SLIP No. 1 & 2 AT 66TH STREET RAIL YARD	Contract Number NYNJ-644.536	Drawing Number SK406

NAN-2013-01502-ESW



NOTE:
 1. PILING CONFIGURATION NUMBER AND SIZE SUBJECT TO CHANGE, PENDING GEOTECHNICAL RECOMMENDATIONS.



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THE PORT AUTHORITY OF NY & NJ	NEW YORK AND NEW JERSEY RAILROAD, LLO	Discipline ENGINEERING DEP.	Date 03/15/2013	Worker Number 7 of 7
		Program CROSS HARBOR FREIGHT PROGRAM FENDER AND MOORING SYSTEM SLIP No. 18.2 AT 65TH STREET RAIL YARD	Contract Number NYNJR-644.536	Drawing Number SK407
Designed by T.FISHER	Drawn by A.KABANUK	Checked by R.LEE	PID Number 12189000	PID Number 12189000

NAN-2013-01502-ESW