



# 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-2007-00074-NYC**  
Issue Date: **July 20, 2007**  
Expiration Date: **August 20, 2007**

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

APPLICANT: Staten Island Terminal, LLC  
447 95<sup>th</sup> Street, Suite 3A  
Brooklyn, N.Y. 11209

ACTIVITY: Dredge a new deep-draft ship berth with ocean placement of rock, and construct a new pier

WATERWAY: Kill Van Kull

LOCATION: Staten Island Terminal at Port Richmond, 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 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 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.

20 JULY 2007

The Corps of Engineers 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 Corps of Engineers is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area.

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). A complete description of the proposed activity is given in the enclosed work description. The Corps of Engineers 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 Protection of Waters Permit

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) 790-8400 and ask for Mr. Thomas M. Creamer.

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 permit applicant, Staten Island Terminal, LLC, has submitted a permit application for a Department of the Army permit to perform regulated construction work in order to add a deep-draft ship berth and new ship unloading pier at their existing waterfront terminal in the Kill Van Kull at New York City, Port Richmond, Borough of Staten Island, Richmond County, New York. The adjacent deep-draft waterway is the Kill Van Kull federal navigation channel of the authorized New York and New Jersey Channels Federal Navigation Project. The existing shallow-draft terminal is located immediately west of the Bayonne Bridge near the intersection of the Kill Van Kull, Newark Bay, and the South of Shooters Island deep-draft federal navigation channels.

The permit applicant reports that there is minimal, if any, black silt mud over the underlying rock which must be removed to create the proposed new deep-draft berth.

The permit applicant reports that as has been done in the past in this area of the harbor, a mechanical backhoe bucket dredge would rip and excavate the exposed rock after rock-drilling to fracture the rock for removal. If the rock-drilling technique alone does not fracture the rock, the permit applicant reports they would use rock-drilling and blasting as needed to create the new deep-draft berth. The permit applicant reports approximately 45,000 cubic yards of new-work deepening rock dredged material would be removed for the proposed new 900-foot-long by 200-foot-wide deep-draft berth (approximately 138,168 square feet or 3.2 acres) to a maximum depth of minus 42 feet Mean Low Water Datum. This dredging depth includes an additional two feet of allowable overdepth dredging in the rock to ensure the required safe depth in the new deep-draft berth of minus 40 feet Mean Low Water Datum is achieved. The expected 45,000 cubic yards of rock dredged material includes this overdepth dredging volume.

Though normal practice is for rock dredged material from this and other areas of the New York and New Jersey Harbor to be beneficially used by enhancing the existing artificial fishing reefs in the Atlantic Ocean off of New Jersey and New York, this permit applicant has requested permission to transport and dump the rock dredged material at the Historic Area Remediation Site (HARS) upon existing rock there because there would be less transportation costs than going to the ocean reef site off of Shark River, New Jersey.

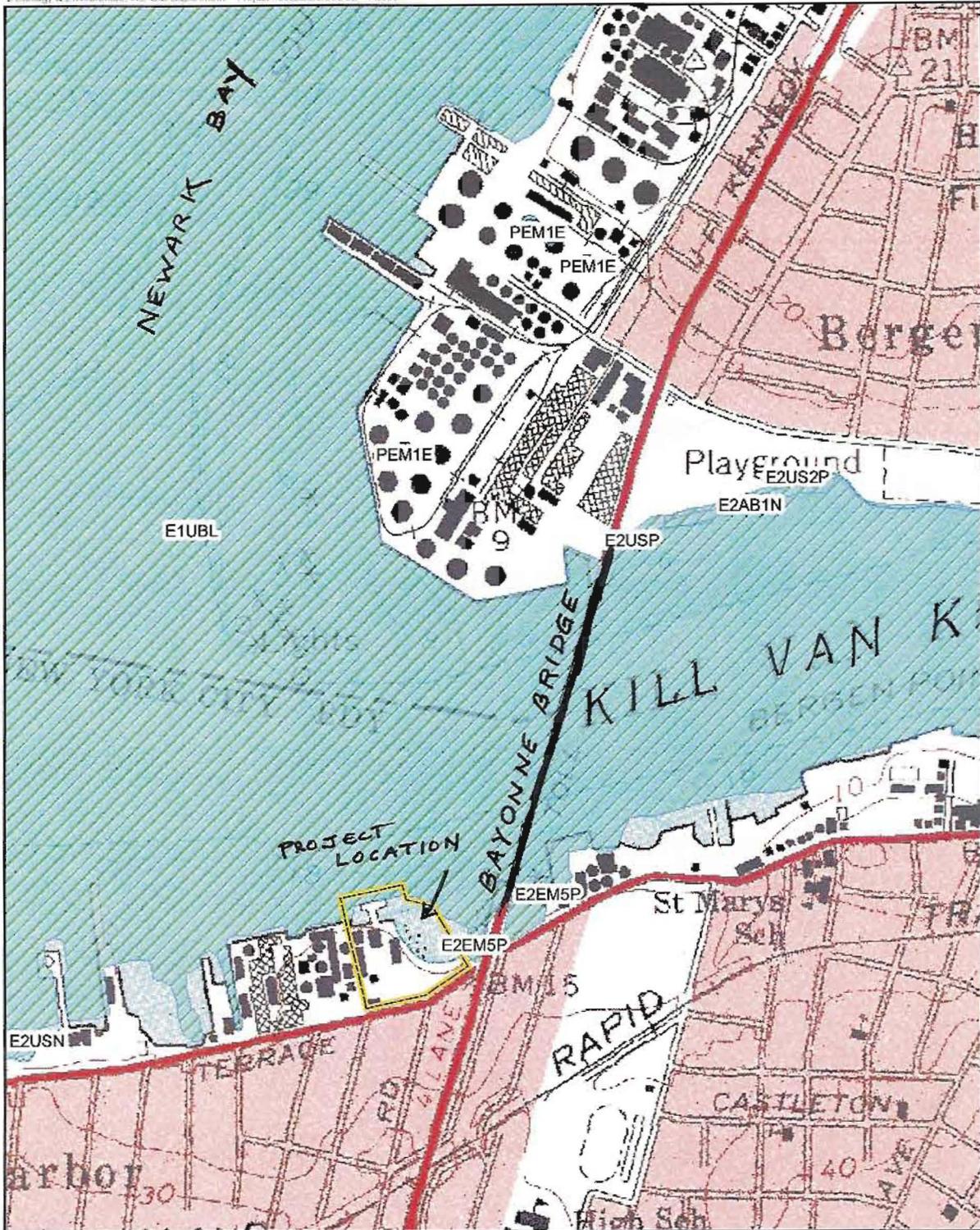
Once the proposed new deep-draft ship berth has been created; a proposed new ship-unloading caisson-supported V-shaped concrete and steel pier structure would be constructed. One leg of the new caisson-supported concrete and steel pier would be 625 feet long and 44 feet wide, and would be located parallel to and approximately 114 feet landward of the southern channel line of the deep-draft Kill Van Kull federal navigation channel. The proposed new caisson-supported concrete and steel pier would then be connected to the existing shoreline at an angle, as shown in the attached permit application drawings submitted by the permit applicant. This proposed connection would be a 381-foot long; 21-foot wide trestle pier structure which would also support the proposed new berth's 710-foot-long inclined enclosed conveyer belt system as shown on the attached submitted permit application drawings.

To secure each ocean-going deep-draft ship in the proposed new berth and out of the adjacent deep-draft federal navigation channel, two new mooring dolphin structures would be constructed by the permit applicant. One would be approximately 28 feet west of the proposed new caisson-supported concrete and steel pier. The other would be approximately 75 feet east of the proposed new caisson-supported concrete and steel pier. Each proposed new mooring dolphin structure would be connected to the proposed new caisson-supported concrete and steel pier via a steel walkway trestle as shown on the attached permit application drawings submitted by the permit applicant.

The permit applicant reports that the proposed new deep-draft ship berth and pier would accommodate transoceanic ships weighing (dead weight) up to 42,000 tons and measuring up to 97 feet in width and 607 feet long. When moored, a 97-foot-wide ship would be approximately 16 feet away from the southern channel line of the recently-deepened deep-draft Kill Van Kull federal Navigation Channel.

The applicant's stated purpose for this regulated construction work is to add a deep-draft berth to the existing shallow-draft terminal to allow for the unloading and transfer of dry bulk portland cement, as well as, concrete aggregates from transoceanic ships into the existing adjacent upland ready-mix concrete plant.

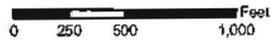
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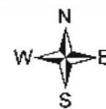
Source: USGS Topos - Elizabeth Quad



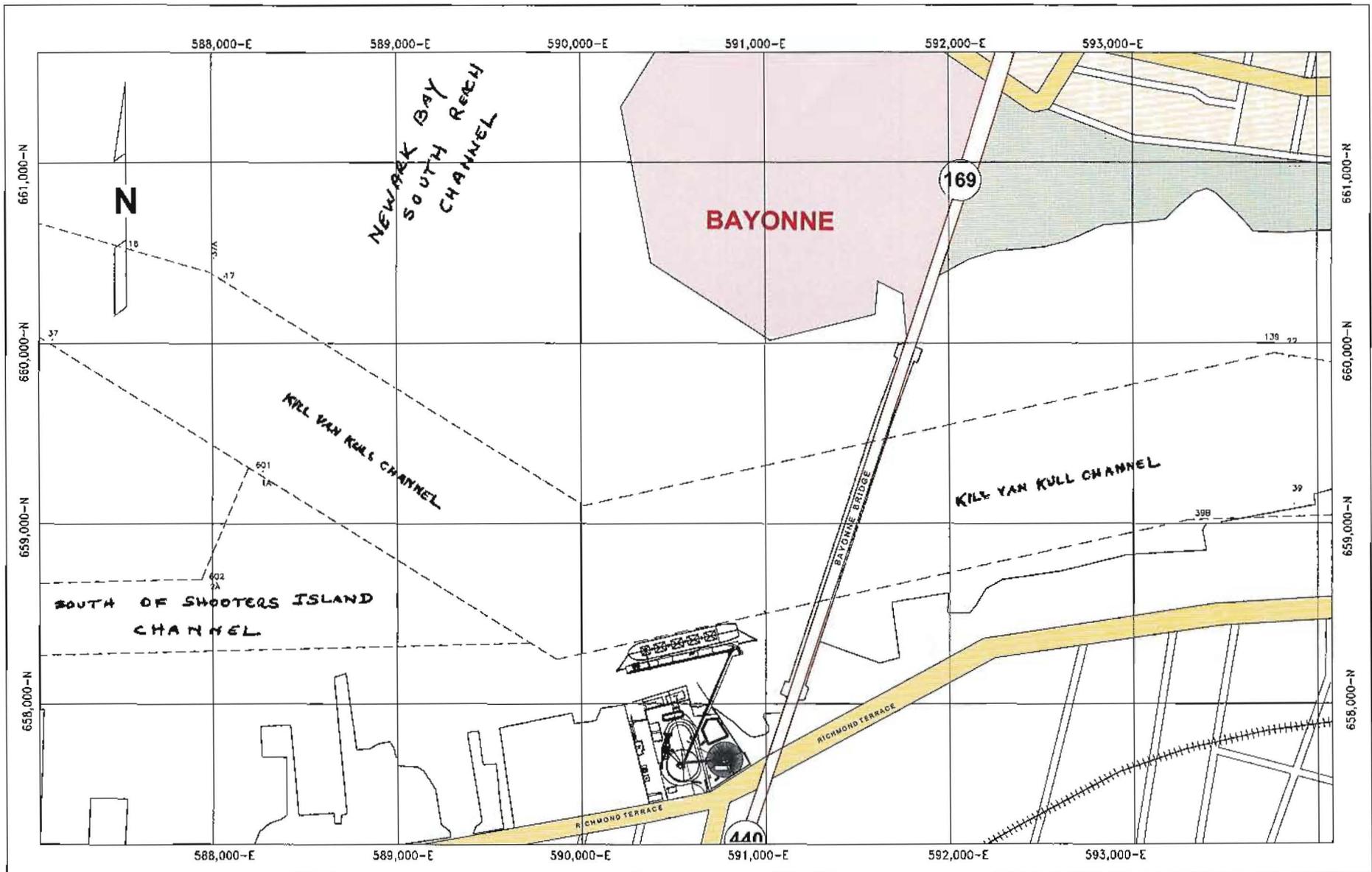
Project Location  
 NWI Wellland



Staten Island Terminal



Corps Application No.: NAN-2007-00874-NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP-DRAFT BERTH  
 Drawing 1 of 8



**DATUM NOTE:**

COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE BOROUGH OF STATEN ISLAND, AS ESTABLISHED BY THE U.S. COAST & GEODETIC SURVEY FOR THE BOROUGH OF STATEN ISLAND (BORGART SYSTEM). THE GRID SHOWN IS REFERENCED TO NEW JERSEY STATE PLANE (NAD 83- FEET).



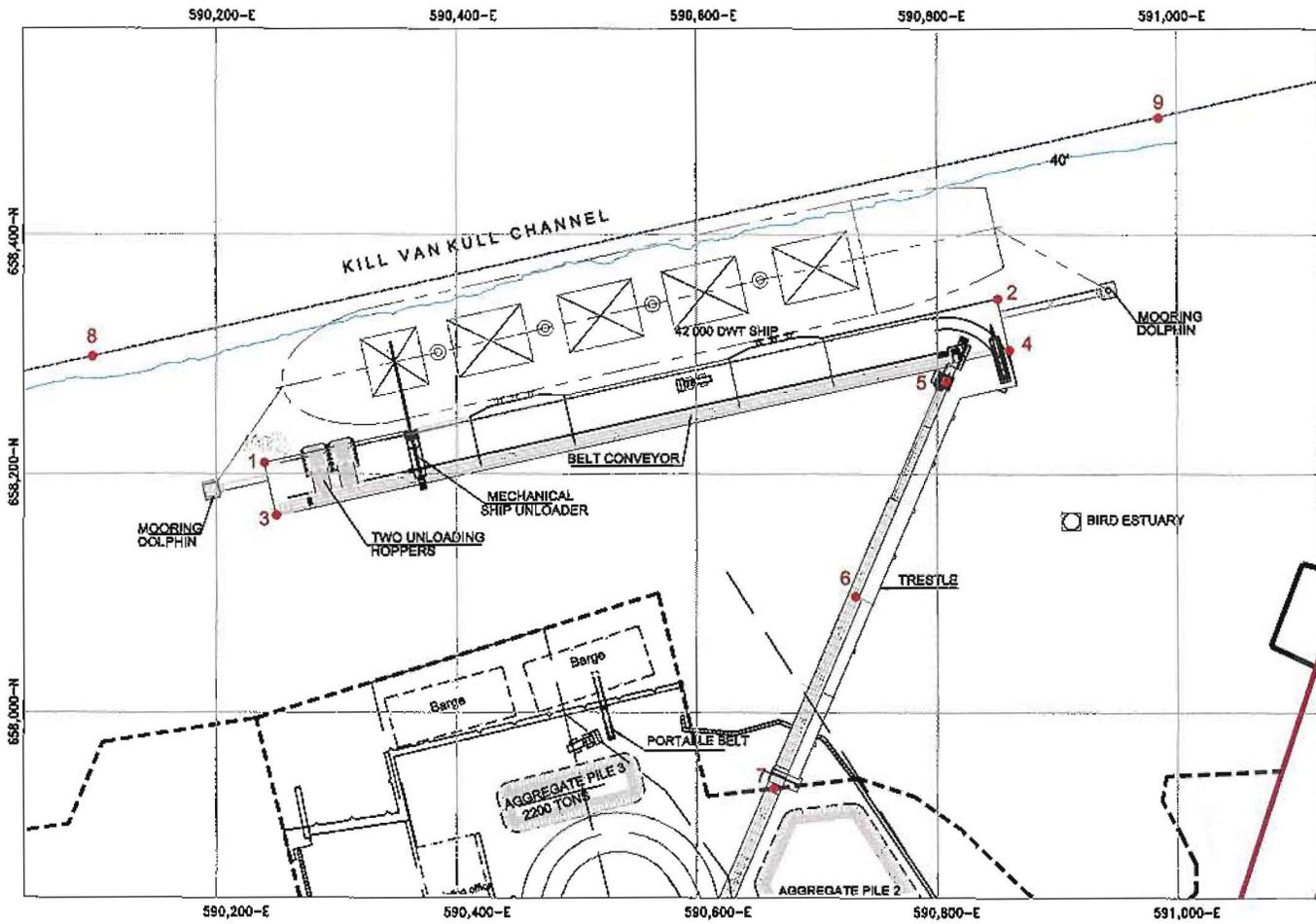
CLIENT **STATEN ISLAND CEMENT AND AGGREGATE TERMINAL**

STANDARDS DATE: AUGUST, 2006  
SCALE: 1" = 500'

TERMINAL LOCATION

DESIGN  
DRAWING A.L.R.  
CHECK

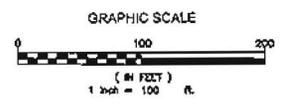
Corps Application No.: NAN-2007-00074-NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP DRAFT BERTH  
 Drawing 2 of 8



COORDINATES

NUMBER	COORDINATES	
	E	N
1	590,240.09	658,209.34
2	590,850.16	658,346.72
3	590,249.78	658,166.30
4	590,859.85	658,303.69
5	590,807.67	658,277.56
6	590,731.75	658,097.53
7	590,663.86	657,936.52
8	590,096.49	658,298.59
9	590,984.05	658,497.93

COORDINATES NEW JERSEY STATE PLANE (NAD 83--FEET).



● Coordinates

**DATUM NOTE:**  
 COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE BOROUGH OF STATEN ISLAND, AS ESTABLISHED BY THE U.S. COAST & GEODETIC SURVEY FOR THE BOROUGH OF STATEN ISLAND (BOGART SYSTEM). THE GRID SHOWN IS REFERENCED TO NEW JERSEY STATE PLANE (NAD 83--FEET).



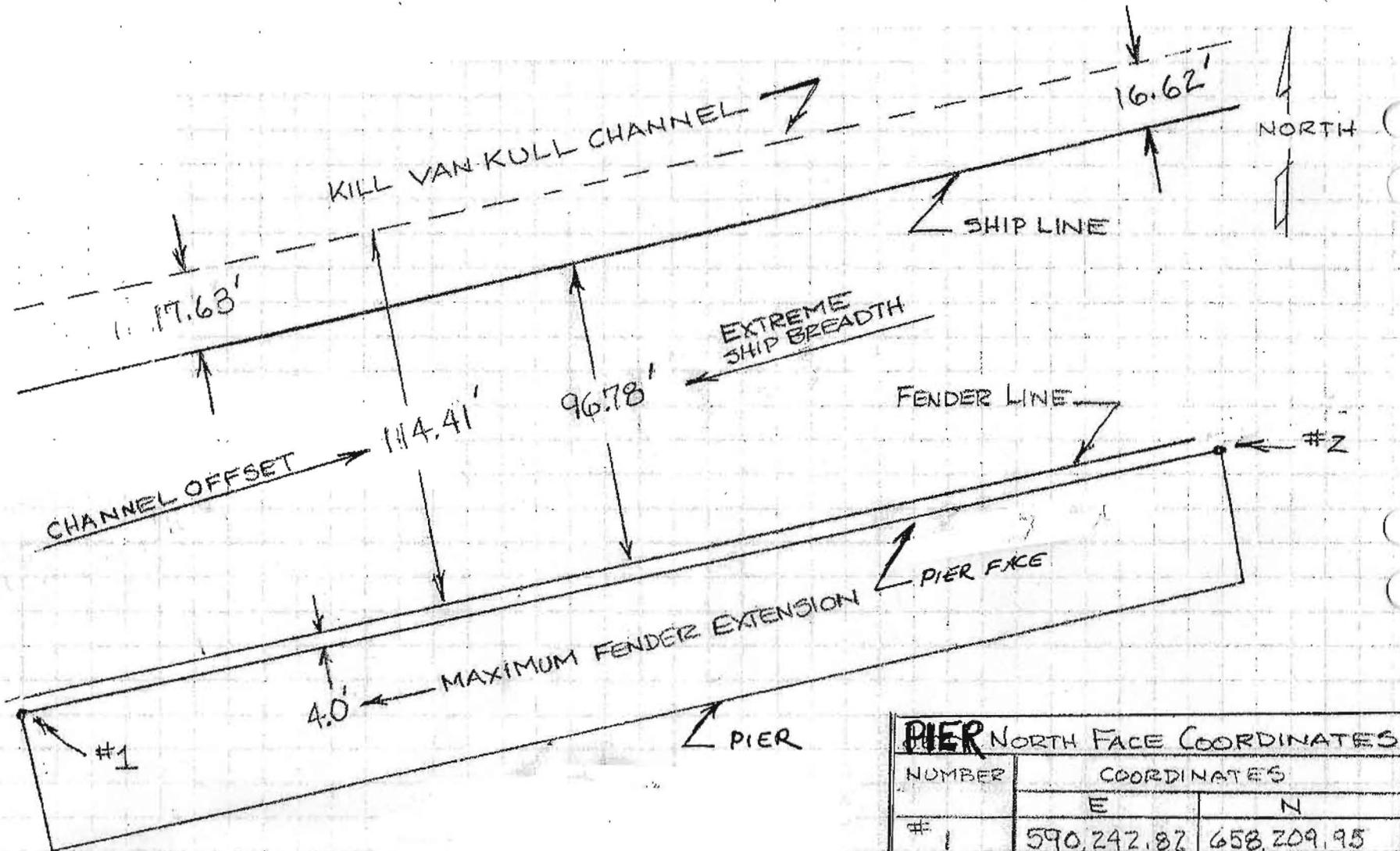
CLIENT **STATEN ISLAND CEMENT AND AGGREGATE TERMINAL**  
 STANDARDS: NORMA      DATE September, 2008  
 SCALE 1" = 100'

**TRESTLE LOCATION RELATIVE TO THE CHANNEL**

DESIGN  
 DRAWING A.L.R.  
 CHECK  
 APPROVED PRP

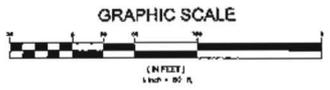
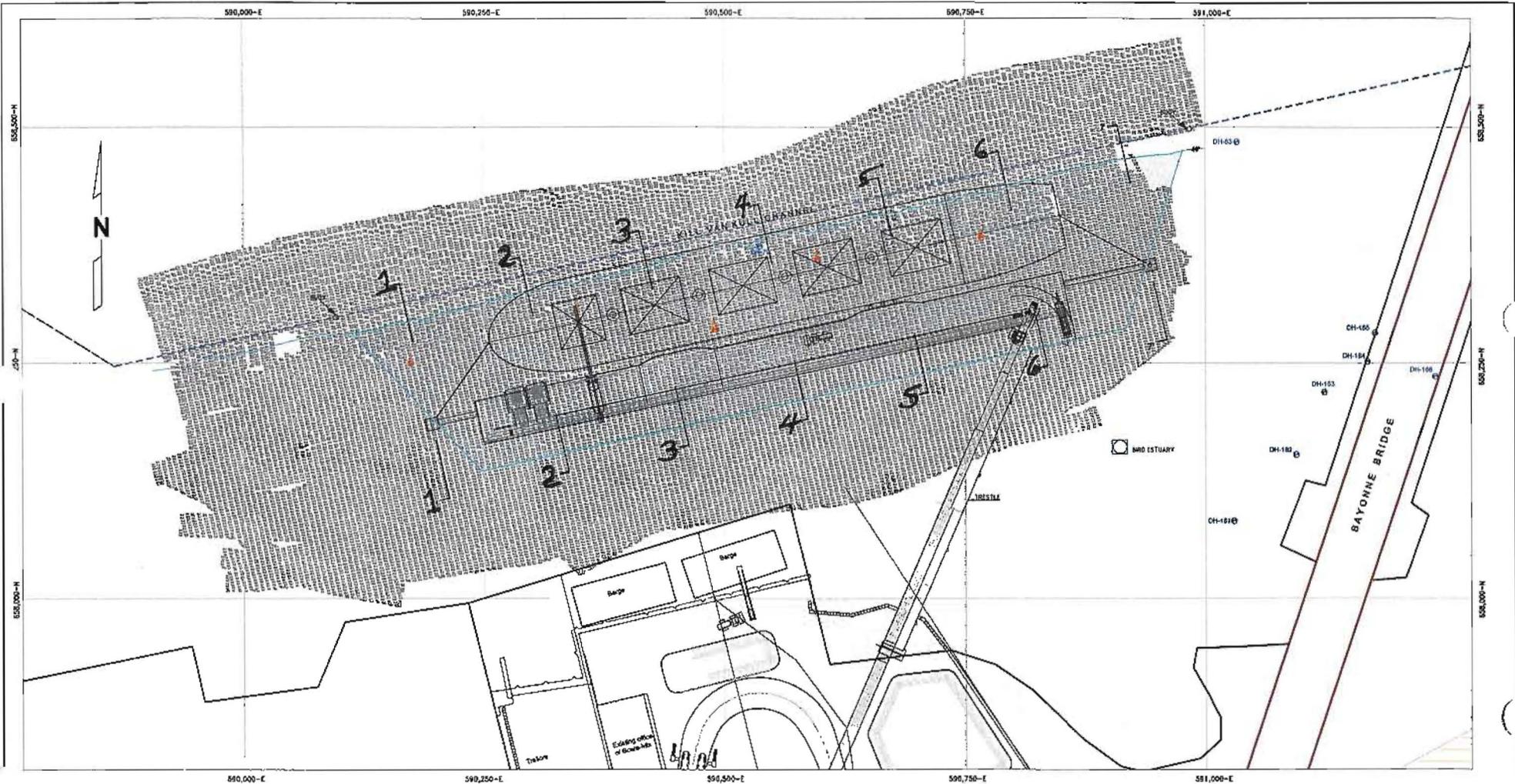
Corps Application No.: **NAN-2007-00074-NYC**  
 Permit Applicant's Name: **STATEN ISLAND TERMINAL, LLC**  
 Project Name: **NEW DEEP-DRAFT BERTH**  
 Drawing **3** of **8**

STATEN ISLAND TERMINAL  
PIER - SHIP - CHANNEL  
POSITIONING DIAGRAM



PIER NORTH FACE COORDINATES		
NUMBER	COORDINATES	
	E	N
# 1	590,242.82	658,209.95
# 2	590,849.93	658,347.70

Corps Application No.: NAN-2007-00074-NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP-DRAFT BERTH  
 Drawing 4 of 8



PROJECTED DRILLED AND BLASTED AREA  
 138,164 pie2 or 16,352 yd2

Nº	Metros			Yardas			
	AREA (m2)	DISTANCIA (m)	VOLUMEN (m3)	AREA (yd2)	DISTANCIA (yd)	VOLUMEN (yd3)	
0-1	0.00	18.48	1.810.75	0.00	20.71	2,254.92	
1-2	200.32	38.81	7,734.30	243.15	42.35	10,115.94	
2-5	194.74	38.86	7,101.12	232.89	42.35	9,292.83	
3-4	172.93	38.86	6,131.41	204.42	42.35	8,199.37	
4-5	144.83	38.86	5,228.21	172.74	42.35	7,435.39	
5-6	121.24	38.86	4,619.21	148.20	42.35	6,457.77	
6-7	97.80	38.86	3,833.21	122.84	42.35	5,247.80	
T.O.	773.36	42.25	1,543.65	217.35	59.93	5,075.47	
TOTAL			37,517.64	TOTAL			48,444.87

Conversion Factors  
 Length m To yd (1.1004)  
 Area m2 To yd2 (1.1960)  
 Volume m3 To yd3 (1.3570)

DATUM NOTE:  
 COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE BOROUGH OF STATEN ISLAND, AS ESTABLISHED BY THE U.S. COAST & GEODETIC SURVEY FOR THE BOROUGH OF STATEN ISLAND (BOGART SYSTEM). THE GRID SHOWN IS REFERENCED TO NEW JERSEY STATE PLANE (NAD 83- FEET).  
 ELEVATIONS SHOWN ARE REFERENCED TO STATEN ISLAND BOROUGH DATUM WHICH IS 3.19 ABOVE MEAN SEA LEVEL AT SANDY HOOK, NEW JERSEY (U.S. COAST & GEODETIC SURVEY) NAVD83

- Volume to be Drilled and Blasted
- Drilled Holes - Date: 06.26.06
- Drilled Holes - Date: 19.08.04 and 18.10.04



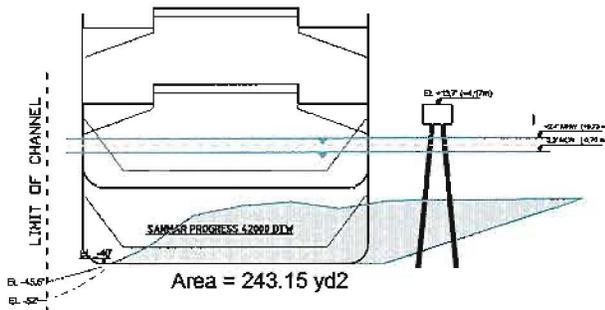
CLIENT: STATEN ISLAND CEMENT AND AGGREGATE TERMINAL  
 STANDARDS: NORMA DATE: SEPTIEMBRE 2006

CALCULATION OF ESTIMATED VOLUME TO BE DRILLED AND BLASTED

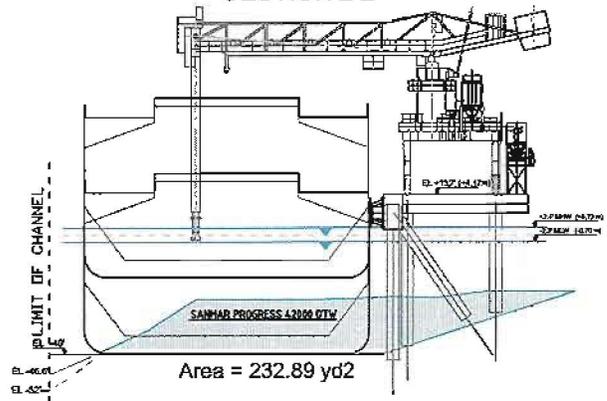
DESIGN: A.L.R.  
 DRAWING: A.L.R.  
 CHECK:

Corps Application No.: NAN-2007-00074-NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP DRAFT BERTH  
 Drawing 5 of 8

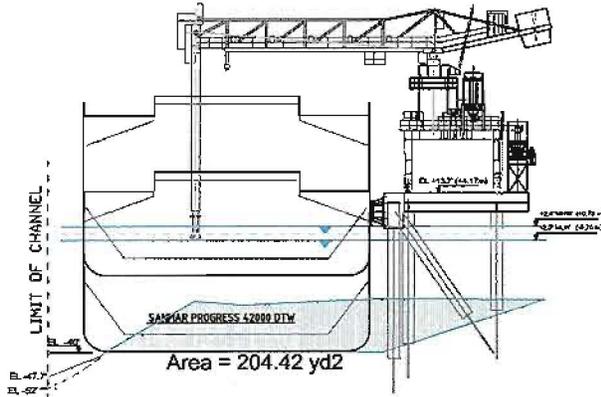
SECTION 1-1'



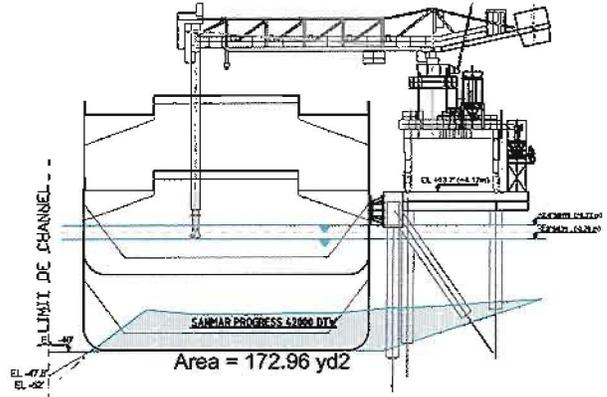
SECTION 2-2'



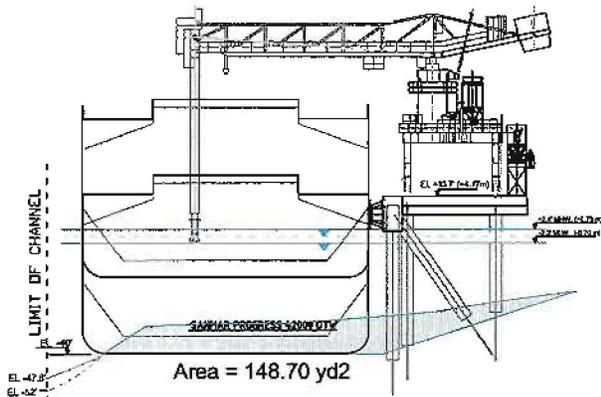
SECTION 3-3'



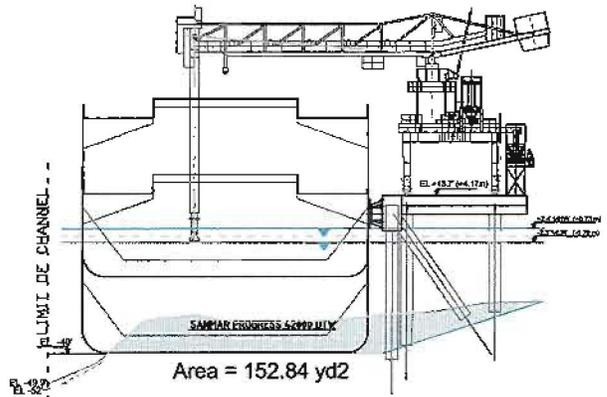
SECTION 4-4'



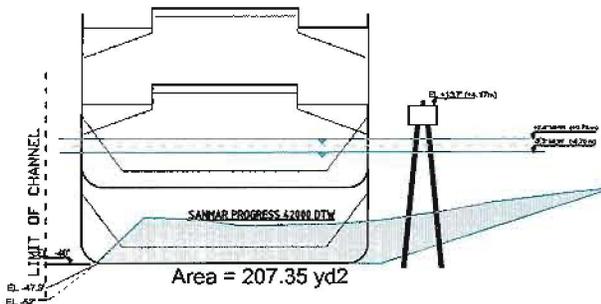
SECTION 5-5'



SECTION 6-6'



SECTION 7-7'



Slope = 1/3

- NOTE 1: (Abbreviation)  
 - Mean Low Water (MLW)  
 - Mean High Water (MHW)
- NOTE 2:  
 - All areas in yd2 (Square Yards)  
 - All Levels in Feet.
- NOTE 3:  
 - Elevation is referred to the mean low water (MLW) Usos.

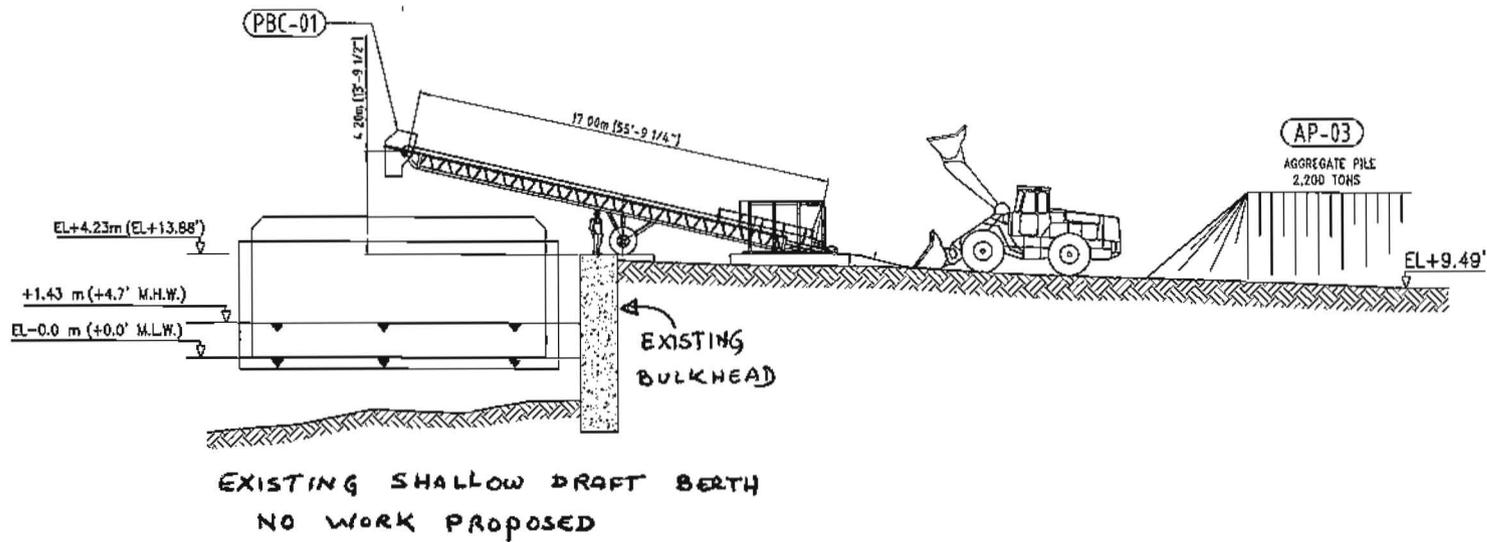


CLIENT: STATEN ISLAND CEMENT AND AGGREGATE TERMINAL  
 STANDARDS: NORMA DATE: SEPTEMBER, 2006  
 SCALE: 1/500

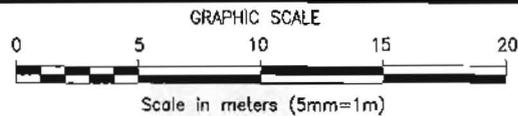
ESTIMATED DRILLED AND BLASTED VOLUME (SECTIONS)

DESIGN DRAWING

Corps Application No.: NAN - 2007- 00074- NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP DRAFT BERTH  
 Drawing 6 of 8



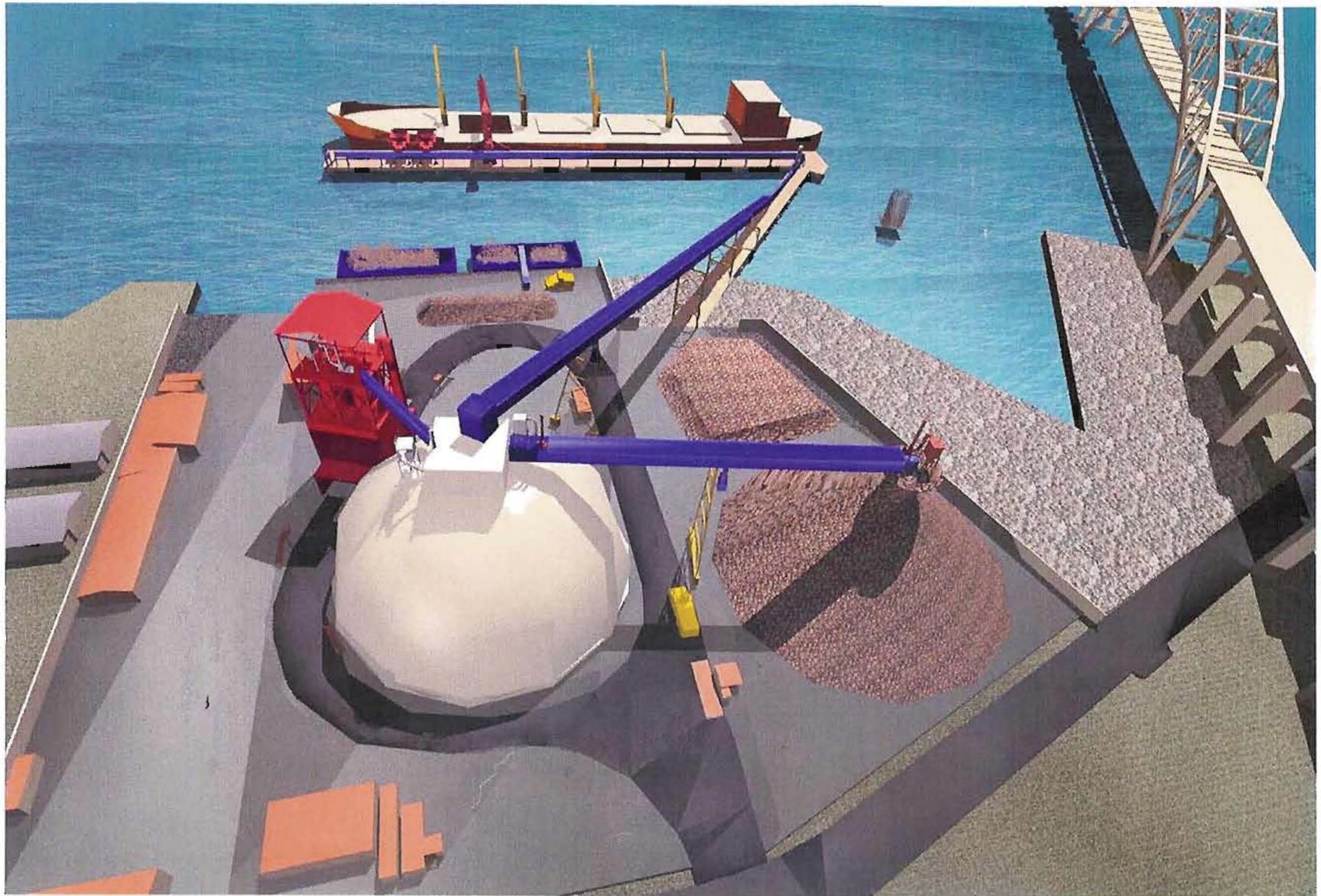
NOTE: ELEVATION IS REFERRED TO THE MEAN LOW WATER (MLW) USAGE



CLIENT	STATEN ISLAND CEMENT AND AGGREGATE TERMINAL
STANDARDS	DATE DIC. 2005
	SCALE 1/200

DISPATCH OF AGGREGATE TO BARGES	DESIGN
SECTION E-E	DRAWING A.G.C.
<b>EXISTING SHALLOW DRAFT BERTH</b>	CHECK

Corps Application No.: NAN-2007-00074-NYC  
 Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
 Project Name: NEW DEEP DRAFT BERTH  
 Drawing 7 of 8



Corps Application No.: NAN-2007-00074-NYC  
Permit Applicant's Name: STATEN ISLAND TERMINAL, LLC  
Project Name: NEW DEEP-DRAFT BERTH  
Drawing 8 of 8