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-2013-00118**
Issue Date: **February 12, 2015**
Expiration Date: **March 14, 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: New York City Department of Parks and Recreation
World's Fair Marina
125-00 Northern Boulevard
Flushing, NY 11368

ACTIVITY: Construct one fixed concrete platform and ramp at the Dyckman Street Marina.

WATERWAY: Hudson River

LOCATION: Dyckman Street and Henry Hudson Parkway, 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.

*****PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE*****

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.

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 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 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) 790-8515 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.

Sincerely,

for
Jodi M. McDonald
Chief, Regulatory Branch

Enclosures

*****PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH THIS OFFICE*****

WORK DESCRIPTION

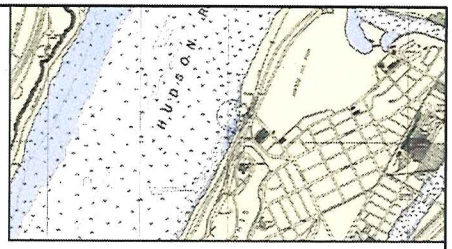
The permit applicant, New York City Department of Parks and Recreation, has requested Department of the Army authorization to modify existing USACE permit NAN-2013-00118 by constructing one 38-foot long by 4-foot wide ramp leading to one 60-foot long by 20-foot wide fixed concrete platform supported by four (4) 2-foot diameter concrete-filled steel pipe pilings. The project is located in the Hudson River at the Dyckman Street Marina in the Borough of Manhattan, City of New York, New York County, NY.

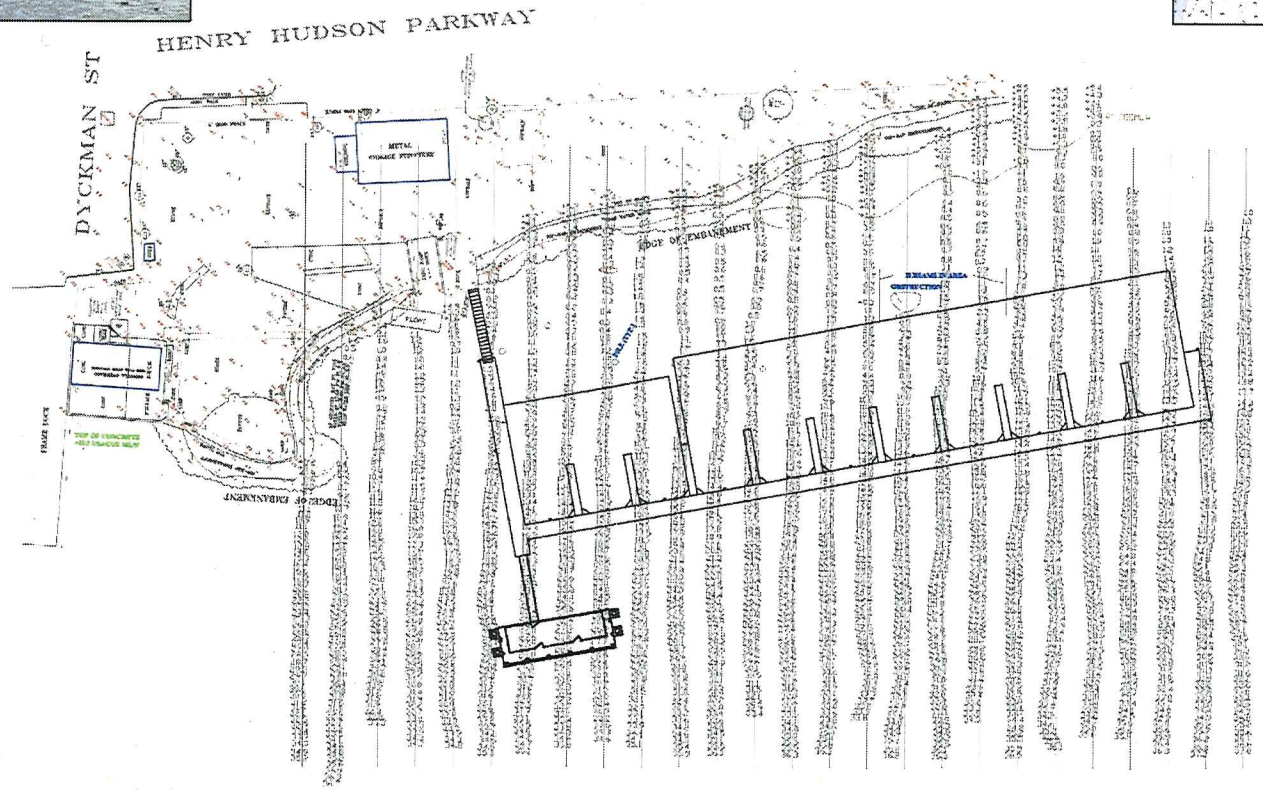
The proposed fixed, concrete platform structure will extend the Dyckman Street Marina by approximately 50-linear feet into the Hudson River. The total structure will extend approximately 195-linear feet from the existing bulkhead into the Hudson River.

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 platform to comparable specifications of other community "eco docks" and in accordance with public safety guidelines.

The stated purpose of this project is to provide dockage facilities for historical and educational vessels and for hosting community events and activities.

NAN-2013-00118





NOTES

1. BASE PLAN TAKEN FROM FATHOMETRIC SURVEY PREPARED BY HYDROGRAPHIC SURVEYS DATED AUGUST 1, 2008.
2. ALL SOUNDINGS ARE IN FEET AND TENTHS AND REFER TO USACOE MEAN LOW WATER.
3. ALL SOUNDINGS ARE NEGATIVE UNLESS SHOWN WITH A PLUS (+).

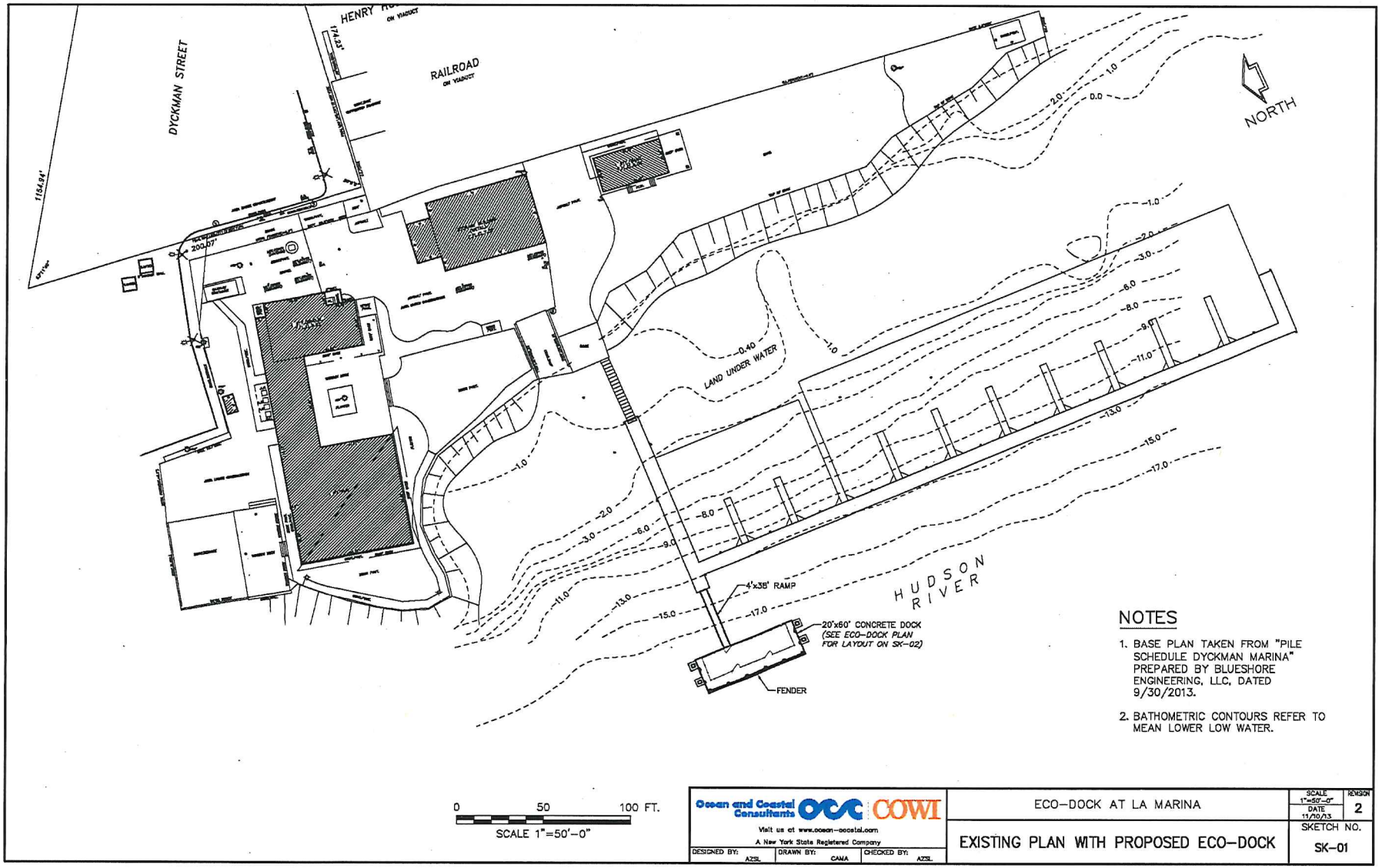
0 60 120 FT.

SCALE 1"=60'-0"

Ocean and Coastal Consultants OCC COWI Visit us at www.ocean-coastal.com A New York State Registered Company	ECO-DOCK AT LA MARINA	SCALE 1"=60'-0" DATE 11/10/13	REVISION 2
DESIGNED BY: AZSL DRAWN BY: CAMA CHECKED BY: AZSL	EXISTING HYDROGRAPHIC SURVEY WITH PROPOSED ECO-DOCK	SKETCH NO. SK-04	

P:\2013\OCC_213085.01\3_Project_Files\CAD\Task 2\SK-01.dwg SK-04 Carrie L. Walter Mon, 02 Dec 2013 - 1:09pm

Attachment 2 – Project Plans NAN-2013-00118



NOTES

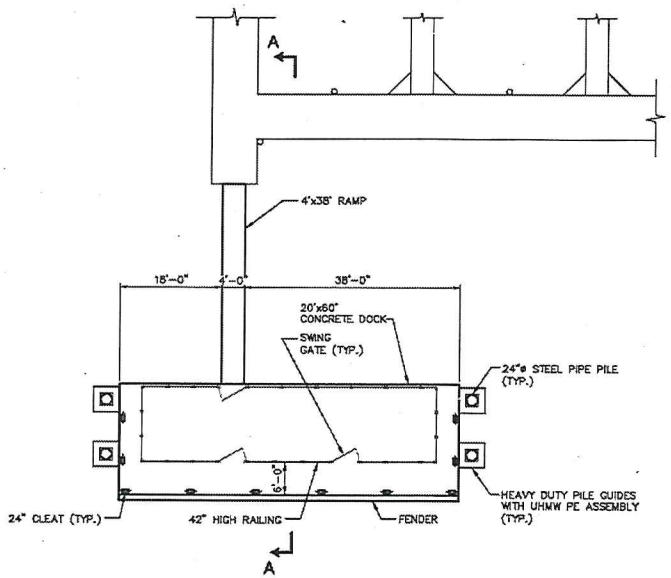
1. BASE PLAN TAKEN FROM "PILE SCHEDULE DYCKMAN MARINA" PREPARED BY BLUESHORE ENGINEERING, LLC, DATED 9/30/2013.
2. BATHOMETRIC CONTOURS REFER TO MEAN LOWER LOW WATER.

0 50 100 FT.
SCALE 1"=50'-0"

Ocean and Coastal Consultants OCC COWI Visit us at www.ocean-coastal.com A New York State Registered Company	ECO-DOCK AT LA MARINA	SCALE 1"=50'-0" / DATE 11/10/13	REVISION 2
DESIGNED BY: AZSL / DRAWN BY: CAMA / CHECKED BY: AZSL	EXISTING PLAN WITH PROPOSED ECO-DOCK	SKETCH NO. SK-01	

P:\2013\OCC_213085.0\3_Project_Files\CAD\Task 2\SK-01.dwg SK-01 Carrie L. Walter Mon, 02 Dec 2013 - 1:02pm

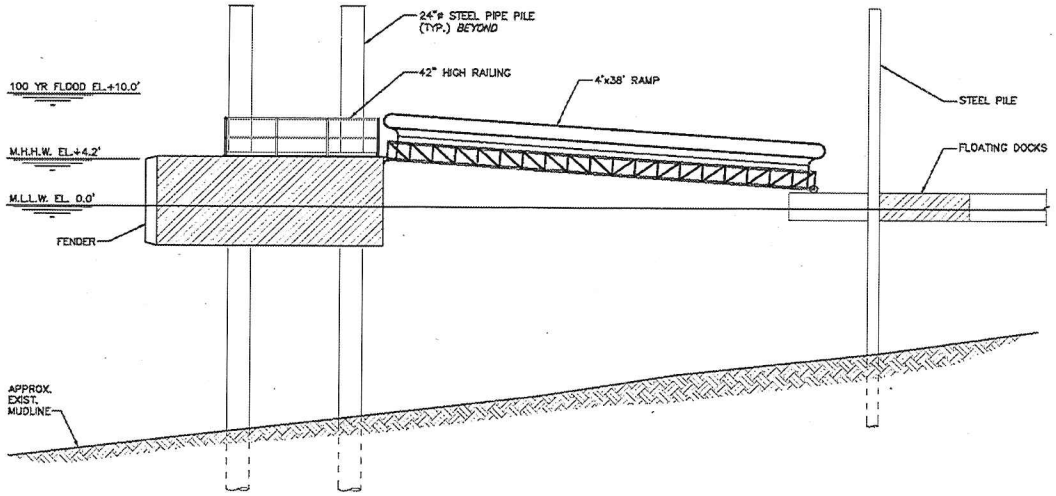
NAN-2013-00118



ECO-DOCK PLAN

0 20 40 FT.

SCALE 1"=20'-0"



SECTION A-A

0 10 20 FT.

SCALE 1"=10'-0"

Ocean and Coastal Consultants OCC COWI Visit us at www.ocean-coastal.com A New York State Registered Company			ECO-DOCK AT LA MARINA
DESIGNED BY: AZSL	DRAWN BY: CAMA	CHECKED BY: AZSL	PROPOSED ECO-DOCK PLAN AND SECTION

SCALE AS NOTED | DATE 12/02/13 | REVISION 1

SKETCH NO. SK-02

P:\2013\OCC_213065.01\3_Project_Files\CAD\Task 2\SK-01.dwg SK-02 Carrie L. Walter Thu, 03 Mar 2014 - 9:55am