

FINAL

DECISION DOCUMENT

FORT JAY FORMERLY USED DEFENSE SITE

MRS-03 – PIERS AND UNDERWATER AREA

GOVERNORS ISLAND, NEW YORK, NEW YORK

PROPERTY NUMBER C02NY0611, PROJECT 03



U.S. Army Corps of Engineers
New York District
26 Federal Plaza
New York, NY 10278

with technical support from
Baltimore District
Environmental & Munitions Design Center
2 Hopkins Plaza
Baltimore, Maryland 21201

JULY 2022

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**US Army Corps
of Engineers ®**

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Contract No. W912DR-15-D-0016 Task Order No. W912DR17F0048

Prepared for

United States Army Corps of Engineers
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26 Federal Plaza
New York, NY 10278

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Baltimore District
Environmental & Munitions Design Center
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Baltimore, Maryland 21201

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LIST OF ACRONYMS AND ABBREVIATIONS

°F	Fahrenheit
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CSM	Conceptual Site Model
DERP	Defense Environmental Restoration Program
FUDS	Formerly Used Defense Site
GSA	General Services Administration
HGL	HydroGeoLogic, Inc.
MC	Munitions Constituents
MEC	Munitions and Explosives of Concern
MMRP	Military Munitions Response Program
MRS	Munitions Response Site
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
No.	Number
NPS	National Park Service
NYSDEC	New York State Department of the Environmental Conservation
RAB	Restoration Advisory Board
RI	Remedial Investigation
RMM	Risk Management Methodology
SI	Site Inspection
TGI	Trust for Governors Island
USACE	U.S. Army Corps of Engineers

1.0 DECLARATION

1.1 SITE NAME AND LOCATION

The U.S. Army Corps of Engineers (USACE) prepared this Decision Document to address the Military Munitions Response Program (MMRP) site known as Fort Jay Formerly Used Defense Site (FUDS), Munitions Response Site (MRS) 03, Piers and Underwater Area (hereafter referred to as MRS-03 or MRS 03, Piers and Underwater Area,) at Governors Island, New York, New York (FUDS Project Number [No.] C02NY0611, Project 03).

MRS-03, Piers and Underwater Area, is 14 acres in size and located in underwater areas adjacent to Governors Island in the New York Harbor, New York (Figure 1-1). Fort Jay was a strategic military location for over 200 years. However, the property is currently the location of historic attractions, recreational areas, and building space for tenant organizations and is seasonally accessible to the public via ferry.

1.2 STATEMENT OF BASIS AND PURPOSE

This Decision Document presents the No Action remedy selected by the USACE for MRS-03, Piers and Underwater Area. The remedy was chosen in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) Part 300. As per 40 CFR 300.800(a) of the NCP, the documentation supporting No Action is contained in the Administrative Record and Information Repository electronically housed at the following publicly available website: <https://fortjayfiles.com>, with public accessibility at the New York City Public Library located at 175 North End Ave., New York, NY 10282.

This No Action Decision Document is also compliant with Defense Environmental Restoration Program (DERP) policies and guidance.

The New York State Department of the Environmental Conservation (NYSDEC) and the New York State Department of Health concur with this decision. NYSDEC is the lead regulator for this FUDS MMRP site. A copy of the NYSDEC letter of concurrence with this decision is included in Appendix B of this document.

1.3 DESCRIPTION OF THE SELECTED REMEDY

As the lead agency, the USACE determined that no action is necessary to protect human health and the environment. A No Action determination is the appropriate remedy for Fort Jay MRS-03. No human health or ecological risk was identified for MRS-03. This conclusion was based on the fact that no release of Munitions and Explosives of Concern (MEC) was identified for the MRS. Additionally, the potential for a release of munitions constituents (MC) was evaluated and found to be unrealistic based on two factors. First, because there was no release of MEC to the underwater area, no corresponding munitions constituents (MC) release was possible. Second, the Site Inspection (SI) concluded there was no MC contamination on the terrestrial portion of the FUDs. Therefore, no release from the land to the underwater area was possible. The Risk Management Methodology (RMM) (USACE 2016) is the current evaluation system being used to assess risk from MEC at each MRS/FUDS. The performance of

the RMM was not appropriate for MRS-03 as no MEC release was identified. Sufficient area was investigated during the Remedial Investigation (RI) to support the conclusions presented in the RI. No MEC has been found at MRS-03 per the RI Report (HydroGeoLogic, Inc. [HGL], 2020).

No response action is necessary to protect human health and the environment from actual or threatened releases of MMRP hazards into the environment associated with MRS-03.

1.4 STATUTORY DETERMINATIONS

USACE, in coordination with NYSDEC and New York State Department of Health, concluded that No Action is necessary to protect human health or the environment from the former use of the Piers and Underwater Area, MRS-03. Because no remediation will be done at the site, five-year reviews are not required. The public participation requirements of Section 117(a) of CERCLA and the NCP at 40 CFR 300.430(f)(3) have been met.

1.5 AUTHORIZING SIGNATURE

This Decision Document presents the selected response action at MRS 03, Piers and Underwater Area. The Department of Defense is the lead agency under the DERP at the Fort Jay, Governors Island, New York Formerly Used Defense Site, and U.S. Army Corps of Engineers has developed this Decision Document for DoD consistent with CERCLA, as amended, and the NCP. This Decision Document will be incorporated into the larger Administrative Record File for Fort Jay, Governors Island, New York, which is available at <https://fortjayfiles.com/>, with public accessibility at the New York City Public Library located at 175 North End Ave., New York, NY 10282. This document, presenting a selected remedy with a total cost to complete estimate recorded in the Formerly Used Defense Site Management Information System of \$0, is approved by the undersigned and pursuant to the delegated authority in the Assistant Secretary of the Army (Installations, Energy and Environment) memorandum dated May 25, 2022 subject: Assignment of Mission Execution Functions Associated with Department of Defense Lead Agent Responsibilities for the Formerly Used Defense Sites Program, and subsequent re-delegations.

REINHARD W. KOENIG, P.E., SES
Programs Director
North Atlantic Division

Date

2.0 DECISION SUMMARY

2.1 SITE NAME, LOCATION, AND BRIEF DESCRIPTION

MRS-03, Piers and Underwater Area is within Governors Island, New York, New York, Property Number C02NY0611, Project 03. The MRS is 14 acres in size and located in underwater areas adjacent to Governors Island in the New York Harbor, NY (Figure 2-1). These areas were selected because they surround all current and former pier locations previously used for military loading. The lead agency for this project is USACE. The lead regulator is NYSDEC. Other governmental stakeholders include the trust for Governors Island (TGI) who manages 150 acres of Governors Island and the National Park Service (NPS) who manages the Governors Island National Monument, containing Fort Jay, Castle Williams, and Dock 102. Source of cleanup monies for Fort Jay FUDS is Defense Environmental Restoration (ER-FUDS).

2.2 SITE HISTORY AND ENFORCEMENT ACTIVITIES

This section summarizes the history of the Fort Jay FUDS MRS-03, Piers and Underwater Area, and previous investigations.

2.2.1 Site History

Historic Fort Jay and surrounding Governors Island has a long history of military use. There were defensive gun batteries on Governors Island from 1794, when the fort was first constructed by the State of New York, until the early 20th century. The presence of defensive gun batteries and ammunition on the island raised the potential for dumping or mishandling/loss of military munitions items into the nearshore waters around the island.

Since the early 1800s, Governors Island has been used as a local Army Headquarters; the New York Arsenal; the Headquarters of the Division of the Atlantic; and, during World War I, a major troop embarkation point and supply base.

Ships were typically loaded from Governors Island with troops, supplies, and ordnance. While there is no specific information indicating Governors Island was a major point of embarkation for military munitions, the potential existed for dumping or mishandling/loss from seawalls, piers, or ships moored at the island. In 1920, the New York Arsenal's stores and activities were moved to Raritan Arsenal in New Jersey. The transfer was completed in May 1920. Although Governors Island was no longer used as a coastal battery, cannonballs were left on the island for military display purposes.

During World War II, the Eastern Theater of Operations, the Second Service Command, and the First U.S. Army made their headquarters on the island. With the consolidation of U.S. Military forces in 1966, the island was transferred to the U.S. Coast Guard. Between 1966 and the early 1970s, new construction began all over the island as the U.S. Coast Guard tailored the base to its needs. In 1995, the U.S. Coast Guard closed its facilities on Governors Island.

In January 2001, President Clinton designated 22 acres of the island as the Governors Island National Monument. The remaining 150 acres of the island were transferred to the people of New York in January 2003. The NPS manages the Governors Island National Monument, containing Fort Jay, Castle Williams, and Dock 102. The City of New York manages the remaining 150 acres through TGI

(USACE, 2006). Note that the FUDS program has reported the island size to be 177 acres, but the actual size of the island is 172 acres.

The pier configurations changed multiple times throughout the military history of Governors Island. As part of the RI, an analysis of historical aerial photographs was conducted to identify all locations where piers have been present during the military history of Governors Island. Figure 2-2 shows the pier configuration in 1924 to be the same as during World War I. In 1924, Pier A, Pier B, Ordnance Wharf, and Omaha Pier were present. Tango Pier had not yet been constructed. Figure 2-3 presents a 1954 aerial photograph. In this photograph, Pier A and B are no longer present. Omaha Pier and Ordnance Wharf are still present and Tango pier has been constructed. Figure 2-4 presents the location of all historic piers identified from aerial photograph analysis overlaid on the current aerial photograph.

A detailed site history of Governors Island and Fort Jay is presented in the Final RI Report (HGL, 2020).

2.2.2 Previous Investigations and Actions

A Preliminary Assessment/Inventory Project Report was prepared in 1992 under the DERP FUDS Program by the USACE, Baltimore District. The report concluded that the MRS had been formerly used by the Department of Defense (USACE, 1992).

In 1997 and 2006, the USACE Rock Island District prepared Archive Search Reports. Historical evidence of material potentially presenting an explosive hazard included the use of small arms, smoothbore projectiles, heavy artillery projectiles, smoke grenades, and tear gas from the 1800s to 1966 (USACE, 1997, 2006).

In 2008, the USACE completed the SI of four MRSs and one area of concern at the Fort Jay FUDS. Potential release of MC was evaluated for the terrestrial portion of Fort Jay FUDs as part of the SI Report (USACE, 2008). The MC evaluation of the island is pertinent, as a release to the land could have impacted MRS 03. The SI data collection effort included a metal detector-assisted visual reconnaissance of the 10 acres and collection and analysis of seven surface soil samples, four subsurface soil samples, and five background soil samples. The SI Report recommended the 172 acres of Remaining Lands area of concern for additional investigation. No MEC or munitions debris was found during the SI fieldwork, but the additional investigation recommendation was based on multiple munitions finds during and after military use of the property. MC release was not identified for the terrestrial portion of the FUDs. The SI Report concluded that release to surface water and sediment was an uncompleted pathway due to the lack of permanent non-tidal freshwater features at Fort Jay.

2.2.3 2019 Remedial Investigation

In 2019, USACE conducted an RI (HGL, 2020) to determine whether further response action was required at MRS-03 pursuant to CERCLA and the NCP. More specifically, the RI was intended to determine if MEC had been released to MRS-03 and, if so, to determine the nature and extent of the MEC release.

The 2019 field effort involved the following:

- Placing underwater jackstay survey lines in predetermined locations to coincide with current/former piers previously used to load ships
- Surveying the lines with divers equipped with metal detectors

- Conducting intrusive investigations in areas where metal was detected along the survey lines.

The total area where the jackstay survey lines was conducted was approximately 14 acres. Figure 2-5 presents the locations of the completed jackstay survey transects. An underwater jackstay search is a procedure conducted by divers swimming along a search line—a line of rope pulled taut between two fixed points. All but two transects were completed, resulting in 99 percent completion of the planned surveys. Two small transects were not completed due to construction debris with protruding rebar in those transect areas, making it unsafe for divers.

The results of the dive operations are presented in the Final RI Report, Fort Jay FUDS, September 2020 (HGL, 2020). At the time the RI Report was written, the underwater area around the piers did not have its own MRS designation; therefore, the RI Report refers to this area as the “Underwater Portion of MRS-02.” After the RI was completed, USACE created a new MRS identified as MRS-03, Piers and Underwater Areas, which includes all of the areas investigated during the dive operations.

The terrestrial areas of the Fort Jay site were the subject of a digital geophysical mapping survey; however, planned subsequent investigation activities to include Advanced Geophysical Classification, and intrusive investigations were cancelled due to access to the site being refused. Therefore, the USACE had no authority to enter on the property to conduct the investigation. This Decision Document does not address any of the land area on Fort Jay FUDS.

2.3 COMMUNITY PARTICIPATION

Information regarding this project has been available to the public through multiple platforms. The project administrative record containing all documents pertinent to the remedial investigation is available on the web and at the District offices. In July 2017, USACE conducted a Restoration Advisory Board (RAB) assessment to determine the level of public interest at the Fort Jay FUDS property. No previous RAB assessments have been documented. The July 2017 assessment involved a review of permanent record file documentation, internet and newspaper research, an interview with the FUDS project manager, and a review of responses to June 2017 RAB assessment public notices that were published in the Chelsea Clinton News and Our Town Downtown. Based on the permanent record file review and interview, there is limited public coverage or interest in the property. No responses were obtained within the 30-day response period for the June 2017 RAB assessment public notices. Stakeholders including community members, opinion leaders, and government officials have not expressed interest in establishing a RAB. Project planning under the Technical Project Planning process was performed prior to completing the RI planning document to solicit input from all stakeholders including NYSDEC, NPS and TGI. Prior to the completion of the underwater investigation TGI notified Governors Island tenant organizations of the activities being performed and purpose of the investigation. At the completion of the dive operation, USACE Public Affairs Office published an article summarizing the dive investigation in multiple on-line and print publications including *Diver Magazine* (Castagna, JoAnne, Ed.D, 2019).

The Final RI Report (HGL, 2020) and the Proposed Plan (USACE, 2021) were made available to the public on 9 December 2021. The notice announcing the availability of these documents was published in the *Our Town Eastsider* newspaper and in the *Our Town Downtown* on 9 December 2021 for one day. The public notice was subsequently published in the Chelsea News for two additional days on 16 December and 23 December 2021. Copies of tear sheets for all newspaper publications are included Appendix A of this document. These three newspapers were chosen to get coverage of multiple areas of Manhattan including the upper east side (*Our Town Eastsider*), Downtown (*Our Town Downtown*) and

the west side (*Chelsea News*). The public notice provided the meeting address and access information, the USACE website containing the Proposed Plan Document, summary fact sheet and Remedial Investigation report. The newspaper announcement also included the website address for the full administrative record.

A public comment period was provided from 9 December 2021 through 13 January 2022. In addition, a public meeting was held on 15 December 2021 to present the Proposed Plan. The public meeting was held virtually via WebEx. A presentation was prepared and is included as an appendix to this document. The meeting was held at 6:00 pm and was attended by representatives from USACE New York District, USACE Baltimore District, HGL, APTIM and NYSDEC. The WebEx was opened at 5:45 pm (15 minutes prior to the scheduled starting time) and the meeting was kept open until 6:40 pm. No members of the public logged onto the WebEx. No comments were received to the PP during the public comment period.

Fort Jay FUDS documents can be accessed on the USACE New York District website titled “Fort Jay FUDS Project.” The current web address for the page is <https://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Fort-Jay-FUDS-Project/>.

Copies of the RI and SI Reports (HGL, 2020; USACE, 2008) for the MRS and the Proposed Plan (USACE, 2021) are included in the Administrative Record and Information Repository electronically housed at the following publicly available website: <https://fortjayfiles.com>, with public accessibility at the New York City Public Library located at 175 North End Ave., New York, NY 10282.

2.4 SCOPE AND ROLE OF THE RESPONSE ACTION

This Decision Document authorizes the remedial decision of No Action for Fort Jay MRS-03, Piers and Underwater Areas at Governors Island, New York, New York. USACE has concluded that no CERCLA action is necessary to ensure protection of human health or the environment from munitions contamination. In addition to MRS-03 there are two other projects which are part of Fort Jay FUDS. They are designated Project 01, MMRP – Small Arms Ranges Complex and Project 02, MMRP – Remaining Lands.

Project 01, Small Arms Ranges Complex is non-adjacent to MRS-03 and per the Final SI Report, no release was identified and no further investigation for MEC or MC was recommended for Project 01, Small Arms Ranges Complex.

Project 02, Remaining Lands includes all land on Governors Island not part of Project 01. In the initial planning stages of the RI, USACE planned to investigate Project 01 within the same RI as MRS-03, however the property owners rescinded the right of entry to Governors Island precluding the USACE investigation. The Remedial Investigation at MRS-02 will be executed in the future if the property owner provides right of entry.

2.5 SITE CHARACTERISTICS

This section provides an overview of the physical characteristics of MRS-03, including topography, bathymetry, geology, and ecology, and describes the nature and extent of contamination.

2.5.1 Physical Characteristics

This section presents the physical characteristics of the facility, Fort Jay, and the surrounding environments that are factors in understanding fate and transport, the conceptual site model (CSM), and exposure scenarios for potential human health and ecological hazards and risks. The physiographic setting, hydrology, climate, and ecological characteristics of the facility were compiled from information presented in the RI Report (HGL, 2020) and updated as appropriate. Sections 2.5.1.1 through 2.5.1.10 provide a physical description of the FUDS property with respect to relief, vegetation, climate, and underwater nearshore environment as well as land uses.

2.5.1.1 Regional Climate

Fort Jay is close to the path of most storm and frontal systems that move across North America. Weather conditions most often approach from the westerly direction. The island can experience higher temperatures during the summer and lower temperatures during the winter than would otherwise be expected in a coastal area. However, the frequent passage of weather systems often helps to reduce the length of both warm and cold spells, and is also a major factor in keeping periods of prolonged air stagnation to a minimum (USACE, 1997; 2006).

During the summer, local area sea breezes often moderate the afternoon heat. The relatively warm water temperature also delays the advent of winter snows. Conversely, the lag in warming of water temperatures keeps spring temperatures relatively cool. July and August are the hottest months with average monthly temperatures of 75 and 74 degrees Fahrenheit (°F), respectively. The record high temperature occurred in July 1996 with a temperature of 104°F. January is the coldest month with an average monthly temperature of 30.3°F. The record low temperature of -2°F occurred in January 1995 (USACE, 1997; 2006).

2.5.1.2 Topography

Fort Jay is located in the Piedmont lowland physiographic province on the eastern side of Upper New York Bay. The area lies on the eastern edge of the broad lowland known as Newark Basin, which was formed in the Triassic Period and extends today from the first Watchung Mountain on the west to the Hudson River on the east (USACE, 1997; 2006). There is very little topographic relief at the FUDS. The highest point (approximately 70 feet above mean sea level) is within the newly constructed (2016) Hills section of the parkland in the southwest area of the Island. Figure 2-6 presents the topography of Governors Island. Elevation data used to create contour lines were obtained from the U.S. Geological Survey 3D Elevation Program, via the National Map. This tile of the seamless 3D Elevation Program Dataset is 1/3 arc-second resolution, publication date 29 March 2017.

2.5.1.3 Bathymetry

The underwater nearshore environment of Governors Island is characterized by the stone seawall and protective jetty-stone surrounding it. Water depths at the seawall vary from zero feet to approximately 6 feet. In general, the water depth drops to approximately 30 feet within 300 feet from the seawall. On the east side of the island, the depth drops to 45 feet within Buttermilk Channel. On the west, water depths drop to 60 feet within 500 feet from the island. The nearshore bottom is characterized by intermittently soft, silty bottom interbedded with sand and rock. See Figure 2-7 for a bathymetric map of the Governors Island nearshore environment.

2.5.1.4 Geology

Governors Island is located in the Piedmont lowland physiographic province on the eastern side of the Upper New York Bay. The area lies on the eastern edge of the broad lowland known as Newark Basin, which was formed in the Triassic Period and extends today from the first Watchung Mountain on the west to the Hudson River on the east. The Triassic bedrock in this vicinity consists of continental sandstones, shales, and conglomerates. The sandstones and shales known as the Newark series extend to nearly 250 feet below sea level. In the early Jurassic Period, the palisades sill intruded into the Triassic deposits (USACE, 1997; 2006).

The Newark Basin deposits are overlain by a sequence of glacial lacustrine clays and glacial drift, which was deposited during the Wisconsin stage of glaciation towards the end of the Pleistocene Epoch. Around that time, Governors Island lay on the western edge of glacial Lake Hudson, close to its boundary with glacial Lake Hackensack. The southern tip of the Palisades sill projected as a ridge of dry land between the two lakes during this period. Both lakes were created as a result of the terminal moraine laid down at the furthest point of the glacial advance. In the Newark Basin area, this moraine extended from a summit on the first Watchung ridge, and looped south through Plainfield and Perth Amboy, before crossing Staten Island into Southern Long Island (USACE, 1997; 2006).

The main geological formations in the FUDS are Stockton Sandstone, Manhattan Schist, and Palisades Diabase. Depth to bedrock ranges from 170 feet to bedrock at or near the surface. Glacial deposits generally range from 25 to 165 feet and cover most bedrock in the area. Recent alluvial deposits of sand, gravel, silt, clay, and peat lie above the glacial deposits. In some areas, miscellaneous fill has been placed. Lands in the FUDS and the surrounding areas are composed of tidal marsh, reclaimed land, and areas of glacial deposits (USACE, 1997; 2006).

The surface of the FUDS is largely covered by concrete, asphalt, and buildings. The soils underlying these areas have been greatly altered from their original state. The remaining soil of the FUDS is derived from tidal and glacial deposits. The deposits are usually composed of sandy materials. The depth of these deposits ranges from 5 to 32 feet. Below the stratum, there are glacial lake deposits consisting of silt, clayey silt, silty clay, and sand. This deposit has been highly consolidated. Glacial till deposits occur beneath the glacial lake deposits and consist of very dense silts, clays, sand, gravel, and boulders. Bedrock of the Stockton Formation, consisting of shale and sandstone, is found beneath the glacial till deposits. The upper portion of this bedrock has weathered to a hard, silty clay containing interbedded rock fragments (USACE, 1997; 2006).

2.5.1.5 Vegetation

Few natural vegetation features remain on Governors Island. On the northern part of the island, the vegetative covers consists of ornamentals and landscape features. On the southern end of the island, the Hills section of the parkland includes carefully selected trees and shrubbery with the root zone planted above planned flood levels. During the performance of the RI, the harbor floor was observed to be largely devoid of vegetation.

2.5.1.6 Hydrogeology

Fort Jay, on Governors Island, is located on the west side of Long Island, in the upper Bay of New York. The island is affected by semidiurnal tides, which are two nearly equal high waters and two nearly equal low waters each tidal day. The Labrador current extension in the Atlantic Ocean flows along the eastern

side of Long Island. The ocean current flows south and has an average speed of 0.5 knots in summer and 0.7 knots in winter. The mean temperature of the surface water is 70°F in summer and 40°F in winter. There is a 10 percent chance of having waves 5 feet or higher in summer and a 30 percent chance of this occurrence in winter. Surface water drains directly into the bay. No major streams are located on Governors Island and no flood data are available. If flooding would occur, it would be from localized heavy rainfall and would be for a short duration (USACE, 2006).

A small amount of groundwater may exist in an unconfined condition within the coarse-grained fill and underlying sand and gravels. The saturated, permeable portions of these units are not thick enough to provide sufficient quantities of groundwater to pump. The groundwater table in the unconsolidated sediments is near the surface, between 4 and 8 feet below land surface and within the dredged sands. Groundwater movement is towards the points of discharge, which would be near the perimeter of the island on the Hudson River or East River. Groundwater is contained in and moves through differentiated geological units composed of gravel, sand, and clay. The underlying crystalline basement rocks are of Precambrian age and not water bearing (USACE, 1997; 2006).

2.5.1.7 Surface Water Hydrology

No surface water is present within the terrestrial portion of the FUDS boundary.

2.5.1.8 Threatened, Endangered, and Other Rare Species

No critical habitats exist in the study area, nor have any sensitive plant or animal species recently been identified at these locations. The peregrine falcon (*Falco Peregrinus*), a federally listed endangered species, is known to exist in the vicinity of Governors Island. In addition, transient individuals, such as the endangered shortnose sturgeon (*Acipenser brevirostrum*), may also inhabit the area (General Services Administration [GSA], 1998).

2.5.1.9 Ecologically Important Habitats

Upper New York Bay is a portion of the Hudson-Raritan Estuary. This environment is stressed by impacts caused by the surrounding urbanization, but still supports a diverse aquatic estuary. No ecologically important habitats exist in the study area, nor have any sensitive plant or animal species recently been identified at these locations. The Hudson-Raritan Estuary supports a diverse benthic community and a wide variety of finfish species (GSA, 1998).

In addition, a review of the potential for ecologically important habitats to be present was conducted in coordination with the National Oceanic and Atmospheric Administration. No ecologically important habitats were found to exist in the study area, nor have any sensitive plant or animal species recently been identified at these locations.

2.5.1.10 Cultural and Archeological Resources

Governors Island has a long history, including being a fortification for defense of New York Harbor, an embarkation point for soldiers being sent to the Mexican War, World War I, and World War II; headquarters of the First U.S. Army; and headquarters of the Coast Guard Support Center New York. The northern portion of the island is listed in the National Register of Historic Places as a National Historic Landmark. The nomination form states that the Governors Island National Historic Landmark district derives its significance largely from the islands role as a major component in the defense system

of New York Harbor. It is also significant for its role as a major Army administrative center for nearly a century. The northern portion of the island is also a registered New York City landmark. While archeological sites were identified on the island, there are no cultural/archeological resources identified within MRS-03.

2.5.2 Nature and Extent of Contamination

2.5.2.1 Underwater MEC Contamination

Although the metal detectors identified numerous metallic anomalies, no items of interest (munitions-related items) were found during the dive operation. The majority of the metallic anomalies were found to be construction debris from former pier locations.

2.5.2.2 Munitions Constituents Contamination

MC evaluation in MRS-03 was not performed during the RI. The MC evaluation on land, discussed in this section, is a line of evidence for the lack of an underwater release. Potential release of MC to the terrestrial area of the FUDs was evaluated as part of the 2008 SI (USACE, 2008). Research was conducted to refine the specific list of constituents potentially associated with the site. Soil sampling conducted at Fort Jay included seven surface soil samples, four subsurface soil samples, and five background samples. Samples were collected for metals and explosives, with the specific analysis targeted to the potential release in each area of Fort Jay. The sample results were used in a human health and ecological risk screening assessment. The performance of this assessment included comparing detected concentrations of MC to screening criteria and background levels, then evaluating the risk from concentrations of any of the MC. No explosives were detected in any sample. Metals were detected in surface soil and subsurface soil. Concentrations of metals were compared to human health and ecological risk-based screening levels. Concentrations of metals were all below human health risk-based screening levels. Several metals were detected in excess of ecological risk-based screening levels. These metals concentrations were then compared to concentrations of metals in background soil for Governors Island. Only one metal, copper, in one sample exhibited concentrations in excess of background concentrations. Using a weight-of-evidence approach, it was determined that the ecological risk from this one copper result does not pose an unacceptable risk. The SI document concluded that based on the human health and ecological risk screening evaluations conducted during the SI, MC did not pose an unacceptable risk and no additional investigation for MC was warranted (USACE, 2008). Additionally, no MEC or MD was identified in MRS-03 during the performance of the RI, therefore no release of MC from MEC/MD is possible.

2.5.3 Conceptual Site Model

A CSM is a graphical representation of a site and its environment that visually depicts potential exposure pathways that might be present. The CSM is broken out into three sections: (1) Sources—areas where MEC or MC has or may enter the environment, (2) Interactions—the hazard from MEC or MC that may arise as a result of receptors coming in contact with source areas, and (3) Receptors—organisms (human or ecological) that have the potential to come in contact with a chemical or physical agent at the present time or in the reasonably anticipated future. The CSM summarizes potential receptor exposure pathways for MEC and MC that are or may be “complete,” “potentially complete,” or “incomplete.” All elements of the pathway must be present for a pathway to be considered “complete” or “potentially complete,” including a source of MEC and/or MC, a receptor that might be affected by contamination, and a method for which the receptor may be exposed to the contaminant.

2.5.3.1 Source

The primary potential release mechanism for MEC was the mishandling/loss, abandonment, burial, or dumping of fuzed or unfuzed munitions, retrograde munitions, and/or bulk explosives. Intentional disposal of munitions and related items was the primary potential source of MEC investigated in the underwater portion of the MRS. Based on review of the archival records and available documentation, the principal potential source of MEC in the underwater portion of the MRS was intentional dumping of MEC from the seawall or off of piers.

In November 1993, one MEC item, a black powder-filled 20-inch cannonball (shell), was recovered at the terrestrial part of the MRS at an approximate depth of 10 feet below ground surface. In 2012, a 15 inch inert cannonball was retrieved from the south site of Soissons dock. However, MEC has not been recovered within the harbor near the historical piers or anywhere else in the underwater portion of Governors Island. The recovery of small arms ammunition, tear gas and smoke grenades, and the inert 3-inch anti-aircraft projectile do not contribute to the potential presence of MEC within the MRS. All documented munitions recoveries have been within the approximate 69-acre northeastern portion of Governors Island, outside of the man-made filled-in lands. The MEC exposure pathway for human receptors was considered potentially complete and included construction activities potentially leading to contacting submerged munitions in the water bodies. It was determined in the preliminary CSM that any MEC that was likely to be at the MRS was submerged, and transport and migration was not likely, unless disturbed.

In addition to the one MEC item and various MD identified in the preliminary CSM, the final CSM has been updated with the RI data. A dive survey was successfully completed over 99 percent of the planned transects in the underwater portion of the MRS. A total of 12,077 linear feet of jackstay transects were placed over an area of approximately 14 acres. An average 5-foot lane was surveyed on either side of the jackstay for a total of 2.77 acres of bottom surveyed (Figure 2-5). The dive survey identified no MEC or MD. Divers identified the remnants of several of the historical piers and limited evidence of dumping (tires). The amount of metal found and inspected was limited, with the majority of metal inspected being construction debris.

2.5.3.2 Activity

Human disturbance and tidal/wave action are the only identified potential migration pathways for MEC that could have existed in the harbor due to dumping or mishandling/loss. Human activities considered for the underwater portion included construction in the nearshore underwater environment, which may result in moving or somehow disturbing MEC that could cause it to detonate.

2.5.3.3 Access

No formal land-use controls prevent access to the MRS. The CSM assumes that any MEC potentially present at the underwater MRS would have been submerged; therefore, transport and migration are not likely, unless disturbed. The exposure pathways for potential underwater MEC include dredging, pier installation, sediment erosion, and pier maintenance that result in the application of heat, friction, and/or shock to MEC that may exist in the harbor due to dumping or mishandling/loss. Explosive hazards are evaluated only for human receptors.

2.5.3.4 Receptors

Current and reasonably anticipated receptors for the underwater portion of the MRS are construction workers. If present, MEC and/or MD in the underwater portion of the MRS could have been accessed by construction workers.

2.5.3.5 Conceptual Site Model Conclusions

The CSM (Figure 2-8) for MRS-03 was updated as part of the RI (HGL, 2020) to identify complete, potentially complete, or incomplete exposure pathways for current and reasonably anticipated future land uses. The updated CSM was based on the data presented in previous investigations and data collected and analyzed as part of the RI. The use or introduction of munitions at the MRS is not confirmed. Because no direct evidence of an explosive hazard exists in the underwater portion of the MRS, the pathways for MEC were considered incomplete for the construction worker receptor. Based on the findings of the RI, no MC was identified at MRS-03 that poses a risk to human health or the environment; therefore, all MC exposure pathways are incomplete for MC. Since no MEC was identified historically or during the RI, no MEC source was identified at MRS-03, and therefore, the exposure pathway for MRS-03 is incomplete (Figure 2-8).

2.6 CURRENT AND POTENTIAL FUTURE SITE AND RESOURCE USES

In 2003, the island became a public place. Governors Island is currently the location of historic attractions, recreational areas, and building space for tenant organizations and is seasonally accessible to the public via ferry.

The NPS currently manages 22 acres of the 172 acres island as a National Monument. Note that the FUDS program has reported the island size to be 177 acres, but the actual size of the island is 172 acres. The TGI is responsible for the stewardship and development of the remaining acres for the City of New York.

In 2014, Park Phase I opened with a plaza, hammock grove, play lawn, ballfields, and pathways. In 2016, the Hills section of the park opened. The Hills included the placement of thousands of cubic yards of engineered fill to raise the land level into several scenic hills, all landscaped. The highest point rises 70 feet above sea level.

MRS-03, Piers and Underwater Area, includes former pier locations, existing piers, and the water surrounding the piers. The piers are used for ferry access as well as general boat access for recreational activities. There is no swimming in the water around Governors Island. Future land use of MRS-03 is not anticipated to change however pier maintenance, construction of new piers or dredging to maintain access to pier are all reasonably anticipated activities.

2.7 SUMMARY OF SITE RISKS

Hazards and risks were evaluated based on the potential for people and the environment to be exposed to munitions and MC. The potentially exposed population includes construction workers which may perform projects within MRS-03. Previous investigations and studies at the site found no evidence of hazards, and therefore, exposure is not anticipated. Based on the RI findings, there is no risk at Fort Jay MRS-03 attributable to prior Department of Defense activities. Human Health/Ecological Risk Screening for MC

Based on the human health and ecological risk screening evaluations conducted during the SI, MC did not pose an unacceptable risk and no additional investigation for MC was warranted (USACE, 2008). However, the 2008 SI did not evaluate the potential for release to MRS-03. USACE evaluated the potential for a release of MC to MRS-03 during the planning phase of the 2020 RI. It is considered an unrealistic scenario because an MC release was not identified in the heavily used terrestrial portion of the MRS. In addition, the potential for release to the underwater environment is significantly lower than the terrestrial due to the reduced chance of release due to dilution from seawater. Additionally, there was not MEC or MD identified during the RI performed in MRS-03 so no release of MC from MEC/MD is possible. Therefore, additional MC evaluation in MRS-03 was not necessary for the completion of the RI.

2.7.1 Risk Management Methodology for MEC

No recommendations for potential MEC in the underwater portion of the site were made in the SI (USACE, 2008). However, as the CSM was refined in the RI MEC Quality Assurance Project Plan (HGL, 2018), the potential for migration of MEC to the near shore underwater environment was added as a potential secondary source. The RI concluded that no MEC release had taken place within MRS-03 (HGL, 2020). The performance of an RMM was not possible because no MEC was identified in the RI.

2.8 DOCUMENTATION OF SIGNIFICANT CHANGES FROM THE PREFERRED ALTERNATIVE IN THE PROPOSED PLAN

No comments on the proposed plan for the Fort Jay FUDS MRS-03, Piers and Underwater Area, Governors Island in New York, New York, were received at the public meeting or during the public comment period (9 December 2021 through 13 January 2022). Therefore, there are no changes in this Decision Document to the No Action determination for MRS-03 at the Fort Jay, Governors Island FUDS presented in the Proposed Plan for this site.

3.0 RESPONSIVENESS SUMMARY

A public comment period for the Proposed Plan was provided from 9 December 2021 through 13 January 2022. In addition, a public meeting was held on 15 December 2021 to present the Proposed Plan. The public meeting was held virtually via WebEx. A transcript of the public meeting is provided in Appendix A. The meeting was held at 6:00 pm and was attended by representatives from USACE New York District, USACE Baltimore District, HGL, APTIM and NYSDEC. The WebEx was opened at 5:45 pm (15 minutes prior to the scheduled starting time) and the meeting was kept open until 6:40 pm. No members of the public logged onto the WebEx. Therefore there were no comments received from the public at the public meeting. The public was also encouraged to submit written comments by mail or email during the public comment period. No written comments were received. The meeting transcript and materials are provided in Appendix A.

3.1 STAKEHOLDER COMMENTS AND USACE RESPONSES

The public comment period ended on 13 January 2022. No comments were received during the public meeting nor during the comment period.

3.2 TECHNICAL AND LEGAL ISSUES

No issues were raised during the public meeting or during the public comment period that would impact the technical or legal requirements for the remedy.

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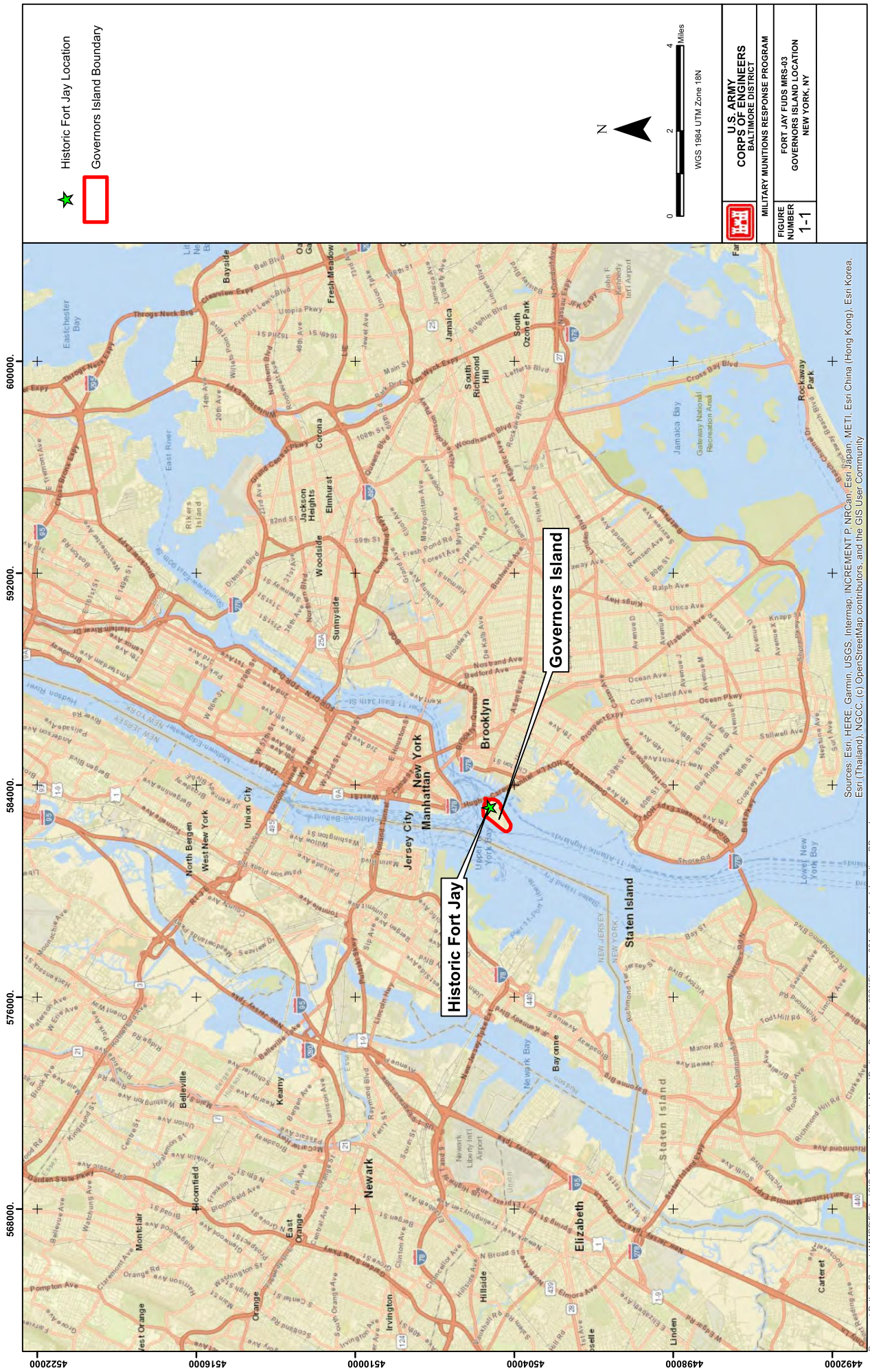
4.0 REFERENCES

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FIGURES

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582200. 582500. 582800. 583100. 583400. 583700.

Current Pier
Fort Jay FUDS MRS-03,
Piers and Underwater Area



WGS 1984 UTM Zone 18N
0 400 800
Feet



U.S. ARMY
CORPS OF ENGINEERS
BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
2-1

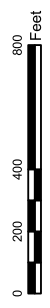
FORT JAY FUDS MRS-03
MUNITIONS RESPONSE SITE (MRS)
LOCATION
NEW YORK, NY

Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP), Web Map Services, 2018.
NYS IITS GIS Program Office

582200. 582500. 582800. 583100. 583400.



WGS 1984 UTM Zone 18N



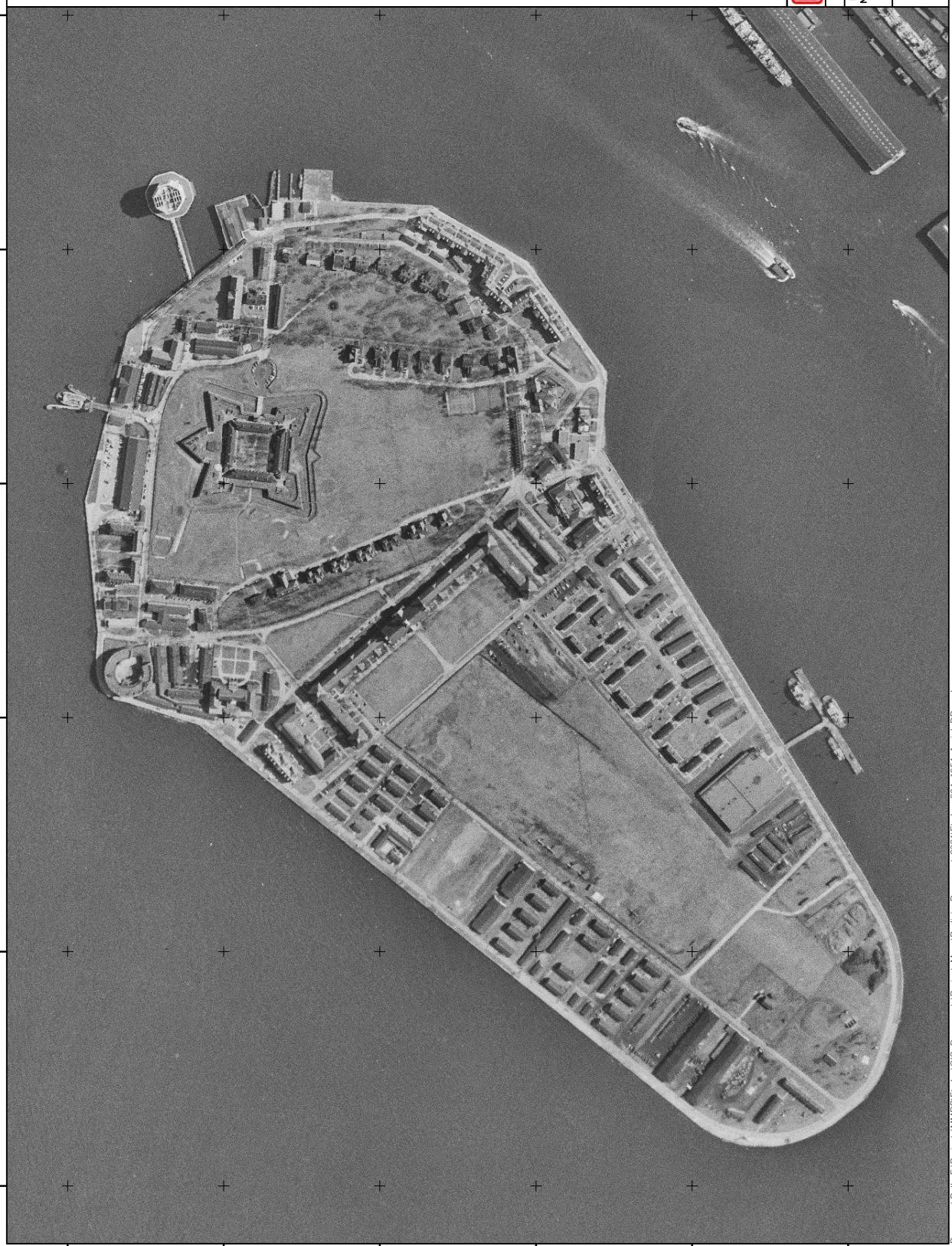
U.S. ARMY
CORPS OF ENGINEERS
BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
2-2

FORT JAY FUDS MRS-03
HISTORICAL PHOTOGRAPH - 1924
NEW YORK, NY

582200. 582500. 582800. 583100. 583400. 583700.



WGS 1984 UTM Zone 18N
0 200 400 800 Feet



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BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
2-3

FORT JAY FUDS MRS-03
HISTORICAL PHOTOGRAPH - 1954
NEW YORK, NY



Current Pier
Pier Configurations 1887 - 1966



WGS 1984 UTM Zone 18N
0 400 800
Feet



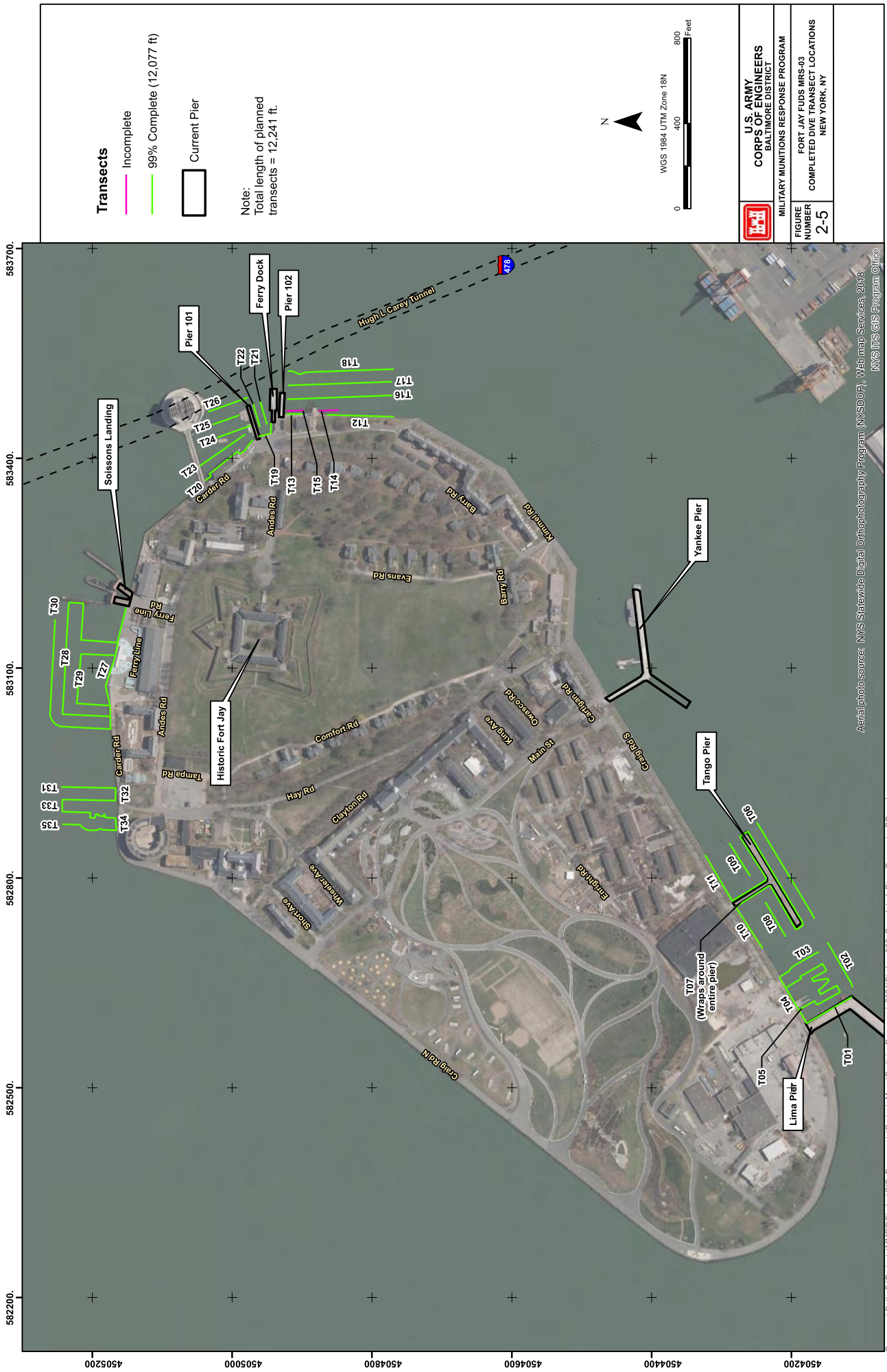
U.S. ARMY
CORPS OF ENGINEERS
BALTIMORE DISTRICT

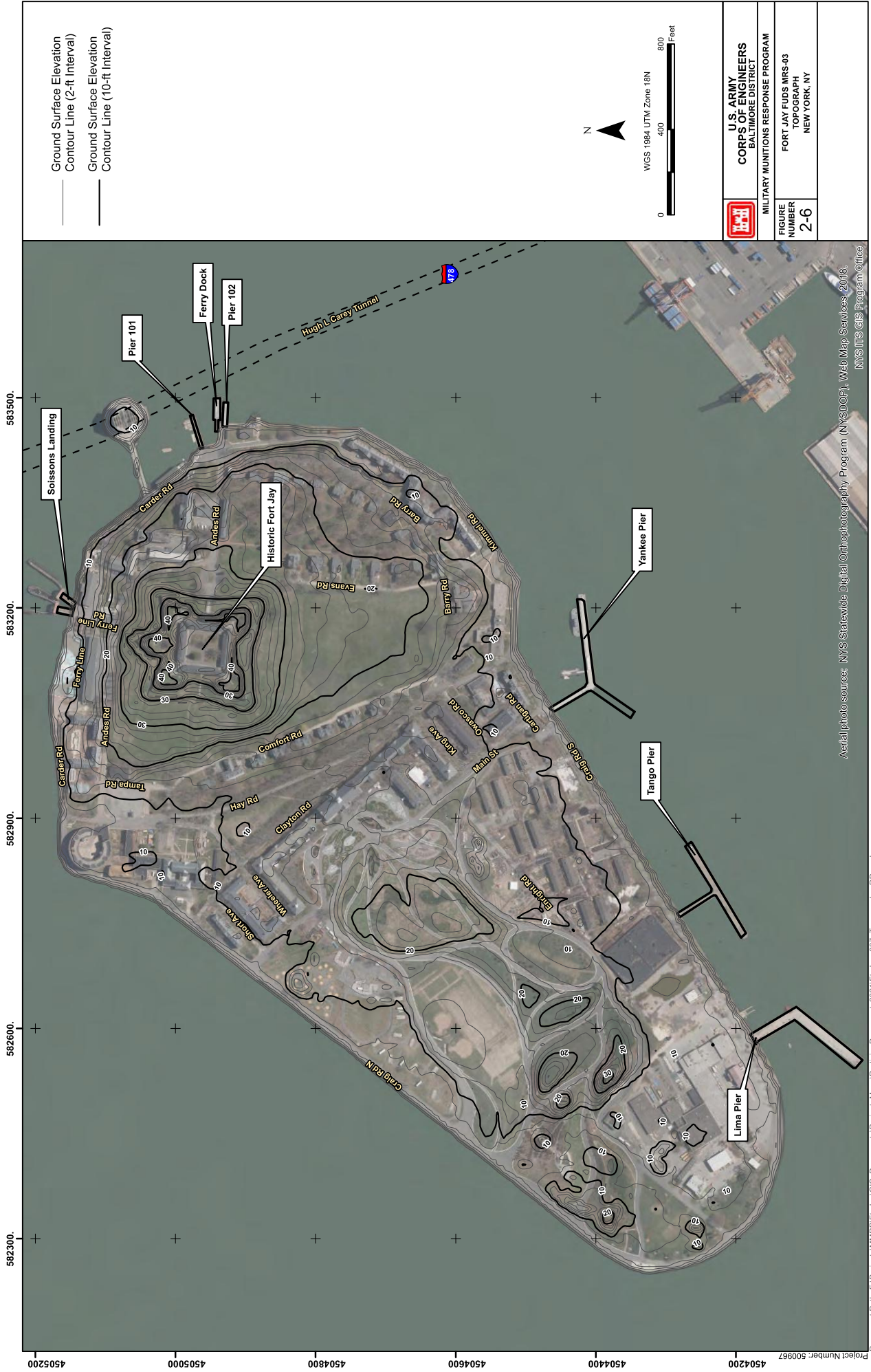
MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
2-4

FORT JAY FUDS MRS-03
LOCATION OF HISTORIC PIERS
NEW YORK, NY

Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP), Web map Services, 2018.
NYS IIS GIS Program Office





Ground Surface Elevation
Contour Line (2-ft Interval)
Ground Surface Elevation
Contour Line (10-ft Interval)



WGS 1984 UTM Zone 18N
0 400 800
Feet



U.S. ARMY
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BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

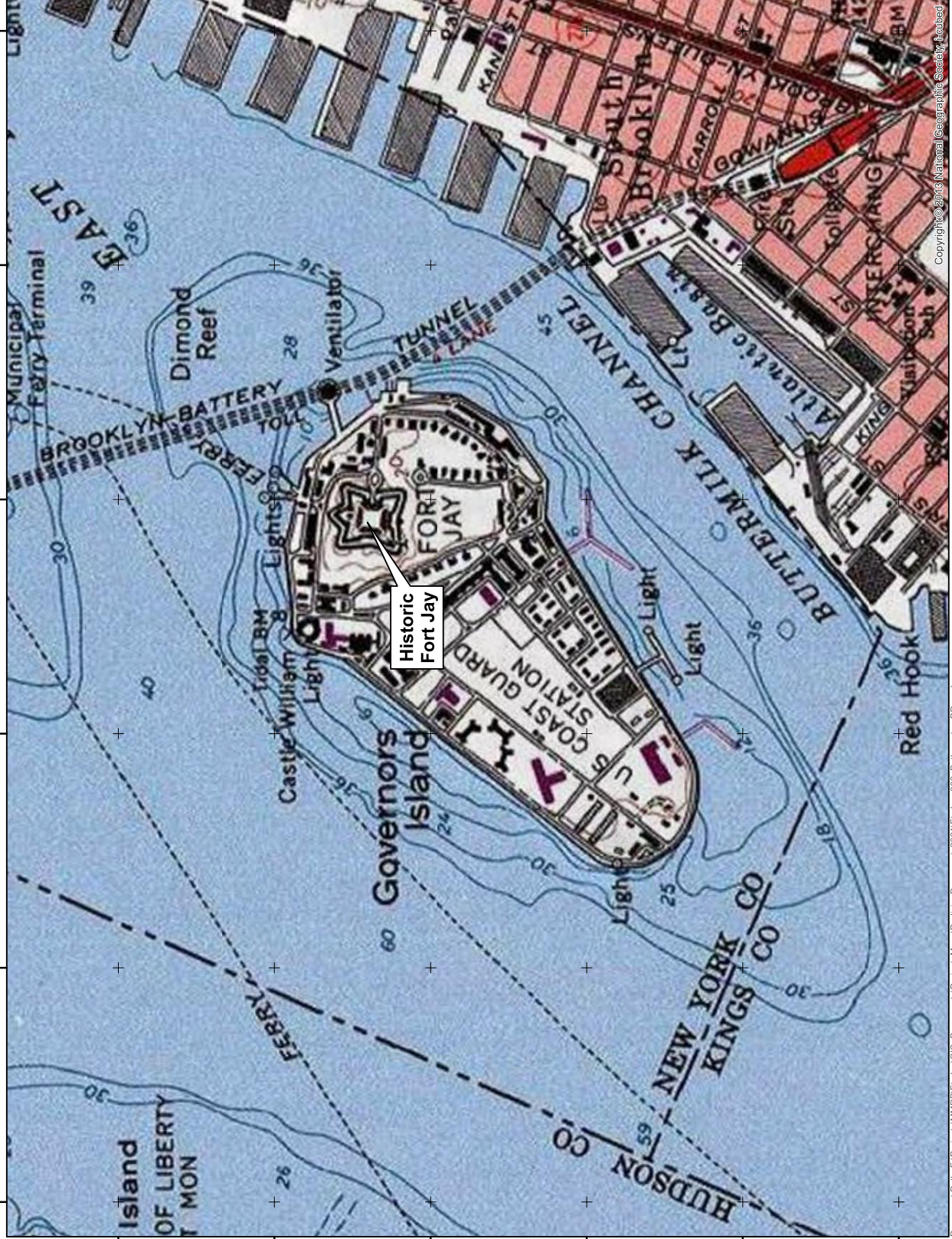
FIGURE
NUMBER
2-6

FORT JAY FUDS MRS-03
TOPOGRAPH
NEW YORK, NY

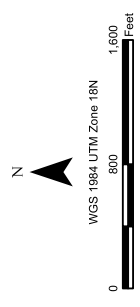
Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP), Web Map Services 2018.
NYS IITS GIS Program Office


Project Number: 500967
Document Path: F:\Projects\MMRP\F_Jay\GIS_Documents\Project_Maps\DecisionDocuments\2021\F_Jay_007_Topography_LD.mxd

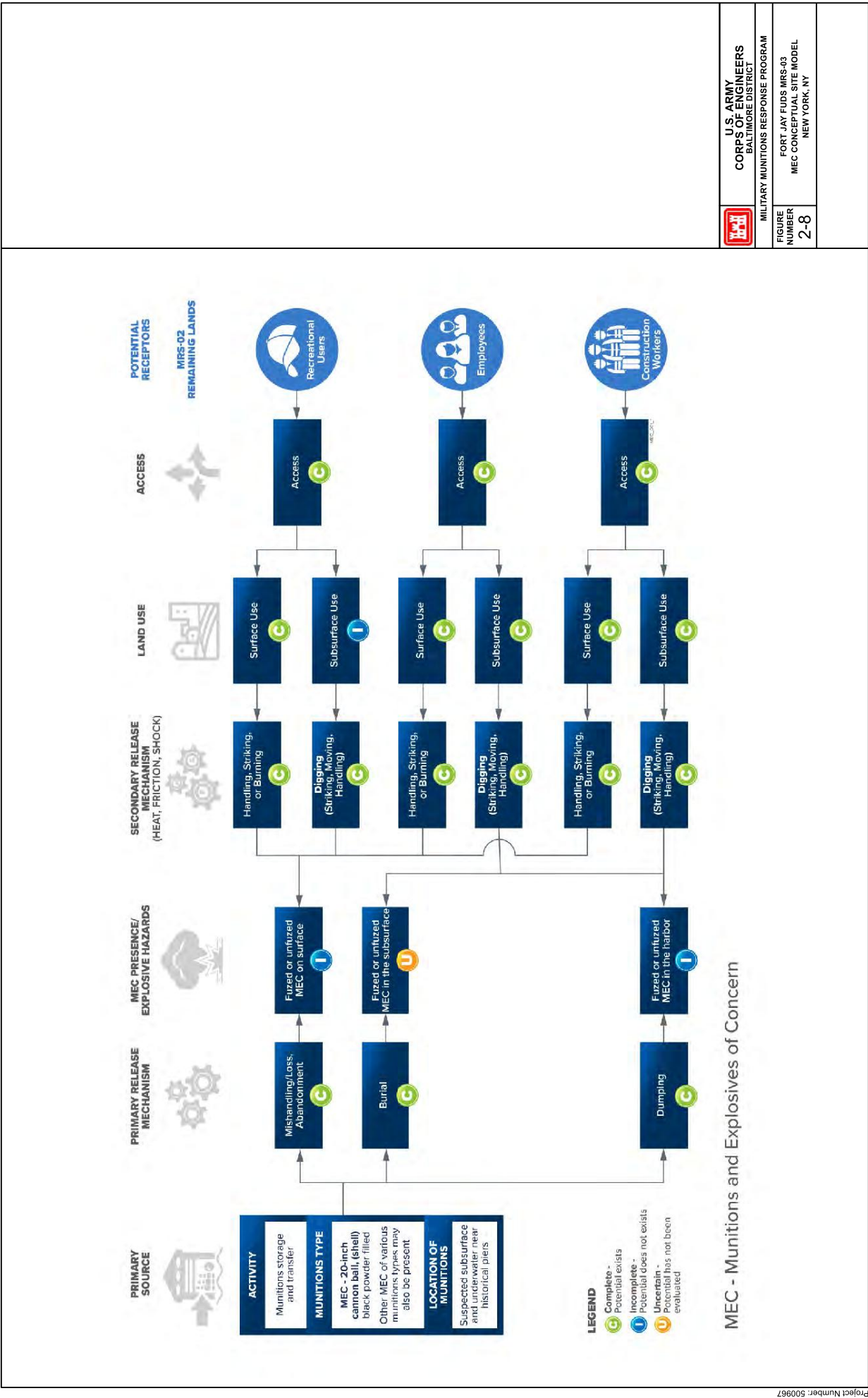
581400. 582000. 582600. 583200. 583800. 584400.



Document Path: F:\Projects\MMRP\F_Jay\GIS_Documents\Project_Map\DecisionDocuments\2021\F_Jay_008_Bathymetry_DD.mxd
Copyright © 2015 National Geographic Society, Inc.



	U.S. ARMY CORPS OF ENGINEERS BALTIMORE DISTRICT	
	MILITARY MUNITIONS RESPONSE PROGRAM	
	FIGURE NUMBER	FORT JAY FUDS MRS-03 BATHYMETRY NEW YORK, NY
2-7		



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Appendix A

PROPOSED PLAN PUBLIC MEETING TRANSCRIPT AND MEETING MATERIALS

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The public meeting to explain the Proposed Plan for MRS-03, Piers and Underwater Area for Fort Jay FUDS, Governors Island, NY was held on December 15, 2021 at 6:00 pm Eastern Standard Time. The meeting was held via WebEx at:

https://hgl-7.my.webex.com/meet/usace_support

or join by phone: +1-408-418-9388 Access code: 2551 029 7227.

The project team joined the meeting at 5:45 eastern standard time. The meeting was attended by:

Amanda Regan, USACE NY District

Todd Beckwith, USACE Baltimore District

Steve Scharf, NYSDEC

Katherine Kaye, HGL

Emily Justice, HGL

Doug Schicho, APTIM.

Below is a transcript of the meeting.

Katherine Kaye: Who do we have on the call and did anyone have any difficulty accessing the WebEx link provided with all of the public meeting materials?

Todd Beckwith: Hi Katherine, I am on and had no trouble with the link.

Amanda Regan: This is Amanda, I am on.

Emily Justice: Emily is on.

Steve Scharf: This is Steve from NYSDEC, I am on.

Doug Schicho: I am on and had no difficulty with the link.

Katherine Kaye: OK so we will start the meeting at 6:00 and after members of the public join the WebEx.

Amanda Regan: Sounds good. Is everyone ready, Doug are you ready with the presentation?

Doug Schicho: Yes we are all set to begin.

At 6:00, no members of the public had dialed in.

Katherine Kaye: How long should the team stay on the meeting if no members of the public dial in?

Todd Beckwith: I would think a minimum of 30 minutes would be a reasonable amount of time.

At 6:40 the team discussed the fact that no members of the public had dialed in.

Katherine Kaye: Well it looks as if no one is going to join the call from the public. Should we adjourn the call? Are there any questions or things to discuss amongst the team?

Amanda Regan: Yes, I think we can adjourn.

Steve Scharf: What is the timing for getting the decision document to me for NYSDEC review?

Katherine Kaye: We have to wait for the public comment period to end and then respond to and incorporate any comments from the public. The public comment period ends on January 13, 2022. At the end of the review and comment period, all comments will be included in the Responsiveness Summary of the Decision Document, documented in the Administrative Record (AR), and evaluated for consideration in the final selection of the final remedy selected in the Decision Document. The document will then go through USACE review and approval prior to being submitted to NYSDEC for review.

Steve Scharf: OK. I will keep in touch to coordinate review.

(The proceedings were concluded at 6:40 p.m., on December 15, 2021.)

PUBLIC MEETING ADVERTISEMENTS

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'VACCINE' IS MERRIAM-WEBSTER'S 2021 WORD OF THE YEAR

LANGUAGE

Lookups for the word increased 601% over 2020

BY LEANNE ITALIE,
ASSOCIATED PRESS

With an expanded definition to reflect the times, Merriam-Webster has declared an omnipresent truth as its 2021 word of the year: vaccine.

"This was a word that was extremely high in our data every single day in 2021," Peter Sokolowski, Merriam-Webster's editor-at-large, told The Associated Press.

"It really represents two different stories. One is the science story, which is this remarkable speed with which the vaccines were developed. But there's also the debates regarding policy, politics and political affiliation. It's one word that carries these two huge stories," he said.

The selection follows "vax"

as word of the year from the folks who publish the Oxford English Dictionary. And it comes after Merriam-Webster chose "pandemic" as tops in lookups last year on its online site.

At Merriam-Webster, lookups for "vaccine" increased 601% over 2020, when the first U.S. shot was administered in New York in December after quick development, and months of speculation and discussion over efficacy.

First Known Use

The word "vaccine" wasn't birthed in a day, or due to a single pandemic. The first known use stretches back to 1882 but references pop up earlier related to fluid from cowpox pustules used in inoculations, Sokolowski said. It was borrowed from the New Latin "vaccina," which goes back to Latin's feminine "vaccinus," meaning "of or from a cow." The Latin for cow is "vacca," a word that



Vaccine administered by the New York State Department of Health at the Jacob Javits Center vaccination center on March 10, 2021.

Photo: Division of Military and Naval Affairs by Captain Mark Getman / New York National Guard, via Flickr

might be akin to the Sanskrit "vasa," according to Merriam-Webster.

Inoculation, on the other hand, dates to 1714, in one sense referring to the act of injecting an "inoculum."

Earlier this year, Merriam-Webster added to its online entry for "vaccine" to cover

all the talk of mRNA vaccines, or messenger vaccines such as those for COVID-19 developed by Pfizer-BioNTech and Moderna.

While other dictionary companies choose words of the year by committee, Merriam-Webster bases its selection on lookup data, paying

close attention to spikes and, more recently, year-over-year increases in searches after weeding out evergreens. The company has been declaring a word of the year since 2008. Among its runners-up in the word biography of 2021:

■ **INSURRECTION:** Interest was driven by the deadly Jan. 6 siege on the U.S. Capitol. Arrests continue, as do congressional hearings over the attack by supporters of President Donald Trump. Searches for the word increased by 61,000% over 2020, Sokolowski said.

■ **INFRASTRUCTURE:** President Joe Biden was able to deliver what Trump often spoke of but never achieved: A bipartisan infrastructure bill signed into law. When Biden proposed help with broadband access, eldercare and preschool, conversation changed from not only roads and bridges but "figurative infrastructure," Sokolowski said.

■ **PERSEVERANCE:** It's the name of NASA's latest Mars rover. It landed Feb. 18, 2021. The name was thought up by Alexander Mather, a 14-year-old seventh-grader at Lake Braddock Secondary School in Burke, Virginia. He participated in an essay contest organized by NASA.

■ **NOMAD:** The word had its moment with the 2020 release of the film "Nomadland."

Other words in Merriam-Webster's Top 10:

Cicada (we had an invasion), guardian (the Cleveland Indians became the Cleveland Guardians), meta (the lofty new name of Facebook's parent company), cisgender (a gender identity that corresponds to one's sex assigned at birth), woke (charged with politics and political correctness) and murraya (a tropical tree and the word that won the 2021 Scripps National Spelling Bee for 14-year-old Zaila Avant-garde).



US Army Corps
of Engineers®

PUBLIC NOTICE

Army Corps Seeking Public Comment on Proposed Plan for the Fort Jay Formerly Used Defense Site MRS-03, Piers and Underwater Area, Governors Island, New York, New York

Public Comment Period

December 9, 2021 – January 13, 2022

Public Meeting

December 15, 2021, 6:00 to 7:00pm

The U.S. Army Corps of Engineers (USACE) has completed a Remedial Investigation (RI) and a Proposed Plan (PP) for the Fort Jay Formerly Used Defense Site (FUDS) Munitions Response Site (MRS)-03, Piers and Underwater Area at Governors Island in New York, NY. The public is invited to provide feedback on the PP for the Fort Jay FUDS site MRS-03 and USACE is conducting a public meeting where the public can learn more information.

Historic Fort Jay and surrounding Governors Island is located in the New York Harbor, New York. From 1794 until the early 20th century, there were defensive gun batteries on the island. The presence of these gun batteries raised the potential for military munitions to be in the nearshore waters. MRS-03, Piers and Underwater Area, is 14 acres in size and located in underwater areas adjacent to Governors Island. No munitions and explosives of concern (MEC) have been discovered at MRS-03. The PP summarizes the RI and proposes a preferred approach of No Action.

The PP and associated documents are available for public review online at <https://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Fort-Jay-FUDS-Project/>

The Project Information Repository is located at: <https://fortjayfiles.com/>

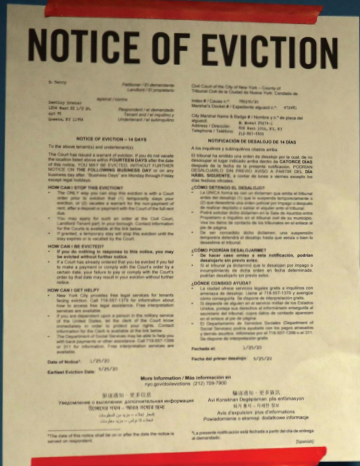
The goal of gathering information through presentation of the PP and the public comment period is to better understand the community's awareness of the cleanup activity proposed in the PP based upon years of investigation and study, and to determine if the public agrees with the PP recommended action presented by the USACE. Public comments will be used in development of a Public Responsiveness Summary that will guide USACE's future cleanup actions onsite and in coordination with the community.

A virtual public meeting will be held to discuss the PP on December 15, 2021, starting at 6:00pm. Interested members of the public are invited to participate in the virtual meeting via the following WebEx link:

Web Conference URL: https://hgl-7.my.webex.com/meet/usace_support
or join by phone: +1-408-418-9388
Access code: 2551 029 7227

Please send your written comments postmarked or emailed by January 13, 2022 to:


US Army Corps of Engineers - New York District
Attn: Amanda Regan, Project Manager
2890 Woodbridge Avenue
Edison, NJ 08837
Office: 917-790-8618
Email: Amanda.M.Regan@usace.army.mil



Don't give up without a fight.

In NYC, thousands of tenants have the right to a lawyer when facing an eviction case. 84% of tenants who had a lawyer through the City's Right to Counsel program avoided eviction. **You don't have to fight eviction alone.**

Help is available Citywide. Call 311 and ask about the Right to Counsel to find out if you're eligible.



Department of
Social Services
Office of Civil Justice

Mayor's Office to
Protect Tenants

Mayor's Public
Engagement Unit



US Army Corps
of Engineers*

PUBLIC NOTICE

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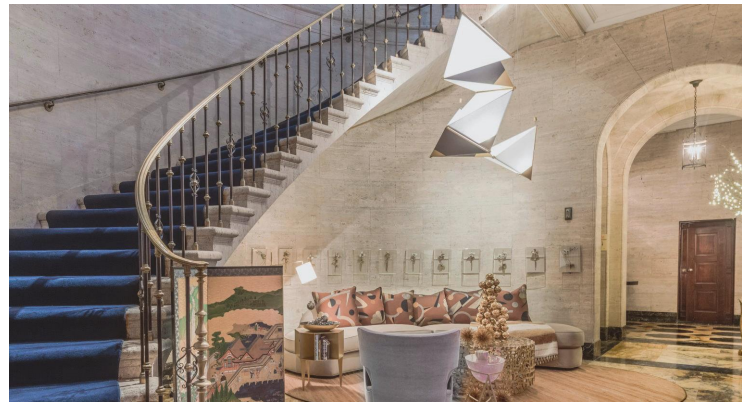
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Access code: 2551 029 7227

Please send your written comments postmarked or emailed by January 13, 2022 to:

US Army Corps of Engineers - New York District
Attn: Amanda Regan, Project Manager
2890 Woodbridge Avenue
Edison, NJ 08837
Office: 917-790-8618
Email: Amanda.M.Regan@usace.army.mil



A Holiday House NYC design. Photo via holidayhousenyc.com

Calendar NYC NOW

Discover the world around the corner. Find community events, gallery openings, book launches and much more: Go to nycnow.com

Thursday

DECEMBER 9

Toys for Tots: 'Tis the season — for giving. Give back to those who need it most this holiday season with a toy donation. The Seaport is partnering with ESPN to host the Disney Ultimate Toy Drive, benefiting the Marine Toys for Tots Program, and you can be a part of it. Visit ShopDisney.com to purchase a toy for donation online, or donate a new, unwrapped toy in person at The Corner, located at the Seaport. Until December 10. The Corner Community Center at The Seaport, 25 Fulton Street — the corner of Fulton and Water Streets. Open 12pm – 8pm daily. 212-732-8257.

Holiday House NYC 'Coming Together' Tabletop Event: Join us for our Holiday House event from December 8th – 10th! More than a dozen of the industry's top interior designers will participate in this tabletop design showcase to exhibit inspiring products and trends while

helping to raise funds for the Breast Cancer Research Foundation®. The venue is a beautiful historic townhouse that provides a stunning backdrop for our designer's exquisite tablescapes, and our celebration of being together again in person. Various times. The Elizabeth Collective, 10 West 56th Street. 212-472-3313.

Broadway. 212-460-1200.

Museum of Arts and Design: MAD About Jewelry 2021 Online Sale: MAD About Jewelry 2021 annual show and sale of one-of-a-kind contemporary jewelry, will showcase the work of more than 40 emerging and acclaimed US-based jewelry artists. For more information visit:

<https://madmuseum.org/jewelry/mad-about-jewelry-2021>. MAD About Jewelry provides an opportunity to converse with and acquire pieces from innovative creators in the field. 10:00 a.m. Museum of Arts and Design, 2 Columbus Circle. 646-283-7585.

Friday

DECEMBER 10

Union Square Holiday Market: Your Kids Will Love It and You Can Shop for the Holidays. Grab your reusable shopping bags, jump on the train — or walk if you live close by — and head to Union Square NYC because the renowned Union Square Holiday Market IS BACK IN ACTION! We know this is an extremely busy and stressful — yet fun! — time of year for you, make it easy on yourself and do all your holiday shopping in one fell swoop, and feel good about shopping local, in Union Square NYC! Open 11am-8pm most days. Union Square, 14th Street and

Saturday

DECEMBER 11

Flatiron Public Plaza Installation | Interwoven by Atelier Cho Thompson: Inspired by New York's tapestry of cultures and people, Interwoven by Atelier Cho Thompson celebrates the joys of reconnecting in public space. Its interactive

ACTIVITIES FOR THE FERTILE MIND

thoughtgallery.org

NEW YORK CITY

■ Author Talk: Claire Jimenez on Staten Island Stories

TUESDAY, DECEMBER 14TH, 1PM

NYC Dept. of Records & Information Services | livestream only | 1.nyc.gov

The Lunch and Learn Series continues with Claire Jimenez and an intimate talk about the creative process behind her award-winning literary project, "Staten Island Stories"—covering the borough from the 2003 Staten Island Ferry crash to the NYC blackout to the growing opioid crisis (free).

■ Rosa Luxemburg, in Conversation with Vladimir Ilyich Lenin and Eduard Bernstein (In Person Event)

WEDNESDAY, DECEMBER 15TH, 6PM

Columbia | location TBD in solidarity with #CUonStrike | columbia.edu

Philosophy professor Amy Allen and critical theorist Bernard E. Harcourt read, discuss, and contextualize Reform or Revolution and Accumulation of Capital by Rosa Luxemburg (free).

■ Just Announced | Neuroscientist, Psychologist, and Author Antonio Damasio on "Feeling & Knowing: Making Minds Conscious"

TUESDAY, DECEMBER 14TH, 8PM

The Secret Science Club | livestream only | secretscienceclub.blogspot.com

Damasio presents his new book, arguing that "recent findings in biology, neuroscience, psychology, and artificial intelligence give us a path toward understanding consciousness" (free).

For more information about lectures, readings and other intellectually stimulating events throughout NYC,

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PENN STATION

CONTINUED FROM PAGE 1

As a daily commuter, Shah is aware what happens when the track number flashes inside the scrum. "Waiting around for the track number to be called is not friendly," she says.

Within a matter of seconds, the screens refresh. A flashing number ignites a stampede. The hypnotized folks break from their trance and bolt toward a door whose number just flashed on the screen.

As they rush a single-lane escalator that leads underground, a bottleneck quickly forms. COVID guidelines are all but forgotten as commuters inches away from each other attempt to get downstairs so they don't have to stand all the way back home to Trenton.

"First of all, you don't know if you're getting a single-decker, or a double-decker train," Shah says. "And even in peak rush hour, with a double-decker train, you're not always going to get a seat."

Busiest Rail Station

Located under Madison Square Garden from 31st to 33rd Streets between Seventh and Eighth Avenues, New York Penn Station is the busiest rail station in the Western Hemisphere. Penn Station was initially built for 200,000 daily riders. Today, the station serves more than 650,000 daily commuters.

A new station was inaugurated this year. Across the street from Penn Station between Eighth and Ninth Avenues and 31st and 33rd Streets, Moynihan Train Hall is a glitzy \$1.6 billion building with new concourses and larger waiting rooms converted from the city's former main post office.

Serving only Amtrak commuters and some tracks for Long Island Rail Road passengers, Moynihan does little to alleviate the commuter pressure at Penn Station. A recent estimate shows with only 30,000 daily riders, Amtrak passengers account for less than 5% of the total daily commuter traffic.

While LIRR and Amtrak



Rush hour at NJ Transit concourse at Penn Station. Photo: Agha Haider Raza

passengers have moved on to greener pastures in Moynihan Hall, NJ Transit commuters are still left to scrum in the pit.

Shah is blunt in her criticism when trying to comprehend why customers of NJ Transit have been ignored, while other riders have moved to Moynihan Station.

"It is just because probably NJ Transit is New Jersey run that we're not getting priority over Long Island Railroad and

Amtrak," she said. "That is super frustrating. At the end of the day, we are sharing the same station so we should get upgraded as well."

Renovation Project

In February 2021, a Penn Station expansion proposal was released by former Governor Andrew Cuomo. The plan called "NJ Transit Central Concourse Extension" is part of a larger development project called the "Empire

Station Complex." Current Governor Kathy Hochul revised the plan and last month announced a \$6.7 billion project to renovate Penn Station.

The proposal includes removal of an upper level to make room for higher ceilings and natural light as well as an expansion of current waiting halls and concourses by over 40%. The renovation would see the installation of an additional 18 escalators and 11 ele-

vators for easier navigation to facilitate passengers embarking and disembarking trains.

Parizeh Malik is a recent graduate from Syracuse University and works at BNP Paribas in Midtown. She often commutes from Plainsboro, New Jersey, to Manhattan. Echoing Shah, Malik is frustrated at the current status of the busy hub. "I hate Penn Station. I think it's dirty, and it's so crowded," she says.

Malik has noticed a difference in the intensity of the scrum after the spread of the deadly COVID virus. "I feel like the scrum is different, pre COVID, it was actually crazy," she says. "One had to fight your way to get to the platform. Now, it's not as bad. But you still have that crowd of people that just stand in the pit."

Hopeful that the renovation project at Penn Station will alleviate the frenzy at Penn Station, Shah and Malik are eager to see work getting started. Lifelong residents of New Jersey, they have often heard promises of upgrades at Penn. Tired of being at the NJ Transit concourse, they anxiously await a shiny, new pit.

ACTIVITIES FOR THE FERTILE MIND

thoughtgallery.org

NEW YORK CITY

■ Synagogues of the Lower East Side Walking Tour (In Person)

SUNDAY, DECEMBER 19TH, 1PM

Museum at Eldridge Street | 12 Eldridge St. | 212-219-0888 | eldridgestreet.org

Join historian Bradley Shaw on an exploration of the evolution of the Lower East Side through the fate of its synagogues. Learn about the ones still here, the ones that were lost, and the ones transformed for a changing neighborhood—as private homes or even Buddhist temples (\$25).

■ Calvert Vaux: Architect for the People

MONDAY, DECEMBER 20TH, 6PM

Turnstile Tours | livestream only | turnstiletours.com

Classically trained architect Calvert Vaux doesn't always get his due, thanks to overshadowing by Frederick Law Olmsted. Celebrate Vaux's 197th birthday with a look at his 40-year career in NYC, his distinctive architectural style, and his legacy of design for the public good (\$5).

■ Just Announced | Michael Schur in Conversation with Jon Stewart: How to Be Perfect (In Person or Virtual)

WEDNESDAY, JANUARY 26TH, 7:30PM

92nd Street Y | 1395 Lexington Ave. | 212-415-5500 | 92y.org

Emmy Award winner Michael Schur (*The Good Place*) talks his new book with *Daily Show* legend Jon Stewart, exploring how ethics and moral philosophy can make us better people (\$22.50-\$50).

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US Army Corps of Engineers®

Army Corps Seeking Public Comment on Proposed Plan for the Fort Jay Formerly Used Defense Site MRS-03, Piers and Underwater Area, Governors Island, New York, New York

PUBLIC NOTICE

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Kamila Myzel in her shop. Photo: Karen Camela Watson

A SWEET IDEA

COMMUNITY

A collaborative effort to help save Myzel's Chocolate shop on West 55th Street

BY KAREN CAMELA WATSON

When Alex Jackson, the new Director of Programming at M Social Hotel Times Square, heard about the financial challenges that Kamila Myzel of the nearby Myzel's Chocolate shop was facing due to the pandemic, he knew he had to help.

He had a sweet idea. "I actually heard about her struggles via New York Nico on Instagram," he said. And having recently met Kelly "The Candyman" of The Sweet Shop NYC at a recent social event, he immediately thought of him. "He told me

about his shop and their signature ice cream sundaes in the Chinese to-go containers and it stuck with me." Kelly was equally eager to help the popular chocolate shop stay afloat, and a clever name and creative collaboration was born.

The Ice Cream SOCIAL at the M Social Hotel Times Square at 52nd Street was to have been held on "Sundae," December 19, but was canceled because of rising COVID cases. It will be postponed until the new year.

The plan was to have three specially created sundaes that "are inspired by and highlight each of the name-sake locations" involved in the fundraiser. For Myzel's shop, there was the divinely-rich chocolatey Myzel's Chocolate Truffle Sundae; for the M Social Hotel, their cus-

tom-created treat was The M "Social Butterfly" Sundae - with surprise flavors you had to attend the social to discover; and the very friendly Candyman himself had The Sweet Shop NYC Funday Sundae - also with fun, surprise flavors and toppings.

A portion of the proceeds will go directly to the GoFundMe account set up at the shop's website.

Outpouring of Support

Kamila Myzel has owned Myzel's Chocolate shop located right across from New York City Center theater for over 30 years. Pre-pandemic, the shop was always bustling with theatergoers from all over Midtown, tourists from several hotels within a 3-4 block area, and the throngs of

CONTINUED ON PAGE 13

ACTIVITIES FOR THE FERTILE MIND

thoughtgallery.org

NEW YORK CITY

■ Angeli Anglicus: A Tudor Christmas (In Person)

SATURDAY, DECEMBER 25TH, 2PM & 5PM; SUNDAY 2PM & 5PM

St. John the Divine | 1047 Amsterdam Ave. | 212-316-7540 | stjohndivine.org

For this year's concert, maestro Frederick Renz and his men's choir focus on Renaissance England, with caroles, noels, motets and other works, accompanied by recorders, lute, and viola da gamba (\$40-\$50).

■ Lower East Side Walking Tour (In Person)

SUNDAY, DECEMBER 26TH, 1PM

Museum at Eldridge Street | 12 Eldridge St. | 212-219-0888 | eldridgestreet.org

Join historian Scott Brevda on an exploration of what life was like for Jewish immigrants a century ago, employing traces of the era that remain in the neighborhood. You'll see where children played, where people shopped and ate, how they got the news, and where they banked (\$25).

■ Just Announced | Kwanzaa: A Regeneration Celebration

SUNDAY, DECEMBER 26TH, 7PM

The Apollo Theater | livestream only | apollotheater.org

An Apollo tradition for over 15 years, this annual event returns for an evening of reflection and celebration. Featuring the Forces of Nature Dance Theater under the leadership of Abdel Salaam, the event brings together music, percussion, and modern and African dance (pay what you wish).

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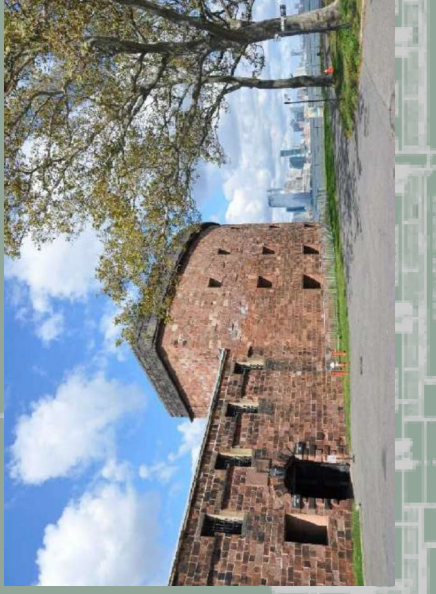
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PUBLIC MEETING PRESENTATION

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FORT JAY FORMERLY USED DEFENSE SITE - MRS-03, PIERS AND UNDERWATER AREA GOVERNORS ISLAND, NEW YORK



Public Meeting to Present the
Proposed Plan
December 2021



US Army Corps
of Engineers®



INTRODUCTION

2



The US Army Corps of Engineers (USACE) is pleased to present the Proposed Plan for the Fort Jay Formerly Used Defense Site (FUDS), Governors Island, New York, New York

- The primary purpose of this Proposed Plan (PP) is to identify the preferred remedial alternative for Fort Jay FUDS, Munitions Response Site (MRS)-03, Piers and Underwater Area.
- This PP was prepared to satisfy Section 117 (a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The PP highlights the key factors that led to identifying USACE's preferred alternative.



PROJECT PERSONNEL



USACE

Amanda Regan.....Project Manager
Todd Beckwith.....Military Munitions Manager
David King.....Project Geophysicist

NYSDEC

Steve Scharf.....Project Manager

HydroGeoLogic (HGL)

Katherine Kaye.....Project Manager

APTIM

Doug Schicho.....Project Manager
Robert Harrison.....Senior UXO and Dive Supervisor
Shannon Lancisi.....Environmental Scientist



KEY DEFINITIONS

4



A few key definitions are provided to better understand the presentation of the Proposed Plan

- **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)** – a Federal law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act that concerns hazardous substances.
- **Formerly Used Defense Site (FUDS)** – An area of an eligible FUDS property containing one or more releases or threatened releases of a similar response nature, treated as a discrete entity or consolidated grouping for response purposes. Projects are categorized by actions described under installation restoration (hazardous, toxic, and radioactive waste), military munitions response program, or building demolition/debris removal.
- **Munitions Constituents (MC)** - Any materials originating from unexploded ordnance, discarded military munitions, or other military munitions, including explosive and nonexplosive materials, and emission, degradation, or breakdown elements of such ordnance or munitions.
- **Munitions and Explosives of Concern (MEC)** – distinguishes specific categories of military munitions that may pose unique explosive safety risks, including Unexploded Ordnance (UXO), Discarded Military Munitions (DMM), or Munitions Constituents (MC) present in high enough concentrations to pose an explosive hazard.
- **Munitions Response Site (MRS)** – A discrete location within a Munitions Response Area that is known to require a munitions response.



KEY DEFINITIONS (CONTINUED)

5



- **Remedial Investigation (RI)** – a study that identifies the nature and extent of contamination at a site and provides information supporting the evaluation for the need for a remedy for a site where hazardous substances may be present.
- **Feasibility Study (FS)** – if the RI determines an unacceptable risk is present, an FS is performed. The FS serves as the mechanism for the development, screening, and detailed evaluation of alternative remedial actions to address issues identified in the RI. In the case of MRS-03, an FS was not needed because there was no release of MEC or MC
- **Proposed Plan (PP)** – supplements the RI/FS and provides the public with a reasonable opportunity to comment on the preferred alternative for remedial action, or alternative plans under consideration, and to participate in the selection of remedial action at a site.
- **Decision Document (DD)** – the documentation of remedial action decisions at non-National Priorities List (NPL) FUDS properties. It is a public document that describes the cleanup action/remedy selected, the basis for the choice, and responds to public comments made on the PP.





PROJECT OVERVIEW

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- This project falls under the Military Munitions Response Program (MMRP) of the Defense Environmental Restoration Program (DERP). The DoD established the MMRP to address Munitions and Explosives of Concern and Munitions Constituents.
- Under the DERP, the U.S. Army is the DoD's lead Agency for FUDS, and USACE executes FUDS for the Army. USACE performs response activities at Fort Jay FUDS in accordance with CERCLA.
- USACE will finalize the preferred alternative selection for the Fort Jay FUDS MRS-03 in a DD after evaluating comments received from the public on this PP and in coordination with the New York Department of Environmental Conservation (NYSDEC).



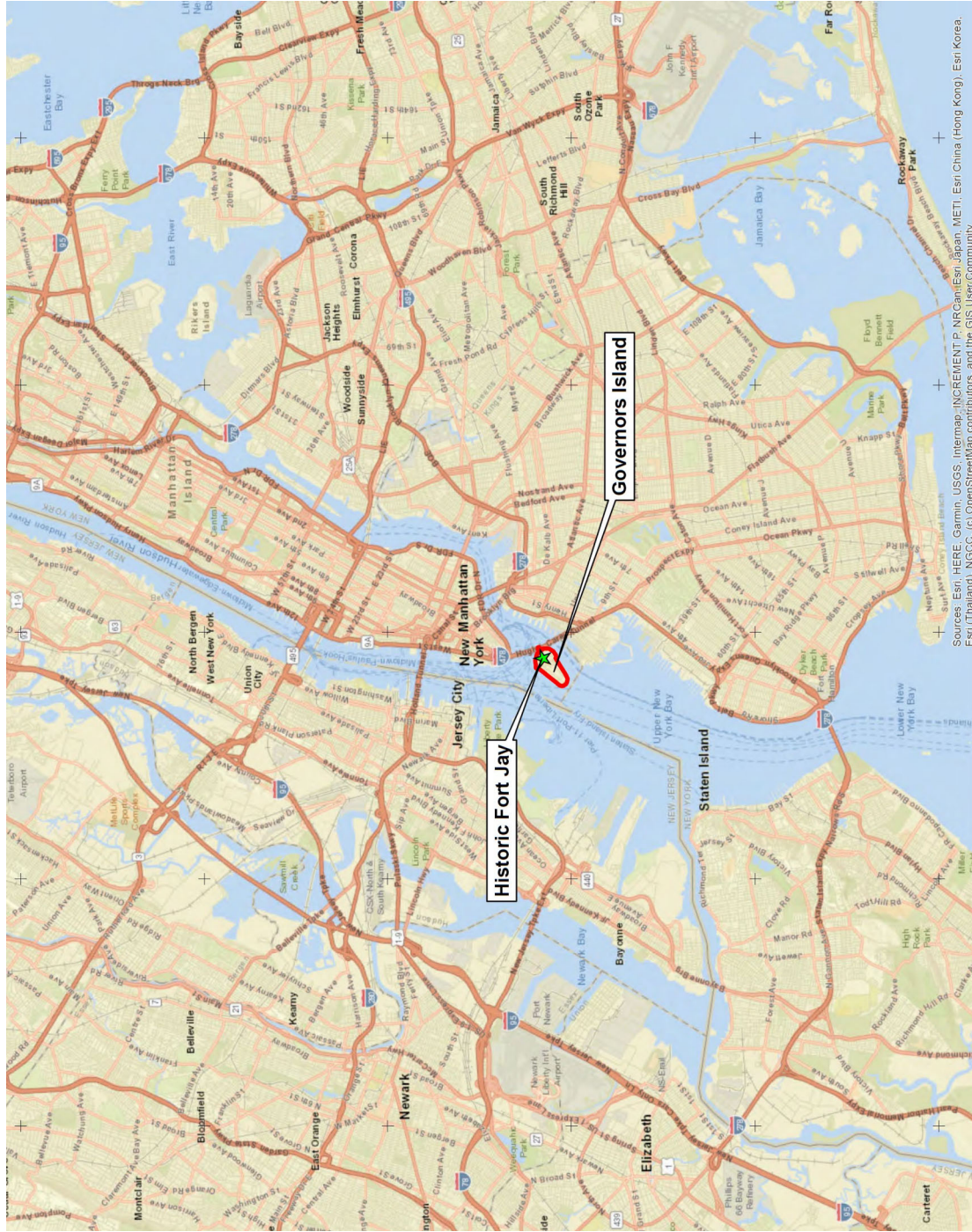
SITE BACKGROUND

7



- Fort Jay FUDS is located on Governors Island in New York Harbor. Figure 1 presents the location of Fort Jay on Governors Island.
 - 150 acres of the island is owned by the City of New York and is managed by the Trust for Governors Island.
 - The Governors Island National Monument is 22 acres owned and managed by the National Park Service including.
 - In total, Governors Island is approximately 172 acres and has an extensive history of military use prior to the 1990s.
 - Military history included the use of piers to load ships with supplies and equipment and potential release of cannon balls off of the seawall into the harbor.
 - MRS-03 Piers and Underwater Area is 14 acres immediately off-shore of Governors Island which is the previous location of piers used by the military.
- Figure 2 presents the location of MRS-03

FIGURE 1



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NSCC, (c) OpenStreetMap contributors, and the GIS User Community



FIGURE 2

MRS-03 Piers and Underwater Areas



Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP) Web Map Service (NYSDOP)



PREVIOUS INVESTIGATIONS

10



The primary investigations at Fort Jay FUDs were the 1997 Archive Search Report (ASR), the 2008 Site Inspection (SI), and the 2020 RI.

- The 1997 ASR included a review of historical documents and interviews of knowledgeable individuals. The ASR primarily focused on potential military munitions releases to land. The report did not identify any releases to MRS-03.
- The 2008 SI included visual site inspections and collection of soil samples on land.
 - No munitions were identified on land during the performance of the SI.
 - 16 soil samples were collected and analyzed for a list of MC which were targeted for the type of munitions used on Fort Jay.
 - Regarding the potential for MC, the SI soil sampling results were used in an ecological and human health screening assessment. The purpose of the screening assessments was to determine if there was a release of MC and if so, whether the site should proceed to Remedial Investigation.



PREVIOUS INVESTIGATIONS (CONTINUED)

11



- Anecdotal information indicated that cannon balls may have been rolled off the seawall and a concern was raised regarding the potential for unneeded material being dropped off ships or piers during loading.
- The 2020 RI focused on the potential for releases to the underwater areas related to cannon balls or material dropped in the area under and surrounding the piers.
 - The RI Work Plan included a historical aerial photo search to locate all piers used for loading military ships. Figure 3 presents the locations of these piers.
 - 14 acres of the harbor bottom were searched during the RI. Divers using metal detectors scanned the harbor bottom and investigated all metal items they encountered. Figure 4 presents the location of the diver searches.
 - No munitions were identified in MRS-03 during the performance of the SI.
 - Metal items found by the divers were mainly debris left over from the demolition/collapse of the former piers being investigated.
 - Based on the SI soil sampling results and ecological and human health screening assessment no additional MC data was required in the RI.



FIGURE 3



Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOGP), Web map Software, 2013.
NYS GIS Program Office, Westchester County GIS

- Current Pier
- Pier Configurations 1887 - 1966

FIGURE 4

Transects

Incomplete

99% Complete (12,077 ft)



Current Pier

Note:

Total length of planned transects = 12,241 ft.



Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSODP), Web map Service, 2013.
NYS USGS Program Office, Westchester County, NY



SITE RISKS AND HAZARDS

14



MEC Explosive Hazards

- Based on the results of the RI field investigations at MRS-03, the use or introduction of munitions in the water surrounding the piers is not confirmed. Because no direct evidence of an explosive hazard exists in MRS-03, the pathways for MEC were considered incomplete for all potential human and ecological receptors.

MC Risks

- The RI also concluded that no release of MC to MRS-03 took place. This conclusion was based on two lines of evidence.
 - First, because there was no release of MEC to the underwater area, no corresponding munitions constituents release was possible.
 - Second, the Site Inspection concluded there was no MC contamination on the terrestrial portion of the FUDs. Therefore, no release from the land to the underwater area was possible.



PROPOSED RESPONSE ACTION

15



- A response action is used to prevent or minimize the potential interaction with MEC so that it does not cause substantial danger to present or future public health and welfare.
- USACE proposes that **No Action** is required at MRS-03 for the following reasons:
 - **No MEC was identified** in the MRS.
 - Evaluation of the potential for an MC release to MRS-03 was performed, and **no source was identified**.
- The support agencies, the NYSDEC and the New York State Department of Health, support the USACE's selection of the preferred alternative for this MRS.



NEXT STEPS

16



- Public comments will be taken under consideration and responses will be prepared and/or incorporated into the Decision Document.
- Prepare a Decision Document that documents the remedial alternatives selected.
 - Public comments received will be summarized and the responses provided in the Responsiveness Summary section of the Decision Document. Note that comments provided during this virtual meeting can be included as a formal comment if requested by the commenter.
- The Final DD will be placed online:

<https://fortjayfiles.com/>



QUESTIONS OR COMMENTS

17



USACE invites questions and comments on this Proposed Plan throughout the public comment period (through January 13, 2022).

These can be submitted in writing or via email to:

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Additionally, comments may be submitted to the following email address: Amanda.M.Regan@usace.army.mil



PUBLIC MEETING HANDOUTS

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Fort Jay Formerly Used Defense Site Governors Island, New York

U.S. Army Corps of Engineers

Proposed Plan Summary for MRS-03

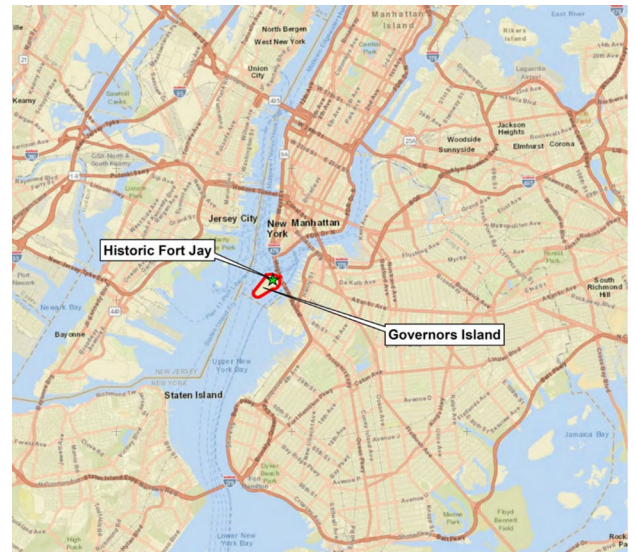
Preferred Alternative to Mitigate Potential Unacceptable Explosive Hazards

What is the Proposed Plan?

The Proposed Plan is based on the Remedial Investigation (RI) Report. The primary purpose of the Munitions Response Site (MRS)-03 Proposed Plan is to identify a preferred remedial alternative for Fort Jay Formerly Used Defense Site (FUDS).

Background

Historic Fort Jay and surrounding Governors Island has a long history of military use. There were defensive gun batteries on Governors Island from 1794, when the fort was first constructed by the State of New York, until the early 20th century. After military ownership of the island ceased, President Clinton designated 22 acres of the island to the National Park Service as the Governors Island National Monument in January 2001. The remaining 150 acres of the island were transferred to the people of New York in January 2003. The National Park Service manages the 22 acres including Governors Island National Monument, containing Fort Jay, Castle Williams, and Pier 102. The City of New York manages the remaining 150 acres through the Trust for Governors Island (TGI). Fort Jay's military history includes loading of ships from several piers formerly at Governors Island. Loading of ships with supplies, equipment and potentially military munitions took place from these piers. Additionally, cannon balls used for coastal defense were stored on the island and potentially thrown from piers or the seawall into the harbor. MRS-03 is a 14-acre underwater area established to determine if a release of munitions took place from Fort Jay. A detailed site history of Governors Island and Fort Jay is presented in the Final RI Report.



RI Summary

An RI was conducted to determine whether further response action was required at MRS-03 pursuant to Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). More specifically, the RI was intended to determine if MEC had been released to MRS-03 and if so to determine the nature and extent of the MEC release.

The RI field effort involved the following:

- Placing underwater jackstay survey lines in predetermined positions on the bottom of the harbor. The locations were based on historical data showing the former pier locations.
- Surveying these lines on the harbor bottom with divers equipped with metal detectors.

- Investigating metallic items in areas identified by the metal detector to determine if any MEC was present. The RI activities were completed in 2019 and found no evidence of MEC release to MRS-03, Piers and Underwater Area. Divers surveyed over 14 acres of harbor bottom. Although they located and investigated metallic items in multiple locations no munitions-related items were identified. The majority of what was found was construction debris from the piers formerly within these areas.

Proposed Response Action

A response action is used to prevent or minimize the potential interaction with MEC so that it does not cause substantial danger to present or future public health and welfare. Based on the RI finding of no MEC release to MRS-03, Piers and Underwater Area, **No Action** is the proposed response action for MRS-03. The lead agency, The US Army Corps of Engineers (USACE), proposes that No Action is required at MRS-03 for the following reasons:

- No MEC was identified in the MRS.
- Evaluation of the potential for an MC release to MRS-03 was performed and no source was identified.

The support agencies, the New York State Department of Environmental Conservation and the New York State Department of Health, support the USACE's selection of the preferred alternative for this MRS.



Dive Tender supporting SCUBA divers near Castle Williams on Governors Island

COMMUNITY PARTICIPATION

USACE invites the public to become involved in the process of finalizing the proposed remedy for this site. Local community members and other interested parties are encouraged to review the Proposed Plan and submit comments. Public comments are considered before any action is selected and approved.

PUBLIC COMMENT PERIOD

USACE will accept written comments on the Proposed Plan during the public comment period. The public comment period will be between December 9, 2021 and January 13, 2022.

PUBLIC MEETING: December 15, 2021

USACE will hold a public meeting to explain the Proposed Plan, during which oral and written comments will be encouraged. The meeting will be held via WebEx at:

https://hgl-7.my.webex.com/meet/usace_support

or join by phone: +1-408-418-9388 Access code: 2551 029 7227

6:00 p.m. to 7:00 p.m.

For more information, see the Administrative Record Information Repository at the website listed below:

<https://fortjayfiles.com/>

FOR MORE INFORMATION

US Army Corps of Engineers - New York District

Attn: Amanda Regan, Project Manager

2890 Woodbridge Avenue, Edison, NJ 08837

Office: 917-790-8618 Email: Amanda.M.Regan@usace.army.mil

Also see the project's related web page <https://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Fort-Jay-FUDS-Project/>

U.S. ARMY CORPS OF ENGINEERS – NEW YORK DISTRICT

26 Federal Plaza, New York, NY 10278

www.nan.usace.army.mil

Page 2 of 2

PROPOSED PLAN RELEASED TO THE PUBLIC

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Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

PROPOSED PLAN

Fort Jay Formerly Used Defense Site MRS-03, Piers and Underwater Area Governors Island, New York, New York

OVERVIEW

The U.S. Army Corps of Engineers (USACE)¹ is issuing this **Proposed Plan**² as a part of its public participation responsibilities under Section 117(a) of the **Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)**, also known as **Superfund**, and Section 300.430(f)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The primary purpose of this Proposed Plan is to present the Remedial Investigation (RI) finding of no unacceptable explosive hazards based on finding no **munitions and explosives of concern (MEC)** within the Piers and Underwater Area **Munitions Response Site (MRS) 03 (MRS-03)** of the Fort Jay Formerly Used Defense Site (FUDS), New York, New York (Figure 1). The Proposed Plan highlights the key factors that led to identifying the preferred alternative of **USACE**.

The **Final RI** for MRS-03 (HydroGeoLogic, Inc. [HGL], 2020) determined that no MEC release occurred at the site and therefore recommended that no action be taken. The RI also concluded that no release of MC to MRS-03 took place. This conclusion was based on two lines of evidence. First, because there was no release of MEC to the underwater area, no corresponding munitions constituents (MC) release was possible. Second, the **Site Inspection (SI)** concluded there was no MC contamination on the

terrestrial portion of the FUDS. Therefore, no release from the land to the underwater area was possible.

This project falls under the Military Munitions Response Program (**MMRP**) of the Defense Environmental Restoration Program (**DERP**). The U.S. Department of Defense (**DoD**) established the MMRP to address **MC**, and **MEC (unexploded ordnance, discarded military munitions)**, and MC in high enough concentrations to pose an explosive threat that are located on certain properties, including FUDS. Under the DERP, the U.S. Army is the DoD's lead agency for FUDS, and USACE executes FUDS for the Army. USACE performs response activities throughout the Fort Jay MRS-03 in accordance with CERCLA and the NCP. The **New York State Department of Environmental Conservation (NYSDEC)** is the lead regulatory agency for work at the Fort Jay MRS-03 pursuant to CERCLA and the NCP. NYSDEC has been designated as lead State agency for this FUDS MMRP site under the terms of the Department of Defense and State Memorandum of Agreement

USACE and the NYSDEC encourage the public to participate in the discussion of the remedial alternative presented in this Proposed Plan (Exhibit 1).

The preferred alternative may be modified, or another alternative selected, based on new information acquired during the comment period.

1.0 INTRODUCTION

This **Proposed Plan** is being presented by the USACE to facilitate public involvement to review and comment on the **Preferred Alternative** recommendation for MRS-03, Piers and Underwater Area. The plan explains ways the public can comment on this Proposed Plan; provides the basis for the

¹ A list of acronyms and abbreviations used in this Proposed Plan is presented following the References at the back of this document.

² The terms used in this Proposed Plan that appear in **bold type** are defined in the Glossary at the back of this document.

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

Final Decision Document; includes a brief history and principal findings of environmental investigations and risk assessments; and outlines the USACE rationale for recommending No Action for MRS-03.

EXHIBIT 1

COMMUNITY PARTICIPATION

USACE invites the public to become involved in the process of finalizing the proposed remedy for this site. Local community members and other interested parties are encouraged to review the Proposed Plan and submit comments. Public comments are considered before any action is selected and approved.

PUBLIC COMMENT PERIOD

USACE will accept written comments on the Proposed Plan during the public comment period. The public comment period will be between **December 9, 2021 and January 13, 2022.**

PUBLIC MEETING: December 15, 2021

USACE will hold a public meeting to explain the Proposed Plan, during which oral and written comments will be encouraged. The meeting will be held via Go To Webinar at:

URL: https://hgl-7.my.webex.com/meet/usace_support
or join by phone: +1-408-418-9388
Access code: 2551 029 7227
6:00 p.m. to 7:00 p.m.

For more information, see the Administrative Record Information Repository at the publicly available website listed below:

<https://fortjayfiles.com/>

This Proposed Plan includes:

- Overview and Introduction (Section 1.0)
- Site Background (Section 2.0)
- Site Characteristics (Section 3.0)
- Summary of Site Risks (Section 4.0)
- Proposed Response Action (Section 5.0)
- Public Participation Activities (Section 6.0).

This Proposed Plan summarizes information that can be found in greater detail in the Final RI Report, as well as other documents available to the public in the designated **Information Repository** file (Exhibit 1).

USACE will finalize the preferred alternative selection for MRS-03 in a **Decision Document** after evaluating comments received from the public on this Proposed Plan and in coordination with NYSDEC. A “Responsiveness Summary” will be included in the Decision Document, providing a response to public comments. The CERCLA sequence of events for MRS-03 is summarized in Exhibit 2.

EXHIBIT 2

THE CERCLA PROCESS Fort Jay MRS-03

Prepare **Remedial Investigation Report**
(Final, September 2020)



Prepare **Feasibility Study Report**
(Not Applicable)



Prepare **Proposed Plan**
(Final, December 2021)



Provide Notice of **Public Comment Period and Public Meeting**

Distribute **Proposed Plan** for public review



Compile public comments



Provide responses to public comments

Prepare the **Decision Document**



Implement the **Remedial Action**

2.0 SITE BACKGROUND

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

MRS-03, Piers and Underwater Area, is 14 acres in size and located in underwater areas adjacent to Governors Island in the New York Harbor, New York (Figure 2). Fort Jay was a strategic military location for over 200 years. However, the property is currently the location of historic attractions, recreational areas, and building space for tenant organizations and is seasonally accessible to the public via ferry.

2.1 History

Historic Fort Jay and surrounding Governors Island has a long history of military use. There were defensive gun batteries on Governors Island from 1794, when the fort was first constructed by the State of New York, until the early 20th century. The presence of defensive gun batteries and ammunition on the island raised the potential for dumping or mishandling/loss of military munitions items into the nearshore waters around the island.

Since the early 1800s, Governors Island has been used as a local Army Headquarters; the New York Arsenal; the Headquarters of the Division of the Atlantic; and, during World War I, a major troop embarkation point and supply base.

Ships were typically loaded from Governors Island with troops, supplies, and ordnance. While there is no specific information indicating Governors Island was a major point of embarkation for military munitions, the potential exists for dumping or mishandling/loss from seawalls, piers, or ships moored at the island. In 1920, the New York Arsenal's stores and activities were moved to Raritan Arsenal in New Jersey. The transfer was completed in May 1920. Although Governors Island was no longer used as a coastal battery, cannonballs were left on the island for military display purposes.

During World War II, the Eastern Theater of Operations, the Second Service Command,

and the First U.S. Army made their headquarters on the island. With the consolidation of U.S. Military forces in 1966, the island was transferred to the U.S. Coast Guard. Between 1966 and the early 1970s, new construction began all over the island as the U.S. Coast Guard tailored the base to its needs. In 1995, the U.S. Coast Guard closed its facilities on Governors Island.

In January 2001, President Clinton designated 22 acres of the island as the Governors Island National Monument. The remaining 150 acres of the island were transferred to the people of New York in January 2003. The National Park Service manages the Governors Island National Monument, containing Fort Jay, Castle Williams, and Dock 102. The City of New York manages the remaining 150 acres through the Trust for Governors Island (TGI) (USACE, 2006).

The pier configurations changed multiple times throughout the military history of Governors Island. As part of the RI, an analysis of historical aerial photographs was conducted to identify all locations where piers have been present during the military history of Governors Island. Figure 3 presents all historical pier locations. Figure 4 shows the pier configuration in 1924 believed to be the same as during World War I. In 1924, Pier A, Pier B, Ordnance Wharf, and Omaha Pier were present. Tango Pier had not yet been constructed.

A detailed site history of Governors Island and Fort Jay is presented in the Final RI Report (HGL, 2020).

2.2 Current and Future Land Use

In 2003, the Governors Island became a public place. Governors Island is currently the location of historic attractions, recreational areas, and building space for tenant organizations and is seasonally accessible to the public via ferry.

The National Park Service currently manages 22 acres of the 172-acre island as a National

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

Monument. The TGI is responsible for the stewardship and development of the remaining acres for the City of New York.

TGI is currently planning opening additional park space and evaluating new tenants for the Historic District and Development Zones (www.govisland.com). On August 23, 2018, the Office of the Deputy Mayor for Housing and Economic Development, as lead agency, issued a Positive Declaration and Draft Scope of Work for the Phased Redevelopment of Governors Island: South Island Development Zones. The TGI formally kicked off the public review process for the proposed redevelopment of Governors Island with a public hearing on September 26, 2018. Public comments on the Governor's Island draft SOW for the South Island Proposed Redevelopment were accepted through October 9, 2018. Over 100 members of the public and local interest groups were present and voiced their concerns. TGI presented various development concepts seeking to balance cultural, educational, recreational, and other uses, while providing economic sufficiency for the island. It is anticipated that such public hearings will continue as the plans for development evolve. However, no residential development is planned.

MRS-03, Piers and Underwater Area, includes existing piers and the water surrounding the piers. The piers are used for ferry access as well as general boat access for recreational activities. There is no swimming in the water around Governors Island.

3.0 SITE CHARACTERISTICS

Previous investigations including the **Archive Search Report** (USACE, 1997) and SI (USACE, 2008) focused on potential releases to land; anecdotal information of cannon balls being rolled off of the seawall and one instance of a cannon ball (inert) being found

during construction in the area of Soissons Pier in 2012 has been recorded.

Potential release of MC was evaluated for the terrestrial portion of Fort Jay FUDs as part of the SI Report. The MC evaluation of the island is pertinent as a release to the land could have impacted MRS-03. The SI included the collection of 16 soil samples including surface soil and subsurface soil samples from fill material and undisturbed soil. MC release was not identified for the terrestrial portion of the FUDs. Further, the SI report concluded that release to surface water and sediment was an uncompleted pathway due to the lack of permanent non-tidal freshwater features at Fort Jay. The 2008 SI did not evaluate the potential for release to MRS-03. However, USACE evaluated the potential for a release of MC to MRS-03 during the planning phase of the 2020 RI. It is considered an unrealistic scenario because an MC release was not identified in the heavily used terrestrial portion of the MRS. In addition, the potential for release to the underwater environment is significantly lower than the terrestrial due to the reduced chance of release due to dilution from seawater. Therefore, MC evaluation in MRS-03 was not performed during the RI.

An RI was conducted to determine whether further response action was required at MRS-03 pursuant to CERCLA and the NCP. More specifically, the RI was intended to determine if MEC had been released to MRS-03 and if so to determine the nature and extent of the MEC release.

The 2019 field effort involved the following:

- Placing underwater jackstay survey lines in predetermined locations based on historical data.
- Surveying the lines with divers equipped with metal detectors.
- Conducting intrusive investigations in areas where metal was detected along survey.

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

The total area where the jackstay survey lines was conducted was approximately 14 acres. Figure 5 presents the locations of the completed jackstay survey transects. An underwater jackstay search is a procedure conducted by divers swimming along a search line—a line of rope pulled taut between two fixed points. All but two transects were completed, resulting in 99 percent completion of the planned surveys. Two small transects were not completed due to construction debris with rebar protruding from it in those transect areas, making it unsafe for divers.

The results of the dive operations are presented in the Final RI Report, Fort Jay FUDS, September 2020. At the time the RI Report was written, the underwater area around the piers did not have its own MRS designation; therefore, the RI Report refers to this area as the “Underwater Portion of MRS-02.” After the RI was completed, USACE created a new MRS identified as MRS-03, Piers and Underwater Areas, which includes all of the areas investigated during the dive operations.

The terrestrial areas of the Fort Jay site were the subject of **digital geophysical mapping** survey; however, planned subsequent investigation activities to include Advanced Geophysical Classification, and intrusive investigations were cancelled due to access to the site being refused. Therefore, the USACE had no authority to enter on the property to conduct the investigation. This Proposed Plan does not address any of the land area on Fort Jay FUDS.

3.1 Ecologically Important Habitats

Upper New York Bay is a portion of the Hudson-Raritan Estuary. This environment is stressed by impacts caused by the surrounding urbanization, but still supports a diverse aquatic estuary.

In addition, a review of the potential for ecologically important habitats to be present

was conducted in coordination with National Oceanic and Atmospheric Administration. No ecologically important habitats were found to exist in the study area, nor have any sensitive plant or animal species recently been identified at these locations.

3.2 Nature and Extent of Contamination

3.2.1 Underwater MEC Contamination

Although the metal detectors identified numerous metallic anomalies, no items of interest (no munitions-related items) were found during the dive operation. The majority of the metallic anomalies were found to be construction debris from former pier locations.

3.2.2 Munitions Constituents Contamination

As discussed in Section 3.0, MC evaluation in MRS-03 was not performed during the RI. The MC evaluation on land, discussed in this section, is a line of evidence for the lack of an underwater release. Potential release of MC to the terrestrial area of the FUDs was evaluated as part of the 2008 SI (USACE, 2008). Research was conducted to refine the specific list of constituents potentially associated with the site. Soil sampling conducted at Fort Jay, included seven surface soil samples, four subsurface soil samples, and five background samples. Samples were collected for metals and explosives with the specific analysis targeted to the potential release in each area of Fort Jay. The sample results were used in a human health and ecological risk screening assessment. The performance of this assessment included comparing detected concentrations of MC to screening criteria and background levels, then evaluating the risk from concentrations of any of the MC. No explosives were detected in any sample. Metals were detected in surface soil and subsurface soil. Concentrations of

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

metals were compared to human health and ecological risk-based screening levels. Concentrations of metals were all below human health risk-based screening levels. Several metals were detected in excess of ecological risk-based screening levels. These metals concentrations were then compared to concentrations of metals in background soil for Governors Island. Only one metal, copper, in one sample exhibited concentrations in excess of background concentrations. Using a weight-of-evidence approach, it was determined that the ecological risk from this one copper result does not pose an unacceptable risk. The SI document concluded that based on the human health and ecological risk screening evaluations conducted during the SI, MC did not pose an unacceptable risk and no additional investigation for MC was warranted (USACE, 2008).

4.0 SUMMARY OF SITE RISKS

Based on the results of the RI field investigations at MRS-03, the use or introduction of munitions in the water surrounding the piers is not confirmed. Because no direct evidence of an explosive hazard exists in MRS-03, the pathways for MEC were considered incomplete for all potential human and ecological receptors.

5.0 PROPOSED RESPONSE ACTION

A response action is used to prevent or minimize the potential interaction with MEC so that it does not cause substantial danger to present or future public health and welfare. Based on the finding of no MEC release to MRS-03, Piers and Underwater Area, No Action is the proposed response action for MRS-03. The terrestrial portion of Fort Jay FUDS is not part of this proposed plan.

Currently, no activity is planned for the terrestrial portion of Fort Jay FUDS given that access was denied by stakeholders. The lead agency, USACE, proposes that No Action is required at MRS-03 for the following reasons:

- No MEC was identified in the MRS.
- Evaluation of the potential for an MC release to MRS-03 was performed and no source was identified.

The support agencies, the NYSDEC and the New York State Department of Health, support the USACE's selection of the preferred alternative for this MRS.

6.0 PUBLIC PARTICIPATION ACTIVITIES

Public comments on the **Proposed Plan** will be accepted during a public review and comment period. USACE, in coordination with affected stakeholders and supporting agencies, will review public comments and make a decision concerning future action to be taken at the MRS.

USACE will hold a virtual public meeting to explain the Proposed Plan. The public meeting was advertised in local newspapers, inviting any interested parties to attend. Oral and written comments will be accepted during the meeting. The public meeting will be held at 6:00 pm on December 15, 2021, to discuss this Proposed Plan.

This Proposed Plan will be followed by a **Decision Document** for MRS-03 Piers and Underwater Area. USACE responses to public comments on this Proposed Plan will appear in the "Responsiveness Summary" section of the future Decision Document.

Copies of the RI and SI reports for the MRS (and this Proposed Plan) are included in the Administrative Record Information Repository electronically housed at the following publicly available website:

<https://fortjayfiles.com/>

6.1 The Public's Role in Evaluating the Proposed Plan

The Army Corps of Engineers is providing a 30-day comment period to provide an opportunity for public involvement in the decision-making process for the proposed action. If any significant new information or public comments are received during the public comment period, USACE, in consultation with NYSDEC, may modify the preferred alternative outlined in this Proposed Plan or select another response action. The public is encouraged, therefore, to review and comment on this Proposed Plan.

Comments on this Proposed Plan will be accepted throughout a public comment period between **December 9, 2021 and January 13, 2022**.

Correspondence should be postmarked no later than **January 13, 2022** and sent to USACE at the following address:

US Army Corps of Engineers - New York
District
Attn: Amanda Regan, Project Manager
2890 Woodbridge Avenue
Edison, NJ 08837
Office: 917-790-8618
Email: Amanda.M.Regan@usace.army.mil

7.0 REFERENCES

HydroGeoLogic, Inc. (HGL), 2020, *Final Remedial Investigation Report, Fort Jay Formerly Used Defense Site, Governors Island, New York*, September 2020.

U.S. Army Corps of Engineers (USACE), 2008, *Final Site Inspection Report for Fort Jay. Prepared by Alion Science and Technology Corporation*, January 2008.

U.S. Army Corps of Engineers (USACE), 1997, *Archive Search Report Findings for U.S. Coast Guard Support Center Governors Island, New York County, New York*, July 1997.

APPENDIX A – ACRONYMS AND GLOSSARY OF TERMS

ACRONYMS

CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
DERP	Defense Environmental Restoration Program
DoD	U.S. Department of Defense
FUDS	Formerly Used Defense Site
HGL	HydroGeoLogic, Inc.
MC	munitions constituents
MEC	munitions and explosives of concern
MMRP	Military Munitions Response Program
MRS	munitions response site
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NYSDEC	New York State Department of Environmental Conservation
RI	Remedial Investigation
SI	Site Inspection
TGI	Trust for Governors Island
USACE	U.S. Army Corp of Engineers

GLOSSARY OF TERMS

Specialized terms used in this Proposed Plan are defined below:

Advanced Geophysical Classification – Advanced Geophysical Classification provides a process for determining whether a buried metal object is a military munition. High-quality data are collected on detected metallic objects buried in the ground and interpreted using computer-based models to estimate the size, shape, and other physical attributes of the buried object. Analysts use this information to determine whether the buried object is likely a munition or harmless debris.

Archive Search Report – A detailed investigation to report on past MEC activities conducted on an installation; includes a MEC-specific project inspection and historical records searches.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, otherwise known as Superfund) – A federal law that addresses the funding for and remediation of abandoned or uncontrolled hazardous waste sites. This law also establishes criteria for the creation of key documents such as the Remedial Investigation Report, Feasibility Study, Proposed Plan, and Decision Document.

Decision Document – A document establishing the reasoning for the choice of a cleanup plan or final remedial action or No Action at CERCLA sites.

Fort Jay Governors Island, New York, New York – Property Number C02NY0611, Project 03

Digital Geophysical Mapping – This method of geophysical surveying uses an instrument that acquires geophysical data and position data using self-recording instruments. The data are then post-processed by analysts to identify anomalies for further investigation.

Munitions Constituents (MC) – Any materials originating from unexploded ordnance, discarded military munitions, or other military munitions, including explosive and nonexplosive materials, and emission, degradation, or breakdown elements of such ordnance or munitions.

Munitions and Explosives of Concern (MEC) – This term, which distinguishes specific categories of military munitions that may pose unique explosives safety risks, means (a) unexploded ordnance; (b) **discarded military munitions**; or (c) explosive **MC** (for example, trinitrotoluene and Royal demolition explosive) present in high enough concentrations to pose an explosive hazard.

Munitions Response Site (MRS) – A discrete location that is known to require a munitions response.

Proposed Plan – A plan that identifies the preferred remedial alternative(s) for a site and is made available to the public for comment.

Remedial Investigation (RI) – An inspection conducted at a site to define the nature and extent of contamination present, and to assess potential related hazards and risks.

Site Inspection (SI) – An SI is conducted under CERCLA when the preliminary assessment for the site indicates that there is a need for further investigation.

Superfund – See CERCLA above.

APPENDIX B - FIGURES

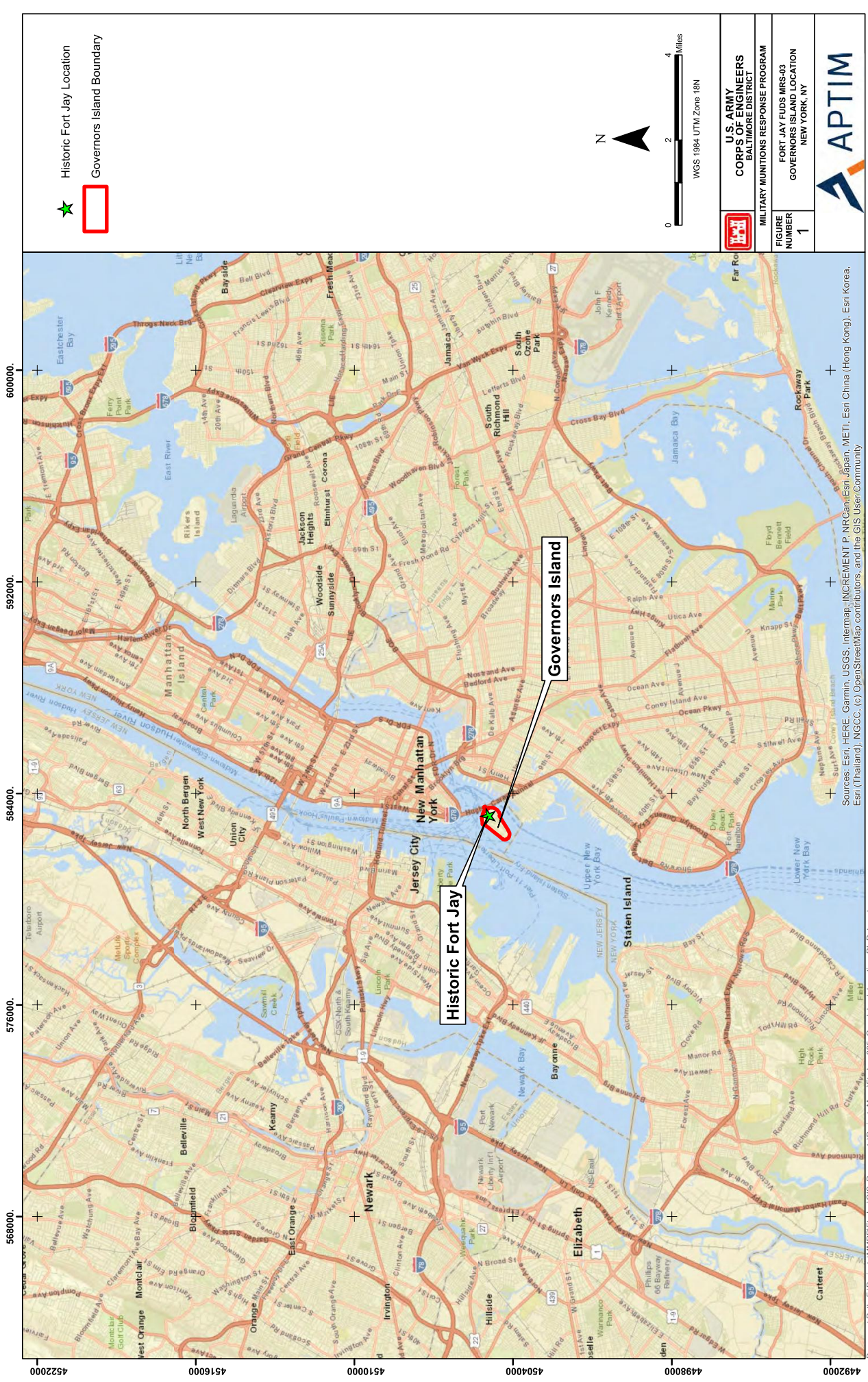
Figure 1 Governors Island Location

Figure 2 Munitions Response Site (MRS) Location

Figure 3 Location of Historic Piers

Figure 4 Historical Photograph - 1924

Figure 5 Completed Dive Transect Locations



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



MRS-03 Piers and Underwater Areas



WGS 1984 UTM Zone 18N
0 500 1,000 Feet



U.S. ARMY
CORPS OF ENGINEERS
BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
2

FORT JAY FUDS MRS-03
MUNITIONS RESPONSE SITE (MRS)
LOCATION
NEW YORK, NY



Aerial photo source: NYS Statewide Digital Orthophotography Program (NYS DOP), Web Map Services, 2018.
NYS GIS Program Office



Current Pier
 Pier Configurations 1887 - 1966



	U.S. ARMY
	CORPS OF ENGINEERS
	BALTIMORE DISTRICT
	MILITARY MUNITIONS RESPONSE PROGRAM
	FIGURE NUMBER
	3
FORT JAY FUDS MRS-03	
LOCATION OF HISTORIC PIERS	
NEW YORK, NY	

Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP), Web map Services, 2018.
 NYS GIS GIS Program Office, Westchester County GIS

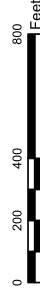
582200 582500 582800 583100 583400



4504200 4504400 4504600 4504800 4505000 4505200



WGS 1984 UTM Zone 18N



U.S. ARMY
CORPS OF ENGINEERS
BALTIMORE DISTRICT

MILITARY MUNITIONS RESPONSE PROGRAM

FIGURE
NUMBER
4

FORT JAY FUDS MRS-03
HISTORICAL PHOTOGRAPH - 1924
NEW YORK, NY



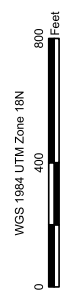


582200 582500 582800 583100 583400 583700

Transects

- Incomplete
- 99% Complete (12,077 ft)
- Current Pier

Note:
Total length of planned
transects = 12,241 ft.



	U.S. ARMY CORPS OF ENGINEERS BALTIMORE DISTRICT
	MILITARY MUNITIONS RESPONSE PROGRAM
	FIGURE NUMBER 5
FORT JAY FUDS MRS-03 COMPLETED DIVE TRANSECT LOCATIONS NEW YORK, NY	

Aerial photo source: NYS Statewide Digital Orthophotography Program (NYSDOP), Web map Services, 2016; NYS GIS Program Office, Westchester County GIS

Your input on the Proposed Plan for the Fort Jay MRS-03 is important to USACE. Comments provided by the public are valuable in helping USACE select a final cleanup remedy for the site.

Office: 917-790-8618, Email: Amanda.M.Regan@usace.army.mil

- Additional Comments:

[illegible]

Appendix B

NYSDEC Letter of Concurrence

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau A

625 Broadway, 12th Floor, Albany, NY 12233-7015

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www.dec.ny.gov

December 17, 2021

Via E-mail ONLY

Ms. Heather L. Sullivan
FUDS Program Manager
US Army Corps of Engineers, New England District
696 Virginia Road, Concord, MA 01742

RE: Fort Jay Formerly Used Defense Site (FUDS)
Governor's Island, NY NYSDEC Site No 231069

Dear Ms. Sullivan:

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) have completed their review of the Fort Jay FUDS Proposed Plan, dated November 2021. The Proposed Plan is for the munitions and explosives of concern (MEC) within the piers and underwater area of the site (MRS-03). The NYSDEC and the NYSDOH concur with the proposed no action remedy for the MRS-03 portion of this site.

If you have any questions, please contact Steven M. Scharf, P.E. of my staff at 518-402-9620.

Sincerely,



Richard A. Mustico, P.E.
Director, Remedial Bureau A
Division of Environmental Remediation

ec: A. Regan, USACE NY District
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Department of
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June 3, 2022

Transmitted Via E-mail ONLY

Ms. Heather L. Sullivan
FUDS Program Manager
US Army Corps of Engineers, New England District
696 Virginia Road, Concord, MA 01742
heather.L.sullivan@usace.army.mil

RE: Fort Jay Formerly Used Defense Site (FUDS)
Governor's Island, NY (NYSDEC Site No 231069)

Dear Ms. Sullivan:

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) have completed their review of the Fort Jay FUDS Draft Final Decision Document entitled "Fort Jay Formerly Used Defense Site MRS-03: Piers and Underwater Area Governors Island, New York" and dated May 2022. The Decision Document is pertinent to the munitions and explosives of concern (MEC) within the piers and underwater area of the site (MRS-03). The NYSDOH and the NYSDOH concur with the selected no action remedy for the MRS-03 portion of the Fort Jay site.

If you have any questions, please contact Steven M. Scharf, P.E. of my staff at 518-402-9620.

Sincerely,



Richard A. Mustico, P.E.
Director, Remedial Bureau A
Division of Environmental Remediation



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