



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-2014-01242-EYR**
Issue Date: **November 14, 2014**
Expiration Date: **December 14, 2014**

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: May Ship Repair Contracting Corporation
3075 Richmond Terrace
Staten Island, NY 10303

ACTIVITY: Construct two concrete pier structures at existing shipyard facility.

WATERWAY: Kill Van Kull

LOCATION: 3075 Richmond Terrace, Borough of Staten Island, City of New York, Richmond 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

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New York State Department of State Division of Coastal Resources, Coastal Management 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>.


for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

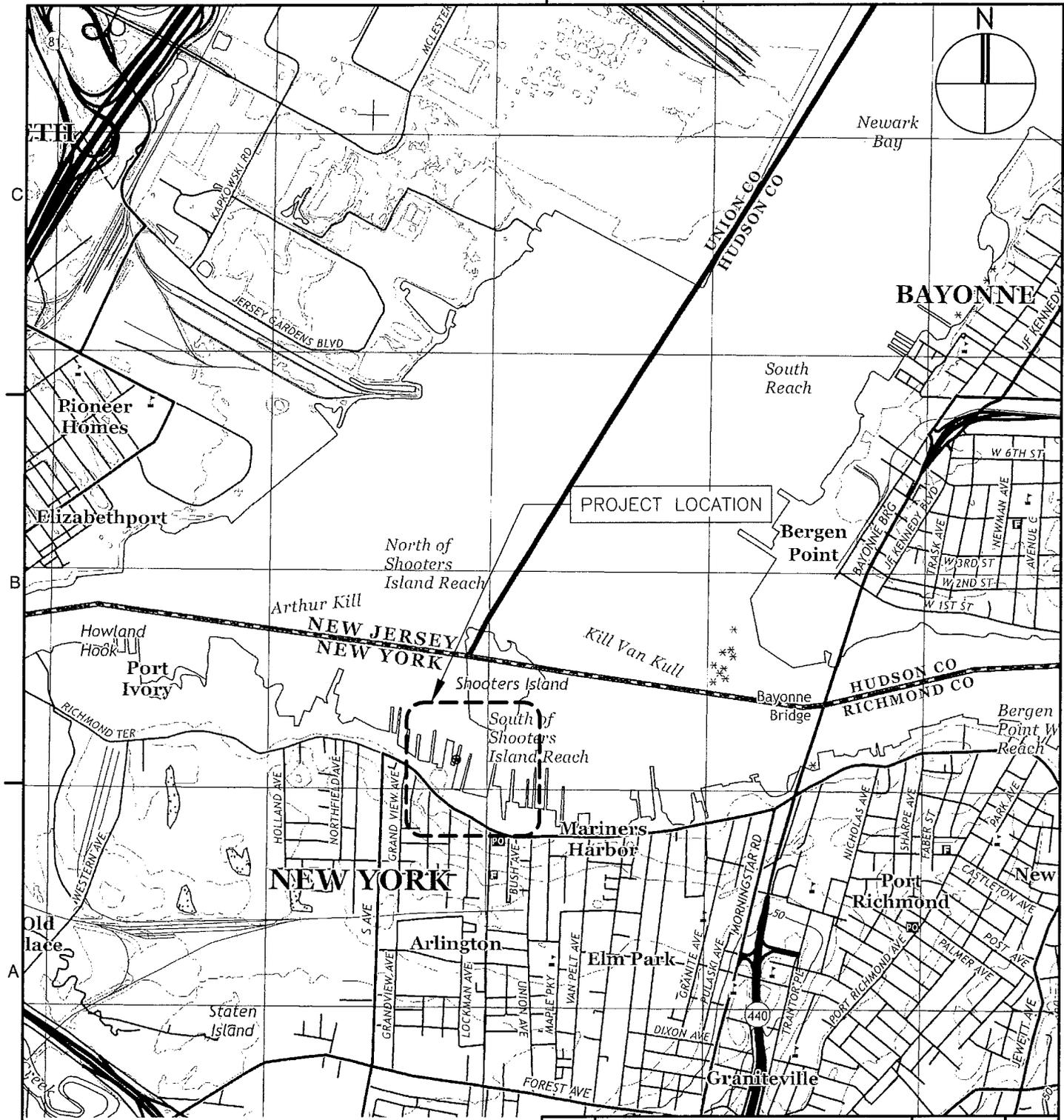
The permit applicant, May Ship Repair Contracting Corp., has requested Department of the Army authorization to demolish an existing wharf and construct two (2) 150-foot long by 12-foot wide concrete finger piers attached to two (2) 36-foot long by 15-foot wide concrete wharf piers for installation of a mobile boat hoist. Both concrete structures will be supported by a total of ninety-eight (98), 16-inch diameter, concrete-filled, steel pilings. The project is located in the Kill Van Kull at the May Ship Repair boat basin in the Borough of Staten Island, City of New York, Richmond County, NY.

The proposed fixed, concrete pier structures will extend approximately 186-linear feet from the existing bulkhead into the Kill Van Kull.

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 and by designing the concrete pier structures in accordance with the boat hoist manufacturer's engineering specifications and safety guidelines.

The stated purpose of this project is to provide new boat hoist facilities for the construction and repair of large vessels which would be the first of its size in the New York City area.

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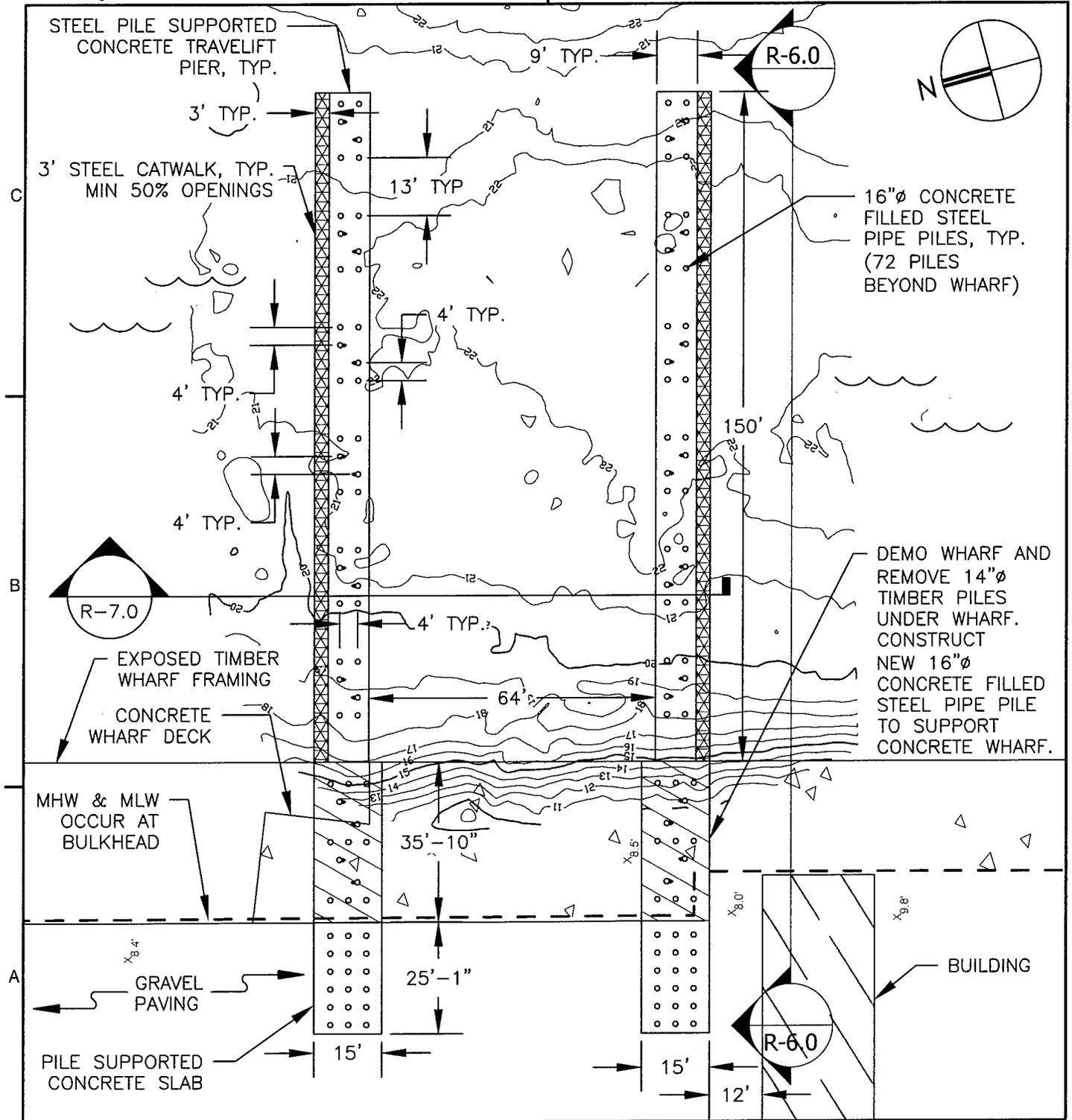


MARK	DESCRIPTION	DATE	APPR.
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USACE#:
NYSDEC#: 2-6401-00119/02001
USGS Quad: Elizabeth
Waterway: Kill Van Kull
Lat: 40° 38' 24" N Long: 79° 09' 40.1" W
Datum: NAVD88

USGS QUAD
Finger Piers for Travel Lift May Ship Repair Contracting Corp 3075 Richmond Terrace Staten Island, NY
Scale: 1 : 24,000

BlueShore ENGINEERING LLC TEANECK, NJ (201)645-3086 RWG@BLUESHORELLC.COM
R-1.0
September 9, 2014
Sheet 1



MARK	DESCRIPTION	DATE	APPR.
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USACE#:
NYSDEC#: 2-6401-00119/02001
USGS Quad: Elizabeth
Waterway: Kill Van Kull
Lat: 40° 38' 24" N Long: 79° 09' 40.1" W
Datum: NAVD88

PIER DETAL PLAN	
Finger Piers for Travel Lift	
May Ship Repair Contracting Corp	
3075 Richmond Terrace	
Staten Island, NY	
Scale: 1" = 30'	September 9, 2014

BlueShore
 ENGINEERING LLC
 TEANECK, NJ (201)645-3086
 RWG@BLUESHORELLC.COM

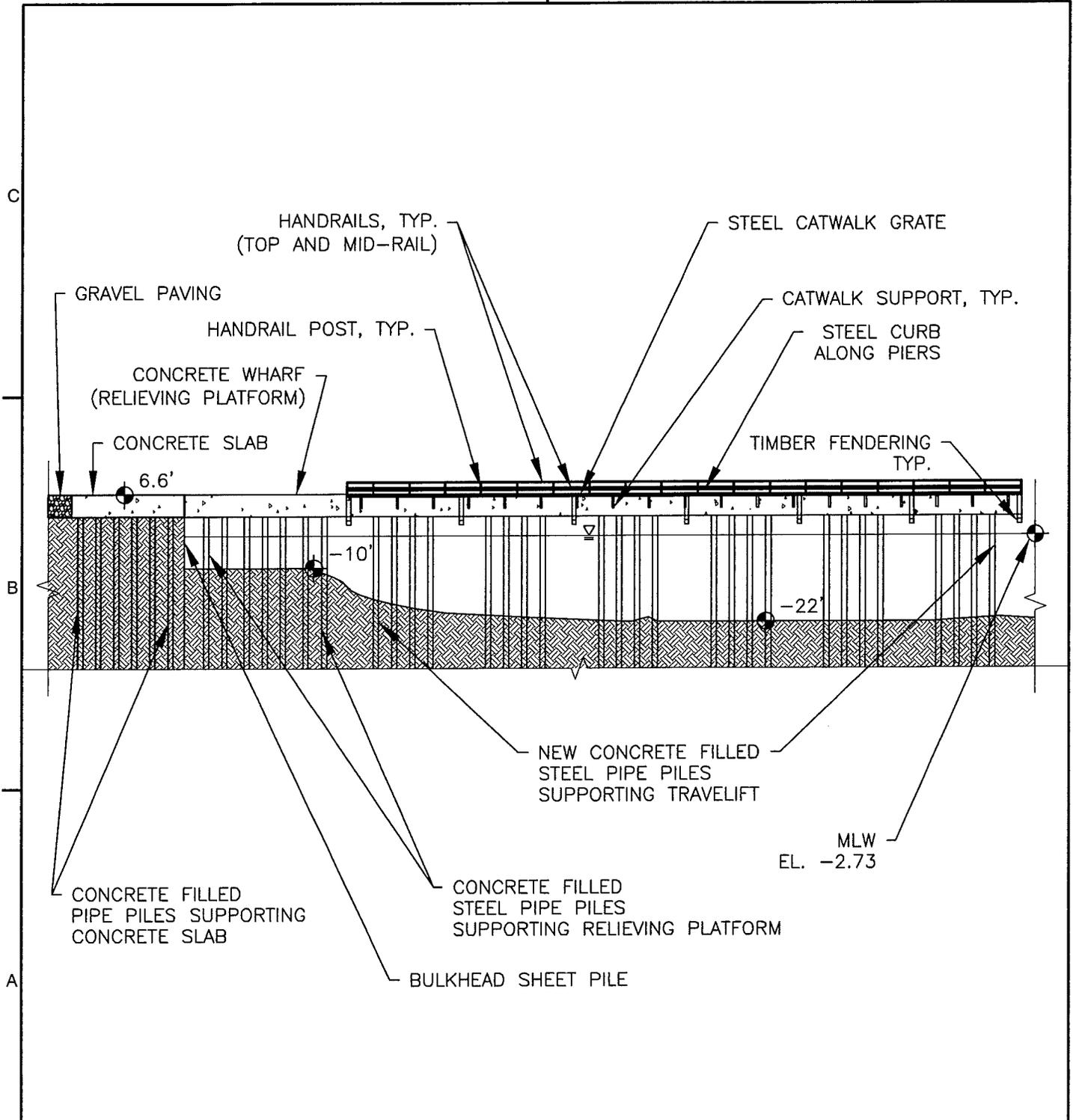
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Sheet 6

NAN-

2014-01242

- EYK



MARK	DESCRIPTION	DATE	APPR.
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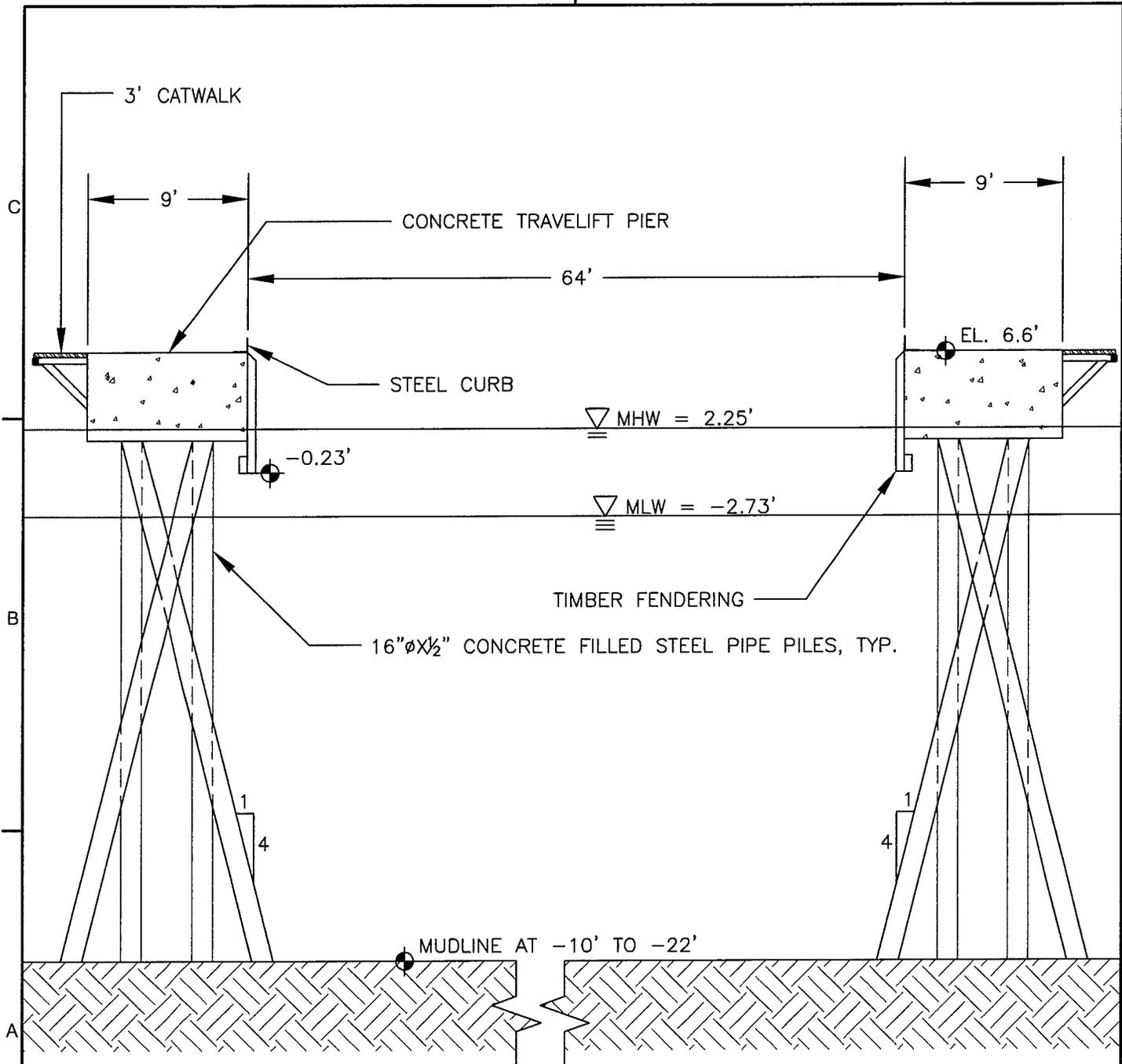
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PIER PROFILE	
Finger Piers for Travel Lift	
May Ship Repair Contracting Corp	
3075 Richmond Terrace	
Staten Island, NY	
Scale: 1" = 30'	September 9, 2014

BlueShore
 ENGINEERING LLC
 TEANECK, NJ (201)645-3086
 RWG@BLUESHORELLC.COM

R-6.0

Sheet 7



USACE#:
 NYSDEC#: 2-6401-00119/02001
 USGS Quad: Elizabeth
 Waterway: Kill Van Kull
 Lat: 40° 38' 24" N Long: 79° 09' 40.1" W
 Datum: NAVD88

MARK	DESCRIPTION	DATE	APPR.
	PIER SECTION		
	Finger Piers for Travel Lift May Ship Repair Contracting Corp 3075 Richmond Terrace Staten Island, NY		
	Scale: 1/8" = 1'-0"	September 9, 2014	

BlueShore
 ENGINEERING LLC
 TEANECK, NJ (201)645-3086
 RWG@BLUESHORELLC.COM

R-7.0

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