

PUBLIC NOTICE

US Army Corps of Engineers New York District Jacob K. Javits Federal Building New York, N.Y. 10278-0090 ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2016-01075-ESW NAN-2016-01076-ESW NAN-2016-01077-ESW Issue Date: September 30, 2016 Expiration Date: October 20, 2016

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

- APPLICANT: New York City Economic Development Corporation 110 William Street New York, New York 10038
- ACTIVITY: Construction of various ferry landing structures at multiple locations to expand the existing East River Ferry Service
- WATERWAY: East River and Jamaica Bay
- LOCATION: City of New York, Queens, Kings and New York County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for

this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there may be known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit. Further consultation with the New York State Historic Preservation Office potential impacts will be concluded prior to the final decision.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99

Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

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

• New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 970-8618 and ask for Amanda Switzer.

In order for us to better serve you, please complete our Customer Service Survey located at http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx.

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

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Stephan A. Ryba Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the New York City Economic Development Corporation, has requested Department of the Army authorization for the construction of various ferry landing structures at multiple locations to expand the East River ferry service. The proposed landings are part of three independent routes, and are being reviewed concurrently under separate project numbers.

<u>NAN-2016-01075-ESW Rockaway Route:</u> The proposed project is located in Jamaica Bay at the terminus of Beach 108th street in Far Rockaway, New York City, Queens County, New York.

 Rockaway Landing: Construction of a new three-foot-wide by 15-foot-long pile supported platform leading to a 10-foot-wide by 50-foot-long gangway to a permanently moored 35-foot-wide barge with associated piles and anodes to service up to three ferry vessels at one time. This project includes approximately 8 cubic yards (CY) of fill.

<u>NAN-2016-01076-ESW Astoria Route:</u> The proposed project is located in the East River at Hallett's Cove, Anable Basin and Roosevelt Island in the Borough of Queens, New York City, Queens County, New York

- Astoria Landing: The site currently consists of a gangway leading to a barge in a linear construction. New construction would consist of a 3-foot-wide by 15-footlong pile supported gangway platform leading to a 10-foot-wide by 80-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular orientation to service up to two ferries at a time. This project includes approximately 4 CY of fill.
- Long Island City Landing: Construction of a 3-foot-wide by 15-foot-long pile supported gangway platform leading to a 10-foot-wide by 50-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular orientation to service up to three ferries at a time. This project includes approximately 83 CY of fill.
- Roosevelt Island Landing: Construction of a 3-foot-wide by 15-foot-long pile supported gangway platform leading to a 10-foot-wide by 65-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular orientation to service up to three ferries at a time. This project includes approximately 38 CY of fill.

<u>NAN-2016-01077-ESW South Brooklyn Route:</u> The proposed project is located in the East River at Veteran's Pier, Brooklyn Cruise Terminal, and Brooklyn Bridge Park in the Borough of Brooklyn, New York City, Kings County, New York.

1. Bay Ridge Landing: Construction of a 3-foot-wide by 15-foot-long pile supported gangway platform leading to a 10-foot-wide by 80-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular

orientation to service up to two ferries at a time. This project includes approximately 13 CY of fill.

- 2. Red Hook (Atlantic Basin) Landing: Construction of a 20-foot-wide by 35-footlong pile supported gangway platform leading to a 10-foot-wide by 65-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular orientation to service up to two ferries at a time. This project includes approximately 8 CY of fill.
- 3. Brooklyn Bridge Park (Atlantic Avenue/Pier 6) Landing: The site currently consists of a gangway leading to a barge in a linear construction. New construction would consist of a 3-foot-wide by 15-foot-long pile supported gangway platform leading to a 10-foot-wide by 50-foot-long gangway onto a 35-foot-wide by 90-foot-long permanently moored barge in a perpendicular orientation to service up to two ferries at a time. This project includes approximately 8 CY of fill.

The stated purpose of the project is to expand the existing East River Ferry to provide an affordable and convenient transportation system, connecting residential areas to business districts and employment centers.

USACE FILES: NAN-2016-01075-ESW, NAN-2016-01076-ESW, NAN-2016-01077-ESW



Citywide Ferry Service Route Map Figure A-1



FILE NAME: P:\Proj150\150898\10_Dwgs\CADD\06_citywide ferry service_acce permit\12_RA_Rockaway - Beach 108th Street\2.0 Location Plan.dwg PLOT TIME: Wed, 10 Aug 2016 - 4:33pm LAST SAVE: Man, 08 Aug 2016 - 9:51am BY: BMarquez









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FILE NAME: P:\Proj150\150898\10_Dwgs\CADD\06_citlywide ferry service_acce permit\09_LIC_Long Island Citly\20 Loccilion Plan.dwg PLOT TIME: Thu, 11 Aug 2016 - 12:52pm LAST SAVE: Tue, 08 Mar 2016 - 1:32pm BY: BMarquez



FILE NAME: P:\Projl50\150898\10_Dwgs\CADD\06_Citywide Ferry Service_ACCE Permit\09_LIC_Long Island City\5.0 Proposed Site Plan.dwg PLOT TIME: Thu, 25 Aug 2016 - 3:50pm LAST SAVE: Thu, 25 Aug 2016 - 3:31pm BY: BMarquez



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FILE NAME: P: \Proj150\150898\10_Dwgs\CADD\06_citywide fery service_acce permit\02_BR_Bay Ridge\2.0 Location Plan.dwg PLOT TIME: Wed, 10 Aug 2016 - 4:14pm LAST SAVE: Tue, 08 Mar 2016 - 1:24pm BY: BMarquez



FILE NAME: P:\Proji50\150898\10_Dwgs\CADD\06_Citywide Ferry Service_ACCE Permit\02_BR_Bay Ridge\5.0 Proposed Site Plan.dwg PLOT TIME: Thu, 25 Aug 2016 - 3:48pm LAST SAVE: Thu, 25 Aug 2016 - 3:28pm BY: BMarquez



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