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:2004-00285-Y6
Issue Date: October 25, 2004
Expiration Date: November 24, 2004

To Whom It May Concern:

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 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: NBG Group
2537 Richmond Terrace
Staten Island, NY 10303

ACTIVITY: Construct bulkhead, repair/reconstruct piers

WATERWAY: Kill Van Kull

LOCATION: Borough of Staten Island, Richmond County, New York.

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 benefits 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, historical properties, fish and wildlife values, 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, consideration 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.

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.

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 of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) 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 lifestages of some EFH-designated species. However, the District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is 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.

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 occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, 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 Permit

CENAN-OP-RE
PUBLIC NOTICE NO. 2004-00285-Y6

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 (212) 264-3608 and ask for Craig Spitz.

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

Richard L. Tomer
Chief, Regulatory Branch

Enclosures

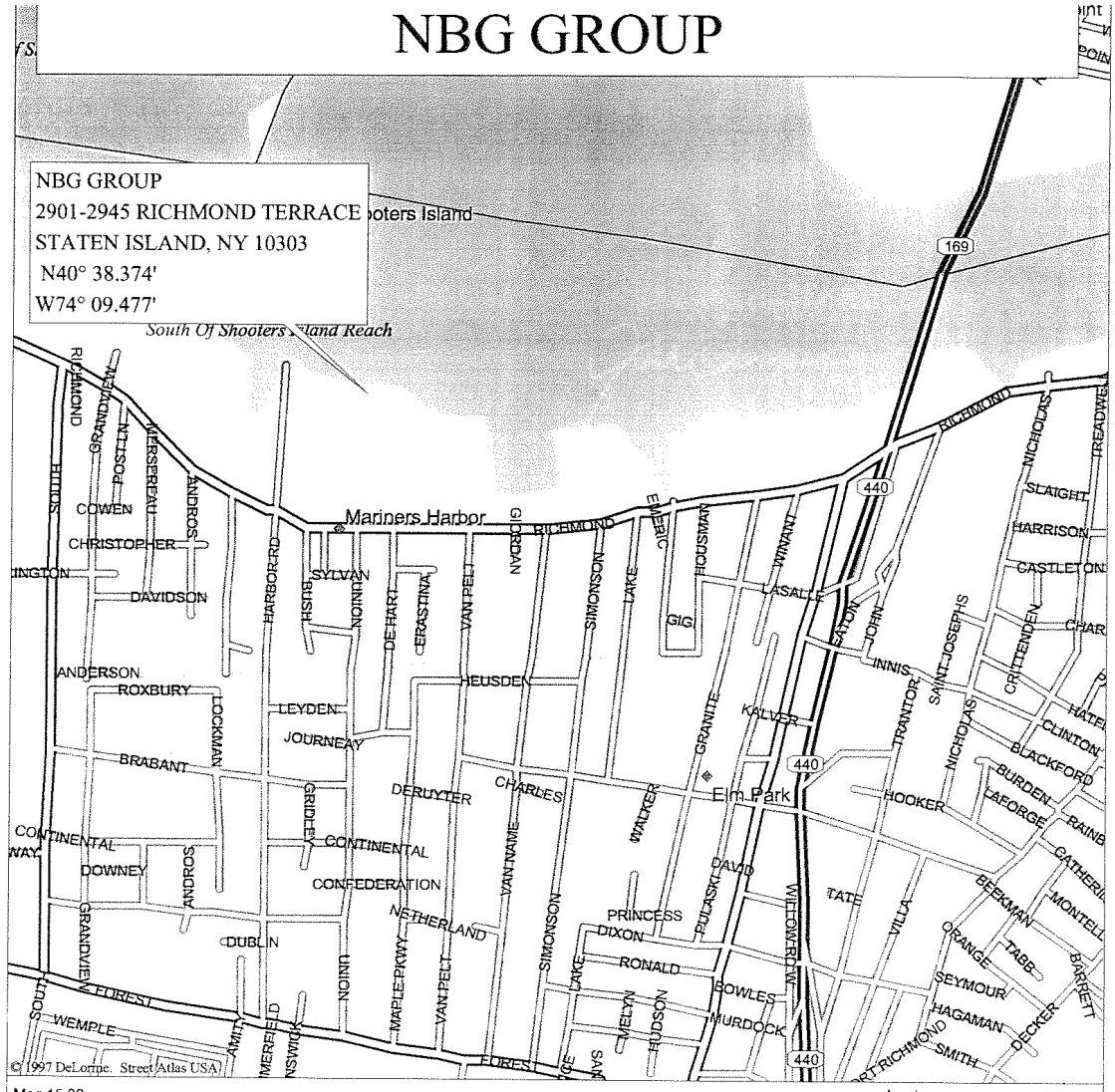
WORK DESCRIPTION

The applicant, NBG Group, has requested Department of the Army authorization to construct bulkheading and repair/reconstruct piers in Kill Van Kull at the Borough of Staten Island, Richmond County, New York.

The work would involve the installation of approximately 600 linear feet of corrugated sheet-steel bulkheads. Approximately 6,284 cubic yards of fill material would be removed from the upland to create approximately 11,312 square feet of open water. Two pile-supported timber piers, one measuring 16-feet wide by 450-feet long and the other 26-feet wide by 440-feet long, would be reconstructed/repaired in place.

The stated purpose of the proposed work is to revitalize the property for continued maritime and shipping use.

NBG GROUP

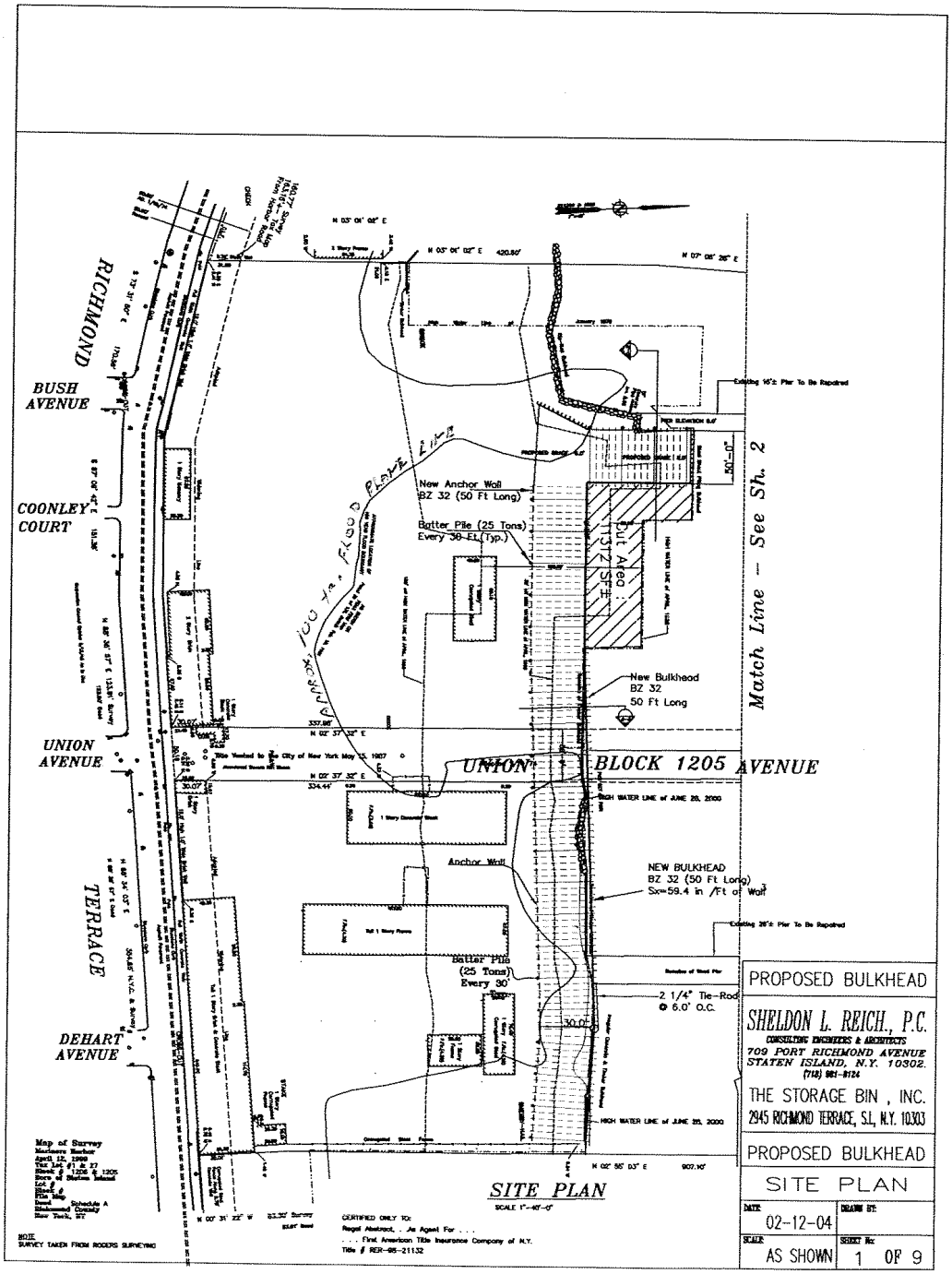


Mag 15.00
Thu Mar 18 12:24 2004
Scale 1:12,500 (at center)
1000 Feet
200 Meters

Local Road
Major Connector
Interstate/Limited Access
Toll Highway
Railroad
Geographic Feature
Locale
County Boundary

State Boundary
Land
Water

N



PROPOSED BULKHEAD

SHELDON L. REICH., P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-8124

THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED BULKHEAD

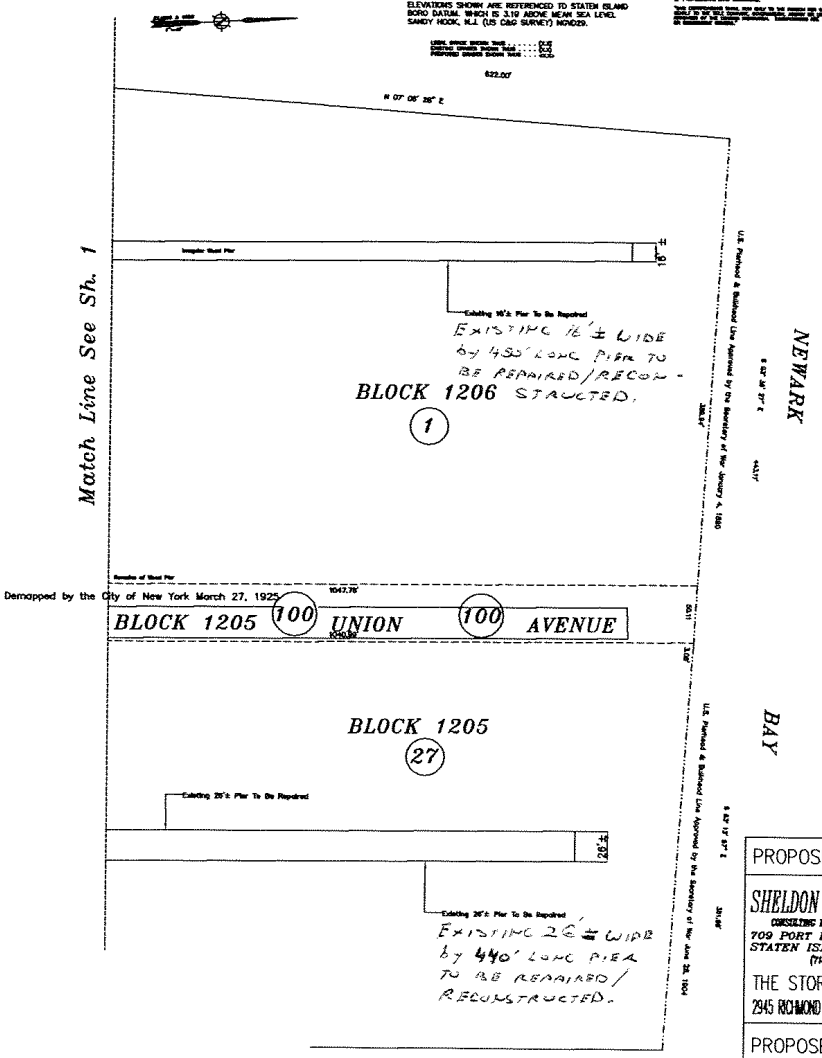
SITE PLAN

DATE	DRAWN BY:
02-12-04	
SCALE	SHEET No:
AS SHOWN	1 OF 9

NOTE :

COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE BOROUGH OF STATEN ISLAND, AS ESTABLISHED BY THE U.S. C. & G. SURVEY FOR THE BORO OF STATEN ISLAND.

ELEVATIONS SHOWN ARE REFERENCED TO STATEN ISLAND BORO DATUM, WHICH IS 3.19 ABOVE MEAN SEA LEVEL SANDY HOOK, N.J. (US C&G SURVEY) NGVD29.



SITE PLAN

SCALE 1"=40'-0"

CERTIFIED ONLY TO:
Regal Abstract, . As Agent For . . .
. . . First American Title Insurance Company of N.Y.
Title # REX-96-21132

PROPOSED BULKHEAD

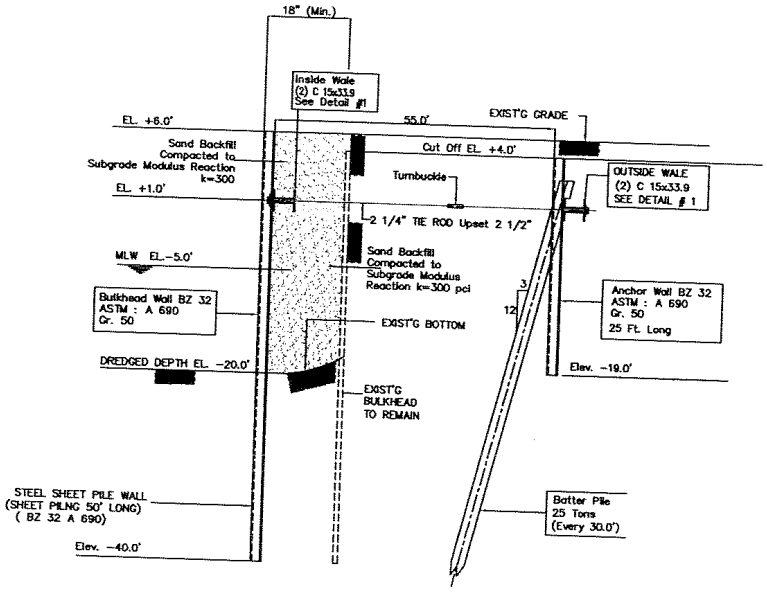
SHELDON L. REICH., P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-9124

THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED BULKHEAD

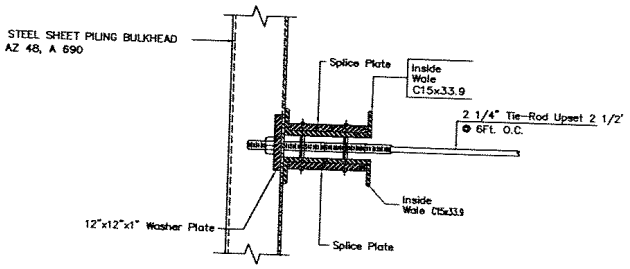
SITE PLAN

DATE: 02-12-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 2 OF 9



SECTION "A-A"

SCALE : 1/4"=1'-0"



Detail #1

NTS

PROPOSED BULKHEAD

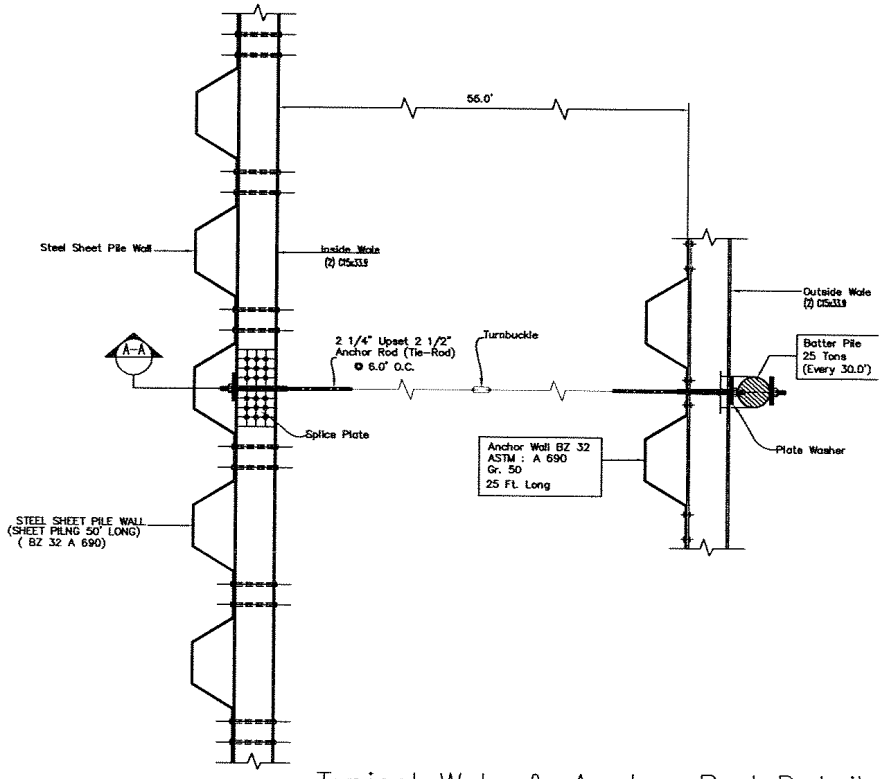
SHELDON L. REICH., P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-8124

THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED BULKHEAD

BULKHEAD - TYPICAL SECTION

DATE: 02-12-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 3 OF 9



Typical Wale & Anchor Rod Details

PLAN

NTS

PROPOSED BULKHEAD

SHELDON L. REICH., P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-8124

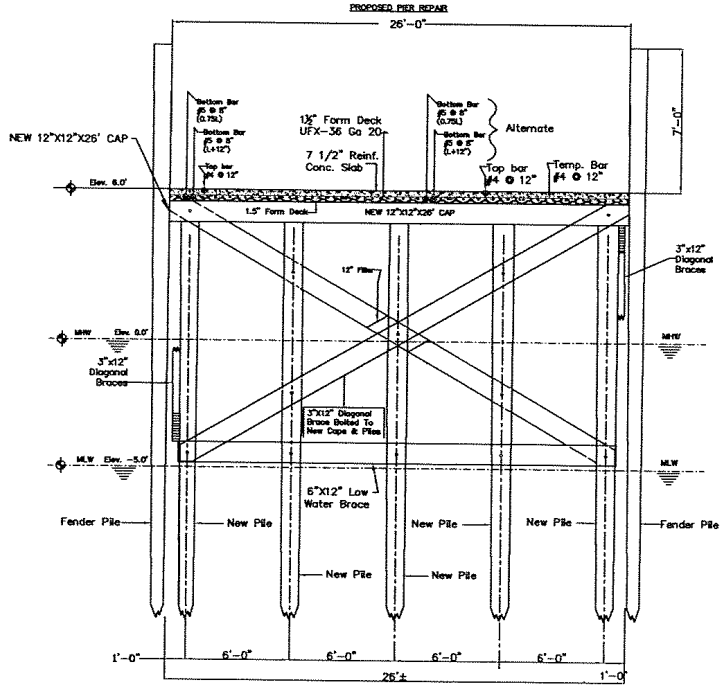
THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED BULKHEAD

WALE & ANCHOR DETAILS

DATE: 02-12-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 4 OF 9

PROPOSED PIER REPAIR



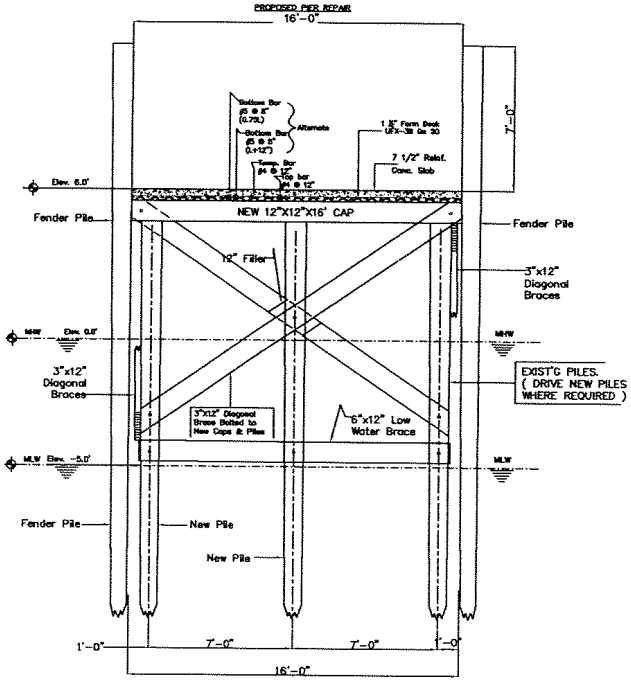
BENTS AT 5'-0" O.C.

PROPOSED PIER REPAIR – TYPICAL SECTION

Graphic Scale

PROPOSED PIER REPAIR	
SHELDON L. REICH., P.C. CONSULTING ENGINEERS & ARCHITECTS 709 PORT RICHMOND AVENUE STATEN ISLAND, N.Y. 10302. (718) 981-9124	
THE STORAGE BIN , INC. 2945 RICHMOND TERRACE, S.I., N.Y. 10303	
PROPOSED PIER REPAIR	
26 Ft PIER – TYPICAL SECTION	
DATE: 02-12-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 5 OF 9

PROPOSED PIER REPAIR

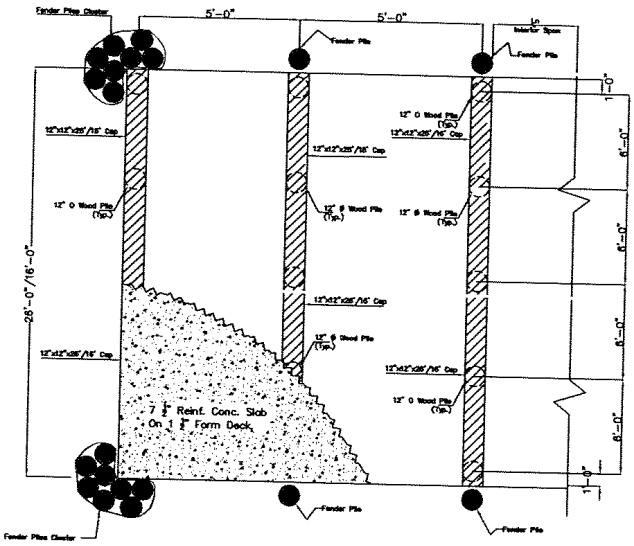


BENTS AT 5'-0" O.C.

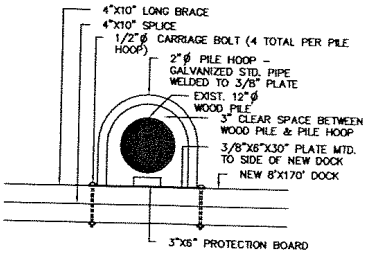
PROPOSED PIER REPAIR - TYPICAL SECTION

Graphic Scale

PROPOSED PIER REPAIR	
SHELDON L. REICH, P.C. CONSULTING ENGINEERS & ARCHITECTS 709 PORT RICHMOND AVENUE STATEN ISLAND, N.Y. 10302. (718) 981-9124	
THE STORAGE BIN , INC. 2945 RICHMOND TERRACE, S.I., N.Y. 10303	
PROPOSED PIER REPAIR	
16 Ft PIER - TYPICAL SECTION	
DATE: 01-30-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 6 OF 9



7 1/2" REINFORCED CONCRETE SLAB
TYPICAL REINFORCING DETAILS
PROPOSED PIER REPAIR – PARTIAL PLAN
NTS



DETAIL# 1 – PILE HOOP
N.T.S.

PROPOSED PIER REPAIR

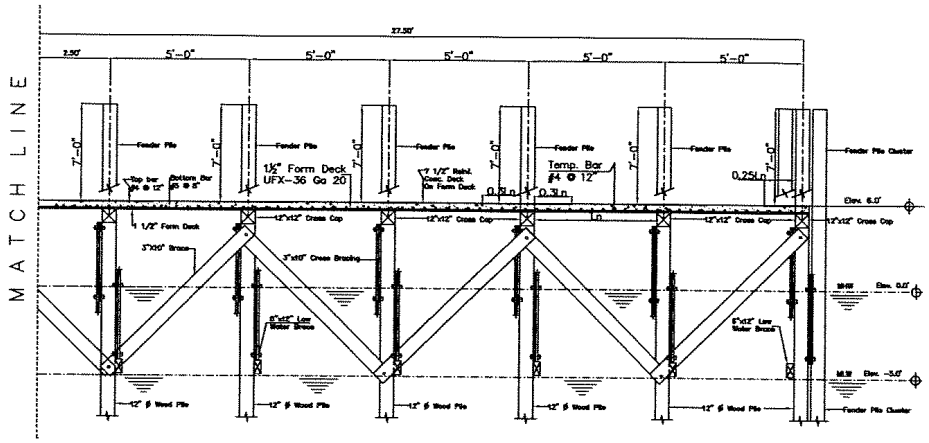
SHELDON L. REICH, P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-0124

THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED PIER REPAIR

SLAB REINFORCING DETAILS

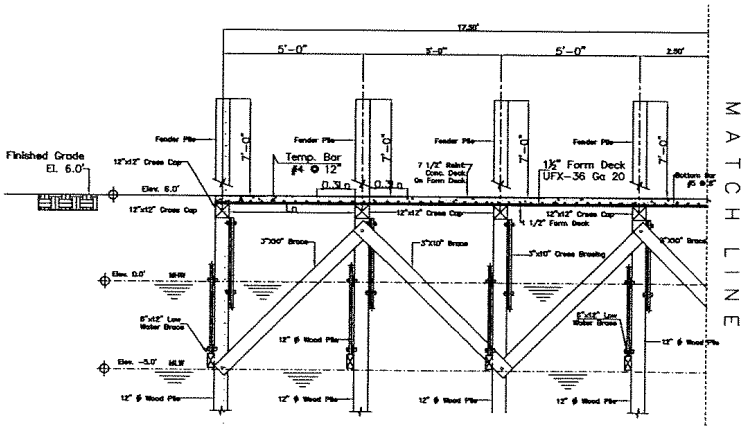
DATE:	DRAWN BY:
02-12-04	
SCALE:	SHEET No:
AS SHOWN	7 OF 9



PROPOSED PIER REPAIR – ELEVATION

Graphic Scale

0 0.5' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'



PROPOSED PIER REPAIR – ELEVATION

Graphic Scale

0 0.5' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

PROPOSED PIER REPAIR

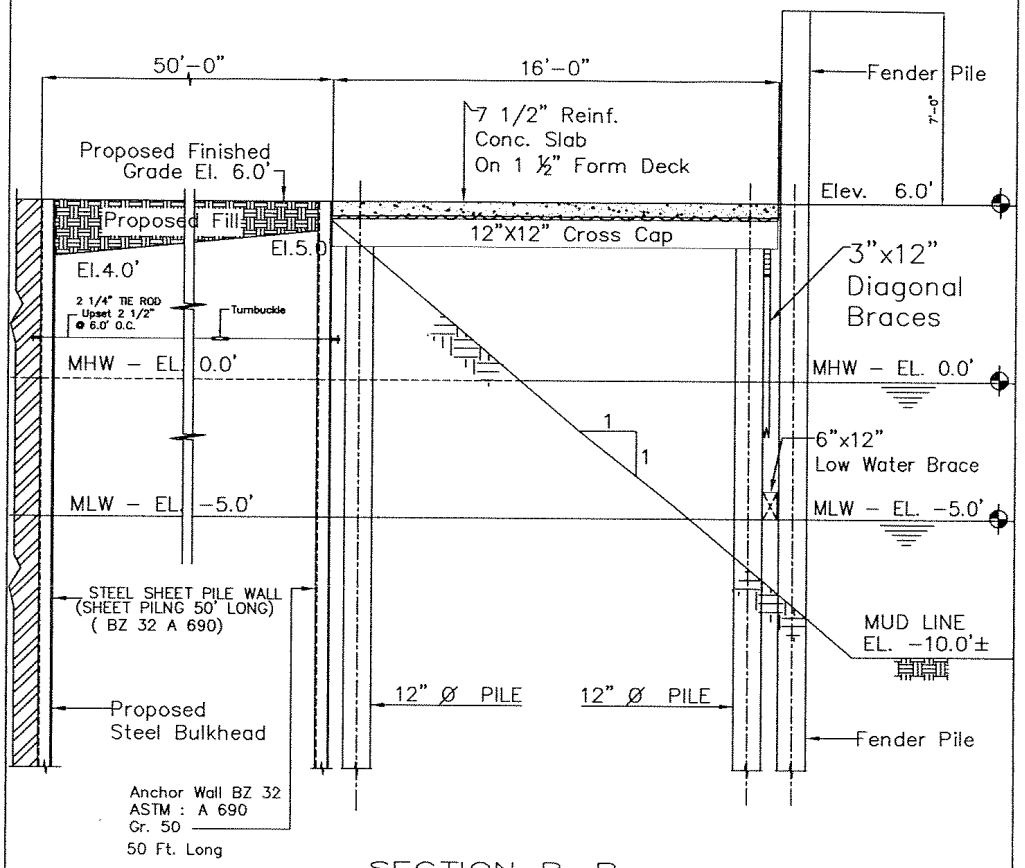
SHELDON L. REICH., P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-8124

THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED PIER REPAIR

PARTIAL ELEVATION

DATE: 02-12-04	DRAWN BY:
SCALE: AS SHOWN	SHEET No: 8 OF 9



SECTION B–B

GRAPHIC SCALE

NOTE:
PLACE FILTER FABRIC ON TOP OF NEW 6" LAYER OF CRUSHED STONE BEFORE PLACING NEW LAYER OF RIP–RAP.

PROPOSED PIER REPAIR

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STATEN ISLAND, N.Y. 10302.
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THE STORAGE BIN , INC.
2945 RICHMOND TERRACE, S.I., N.Y. 10303

PROPOSED PIER REPAIR

PARTIAL ELEVATION

DATE	DRAWING NO.
02-12-04	
SCALE	SHEET No.
AS SHOWN	9 OF 9