



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-2007-539-EHA
Issue Date: May 29, 2007
Expiration Date: June 28, 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: New York Water Taxi
c/o Tom Fox
499 Van Brunt Street, Section 8B
Brooklyn, New York 11231

ACTIVITY: Extend existing main float, install two finger piers at New York Water Taxi Homeport

WATERWAY: Erie Basin, a tributary to Upper New York Bay

LOCATION: Brooklyn, Kings 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 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 (16 U.S.C. 1855(b)), requires all federal agencies to consult with the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service 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 conducted 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. New York State Department of State has concurred with the applicant's certification. 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.

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) 790-8523 and ask for Naomi Handell.

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

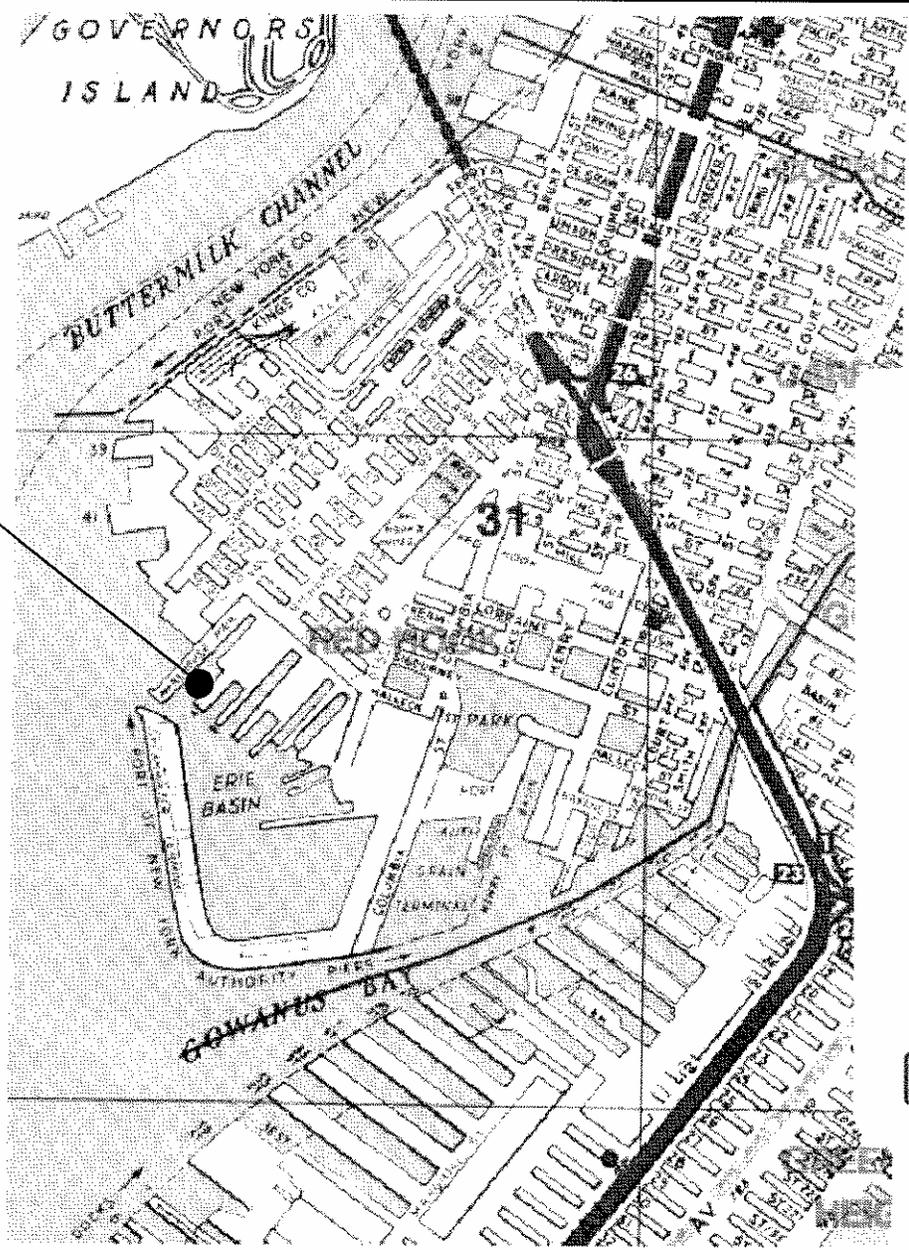
Enclosures

WORK DESCRIPTION

The applicant, New York Water Taxi, has requested Department of the Army authorization to expand an existing mooring facility in the Eric Basin, a tributary to Upper New York Bay, in Brooklyn, Kings County, New York.

The work would involve the following: install a 6 foot wide by 76 foot long extension to an existing floating dock; install two 6 foot wide by 70 foot long finger piers perpendicular to the dock extension; install 7 pilings to secure the dock and finger piers; and install 6 fender piles.

The stated purpose of this project is to provide mooring facilities for 2 additional water taxis.



PROJECT LOCATION
WAREHOUSE PIER
BROOKLYN, NY

LATITUDE:
40°40'21.70"N

LONGITUDE:
74°01'02"W

LOCATION PLAN
N.T.S.



MAP SOURCE: HAGSTROM

Purpose: Addition of Floating Docks at
New York Water Taxi Homeport.

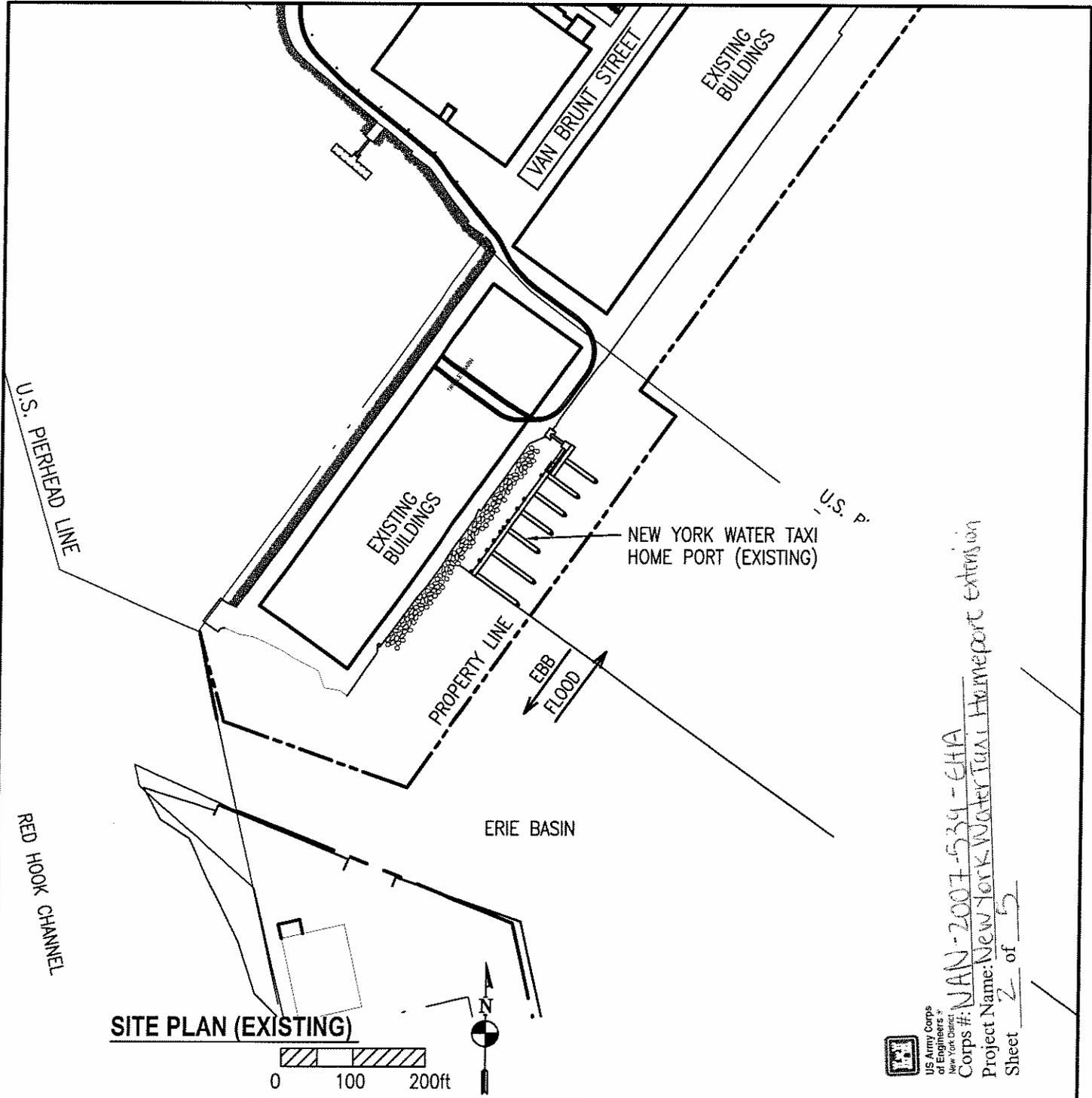
Erie Basin
Brooklyn, New York
Kings County
State of New York

AGENT:
EDWARD M. WEINSTEIN,
ARCHITECTURE & PLANNING P.C.
14 Spring Street
Hastings-on-Hudson, NY 10706
Tel: (914) 478-0800
Fax: (914) 478-7287

Application By:
New York Water Taxi
55 Broad Street
New York, NY 10004
Revised April 30, 2007
Sheet 1 of 5 October 30, 2006



Corps #: NAN-2007-539-6HA
Project Name: New York Water Taxi Homeport Extension
Sheet 1 of 5



Project Name: New York Water Taxi Homeport Extension
 Corps #: NAN-2007-539-6HA
 Sheet 2 of 5

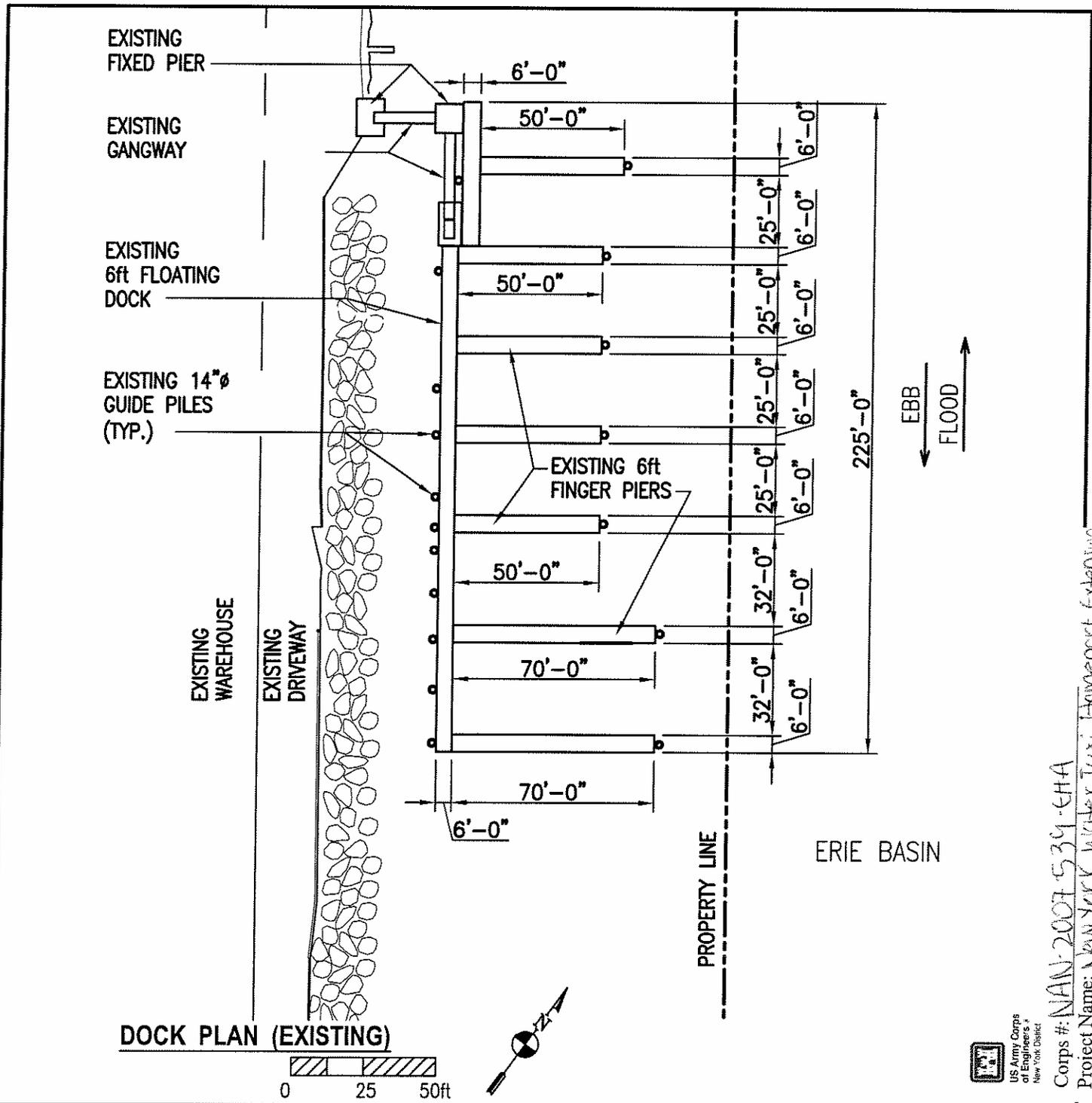


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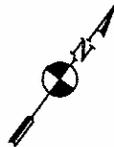
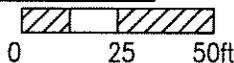
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 Fax: (914) 478-7287

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DOCK PLAN (EXISTING)



Corps #: NAN-2007-539-GHA
 Project Name: New York Water Taxi Homeport Extension
 Sheet 3 of 5



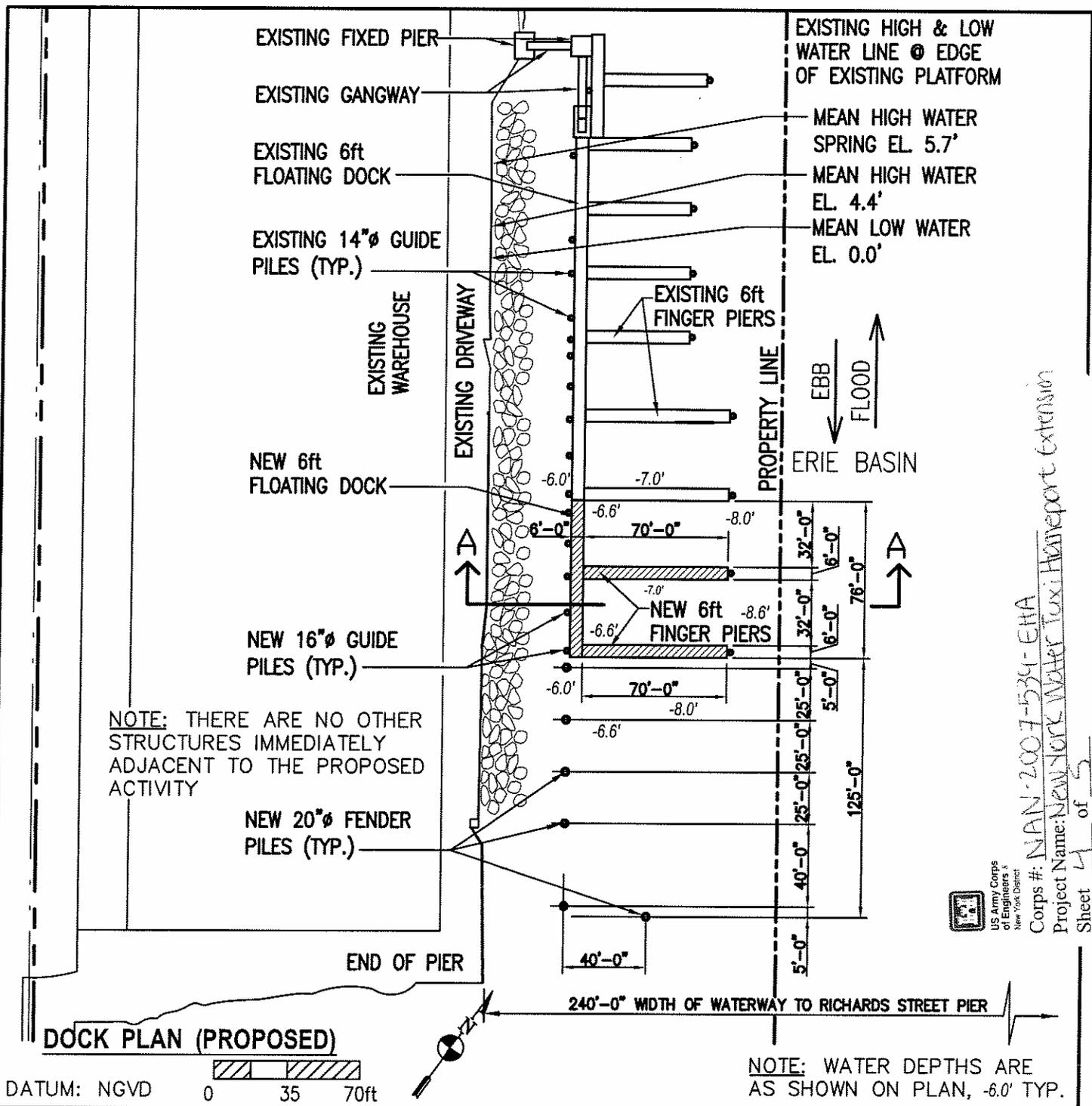
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 New York District
 Corps #: NAN-2007-534-EHA
 Project Name: New York Water Taxi Homeport Extension
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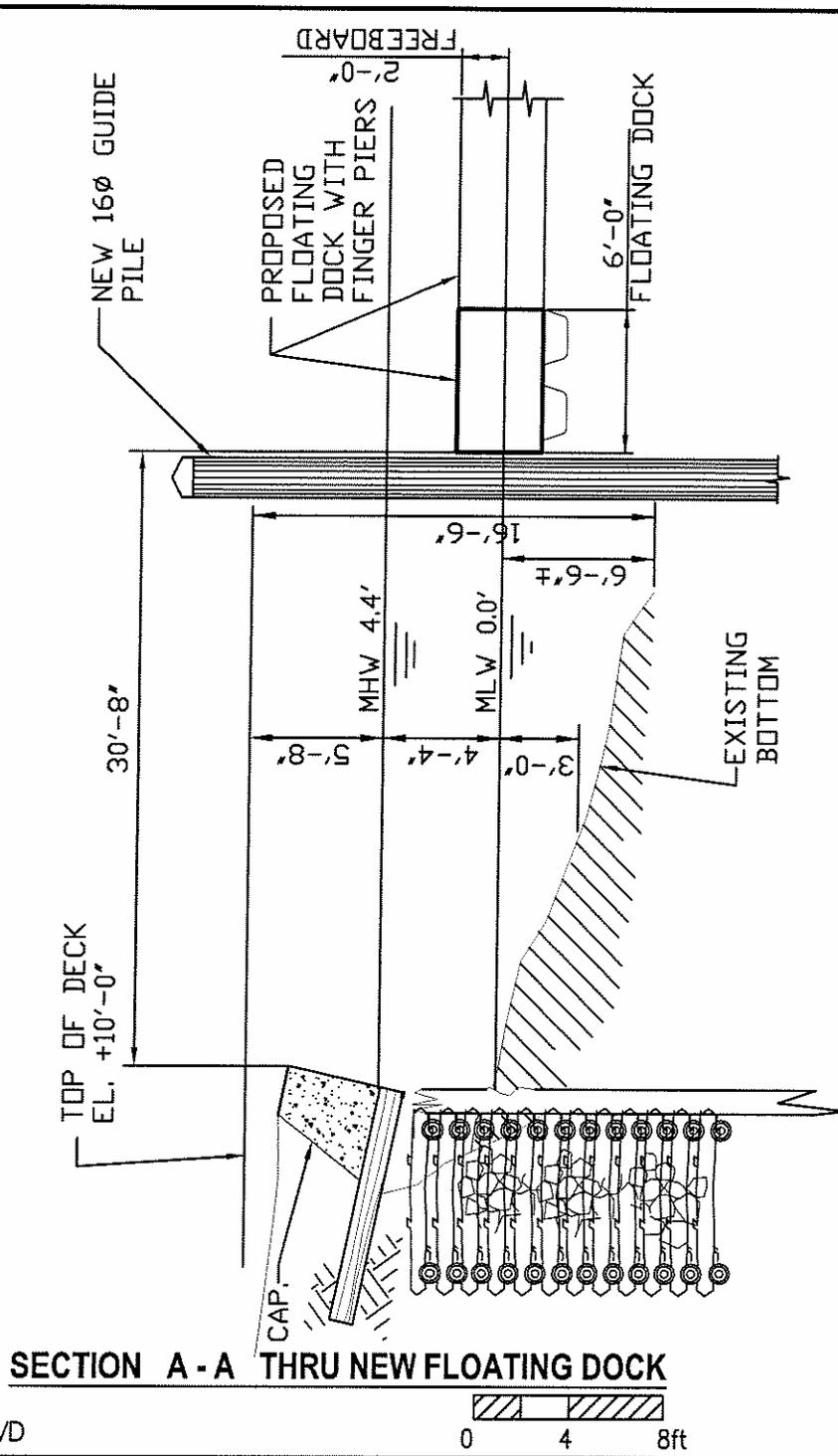
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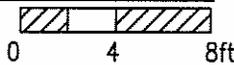
Application By:
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 Revised May 10, 2007
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NOTE: WATER DEPTHS ARE AS SHOWN ON PLAN, -6.0' TYP.



SECTION A-A THRU NEW FLOATING DOCK

DATUM: NGVD



US Army Corps
of Engineers
New York District

Corps #: N.Y. 2007-539-6HA

Project Name: New York Water Taxi Transport Extension

Sheet 5 of 5

Purpose: Addition of Floating Docks at
New York Water Taxi Homeport.

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