



**US Army Corps
of Engineers.**

New York District
26 Federal Plaza
New York, N.Y. 10278
ATTN: CENAN-OP-ST

Public Notice

In replying refer to:
Public Notice No. Flushing Bay and Creek FY15
Published: 11 February 2015
Expires: 13 March 2015

MAINTENANCE DREDGING OF FLUSHING BAY AND CREEK, NEW YORK FEDERAL NAVIGATION PROJECT

TO WHOM IT MAY CONCERN:

The New York District U.S. Army Corps of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 (33 U.S.C. 1344) of the Federal Water Pollution Control Act (amended in 1977 and commonly referred to as the Clean Water Act), proposes to perform maintenance dredging in the Flushing Bay and Creek Federal Navigation Project (see Figure #1), contingent on available funding. The dredged material from this project is proposed to be placed at a suitable contractor-furnished, state-permitted upland placement site(s) to be approved by the Government.

ACTIVITY: Maintenance Dredging of Flushing Bay and Creek Federal Navigation Project, with placement of approximately 150,000 cubic yards of the dredged material at an upland placement facility.

WATERWAY: Flushing Bay and Creek

LOCATION: Queens County, New York

Maintenance dredging of Flushing Bay and Creek Federal Navigation Project was authorized by the Rivers and Harbors Act of 1913 and subsequently modified by the Rivers and Harbors Acts of 1925, 1937 and 1962.

The existing project provides for:

- a. A bay channel with a depth of 15 feet and a width of 300 feet from deep water in the East River to the maneuvering area, a distance of 1.8 miles;
- b. A creek channel with a depth of 15 feet and a width of 200 feet to the Northern Boulevard Bridge from which point the width decreases uniformly to 170 feet at a point

50 feet downstream of the Van Wyck Expressway Bridge, a distance of approximately 1.1 miles;

c. A branch channel with a depth of 15 feet and a width of 200 feet from the bay channel to the maneuvering area, a distance of about 0.1 mile;

d. An irregularly shaped maneuvering area 15 feet deep except the approach to the west side of the municipal boat basin which will remain at 12 feet; and

e. An anchorage basin approximately 2,100 feet by 1,800 feet encompassing about 84 acres with a depth of 6 feet.

The proposed activity is being evaluated to determine that the proposed dredging with placement of dredged material at an upland disposal site will not unreasonably degrade or endanger human health, welfare, economic potential, recreation and aesthetics, water quality, marine resources, ecological systems and/or flood protection.

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. Comments are used to assess impacts on navigation, water quality, endangered species, historic resources, wetlands, scenic and recreational values, and other public interest factors. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act and to determine the need for a public hearing.

ALL COMMENTS REGARDING THIS ACTIVITY MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE AT THE ADDRESS ON THE FRONT PAGE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person who has an interest which may be affected by the placement of this dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest which may be affected, and the manner in which the interest may be affected by the activity. It should be noted that information submitted by mail is considered just as carefully in the process and bears the same weight as that furnished at a public hearing.

No known archaeological, scientific, prehistorical or historical data are expected to be lost by work accomplished under the required dredging.

Reviews of the activity pursuant to Section 404 of the Clean Water Act will include application of the guidelines announced by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. The Corps will obtain a water quality certificate (WQC) from the New York State Department of Environmental Conservation in accordance with Section 401 of the Clean Water Act.

Pursuant to Section 307 of the Coastal Zone Management Act of 1972 as amended [16 USC 1456(c)], for activities conducted or supported by a federal agency in a state which has a federally approved Coastal Zone Management (CZM) program, the Corps has

submitted a determination that the proposed project is consistent with the Department of State CZM consistency policies. This activity is subject to review by the New York State Department of State for its consistency with enforceable policies of the New York State CZM program. The U.S. Army Corps of Engineers New York District has determined that the proposed activities are consistent to the maximum extent practicable within the application policies of the New York State CZM. A copy of this determination has been provided to the New York State Department of State, Division of Coastal Resources. Additional information regarding the Corps of Engineers' consistency determination may be obtained by contacting New York State Department of State, Office of Coastal, Local Government, and Community Sustainability, One Commerce Plaza, 99 Washington Avenue, Suite 1010, Albany, NY 11231.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment will be prepared and submitted to the National Marine Fisheries Service for review and comment.

The proposed work is being coordinated with the following Federal, State and local agencies:

- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Coast Guard, First District
- New York State Department of Environmental Conservation
- New York State Department of State

If you have any questions concerning this notice, please contact Mr. Edward Wrocenski, project manager, at (917) 790-8636. Comments or questions may be FAXED to (212) 264-4260 ATTN: Mr. Edward Wrocenski.

DESCRIPTION OF PLANNED FEDERAL ACTION:

The U.S. Army Engineer District, New York proposes to perform maintenance dredging of Flushing Bay and Creek Federal Navigation Channel. This channel was last dredged in 2003 with the removal of approximately 42,485 cubic yards of dredged material and upland placement at the Fountain Avenue Landfill. The proposed maintenance dredging would involve the removal of approximately 150,000 cubic yards of material to depths of 15 feet and 12 feet plus 2 feet of allowable overdepth in specified areas. Placement of the dredged material is proposed to be at a suitable contractor-furnished, state-permitted upland placement site(s). Maintenance dredging of the channel will be accomplished by a mechanical dredge or similar plant. The entire channel will generally not require maintenance dredging; only those areas where shoaling has reduced the depth of the channel will require dredging.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe and economical use of Flushing Bay and Creek by shipping interests.

The proposed dredging is anticipated to occur in the fall/winter of 2015/2016.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement (EIS) was prepared by the U.S. Army Engineer District, New York in April 1973. An Environmental Assessment (EA) updating this EIS was prepared by the New York District for a similar maintenance dredging project in 2003. An update of the EA and a 404 (b) evaluation, as required by the Clean Water Act 40 CFR 230 will be prepared prior to the implementation of the proposed maintenance dredging work.

PLACEMENT SITE:

The dredged material will be placed at an upland placement site(s) furnished by the contractor, permitted by the state, and approved by the government. The dredged material will be required to meet all federal, state and local criteria required by the government agencies having jurisdiction where the placement site is located. All necessary permits required for the dredged material placement will be obtained by the contractor.

MATERIAL DESCRIPTION:

Sampling and testing for upland placement of the proposed dredged material was performed in October through December of 2014. Data from the sampling conducted shows the grain size characteristics in Flushing Bay and Creek of the proposed dredged material to be:

0.54% GRAVEL, 23.40% SAND, 50.19% SILT, 25.91% CLAY

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and who did not receive a copy of this notice.

For more information on the USACE programs, please visit our website at <http://www.nan.usace.army.mil>.



Randall G. Hintz
Chief, Operations Support Branch

Enclosures
as stated

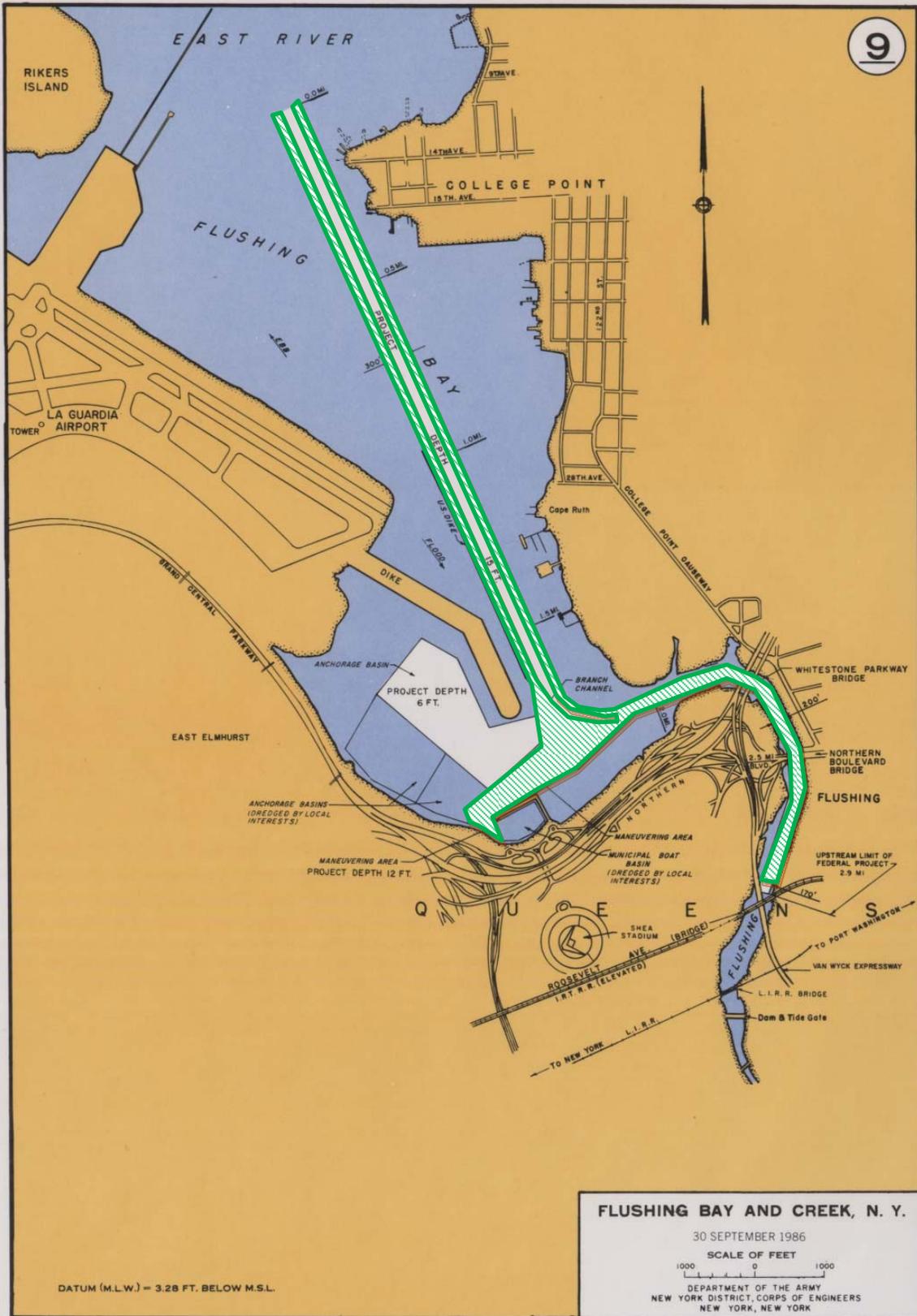


Figure 1
(Hatched Areas Indicate Approximate Shoaling Areas)