

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: 2004-00443-Y5
Issue Date: August 23, 2006
Expiration Date: September 23, 2006

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: 52nd Development LLC
122-02 25th Road
Flushing, NY 11354

ACTIVITY: Install riprap, construct marina

WATERWAY: Flushing Bay, East River

LOCATION: College Point, Borough of Queens, Queens 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 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.

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

CENAN-OP-RE
PUBLIC NOTICE NO. 2004-00443-Y5

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.

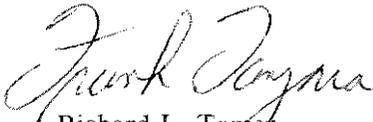
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit

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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) 790-8522 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

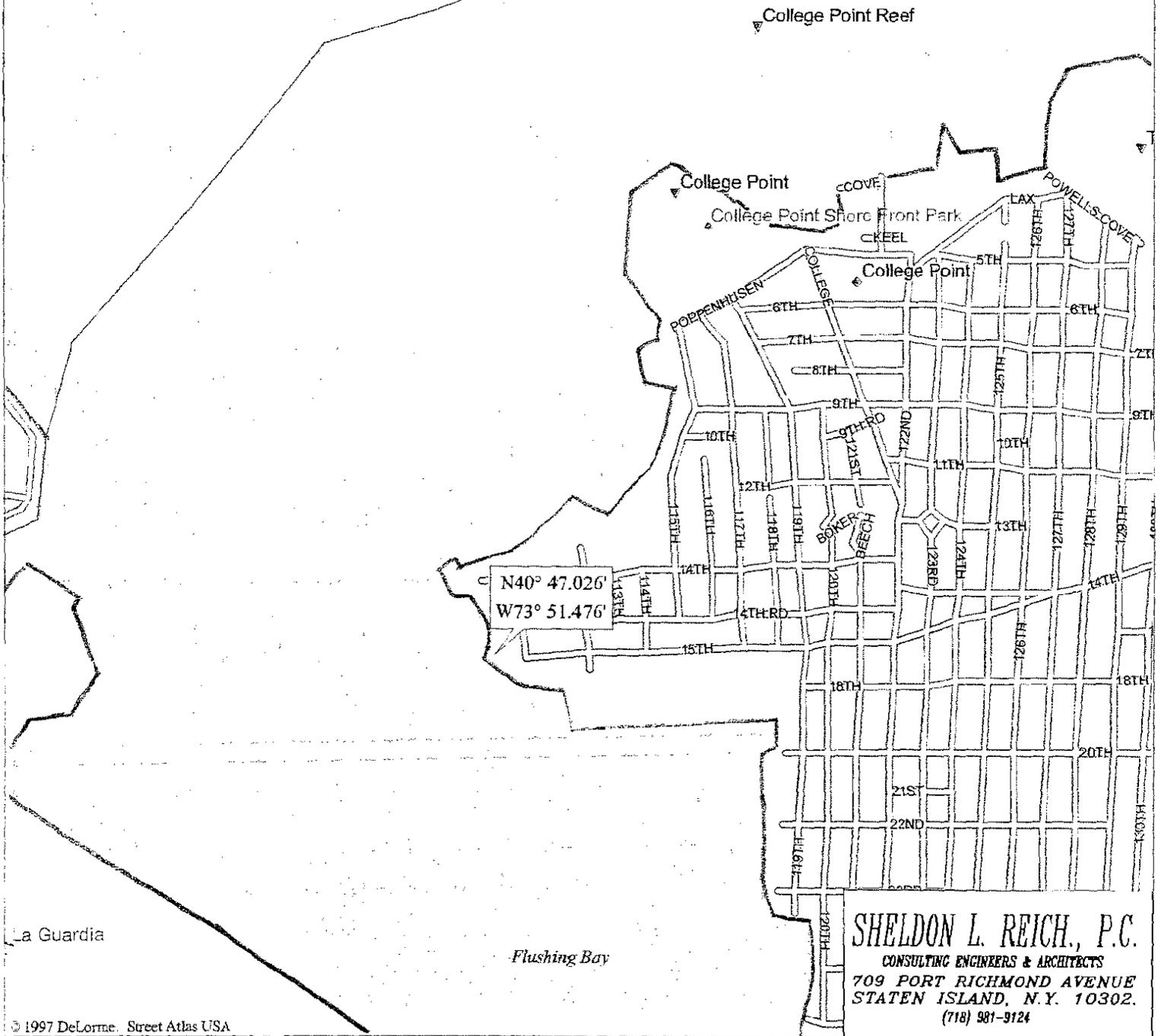
WORK DESCRIPTION

The applicant, 52nd Development LLC, has requested Department of the Army authorization to remove and reinstall riprap, and construct a marina in Flushing Bay, East River at College Point, Borough of Queens, Queens County, New York.

The work would involve the removal of approximately 250 cubic yards (13,750 square feet or 0.32 acres) of existing riprap, the placement of approximately 100 cubic yards of gravel filter bed below the spring high water line and then the reinstallation of the rip rap on the gravel filter bed. A 4-foot wide by 30-foot long ramp would be installed leading to a 6-foot wide by 138-foot long main float perpendicular to the shoreline. To be installed parallel to the shoreline would be two (2) additional main floats with each measuring 6-feet wide by 224-feet long. To be installed perpendicular to the landwardmost main float would be seven (7) 4-foot wide finger floats measuring 22-feet long and seven 4-foot wide finger floats measuring 26-feet long. To be installed perpendicular to the waterwardmost float would be fourteen (14) 4-foot wide finger floats measuring 30-feet long. The floats would be secured with 75 piles and 28 mooring piles would be installed between the finger floats.

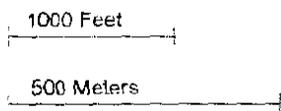
The stated purpose of this project is to prevent erosion of the existing shoreline and provide a recreational marina.

CCP DEVELOPMENT (GOLDEN VISTA)



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Mag 15.00
 Mon May 02 14:44 2005
 Scale 1:14,063 (at center)



- Local Road
- Interstate/Limited Access
- Geographic Feature
- Park/Reservation
- Sched Service Airport
- Locale
- County Boundary
- Land
- Water

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

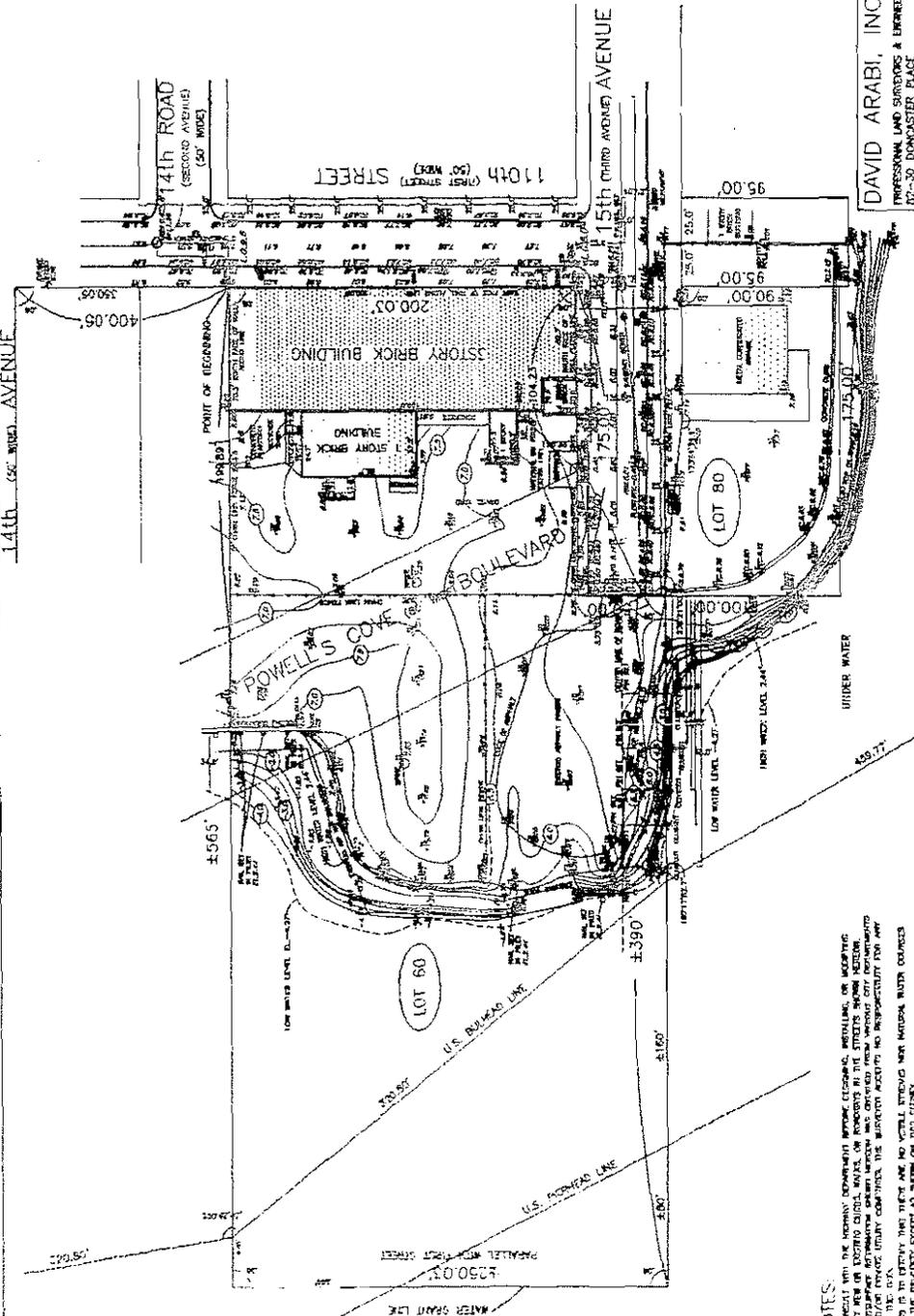
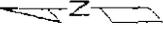
CCP DEVELOPMENT, LLC.
 110th STREET & 15th AVENUE
 COLLEGE POINT, NEW YORK

AT: COLLEGE POINT, QUEENS COUNTY

IN: FLUSHING BAY

DATE: 4/6/04	DRAWN BY: B.P.
SCALE: AS NOTED	SHEET No: 1 OF 6

SCALE 1"=60'



REVISED: FEBRUARY 23, 2004
 REVISED: FEBRUARY 17, 2004
 REVISED: FEBRUARY 2, 2004
 REVISED: NOVEMBER 03, 2003
 DATE: JULY 30, 2003

TAX MAP
 SECTION
 BLOCK 4044
 LOT 60

DAVID ARABI, INC.
 PROFESSIONAL LAND SURVEYORS & ENGINEERS
 02-30 DONCASTER PLACE
 JAMAICA ESTATES, N.Y. 11432
 TELEPHONE (718) 920-9080
 FAX (718) 920-9881

SURVEY No. 4636

BOROUGH OF QUEENS
 COUNTY OF QUEENS
 STATE OF NEW YORK

SITE SURVEY

SCALE: N.T.S.

BUILDINGS

MARINA & SHORELINE IMPROVEMENTS

SHELDON L. REICH, P.C.

CONSULTING ENGINEERS & ARCHITECTS

6415 VICTORY BLVD
 STATEN ISLAND, N.Y. 10314
 (718) 985-6375

CSP DEVELOPMENT, LLC
 110TH STREET & 15TH AVENUE
 COLLEGE POINT NY

AT: COLLEGE POINT, QUEENS COUNTY

IN: FLUSHING BAY

FILE NAME: 03-47

DATE: 11/10/05

ISSUED BY: B.P.

SCALE: N.T.S.

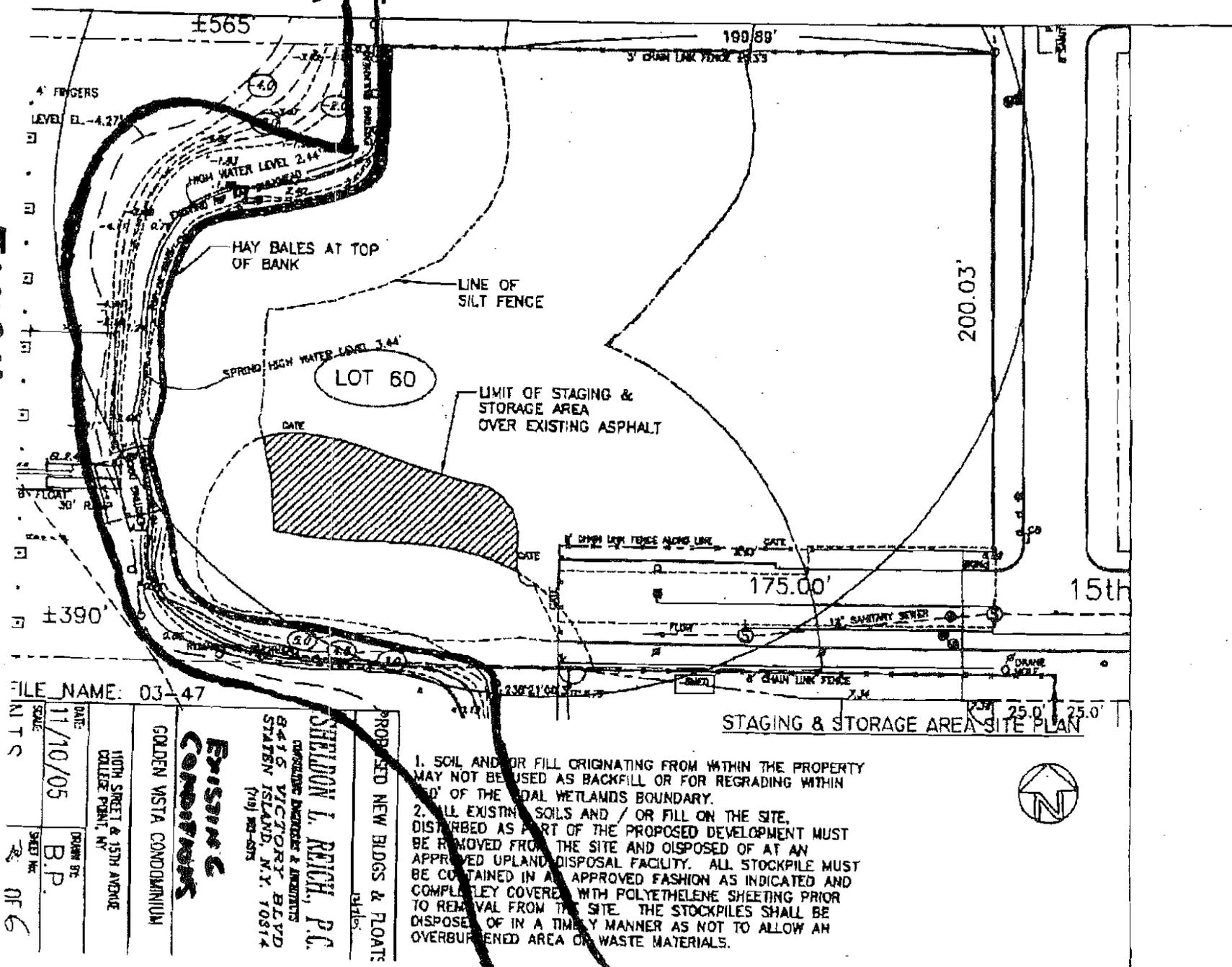
SHEET No: 2 OF 6

NOTES:

1. CONDUCTED WITH THE HIGHWAY DEPARTMENT SURVEYING EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, TOTAL STATION, DISTANCE MEASUREMENT, AND PHOTO THEODOLITE, AND POINTS IN THE STREET WERE RECORDED.
2. ALL DISTANCES GIVEN REFER TO THE CURVES, UNLESS OTHERWISE SPECIFIED FOR ANY PART OF THE CURVE.
3. ALL DISTANCES GIVEN REFER TO THE CURVES, UNLESS OTHERWISE SPECIFIED FOR ANY PART OF THE CURVE.
4. ALL DISTANCES GIVEN REFER TO THE CURVES, UNLESS OTHERWISE SPECIFIED FOR ANY PART OF THE CURVE.
5. ALL DISTANCES GIVEN REFER TO THE CURVES, UNLESS OTHERWISE SPECIFIED FOR ANY PART OF THE CURVE.

WATERWARD RIP RAP → LANDWARD AT TOP OF BANK

FLUSHING BAY



FILE NAME: 03-47

DATE:	11/10/05
SCALE:	B.P.
SHEET NO.:	2 OF 6
SHELDON T. REICH, P.C. OPERATING ENGINEERS & ARCHITECTS 8416 VICTORY BLVD STATEN ISLAND, N.Y. 10314 (718) 982-6375	
PROPOSED NEW BLDGS & FLOATS 1511b	
EXISTING CONDITIONS GOLDEN WSTA CONDOMINIUM 110th STREET & 15th AVENUE COLLEGE POINT, NY	

1. SOIL AND/OR FILL ORIGINATING FROM WITHIN THE PROPERTY MAY NOT BE USED AS BACKFILL OR FOR REGRADING WITHIN 50' OF THE LOCAL WETLANDS BOUNDARY.
2. ALL EXISTING SOILS AND / OR FILL ON THE SITE, DISTURBED AS PART OF THE PROPOSED DEVELOPMENT MUST BE REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED UPLAND DISPOSAL FACILITY. ALL STOCKPILE MUST BE CONTAINED IN AN APPROVED FASHION AS INDICATED AND COMPLETELY COVERED WITH POLYETHYLENE SHEETING PRIOR TO REMOVAL FROM THE SITE. THE STOCKPILES SHALL BE DISPOSED OF IN A TIMELY MANNER AS NOT TO ALLOW AN OVERBURDENED AREA OF WASTE MATERIALS.

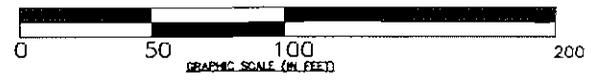


30FG

123'-0" ±
TO NEAREST
FLOAT FROM
LINE OF
FEDERAL
NAVIGATION
CHANNEL



PROPOSED SITE PLAN



ADJOINING OWNERS

- (A) 14-34 110TH STREET, LLC.
14-34 110TH STREET
COLLEGE POINT, NEW YORK 11356
- (B) NYCDOT (STREET)
40 WORTH STREET
NEW YORK, NEW YORK 10013

LEGEND

- PUMP OUT STATION
- UTILITIES
- ▨ EEO-STONE PAVERS (PERVIOUS WALKWAY)
- 0.0 GRADE
- 12" WOOD PILES
- PROPERTY LINE
- ⇄ FINGERS & FLOATS

NO APPARANT ADJACENT
STRUCTURES NORTH OR
SOUTH OF PROPERTY LINES

NOTE:
ALL ELEVATIONS REFER TOPO
QUEENS DATUM WHICH IS +2.725
MSL

PROPOSED PIER

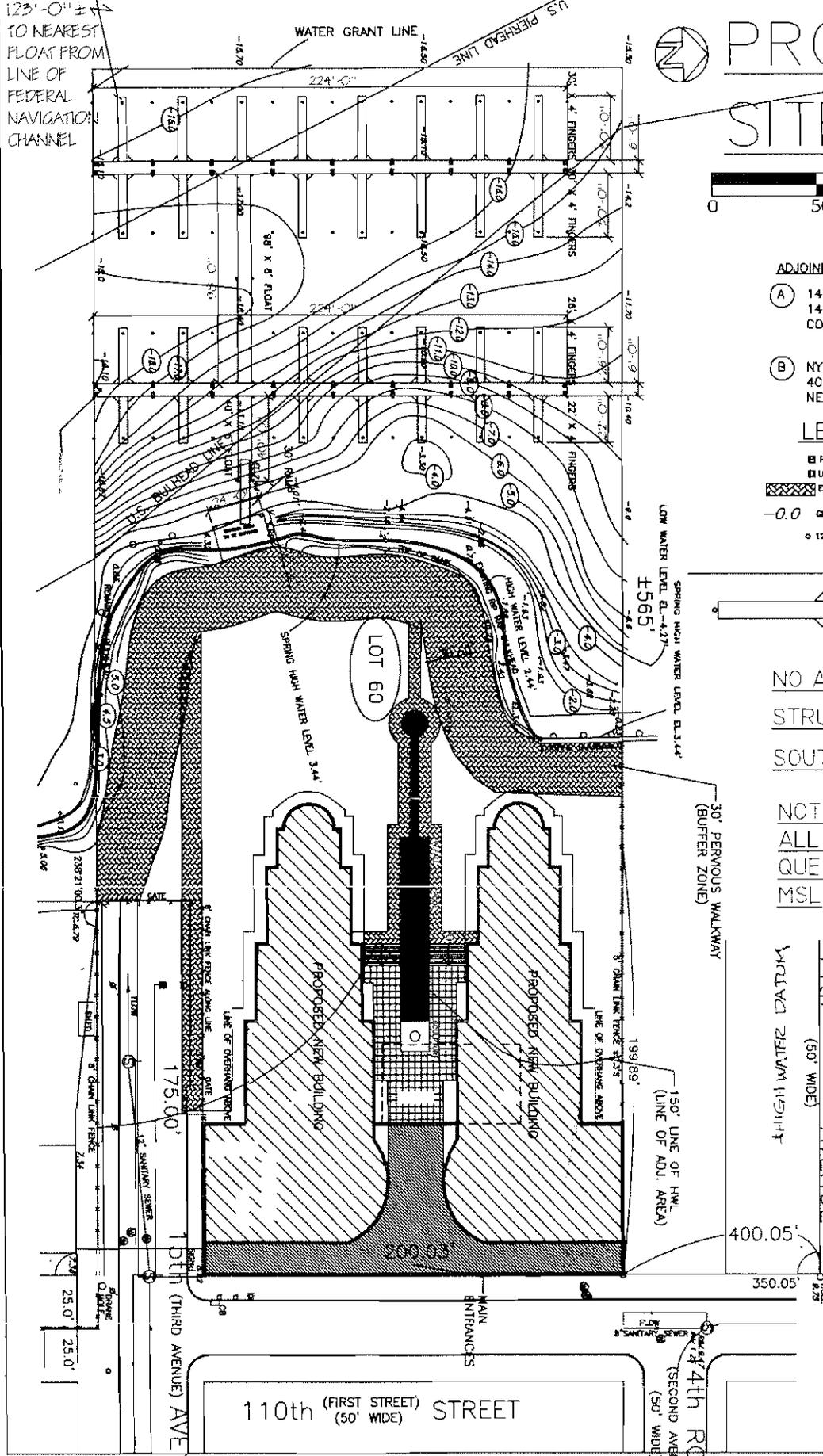
12/17/04
SHELDON L. REICH, P.C.
CONSULTING ENGINEERS & ARCHITECTS
709 PORT RICHMOND AVENUE
STATEN ISLAND, N.Y. 10302.
(718) 981-9124

BOATYARD CONDOMINIUM
110th STREET & 15th AVENUE
COLLEGE POINT, NEW YORK

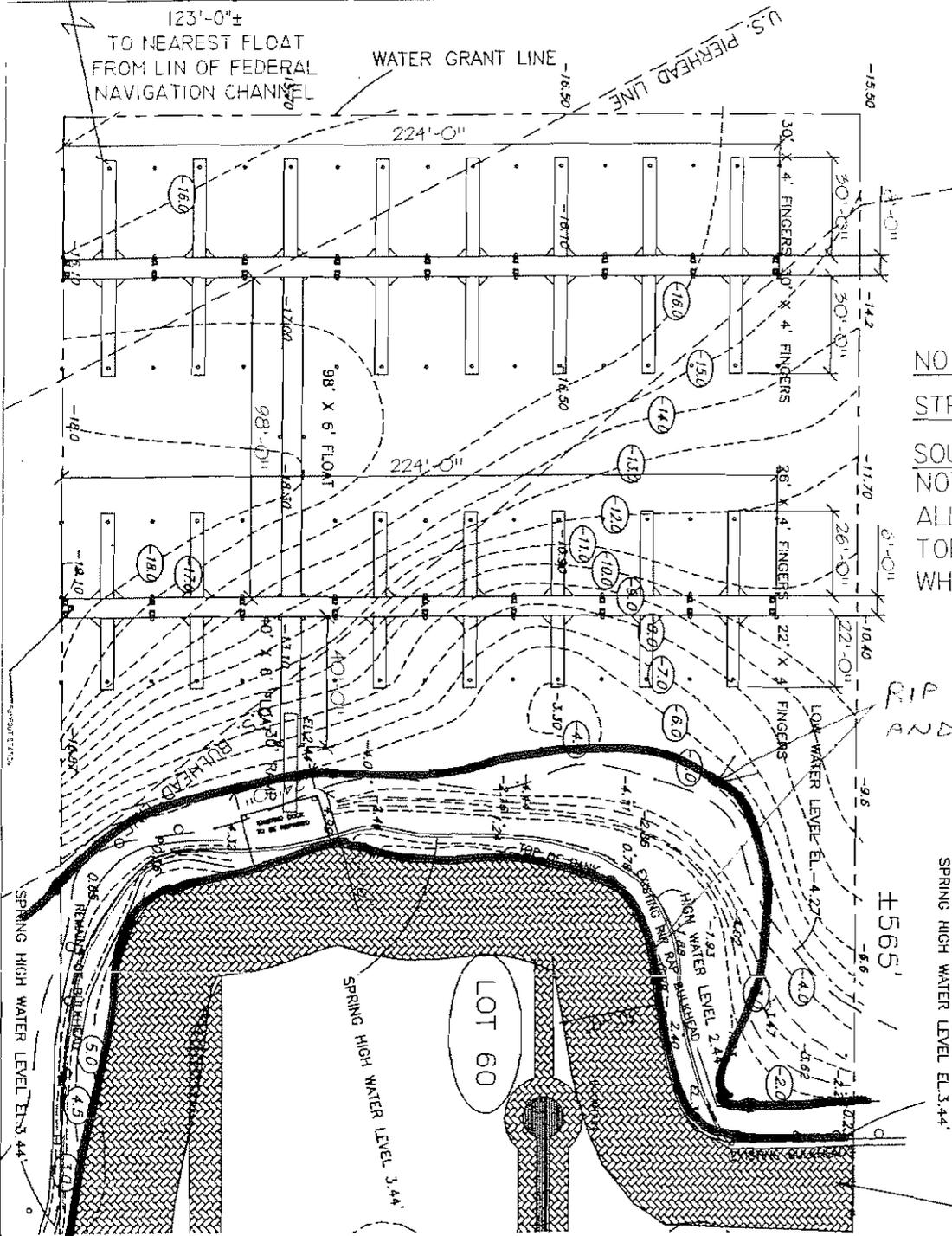
NEW FLOATING DOCK

COLLEGE POINT, QUEENS, N.Y.

DATE: 4/6/04	DRAWN BY: B.P.
SCALE: AS NOTED	SHEET No: 4 OF 6



PROPOSED SITE PLAN



NO APPARANT ADJACENT
STRUCTURES NORTH OR
SOUTH OF PROPERTY LINES
NOTE:
ALL ELEVATIONS REFER
TOPO QUEENS DATUM
WHICH IS +2.725 MSL

RIP RAP TO BE REMOVED
AND REPLACED

SPRING HIGH WATER LEVEL EL. 3.44

±565'

FILE NAME: 03-47

MARINA & SHORELINE IMPROVEMENTS

SHELDON L. REICH, P.C.

CONSULTING ENGINEERS & ARCHITECTS
8415 VICTORY BLVD
STATEN ISLAND, N.Y. 10314
(718) 983-6575

CCP DEVELOPMENT, LLC,
110TH STREET & 15TH AVENUE
COLLEGE POINT, NY

AT: COLLEGE POINT, QUEENS COUNTY

IN: FLUSHING BAY

DATE:
11/10/05

DRAWN BY:
B.P.

SCALE:
N.T.S.

SHEET No:
5 OF 6

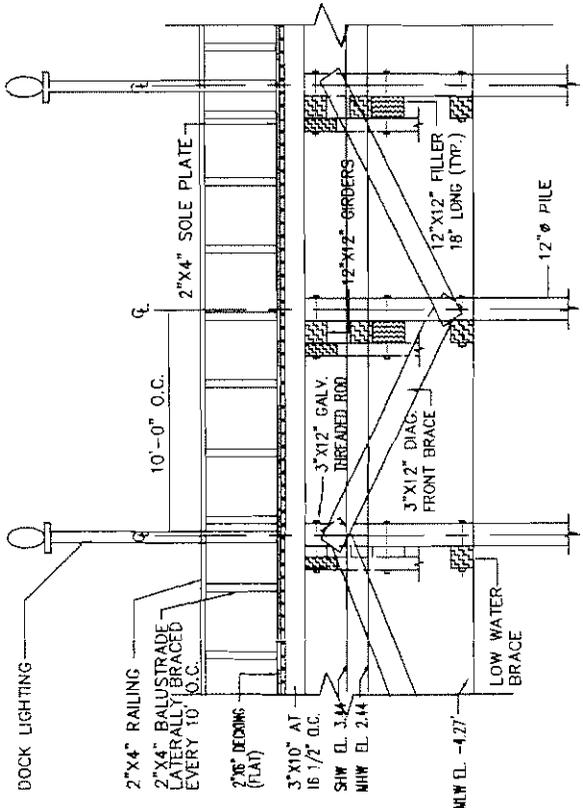
ENLARGED MARINA PLAN

TOP OF RIP-RAP EL: 3.89
SPRING HIGH WATER EL: 3.44
MEAN HIGH WATER EL: 2.44
MEAN LOW WATER EL: -4.27
BOTTOM OF RIP-RAP VARIES

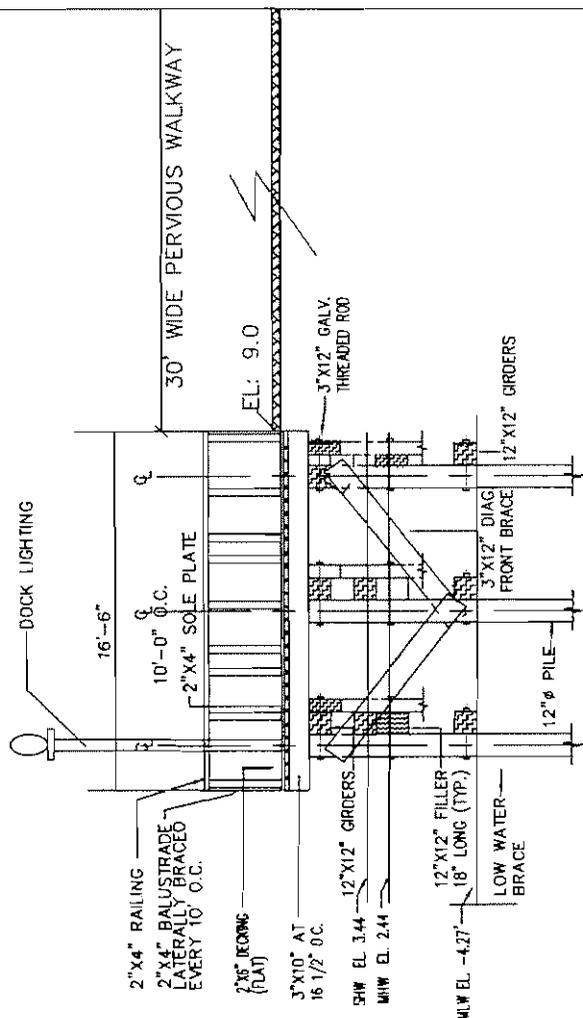
LEGEND

- PUMP OUT STATION
- UTILITIES
- ▨ ECO-STONE PAVERS (PERVIOUS WALKWAY)
- 0.0 GRADE
- 12" X 3000 PILES



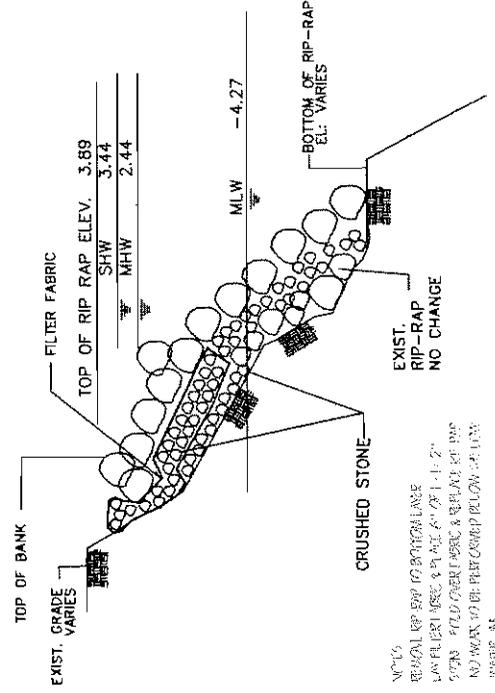


FRONT ELEVATION OF DOCK



RIGHT SIDE PARTIAL ELEVATION

SCALE: 1/8" = 1'-0"



RIP-RAP (TYP)

NOTES:
 REASON RIP-RAP IS BROKEN LINE
 WAS FILTER FABRIC & PILE 4" x 12" x 2"
 SYSTEM FOLD OVER FABRIC & REPLACE RIP-RAP
 NO WAY TO BE PERFORMED BELOW MLW
 11/10/05

PROPOSED NEW BLDGS & FLOATS
 11/10/05

SHELDON L. REICH, P.C.
 CONSULTING ENGINEERS & ARCHITECTS
 8415 VICTORY BLVD
 STATEN ISLAND, N.Y. 10314
 (718) 983-6575

GOLDEN VISTA CONDOMINIUM

110TH STREET & 15TH AVENUE
 COLLEGE POINT, NY

FILE_NAME: 03-47

DATE: 11/10/05

SCALE: N.T.S.

DRAWN BY: B.P.

SHEET No: 6 OF 6