



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-2007-329-EJE
Issue Date: May 14, 2007
Expiration Date: June 14, 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)

APPLICANT: Port Authority of NY and NJ
Attention: Bruce Korrow
JFK International Airport, Building 90
Jamaica, NY 11430

ACTIVITY: Installation of permanent boom for oil spill containment.

WATERWAY: Bergen Basin

LOCATION: Town of Jamaica, 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 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

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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 may affect but is not likely to adversely affect several species of sea turtles or their 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 (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) 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 as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations 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.

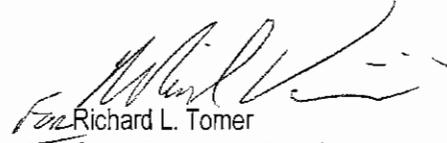
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

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) 790-8420 and ask for Stacey M. Jensen.

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



For Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Port Authority of NY and NJ, has requested Department of the Army authorization for the installation of a permanent boom for oil spill containment in the Bergen Basin, Town of Jamaica, Queens County, New York.

The work would involve: Installation of five poles with steel I beams to secure an approximately 24-inch-high, 1,500-foot-long permanent boom. The boom would be constructed of PVC belting with HDPE floats. The I-beams are 4-inch by 10-foot-long galvanized steel, and will be bolted to 10-inch-wide, 15-foot-long wooden poles which will be driven into the basin bed. The project involves driving the poles into the bottom of the bay at approximately 60 feet off-shore at high tide. At least 12 inches of water will remain below the boom throughout the year when the lowest of tides occur. The boom would be used to contain oil in the event of a spill of jet fuel stored at the adjacent facility, and would encompass the portion of the facility that is not currently protected by the New York City's permanent boom.

The stated purpose of this project is oil spill containment.



BOOM AT 60' AVERAGE
POINT # NORTH EAST

PT. 1	178889.2208	1033391.1405
PT. 2	179269.9902	1033386.6358
PT. 3	179622.5706	1033622.2935
PT. 4	179852.7138	1033822.1605
PT. 5	180014.2984	1034194.5403

1. VERTICAL DATUM: SOUNDINGS ARE REFERENCED TO MEAN LOW WATER UNITS, U.S. SURVEY FEET

2. HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 UNITS: U.S. SURVEY FEET

3. STATE PLANE COORDINATE SYSTEM: NEW YORK

4. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.

5. HYDROGRAPHIC DATA ACQUIRED BY AQUA SURVEY, INC. 16 MAY 2008

6. EQUIPMENT USED TO ACQUIRE DATA: HYPERSPACE MODEL 350 SURVEY DEPTH SOUNDERS, TRIMBLE DGPS

7. TIDES BASED ON NOAA PREDICTED VALUES AT JAMAICA BAY BRIDGE

8. CONTOUR INTERVAL = 1 FOOT

9. BASE MAP INFORMATION FROM: THE STATE OF NEW JERSEY, FLEMINGTON, NEW JERSEY

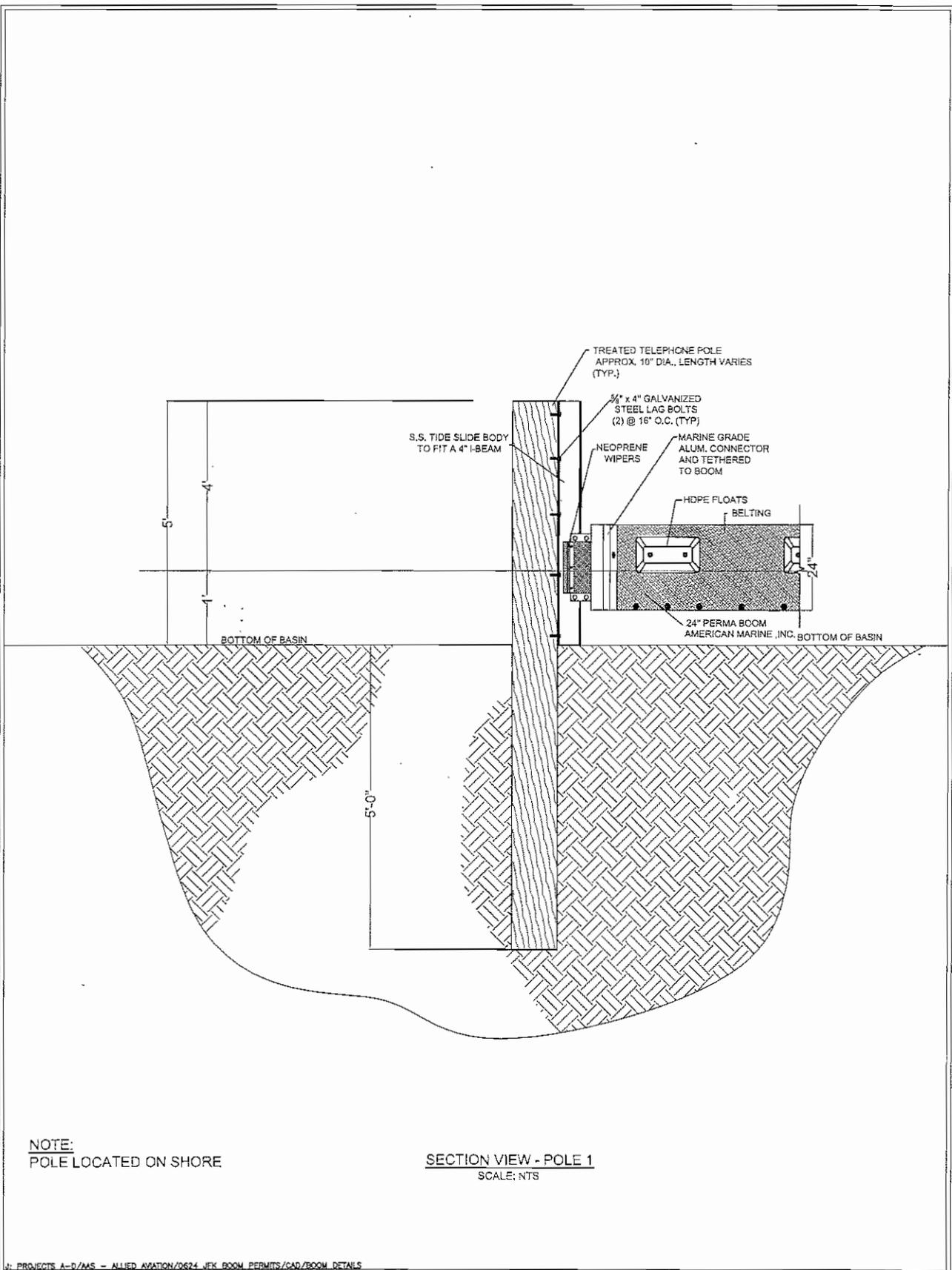
NO.	DATE	BY	REVISIONS
1			ISSUED POINTS & CHANGE COORDINATES
2			INITIAL COMMENTS

PROPOSED BOOM SURVEY
JFK INTERNATIONAL AIRPORT



630 Johnson Ave., Suite 7 Bohemia, N.Y. 11716-2618
 Ph: 631 588-5533 Fax: 631 588-9705 E-mail: info@aqwasurvey.com
 Project: 14S0524
 Drawn By: TC
 Checked By: TC
 Date: 03/16/07
 Scale: 2
 Project Manager: TC
 Surveyor: PWG





NOTE:
POLE LOCATED ON SHORE

SECTION VIEW - POLE 1
SCALE: NTS

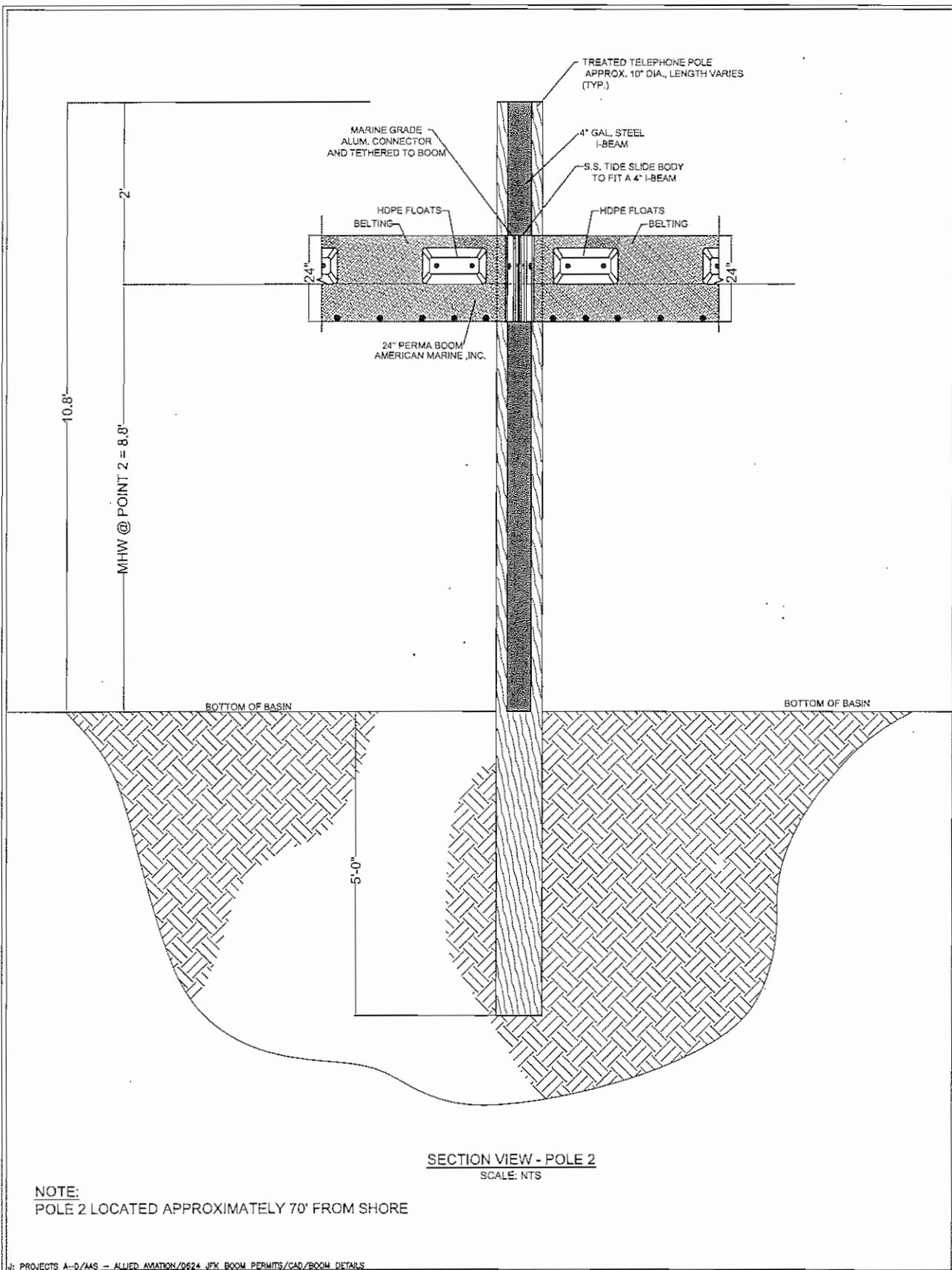
J. PROJECTS A-D/M.S. - ALLIED AVIATION/0624 JFK BOOM PERMITS/CAD/BOOM DETAILS



630 Johnson Ave, Suite 7 Bohemia, N.Y. 11716-2618
Tel: 631-366-6333 Fax: 631-366-6755 E-mail: info@pwgrassman.com

PROPOSED BOOM DETAILS
AT POINT 1
JFK INTERNATIONAL AIRPORT

Project:	AAS0624	Figure No:	1
Designed by:	TMC		
Checked by:	PWG		
Drawn by:	TC	Date:	04/05/07



SECTION VIEW - POLE 2
SCALE: NTS

NOTE:
POLE 2 LOCATED APPROXIMATELY 70' FROM SHORE

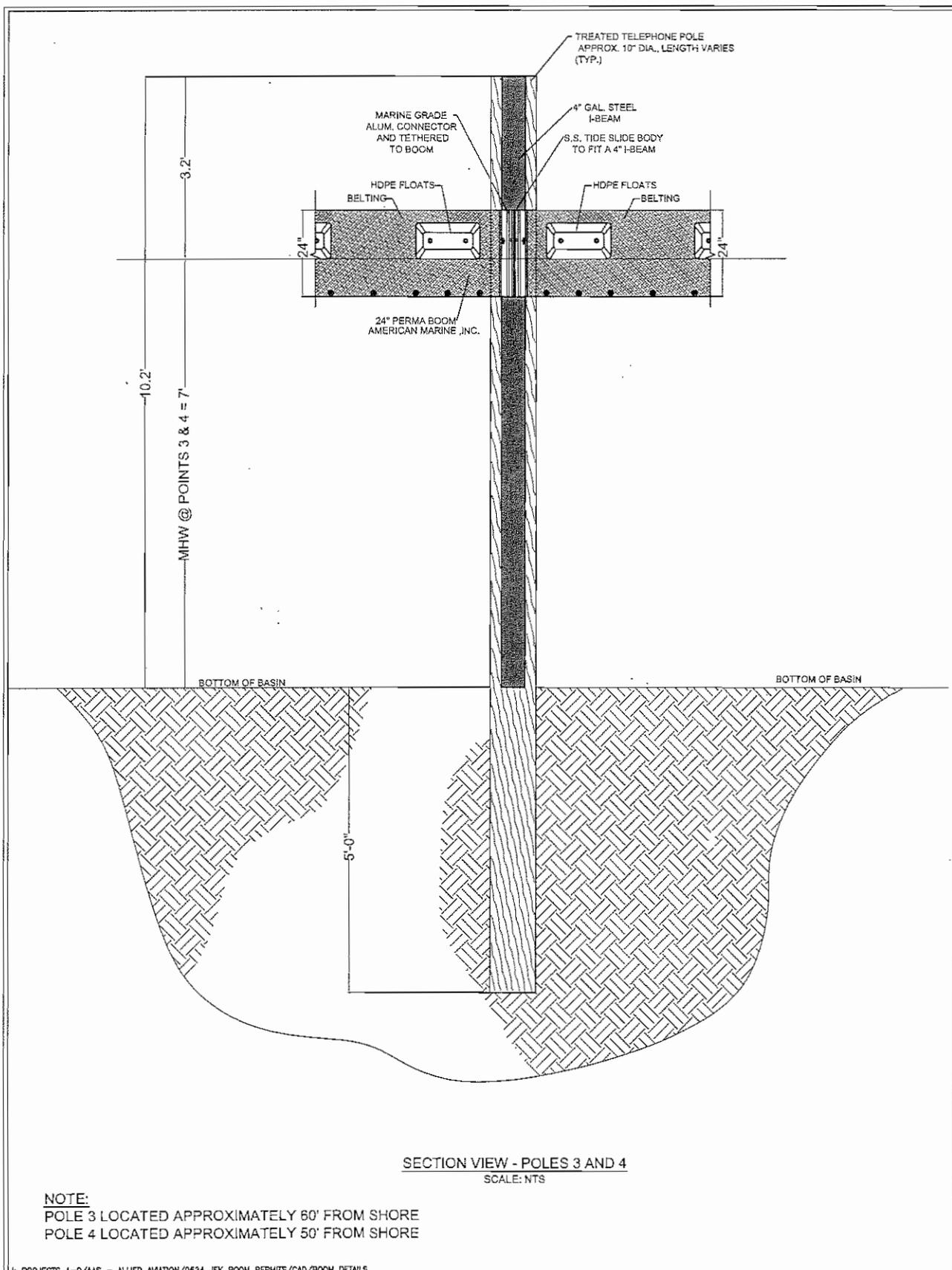
PROJECTS A-D/MS - ALLIED AVIATION/0624 JFK BOOM PERMITS/CAD/BOOM DETAILS



630 Johnson Ave. Suite 7 Bohemia, N.Y. 11716-2618
Ph: 631 388-6337 Fax: 631 388-6726 E-mail: info@pww.com

PROPOSED BOOM DETAILS
AT POINT 2
JFK INTERNATIONAL AIRPORT

Project:	AAS0624	Figure No.:	2
Designed by:	TMC		
Checked by:	PWG		
Date:	TC	Date:	04/05/07



SECTION VIEW - POLES 3 AND 4
SCALE: NTS

NOTE:
POLE 3 LOCATED APPROXIMATELY 60' FROM SHORE
POLE 4 LOCATED APPROXIMATELY 50' FROM SHORE

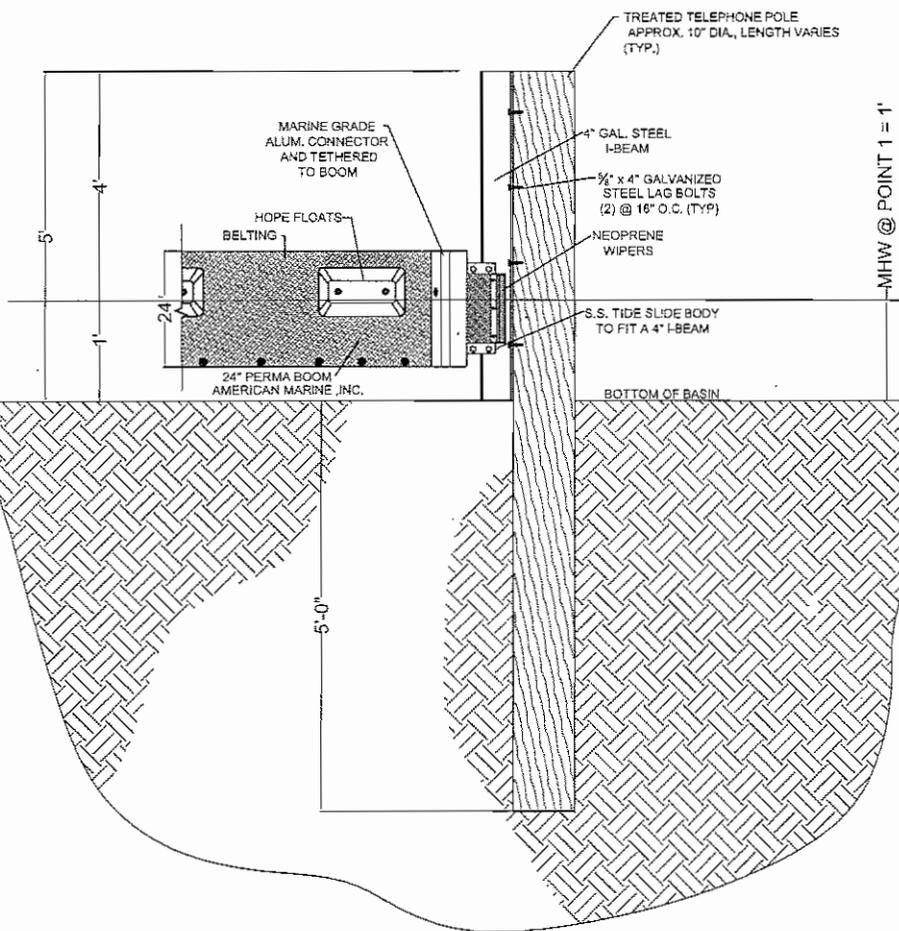
U.S. PROJECTS A-D/MAS - ALLIED AVIATION/0624 JFK BOOM PERMITS/CAD/BOOM DETAILS



650 Johnson Ave. Suite 7 Bohemia, N.Y. 11716-2813
Ph: 631 338-3333 Fax: 631 338-0765 E-mail: info@pwwraer.com

PROPOSED BOOM DETAILS
AT POINT 3, 4, & 5
JFK INTERNATIONAL AIRPORT

Project	AAS0624	Sheet No.	3
Client	TMC		
Designer	PWG		
Checker	TC	04/05/07	



NOTE:
POLE LOCATED ON SHORE

SECTION VIEW - POLE 5
SCALE: NTS

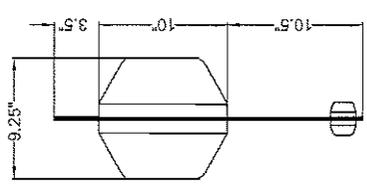
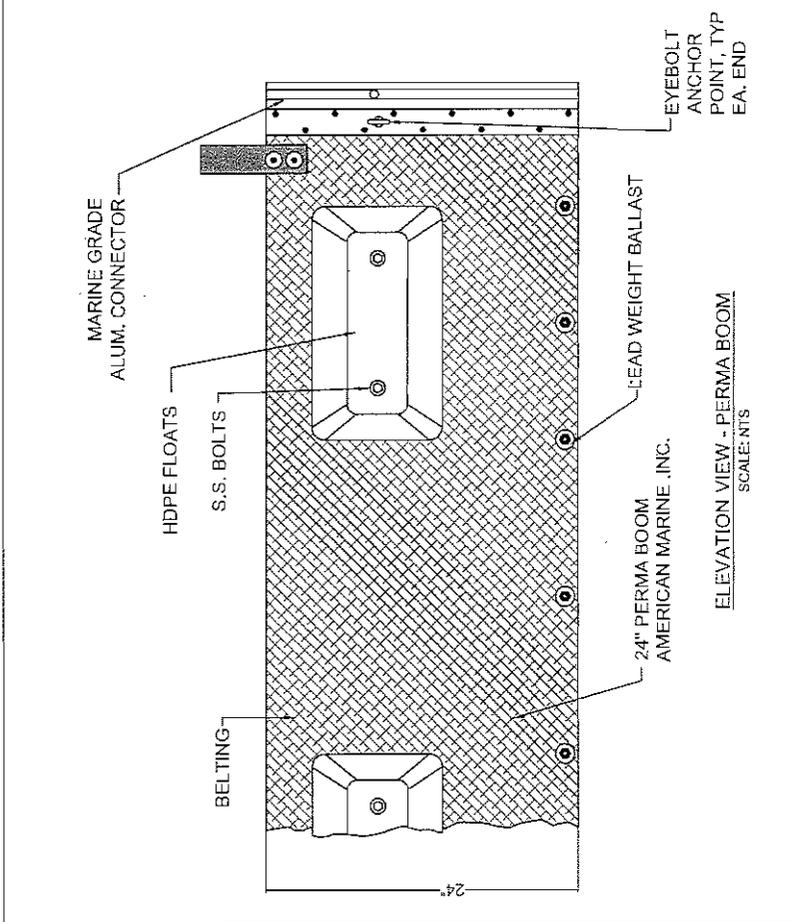
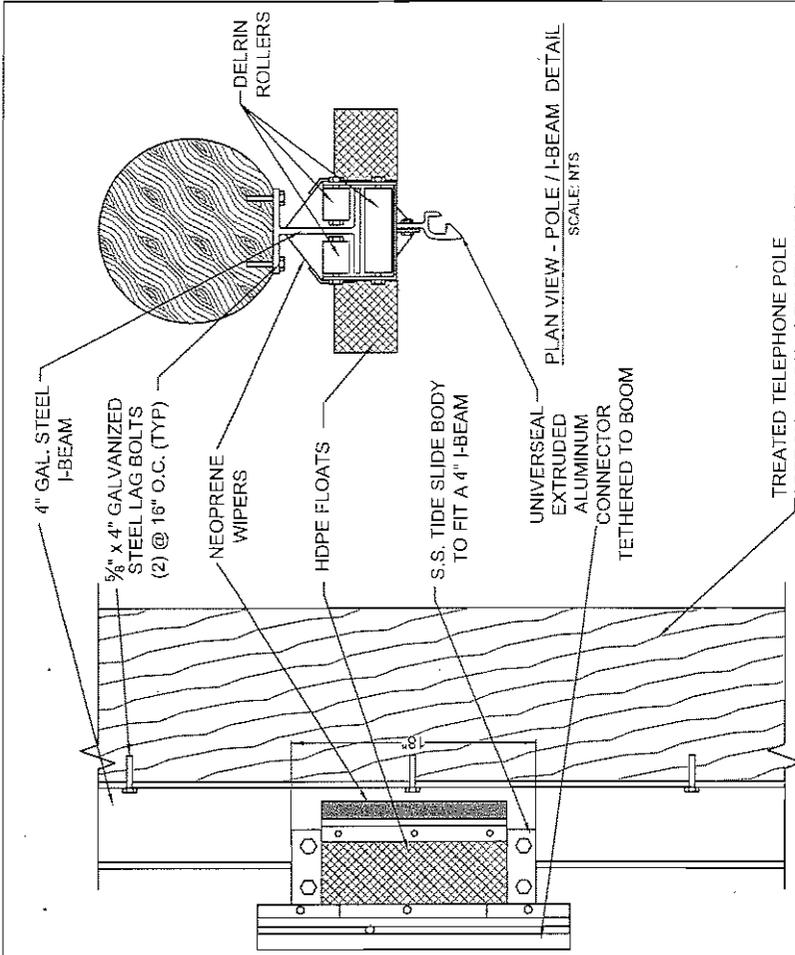
PROJECTS A-D/AAS - ALJED AVIATION/0624 JFK BOOM PERMITS/CAD/BOOM DETAILS



630 Johnson Ave. Suite 7 Bohemia, N.Y. 11716-2618
Ph: 631 596-6353 Fax: 631 526-8705 E-mail: info@pwgrouser.com

PROPOSED BOOM DETAILS
AT POINT 1
JFK INTERNATIONAL AIRPORT

Project:	AAS0624	Figure No:	4
Approved By:	TMC		
Prepared By:	PWG		
Drawn By:	TC	Date:	04/05/07



PROPOSED BOOM
DETAILS
JFK INTERNATIONAL AIRPORT



630 Johnson Ave., Suite 7 Bohemia, N.Y. 11716-2618
 Ph: 811 569-6330 Fax: 811 569-6765 E-mail: info@pavgorr.com
 Project: AAS0624 Prepared by: TMC
 Date: 04/05/07
 Drawn: TC Approved by: PMG
 UNIMPARED AGENCY OF ARCHITECTURE OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY