



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-2016-00174-EPI**
Issue Date: **April 1, 2016**
Expiration Date: **April 25, 2016**

To Whom It May Concern:

The New York District, Corps of Engineers has received four (4) applications for Department of the Army permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: New York State Marine Highway Transportation Company
P.O. Box 1216
Troy, NY 12181

ACTIVITY: Construction of four (4) new commercial mooring points/buoys

WATERWAY(S): Hudson River, New York Harbor and Jamaica Bay

LOCATION(S): Hudson River north of Federal Lock at Town of Cohoes, Albany County, New York
Ellis Island Flats at Jersey City, Hudson County, New Jersey
Bay Ridge Flats, City of New York, Kings County, New York
Jamaica Bay, City of New York, Kings County, New York

A detailed description and plans of the permit 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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April 1, 2016

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. Comment in writing could be mailed to US Army Corps of Engineers, New York District – ATTN: Regulatory Branch, 26 Federal Plaza, Room 1937, New York, N.Y. 10278.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments, including names and addresses, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

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 life stages 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.

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

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Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, 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.

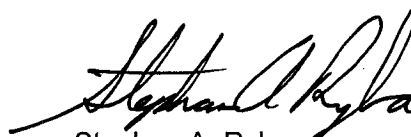
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation and or New Jersey Department of Environmental Protection Permits.

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) 970-8627 and ask for Ronald Pinzon.

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>.



Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

***PLEASE USE THE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE WITH
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WORK DESCRIPTION

The permit applicant, New York State Marine Highway Transportation Company, has requested Department of the Army authorization to construction four (4) new commercial mooring points/buoys.

- 1) Hudson River, Town of Cohoes, Albany County, New York
- 2) Upper Bay of New York Harbor, Jersey City, Hudson County, New Jersey
- 3) Upper Bay of New York Harbor, Bay Ridge Flats, City of New York, Kings County, New York
- 4) Jamaica Bay, City of New York, Kings County, New York

The permit applicant's stated purpose for this work is to provide four (4) new mooring points/buoys for the staging of both empty and full aggregate barges during the course of normal transportation business.

Specifically, the proposed work would involve:

Hudson River, Town of Cohoes, Albany County, New York

Seasonal installation of a stake mooring barge including two (2) anchor buoys and two (2) 5,000-lbs navy stockless anchors with associated hardware adjacent to and west of the Federal navigation channel in the Hudson River upstream of the Troy Federal Lock and Dam. The mooring barge measurements would be 165-feet by 35-feet. The footprint of mooring array would be 250-feet North/South by 105-feet East/West.

South Anchor Position 42° 46.045' N 73° 41.022' W
North Anchor Position 42° 46.096' N 73° 41.023' W
NOAA Chart 14786

Upper Bay of New York Harbor, Jersey City, Hudson County, New Jersey

Installation of a single 58-inch-diameter steel mooring buoy, a 10,000-lbs navy stockless anchor and associated hardware north of Ellis Island in the Upper Bay of New York Harbor. Associated hardware includes but is not limited to 135-feet of 2-inch stud link chain, shackle(s), connecting links, swivel(s), and two (2) 60-foot length pendants. On scene water depth is 32-feet. Each barge would measure 195-feet by 35-feet. The barge configuration would be three (3) abreast by two (2) astern. The maximum size would be 390-feet-length by 105-feet-beam by 12-foot-depth. The scope would be 16.7-yards. The watch circle would be 43.7-yards. The swing radius would be 194-yards.

Position 40° 42.200' N 74° 01.940' W
NOAA Chart 12334

Upper Bay of New York Harbor, Bay Ridge Flats, City of New York, Kings County, New York

Installation of a single 58-inch-diameter steel mooring buoy, a 10,000-lbs navy stockless anchor and associated hardware in the Bay Ridge Flats in the Upper Bay of New York Harbor. Associated hardware includes but is not limited to 50-feet of 2-inch stud link chain, shackle(s), connecting links, swivel(s), and two (2) 60-foot length pendants. On scene water depth is 16-feet. Each barge would measure 195-feet by 35-feet. The maximum barge configuration would be three (3) abreast by two (2) astern. The maximum size would be 390-feet-length by 105-feet-beam by 12-foot-depth. The scope would be 16.7-yards. The watch circle would be 15.8-yards. The swing radius would be 166-yards.

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Position 40° 39.393' N 74° 02.038' W
NOAA Chart 12334

Jamaica Bay, City of New York, Kings County, New York

Installation of a single 58-inch-diameter steel mooring buoy, a 10,000-lbs navy stockless anchor and associated hardware in Jamaica Bay, NY. Associated hardware includes but is not limited to 135-foot of 2-inch stud link chain, shackle(s), connecting links, swivel(s), and two (2) 60-foot length pendants. On scene water depth is 32-feet. Each barge would measure 195-feet by 35-feet. The barge configuration would be three (3) abreast by two (2) astern. The maximum size would be 390-foot-length by 105-foot-beam by 12-foot-depth. The scope would be 16.7-yards. The watch circle would be 43.7-yards. The swing radius would be 194-yards.

Position: 40° 35' 56.16" N 73° 52' 25.06" W
NOAA Chart 12350

Note:

Watch Circle = the square root of (length of scope² minus water depth²)

Swing Radius = Watch Circle + Barge(s) Length Astern + Pendant Length(s)

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MAN-2016-00174-EPI



GENERAL VICINITY MAP

PURPOSE: ESTABLISH LOCATION OF MOORING STAKE BARGE
GOOGLE EARTH AERIAL IMAGE

PLAN VIEW



MOORING STAKE BARGE

IN: HUDSON RIVER
AT: TROY, NEW YORK
SHEET 1 OF 2 30 MARCH 2016

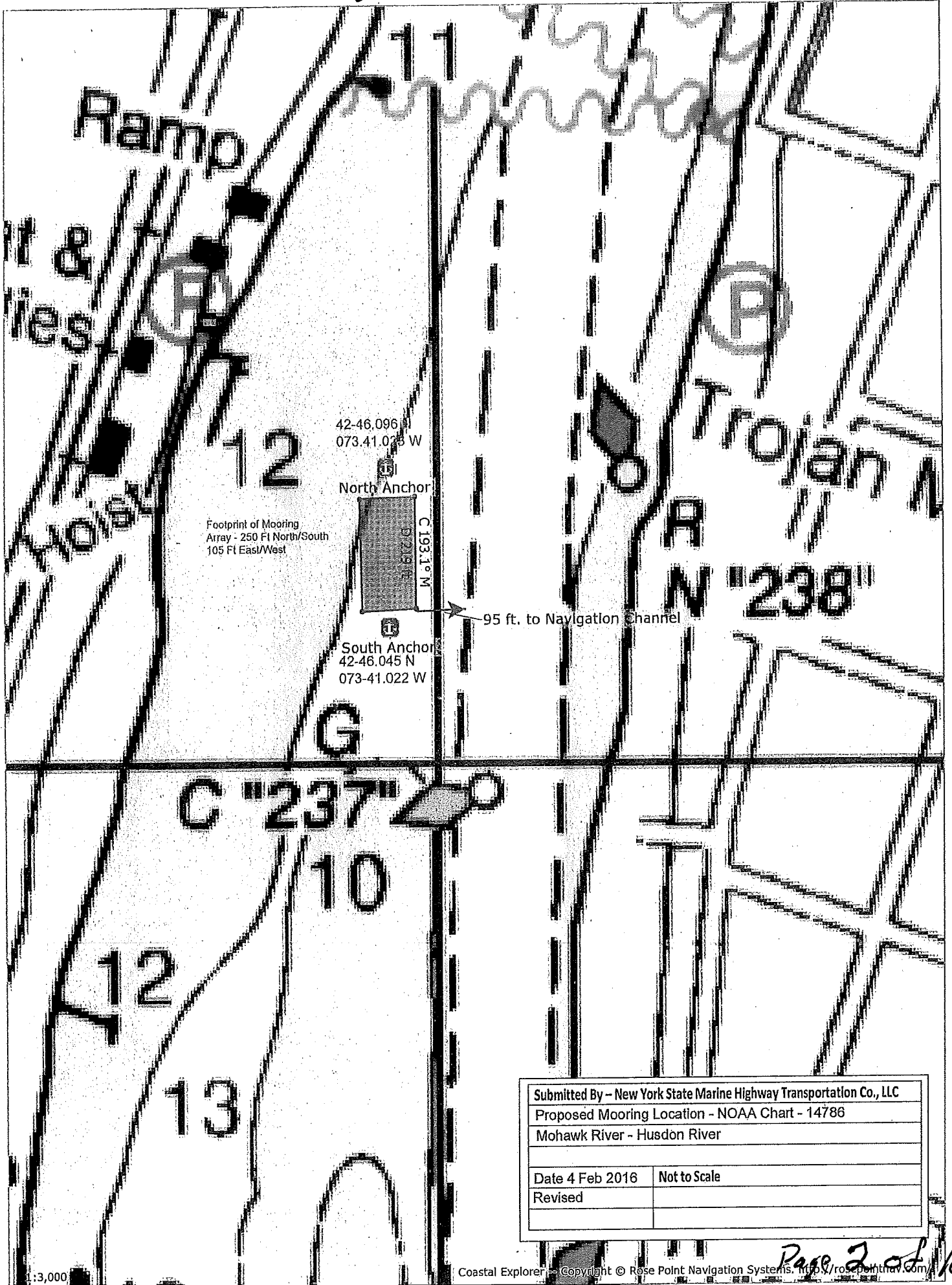
ALBANY COUNTY, NY

MOORING STAKE BARGE:
40° 46' 2.70" N; 73° 41' 1.32" W

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NEW YORK STATE
MARINE HIGHWAY TRANSPORTATION Co., LLC

Page 1 of 10



Footprint of Mooring
Array - 250 Ft North/South
105 Ft East/West

42-46.096 N
073-41.025 W

North Anchor

C 193.1' M

95 ft. to Navigation Channel

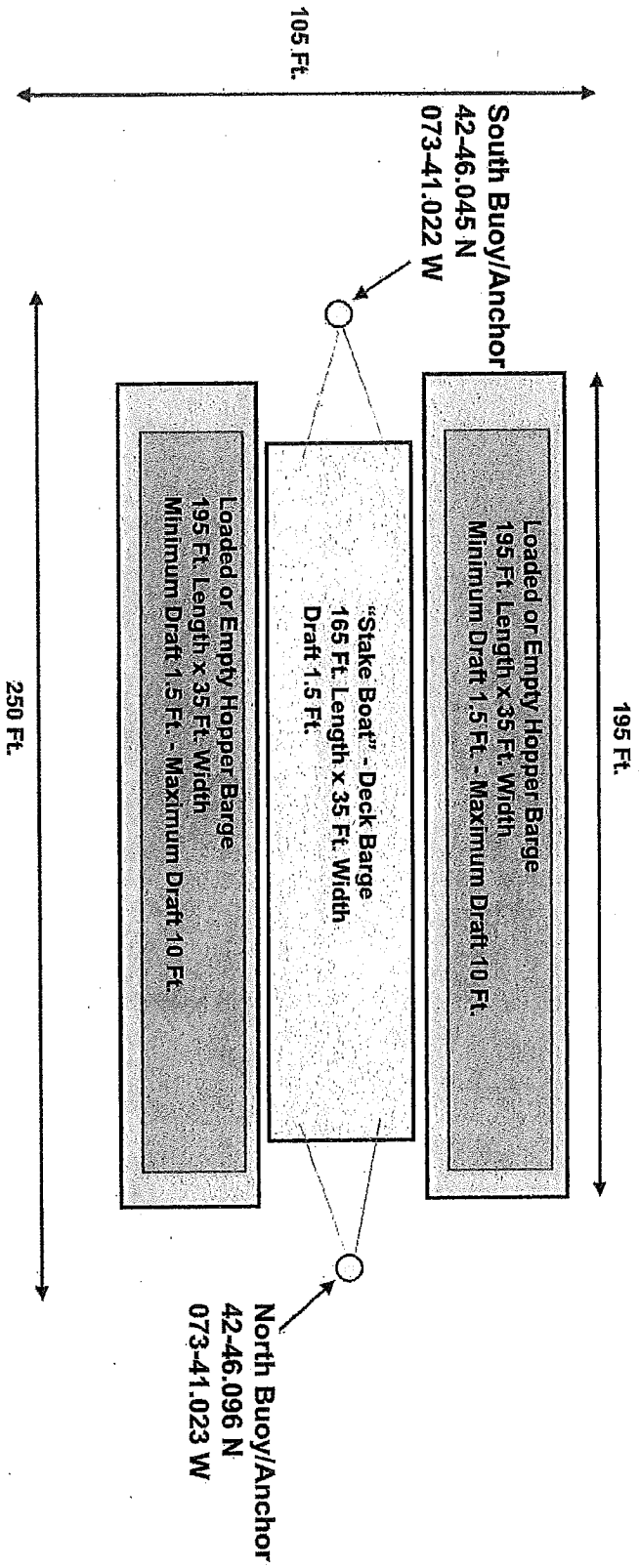
South Anchor
42-46.045 N
073-41.022 W

Submitted By - New York State Marine Highway Transportation Co., LLC	
Proposed Mooring Location - NOAA Chart - 14786	
Mohawk River - Hudson River	
Date 4 Feb 2016	Not to Scale
Revised	

NAV-2016-00174-EP1

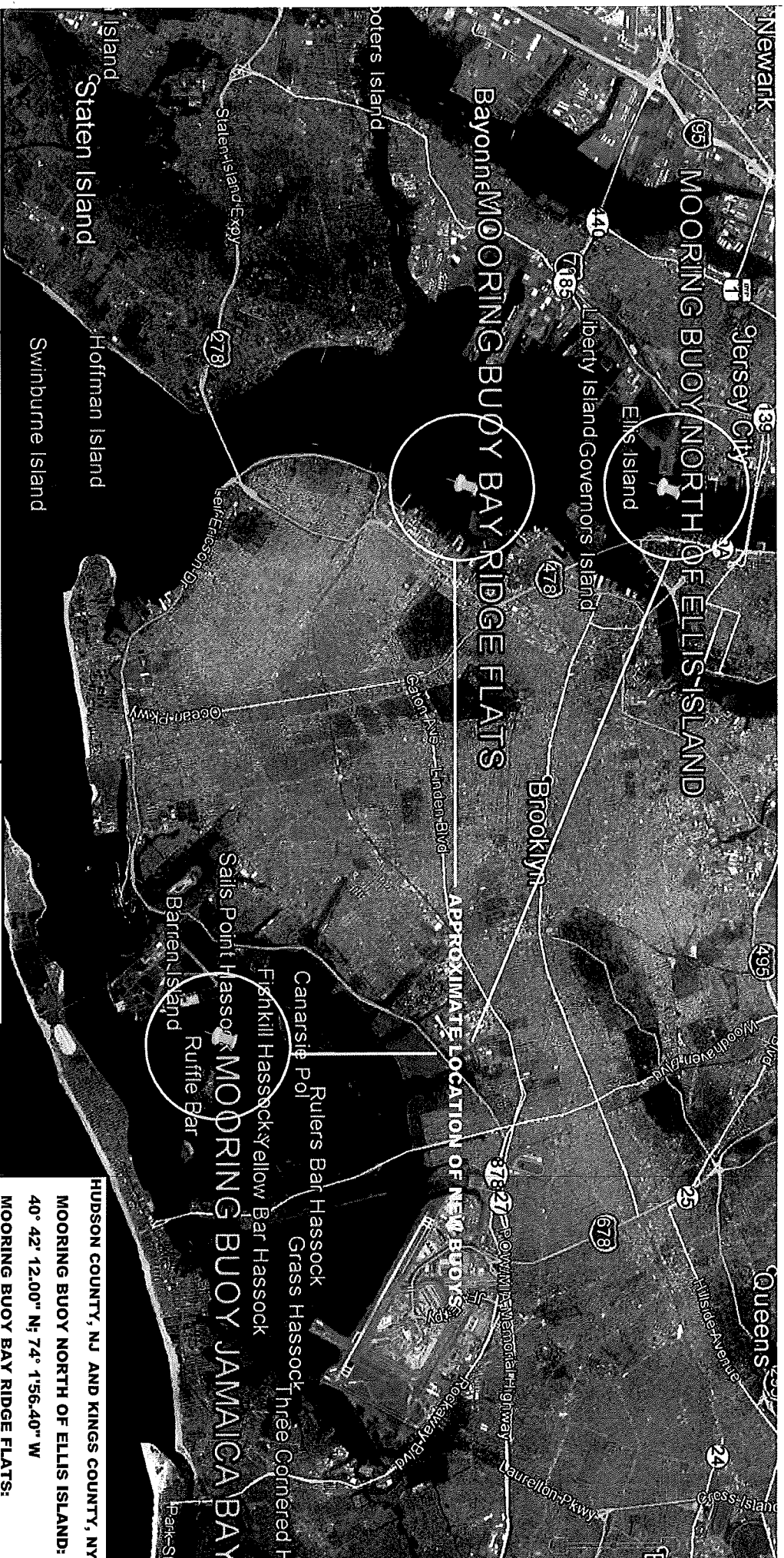


**MOORING PLAN – STAKE BARGE, MOORED BARGES, ANCHOR BUOYS & PENDANTS
NORTH TROY – HUDSON RIVER – MOHAWK RIVER**

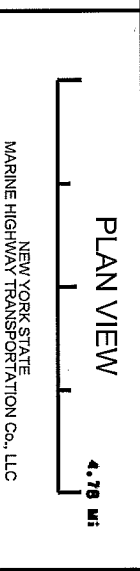


Submitted By – New York State Marine Highway Transportation Co., LLC	
Mooring Plan - Stake Boat and Moored Barge(s)	
NOAA Chart 14786 - Mohawk River - Hudson River	
Date Feb 4, 2016	Not to Scale
Revision	

NAN-2016-00174-EP1



GENERAL VICINITY MAP
 PURPOSE: ESTABLISH LOCATION OF MOORING BUOYS
 GOOGLE EARTH AERIAL IMAGE



MOORING BUOYS
 IN: NEW YORK HARBOR
 AT: JAMAICA BAY, BAY RIDGE FLATS AND ELLIS ISLAND
 SHEET 2 OF 2 30 MARCH 2016

10/11/2014 40°33'

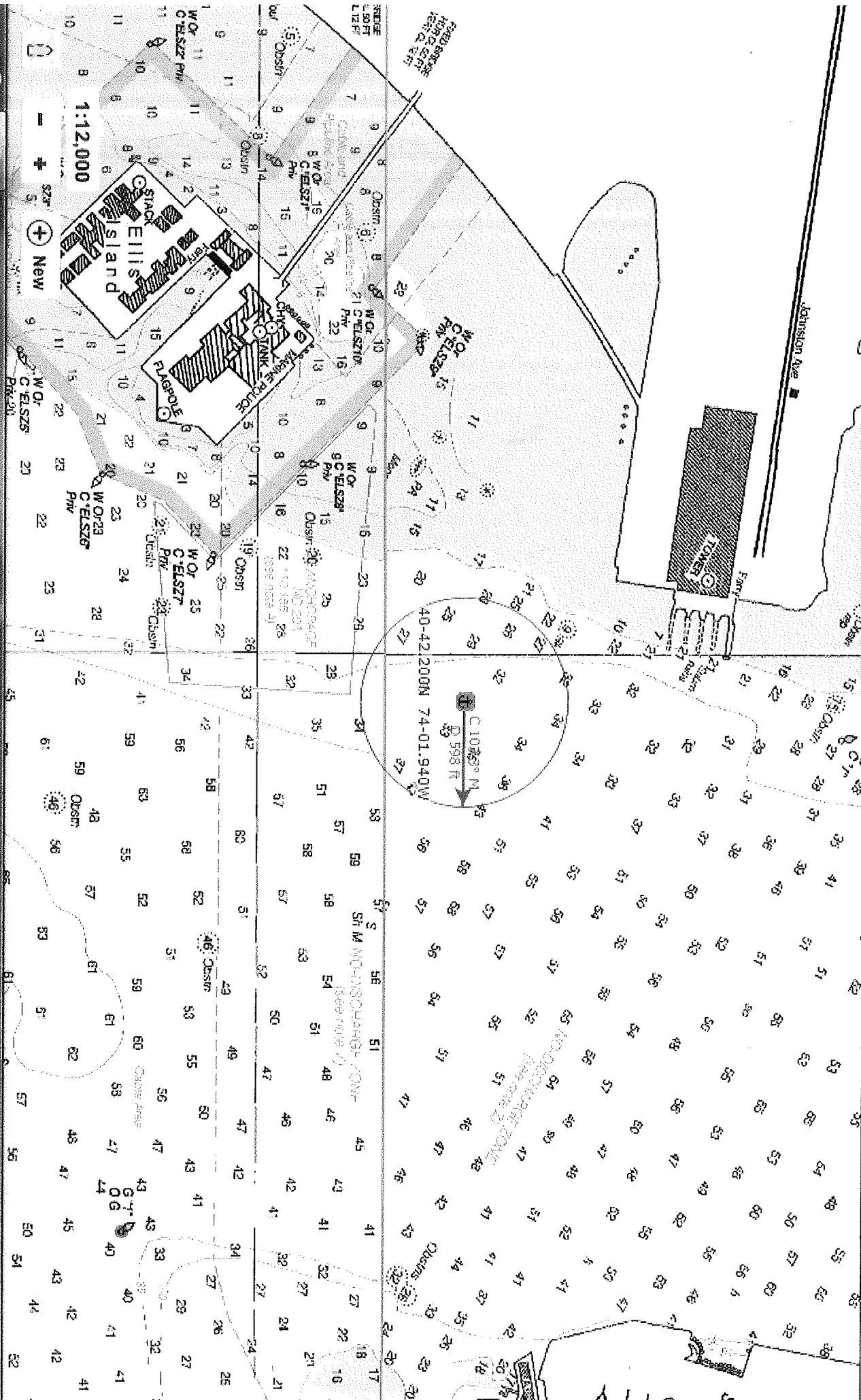
HUDSON COUNTY, NJ AND KINGS COUNTY, NY
MOORING BUOY NORTH OF ELLIS ISLAND:
 40° 42' 12.00" N; 74° 1' 56.40" W
MOORING BUOY BAY RIDGE FLATS:
 40° 39' 23.58" N; 74° 2' 2.28" W
MOORING BUOY JAMAICA BAY:
 40° 35' 56.16" N; 73° 52' 25.06" W

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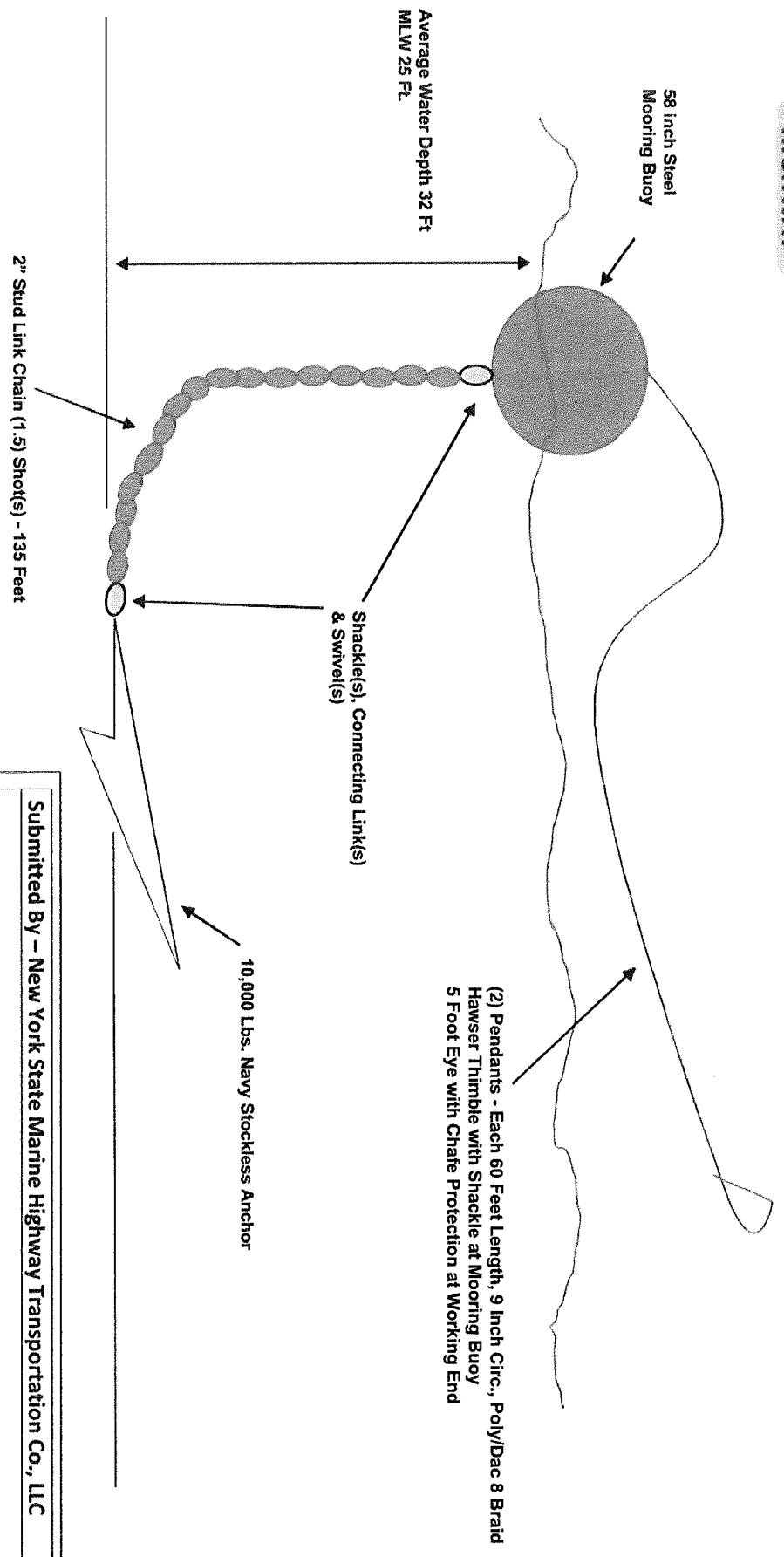
134°W 197°M 63 NM from boat Depth in: FEET
12334: NY HARBOR - UPPER BAY AND NARROWS ANCHORAGE (1:10,000)
Ferry Building, Ellis Island, NY

Marks New Route New Mark New RBL New





**MOORING HARDWARE DIAGRAM
PROPOSED LOCATION - NORTH ELLIS ISLAND**



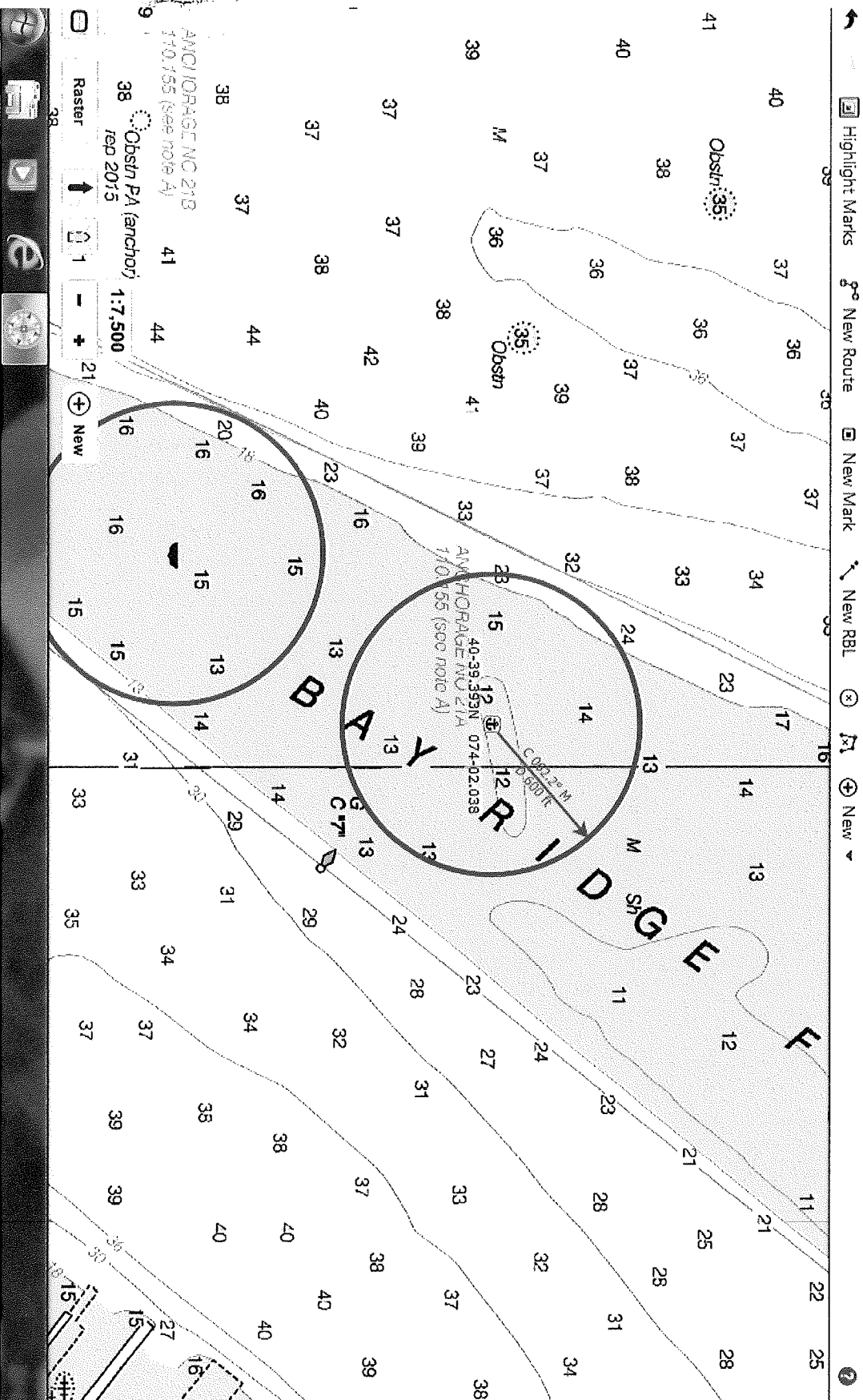
Submitted By – New York State Marine Highway Transportation Co., LLC	
Mooring Location - NOAA Chart 12334 - Upper Bay & Narrows Anchorage	
40-42.200 N 74-01-940W	
Date: 4 Feb. 2016	Not to Scale
Revised:	

NAN-2016-00174-EP1

BR Flats - Coastal Explorer

10°39.418' N 074°02.026' W 196°M 65 NM from boat Depth in: FEET

12334: NY HARBOR - UPPER BAY AND NARROWS ANCHORAGE (1:10,000)
Bay Ridge Channel, Gowanus Bay, NY

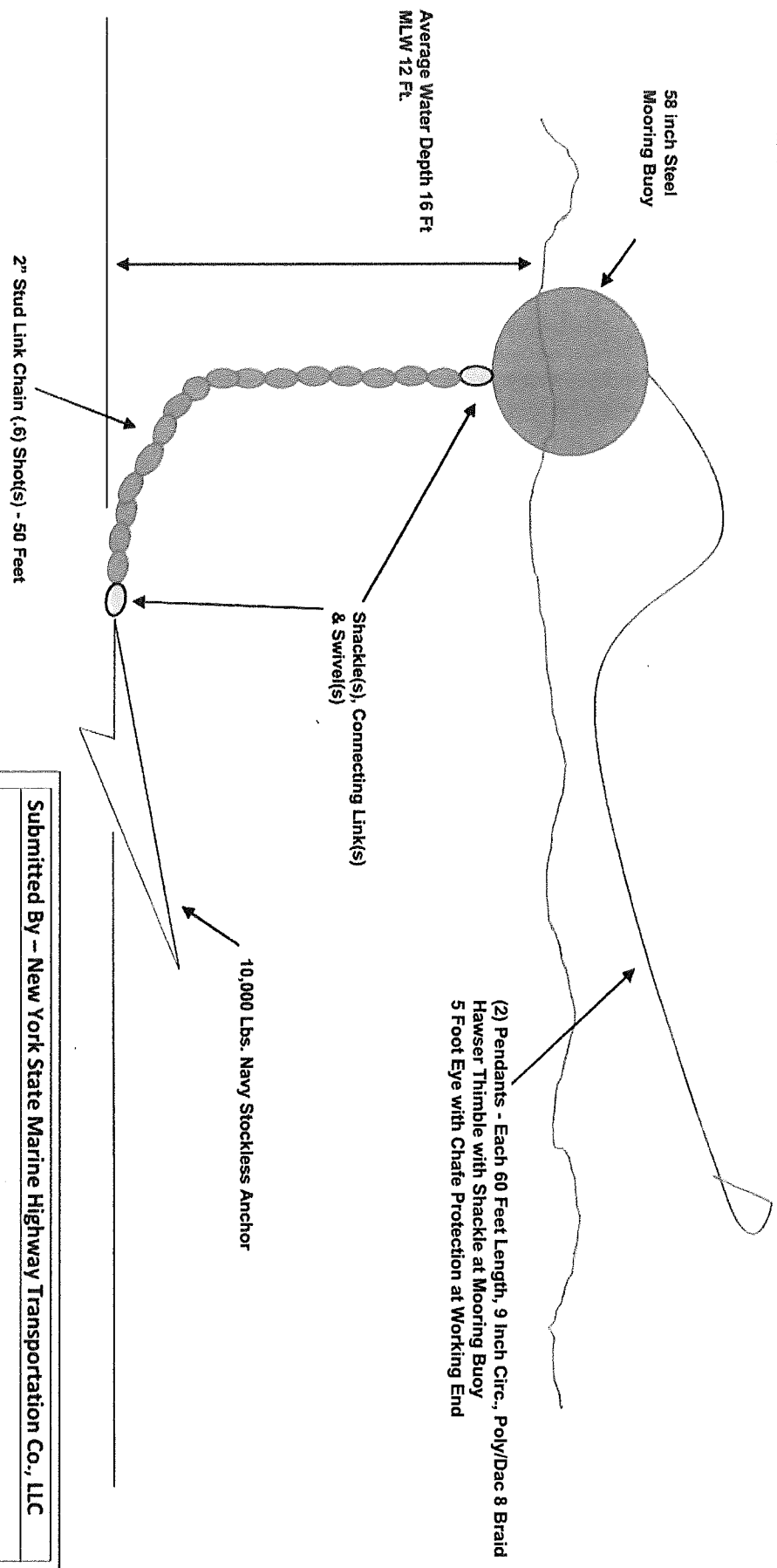


NY HARBOR - UPPER BAY AND NARROWS ANCHORAGE
Scale 1:10,000
MERCATOR PROJECTION
NAD83
SOUNDINGS IN FEET AT MEAN LOWER LOW WATER
72nd Ed., 11/01/2013
Corrected through LNM 11/28/2015
12334
FILE C:\Charts\BSB_ROOT\12334\12334.BSB
TYPE HARBOR
COPYRIGHT This electronic

NAN-2016-00174-EP1

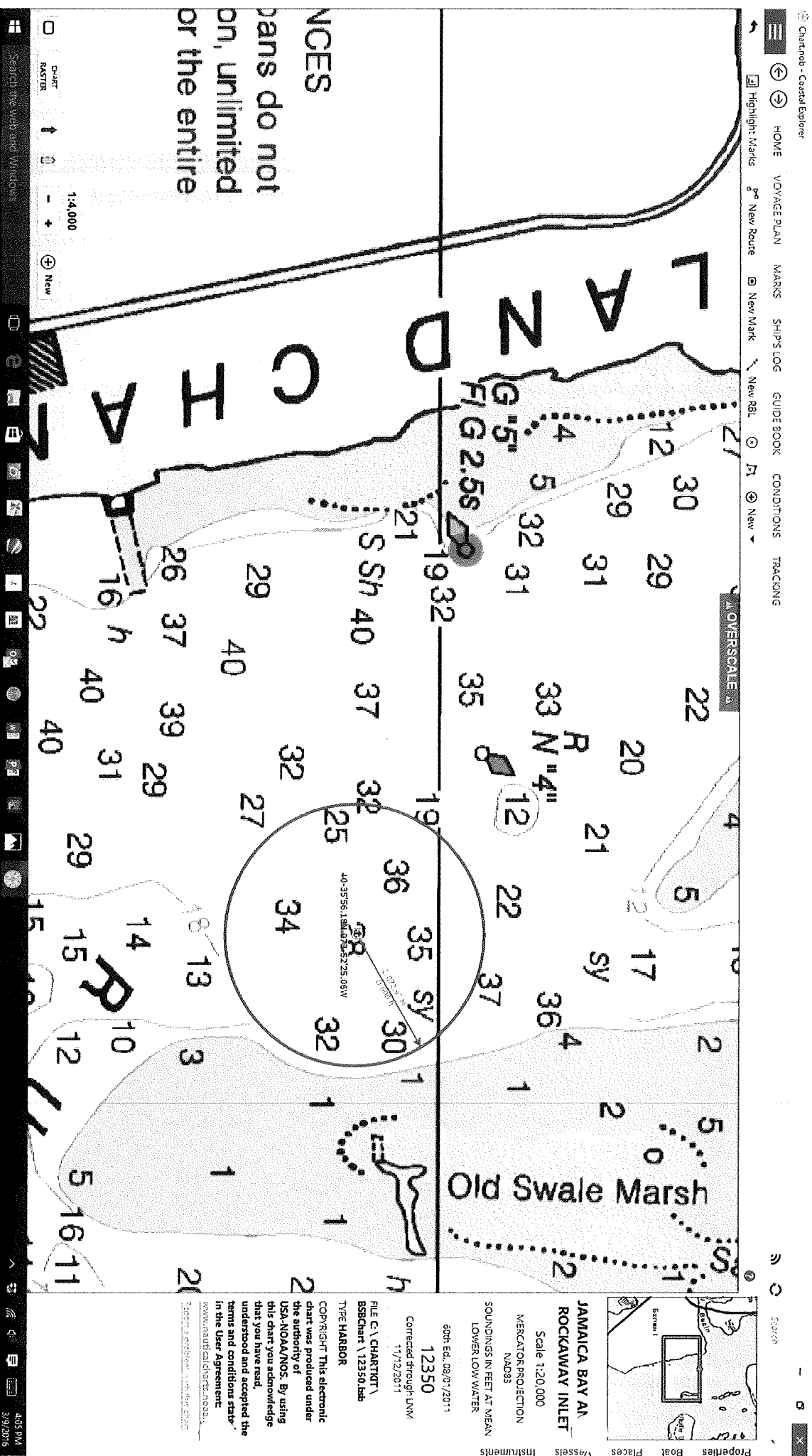


**MOORING HARDWARE DIAGRAM
PROPOSED LOCATION - BAY RIDGE FLATS**



Submitted By -- New York State Marine Highway Transportation Co., LLC	
Mooring Location - NOAA Chart 12334 - Upper Bay & Narrows Anchorage	
Bay Ridge Anchorage 40-39.393 N 74-02-038W	
Date: 4 Feb. 2016	Not to Scale
Revised:	

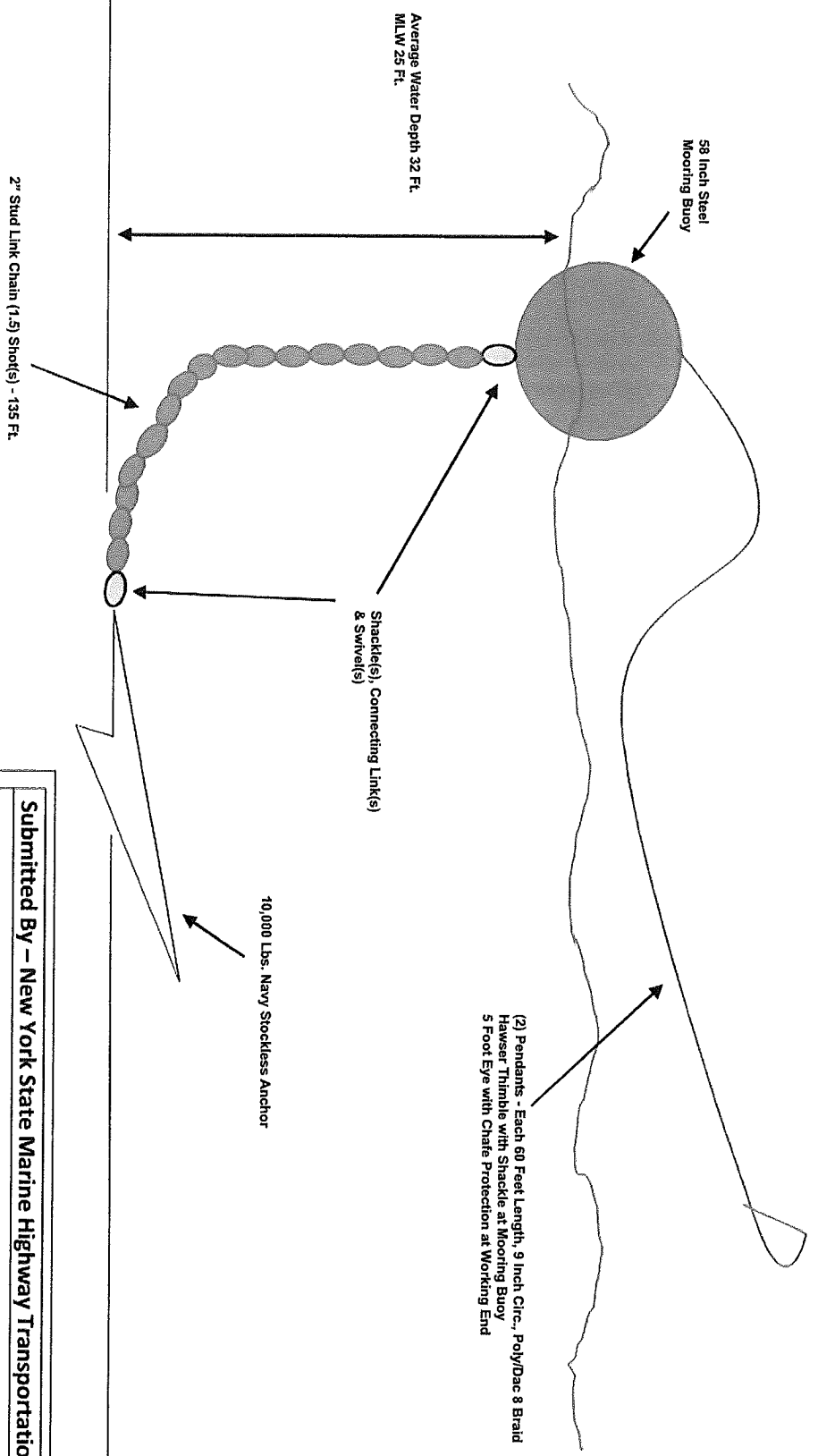
NAN-2016-08174-EP1



NAAJ-2016-00174-EP1



**MOORING HARDWARE DIAGRAM
PROPOSED LOCATION - JAMAICA BAY**



Submitted By – New York State Marine Highway Transportation Co., LLC	
Mooring Location - NOAA Chart 12350 - Jamaica Bay and Rockaway Inlet	
40-35'56.18N 073-52' 25W	
Date: 9 March 2016	Not to Scale
Revised:	