



**US Army Corps
of Engineers®**

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

Public Notice

In replying refer to:

Public Notice No. Hudson River Channel, NY Piers 86-92 /
2007

Published: Dec 20, 2006 Expires: Jan 19, 2007

HUDSON RIVER CHANNEL, NEW YORK FEDERAL NAVIGATION CHANNEL MAINTENANCE DREDGING

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, 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 of a portion of the Hudson River Channel Federal navigation channel (see Figure No. 1) with subsequent placement of the dredged material at a suitable, State permitted placement site(s) to be approved by the Government.

ACTIVITY: Maintenance dredging of the Hudson River Channel NY, federal navigation channel (40 ft depth, 650 ft wide) from Mile 4 ½ W. 45th Street to approximately ½ miles upstream to Mile 5.0 W. 54th Street-with placement of the dredged material at a State approved upland disposal site. Dredging will cover a portion of Reach F. (Figure No.1).

WATERWAY: Hudson River Channel, NY

LOCATION: At the vicinity of Piers #83, #84, #86, #88, #90 and #94 along the Manhattan NY side – Intrepid Piers & Passenger Ship Terminal. Dredging will be focused in the area near the Piers 86-92.

Maintenance dredging of the Hudson River Channel, NY Federal navigation channel was authorized by the Rivers and Harbors Act of 1913 and subsequently modified by the Rivers and Harbors Acts of 1917, 1925, 1927, 1930, 1935 and 1937. The project includes the following channels:

- a. A channel 45 ft. deep, 2000 ft. wide, suitably widened at bends, from deep water in Upper New York Bay to W. 40th Street, Manhattan, and thence 48 ft. deep, 2000 ft. wide to 59th Street. Length – about 6 miles.
- b. A channel 40 ft. deep for the full apron width of the river, extending from deep water in Upper New York Bay off Ellis Island to W. 59th Street, Manhattan. Length – about 6 miles.
- c. A channel, 30 ft. deep, 750 ft. wide, along the Weehawken – Edgewater, NJ waterfront. Length – about 5 miles.

A detailed description of the proposed activities is enclosed to assist in your review.

This activity is being evaluated to determine if the proposed dredging with placement of dredged material on a State permitted, suitable upland placement site(s) approved by the government, 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 that 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 that 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 (NYSDEC) in accordance with Section 401 of the Clean Water Act prior to commencement of any work.

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 that has a federally approved Coastal Zone Management (CZM) program, the Corps will submit a determination that the proposed project is consistent with the State of New York CZM program to the maximum extent practicable. The Corps will request the State's agreement with that determination. For activities within the coastal zone of the State of New York project information is available from the Coastal Zone Management Program, New York Department of State, Division of Coastal Resources, Attn: Consistency Review, 41 State Street, Albany NY 12231 – 0001, telephone: (518) 402 – 3399. Comments regarding this project's certification should be so addressed.

In compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (1996 amendments), an Essential Fish Habitat Assessment has been 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.
- New York City Economic Development Corporation

If you have any questions concerning this notice, you may contact this office at (917) 790 - 8527 and ask for Ms. Patricia Donohue, Project Manager. Comments or questions may be FAXED to (212) 264- 1463 ATTN: Ms. Patricia Donohue, Project Manager.

DESCRIPTION OF PLANNED FEDERAL ACTION:

The proposed action by the Corps is the maintenance dredging of the Hudson River Channel NY, Reach F (portion) which has an authorized depth of 40 ft. deep below mean low water (MLW). Approximately 250,000 cubic yards (CY) of shoaling occurred at the vicinity of Piers #83, #84, #86, #88, #90, #92 and #94 along the Manhattan side, around the Intrepid Museum Piers & International Passenger Ship Terminal (PST). This estimate is based on a condition survey dated August 3, 2006 plus 1 foot overdepth. The ultimate upland disposal site(s) for the proposed project will be provided by the contractor and State permitted. The Hudson River Channel NY, Manhattan side was last dredged in 1996 with the removal of 225,000 CY of sediment.

The entire channel will generally not require maintenance dredging; only areas where shoaling has reduced the authorized depth of the channel will require dredging. See Figure 1, which shows approximate location of shoaled areas being considered for maintenance in this dredge cycle represented by a boxed area within the channel. The current proposed maintenance dredging would involve the removal of approximately 45,000 to 80,000 CY of sediment from the channel focused on the area near the Piers 86-92.

Maintenance dredging of the project will be accomplished by mechanical dredge to remove the dredged material and ship to the placement site. A mechanical dredge uses a barge-mounted crane with a clamshell bucket to mechanically extract the sediment. The sediment would then be placed in an adjacent scow and transport it to the upland disposal facility.

Maintenance dredging of the Hudson River Channel NY, Manhattan side is scheduled to be performed in fiscal year 2007. Currently the proposed work is scheduled to be performed no earlier than April 15, 2007 to minimize potential impacts on fish and wildlife. The National Marine Fisheries Service (NMFS) generally recommends that no dredging occur between Nov 15th and April 15th to protect Essential Fish Habitat (EFH) and winter flounder spawning. The proposed work is estimated to take approximately one month to complete.

The purpose of the proposed dredging is to maintain the authorized project dimensions, thereby assuring safe and economical use of the Hudson River Channel by shipping interests, cruise ships, and visiting military fleet.

ENVIRONMENTAL IMPACT STATEMENT:

An Environmental Impact Statement (EIS) was prepared by the U.S. Army Engineer District, New York in April 1977. An Environmental Assessment (EA) updating this EIS was prepared by the New York District for a similar maintenance dredging project in January 1996. An update of the EA and a 404 (b) Guidelines 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 transported to a State permitted, suitable upland site(s) furnished by the apparent low bidder 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 site is located. All necessary permits required of the contractor for the dredged material placement will be provided to the government.

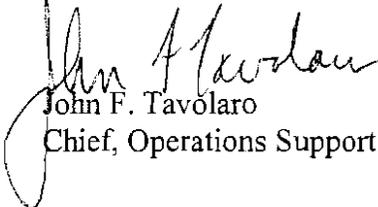
MATERIAL DESCRIPTION:

Results of physical testing of the proposed dredged material indicate the grain size characteristics as of:

0.0% GRAVEL, 40.3% SAND, 36.1% SILT, 23.6% CLAY

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

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.


John F. Tavoraro
Chief, Operations Support Branch

Enclosure:
Project Map

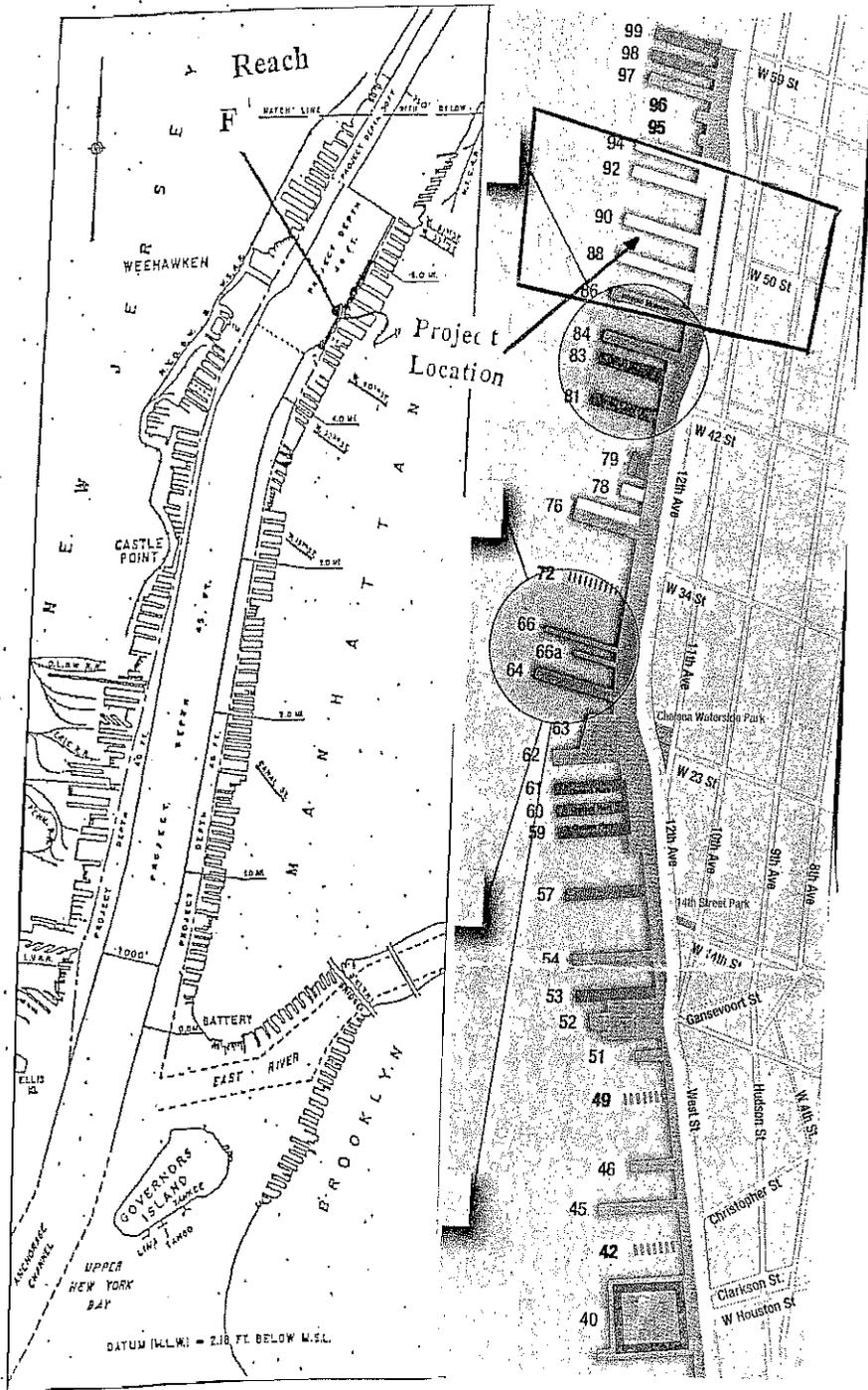


Figure 1